
RESOLUTION NO. 54-1

A RESOLUTION APPROVING APPROPRIATION TRANSFER FROM THE GENERAL RESERVE TO THE
ENGINEERING DEPARTMENT

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BE IT HEREBY RESOLVED that appropriation transfer of \$10,900 be authorized from the General Reserve Fund to the Engineering Department to provide for additional personnel, equipment and material for the completion of plans and surveys on various trunk sewers and improvement districts.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of January, 1954, by Councilman R. Adams, who moved its adoption, which motion being duly seconded by Councilman M. Adams, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Arata, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: Annan and Mellis

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-2

A RESOLUTION GIVING NOTICE OF THE PROPOSED ANNEXATION OF THE McHENRY VILLAGE ADDITION TO THE CITY OF MODESTO AND FIXING THE TIME AND PLACE FOR HEARING OBJECTIONS TO THE PROPOSED ANNEXATION

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WHEREAS, a petition for annexation to the City of Modesto was filed by Lawrence Robinson and Sons and McHenry Village, Inc. on December 11, 1953, to annex to the City of Modesto, under the provisions of the Annexation of Uninhabited Territory Act of 1939, as amended, the area or territory hereby designated as the McHenry Village Addition, situate in the County of Stanislaus, State of California, and contiguous to the City of Modesto, described as follows:

All the portions of Sections 16, 17, 20 and 21, township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at the Intersection of the south line of the Modesto Irrigation District Lateral No. 3 and the west line of the 50-ft. street known as McHenry Avenue, said point being a corner of the existing City Limits; thence easterly along the south right of way line of the Modesto Irrigation District Lateral No. 3 North 89° 36' East 587.24 feet; thence continuing along said right of way line along a curve to the right having a radius of 183.48 feet, central angle of 19° 50' a distance of 63.51 feet; thence continuing along said right of way line South 70° 34' East 802.60 feet; thence South 0° 51' 30" East 637.37 feet; thence North 89° 39' West 150.00 feet; thence South 0° 51' 30" East along the quarter, quarter section line of said Section 16 a distance of 130.00 feet to the North line of the 40-ft. road known as Granger Avenue; thence North 89° 39' West along the North line of Granger Avenue 663.12 feet; thence North 0° 48' West 112.00 feet; thence North 89° 39' West 360.50 feet; thence South 0° 48' East 112.00 feet; thence North 89° 39' West along the North line of Granger Avenue 49.50 feet; thence Southerly parallel to McHenry Avenue 200 feet; thence Easterly parallel to Granger Avenue 456.44 feet to a point on the East line of Lot 5, Coolidge Colony, recorded in Volume 5 of Maps at Page 17, Stanislaus County Records; thence Southerly along the East line of Lot 5 a distance of 150.00 feet to the Southeast corner of Lot 5; thence Westerly along the South line of Lot 5 a distance of 132.00 feet; thence Southerly parallel to McHenry Avenue 310.00 feet to the North line of the 40-ft. road known as Coolidge Avenue; thence Westerly along said North line 213.6 feet; thence northerly parallel to McHenry Avenue 160.00 feet; thence Westerly parallel to Granger Avenue 340.4 feet to the West line of McHenry Avenue, a point on the present City Limits; thence Northerly along the present City Limits to the point of beginning.

and,

WHEREAS, it appears to the Council of the said City and the Council after hearing evidence finds that said petition is in proper form and that the real property described therein and hereinabove described is contiguous to the City of Modesto and that said petition is signed by the owners of not less than one-fourth of the land in the territory by area, and by assessed value as shown on the last equalized assessment roll of the County of Stanislaus, being the County in which the territory is situated, and that less than twelve registered voters reside within said territory, and that said territory is uninhabited territory within the meaning of Annexation of Uninhabited Territory Act of 1939.

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. NOTICE IS HEREBY GIVEN that the 17th day of February, 1954, at the hour of 4:15 o'clock P.M. of said day, in the Council Chambers of the City Hall, located at 717 Tenth Street, in the City of Modesto, be, and the same is hereby fixed as the time and place for considering said petition, at which time and place any person owning real property within such territory and having any objections to the proposed annexation may appear before the Council of the City of Modesto and show cause why such territory should not be so annexed. At any time before the hour set for hearing objections, any owner of property within the territory may file written protests against the annexation, which protest shall state the name of the owner of the property effected and the description and area of the property in general terms.

SECTION 2. The City Clerk shall cause a copy of this resolution to be published at least twice, but not oftener than once a week, in The Modesto Tribune, a newspaper of general circulation, published in the City of Modesto and being the official newspaper of the City of Modesto, and shall also cause a copy of this resolution to be published in the Turlock Daily Journal, being a newspaper of general circulation published outside of the City of Modesto but in the County of Stanislaus. Said publications shall be completed at least twenty (20) days prior to the date set for the hearing.

SECTION 3. The City Clerk of the City of Modesto shall also cause a written notice of such proposed annexation to be mailed to each person to whom land within the territory proposed to be annexed is assessed on the last equalized county assessment roll available on the date the proceedings were initiated, at the address shown on said assessment roll or as known to said Clerk, and to any person who has filed his name and address and the designation of the land in which he has any interest, either legal or equitable, with said Clerk. Said notice shall be mailed not less than twenty (20) days before the public hearing on the proposed annexation.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of January, 1954, by Councilman Annan, who moved its adoption, which motion being duly seconded by Councilman Arata, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: R. Adams, M. Adams, Annan, Arata, Mellis, Merrill and
Mayor Marks
Noes: Councilmen: None
Absent: Councilmen: None

ATTEST: REX E. GAILFUS,
CITY CLERK

RESOLUTION NO. 54-3

A RESOLUTION GIVING NOTICE OF THE PROPOSED ANNEXATION OF THE BRIGGSMORE ADDITION TO THE CITY OF MODESTO AND FIXING THE TIME AND PLACE FOR HEARING OBJECTIONS TO THE PROPOSED ANNEXATION

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WHEREAS, a petition for annexation to the City of Modesto was filed by Coddling Homes on December 11, 1953, to annex to the City of Modesto, under the provisions of the Annexation of Uninhabited Territory Act of 1939, as amended, the area or territory hereby designated as the Briggsmore Addition, situate in the County of Stanislaus, State of California, and contiguous to the City of Modesto, described as follows:

A Portion of Briggsmore Tract and a Portion of Lot 6 Fresno Tract. Commencing at the intersection of the south line of the Modesto Irrigation District Lateral No. 3 and the west line of the 50-foot street known as McHenry Avenue, said point being a corner of the existing City Limits; thence westerly along the south line of the Modesto Irrigation District Lateral No. 3 to its intersection with the southerly extension of the easterly line of the Briggsmore Tract, recorded in Volume 17 of Maps at Page 43, Stanislaus County Records; said intersection is the point of beginning of this description; thence northerly along said southerly extension and the east line of the Briggsmore Tract, said east line also being the east line of Lot 5 of the Fresno Tract, recorded in Volume 1 of Maps at Page 76, Stanislaus County Records, to a point which is 30 feet southerly from the northeast corner of Lot 5, Fresno Tract; thence westerly along the south line of Bowen Avenue as shown on Map of Briggsmore Tract to the west line of Briggsmore Tract; thence southerly along the west line of Briggsmore Tract and its southerly extension to the South line of Modesto Irrigation District Lateral No. 3; thence easterly along said south line of Modesto Irrigation District Lateral No. 3 to the point of beginning.

and

WHEREAS, it appears to the Council of the said City and the Council after hearing evidence finds that said petition is in proper form and that the real property described therein and hereinabove described is contiguous to the City of Modesto and that said petition is signed by the owners of not less than one-fourth

of the land in the territory by area, and by assessed value as shown on the last equalized assessment roll of the County of Stanislaus, being the County in which the territory is situated, and that less than twelve registered voters reside within said territory, and that said territory is uninhabited territory within the meaning of Annexation of Uninhabited Territory Act of 1939.

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. NOTICE IS HEREBY GIVEN That the 17th day of February, 1954, at the hour of 4:30 o'clock P.M. of said day, in the Council Chambers of the City Hall, located at 717 Tenth Street, in the City of Modesto, be, and the same is hereby fixed as the time and place for considering said petition, at which time and place any person owning real property within such territory and having any objections to the proposed annexation may appear before the Council of the City of Modesto and show cause why such territory should not be so annexed. At any time before the hour set for hearing objections, any owner of property within the territory may file written protests against the annexation, which protest shall state the name of the owner of the property effected and the description and area of the property in general terms.

SECTION 2. The City Clerk shall cause a copy of this resolution to be published at least twice, but not oftener than once a week, in The Modesto Tribune, a newspaper of general circulation, published in the City of Modesto and being the official newspaper of the City of Modesto, and shall also cause a copy of this resolution to ^{be} published in the Turlock Daily Journal, being a newspaper of general circulation published outside of the City of Modesto but in the County of Stanislaus. Said publications shall be completed at least twenty (20) days prior to the date set for the hearing.

SECTION 3. The City Clerk of the City of Modesto shall also cause written notice of such proposed annexation to be mailed to each person to whom land within the territory proposed to be annexed is assessed on the last equalized county assessment roll available on the date the proceedings were initiated, at the address shown on said assessment roll or as known to said Clerk, and to any person who has filed his name and address and the designation of the land which he has any interest, either legal or equitable, with said Clerk. Said notices shall be mailed not less than twenty (20) days before the public hearing on the proposed annexation.

SECTION 4. The area hereinabove described shall become a part of the Modesto City School District of Stanislaus County if and when the said territory is annexed to the City of Modesto.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of January, 1954, by Councilman R. Adams, who moved its adoption, which motion being duly seconded by Councilman M. Adams, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: R. Adams, M. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-4

A RESOLUTION ESTABLISHING PARALLEL PARKING ON ELEVENTH STREET BETWEEN "K" STREET AND "L" STREET IN THE CITY OF MODESTO

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BE IT RESOLVED by the Council of the City of Modesto that parallel parking be, and it is hereby established on both sides of Eleventh Street between "K" Street and "L" Street in the City of Modesto.

BE IT FURTHER RESOLVED that the Director of Public Works be, and he is hereby directed to cause the above described areas to be marked and/or posted in accordance with the provisions of this resolution and the applicable laws of the City.

BE IT FURTHER RESOLVED that all resolutions or portions of resolutions in conflict herewith are hereby rescinded.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of January, 1954, by Councilman Arata, who moved its adoption, which motion being duly seconded by Councilman Mellis, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks
Noes: Councilmen: None
Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-5

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS FOR THE CONSTRUCTION OF A PUMP HOUSE AT PUMP STATION NO. 16 AND AUTHORIZE CALLING FOR BIDS

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BE IT HEREBY RESOLVED that the plans and specifications for the construction of a pump house at pump station No. 16 (College Village #2 Tract) presented by the Director of Public Works, be approved, and

BE IT FURTHER RESOLVED that calling for bids for above described construction be and it is hereby authorized in accordance with the procedure contained in section 1307 of the City Charter, said bids to be opened at 2:00 P.M., January 25, 1954 in the Council Chambers.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of January, 1954, by Councilman Merrill, who moved its adoption, which motion being duly seconded by Councilman M. Adams, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks
Noes: Councilmen: None
Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-6

A RESOLUTION AUTHORIZING PAYMENT TO V. P. BARTON FOR CONSTRUCTION OF SANITARY SEWER LINE TO SERVE THE BARTON OAKS SUBDIVISION

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BE IT HEREBY RESOLVED that payment of \$500 be authorized to V. P. Barton and Mildred E. Barton, as provided by section 4 of agreement between said V. P.

Barton and Mildred E. Barton and the City of Modesto, dated October 7, 1953, for the construction of sewer laterals to serve the Barton Oaks subdivision.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of January, 1954, by Councilman M. Adams, who moved its adoption, which motion being duly seconded by Councilman Annan, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-7

A RESOLUTION GRANTING PERMISSION TO THE STANISLAUS COUNTY CHAPTER OF THE NATIONAL FOUNDATION FOR INFANTILE PARALYSIS TO PLACE WISHING WELL IN THE BUSINESS DISTRICT FOR THE MARCH OF DIMES CAMPAIGN

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WHEREAS, the Stanislaus County Chapter for Infantile Paralysis, sponsored by the Modesto Junior Chamber of Commerce, has filed a request for permission to place "Wishing Wells" at the following locations during the period January 2, through February 2, 1954 in connection with the March of Dimes Campaign:

- Tenth and I Streets
- Tenth and J Streets
- Tenth and K Streets
- Eleventh and J Streets
- In front of the Post Office
- Twelfth and I Streets

NOW THEREFORE BE IT RESOLVED that permit be granted to said applicant to install "Wishing Wells" at above locations, providing that prior to the placing of these "Wishing Wells", written evidence will be furnished the city by said applicant of its willingness to indemnify and hold the city harmless from and against any and all costs, damages and liability arising out of the erection and maintenance of said "Wishing Wells."

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of January, 1954, by Councilman Merrill, who moved its adoption, which motion being duly seconded by Councilman M. Adams, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-8

A RESOLUTION ESTABLISHING INTERIM POLICIES GOVERNING THE USE OF THE L. J. MADDUX YOUTH CENTER BUILDING AND ESTABLISHING AN INTERIM SCHEDULE OF PRIORITIES AND FEES FOR THE RENTAL THEREOF

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WHEREAS, construction of the L. J. Maddux Youth Center building in West Side Park has recently been completed, making the building available for recreational and other purposes, and

WHEREAS, there is widespread interest in use of the building on the part of various organizations and groups in the community, and

WHEREAS, the development of a program for youth activities at the Center and establishment of specific policies, rules, and regulations governing its use and operation are in process but not completed, and

WHEREAS, the Council desires to establish interim policies and regulations to enable early and appropriate use of the building,

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Modesto hereby establishes the following interim policies governing use of the L. J. Maddux Youth Center building and the following interim schedule of fees for the rental thereof:

1. Days Available. The Youth Center building will be available for use Mondays through Saturdays and will be closed Sundays.

2. Supervision. Any group or organization using the Youth Center building will be required to provide competent, responsible, adult supervision throughout the time the building is in use.

3. Reservations. Any group or organization desiring to use the building shall make application to the Director of Recreation, who shall be charged with the responsibility of processing the same. Use by community, civic, and service organizations not directly and primarily directed to youth must be requested and scheduled at least thirty days in advance.

4. Priority of Use and Rental Fees. The following schedule of priorities and rental fees is hereby established to govern the use of the building.

<u>Schedule of Priorities</u>	<u>Rental Fees</u>		
	<u>Morning</u> 9:00-1:00	<u>Afternoon</u> 1:00-5:00	<u>Evening</u> After 6:00 P.M.
A. Activities conducted by Recreation Department	No Charge	No Charge	No Charge
B. Youth groups	\$2.50	\$2.50	\$5.00
C. Adult organizations directed and primarily related to youth	5.00	5.00	10.00
D. Community, civic, and service organizations not directly and primarily related to youth.	7.50	7.50	15.00

5. Pending establishment of detailed rules and regulations further governing the use and operation of the Youth Center building, the Director of Recreation shall take such actions as are necessary to assure orderly management of the facility and protection of the building and its premises in connection with use by any group or organization. Failure of an applicant to comply with the rules and regulations governing the use of the Youth Center shall constitute grounds for refusal of the right of subsequent use thereof.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of January, 1954, by Councilman Mellis, who moved its adoption, which motion being duly seconded by Councilman R. Adams, was upon roll call carried by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-9

A RESOLUTION GRANTING THE REQUEST OF CHARLES V. SALES, DOING BUSINESS AS CITY CAB COMPANY, FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO OPERATE ONE ADDITIONAL TAXICAB IN THE CITY OF MODESTO

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WHEREAS, Charles V. Sales, doing business as "City Cab Company " filed an application, dated December 15, 1953, with the City Clerk requesting the granting of a Certificate of Public Convenience and Necessity to operate one additional taxicab in the City of Modesto, pursuant to Ordinance No. 1053-N.S., as amended, and

WHEREAS, Said application was investigated by the Chief of Police who has reported his findings in connection therewith, and

WHEREAS, the Council of the City of Modesto, at a regular meeting held on the 6th day of January, 1954, conducted a public hearing upon said application, and

WHEREAS, at said time and place, said City Council found and determined that the public convenience and necessity require the requested additional taxicab service,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the application of Charles V. Sales for a Certificate of Public Convenience and Necessity to operate one additional taxicab is hereby granted.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto on the 13th day of January, 1954, by Councilman R. Adams, who moved its adoption, which motion being duly seconded by Councilman Mellis, was upon roll call carried and the resolution adopted by the following vote:

- Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks
- Noes: Councilmen: None
- Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-10

A RESOLUTION APPROVING THE SPECIFICATIONS AND AUTHORIZING THE CALLING FOR BIDS FOR THE DRILLING OF TWO DEEP WELLS

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BE IT HEREBY RESOLVED that the specifications for the furnishing of materials, labor, etc. for the drilling of two deep wells (#1, located at 17th and G Streets,) and (#17, located near the Roosevelt School) be and they are hereby approved. .

BE IT FURTHER RESOLVED that the calling for bids for the above described construction be and it is hereby authorized in accordance with the procedure contained in Section 1307 of the City Charter, said bids to be opened at 10:00 A. M. on Monday, February 1, 1954, in the Council Chambers.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of January, 1954, by Councilman M. Adams, who moved its adoption, which motion being duly seconded by Councilman Arata, was upon roll call carried and the resolution adopted by the following vote:

- Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks
- Noes: Councilmen: None
- Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-11

A RESOLUTION ACCEPTING THE SEWER LATERAL IN THE NORTH CENTRAL ADDITION FROM ANDREW P. RASMUSSEN

---oOo---

WHEREAS, a report has been filed by the Director of Public Works that the construction of the sewer lateral in Blocks 6000, 6001, 6057, and 6058 (North Central Addition) has been completed by the contractor, Andrew P. Rasmussen, in accordance with the contract dated December 16, 1953, and

WHEREAS, progress payment of \$1,611.75 is now due and payable.

NOW, THEREFORE, BE IT RESOLVED that the construction of the sewer lateral at above described location be accepted from Andrew P. Rasmussen and that "Notice of Completion" be filed with the County Recorder, and that progress payment of \$1,611.75 be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of January, 1954, by Councilman Annan, who moved its adoption, which motion being duly seconded by Councilman Merrill, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks
Noes: Councilmen: None
Absent: Councilmen: none

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-12

A RESOLUTION APPROVING AGREEMENT WITH THE STOCKTON CONSTRUCTION COMPANY FOR REPLACING OF PAVEMENT ON WOODLAND AVENUE

---oOo---

WHEREAS, the Director of Public Works has advised that the Stockton Construction Company has requested that the agreement between the City of Modesto and said company dated June 12, 1953, for the construction of the sanitary sewer trunk line at Emerald and Woodland Avenues, be modified to permit them to remove the entire concrete pavement now existing on Woodland Avenue and substitute a different type of pavement in lieu of replacing this concrete pavement, and

WHEREAS, approval of this change in the specifications for the paving of Woodland Avenue has been given by the County Road Commissioner in the County.

NOW, THEREFORE, BE IT RESOLVED that an agreement between the City of Modesto and Stockton Construction Company providing for modification of agreement dated June 12, 1953, be approved and execution of agreement be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of January, 1954, by Councilman M. Adams, who moved its adoption, which motion being duly seconded by Councilman Mellis, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks
Noes: Councilmen: None
Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-13

A RESOLUTION ACCEPTING SANITARY SEWER TRUNK LINE FROM STOCKTON CONSTRUCTION COMPANY

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WHEREAS, a report has been filed by the Director of Public Works that the construction of a sanitary sewer trunk line on Emerald-Woodland-Coldwell Avenues has been completed by the contractor, Stockton Construction Company in accordance with the contract agreement dated June 12, 1953, and that progress payment of \$750.00 is due and payable.

WHEREAS, the acceptance of the project has been recommended by the Director of Public Works.

NOW, THEREFORE, BE IT RESOLVED that said project be accepted from Stockton Construction Company and that progress payment of \$750.00 be approved and that "Notice of Completion" be filed with the Recorder of Stanislaus County.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of January, 1954, by Councilman Merrill, who moved its adoption, which motion being duly seconded by Councilman M. Adams, was upon roll call carried and the resolution adopted by the following vote:

- Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks
- Noes: Councilmen: None
- Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-14

A RESOLUTION APPROVING AGREEMENT WITH F. N. RUMBLEY COMPANY FOR SEWER SERVICE

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WHEREAS, F. N. Rumbley Co. has filed an application for sewer service for its property at the southeast corner of Granger and McHenry Avenues (outside the city limits), and

WHEREAS, the company has agreed to annex its property to the City at the earliest possible time in accordance with the established policy of the Council.

NOW, THEREFORE, BE IT RESOLVED that the execution of an agreement between the City of Modesto and F. N. Rumbley Co. for sewer service to its property at above described location be approved.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of January, 1954, by Councilman Mellis, who moved its adoption, which motion being duly seconded by Councilman M. Adams, was upon roll call carried and the resolution adopted by the following vote:

- Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks
- Noes: Councilmen: None
- Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-15

A RESOLUTION FIXING THE TIME AND PLACE AT WHICH THE COUNCIL OF THE CITY OF MODESTO WILL CONSIDER THE MATTER OF NOTIFYING THE BOARD OF SUPERVISORS OF STANISLAUS COUNTY THAT THE CITY NO LONGER DESIRES TO BE A PART OF THE STANISLAUS COUNTY FREE LIBRARY SYSTEM

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WHEREAS, Section 22105 of the Education Code of the State of California provides that the legislative body of any City may, on or before February first of any year, notify the Board of Supervisors of the County that the City no longer desires to be a part of the County Free Library system and that, thereafter, the City shall cease to participate in the benefits of the County Free Library and the property situated in the City shall not be liable to taxes for County Free Library purposes, and

WHEREAS, Section 22107 of the Education Code of the State of California provides that before the legislative body of the City may give such notice to the Board of Supervisors, the City shall cause to be published at least once a week for two successive weeks prior to the giving of such notice, in the official newspaper of the City, notice of the contemplated action, giving the date and the place of the meeting at which the contemplated action is proposed to be taken,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. That Friday, January 29, 1954, at 10 o'clock A. M., in the Council Chambers of the City Hall, located at 717 Tenth Street in the City of Modesto, County of Stanislaus, is hereby fixed as the time and place when the City Council will consider the matter of giving the Board of Supervisors of Stanislaus County notice that the City no longer desires to be a part of the Stanislaus County Free Library System.

SECTION 2. That the City Clerk is hereby directed to cause a copy of this resolution to be published at least once a week for two successive weeks prior to giving of such notice in The Modesto Tribune, the official newspaper of the City of Modesto.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 20th day of January, 1954, by Councilman Annan, who moved its adoption, which motion being duly seconded by Councilman R. Adams, was upon roll call carried and the resolution adopted by the following vote:

- Ayes; Councilmen: M. Adams, R. Adams, Annan, and Mayor Marks
- Noes: Councilmen: Arata and Mellis
- Absent: Councilmen: Merrill

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-16

A RESOLUTION PROCLAIMING THE WEEK OF JANUARY 25th, 1954, AS MODESTO STATE HOSPITAL WEEK

---oOo---

WHEREAS, there is located in the County of Stanislaus, and adjacent to the City of Modesto, a State Hospital for the treatment of patients, known as the Modesto State Hospital, and

WHEREAS, the Modesto community values the continued existence of the Modesto State Hospital in its environs, and

WHEREAS, the existence of the Modesto State Hospital contributes to the social and economic welfare of the community, and

WHEREAS, said Hospital serves the State of California well by participating in a program of rehabilitating patients, and

WHEREAS, many employees who work at said Hospital are residents of the Modesto community, and

WHEREAS, this Council desires to express its appreciation for the services that the Hospital is rendering to the community, and desires to cooperate and assist in the continued performance of this function, thereby promoting the health of the community and of the State,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the week of January 25th, 1954, be, and it is hereby declared as Modesto State Hospital Week.

BE IT FURTHER RESOLVED that a copy of this resolution be transmitted by the City Clerk to the Modesto State Hospital as an expression of the appreciation of this Council for the fine services which said Hospital is rendering.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 20th day of January, 1954, by Councilman R. Adams, who moved its adoption, which motion being duly seconded by Councilman Arata, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Arata, Mellis and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: Annan and Merrill

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-17

A RESOLUTION APPOINTING JOHN E. GORMAN TO THE BOARD OF LIBRARY TRUSTEES OF THE MC HENRY PUBLIC LIBRARY OF THE CITY OF MODESTO

---oOo---

WHEREAS, Section 1102 of the Charter of the City of Modesto provides that members of boards or commissions shall be appointed by the Council to serve for a term of four years, said terms to expire on January first, under the plan for staggered terms, and

WHEREAS, John E. Gormas was appointed by the Council to serve on the Board of Library Trustees on September 23, 1953, said term to expire on January 1, 1954, and

WHEREAS, said Council desires to re-appoint John E. Gorman to serve on said Board for a term of four years.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that John E. Gorman be, and he is hereby appointed to the Board of Library Trustees for a term of office which shall expire on January 1, 1958.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 20th day of January, 1954, by Councilman Mellis, who moved its adoption, which motion being duly seconded by Councilman Arata, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: Merrill

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-18

A RESOLUTION APPOINTING H. D. BUXTON TO THE PERSONNEL COMMISSION OF THE CITY OF
MODESTO

---oOo---

WHEREAS, Section 1102 of the Charter of the City of Modesto provides that members of boards or commissions shall be appointed by the Council to serve for a term of four years, said terms to expire on January first, under a plan for staggered terms, and

WHEREAS, the term of Personnel Commissioner H. D. Buxton expired on January 1, 1954, and

WHEREAS, the Council desires to re-appoint H. D. Buxton to serve on the Personnel Commission for a term of four years,

NOW, THEREFORE, BE IT RESOLVED By the Council of the City of Modesto that H. D. Buxton be, and he is hereby appointed to the Personnel Commission for a term of office which shall expire on January 1, 1958.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 20th day of January, 1954, by Councilman Arata, who moved its adoption, which motion being duly seconded by Councilman R. Adams, was upon roll call carried and the resolution adopted by the following vote:
Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis and Mayor Marks
Noes: Councilmen: None
Absent: Councilmen: Merrill

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-19

A RESOLUTION APPOINTING E. J. BOUNDEY TO THE PLANNING COMMISSION OF THE CITY OF
MODESTO

---oOo---

WHEREAS, Section 1102 of the Charter of the City of Modesto provides that members of boards or commissions shall be appointed by the Council to serve for a term of four years, said terms to expire on January first, under a plan for staggered terms, and

WHEREAS, the term of Planning Commissioner E. J. Boundey expired on January 1, 1954, and

WHEREAS, the Council desires to re-appoint E. J. Boundey to serve on said Planning Commission for a term of four years,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that E. J. Boundey be, and he is hereby appointed to the Planning Commission for a term of office which shall expire on January 1, 1958.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 20th day of January, 1954, by Councilman Arata, who moved its adoption, which motion being duly seconded by Councilman M. Adams, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis and Mayor Marks
Noes: Councilmen: None
Absent: Councilmen: Merrill

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-20

A RESOLUTION APPOINTING A BOARD OF PLUMBER EXAMINERS FOR THE CITY OF MODESTO

---oOo---

WHEREAS, Section 10 of Ordinance No. 1100-N.S. of the City of Modesto adopting the Uniform Plumbing Code, with amendments, requires the City Council to appoint a Board of Plumber Examiners consisting of five members, one of the members to be the City Health Officer, one a Master Plumber, one a Journeyman Plumber, one the Chief Building Official or his deputy, and the fifth member to be a person engaged in the City as an appliance dealer,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The following persons are hereby appointed to the Board of Plumbing Examiners for a term of three years except as hereinafter provided:

Mark Landquist, City Health Officer

Thomas J. Hermida, Chief Building Official

George H. Hansen, Master Plumber

C. Harvey Benson, Appliance Dealer

SECTION 2. At the first regular meeting of said Board of Plumber Examiners, all the members of the Board, save and except the City Health Officer and the Chief Building Official, shall draw lots for the purpose of determining which member of said Board shall serve one year, which member shall serve two years, and which member shall serve three years on said Board. After the expiration of the term of office of any member of said Board first appointed, appointments thereafter shall be made for a term of three years for each member thereafter appointed to said Board.

SECTION 3. The City Clerk is hereby directed to provide a copy of this resolution to each member of said Board.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 20th day of January, 1954, by Councilman M. Adams, who moved its adoption, which motion being ^{duly} seconded by Councilman Mellis, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: Merrill

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-21

A RESOLUTION APPROVING AGREEMENT WITH CHESTER D. NATTINGER, C. P. A., FOR AUDIT OF CITY RECORDS

---oOo---

BE IT HEREBY RESOLVED that agreement between the City of Modesto and C. D. Nattinger, C. P. A., for his employment as the independent certified public accountant for the fiscal year commencing July 1, 1953, and ending June 30, 1954, be approved, and

BE IT HEREBY RESOLVED that execution by authorized officials be approved.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 20th day of January, 1954, by Councilman R. Adams, who moved its adoption, which motion being duly seconded by Councilman M. Adams, was upon ^{roll} call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: Merrill

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-22

A RESOLUTION ACCEPTING GRANT DEED FROM A. W. WINNING AND LEE VIOLA WINNING (WIDENING OF BRIGGSMORE AND TULLY AVENUES)

---oOe---

BE IT HEREBY RESOLVED that the deed from A. W. Winning and Lee Viola Winning, dated January 5, 1954, granting to the city certain property to be used by the city for the widening of Briggsmore Avenue and Tully Avenue (Caroland Manor #1) be accepted, and

BE IT FURTHER RESOLVED that said deed be recorded with the Recorder of Stanislaus County.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 20th day of January, 1954, by Councilman R. Adams, who moved its adoption, which motion being duly seconded by Councilman Mellis, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Arata, Mellis and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: Annan and Merrill

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-23

A RESOLUTION AUTHORIZING CANCELLATION OF IMPROVEMENT ASSESSMENT AND CITY TAX AND PENALTIES FOR THE YEAR 1952 ON BLOCK 812 LOT 1 AND 2 EXCLUDING THE WEST 40 FEET

---oOo---

WHEREAS, the City Clerk has reported that property located in Block 812 Lot 1 and 2, excluding the West 40 feet, presently owned by Wayne W. Jones, has erroneously been assessed for improvements which had also been included on Block 468, Lots 9-12 owned by Bessie Hyman on the 1952 City Assessment Roll, and

WHEREAS, the City Clerk has requested that the Council authorize cancellation of this double assessment.

NOW, THEREFORE, BE IT RESOLVED that the cancellation of improvement assessment of \$8,715.00 and the city tax and penalties on the 1952 city assessment roll in amount of \$119.36, assessed against the property of Wayne W. Jones, as above described be approved.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 20th day of January, 1954, by Councilman M. Adams, who moved its adoption, which motion being duly seconded by Councilman Arata, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Arata, Mellis and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: Annan and Merrill

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-24

A RESOLUTION AUTHORIZING REFUND OF OVERPAYMENT OF SALES TAX TO GALAS BROTHERS DBA HOTEL COVELL DINING ROOM AND COCKTAIL BAR

---oOo---

WHEREAS, the City Clerk has reported that Galas Brothers dba Hotel Covell Dining Room and Cocktail Bar, have filed a claim for refund of \$1,265.11, purporting to be an overpayment of city sales tax for the period beginning December 31, 1948, to June 30, 1953, on alcoholic beverages, which was not subject to tax prior to October 1, 1953, and

WHEREAS, said agreement has been audited and found to be in order except for the amount outlawed by the Statute of Limitations which makes failure to file a claim within the 3 year period, a waiver of any demand for overpayment making a revised amount of net overpayment of sales tax to the city by said Galas Brothers of \$816.88, without interest.

NOW, THEREFORE, BE IT RESOLVED that the claim of Galas Brothers for overpayment of sales tax in the amount of \$816.88 be allowed and that the claim for interest be rejected as the overpayment was due to carelessness since other like taxpayers had equal knowledge of the law.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 20th day of January, 1954, by Councilman Mellis, who moved its adoption, which motion being duly seconded by Councilman Arata, was upon roll call carried and the resolution adopted by the following vote:

- Ayes: Councilmen: M. Adams, R. Adams, Arata, Mellis and Mayor Marks
- Noes: Councilmen: None
- Absent: Councilmen: Annan and Merrill

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-25

A RESOLUTION APPROVING APPROPRIATION TRANSFER

---oOo---

BE IT HEREBY RESOLVED that appropriation transfer of \$1250 from the general reserve fund to the miscellaneous unclassified for independent audit of city records for fiscal year ending June 30, 1954, be approved.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 20th day of January, 1954, by Councilman Arata, who moved its adoption, which motion being duly seconded by Councilman M. Adams, was upon roll call carried and the resolution adopted by the following vote:

- Ayes: Councilmen: M. Adams, R. Adams, Arata, Mellis and Mayor Marks
- Noes: Councilmen: None
- Absent: Councilmen: Annan and Merrill

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-26

A RESOLUTION APPOINTING EUGENE SWARTLING TO THE PLANNING COMMISSION OF THE CITY OF MODESTO

---oOe---

WHEREAS, Section 1102 of the Charter of the City of Modesto provides that members of boards or commissions shall be appointed by the Council to serve for a term of four years, said terms to expire on January first, under a plan for staggered terms, and

WHEREAS, a vacancy exists at the present time on the Planning Commission of the City of Modesto, and

WHEREAS, the Council desires to appoint Eugene Swartling to serve on said Planning Commission for a term of four years,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that Eugene Swartling be, and he is hereby appointed to the Planning Commission of the City of Modesto for a term of office which shall expire on January 1, 1958.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of January, 1954, by Councilman M. Adams, who moved its adoption, which motion being duly seconded by Councilman Mellis, was upon roll call carried and the resolution adopted by the following vote:
Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis and Mayor Marks
Noes: Councilmen: None
Absent: Councilmen: Merrill

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-27

A RESOLUTION APPOINTING ROY H. BURROUGHS TO THE BOARD OF PLUMBER EXAMINERS OF THE CITY OF MODESTO
---oOo---

BE IT HEREBY RESOLVED by the Council of the City of Modesto that Roy H. Burroughs be, and he is hereby appointed to the Board of Plumber Examiners for the City of Modesto in accordance with the provisions of Section 10 of Ordinance No. 1100-N. S. of the City of Modesto and Resolution No. 54-20, adopted on the 20th day of January, 1954.

BE IT FURTHER RESOLVED that the City Clerk is hereby directed to provide a copy of this resolution to said appointee.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of January, 1954, by Councilman R. Adams, who moved its adoption, which motion being duly seconded by Councilman Arata, was upon roll call carried and the resolution adopted by the following vote:
Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis and Mayor Marks
Noes: Councilmen: None
Absent: Councilmen: Merrill

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-28

A RESOLUTION DESIGNATING CERTAIN CITY PROPERTY AS ROOSEVELT PARK
---oOo---

BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The following described land, situate in the City of Modesto, County of Stanislaus, State of California, to-wit:

Lot 17 of Weil Colony, and Lot 18 of Weil Colony, excepting therefrom the East 30 feet thereof, according to the Map thereof filed in the Office of the County Recorder of Stanislaus County, State of California, on March 17, 1908, in Volume 3 of Maps, page 37, being a tract of land bounded by Tidewater Southern Railway on the east, Orangeburg Avenue on the south, Bronson Avenue on the west and Pearl Avenue on the southern boundary of the Barham tract on the north.

which was acquired by the City of Modesto for use as a City park, is hereby designated as Roosevelt Park.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of January, 1954, by Councilman R. Adams, who moved its adoption, which motion being duly seconded by Councilman Mellis, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: Merrill

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-29

A RESOLUTION APPROVING AGREEMENT WITH LOUIS J. KROEGER AND ASSOCIATES FOR PERSONNAL RULES

---oOo---

WHEREAS, an agreement between the City of Modesto and Louis J. Kroeger and Associates for the preparation of a complete set of personnel rules has been presented to the Council for approval.

NOW, THEREFORE, BE IT RESOLVED that said agreement between the City and Louis J. Kroeger and Associates for the preparation of a set of personnel rules to be filed with the City within 30 days of the date of execution of said contract at a cost to the City of \$250.00, be approved and the exectuion of said agreement be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of January, 1954, by Councilman Annan, who moved its adoption, which motion being duly seconded by Councilman R. Adams, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: Merrill

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-30

A RESOLUTION APPROVING AGREEMENT WITH LOUIS J. KROEGER AND ASSOCIATES FOR AN ANALYSIS OF THE ORGANIZATION AND ADMINISTRATIVE PRACTICES OF THE DEPARTMENT OF PUBLIC WORKS

---oOo---

WHEREAS, an agreement between the City of Modesto and Louis J. Kroeger and Associates for an analysis of the organization and administrative practices of the Department of Public Works has been presented to the Council for approval.

NOW, THEREFORE, BE IT RESOLVED that said agreement between the City and Louis J. Kroeger and Associates for an analysis of the organization and administrative practices of the Department of Public Works to be completed not later than March 12, 1954, at a cost to the City of \$1,450.00, be approved and the execution of said agreement be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of January, 1954, by Councilman Annan, who moved its adoption, which motion being duly seconded by Councilman M. Adams, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: Merrill

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-31

A RESOLUTION APPROVING REQUEST FOR MODIFICATION OF ORDINANCE NO. 1086-N. S. RELATING TO STREET OPENINGS FOR SERVICE STATION AT ROSEBURG AND TULLY AVENUES

---oOo---

WHEREAS, a request has been filed by the Shell Oil Company for modification of Section 4 of Ordinance No. 1086-N. S., as related to street openings for a service station at Roseburg and Tully Avenues.

BE IT HEREBY RESOLVED that the request for variance of the provisions of Section 4 of Ordinance No. 1086-N. S. be approved and the said applicant be granted permission for two 36 foot curb cuts on Roseburg Avenue and two 36 foot curb cuts on Tully Avenue, at locations to be approved by the Director of Public Works.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of January, 1954, by Councilman Arata, who moved its adoption, which motion being duly seconded by Councilman Mellis, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Arata, Annan, Mellis and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: Merrill

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-32

A RESOLUTION APPROVING REQUEST OF BEARD LAND & INVESTMENT COMPANY FOR MODIFICATION OF ORDINANCE-NO. 1086-N. S. RELATING TO SERVICE STATION AT YOSEMITE AND PHOENIX AVENUES

---oOo---

WHEREAS, the Beard Land & Investment Company have filed a request for modification of the provisions of Section 4 of Ordinance No. 1086-N. S. as related to street openings for a service station at Yosemite Boulevard and Phoenix Avenue. (Shell Oil Company service station)

WHEREAS, said company have requested a variance from the provisions of Ordinance No. 1087-N. S. so that the sidewalks and driveways can be constructed with asphaltic concrete.

NOW, THEREFORE, BE IT RESOLVED that the request of Beard Land & Investment Company for modification of the provisions of Section 4 of Ordinance No. 1086-N. S. be approved and permission be granted to said applicant for two 38 foot curb cuts on Yosemite Boulevard, and two 36 foot curb cuts on Phoenix Avenue, with the location to be approved by the Director of Public Works.

BE IT FURTHER RESOLVED that the request for permission to install asphaltic concrete sidewalks and driveways be denied.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of January, 1954, by Councilman Annan, who moved its adoption, which motion being duly seconded by Councilman Arata, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: Merrill

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-33

A RESOLUTION ACCEPTING THE BID OF JESSE E. WAGONER FOR CONSTRUCTION OF PUMP STATION NO. 16

---oOo---

WHEREAS, Resolution No. 54-5 adopted by the Council of the City of Modesto on January 6, 1954, approved the specifications for the construction of Pump Station No. 16 and authorized the calling for bids, and

WHEREAS, the four bids received for said construction were opened at 2:00 P. M., January 25, in the Council Chamber and later tabulated for the consideration of the Council, and

WHEREAS, the Director of Public Works has recommended that the bid of \$1,389.17, submitted by Jesse E. Wagoner, be accepted as it was the lowest bid received.

NOW, THEREFORE, BE IT RESOLVED that the bid of Jesse E. Wagoner of \$1,389.17 for the construction of Pump Station No. 16 be and it is hereby accepted and the execution of the contract for completion of the construction be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of January, 1954, by Councilman Mellis, who moved its adoption, which motion being duly seconded by Councilman R. Adams, was upon roll call carried and the resolution adopted by the following vote:

- Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis and Mayor Marks
- Noes: Councilmen: None
- Absent: Councilmen: Merrill

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-34

A RESOLUTION APPOINTING EUGENE K. STURGIS TO PREPARE SPECIAL IMPROVEMENT DISTRICT PROCEEDINGS FOR THE CITY OF MODESTO AND AUTHORIZING THE EXECUTION OF AN AGREEMENT THEREFOR.

---oOo---

BE IT HEREBY RESOLVED by the Council of the City of Modesto that Eugene K. Sturgis be, and he is hereby appointed as special counsel to supervise all proceedings and to prepare all resolutions, notices and other papers and proceedings for any work and improvement that may be hereinafter authorized by the City Council of the City of Modesto for construction of improvements by special improvement proceedings in "Improvement District No. 2, City of Modesto, County of Stanislaus, State of California", and

BE IT FURTHER RESOLVED that the improvement district for the construction of said improvements, if finally authorized by the Council of the City of Modesto, be known as "Improvement District No. 2, City of Modesto, County of Stanislaus, State of California", and

BE IT FURTHER RESOLVED that the employment of the said Eugene K. Sturgis be made as provided in the attached agreement, and

BE IT FURTHER RESOLVED that the City Manager of the City of Modesto and the City Clerk of the City of Modesto be, and they are hereby authorized to sign and attest the attached agreement employing the said Eugene K. Sturgis as special attorney for and on behalf of the said City of Modesto.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of January, 1954, by Councilman Mellis, who moved its adoption, which motion being duly seconded by Councilman R. Adams, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Arata, Mellis and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: Merrill

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-35

A RESOLUTION ACCEPTING DONATIONS FOR THE L. J. MADDUX YOUTH CENTER BUILDING FUND, AND AUTHORIZING APPROPRIATION FOR EXPENDITURES BY THE RECREATION DEPARTMENT FOR CAPITAL EXPENDITURES FOR CONSTRUCTION

---oOo---

WHEREAS the City of Modesto has received donations in the sum of Four Hundred Dollars (\$400.00), One Hundred Dollars (\$100.00) each from Archie L. Gray and Son, Fischer and Peterson, Fred L. Hill Plumbing and Baker-Newman Company.

NOW THEREFORE BE IT RESOLVED that the City of Modesto does hereby accept said donations and does hereby appropriate the Four Hundred Dollars (\$400.00) received as donations to the L. J. Maddux Youth Center Fund to be used for the purpose of construction of the Maddux Youth Center.

The foregoing resolution was introduced at a regular meeting of the City Council of the City of Modesto held on the 27th day of January, 1954, by Councilman Annan, who moved its adoption, which motion being duly seconded by Councilman Mellis, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: Merrill

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-36

A RESOLUTION ACCEPTING DONATIONS FOR THE YOUTH CENTER FURNISHING FUND AND AUTHORIZING APPROPRIATION FOR EXPENDITURE BY THE RECREATION DEPARTMENT FOR CAPITAL OUTLAY EXPENDITURES

---oOo---

WHEREAS, the City of Modesto has received a donation of \$100 from the Modesto Jay-Cee-Etts, and a donation of \$5.00 from the Neighbors of Woodcraft, Modesto Circle #443, for the "Youth Center Furnishing Fund",

NOW THEREFORE BE IT RESOLVED that the City of Modesto does hereby accept said donations and does hereby authorize appropriation of said \$105, received as donations for furnishing the Youth Center, for expenditure from the "Youth Center Furnishing Fund" by the Recreation Department for capital outlay expenditures.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of January, 1954, by Councilman R. Adams, who moved its adoption, which motion being duly seconded by Councilman Annan, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: Merrill

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-37

A RESOLUTION ADOPTING PRINCIPLES WITH RESPECT TO THE CITY-COUNTY FISCAL RELATIONSHIP

---oOo---

BE IT RESOLVED by the City Council of the City of Modesto that the following principles be adopted by the City Council as its policies with respect to the city-county fiscal relationships:

1. The City is willing at any time to consider any and all of the city-county fiscal relationships on the basis of what is fair and equitable to all concerned.
2. Consideration of city-county fiscal relationships must accept the basic fact that the county is obligated to render basic county governmental services to people both outside and inside the cities from the county general fund.
3. The city accepts the responsibility for providing the additional services above the level of normal county services to people in the City of Modesto.
4. The city has not in the past, does not now, and will not in the future ask for any county assistance for the provision of city services to the citizens of the city of Modesto. The city furnishes many services to those outside the city, and requests county cooperation so that maximum services may be rendered to these people on the most economical basis.
5. The cities and/county should cooperate to furnish maximum services on an equitable basis. Where a joint operation is more economical it should be used.
6. The cities and the county should be willing to consider the equity of all the joint problems, but it should be recognized that it may not be possible to solve them all at once, and those which can be solved equitable and expeditiously should be cleared. This is on the premise that if we wait until they are all solved together none of them will be solved. In reaching a solution on any individual problem, it must be on the premise that a fair, equitable solution will be found to the others. There should be full public exploration and consideration of each problem before any decision is made.

The foregoing resolution was adopted at an adjourned regular meeting of the Council of the City of Modesto held on the 29th day of January, 1954, by Councilman Arata, who moved its adoption, which motion being duly seconded by Councilman Annan, was upon roll call carried and the resolution was adopted by the following vote:

Ayes: Councilmen: R. Adams, Annan, Arata, Mellis and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: M. Adams and Merrill

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-38

A RESOLUTION TERMINATING THE HEARING AND EXPRESSING THE INTENTION OF THE CITY OF MODESTO TO REMAIN IN THE STANISLAUS COUNTY FREE LIBRARY SYSTEM

---oOo---

WHEREAS, Resolution No. 54-15, adopted by the Council of the City of Modesto, on January 20, 1954, fixed Friday, January 29, 1954, at 10:00 A.M. in the Council Chambers of the City Hall, as the time and place the City of Modesto would consider the matter of notifying the Board of Supervisors of Stanislaus County that the city no longer desired to be a part of the Stanislaus County Free Library system, and

WHEREAS, said hearing has been held this date in accordance with Section 22105 of the Education Code of the State of California, and

WHEREAS, the Board of Supervisors of Stanislaus County has expressed its willingness to cooperate with the City of Modesto in solving the existing financial inequities in the operation of the library.

NOW THEREFORE BE IT RESOLVED, that the hearing be and it is hereby terminated and the Council of the City of Modesto does hereby express its intention to remain in the Stanislaus County Free Library System for at least the 54-55 fiscal year.

The foregoing resolution was introduced at an adjourned meeting of the Council of the City of Modesto held on the 29th day of January, 1954 by Councilman Mellis, who moved its adoption, which motion being duly seconded by Councilman Arata, was upon roll call carried and the resolution adopted by the following vote:
Ayes: Councilmen: R. Adams, Annan, Arata, Mellis and Mayor Marks
Noes: Councilmen: None
Absent: Councilmen: M. Adams and Merrill

ATTEST: REX E. GAILFUS,
CITY CLERK

RESOLUTION NO. 54-39

A RESOLUTION REGULATING PARKING ON "G" STREET BETWEEN TENTH STREET AND THE PUBLIC ALLEY IMMEDIATELY WEST THEREOF IN THE CITY OF MODESTO.

WHEREAS, the Greyhound Bus Depot located in the vicinity of the intersection of Tenth Street and "G" Street in the City of Modesto is being remodeled and the vehicular driveways thereto are being redesigned and reconstructed, and

WHEREAS, it will not be possible for these driveways to be used for the loading and unloading of passengers during the period of reconstruction, and

WHEREAS, the public convenience and necessity requires that facilities be provided for the loading and unloading of bus passengers, and

WHEREAS, Section 34.1 of Ordinance No. 345-N.S. of the City of Modesto, as amended, authorizes the City Council, by resolution, to regulate the parking, loading and unloading of motor vehicles upon the streets of the City,

NOW, THEREFORE, BE IT RESOLVED that effective February 8, 1954 and continuing for a period of thirty (30) calendar days thereafter, it shall be unlawful for the operator of any motor vehicle, other than those operated by a public carrier of passengers for hire, certificated by the California Public Utilities Commission, to stop or park such vehicle in the following place in the City of Modesto:

Beginning at the property line on the West side of Tenth Street and continuing West on the North side of "G" Street for a distance of one hundred fifty (150') feet.

BE IT FURTHER RESOLVED that the Director of Public Works be, and he is hereby directed to cause the above location to be marked and posted in accordance with the provisions of this resolution.

BE IT FURTHER RESOLVED that all resolutions or parts of resolutions in conflict herewith are hereby suspended during the time this resolution is effective.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd day of February, 1954, by Councilman Mellis, who moved its adoption, which motion being duly seconded by Councilman R. Adams, was upon roll call carried and the resolution adopted by the following vote:
AYES: Councilmen: M. Adams, R. Adams, Arata, Mellis and Mayor Marks
NOES: Councilmen: None
ABSENT: Councilmen: Annan and Merrill

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-40

A RESOLUTION ACCEPTING THE BID OF OSTERBERG & CARROLL FOR THE DRILLING OF TWO WELLS (#1 LOCATED AT 17 AND G STREETS AND #17 LOCATED NEAR ROOSEVELT SCHOOL)

---oOo---

WHEREAS, RESOLUTION No. 54-10 adopted by the Council of the City of Modesto on January 13, 1954, approved the specifications for the furnishing of material, labor, etc. for the drilling of two deep wells (#1 and #17) and authorized the calling for bids, and

WHEREAS, one bid was received for the said construction which was opened at 10:00 a.m., Monday, February 1, 1954, and

WHEREAS, the Director of Public Works has recommended that the bid of Osterberg and Carroll be accepted.

NOW, THEREFORE, BE IT RESOLVED that the bid of Osterberg & Carroll for the drilling of two deep wells at the above described locations be and it is hereby accepted and the execution of a contract for the completion of the construction is hereby authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd day of February, 1954, by Councilman M. Adams, who moved its adoption, which motion being duly seconded by Councilman R. Adams, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: M. Adams, R. Adams, Arata, Mellis, and Mayor Marks

NOES: Councilmen: None

ABSENT: Councilmen: Annan and Merrill

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-41

A RESOLUTION APPROPRIATING FUNDS FROM GENERAL RESERVE TO THE PUBLIC WORKS DEPARTMENT (SEWER DIVISION)

---oOo---

BE IT HEREBY RESOLVED that the appropriation transfer of \$1200 from the general reserve to the Public Works Department (Sewer Division) for the construction of dry wells as a method of providing storm drainage, be approved.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd day of February, 1954 by Councilman Arata, who moved its adoption, which motion being duly seconded by Councilman Mellis, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Arata, Mellis and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: Annan and Merrill

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-42

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF \$9000 FROM THE GENERAL RESERVE TO PUBLIC WORKS DEPARTMENT (PARKS DIVISION)

BE IT HEREBY RESOLVED that the appropriation transfer of \$9000 from the General Reserve to the Department of Public Works (Parks Division) for capital outlay--acquisition of Ashford Park be approved.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd day of February, 1954, by Councilman Mellis, who moved its adoption, which motion being duly seconded by Councilman R. Adams, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Arata, Mellis, and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: Annan and Merrill

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-43

A RESOLUTION APPROVING REQUEST OF TIDE WATER ASSOCIATED OIL COMPANY FOR A VARIANCE FROM PROVISIONS OF ORDINANCE NO. 1086-N.S. AS RELATED TO STREET OPENINGS

---oOo---

WHEREAS, the Tide Water Associated Oil Company has requested a variance from the provisions of Section 4 of Ordinance No. 1086-N.S., as related to street openings for a service station to be constructed on the corner of Tully Avenue and Roseburg Avenue, and

WHEREAS a public hearing has been held on this request in accordance with the provisions of Ordinance No. 1086-N.S. this date, in the Council Chambers of the City Hall, at 4:30 P.M.

NOW, THEREFORE, BE IT RESOLVED that the variance requested by the said applicant be approved and permit for three thirty-six foot curb cuts be granted, said curb cuts to be located at a location to be approved by the Director of Public Works.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd day of February, 1954 by Councilman Arata, who moved its adoption, which motion being duly seconded by Councilman M. Adams, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Arata, Mellis and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: Annan and Merrill

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-44

WHEREAS: Recreation, as such, rates well up in the brackets of big business and beaches and parks are our largest recreation facilities and serve the greatest number of people and

WHEREAS: The relaxation and recreation available from use of these facilities is of inestimable value to health and happiness and

WHEREAS: There is no other place where such healthful recreation is available in such unlimited measure to so many people at so little expense and

WHEREAS: Funds for acquiring and developing such beaches and parks and for operating them were assured by provisions set forth in Section 6816 of the Public Resources Code of the State of California in the form of oil royalty revenue from oil drilling in the state owned tidelands and

WHEREAS: It seems altogether proper, right and logical that income derived from the state tidelands should be invested in state beaches, state inland parks and small boat harbors on coastal and river areas within state beaches and inland parks, for the everlasting enjoyment and benefit of the people of the state and

WHEREAS: These revenues have been impounded since 1947 and are still not available and

WHEREAS: These funds are very urgently needed for acquiring and developing beach and park property and for operating beaches and parks owned by the state,

NOW, THEREFORE; be it resolved and we do hereby resolve and respectfully request that Assemblyman Stanley T. Tomlinson, Chairman of the Committee on Impounded Funds from Tide and Submerged Lands, and his committee members do find that the best interests of the State and the great majority of the people of the state lie in keeping the present provisions of Section 6816 of the Public Resources Code intact to the end that "the remaining balance", as stated in Subsection (G) of Section 6816, be distributed as follows:

1. Thirty percent to the General Fund
2. Twenty-three and one-third percent to the State Beach Fund
3. Forty-six and two-thirds percent to the State Park Fund

BE IT FURTHER RESOLVED that copies of this resolution be sent to Governor Goodwin J. Knight, Senator Hugh P. Donnelly, Assemblymen Ralph M. Brown and Stanley T. Tomlinson, and other interested parties, including the State Department of Beaches and Parks.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd day of February, 1954, by Councilman Mellis, who moved its adoption, which motion being duly seconded by Councilman R. Adams, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Arata, Mellis and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: Annan and Merrill

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-45

A RESOLUTION GRANTING VARIANCE TO THE UNION OIL COMPANY FOR SERVICE STATION ON JUDITH LANE AND McHENRY AVENUE

---oOo---

WHEREAS, the Union Oil Company has requested a variance from the provisions of Section 4 of Ordinance No. 1086-N. S., as related to street openings for a service station on Judith Lane and McHenry Avenue.

WHEREAS, a public hearing has been held on this request for a variance in the Council Chambers Wednesday, February 3 at 4:15 P.M.

NOW, THEREFORE, BE IT RESOLVED that the variance requested by the Union Oil Company be approved and the installation of curb cuts be authorized as follows:

Two curb cuts on Judith Lane, the easterly one to be 36 feet in width and the westerly one to be 30 feet in width

Two curb cuts on McHenry Avenue, the southerly one not to exceed 41 feet and the northerly one not to exceed 46 feet

subject to clearing with the State of California to determine if the construction of the station could conform with the proposed 80 foot set back on McHenry Avenue, and that if it is not possible that the Union Oil Company will file a letter with the City agreeing that when the 80 foot width is needed the necessary right of way will be provided and the necessary realignment of their facilities will be completed at its own expense, including curb and driveway approaches.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd day of February, 1954, by Councilman R. Adams, who moved its adoption, which motion being duly seconded by Councilman M. Adams, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Arata, Mellis, Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: Annan and Merrill

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-46

A RESOLUTION GRANTING PERMIT TO WILLIAM M. TODD, PASTOR OF THE UNITED BROTHERS IN CHRIST CHURCH, TO CONDUCT A RELIGIOUS CAMPAIGN ON THE PARKING AREA ADJOINING THE MUNICIPAL BASEBALL PARK

---oOo---

WHEREAS, William M. Todd, pastor of the United Brethren in Christ Church, on behalf of forty Modesto ministers, has requested permission to erect a tent in the parking area outside the Municipal Baseball Park for a religious campaign to be conducted by Dr. Jack Schuler, during the period of March 15 through April 11, 1954.

NOW, THEREFORE, BE IT RESOLVED that permission be granted to said applicant to erect a tent at the above described location to be used for a religious campaign to be conducted during the period of March 15 through April 11, 1954, providing that the tent be erected under the supervision of the City Engineer and that it meets the requirements of the Building Code, and

BE IT FURTHER PROVIDED that the City will be held harmless from and against any and all costs, damages, and liability arising out of the erection and maintenance of the tent and use of the City premises.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of February, 1954, by Councilman Annan, who moved its adoption, which motion being duly seconded by Councilman Arata, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Wells, and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: Merrill

ATTEST: REX E. GAILLUS, CITY CLERK

RESOLUTION NO. 54-17

A RESOLUTION APPROVING THE PLANS AND SPECIFICATIONS FOR THE CONSTRUCTION OF SANITARY SEWER IN BLOCKS 6196 AND 6198 AND AUTHORIZING THE CALLING FOR BIDS

WHEREAS, the City Manager has presented plans and specifications for the construction of the Council for the furnishing of all materials, labor and services for the construction of sanitary sewer in blocks 6196 and 6198. NOW, THEREFORE, BE IT RESOLVED that the plans and specifications be approved and the calling for bids for above described construction be and it is hereby authorized in accordance with the procedure contained in Section 1307 of the City Charter, said bids to be opened at 10:00 a.m. on February 23, 1954, in the Council Chambers.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of February, 1954, by Councilman M. Adams, who moved its adoption, which motion being duly seconded by Councilman Arata, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Wells, and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: Merrill

ATTEST: REX E. GAILLUS, CITY CLERK

RESOLUTION NO. 54-18

A RESOLUTION REQUESTING VARIANCE FROM PROVISIONS OF ORDINANCE NO. 1086-N. S. AS RELATED TO STREET OPENINGS--GENERAL PETROLEUM CORPORATION

WHEREAS, a hearing has been held on the request of General Petroleum Corporation for a variance from the provisions of Ordinance No. 1086-N. S. as related to street openings for its service station at Ninth and I Streets, which is being remodeled. NOW, THEREFORE, BE IT RESOLVED that the variance be granted General Petroleum Corporation from the provision of Ordinance No. 1086-N. S. as related to street openings and that the Corporation be permitted to install two (2) foot curb cuts on Ninth Street at a point to be approved by the Director of Public Works.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of February, 1954, by Councilman Annan, who moved its adoption, which motion being duly seconded by Councilman Arata, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Wells and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: Merrill

ATTEST: REX E. GAILLUS, CITY CLERK

RESOLUTION NO. 54-49

A RESOLUTION AMENDING RESOLUTION NO. 54-45 GRANTING VARIANCE TO THE UNION OIL COMPANY FOR SERVICE STATION ON JUDITH LANE AND McHENRY AVENUE

---oOo---

BE IT HEREBY RESOLVED that Resolution No. 54-45 entitled: "A RESOLUTION GRANTING VARIANCE TO THE UNION OIL COMPANY FOR SERVICE STATION ON JUDITH LANE AND McHENRY AVENUE", adopted by the Council of the City of Modesto at its regular meeting of February 3, 1954, be amended to delete the provision that the Union Oil Company be required to "file a letter with the City agreeing that when the 80 foot width is needed the necessary right of way will be provided" (McHenry Avenue).

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of February, 1954 by Councilman R. Adams, who moved its adoption, which motion being duly seconded by Councilman Mellis, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: Merrill

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-50

A RESOLUTION CALLING FOR CLARIFICATION OF PARKING PROGRAM FOR PARKING AUTHORITY

---oOo---

BE IT HEREBY RESOLVED that the Council does hereby go on record that the off-street parking program proposed by the Council be clarified for the Parking Authority to enable the Authority to proceed in purchasing off-street parking lots for the public use at locations which will be mutually agreeable whenever any individual or group of individuals agree to participate to the extent of 25% or more in the cost of securing and improving the site.

The foregoing resolution was introduced at a regular meeting of the Council on the 10th day of February, 1954 by Councilman R. Adams, who moved its adoption, which motion being duly seconded by Councilman Mellis, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: Merrill

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-51

A RESOLUTION ALLOCATING REVENUE FROM CITY OF MODESTO ON-STREET PARKING METERS FOR USE IN ADMINISTRATIVE EXPENSES IN OPERATING SAID METERS AND FOR USE BY THE CITY OF MODESTO PARKING AUTHORITY

BE IT HEREBY RESOLVED that effective July 1, 1954, all the "net revenue" derived from on-street parking meters be and it is hereby ordered placed under the control of the Parking Authority to be used for the operation, acquisition and development of the off-street parking facilities.

BE IT FURTHER RESOLVED that the term "net revenue" is hereby defined as 75% of the gross revenue derived from on-street parking meters.

BE IT HEREBY RESOLVED that Resolution No. 8860-N. S. entitled "A RESOLUTION ALLOCATING REVENUE FROM CITY OF MODESTO PARKING METERS FOR USE IN ADMINISTRATIVE EXPENSES IN OPERATING SAID METERS AND FOR USE BY THE CITY OF MODESTO PARKING AUTHORITY", adopted by the Council of the City of Modesto on the 19th day of April, 1950, be, and it is hereby rescinded.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of February, 1954, by Mayor Marks who moved its adoption, which motion being duly seconded by Councilman Arata, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: Merrill

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-52

THIS NUMBER WAS NOT USED

RESOLUTION NO. 54-53

A RESOLUTION ACCEPTING DONATION FROM MODESTO EMBLEM CLUB NO. 140 AND AUTHORIZING APPROPRIATION TRANSFER FOR PURCHASE OF DISHES AND SILVERWARE FOR THE YOUTH CENTER

---oOo---

WHEREAS, the Modesto Emblem Club No. 140 has donated \$500 to the L. J. Maddux Youth Center to be expended for the purchase of silverware and dishes.

NOW, THEREFORE, BE IT RESOLVED that the donation of \$500 be accepted from the Modesto Emblem Club No. 140 and the Mayor be authorized to write a letter of appreciation to said club, and

BE IT HEREBY RESOLVED that the appropriation transfer of said \$500 to the Recreation Department for the purchase of dishes and silverware for the Youth Center be approved.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of February, 1954, by Councilman Arata, who moved its adoption, which motion being duly seconded by Councilman Annan, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: Merrill

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-54

A RESOLUTION APPROVING THE REDUCTION OF FAITHFUL PERFORMANCE BOND FILED BY ROBERT P. BOMBERGER AND MURIEL F. BOMBERGER ON CAMPUS TRACT #5

---oOo---

WHEREAS Robert P. Bomberger and Muriel F. Bomberger filed Faithful Performance Bond #735273 of the Massachusetts Bonding and Insurance Company, to guarantee the performance of the terms and conditions of agreement between the City of Modesto and Robert P. Bomberger and Muriel F. Bomberger on Campus Tract #5 subdivision, dated March 20, 1953, and

WHEREAS a report has been filed with the Council by Assistant Director of Public Works Fredricksen of the City of Modesto that a portion of the work has been completed in a satisfactory manner, and

WHEREAS the Assistant Director of Public Works has recommended that the said performance bond be reduced to \$14,900.

NOW THEREFORE BE IT RESOLVED that the reduction of above captioned bond, filed by the said Robert P. Bomberger and Muriel F. Bomberger on Campus Tract #5 subdivision, to \$14,900 be and it is hereby approved as of this date.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of February, 1954 by Councilman Mellis, who moved its adoption, which motion being duly seconded by Councilman Annan, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: Merrill

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-55

A RESOLUTION AUTHORIZING THE TRANSFER OF TWO CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY TO OPERATE TAXICABS FROM CHARLES V. SALES TO HERSHEL I. LAWRENCE

---oOo---

WHEREAS, a request, dated February 8, 1954, was filed with the Council of the City of Modesto by Charles V. Sales, doing business as "City Cab Company", and Hershel I. Lawrence, doing business as "Smitty's Cab", to transfer three certificates of public convenience and necessity to operate taxicabs in the City of Modesto from said Charles V. Sales to said Hershel I. Lawrence by reason of the sale of said business, and

WHEREAS, the Council of the City of Modesto, at a regular meeting held on the 10th day of February, 1954, adopted a resolution fixing 4:30 P. M., February 17, 1954, at its regular place of meeting, as the time and place for a public hearing on said request, and

WHEREAS, the Council finds and declares that the public convenience and necessity requires the operation of two of the taxicabs for which consent for the transfer of certificates is applied for,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that transfer of two certificates of public convenience and necessity to operate taxicabs in the City of Modesto from Charles V. Sales, doing business as "City Cab Company", to Hershel I. Lawrence, doing business as "Smitty's Cab", be authorized in accordance with Section 2 (i) of Ordinance No. 1053-N. S., on the condition that prior to the transfer all of the indebtedness against the certificates be cleared.

BE IT FURTHER RESOLVED that the remaining certificate possessed by Charles V. Sales be cancelled.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 17th day of February, 1954, by Councilman Mellis, who moved its adoption, which motion being duly seconded by Councilman Arata, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: Merrill

ATTEST: REX E. GAILFUSS, CITY CLERK

RESOLUTION NO. 54-56

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF \$2,832 FROM THE STREET DIVISION TO THE CONTINGENCY RESERVE

---oOo---

BE IT HEREBY RESOLVED that the appropriation transfer of \$2,832 from the Street Division--Capital Outlay--Mechanical sweeper, to Contingency reserve, to provide for a "stepping up" of the street maintenance program and/or other contingencies, be approved.

The foregoing resolution was introduced at a regular meeting of the Council held on the 17th day of February, 1954 by Councilman M. Adams who moved its adoption, which motion being duly seconded by Councilman Arata, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: Merrill

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-57

A RESOLUTION PROPOSING THE INITIATION OF AN AMENDMENT TO THE ZONING ORDINANCE (ORDINANCE NO. 700-N.S., AS AMENDED) REGARDING THE PROCEDURE FOR AMENDING SAID ORDINANCE.

---oOo---

WHEREAS, Article 1 of Chapter 4 of Title 7 of the Government Code (Planning Act of 1953) as enacted by the legislature of the State of California in 1953, provides that a zoning ordinance may be adopted or amended after the holding of one public hearing each on the matter by the Planning Commission and the City Council, and

WHEREAS, the existing zoning ordinance of the City of Modesto (Ordinance No. 700-N.S., as amended) provides that two public hearings must be held by the Planning Commission before it may recommend to the Council the adoption or amendment of the zoning ordinance, and one public hearing must be held by the Council, and

WHEREAS, the public interest and necessity and the general welfare of the citizens make advisable an amendment to the existing zoning ordinance to conform with the provisions of the Planning Act of 1953,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. That subsections (a) and (b) of Section 19 of Ordinance No. 700-N.S. of the City of Modesto, as amended, be amended to read as follows:

- (a) In the event said petition is filed with the Secretary of the Planning Commission at least two weeks in advance of the regular Planning Commission meeting, the Secretary may cause notice of the time and place of a public hearing to be held by the Planning Commission to be published at least ten (10) days before such hearing. In addition, the Secretary shall mail or post such notices as directed by the Planning Commission.

Unless the Planning Commission directs otherwise by its Rules and Regulations, the Secretary shall include a brief statement when mailing notices, of the uses which would be permitted in event the petition request was approved.

- (b) In the event the Secretary has not caused notice of such a public hearing to be published, the Planning Commission shall at its next meeting fix the time and place for such a public hearing which notice shall be published once at least ten (10) days prior to such hearing.

SECTION 2. That the City Clerk transmit a copy of this resolution to the Planning Commission for appropriate action in implementation thereof.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 17th day of February, 1954, by Councilman Annan, who moved its adoption, which motion was seconded by Councilman Arata, and was upon roll call carried, and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: Merrill

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-58

A RESOLUTION PROPOSING THE INITIATION OF AN AMENDMENT TO THE ZONING ORDINANCE (ORDINANCE NO. 700-N.S., AS AMENDED) REGARDING THE PROCEDURE FOR AMENDING SAID ORDINANCE TO PROVIDE FOR THE ZONING OF THE CROWS LANDING INDUSTRIAL ADDITION.

---oOo---

WHEREAS, the Crows Landing Industrial Addition was annexed to the City of Modesto on July 22, 1952, and

WHEREAS, the land use in said area has not been precisely zoned by the Council of the City of Modesto, and

WHEREAS, the public interest and necessity and the general welfare make it advisable that said area be precisely zoned and the land uses therein specified,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. That an amendment to Ordinance No. 700-N.S. of the City of Modesto, as amended, be initiated to provide for the adoption of land use District Map No. 10 to precisely zone the land area included within the Crows Landing Industrial Addition.

SECTION 2. That the City Clerk transmit a copy of this resolution to the Planning Commission for appropriate action in implementation thereof.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 17th day of February, 1954 by Councilman Annan, who moved its adoption, which motion being duly seconded by Councilman Arata, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: Merrill

A RESOLUTION STATING THE BASIC PRINCIPLES TO GOVERN THE ACTIVITIES OF THE CITY OF MODESTO PARKING AUTHORITY IN CONDUCTING AN EXPANDED OFF-STREET PARKING PROGRAM.

---oOo---

WHEREAS, after many public discussions with interested groups and persons, including the City of Modesto Parking Authority, the Off-Street Parking Committee of the Chamber of Commerce, and others, at its regular meeting held on Wednesday, February 10, the City Council declared its findings and conclusions with respect to the manner in which the provision of off-street parking facilities in areas of the City of Modesto which are deficient should be expanded, and

WHEREAS, the City of Modesto Parking Authority has requested a statement of principles to assist it in the performance of its assigned responsibilities,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the following statement of principles shall guide the City of Modesto Parking Authority in its implementation and administration of an expanded off-street parking program:

I. General.

The provision of adequate off-street parking facilities in the city is necessary in order to encourage the continued healthy development of one of the community's major economic bases. In order to provide additional off-street parking facilities as rapidly as possible, it is recommended that the Authority utilize the legal means which it possesses under the Parking Act of 1949 to acquire off-street parking facilities by means of deferred financing arrangements, such as by lease-purchase agreements, lease agreements, agreements of sale, etc.

The provision of off-street parking facilities is the joint responsibility of public and private interests. In order that each such interest shall meet its responsibilities, the financing of an expanded parking program shall be implemented as follows:

- A. Private Participation. No public funds shall be expended for the acquisition and development of any parking facility unless the property owners and/or merchants make arrangements with the Authority to participate in the cost thereof in an amount which shall be not less than twenty five per cent of the total cost of acquisition and development of any such facility. Such funds may be raised either by voluntary contribution or by means of assessment district procedures, as the circumstances require. In this connection it shall be the full responsibility of the Authority to determine that each proposed facility is properly located in the public interest, and no offer of a merchant and/or property owner group shall bind the Authority to acquire any site which it determines is not in the public interest and general welfare.
- B. Public Participation. Recognizing that the revenue collected from on-street parking meters is principally justified in the interests of traffic and parking regulation, all the "net revenues" from such on-street meters heretofore or hereafter provided shall be placed under the control of the Parking Authority, to be used for the operation, acquisition and development of off-street parking facilities, such allocation to be effective July 1, 1954. In order to avoid possible differences of opinion as to what constitutes "net revenues", this term is herewith defined for the purposes of this program to mean seventy-five per cent of the gross revenue from this source.

II. Operation of the Parking Authority.

In order that the Parking Authority shall be in a position to efficiently carry out its assigned responsibilities, it is recommended that the Authority obtain sufficient staff assistance to enable it to operate according to sound business principles. Such staff assistance should include:

- A. Administration. In accordance with the proposed by-laws of the Authority, it is

recommended that the Authority employ a person who shall be responsible for the administration of all of the affairs of the Authority in accordance with policies determined by the Authority pursuant to this directive.

B. Engineering. It is recommended that the Authority secure such engineering assistance as is needed to determine that any proposed facility shall be located in the public interest and shall be located and designed in such a manner that will assure that it is financially sound and will best serve the needs of the area involved.

C. Financial.

1. In order that the Authority may operate on sound financial principles, it is recommended that it secure bookkeeping and accounting assistance so that separate records and accounts of the Authority shall be maintained in proper order.

2. If the Authority desires to obtain services from any city department to assist it in administering its responsibilities, it shall enter into agreements with the City for such services at a mutually agreed upon fee.

D. Property Acquisition. It is recommended that no property be acquired by the Authority without first securing a competent appraisal.

In order that the Authority may acquire property needed for parking facilities in an economic and business-like manner, it is recommended that the Authority secure the necessary assistance to conduct such property acquisition activities.

E. Legal. It is recommended that the Parking Authority retain competent legal counsel in order to insure that it complies with all requirements of the law.

F. Reports. It is recommended that the Parking Authority submit a monthly activity report to the City Council summarizing transactions which have occurred during the previous month, and setting forth the financial status of the Authority.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 17th day of February, 1954, by Councilman Arata, who moved its adoption, which motion being duly seconded by Councilman M. Adams, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: Merrill

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-60

A RESOLUTION APPOINTING A. M. ROSE TO THE PARKING AUTHORITY OF THE CITY OF MODESTO

---oOo---

WHEREAS, Section 1102 of the Charter of the City of Modesto provides that members of boards or commissions shall be appointed by the Council to serve for a term of four years, said terms to expire on January first, under a plan for staggered terms, and

WHEREAS, the term of A. M. Rose of the Parking Authority expired on January 1, 1954, and

WHEREAS, the Council desires to re-appoint A. M. Rose to serve on said Parking Authority for a term of four years,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that A. M. Rose be, and he is hereby appointed to the City of Modesto Parking Authority for a term of office which shall expire on January 1, 1958.

BE IT FURTHER RESOLVED THAT the City Clerk be, and he is hereby directed to furnish a copy of this resolution to A. M. Rose.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 17th day of February, 1954, by Councilman M. Adams, who moved its adoption, which motion being duly seconded by Councilman Arata, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: Merrill

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-61

A RESOLUTION APPOINTING MELVILLE HARRIS TO THE PARKING AUTHORITY OF THE CITY OF MODESTO

WHEREAS, Section 1102 of the Charter of the City of Modesto provides that members of boards or commissions shall be appointed by the Council to serve for a term of four years, said terms to expire on January first, under a plan for staggered terms, and

WHEREAS, a vacancy exists at the present time on the Parking Authority of the City of Modesto, and

WHEREAS, the Council desires to appoint Melville Harris to serve on said Parking Authority for a term of four years.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that Melville Harris be, and he is hereby appointed to the Parking Authority of the City of Modesto for a term of office which shall expire on January 1, 1958.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 17th day of February, 1954, by Councilman Mellis, who moved its adoption, which motion being duly seconded by Councilman Arata, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: Merrill

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-62

A RESOLUTION ACCEPTING DEED FROM HARRY MAX FOSTER, ET AL, FOR ALLEYS AND WIDENING OF JUDITH LANE

---oOo---

BE IT HEREBY RESOLVED that the grant deed, dated February 8, 1954 from Harry Max Foster and Verda Foster, husband and wife; Phillip E. Humphreys and Helen Humphreys, husband and wife; and Charles E. Hayes and Hortense B. Hayes, husband and wife to the City of Modesto covering a portion of lot 2 of the Fresno Tract, to be used in the widening of Judith Lane and for certain alleys, be and it is hereby accepted, and

BE IT FURTHER RESOLVED that the City Clerk be authorized to record said grant deed with the Recorder of Stanislaus County.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of February, 1954, by Councilman Annan, who moved its adoption which motion being duly seconded by Councilman Arata, was upon roll call carried, and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-63

A RESOLUTION ESTABLISHING A TWO-HOUR PARKING ZONE ON SIXTEENTH STREET BETWEEN THE INTERSECTION OF "I" STREET AND "J" STREET IN THE CITY OF MODESTO

---oOo---

WHEREAS, Section 34.1 of Ordinance No. 345-N.S. of the City of Modesto, as amended, authorizes the City Council, by resolution, to restrict or prohibit the parking of motor vehicles upon designated streets of the City, and

WHEREAS, the best interests of the citizens of said City require that parking on Sixteenth Street between the intersection of "I" Street and "J" Street be restricted and limited as hereinafter provided,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. It shall be unlawful for the operator of a vehicle to park such vehicle between the hours of 9 o'clock a.m. and 6 o'clock p.m. for a period longer than one hundred twenty (120) consecutive minutes on Sixteenth Street between the intersection of "I" Street and "J" Street in the City of Modesto.

SECTION 2. The Director of Public Works is hereby directed to cause the above described areas to be marked and/or posted in accordance with the provisions of this resolution and the applicable laws of the City.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of February, 1954, by Councilman Mellis, who moved its adoption, which motion being duly seconded by Councilman Arata, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks
Noes: Councilmen: None
Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-64

A RESOLUTION ACCEPTING THE BID OF ANDREW P. RASMUSSEN FOR CONSTRUCTION OF SANITARY SEWER IN BLOCKS

---oOo---

WHEREAS Resolution No. 54-47, adopted by the Council of the City of Modesto on February 10, 1954, approved the plans and specifications for the construction of sanitary sewer in Blocks 6196 and 6198 and authorized the calling for bids, and

WHEREAS the four bids received for the said construction were opened in the Council Chambers of the City Hall on February 23, 1954 at 10:00 A.M. and later tabulated by the Director of Public Works for the consideration of the Council, and

WHEREAS, the Director of Public Works has recommended that the bid of \$2,317.10 submitted by Andrew P. Rasmussen be accepted as it is the lowest bid received.

NOW THEREFORE BE IT RESOLVED that the bid of Andrew P. Rasmussen of \$2,317.10 for the construction of sanitary sewer in Blocks 6196 and 6198 ^b and it is hereby accepted and the execution of a contract for the completion of the construction be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of February, 1954 by Councilman Mellis,

who moved its adoption, which motion being duly seconded by Councilman W. Adams, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-65

A RESOLUTION DECLARING THE INTENTION OF THE CITY OF MODESTO TO SELL CERTAIN PROPERTY BELONGING TO THE CITY

WHEREAS, the following described building situate on Lot 3 and 4 of Block 40, in the City of Modesto, County of Stanislaus, State of California, to-wit:

House - frame construction, approximately
24' x 36' outside dimensions; 5 rooms with
bath and service porch; conventional foundation

is the property of the City of Modesto, and

WHEREAS, said property will not be needed for City purposes, and

WHEREAS, the City Council intends, and hereby declares its intention to sell and convey for cash, all its right, title and interest in and to said property hereinabove described, and

WHEREAS, said building is improvement upon said Lot 3 and 4 of Block 40 and may be seen and inspected at 1121 Eighth Street.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it will, on the 17th day of March, 1954, in the Council Chambers of the City Hall, 717 Tenth Street, Modesto, California in public meeting at the hour of 4:15 P. M. receive and consider sealed proposals to purchase said hereinabove described property, and

BE IT FURTHER RESOLVED that the building be dismantled and removed and all debris resulting from such removal be cleaned up by the purchaser not later than April 15, 1954; purchaser not required to remove foundation, and

BE IT FURTHER RESOLVED that at said time and place all sealed proposals which have been received shall, in public session, be opened, examined and declared by this Council, and that at said time and place this Council will sell to the highest responsible bidder said hereinbefore described property; provided, however, that if upon a call for oral bidding in said session, any responsible person will offer to purchase said property upon the terms and conditions specified in this resolution for a purchase price exceeding by at least five (5%) per cent the highest of said written proposals submitted to this Council, then the highest of any of the oral bids which shall be made by a responsible person shall be finally accepted. This Council, however, reserves the right at such session to reject any and all bids, either written or oral, and to withdraw said hereinbefore described property from being sold, and

BE IT FURTHER RESOLVED that the City Clerk be, and he is hereby directed to cause a copy of this Resolution to be published in full at least once not less than five (5) days before the date of said meeting in the Modesto Tribune, the official newspaper of the City of Modesto, and

BE IT FURTHER RESOLVED that said bids, whether written or oral, must be accompanied by cash or a cashier's check or a certified check, certified to by some responsible bank or banker, and made payable to the City of Modesto in an amount equal to at least ten (10%) per cent of the amount bid, to be retained by said City as agreed and liquidated damages should the party whose bid is accepted by the City Council fail to deposit with the City Clerk the amount of his bid within five (5) days after written notice of acceptance of said bid shall be given.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on 3rd day of March, 1954, by Councilman Mellis, who moved its adoption, which motion being duly seconded by Councilman M. Adams, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Mellis, Mayor Pro Tempore Merrill
Noes: Councilmen: None
Absent: Councilmen: Arata and Mayor Marks

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-66-N. S.

A RESOLUTION ESTABLISHING A TEMPORARY TAXICAB STAND ON THE NORTH SIDE OF "G" STREET BETWEEN NINTH STREET AND TENTH STREET IN THE CITY OF MODESTO

---oOo---

WHEREAS, Section 8 (a) of Ordinance No. 1050-N. S., regulating the use and operation of taxicabs upon the public streets in the City of Modesto authorizes the Council, by resolution, to locate and designate taxicab stands, and

WHEREAS, the taxicab stand presently being used by Joe's Taxi, located on the west side of Tenth Street between "G" Street and "H" Street will be unavailable for use for a period of approximately four (4) months due to the remodeling of the Greyhound Bus Depot at Tenth and "G" Streets, and

WHEREAS, the establishment of a temporary taxicab stand at the following described location is in the public interest,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

Section 1. A temporary taxicab stand is hereby designated at the following location:

Beginning at a point on the North side of "G" Street at the West property line of Tenth Street and continuing West along the North side of "G" Street for a distance of seventy-five (75') feet

Section 2. The Director of Public Works is hereby directed to cause the above location to be marked and posted in accordance with the provisions of this resolution and the applicable laws of the City.

Section 3. This resolution shall automatically expire as of July 3, 1954, at which time the Director of Public Works shall cause the abovedescribed location to be marked and posted as it existed prior to the adoption of this resolution.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd day of March, 1954, by Councilman Annan, who moved its adoption, which motion being duly seconded by Councilman M. Adams, was upon roll call carried, and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Mellis, and Mayor Pro Tempore Merrill
Noes: Councilmen: None
Absent: Councilmen: Arata and Mayor Marks

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-67

A RESOLUTION APPROVING ASSIGNMENT OF INTEREST IN THE MUNICIPAL BESEBALL PARK FROM THE MODESTO COMMUNITY ATHEETIC ASSOCIATION TO THE STANISLAUS COUNTY ATHEETIC ASSO.

---oOo---

WHEREAS, the Modesto Community Athletic Association entered agreement with the City of Modesto on January 24, 1951, relating to the use of the Municipal Baseball Field, and

WHEREAS, the said Modesto Community Athletic Association desires to assign its interest to the Stanislaus County Athletic Association.

NOW, THEREFORE, BE IT RESOLVED that the City of Modesto does hereby approve agreement, dated March 3, 1954, for the assignment of interest from the Modesto Community Athletic Association to the Stanislaus County Athletic Association under the conditions set forth in said agreement.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the third day of March, 1954, by Councilman R. Adams, who moved its adoption, which motion being duly seconded by Councilman M. Adams, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Mellis, and Merrill

Noes: Councilmen: None

Absent: Councilmen: Arata and Mayor Marks

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-68

A RESOLUTION ACCEPTING DONATION FROM THE WOMEN OF THE MOOSE FOR THE MADDUX YOUTH CENTER FURNISHING FUND AND AUTHORIZING APPROPRIATION TRANSFER

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WHEREAS, the Women of the Moose have donated \$100 to the Maddux Youth Center Center Furnishing Fund.

NOW, THEREFORE, BE IT RESOLVED that the donation of \$100 be accepted from the Women of the Moose and the Mayor be authorized to write a letter of appreciation to said organization, and

BE IT FURTHER RESOLVED that appropriation transfer of said \$100 to the Recreation Department for expenditure for furnishings for the Youth Center, be approved.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the third day of March, 1954, by Councilman Mellis, who moved its adoption, which motion being duly seconded by Councilman R. Adams, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Mellis and Merrill

Noes: Councilmen: None

Absent: Councilmen: Arata and Mayor Marks

Attest: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-69

A RESOLUTION APPROVING THE RECORD OF SURVEY OF A PORTION OF LOT 2 OF THE FRESNO TRACT IN SECTION 17, TOWNSHIP 3 SOUTH, RANGE 9 EAST, MOUNT DIABLO BASE AND MERIDIAN, LOCATED NORTH OF JUDITH LANE IN THE CITY OF MODESTO

---oOo---

WHEREAS, Philip E. Humphreys, Helen M. Humphreys, Charles E. Hayes and Hortense B. Hayes are possessed of a tract of land, situated in the City of Modesto, County of Stanislaus, consisting of approximately 1.34 acres of land, known as Survey of a portion of Lot 2 of the Fresno Tract in Section 17, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, located North of Judith Lane in the City of Modesto, which owners desire to subdivide, and

WHEREAS, the record of survey of said subdivision was approved by the City Planning Commission on the 2nd day of March, 1954, and

WHEREAS, the City Engineer of the City of Modesto has certified that the final map of said Survey of a portion of Lot 2 of the Fresno Tract meets all the provisions of the California Subdivision Map Act and the City Subdivision Ordinance and that the map is technically correct,

NOW, THEREFORE, BE IT RESOLVED that said final map of Survey of a portion of Lot 2 of the Fresno Tract in Section 17, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, located North of Judith Lane be approved and the streets and alleys and easements as shown thereon within the boundaries of said subdivision be accepted on behalf of the public for public use and that the City Clerk be, and he is hereby authorized to certify the map of said subdivision on behalf of the City of Modesto after the fees in the amount of \$175.10, as required by Ordinance No. 1041-N. S. of the City of Modesto, for checking, copies of maps, recordings, and parks and playgrounds have been paid and that owners have furnished a bond, cashier's check, or certified check acceptable to the City Attorney.

BE IT FURTHER RESOLVED that the bond, cashier's check, or certified check in the amount of \$2,800.00 be furnished in connection with the improvements required in said subdivision and that the City Manager be authorized to execute an agreement with owners as required by Section 6.5 of Ordinance No. 1041-N. S. of the City of Modesto.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of March, 1954, by Councilman Annan, who moved its adoption, which motion being duly seconded by Councilman Arata, was upon roll call carried and the resolution adopted by the following vote:
Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Markson
Noes: Councilmen: None
Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-70

A RESOLUTION ACCEPTING GRANT DEED AND AUTHORIZING THE RECORDING OF SAID DEED WITH THE RECORDER OF STANISLAUS COUNTY

---oOo---

BE IT HEREBY RESOLVED that the City of Modesto does hereby accept the following grant deed and does hereby authorize the City Clerk to record said deed with the Recorder of Stanislaus County:

Grant deed dated November 12, 1953, from Chester F. Whitmore, a married man, dealing with his separate property, and May F. Whitmore, a widow, on,

All that portion of Lot 9 of the Fresno Tract, as per map filed March 14, 1903, in Vol. 1 of Maps, page 76, Stanislaus County Records, described as follows:

Commencing at the Southwesterly corner of said lot 9; said corner being in the centerline of Lateral No. 3 of Modesto Irrigation District; thence North 0° 48' West along the line between Lots 9 and 12 a distance of 90 feet; thence parallel with the centerline of Briggsmore Avenue North 89° 27' East 442.13 feet to the true point of beginning of this description; thence continuing North 89° 27' East a distance of 176.74 feet to a point on a West line of land conveyed to Conow Builders, Inc., a corporation by deed recorded September 17, 1953, as Instrument No. 22956; thence South 0° 47' East along said West line, a distance of 20 feet to a point on the North line of 40 foot road known as Briggsmore Avenue; thence South 89° 27' West along the North line of said Avenue, a distance of 176.82 feet; thence North 0° 33' East a distance of 20 feet to the true point of beginning.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of March, 1954, by Councilman R. Adams, who moved its adoption, which motion being duly seconded by Councilman Mellis, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks
Noes: Councilmen: None
Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-71

A RESOLUTION ACCEPTING CERTAIN GRANT DEEDS AND AUTHORIZING THE RECORDING OF SAID DEEDS WITH THE RECORDER OF STANISLAUS COUNTY

---oOo---

BE IT HEREBY RESOLVED that the City of Modesto does hereby accept the following grant deeds and does hereby authorize the City Clerk to record said deeds with the Recorder of Stanislaus County:

Grant deed, dated February 19, 1954, from Edwin Burt and May Swan Burt, husband and wife, and Henry A. Grube and Janet Grube, husband and wife, on,

The North 5 feet of the South 30 feet of Lot 15 and the North 5 feet of the South 30 feet of the East 44.5116 feet of Lot 14 of Tatum Tract, as per map filed February 17, 1913, in Vol. 7 of Maps, page 29, Stanislaus County Records.

Grant deed, dated March 5, 1954, from Clara J. Burke, a married woman, and Henry A. Grube and Janet Grube, husband and wife, on,

The North 5 feet of the South 30 feet of Lot 14 (except the East 44.5116 feet thereof) and the North 5 feet of the South 30 feet of the East 57.0752 feet of Lot 13 of Tatum Tract, as per map filed February 17, 1913, in Vol. 7, of Maps, page 29, Stanislaus County Records.

Grant deed, dated March 5, 1954, from Clara B. Burke, a married woman, and Henry A. Grube and Janet Grube, husband and wife, on,

The North 5 feet of the South 30 feet of Lot 13 (except the East 57.0752 feet thereof) and the North 5 feet of the South 30 feet of the East 1.3968 feet of Lot 12 of Tatum Tract, as per map filed February 17, 1913, in Vol. 7 of Maps, page 29, Stanislaus County Records.

Grant deed, dated March 5, 1954, from Henry A. Grube and Janet Grube, husband and wife, on,

The North 5 feet of the South 30 feet of the West 71.19 feet of the East 72.5868 feet of Lot 12 of Tatum Tract, as per map filed February 17, 1913, in Vol. 7 of Maps, page 39, Stanislaus County Records.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of March, 1954, by Councilman M. Adams, who moved its adoption, which motion being duly seconded by Councilman Annan, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks
Noes: Councilmen: None
Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-72

A RESOLUTION ACCEPTING CONTRACT FROM JESSE E. WAGONER FOR CONSTRUCTION OF PUMP HOUSE AT PUMP STATION NO. 16

---oOo---

WHEREAS, a report has been filed by the Director of Public Works that the construction of a pump house at pump station no. 16 has been completed by Jesse E. Wagoner in accordance with contract Agreement dated January 27, 1954, and that progress payment of \$1,032.88 is not due and payable.

NOW, THEREFORE, BE IT RESOLVED that the contract of said pump house at above location be accepted from said contractor, that Notice of Completion be filed with the County Recorder, and that progress payment of \$1,032.88 be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of March, 1954, by Councilman Mellis, who moved its adoption, which motion being duly seconded by Councilman M. Adams, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks
Noes: Councilmen: None
Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-73

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF \$1500 FROM DENNETT DAM (GENERAL FUND) TO THE PUBLIC WORKS ENGINEERING DEPARTMENT

---oOo---

BE IT HEREBY RESOLVED that appropriation transfer be approved of \$1500 from Reserve for Dennett Dam (General Fund) to the Public Works Engineering Department, operating expense professional service, to pay for engineer's survey and report on proposed Dennett Dam.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of March, 1954, by Councilman R. Adams, who moved its adoption, which motion being duly seconded by Councilman M. Adams, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks
Noes: Councilmen: None
Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-73A

A RESOLUTION AUTHORIZING THE RELEASE OF SUBDIVISION BOND FILED BY JOHN QUARESMA AND ROY R. CARLSON

---oOo---

WHEREAS, John Quaresma and Roy R. Carlson, subdividers of the College Center Subdivision, posted a \$25,000 bond to guarantee the completion of improvements and furnishing of materials required by provisions of Ordinance No. 962-N. S. as it read prior to its amendment by Ordinance No. 1019-N. S., and

WHEREAS, the construction of the improvements in said subdivision have been completed to the satisfaction of the Director of Public Works.

NOW, THEREFORE, BE IT RESOLVED that the \$25,000 subdivision bond filed by John Quaresma and Roy R. Carlson be and it is hereby released.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of March, 1954, by Councilman M. Adams, who moved its adoption, which motion being duly seconded by Councilman Arata, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks
Noes: Councilmen: None
Absent: Councilmen: None

RESOLUTION NO. 54-74

A RESOLUTION APPROVING AGREEMENT WITH JOE MINENI AND RETHA FUKUI FOR SEWER AND WATER SERVICE TO MINENI MANOR

---oOo---

BE IT HEREBY RESOLVED that agreement dated March 17, 1954, between the City of Modesto and Joe Mineni, Jr. and Retha Fukui, for the furnishing of sewer and water services to a tract of land consisting of approximately 18 acres, lying south of Sunset Manor Tract and West of Sutter Avenue in the County of Stanislaus, known as Mineni Manor, be and it is hereby approved.

BE IT FURTHER RESOLVED that execution of said agreement by authorized city officials, be and it is hereby approved.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 17th day of March, 1954, by Councilman Mellis, who moved its adoption, which motion being duly seconded by Councilman M. Adams, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks
Noes: Councilmen: None
Absent: Councilmen: None

ATTEST: ANNE M. COLLINS
ACTING CITY CLERK

RESOLUTION NO. 54-75

A RESOLUTION GRANTING PERMISSION TO THE MODESTO MINISTERIAL ASSOCIATION TO USE MANCINI BOWL FOR EASTER SUNRISE SERVICE

---oOo---

WHEREAS, the Modesto Ministerial Association has requested permission to use the Mancini Bowl located in the Graceada Park for the annual inter-denominational Easter Sunrise Service on April 18, 1954, at 5:30 A. M.

NOW THEREFORE BE IT RESOLVED that permit be granted to said applicant to use Mancini Bowl for the annual inter-denominational Easter Sunrise Service providing that the city will be held harmless from and against any and all costs, damages and liability arising out of the use of the Bowl for this purpose.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 17th day of March, 1954, by Councilman Annan, who moved its adoption, which motion being duly seconded by Councilman R. Adams, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks
Noes: Councilmen: None
Absent: Councilmen: None

ATTEST: ANNE M. COLLINS
ACTING CITY CLERK

RESOLUTION NO. 54-76

A RESOLUTION ACCEPTING BID OF A. F. DISHONG FOR THE DEMOLISHING OF CITY HOUSE AT 1121 EIGHTH STREET

---oOo---

BE IT HEREBY RESOLVED that the bid of \$30.00 submitted by A. F. Dishong for the demolishing of the house owned by the City of Modesto located at 1121 Eighth Street be and it is hereby accepted on the condition that said building will be removed from the premises by April 15, 1954.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 17th day of March, 1954, by Councilman Mellis, who moved its adoption, which motion being duly seconded by Councilman Arata, was upon roll call carried and the resolution adopted by the following vote:
Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks
Noes: Councilmen: None
Absent: Councilmen: None

ATTEST: ANNE M. COLLINS, ACTING CITY CLERK

RESOLUTION NO. 54-77

A RESOLUTION ACCEPTING UTILITY EASEMENT AGREEMENT WITH FRED STRANGIO AND JOSEPHINE STRANGIO COVERING A PORTION OF LOTS 14-16 INC. OF RIO VISTA COLONY

---oOo---

BE IT HEREBY RESOLVED that the Utility Easement Agreement from Fred Strangio and Josephine Strangio covering a portion of lots 14-16 inc. of Rio Vista Colony be and it is hereby accepted, and

BE IT FURTHER RESOLVE that the Director of Finance be authorized to draw a warrant in payment to said Fred and Josephine Strangio in amount \$400.00.

BE IT FURTHER RESOLVED that the City Clerk is hereby directed to record said agreement with the Recorder of Stanislaus County.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 17th day of March, 1954, by Councilman Merrill, who moved its adoption, which motion being duly seconded by Councilman R. Adams, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks
Noes: Councilmen: None
Absent: Councilmen: None

ATTEST: ANNE M. COLLINS, ACTING CITY CLERK

RESOLUTION NO. 54-78

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AGREEMENT AUTHORIZE CALL FOR BIDS FOR CONSTRUCTION OF BUILDING AT AIRPORT

---oOo---

BE IT HEREBY RESOLVED that the plans, specifications and agreement for the construction and lease of a building at the Municipal Airport be and they are hereby approved, and

BE IT FURTHER RESOLVED that calling for bids for above described construction be and it is hereby authorized, in accordance with the procedure contained in section 1307 of the City Charter, said bids to be opened at 2:00 P. M., March 29, 1954, in the Council Chambers.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 17th day of March, 1954, by Councilman Mellis who moved its adoption, which motion being duly seconded by Councilman Arata, was upon roll call carried and the resolution adopted by the following vote;

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks
Noes: Councilmen: None
Absent: Councilmen: None

ATTEST: ANNE M. COLLINS, ACTING CITY CLERK

RESOLUTION NO. 54-79

A RESOLUTION APPROVING THE RECORD OF SURVEY OF A PORTION OF LOTS 14 AND 15 OF THE TATUM TRACT, SECTION 21, TOWNSHIP 3 SOUTH, RANGE 9 EAST, MOUNT DIABLO BASE AND MERIDIAN

---oOo---

WHEREAS, Edwin and May Swan Burt are possessed of a tract of land, situated in the City of Modesto, County of Stanislaus, State of California, consisting of approximately 0.49 acres of land, known as Survey of a portion of Lots 14 and 15 of the Tatum Tract, Section 21, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, which owners desire to subdivide, and

WHEREAS, no dedication of streets, alleys or easements involved in the acceptance or approval of the Survey Map and no improvements are required to be constructed therein by the provisions of the City Subdivision Ordinance, and

WHEREAS, the City Engineer of the City of Modesto has certified that said Record of Survey meets all the provisions of the California Subdivision Map Act and the City Subdivision Ordinance and that the Survey Map is technically correct,

NOW, THEREFORE, BE IT RESOLVED that said Record of Survey of a portion of Lots 14 and 15 of the Tatum Tract, Section 21, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, be approved and that the City Clerk be, and he is hereby authorized to certify said Survey Map of said subdivision on behalf of the City of Modesto after fees in the amount of \$5.00 for the recording of said Survey Map have been paid.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto on the 17th day of March, 1954, by Councilman Arata, who moved its adoption, which motion being duly seconded by Councilman M. Adams, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: ANNE M. COLLINS, ACTING CITY CLERK

RESOLUTION NO. 54-80

A RESOLUTION PROCLAIMING MARCH 27, 1954, "VETERANS OF FOREIGN WARS--MODESTO REDS" DAY

---oOo---

WHEREAS, the Veterans of Foreign Wars is carrying on a valuable youth activity program, and

WHEREAS, this program is worthy of the support of all citizens of our community, and

WHEREAS, the Modesto Reds Baseball Team has agreed to cooperate with the Veterans of Foreign Wars in this very worthy program.

NOW THEREFORE BE IT RESOLVED that we, the City Council of Modesto, hereby declare Saturday, March 27, 1954, to be known as "Veterans of Foreign Wars--Modesto Reds Day" and urge that everyone support this worthwhile program in every possible way.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of March, 1954, by Councilman Arata, who moved its adoption, which motion being duly seconded by Councilman Merrill, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: ANNE M. COLLINS, ACTING CITY CLERK

RESOLUTION NO. 54-81

A RESOLUTION GRANTING PERMISSION TO THE CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS TO INSTALL DRIVE-OVER TYPE OF CURBING ON ITS PROPERTY AT COLLEGE AND ORANGEBURG AVENUES

---oOo---

BE IT HEREBY RESOLVED that the Church of Jesus Christ of Latter Day Saints be granted permission to install drive-over type curbing to its off-street parking facilities on its church property located at College and Orangeburg Avenues.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of March, 1954, by Councilman R. Adams, who moved its adoption, which motion being duly seconded by Councilman Merrill, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: ANNE M. COLLINS, ACTING CITY CLERK

RESOLUTION NO. 54-82

A RESOLUTION APPROVING SPECIFICATIONS AND AUTHORIZING CALLING FOR BIDS FOR INSTALLATION OF TWO DEEP WELL PUMPS (#1 and #17 STATIONS)

---oOo---

BE IT HEREBY RESOLVED that the specifications for the "furnishing of all labor, materials and equipment, and doing of all the work necessary to complete the installation of two deep wells pumps with electrical equipment for #1 and #17 stations" be and they are hereby approved, and

BE IT FURTHER RESOLVED that the calling for bids for the above described work be and it is hereby authorized. Said bids to be opened at 2:00 P. M., April 12th, in the Council Chambers of the City Hall.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of March, 1954, by Councilman Mellis, who moved its adoption, which motion being duly seconded by Councilman Annan, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: ANNE M. COLLINS, ACTING CITY CLERK

RESOLUTION NO. 54-83

A RESOLUTION AUTHORIZING THE EXECUTION OF A CONTRACT FOR THE IMPROVEMENT OF THE WATER WELL AT PUMP STATION NO. 2 WITHOUT ADVERTISING FOR BIDS

---oOo---

WHEREAS, the well at Pump Station No. 2 is an existing well, twelve (12") inches in diameter, and located on Lots 13 and 14 of Block 528 in the City of Modesto, and

WHEREAS, in its present condition, said pumping station is no longer suited for the production of water for the community, and

WHEREAS, it is urgent for the preservation of life and health that the present well be reconstructed in order to assure a supply of water at this location, and

WHEREAS, due to the unique nature of the work contemplated it is impossible to prepare specifications and other provisions for advertising under the regular

WHEREAS, it can be best and most economically accomplished on a cost-plus basis, and
WHEREAS, it is possible that the nature of the renovation now proposed may require
a change during the progress of the work in order to properly conduct and complete said work,
and

WHEREAS, a competent well drilling and reconditioning firm can be secured in order
to carry out the proposed work under the direction of the Department of Public Works, and

WHEREAS, some of the work involved in the project can best be carried out by the
Department of Public Works, and

WHEREAS, it is urgent that the work contemplated be completed prior to the major
irrigation season in order to assure an adequate supply of fresh potable water for the
community, and

WHEREAS, work should be commenced as soon as possible and diligently prosecuted
to completion, and

WHEREAS, Section 1307 of the Charter of the City of Modesto authorizes the execution
of public works contracts without advertising for bids if such work is deemed by the Council
to be of urgent necessity for the preservation of life, health or property and authorized by
resolution passed by at least five (5) affirmative votes of the Council,

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Modesto hereby
declares that the reconstruction of said water well at Pump Station No. 2 is urgently necessary
for the preservation of life, health or property, and

BE IT FURTHER RESOLVED that the City Manager be, and he is hereby authorized to
enter into a contract or contracts on behalf of the City to purchase such materials, supplies
and to have such work done at the best available prices to complete the reconstruction of said
water well, without advertising for bids.

The foregoing resolution was introduced at a regular meeting of the Council of the
City of Modesto held on the 24th day of March, 1954, by Councilman Arata, who moved its
adoption, which motion being duly seconded by Councilman M. Adams, was upon roll call carried
and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill, and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: ANNE M. COLLINS, ACTING CITY CLERK

RESOLUTION NO. 54-84

A RESOLUTION GIVING NOTICE OF THE PROPOSED ANNEXATION OF THE MC HENRY VILLAGE ADDITION TO THE
CITY OF MODESTO AND FIXING THE TIME AND PLACE FOR HEARING OBJECTIONS TO THE PROPOSED ANNEXATION

---oOo---

WHEREAS, a petition for annexation to the City of Modesto was filed by McHenry
Village, Inc. and Lawrence Robinson and Sons on March 9, 1954, to annex to the City of Modesto,
under the provisions of the Annexation of Uninhabited Territory Act of 1939, as amended, the
area or territory hereby designated as the McHenry Village Addition, situate in the County
of Stanislaus, State of California, and contiguous to the City of Modesto, described as
follows:

All the portions of Sections 16, 17, 20, and 21, Township 3
South, Range 9 East, Mount Diablo Base and Meridian, described
as follows:

Beginning at the intersection of the south line of the Modesto
Irrigation District Lateral No. 3 and the west line of the 50-ft.
street known as McHenry Avenue, said point being a corner of the
existing City Limits; thence easterly along the south right of
way line of the Modesto Irrigation District Lateral No. 3, North
89° 36' East, 587.24 feet; thence continuing along said right

of way line along a curve to the right having a radius of 183.48 feet, central angle of 19° 50' a distance of 63.51 feet; thence continuing along said right of way line, South 70° 34' East 903.49 feet to the Westerly line of Camellia Gardens Tract as recorded in Volume 17 of Maps at Page 5, Stanislaus County Records; thence along said Westerly line South 0° 51' 30" East, 631.73 feet; thence North 89° 39' West, 150.00 feet; thence along the quarter, quarter section line of said Section 16, South 0° 51' 30" East, 130.00 feet, to the North line of the 40-ft. road known as Granger Avenue; thence along the North line of Granger Avenue; North 89° 39' West, 663.12 feet; thence North 0° 48' West, 112.00 feet; thence North 89° 39' West, 410.50 feet; thence South 0° 48' East, 112.00 feet; thence along the North line of Granger Avenue, North 89° 39' West, 49.50 feet; thence Southerly parallel to McHenry Avenue 200.00 feet; thence Easterly parallel to Granger Avenue 460.00 feet, to a point on the East line of Lot 5, Coolidge Colony, recorded in Volume 5 of Maps at Page 17, Stanislaus County Records; thence Southerly along the East line of Lot 5, a distance of 150.00 feet, to the Southeast corner of Lot 5, thence Westerly along the South line of Lot 5, a distance of 132.00 feet; thence Southerly parallel to McHenry Avenue, 310.00 feet to the North line of the 40-ft. road known as Coolidge Avenue; thence Westerly along said North line, 213.6 feet, thence Northerly parallel to McHenry Avenue, 160.00 feet; thence Westerly parallel to Granger Avenue 340.40 feet to the West line of McHenry Avenue, a point on the present City Limits; thence Northerly along the West line of McHenry Avenue and the present City Limits 1559.80 feet, to the point of beginning.

and

WHEREAS, it appears to the Council of the Said City and the Council after hearing evidence finds that said petition is in proper form and that the real property described therein and hereinabove described is contiguous to the City of Modesto and that said petition is signed by the owners of not less than one-fourth of the land in the territory by area, and by assessed value as shown on the last equalized assessment roll of the County of Stanislaus, being the County in which the territory is situated, and that less than twelve registered voters reside within said territory, and that said territory is uninhabited territory within the meaning of Annexation of Uninhabited Territory Act of 1939.

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Council of the City of Modesto, as follows:

SECTION 1. NOTICE IS HEREBY GIVEN that the 28th day of April, 1954, at the hour of 8:00 o'clock p.m. of said day, in the Council Chambers of the City Hall, located at 717 Tenth Street, in the City of Modesto, be and the same is hereby fixed as the time and place ^{for considering said petition at which time and place} any person owning real property within such territory and having any objections to the proposed annexation may appear before the Council of the City of Modesto and show cause why such territory should not be so annexed. At any time before the hour set for hearing objections, any owner of property within the territory may file written protests against the annexation, which protest shall state the name of the owner of the property effected and the description and area of the property in general terms.

SECTION 2. The City Clerk shall cause a copy of this resolution to be published at least twice, but not oftener than once a week, in the Modesto Tribune, a newspaper of general circulation, published in the City of Modesto and being the official newspaper of the City of Modesto, and shall also cause a copy of this resolution to be published in the Turlock Daily Journal, being a newspaper of general circulation published outside of the City of Modesto but in the County of Stanislaus. Said publications shall be completed at least twenty (20) days prior to the date set for the hearing.

SECTION 3. The City Clerk of the City of Modesto shall also cause written notice of such proposed annexation to be mailed to each person to whom land within

the territory proposed to be annexed is assessed on the last equalized county assessment roll available on the date the proceedings were initiated, at the address shown on said assessment roll or as known to said Clerk, and to any person who has filed his name and address and the designation of the land in which he has any interest, either legal or equitable, with said Clerk. Said notices shall be mailed not less than twenty (20) days before the public hearing on the proposed annexation.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of March, 1954, by Councilman Merrill, who moved its adoption, which motion being duly seconded by Councilman R. Adams, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill, and Mayor Marks
Noes: Councilmen: None
Absent: Councilmen: None

ATTEST: ANNE M. COLLINS, ACTING CITY CLERK

RESOLUTION NO. 54-85

A RESOLUTION DESIGNATING THE CITY AUDITOR AND THE DIRECTOR OF PUBLIC WORKS TO PREPARE ANNUAL STREET REPORT REQUIRED UNDER SECTION 2151 OF THE STREETS AND HIGHWAYS CODE OF THE STATE OF CALIFORNIA

---oOo---

BE IT RESOLVED THAT THE COUNCIL OF THE CITY OF MODESTO, does hereby designate the City Auditor and the Director of Public Works, of said city to prepare and file with the State Controller each year the Annual Street Report required by Section 2151 of the Streets and Highways Code of the State of California.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of March, 1954, by Councilman R. Adams, who moved its adoption, which motion being duly seconded by Councilman Mellis, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks
Noes: Councilmen: None
Absent: Councilmen: None

ATTEST: ANNE M. COLLINS, ACTING CITY CLERK

I, Anne M. Collins, Acting City Clerk of the City of Modesto, do hereby certify that the foregoing is a true and correct copy of resolution adopted by the Council of the City of Modesto, California, on the 24th day of March, 1954.

Anne M. Collins, Acting City Clerk

RESOLUTION NO. 54-86

A RESOLUTION ACCEPTING GRANT DEED FROM ROBERT R. MOON AND MARGARET H. MOON

---oOo---

BE IT HEREBY RESOLVED that Grant Deed, dated March 9, 1954, from Robert R. Moon and Margaret H. Moon, husband and wife, as joint tenants, to the City of Modesto, a municipal corporation, on the following described land, be accepted:

The North 10 feet of Lot 48 in Block 6056 of Mensinger Tract, No. 2, as per Map filed June 20, 1936, in Vol. 11 of Maps, Page 30, Stanislaus County Records.

BE IT FURTHER RESOLVED that the City Clerk of the City of Modesto is hereby authorized to record said Grant Deed with the Recorder of Stanislaus County.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of March, 1954, by Councilman Merrill, who moved its adoption, which motion being duly seconded by Councilman Arata, was upon roll call carried and the resolution adopted by the following vote:
Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks
Noes: Councilmen: None
Absent: Councilmen: None

ATTEST: ANNE M. COLLINS, ACTING CITY CLERK

RESOLUTION NO. 54-87

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MODESTO APPROVING AGREEMENT FOR MAINTENANCE OF STATE HIGHWAY IN THE CITY OF MODESTO

---oOo---

WHEREAS, the State of California, through its Department of Public Works, Division of Highways, has presented an Agreement for Maintenance of the State Highway in the City of Modesto effective as of April 1, 1954, and to remain in effect until amended or terminated.

WHEREAS, the City Council has heard read said agreement in full and is familiar with the contents thereof;

THEREFORE, be it resolved by the City Council of the City of Modesto that said Agreement for Maintenance of the State Highway in the City is hereby approved and the Mayor and the City Clerk are directed to sign the same on behalf of said City.

ADOPTED this 24th day of March, 1954.

Harry Marks
Mayor of the City of Modesto

ATTEST: ANNE M. COLLINS, ACTING CITY CLERK

I hereby certify that the foregoing resolution was duly and regularly passed by the City Council of the City of Modesto at a regular meeting thereof held March 24, 1954.

Anne M. Collins
Acting Clerk of the City of Modesto

RESOLUTION NO. 54-88

A RESOLUTION APPOINTING ELMER WINGER AS SPECIAL ASSISTANT CITY ATTORNEY DURING THE ABSENCE OF THE CITY ATTORNEY AND FIXING THE COMPENSATION THEREFOR.

---oOo---

WHEREAS, City Attorney Allen Grimes has been recalled to temporary active duty in the military service for a period of approximately three weeks commencing April 5, 1954, and

WHEREAS, the legal and proper conduct of the business affairs of the City requires the availability of competent legal services at all times,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. Elmer Winger is hereby appointed as Special Assistant City Attorney during the absence of the City Attorney and authorized to act for and in behalf of the City Attorney during the latter's absence.

SECTION 2. Said Special Assistant City Attorney shall attend all meetings of the City Council and render such other legal services to the City as may be requested from time to time by the City Council or the City Manager.

SECTION 3. Said Special Assistant City Attorney shall be compensated for services rendered by him in said capacity when so requested by the City Council or the City Manager at the rate of \$5.00 per hour, said compensation to be payable upon the submission of an itemized statement, covering the services rendered, to the Director of Finance.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th Day of March, 1954, by Councilman Mellis, who moved its adoption, which motion being duly seconded by Councilman Merrill, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill, and Mayor Marks
Noes: Councilmen: None
Absent: Councilmen: None

ATTEST: ANNE M. COLLINS, ACTING CITY CLERK

RESOLUTION NO. 54-89

A RESOLUTION ACCEPTING CONTRACT AS COMPLETED BY OSTERBERG AND CARROLL FOR DRILLING OF TWO DEEP WELLS (#1 and #17 STATIONS)

---oOo---

WHEREAS a report has been filed by the Director of Public Works that the work in connection with the drilling of two deep wells at Stations #1 and #17 has been completed by contractors, Osterberg and Carroll, as of March 18, 1954 in accordance with the specifications and to his satisfaction; and

WHEREAS, he has recommended that the work be accepted, progress payment of \$3,434.32 be paid to said contractors; and that Notice of Completion be filed with the Stanislaus County Recorder,

NOW THEREFORE BE IT RESOLVED that the work as completed by Osterberg and Carroll in connection with the drilling of two deep wells at Stations #1 and #17 be accepted; progress payment of \$3,434.32 be authorized and the City Clerk is directed to file Notice of Completion with the Recorder of Stanislaus County.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of March, 1954 by Councilman M. Adams, who moved its adoption, which motion being duly seconded by Councilman Arata, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks
Noes: Councilmen: None
Absent: Councilmen: None

ATTEST: ANNE M. COLLINS, ACTING CITY CLERK

RESOLUTION NO. 54-90

A RESOLUTION WAIVING CIRCUS LICENSE FEE FOR SHRINE CIRCUS

---oOo---

WHEREAS the Modesto Shrine Club has filed a request that the circus license fee required by the City of Modesto be waived for its annual showing of the Shrine Circus,

NOW THEREFORE BE IT RESOLVED that the license fee of \$300.00 per day for a circus, as required by Ordinance No. 750-N.S. be and it is hereby waived as related to the showing of the annual Shrine Circus, under the sponsorship of the Modesto Shrine Club at the Modesto Junior College Stadium on July 30 and 31, 1954.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of April, 1954 by Councilman Arata, who moved its adoption, which motion being duly seconded by Councilman Annan, was upon roll call carried and the

resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: R. Adams

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-91

A RESOLUTION ACCEPTING RESIGNATION OF THE MEMBERS OF THE MODESTO RECREATION COMMISSION

---oOo---

WHEREAS the members of the Modesto Recreation Commission have served in this capacity for many years, and

WHEREAS all of the members of the Commission have expressed a desire to turn over their duties and responsibilities to the Council so that another citizen group may be appointed to continue this vital work,

NOW THEREFORE BE IT RESOLVED that the resignation of the Commission members, Elizabeth Benkendorf, Chairman, Rev. John C. Mills, Bessie Singleton, Leo Hammett, and Jack Wherry, be and they are hereby accepted, and

BE IT FURTHER RESOLVED that letters of appreciation be sent to the members expressing the gratitude of the Council and the citizens of the city, for the many long years of service on the Modesto Recreation Commission.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of April, 1954 by Councilman R. Adams, who moved its adoption, which motion being duly seconded by Councilman Merrill, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill, and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-92

A RESOLUTION REJECTING THE BID OF CODDING CONSTRUCTION COMPANY FOR THE BUILDING OF SHOP BUILDING AT MUNICIPAL AIRPORT AND AUTHORIZE CALLING FOR NEW BIDS

---oOo---

WHEREAS the bid received from Coddling Construction Company for the building of a shop building at the municipal airport which was opened on March 29, 1954 at 2:00 P.M., did not meet the specifications, as the annual rental fee to be paid to the city had been increased from \$1200.00 to \$1400.00,

NOW THEREFORE BE IT RESOLVED that the bid of said Coddling Construction Company be and it is hereby rejected, and

BE IT FURTHER RESOLVED that the calling for new bids for the said construction be and it is hereby approved. Said bids are to be opened at 2:00 P.M. April 19, 1954 in the Council Chambers.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of April, 1954 by Councilman R. Adams, who moved its adoption, which motion being duly seconded by Councilman Arata, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

RESOLUTION NO. 54-93

A RESOLUTION SETTING THE DATE FOR PUBLIC HEARING ON PROPOSED AMENDING OF ZONING ORDINANCE NO. 700-N.S. TO ZONE CROWS LANDING ROAD INDUSTRIAL DISTRICT AS M-1, INDUSTRIAL USE

---oOo---

BE IT HEREBY RESOLVED that the date of April 21, 1954 at 4:30 P.M. in the Council Chambers, be set as the time and place for the public hearing on the proposed amending of Zoning Ordinance No. 700-N.S. to precisely zone the Crows Landing Road Industrial District as M-1, Industrial use.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of April 1954 by Councilman M. Adams, who moved its adoption, which motion being duly seconded by Councilman Annan, was upon roll call carried and the resolution adopted by the following vote:

- Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks
- Noes: Councilmen: None
- Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-94

A RESOLUTION SETTING THE DATE FOR PUBLIC HEARING ON PROPOSED AMENDING OF ORDINANCE NO. 700-N.S. TO PROVIDE FOR ONE PUBLIC HEARING EACH BEFORE THE PLANNING COMMISSION AND THE COUNCIL FOR THE AMENDING OR ADOPTION OF A ZONING ORDINANCE

---oOo---

BE IT HEREBY RESOLVED that the date of April 21, 1954 at 4:45 P.M. in the Council Chambers be set as the time and place for the public hearing on the proposed amending of Ordinance No. 700-N.S. (Zoning) to provide that only one public hearing each before the Planning Commission and the Council be held in the matter of amending or adopting a zoning ordinance.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of April, 1954 by Councilman Arata, who moved its adoption, which motion being duly seconded by Councilman Merrill, was upon roll call carried and the resolution adopted by the following vote:

- Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis Merrill and Mayor Marks
- Noes: Councilmen: None
- Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-95

A RESOLUTION WITHDRAWING CERTAIN DESCRIBED TERRITORY FROM THE MC HENRY-DRY CREEK FIRE PROTECTION DISTRICT BY REASON OF ITS ANNEXATION TO THE CITY OF MODESTO. (WEST DOWNEY ADDITION)

---oOo---

WHEREAS, a portion of the McHenry-Dry Creek Fire Protection District was annexed to the City of Modesto by Ordinance No. 1105-N.S., dated January 20, 1954, and

WHEREAS, said territory officially became a part of the City on January 25, 1954, and

WHEREAS, the state law provides that whenever any portion of a District is included within a City by reason of annexation, such portion may be withdrawn from the District by the filing with the State Board of Equalization, the governing body of the District, and the County Assessor of copies of a resolution of the legislative body of the City, describing the included portion, and declaring such portion withdrawn, and

WHEREAS, it is to the best interests of the residents in the area of said fire district which has been annexed to the City that the area be withdrawn from said fire District

and provided fire prevention and fire fighting services by the City,

NOW, THEREFORE, BE IT RESOLVED that the following described territory be, and it is hereby declared, withdrawn from the boundaries of the McHenry-Dry Creek Fire Protection District:

Portion of East half of the Southeast quarter of Section 21, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, also described as a portion of Lots 5 and 10 of Rice Colony, as shown in Volume 1 of Maps at Page 54, Stanislaus County Records, which includes the Wilkinson Tract, as shown in Volume 17 of Maps at Page 64, Stanislaus County Records, more particularly described as follows:

Beginning at a point on the existing City Limits where the easterly extension of the south line of Fairmont Avenue intersects the centerline of Coffee Road, said point being on the east line of Section 21; thence southerly along the existing City Limits, said Limits being the centerline of Coffee Road, S 0° 27' E., 639.84 feet; thence leaving the existing City Limits, N. 89° 40' W., 659.48 feet along the south line of said Wilkinson Tract; thence N. 0° 27' 30" W., 640.04 feet along the west line of Lot 5, Rice Colony, and its northerly extension, to the south line of Fairmont Avenue; thence along the south line of Fairmont Avenue, and the easterly extension thereof, S. 89° 40' E., 659.52 feet, to the point of beginning.

BE IT FURTHER RESOLVED that the City Clerk be, and he is hereby directed to file a certified copy of this resolution with the State Board of Equalization, the governing body of the District, and the Assessor of Stanislaus County.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto on the 7th day of April, 1954, by Councilman Mellis, who moved its adoption, which motion being duly seconded by Councilman Arata, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks
Noes: Councilmen: None
Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-96

A RESOLUTION APPROVING AGREEMENT FOR SEWER SERVICE WITH A NELSON AND E. S. WILBOURN

---oOo---

BE IT HEREBY RESOLVED that the agreement dated April 7, 1954, between the City of Modesto and A. Nelson and E. S. Wilbourn, for the furnishing of sewer service to the tract of land consisting of approximately 10 acres, bounded by Coffee Road on the east, Orangeburg Avenue on the south, and Modesto Irrigation Lateral #4 on the northwesterly side, lying in the County of Stanislaus, State of California, be approved, and

BE IT FURTHER RESOLVED that execution of said agreement by authorized city officials be and it is hereby approved.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of April, 1954 by Councilman Annan, who moved its adoption, which motion being duly seconded by Councilman R. Adams, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks
Noes: Councilmen: None
Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-97

A RESOLUTION APPROVING THE FINAL MAP OF THE TSCHANTZ-VAN HORN TRACT OF THE CITY OF MODESTO

---oOo---

WHEREAS, Lionel R. Van Horn, Ruth L. Van Horn, Orval J. Tschantz and Gudrun O. Tschantz are possessed of a tract of land situated in the City of Modesto, County of Stanislaus, consisting of approximately 2.99 acres lying in the City of Modesto, County of Stanislaus, known as the Tschantz-Van Horn Tract, and

WHEREAS, a tentative map of said tract was approved by the City Planning Commission on the 3rd day of February, 1953, and

WHEREAS, the final map of said tract has been approved by the Secretary of the City Planning Commission, and

WHEREAS, the City Engineer of the City of Modesto has certified that the final map of said Tschantz-Van Horn Tract meets all the provisions of the California Subdivision Map Act and the City Subdivision Ordinance and that the map is technically correct,

NOW, THEREFORE, BE IT RESOLVED that said final map of the Tschantz-Van Horn Tract be approved and the alleys and easements as shown thereon within the boundaries of said tract be accepted on behalf of the public for public use and that the City Clerk be, and he is hereby authorized to certify the map of said tract on behalf of the City of Modesto after the fees in the amount of \$449.60, as required by Ordinance No. 1041-N.S. for checking, copies of maps, recording, and parks and playgrounds have been paid and subdividers have furnished a bond acceptable to the City Attorney, or, in lieu thereof, has posted a cash deposit with the City Clerk in the sum of \$2,500.00.

BE IT FURTHER RESOLVED that the City Manager be authorized to execute an agreement with subdividers as required by Section 6.5 of Ordinance No. 1041-N.S.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of April, 1954 by Councilman Merrill, who moved its adoption, which motion being duly seconded by Councilman Arata, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks
Noes: Councilmen: None
Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-98

A RESOLUTION ACCEPTING GRANT DEED FROM OTTAVIO TROMBETTA AND ADELE TROMBETTA (WIDENING OF ROSEBURG AVENUE AT DEL VALE)

---oOo---

WHEREAS Ottavio Trombetta and Adele Trombetta, husband and wife, executed a grant deed on February 9, 1954 to the City of Modesto, on a portion of lot 4 of Chicquita Colony, to be used by the City of Modesto for alley and street purposes (widening of Roseburg Avenue at Del Vale),

NOW THEREFORE BE IT RESOLVED that said grant deed be and it is hereby accepted from Ottavio Trombetta and Adele Trombetta, husband and wife and the City Clerk is hereby directed to record said grant deed with the Recorder of Stanislaus County.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of April, 1954 by Councilman Arata, who moved its adoption, which motion being duly seconded by Councilman Mellis, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks
Noes: Councilmen: None
Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-99

A RESOLUTION SETTING THE TIME AND PLACE FOR A PUBLIC HEARING ON THE PETITION OF DONALD L. CURTICE TO OPERATE A REAL ESTATE AND INSURANCE OFFICE IN HIS HOME AT 1519 ENCINA AVENUE

---oOo---

WHEREAS, Donald L. Curtice, has filed a petition asking that a public hearing be held by the Council to permit him to continue operating his real estate and insurance office in its present status with associates and employees at his home, 1519 Encina Avenue, since the use permit granted him by the Planning Commission was on a limited scale and would expire on April 6, 1955.

NOW THEREFORE BE IT RESOLVED that the date of April 28, 1954, at 8:00 P.M. in the Council Chambers, be set as the time and place for the hearing on the appeal of Donald L. Curtice from the decision by the Planning Commission on the use permit authorizing the operation of a limited scale real estate and insurance office "on a home occupancy basis", at 1519 Encina Avenue.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of April, 1954 by Councilman Mellis, who moved its adoption, which motion being duly seconded by Councilman R. Adams, was upon roll call carried and the resolution adopted by the following vote:
Ayes: Councilmen: M. Adams, R. Adams, Arata, Mellis, Merrill, and Mayor Marks
Noes: Councilmen: None
Absent: Councilmen: Annan

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-100

A RESOLUTION URGING THE LOCATING OF THE NEW UNITED STATES AIR ACADEMY IN CALIFORNIA

---oOo---

WHEREAS the Congress of the United States has authorized the creation of a new Air Academy and has approved an initial appropriation to acquire a site and begin construction, and

WHEREAS this new academy, the "West Point of the Air", will be of tremendous national importance in assuring the security of our nation, and

WHEREAS various sites are already being considered, including the State of California,

NOW THEREFORE, we strongly urge that the tremendous advantage of locating the Air Academy in California, due to the outstanding leadership of California in aviation, together with our climatic advantages, related to ideal flying and living conditions, be presented to the site selection committee and that every effort be put forth in bringing this Air Academy to California.

BE IT FURTHER RESOLVED that copies of this resolution be sent to Governor Goodwin J. Knight, Senators William F. Knowland and Thomas H. Kuchel, and Congressman J. Leroy Johnson.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of April, 1954 by Councilman Mellis, who moved its adoption, which motion being duly seconded by Councilman Arata, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Arata, Mellis, Merrill, and Mayor Marks
Noes: Councilmen: None
Absent: Councilmen: Annan

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-101

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING THE CALLING FOR BIDS FOR CONSTRUCTION OF THE WEST SANITARY TRUNK SEWER

---oOo---

BE IT HEREBY RESOLVED that the plans and specifications for the construction of the south section of the West Sanitary trunk sewer be and they are hereby approved, and

BE IT FURTHER RESOLVED that the calling for bids for above described construction be and it is hereby authorized in accordance with the procedure contained in section 1307 of the City Charter, said bids to be opened at 2:00 P.M. May 10, 1954 in the Council Chambers.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of April, 1954 by Councilman Mellis, who moved its adoption, which motion being duly seconded by Councilman R. Adams, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Arata, Mellis, Merrill and Mayor Marks
Noes: Councilmen: None
Absent: Councilmen: Annan

ATTEST: REX E. GAILLUS, CITY CLERK

RESOLUTION NO. 54-102

A RESOLUTION AMENDING RULE 3 OF RESOLUTION NO. 4044-N.S. ENTITLED "A RESOLUTION ADOPTING RULES AND REGULATIONS FOR THE USE OF THE MODESTO MUNICIPAL GOLF COURSE" AND RESCINDING RESOLUTION NO. 9663-N.S.

---oOo---

WHEREAS, it appears to the City Council of the City of Modesto that, by reason of increased costs in maintenance of the Modesto Municipal Golf Course and the further fact that said Golf Course is now being operated at a deficit, the rate for players using said course should be increased,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1: Rates. The rates for players upon said Modesto Municipal Golf Course shall be as follows:

General Rates:

- \$7.50 per month for one monthly family ticket.
- \$6.00 per month for one monthly individual ticket.
- \$1.50 per month per student for the students of Modesto Schools and Junior College, to be issued only upon the presentation by holder of a current Student Body Card. Monthly student tickets will not be valid during the periods from Saturday noon until Sunday noon of each weekend nor for holidays as defined herein. Students wishing to play during these periods shall be subject to the regular greens fee.

Rates for Week Days and After 4 P.M. Standard Time on Saturdays, Sundays and Holidays for persons not holding monthly tickets:

- \$.50 for 9 holes of play, \$1.00 for 18 holes of play or all day, which includes the use of the driving range and practice putting greens.

Rates for Saturdays, Sundays and Holidays to 4 P.M. Standard Time for persons not holding monthly tickets:

- \$1.50 for play regardless of the number of holes played, which includes the use of the driving range and practice putting greens.

SECTION 2: Holidays. "Holidays", as used herein, shall mean New Year's Day, Washington's Birthday, Memorial Day, Independence Day, Labor Day, Armistice Day, Thanksgiving Day and Christmas Day.

SECTION 3: Effective Date. Said rates are to be effective as of May 1, 1954.

SECTION 4: Tickets. Each monthly ticket issued shall terminate on the last day of the month during which it was issued. Complimentary tickets without fee may be issued by or under the direction of the Professional Golf Course Instructor and Manager to visiting professionals or others, for services rendered, or when in his opinion it will be for the advantage or best interest of the course to issue such complimentary tickets.

SECTION 5: Signs. The Professional Golf Course Instructor and Manager be, and he is hereby authorized and directed to post a sign in a conspicuous place informing all golfers of the change in green fees.

SECTION 6: Rescinds. Resolution No. 9663-N.S. be, and it is hereby rescinded.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of April, 1954, by Councilman Merrill, who moved its adoption, which motion being duly seconded by Councilman R. Adams, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Arata, Mellis, Merrill and Mayor Marks
Noes: Councilmen: None
Absent: Councilmen: Annan

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-103

A RESOLUTION PROHIBITING PARKING IN SPECIFIED PLACES ON FOURTEENTH STREET NEAR ITS INTERSECTION WITH "I" STREET IN THE CITY OF MODESTO.

---oOo---

WHEREAS, Section 30 of Ordinance No. 345-N.S. of the City of Modesto, as amended, authorizes the City Council to designate certain places upon streets within the business district of the City at which it shall be unlawful for the operator of a vehicle to stop or park such vehicle,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it shall be unlawful for the operator of a vehicle to park such vehicle in the following place in the City of Modesto:

Beginning at the property line on the south side of "I" Street and continuing south on the east side of Fourteenth Street for a distance of twenty (20') feet.

BE IT FURTHER RESOLVED that that portion of Resolution No. 10,327-N.S., entitled "A RESOLUTION ESTABLISHING TWO-HOUR PARKING ON BOTH SIDES OF FOURTEENTH STREET BETWEEN "G" STREET AND "I" STREET IN THE CITY OF MODESTO," in conflict herewith, be, and it is hereby rescinded.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto on the 14th day of April, 1954, by Councilman Merrill, who moved its adoption, which motion being duly seconded by Councilman Arata, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Arata, Mellis, Merrill and Mayor Marks
Noes: Councilmen: None
Absent: Councilmen: Annan

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-104

A RESOLUTION ACCEPTING UTILITY EASEMENT FROM BESSIE STOFFER

---oOo---

BE IT HEREBY RESOLVED that the Utility Easement dated April 14, 1954 from Bessie Stouffer, covering a portion of the right of way for the West Trunk Sewer, be and it is hereby accepted.

BE IT FURTHER RESOLVED that the payment of \$100 to said Bessie Stouffer is hereby authorized and the City Clerk is directed to record said easement with the Recorder of Stanislaus County.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of April, 1954 by Councilman R. Adams, who moved its adoption, which motion being duly seconded by Councilman M. Adams, was upon roll call carried and the resolution adopted by the following vote:

- Ayes: Councilmen: M. Adams, R. Adams, Arata, Mellis, Merrill and Mayor Marks
- Noes: Councilmen: None
- Absent: Councilmen: Annan

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-105

A RESOLUTION APPROVING AMENDMENT TO AGREEMENTS WITH THE MODESTO GARBAGE COMPANY FOR THE LEASING AND OPERATION OF THE CITY'S REFUSE AREA

---oOo---

BE IT HEREBY RESOLVED that amendments to the agreements, dated June 22, 1949, between the City of Modesto and Modesto Garbage Company, for the leasing and operation of the municipal refuse area; providing for the extension of the agreement for the leasing of the land for a period of one year and the maintenance of the area, be and they are hereby approved.

BE IT FURTHER RESOLVED that the execution of said amendments to the existing agreements by the city's authorized officials, be and it is hereby approved.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of April, 1954 by Councilman Merrill, who moved its adopted, which motion being duly seconded by Councilman Arata, was upon roll call carried and the resolution adopted by the following vote:

- Ayes: Councilmen: M. Adams, R. Adams, Arata, Mellis, Merrill, Mayor Marks
- Noes: Councilmen: None
- Absent: Councilmen: Annan

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-106

Not used.

RESOLUTION NO. 54-107

A RESOLUTION ACCEPTING THE BID OF THE WESTERN PUMP COMPANY FOR TWO DEEP WELL PUMPS

---oOo---

WHEREAS Resolution No. 54-82, adopted by the Council of the City of Modesto on March 24, 1954, approved the specifications for the furnishing and installation of two deep well pumps and authorized the calling for bids (No. 1 and No. 17 pump stations) and

WHEREAS the bids received for the said equipment were opened at 2:00 P.M. April 12, 1954 in the Council Chambers and later tabulated by the Public Works Department, and

WHEREAS the Director of Public Works has recommended that the bid of Western Pump Company of \$3,454.15 for unit #1 and \$4,340.05 for unit #2, be accepted.

NOW THEREFORE BE IT RESOLVED that the bid of Western Pump Company for the furnishing and installation of two deep well pumps be accepted as recommended by the Director of Public Works and the execution of agreement for the delivery of the equipment is hereby authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 21st day of April, 1954 by Councilman M. Adams, who moved its adoption, which motion was seconded by Councilman Arata and was upon roll call carried and adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Arata, Mellis, Merrill and Mayor Marks
Noes: Councilmen: None
Absent: Councilmen: Annan

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-108

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING THE CALLING FOR BIDS FOR THE FURNISHING OF TWO SAND TRAPS

---oOo---

BE IT HEREBY RESOLVED that the plans and specifications for the furnishing of two sand traps to be installed at Pump Stations numbers one and seventeen, be approved.

BE IT FURTHER RESOLVED that the calling for bids for the above described construction be and it is hereby authorized in accordance with the procedure contained in section 1307 of the City Charter, said bids to be opened at 2:00 P.M. Monday, May 3, 1954 in the Council Chambers.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 21 day of April, 1954 by Councilman R. Adams, who moved its adoption, which motion being duly seconded by Councilman Merrill, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Arata, Mellis, Merrill and Mayor Marks
Noes: Councilmen: None
Absent: Councilmen: Annan

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-109

A RESOLUTION APPROVING AGREEMENT WITH DALTON P. ELLIS RELEASING THE CITY OF MODESTO FROM ANY OBLIGATION TO RETAIN, DEVELOP OR USE FOR PARK PURPOSES CERTAIN LAND IN COLLEGE VILLAGE #2 ADDITION

---oOo---

BE IT HEREBY RESOLVED that agreement dated April 21, 1954, between the City of Modesto and Dalton P. Ellis releasing the City of Modesto from any obligation to retain, develop or use for park purposes

All that certain real property situated in the County of Stanislaus, State of California, being a portion of Section 17, Township 3, South, Range 9 East, M.D.B & M., and indicated as a park in Block 6715, College Village #2 Addition

be and it is hereby approved.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 21st day of April, 1954 by Councilman

Arata, who moved its adoption, which motion being duly seconded by Councilman Merrill, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Arata, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: Annan

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-110

A RESOLUTION APPROVING TRANSFER OF FUNDS FROM THE FIRE BOND FUND TO THE BOND REDEMPTION AND INTEREST FUND

---oOo---

BE IT HEREBY RESOLVED that the Director of Finance be authorized to transfer the unexpended balance of \$84.85 of the Fire Bond Fund to the Bond Redemption and Interest Fund, in accordance with section 43638 of the Government Code of the State of California.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 21st day of April, 1954 by Councilman Merrill, who moved its adoption, which motion being duly seconded by Councilman R. Adams was upon roll call carried, and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Arata, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: Annan

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-111

A RESOLUTION ACCEPT GRANT DEED FROM HARRY F. MUNDT AND IDA C. MUNDT FOR WIDEMING OF COLLEGE AVENUE

---oOo---

BE IT HEREBY RESOLVED that grant deed, dated April 13, 1954, from Harry F. Mundt and Ida C. Mundt, husband and wife, to the City of Modesto, on a portion of the East half of the Northwest quarter of the Southwest quarter of Section 20, Township 3 South, Range 9 East, M.D.B. & M. located in Stanislaus County, State of California, (widening of College Avenue) be and it is hereby accepted, and

BE IT FURTHER RESOLVED that the City Clerk be and he is hereby directed to record said grant deed with the Recorder of Stanislaus County.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 21st day of April, 1954 by Councilman R. Adams, who moved its adoption, which motion being duly seconded by Councilman Merrill, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Arata, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: Annan

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-112

A RESOLUTION ACCEPTING UTILITY EASEMENT AGREEMENT FROM CLARENCE WATSON

---oOo---

BE IT HEREBY RESOLVED that the Utility Easement Agreement from Clarence Watson on a strip of land 40 feet wide in the east half of the Southwest quarter of Section 31, Twp. 3 South, Range 9 East, M.D.B. & M in the County of Stanislaus, State of California to the City of Modesto, for the installation of sanitary sewer line (south section of the West

Sanitary Trunk Sewer) be and it is hereby accepted, and

BE IT FURTHER RESOLVED that said agreement be recorded with the Recorder of Stanislaus County.

BE IT FURTHER RESOLVED that payment to the said Clarence Watson of \$2000.00 for severance damages incurred by reason of the construction, installation and maintenance of said utility facilities be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 21st day of April, 1954 by Councilman Mellis, who moved its adoption, which motion being duly seconded by Councilman Arata, was upon roll call carried and the resolution adopted by the following vote:
Ayes: Councilmen: M. Adams, R. Adams, Arata, Mellis, Merrill, Mayor Marks
Noes: Councilmen: None
Absent: Councilmen: Annan

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-113

A RESOLUTION APPROVING THE PROPOSAL OF THE STANISLAUS COUNTY PLANNING COMMISSION FOR A STANISLAUS COUNTY PARK PLAN

---oOo---

WHEREAS the Stanislaus County Planning Commission has proposed a park plan for Stanislaus County, known as "A PLAN FOR PARKS", which sets the standards for parks, an inventory of recreational facilities and an operational procedure for a County Park Commission, which will be submitted to the Board of Supervisors of Stanislaus County for adoption as the Stanislaus County Park and Recreation Plan of the County Master Plan, and

WHEREAS the Council of the City of Modesto is in general accord with the proposed "A PLAN FOR PARKS", as revised,

NOW THEREFORE BE IT RESOLVED that the Council of the City of Modesto does hereby go on record as endorsing said plan and urging that the plan be adopted and placed in operation as soon as possible on the basis that any necessary revisions can be made in light of experience and changing conditions and that copies of this resolution be sent to the Stanislaus County Planning Commission and Board of Supervisors.

The foregoing resolution was introduced at the regular meeting of April 21, 1954, by Councilman Mellis, who moved its adoption, which motion being duly seconded by Councilman Merrill, the resolution was upon roll call carried and adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Arata, Mellis, Merrill, and Mayor Marks
Noes: Councilmen: None
Absent: Councilmen: Annan

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-114

A RESOLUTION APPROVING CONDITIONS REQUESTED BY THE CITY OF MODESTO PARKING AUTHORITY RELATING TO PARTICIPATION IN THE EMPLOYMENT OF A TRAFFIC ENGINEER

---oOo---

WHEREAS the City of Modesto Parking Authority has agreed to participate with the City of Modesto in the employment of a traffic engineer on certain conditions, as set forth in its resolution No. 24, adopted at its special meeting of April 1, 1954, entitled: "A Resolution of the City of Modesto Parking Authority

Relating to Participation by the Parking Authority with the City in the Employment of a Traffic Engineer", as follows:

1. That the part time employment of the Traffic Engineer by the Authority be on a trial basis for a reasonable period of time, with the specific understanding that his services may be terminated if the Authority determines they do not fulfill its requirements.
2. That that portion of the Traffic Engineer's compensation paid by the Authority not exceed \$300 per month.
3. That the Authority have the right to participate in the selection of the Traffic Engineer
4. That a specific arrangement for the use of the Traffic Engineer's time be agreed upon between the City and the Authority, and that his time be allocated in direct proportion to the amount of compensation paid by each agency.

NOW THEREFORE BE IT RESOLVED that the Council of the City of Modesto approves the conditions as set forth above for the employment of a traffic engineer on a cooperative basis with the City of Modesto Parking Authority.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 21st day of April, 1954 by Councilman Arata, who moved its adoption, which motion being duly seconded by Councilman Merrill, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Arata, Mellis, Merrill, and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: Annan

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-115

A RESOLUTION AMENDING RESOLUTION NO. 54-59 "A RESOLUTION STATING THE BASIC PRINCIPLES TO GOVERN THE ACTIVITIES OF THE CITY OF MODESTO PARKING AUTHORITY IN CONDUCTING AN EXPANDED OFF-STREET PARKING PROGRAM"

---oOo---

WHEREAS the Council of the City of Modesto adopted Resolution No. 54-59, entitled: "A RESOLUTION STATING THE BASIC PRINCIPLES TO GOVERN THE ACTIVITIES OF THE CITY OF MODESTO PARKING AUTHORITY RELATING TO PARTICIPATION BY THE PARKING AUTHORITY WITH THE CITY IN THE EMPLOYMENT OF A TRAFFIC ENGINEER" and paragraph 5 of said resolution requested that Paragraph I, General, sub-paragraph A, Private Participation of Resolution No. 54-59 be amended.

NOW THEREFORE BE IT RESOLVED that Paragraph I, General sub-paragraph A, Private Participation of Resolution No. 54-59 be amended as follows:

- A. Private Participation. No public funds shall be expended for the acquisition and development of any parking facility unless the property owners and/or merchants make arrangements with the Authority to participate in the cost thereof in an amount which shall be not less than twenty five per cent of the total cost of acquisition and development of any such facility. Such funds may be raised either by voluntary contribution or by means of assessment district procedures, as the circumstances require. In this connection it shall be the full responsibility of the Authority to determine that each proposed facility is properly located in the public interest, and no offer of a merchants and/or property owner group shall bind the Authority to acquire any site which it determines is not in the public interest and general welfare. Provided however that with those funds which accrue through June 30, 1954 from the present 50% allocation of gross on-street meter revenue, the Parking Authority may acquire land for parking sites without private participation, but may not use any public funds for the development of any parking facilities unless benefitted property owners and/or merchants make arrangements to participate in the cost of the acquisition and development of such a facility in an amount which shall not be less than 25 per cent of the total cost of such acquisition and development.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto, held on the 21st day of April, 1954 by Councilman Arata, who moved its adoption, which motion being duly seconded by Councilman Mellis, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Arata, Merrill, Mayor Marks

Noes: Councilmen: Mellis

Absent: Councilmen: Annan

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-116

A RESOLUTION ACCEPTING DONATION OF \$15.00 FROM THE P.E.O. SISTERHOOD, CHAPTER H.W. FOR THE L. J. MADDUX YOUTH CENTER FURNITURE FUND

---oOo---

WHEREAS the P.E.O. Sisterhood, Chapter H.W. has donated \$15.00 for the furniture for the L. J. Maddux Youth Center

NOW THEREFORE BE IT RESOLVED that the donation be accepted and the City Clerk is hereby directed to acknowledge receipt of the donation and express the appreciation of the Council and the citizens of the city.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 21st day of April, 1954 by Councilman R. Adams, who moved its adoption, which motion being duly seconded by Councilman Arata, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Arata, Mellis, Merrill and Mayor Marks
Noes: Councilmen: None
Absent: Councilmen: Annan

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-117

A RESOLUTION COMMENDING CERTAIN PERSONNEL ON SAFETY PROGRAM FOR CITY

---oOo---

WHEREAS the City of Modesto has received a dividend check of \$7,836.32 from the State Compensation Insurance Fund, which represents a saving amounting to 53% of the city's 1952-53 workmen's compensation insurance premium, and

WHEREAS this substantial savings to the city has been due to the efforts of the city management in setting a high standard of safe operation in the community and to the teamwork between the city and the State Compensation Insurance Fund on all suggestions offered by the company for the improvement of safety conditions.

NOW THEREFORE BE IT HEREBY RESOLVED that City Manager Ross Miller, Assistant City Manager Shelton, Personnel Technician Bernice Mitchell, and all other persons who have assisted in the city's safety program be hereby commended for their efforts to reduce human suffering, improve employee morale and increase efficiency, as well as lower the workmen's compensation insurance costs.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 21st day of April, 1954 by Mayor Marks, who moved its adoption, which motion being duly seconded by Councilman Merrill, was upon roll call carried and adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Arata, Mellis, Merrill and Mayor Marks
Noes: Councilmen: None
Absent: Councilmen: Annan

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-118

A RESOLUTION SETTING TIME AND PLACE FOR HEARING ON APPEAL OF SERVICE STATION ENGINEERING COMPANY FROM PROVISIONS OF SECTION 5 OF ORDINANCE NO. 1086-N.S.

---oOo---

WHEREAS the Service Station Engineering Company has filed an appeal from the provision of section 5 of Ordinance No. 1086-N.S. regulating fees for curb cuts in regard to the service station recently constructed by the company for John Quaresma at the northwest corner of Tully Avenue and Roseburg Avenue.

NOW THEREFORE BE IT HEREBY RESOLVED that 7:40 P.M. on April 28, 1954 in the Council Chambers be set as the time and place for the hearing on the appeal of the Service Station Engineering Company from the provisions of Ordinance No. 1086-N.S.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 21st day of April, 1954 by Councilman M. Adams, who moved its adoption which motion being duly seconded by Councilman Merrill, was upon roll call carried and adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Arata, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: Annan

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-119

A RESOLUTION RELATING TO CITY-COUNTY FISCAL RELATIONSHIPS

---oOo---

WHEREAS, a committee of the City Council has been established to consider jointly with a committee of the County Board of Supervisors the care of city prisoners in the county jail and related matters,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto:

1. That the Council urges the committee to proceed promptly with its study of this problem so that any changes in the amounts paid by the City of Modesto may be reflected in the budget now under preparation for the next fiscal year.
2. That the Council urges the completion of the report of the sub-committee of the Stanislaus County City-County Committee, established on June 22, 1953, to prepare a statement of principles under which city-county fiscal relationships would be considered, so that such principles may serve as a basis for further consideration of county-city fiscal relationships.
3. That, pending adoption of such principles by the City-County Committee, the Council committee is authorized and directed to proceed in its negotiations with representatives of the county on the basis of the principles of city-county fiscal relationships adopted by resolution of the City Council on January 29, 1954, after discussion and consideration of these principles with all the members of the Stanislaus County Board of Supervisors, a copy of which is attached hereto.
4. That the Council believes, since this is a matter which concerns all of the cities of the county, their interests and points of view should be taken fully into account before any final decision is made.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 28th day of April, 1954, by Councilman R. Adams who moved its adoption, which motion being duly seconded by Councilman Arata was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: R. Adams, Annan, Arata, Mellis, Merrill, Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: M. Adams

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-120

A RESOLUTION EXTENDING THE TIME FOR TERMINATION OF EXISTING USE OF REAL ESTATE AND INSURANCE OFFICE BY DONALD L. CURTICE AT 1519 ENCINA AVENUE

---oOo---

BE IT HEREBY RESOLVED that the date of May 6, 1954 established by the Modesto City Planning Commission, in its resolution No. 122, for the termination of the operation of D. L. Curtice of a real estate and insurance office at 1519 Encina Ave., be extended to June 6, 1954, and

BE IT FURTHER RESOLVED that 8:00 P.M. May 12, 1954 in the Council Chambers, be set as the time and place for the further consideration of the appeal, of D. L. Curtice.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on April 28, 1954 by Councilman Merrill, who moved its adoption, which motion being duly seconded by Councilman Annan, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks
Noes: Councilmen: None
Absent: Councilmen: M. Adams

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-121

A RESOLUTION APPROVING SPECIFICATIONS FOR THE CONSTRUCTION OF CURB AND GUTTER AT ROOSEVELT PARK

---oOo---

BE IT HEREBY RESOLVED that the specifications for the construction of curb and gutters at Roosevelt Park be and they are hereby approved.

BE IT FURTHER RESOLVED that the City Clerk be authorized to call for bids for the above described work in accordance with the procedure contained in section 1307 of the City Charter, said bids to be opened at 2:00 P.M. May 17, in the Council Chambers.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 28th day of April, 1954 by Councilman Mellis, who moved its adoption, which motion being duly seconded by Councilman Annan, was upon roll call carried and resolution adopted by the following vote:

Ayes: Councilmen: R. Adams, Annan, Arata, Mellis, Merrill, and Mayor Marks
Noes: Councilmen: None
Absent: Councilmen: M. Adams

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-122

A RESOLUTION APPROVING APPROPRIATION TRANSFER FOR ACQUISITION OF PARK IN ASHFORD ADDITION

---oOo---

BE IT HEREBY RESOLVED that the appropriation transfer of \$4,268 from the General Reserve to the Public Works Department, Park Division, being balance required for the purchase of land for park purposes from Boyce Ashford, be approved.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 28th day of April, 1954, by Councilman R. Adams, who moved its adoption, which motion being duly seconded by Councilman Mellis, was upon roll call carried and the resolution adopted by the following

vote:

Ayes: Councilmen: R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: M. Adams

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-123

A RESOLUTION ESTABLISHING A TWO-HOUR PARKING ZONE ON FIFTEENTH STREET BETWEEN THE INTERSECTION OF "H" STREET AND "I" STREET IN THE CITY OF MODESTO

---oOo---

WHEREAS, Section 34.1 of Ordinance No. 345-N.S. of the City of Modesto, as amended, authorizes the City Council, by resolution, to restrict or prohibit the parking of motor vehicles upon designated streets of the City, and

WHEREAS, the best interests of the citizens of said City require that parking on both sides of Fifteenth Street between the intersection of "H" Street and "I" Street be restricted and limited as hereinafter provided,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. It shall be unlawful for the operator of a vehicle to park such vehicle between the hours of 9 o'clock a.m. and 6 o'clock p.m. for a period longer than one hundred twenty (120) consecutive minutes on both sides of Fifteenth Street between the intersection of "H" Street and "I" Street in the City of Modesto.

SECTION 2. The Director of Public Works is hereby directed to cause the above described areas to be marked and/or posted in accordance with the provisions of this resolution and the applicable laws of the City.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 28th day of April, 1954, by Councilman Mellis, who moved its adoption, which motion being duly seconded by Councilman Annan, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: R. Adams, Annan, Arata, Merrill, Mellis, and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: M. Adams

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-124

A RESOLUTION ACCEPTING GRANT DEED FROM WILLIAM MCK. STENSAAS

---oOo---

BE IT HEREBY RESOLVED that the Grant Deed dated April 13, 1954, from William McK. Stensaas and Mildred E. Stensaas, husband and wife, to the City of Modesto, on a portion of land to be used in the widening of College Avenue, be and it is hereby accepted.

BE IT FURTHER RESOLVED that said Grant Deed be recorded with the Recorder of Stanislaus County.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 28th day of April, 1954, by Councilman Annan, who moved its adoption, which motion being duly seconded by Councilman Merrill, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: R. Adams, Annan, Arata, Mellis, Merrill, and Mayor Marks

NOES: Councilmen: None

ABSENT: Councilmen: M. Adams

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-125

A RESOLUTION ACCEPTING GRANT DEED FROM C. BOYCE ASHFORD

---oOo---

BE IT HEREBY RESOLVED that the Grant Deed dated April 1, 1954, from C. Boyce Ashford and Frances E. Ashford, husband and wife, to the City of Modesto, on a portion of land to be used in the widening of Bowen Avenue, be and it is hereby accepted.

BE IT FURTHER RESOLVED that said Grant Deed be recorded with the Recorder of Stanislaus County.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 28th day of April, 1954, by Councilman Arata, who moved its adoption, which motion being duly seconded by Councilman Mellis, was upon roll call carried and the resolution adopted by the following vote:

- Ayes: Councilmen: R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks
- Noes: Councilmen: None
- Absent: Councilmen: M. Adams

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-126

A RESOLUTION ACCEPTING RIGHT OF WAY DEED FROM C. BOYCE ASHFORD

---oOo---

BE IT HEREBY RESOLVED that the Right of Way Deed dated April 1, 1954, from C. Boyce Ashford and Frances E. Ashford, husband and wife, to the City of Modesto, for utility and public road purposes over and across strip of land in the Ashford Addition, be and it is hereby accepted.

BE IT FURTHER RESOLVED that said Right of Way Deed be recorded with the Recorder of Stanislaus County.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 28th day of April, 1954, by Councilman Mellis, who moved its adoption, which motion being duly seconded by Councilman R. Adams, was upon roll call carried and the Resolution adopted by the following vote:

- Ayes: Councilmen: R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks
- Noes: Councilmen: None
- Absent: Councilmen: M. Adams

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-127

A RESOLUTION AUTHORIZING APPROPRIATION TRANSFER TO PROVIDE FUNDS FOR REMODELING AND ALTERATION OF BASEMENT OF McHENRY PUBLIC LIBRARY FOR PURPOSES OF PROVIDING ROOM FOR CITY COUNCIL MEETINGS

---oOo---

BE IT HEREBY RESOLVED that the appropriation transfer of \$850.00 be approved from the General Reserve to Miscellaneous Unclassified, Council Chambers, to provide funds for the remodeling and alteration of the basement of the McHenry Public Library for purposes of providing room for the City Council meetings.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 28th day of April, 1954 by Councilman Mellis, who moved its adoption, which motion being duly seconded by Councilman

R. Adams, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: R. Adams, Annan, Arata, Mellis, Merrill, Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: M. Adams

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-128

A RESOLUTION COMMENDING FRANKLIN J. BILLS FOR SERVICES RENDERED TO THE CITY OF MODESTO IN THE CAPACITY OF DIRECTOR OF PLANNING

---oOo---

WHEREAS Franklin J. Bills was appointed Director of Planning of the City of Modesto on the 8th day of December, 1952, and

WHEREAS Mr. Bills has submitted his resignation to the City in order to accept a position of advancement in his profession in the City of Las Vegas, Nevada, and

WHEREAS Mr. Bills has rendered excellent services to the City of Modesto during the time that he has been in its employ.

NOW THEREFORE BE IT RESOLVED by the Council of the City of Modesto that Franklin J. Bills be commended for the outstanding manner in which he has served the City of Modesto, and

BE IT FURTHER RESOLVED that a certificate, suitably inscribed, be presented to Mr. Bills in recognition of his service.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 28th day of April, 1954 by Councilman Annan, who moved its adoption, which motion being duly seconded by Councilman Arata, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: R. Adams, Annan, Arata, Mellis, Merrill, Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: M. Adams

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-129

---oOo---

WHEREAS, this year, 1954, marks the 100th Anniversary of the founding of Stanislaus County; and

WHEREAS, Modesto is the County Seat of this great and prosperous County; and

WHEREAS, it is appropriate and right that the citizenry of our community, as well as the entire County, should make proper observance of this Centennial Year in noting the great progress, growth and development that has taken place in Stanislaus County in the past 100 years, and the contribution that Stanislaus County has made to the welfare of our State and Nation in production and wealth and services rendered by the citizens of Stanislaus County, in time of peace and war, to our State and National security and well-being; and

WHEREAS, in observing and celebrating the 100th Anniversary of Stanislaus County we also honor the great pioneers who by their hard work, courage, fortitude and faith built up a garden spot of the world from wild open desolate prairie land; and

WHEREAS, it devolves upon the citizens of this community as a civic duty, as well as a matter of jubilation, that we, the citizens of Modesto, make note of this Centennial Year of Stanislaus County by appropriate programs and activities:

THEREFORE, WE, THE CITY COUNCIL of the City of Modesto, respectfully call upon all civic minded groups, business houses, merchants, fraternal organizations, lodges, clubs,

and particularly the churches and religious bodies, to prepare and have appropriate programs and services throughout this Centennial Year, if possible of a public nature, in order that one hundred years of progress and prosperity of Stanislaus County may be duly noted in the Sands of Time, and ^{that} we, the citizens of Modesto, may take time out to honor those pioneers who built so well, and to thank Our Heavenly Father for the blessings cast down upon our beloved County, and to fervently pray for His continued blessings and guidance for ourselves and our posterity.

BE IT FURTHER ORDERED, that a copy of this Resolution be made a part of the official records of the City of Modesto, and we, the City Council, do hereby affix the official seal of the City of Modesto hereto.

THE MODESTO CITY COUNCIL

By Harry Marks
Harry Marks,
Mayor of the City of Modesto

May 5, 1954

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 5th day of May, 1954 by Mayor Marks, who moved its adoption, which motion being duly seconded by Councilman Arata, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill, Mayor Marks
Noes: Councilmen: None
Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-130

A RESOLUTION AUTHORIZING THE CITY MANAGER TO APPLY TO THE STATE OF CALIFORNIA FOR ASSISTANCE IN THE DEVELOPING OF THE TUOLUMNE RIVER REGIONAL PARK

---oOo---

WHEREAS a report has been filed with the Council of the City of Modesto by Study Group #6-Area Parks, of the Forward Modesto Committee, recommending that the city, through its Park and Recreation Departments, plan for the development of the Tuolumne River Regional Park.

NOW THEREFORE BE IT RESOLVED that it is the intent of the Council of the City of Modesto that the city should spare no effort to obtain a river park, and

BE IT FURTHER RESOLVED that the City Manager be authorized to apply to the State of California for assistance in the developing of the Tuolumne River Regional Park.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 5th day of May, 1954 by Councilman Annan, who moved its adoption, which motion was duly seconded by Councilman Arata, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill, and Mayor Marks
Noes: Councilmen: None
Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-131

A RESOLUTION DESIGNATING CERTAIN STREETS, OR A PORTION THEREOF, AS MAJOR CITY STREETS IN THE CITY OF MODESTO, STANISLAUS COUNTY

---oOo---

RESOLVED that the following streets within the corporate city limits of the City of Modesto, Stanislaus County, between the termini indicated herein, be selected, approved, and designated by the City Council of said City, as "Major City Streets"

<u>NAME</u>	<u>TERMINI</u>
B Street	South Seventh Street to Tenth Street
Briggsmore Avenue	Tully Avenue to East City Limits
Brook Way	Morton Boulevard to Morton Boulevard
Burney Street	Downey Avenue to Grand Street
California Avenue	Franklin Street to Washington Street
Carver Road	North 99 Highway to Orangeburg Avenue
Coldwell Avenue	North 99 Highway to Sycamore Avenue
College Avenue	Needham Street to Bowen Avenue
South Seventh Street	Sierra Drive to South City Limits
Downey Avenue	McHenry Avenue to Scenic Drive
Eighth Street	H Street to Kansas Avenue
Fifth Street	Washington Street to Sierra Drive
First Street	Washington Street to Sierra Drive
Fourteenth Street	Needham Street to D Street
Granger Avenue	Tully Avenue to McHenry Avenue
Griswold Avenue	Virginia Avenue to McHenry Avenue
H Street	Washington Street to Downey Avenue
Harriett Street	Downey Avenue to Morton Boulevard
I Street	Fifth Street to Downey Avenue
Kansas Avenue	North 99 Highway to Franklin Street
L Street	Ninth Street to Needham Street
LaLoma	H Street to Yosemite Boulevard
Laurel Street	Franklin Street to Washington Street
Miller Avenue	Santa Cruz to El Vista Avenue
Morris Avenue	College Avenue to East City Limits
Morton Boulevard	LaLoma to Tenth Street
Needham Street	Ninth Street to McHenry Avenue
Nineteenth Street	Downey Avenue to Burney Street
Orangeburg Avenue	Carver Road to McHenry Avenue
Paradise Avenue	Washington Street to West City Limits
Roseburg Avenue	Carver Road to McHenry Avenue
Scenic Drive	Downey Avenue to East City Limits
Seventh Street	Washington Street to Sierra Drive
Sierra Drive	First Street to South Seventh Street
Stoddard Avenue	Tully Avenue to McHenry Avenue
Sunrise Avenue--extended	Northerly City Limits to Downey Avenue
Sycamore Avenue	Needham Street to Orangeburg Avenue
Tenth Street	Needham Street to Morton Boulevard
Tully Avenue	North 99 Highway to Orangeburg Avenue
Tuolumne Boulevard	Paradise Avenue to South Seventh Street
Twelfth Street	Needham Street to H Street

Virginia Avenue
Washington Street

Needham Street to Roseburg Avenue
Eighth Street to H Street

BE IT FURTHER RESOLVED, that said City Council does recommend to the Department of Public Works of the State of California that the above selected streets be approved and designated by the Director of said Department as "Major City Streets" in said city and that said streets within the limits above given, be considered the system of Major City Streets in said city within the meaning of such system as defined in Sections 2050 to 2055, inclusive, of the Street and Highways Code.

BE IT HEREBY RESOLVED that Resolution No. 9810-N.S. adopted by the Council on April 9, 1952, entitled, "A RESOLUTION DESIGNATING CERTAIN STREETS, OR A PORTION THEREOF, AS MAJOR CITY STREETS IN THE CITY OF MODESTO, STANISLAUS COUNTY", be and it is hereby rescinded.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 5th day of May, 1954, by Councilman Annan, who moved its adoption, which motion being duly seconded by Councilman Mellis, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill, and Mayor Marks
Noes: Councilmen: None
Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-132

A RESOLUTION ACCEPTING THE BID OF CONSOLIDATED WESTERN STEEL CORPORATION OF FRESNO FOR TWO SAND TRAPS

---oOo---

WHEREAS RESOLUTION NO. 54-108, adopted by the Council of the City of Modesto on April 21, 1954, approved the specifications for the furnishing of sand traps for pump stations #1 and #17, and

WHEREAS the one bid received for the said construction was opened at 2:00 P.M., May 3, 1954 and later tabulated for the consideration of the Council by the Public Works Department, and

WHEREAS the Director of Public Works has recommended that the bid of the Consolidated Western Steel Corporation of Fresno of \$2,063.65 for unit #1, and \$2,808.34 for unit #2 be accepted, as it was the only bid received,

NOW THEREFORE BE IT RESOLVED that the bid of Consolidated Western Steel Corporation of Fresno on two sand traps of \$2,063.65 for unit #1 and \$2,808.34 for unit #2 be and it is hereby accepted.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 5th day of May, 1954 by Councilman M. Adams, who moved its adoption, which motion being duly seconded by Councilman Arata, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill, Mayor Marks
Noes: Councilmen: None
Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-133

A RESOLUTION APPROVING APPROPRIATION TRANSFER FROM SPECIAL RESERVE TO MUSIC & PROMOTION FOR THE JUNIOR CHAMBER OF COMMERCE CALIFORNIA RELAYS

---oOo---

BE IT HEREBY RESOLVED that the appropriation transfer of \$750 from the Special Reserve to Music & Promotion for the Junior Chamber of Commerce, California Relays, be approved.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 5th day of May, 1954 by Councilman Mellis, who moved its adoption, which motion being duly seconded by Councilman R. Adams, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill, Mayor Marks
Noes: Councilmen: None
Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-134

A RESOLUTION ACCEPTING GRANT DEEDS AND AUTHORIZING RECORDING WITH THE STANISLAUS COUNTY RECORDER

---oOo---

BE IT HEREBY RESOLVED that the following grant deeds be hereby accepted by the City of Modesto:

<u>DATE</u>	<u>NAME</u>	<u>WIDENING OF STREETS</u>
May 1, 1954	Ruby D. Berry	Roseburg and Tully
April 28, 1954	Frank J. Francek	Orangeburg and College
April 28, 1954	Latter-Day Saints	Orangeburg and College

BE IT FURTHER RESOLVED that the City Clerk be authorized to record said deeds with the Stanislaus County Recorder.

The foregoing resolution was adopted at a regular meeting of the Council of the City of Modesto, held on the 5th day of May, 1954, by Councilman Mellis, who moved its adoption, which motion being duly seconded by Councilman Annan, was upon roll call carried and the resolution was adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill, and Mayor Marks
Noes: Councilmen: None
Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-135

A RESOLUTION GRANTING PERMIT TO THE MODESTO TALLOW WORKS TO DRILL WELL

---oOo---

WHEREAS the Modesto Tallow Works has requested permission to drill a well on its property adjoining Crows Landing Road, and

WHEREAS section 1 of Ordinance No. 869-N.S. requires that permission to drill a well be first secured from the City Council,

NOW THEREFORE BE IT RESOLVED that permission be granted to the Modesto Tallow Works to drill a well at its plant on Crows Landing Road.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 5th day of May, 1954 by Councilman Arata, who moved its adoption, which motion being duly seconded by Councilman Annan, was upon roll call carried

and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill, Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-136

A RESOLUTION REQUESTING THE STATE DEPARTMENT OF PUBLIC WORKS TO SET A DATE FOR PUBLIC HEARING ON THE LOCATION OF THE PROPOSED 99 FREEWAY

---oOo---

WHEREAS it is planned by the State of California to improve the State Highway 99 through the City of Modesto, and

WHEREAS several proposals have been made for routing the highway through or around the City of Modesto

NOW THEREFORE, THE Modesto City Council does hereby request that the State Department of Public Works set a date for a public hearing on the proposed 99 Freeway in this area, and that this community be given ample notice of the date of hearing.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 5th day of May, 1954 by Councilman M. Adams, who moved its adoption, which motion being duly seconded by Councilman Annan, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill, and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-137

A RESOLUTION AUTHORIZING PAYMENT OF \$750 TO THE CHAMBER OF COMMERCE

---oOo---

BE IT HEREBY RESOLVED that payment of \$750 to the Chamber of Commerce, being balance appropriated for fiscal year 1953,54, be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 5th day of May, 1954 by Councilman R. Adams, who moved its adoption, which motion being duly seconded by Councilman Annan, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill, Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-138

A RESOLUTION OF THE COUNCIL OF THE CITY OF MODESTO RECOMMENDING THE APPOINTMENT OF HONORABLE SHERRILL HALBERT FOR THE OFFICE OF JUDGE OF THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF CALIFORNIA

---oOo---

WHEREAS, a vacancy exists in the United States District Court for the Northern District of California by reason of the appointment of the Honorable DalM. Lemmon as Justice of the United States Circuit Court of Appeals, and

WHEREAS, the name of the Honorable Sherrill Halbert, Judge of the Superior Court of the State of California in and for the County of Stanislaus has been advanced for consideration for appointment to this vacancy, and

WHEREAS, the Stanislaus County Bar Association has unanimously endorsed the appointment of said Honorable Sherrill Halbert to the office of Judge of the United States District Court for the Northern District of California, and

WHEREAS, there is not at the present time any representative of any of the rural or agricultural counties of California sitting as a Judge on said District Court notwithstanding the many legal problems which arise from said areas and are considered by said Court, and

WHEREAS, said Honorable Sherrill Halbert is eminently qualified by reason of training, experience and service to sit as a Judge on said District Court, and, if appointed, will administer and perform the duties of that high office in an outstanding manner and in conformity with its best traditions,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it unanimously recommends and urges the appointment of the Honorable Sherrill Halbert to the office of Judge of the United States District Court for the Northern District of California.

BE IT FURTHER RESOLVED that the City Clerk immediately transmit copies of this resolution to Senator William F. Knowland, Senator Thomas H. Kuchel, Congressman J. Leroy Johnson.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12 day of May, 1954, by Councilman Mellis, who moved its adoption, which motion being duly seconded by Councilman Arata, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis and Mayor Pro Tempore Merrill
Noes: Councilmen: None
Absent: Councilmen: Mayor Marks

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-139

A RESOLUTION ACCEPTING GIFT OF LAND FROM HORACE DRYDEN

---oOo---

WHEREAS, Horace Dryden has offered a gift of approximately 50 acres of land to the City of Modesto, to be used in the construction of an 18 hole golf course, subject only to conditions as will be mutually agreed upon between his attorney and the City Attorney.

NOW THEREFORE BE IT RESOLVED that the City of Modesto does hereby accept the gift of 50 acres of land from Horace Dryden, to be used in the building of an 18 hole Municipal Golf Course, under the terms outlined in the letter dated May 7, 1954.

BE IT FURTHER RESOLVED that the Mayor be authorized to write a letter to Mr. Dryden, expressing the appreciation of the citizens of the City of Modesto for his generous gift.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of May, 1954, by Councilman Arata, who moved its adoption, which motion being duly seconded by Councilman Mellis, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: R. Adams, Annan, Arata, Mellis, Mayor Pro Tempore Merrill
Noes: Councilmen: None
Absent: Councilmen: M. Adams, and Mayor Marks

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-140

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALLING FOR BIDS FOR CONSTRUCTION OF PUMP HOUSES AT PUMP STATIONS NO. 1 AND 17

---oOo---

BE IT HEREBY RESOLVED that the plans and specifications for the construction of pump houses at Pump Stations No. 1 and 17, as presented by the Director of Public Works be, and they are hereby approved, and

BE IT FURTHER RESOLVED that the calling for bids for above described construction be and it is hereby authorized in accordance with the procedure contained in section 1307 of the City Charter, said bids to be opened at 2:00 P.M., May 24, 1954, in the Council Chambers.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of May, 1954, by Councilman Mellis, who moved its adoption, which motion being duly seconded by Councilman Arata, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Mayor Pro Tempore Merrill

Noes: Councilmen: None

Absent: Mayor Marks

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-141

A RESOLUTION ESTABLISHING A TWO HOUR PARKING ZONE ON A PORTION OF THE SOUTH SIDE OF "E" STREET BETWEEN ITS INTERSECTION WITH TENTH STREET AND ELEVENTH STREET IN THE CITY OF MODESTO.

---oOo---

WHEREAS, Section 34.1 of Ordinance No. 345-N.S. of the City of Modesto, as amended, authorizes the City Council, by resolution, to restrict or prohibit the parking of motor vehicles upon designated streets of the City, and

WHEREAS, the best interests of the citizens of said City require that parking on a portion of the East side of "E" Street between its intersection with Tenth Street and Eleventh Street be restricted and limited as hereinafter provided,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. It shall be unlawful for the operator of a vehicle to park such vehicle between the hours of 9 o'clock a.m. and 6 o'clock p.m. for a period longer than one hundred twenty (120) consecutive minutes at the following location in the City of Modesto:

Beginning at the property line on the East Side of Tenth Street and continuing East on the South side of "E" Street for a distance of ninety-two (92') feet.

SECTION 2. The Director of Public Works is hereby directed to cause the above described areas to be marked and/or posted in accordance with the provisions of this resolution and the applicable laws of the City.

SECTION 3. That portion of Resolution No. 4193-N.S. and all resolutions or portions of resolutions in conflict herewith are hereby rescinded.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of May, 1954, by Councilman Annan, who moved its adoption, which motion being duly seconded by Councilman M. Adams, was upon roll carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Mayor Pro Tempore Merrill

Noes: Councilmen: None

RESOLUTION NO. 54-142

A RESOLUTION APPROVING AGREEMENT WITH THE STATE OFFICE OF CIVIL DEFENSE

---oOo---

BE IT HEREBY RESOLVED that the agreement dated May 7, 1954 between the City of Modesto and the State of California Office of Civil Defense, providing for temporary transfer of vehicular equipment, is hereby approved.

BE IT FURTHER RESOLVED that said agreement be executed by the City Manager on behalf of the City of Modesto.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of May, 1954, by Councilman R. Adams, who moved its adoption, which motion being duly seconded by Councilman Mellis, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: R. Adams, M. Adams, Annan, Arata, Mellis, Mayor Pro Tempore Merrill
Noes: Councilmen: None
Absent: Mayor Marks

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-143

A RESOLUTION CREATING THE MODESTO STATE HOSPITAL SOFT BALL FIELD FUND AND AUTHORIZING THE ACCEPTANCE OF DONATIONS AND EXPENDITURES OF FUNDS FOR THE PURPOSE OF LIGHTING THE SOFT BALL FIELD AT THE MODESTO STATE HOSPITAL

---oOo---

WHEREAS, the City of Modesto is desirous of cooperating with the Modesto State Hospital in providing lights on the soft ball field located at the Modesto State Hospital, and

WHEREAS, the Modesto State Hospital is willing to make its soft ball field available for the use of the City of Modesto Recreation Department, and

WHEREAS, donated labor and services have been offered by persons interested in the project for the installation of lights at the soft ball field, and

WHEREAS, several organizations and individuals have indicated their willingness to make donations to the City of Modesto for the purpose of providing a lighted soft ball field at the Modesto State Hospital, and

WHEREAS, the materials to be acquired for the lighting of the soft ball field should be purchased by the City of Modesto in order that title to such materials will remain with the City,

NOW, THEREFORE, BE IT RESOLVED that the Director of Finance is hereby authorized to create a special fund to be known as "The Modesto State hospital Soft Ball Field Fund" and to accept in the name of the City of Modesto donations made to this fund, and to expend such funds so donated for the purpose of providing lighting at soft ball field at the Modesto State Hospital.

BE IT FURTHER RESOLVED that the Director of Finance is hereby authorized to close the fund when all monies received have been expended for such purpose.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of May, 1954, by Councilman Mellis, who moved its adoption, which motion being duly seconded by Councilman Arata, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Mayor Pro Tempore Merrill
Noes: Councilmen: None
Absent: Councilmen: None - Mayor ~~Mayor~~ Marks

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-144

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF \$1,360 FOR THE PURCHASE OF A TRACTOR WITH MOWING ATTACHMENT

---oOo---

BE IT HEREBY RESOLVED that the appropriation transfer of \$1,010 appropriated for salaries and wages, and \$350 appropriated for mowing attachment in the Public Works Department budget to the Public Works Department for the purchase of a tractor with mowing attachment, needed to replace old tractor for expanded park program, be approved.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 19th day of May, 1954, by Councilman Arata, who moved its adoption, which motion being duly seconded by Councilman M. Adams, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis and Mayor Marks
Noes: Councilmen: None
Absent: Councilmen: Merrill

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-145

A RESOLUTION ACCEPTING BID OF THE STOCKTON CONSTRUCTION COMPANY FOR THE CONSTRUCTION OF THE SOUTH SECTION OF THE WEST SANITARY TRUNK SEWER

---oOo---

WHEREAS, Resolution No. 54-101 adopted by the Council on April 14, 1954, approved the plans and specifications for the construction of the South section of the West Sanitary Trunk Sewer line and authorized the calling for bids, and

WHEREAS, the ten bids received for the said construction were opened at 2:00 P.M., May 10, 1954, in the Council Chambers of the City Hall and later tabulated by the Public Works Department for the consideration of the Council, and

WHEREAS, the Director of Public Works has recommended that the bid of \$124,739.68, submitted by the Stockton Construction Company be accepted as it was the lowest bid received.

NOW, THEREFORE, BE IT RESOLVED that the bid of the Stockton Construction Company of \$124,739.68 for the construction of the South section of the West Sanitary Trunk Sewer line be, and it is hereby accepted, and the execution of a contract for the completion of the construction be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 19th day of May, 1954, by Councilman M. Adams, who moved its adoption, which motion being duly seconded by Councilman Arata, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Mayor Marks
Noes: Councilmen: None
Absent: Councilmen: Merrill

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-146

A RESOLUTION ACCEPTING THE BID OF TANNER CONSTRUCTION COMPANY FOR THE CONSTRUCTION OF CURBS AND GUTTERS AT ROOSEVELT PARK

---oOo---

WHEREAS, Resolution No. 54-121, adopted by the Council on April 28, 1954, approved the specifications for the construction of curbs and gutters at Roosevelt Park and authorized the calling for bids, and

WHEREAS, the two bids received for the said construction were opened at 2:00 P.M., May 17, 1954, in the Council Chambers in the City of Modesto, and later tabulated by the Public Works Department for the consideration of the Council, and

WHEREAS, the Director of Public Works has recommended that the bid of \$3,382.80, submitted by Tanner Construction Company be accepted as it was the lowest bid received.

NOW, THEREFORE, BE IT RESOLVED that the bid of Tanner Construction Company of \$3,382.80 for the construction of curbs and gutters at Roosevelt Park be and it is hereby accepted and the execution of a contract for the completion of the work be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 19th day of May, 1954, by Councilman Arata, who moved its adoption, which motion being duly seconded by Councilman Annan, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Mayor Marks
Noes: Councilmen: None
Absent: Councilmen: Merrill

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-147

A RESOLUTION ACCEPTING THE CONSTRUCTION OF THE DIGESTER AND DETRITOR UNITS AT THE SEWAGE DISPOSAL PLANT FROM CONTRACTORS KE-STONE AND MUNY

---oOo---

WHEREAS, a report has been filed by the Director of Public Works that the construction of the Digester and Detritor Units at the Sewage Disposal Plant has been completed by the contractors Ke-Stone and Muny in accordance with contract agreement dated August 22, 1953.

NOW THEREFORE BE IT RESOLVED that the construction of the Digester and Detritor units at the Sewage Disposal Plant be accepted from said contractor Ke-Stone and Muny, that notice of completion be filed with the County Recorder, and payment as provided in the contract be authorized to said contractors.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 19th day of May, 1954, by Councilman Annan, who moved its adoption, which motion being duly seconded by Councilman R. Adams, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Mayor Marks
Noes: Councilmen: None
Absent: Councilmen: Merrill

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-148

---oOo---

WHEREAS the Junior Chamber of Commerce International is an organization of world-wide scope and influence, and

WHEREAS it has become known that said organization plans the establishment of a permanent world headquarters with consequent benefit to the community in which it may be located, and

WHEREAS the City of Modesto has better than an even chance of being selected as the site of the world headquarters of Junior Chamber of Commerce International and possibly of the State headquarters,

NOW THEREFORE BE IT RESOLVED that the Council of the City of Modesto offer office space in the former John Muir School building now owned by the City of Modesto, to the

Junior Chamber of Commerce International and to the California Junior Chamber of Commerce for headquarters use pending the selection of a permanent site and the construction of suitable buildings by the Junior Chamber of Commerce International within the City of Modesto for such purpose, and

BE IT FURTHER RESOLVED that the Council of the City of Modesto offer its full cooperation to J. C. I. in obtaining a permanent site and the necessary facilities in the City of Modesto for the headquarters of J. C. I.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 19th day of May, 1954, by Councilman R. Adams, who moved its adoption, which motion being duly seconded by Councilman Arata, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: Merrill

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-149

A RESOLUTION APPROVING THE SPECIFICATIONS AND AUTHORIZING THE CALLING FOR BIDS FOR THE PAINTING AT McHENRY LIBRARY

---oOo---

BE IT HEREBY RESOLVED that the specifications for the painting at McHenry Library be and they are hereby approved, and

BE IT FURTHER RESOLVED that the calling for bids for the above described work be and it is hereby authorized, said bids to be opened at 2:00 P. M., June 7, 1954, in the Council Chambers of the City of Modesto.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 19th day of May, 1954, by Councilman Annan, who moved its adoption, which motion being duly seconded by Councilman Arata, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: Merrill

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-150

A RESOLUTION ACCEPTING UTILITY EASEMENT AGREEMENT FROM ABRAHAM BULGHERONI AND MARY A. BULGHERONI, HUSBAND AND WIFE

---oOo---

BE IT HEREBY RESOLVED that the Utility Easement Agreement, dated May 15, 1954, from Abraham Bulgheroni and Mary A. Bulgheroni, husband and wife to the City of Modesto granting permission to excavate for, construct, install, lay and maintain underground, and thereafter use, operate, inspect, repair, remove and replace such facilities for the provision of utilities, including a sewer pipe line or lines, as City may elect, together with the necessary valves and other appurtenances therefor, all within the boundaries of a strip of land 40 feet wide in the Southeast quarter of the Southwest quarter of Section 31, Township 3 South, Range 9 East, M.D.B. & M., in the Modesto Irrigation District, County of Stanislaus, State of California, be and it is hereby accepted.

BE IT FURTHER RESOLVED that the recording of said Utility Easement Agreement with the Stanislaus County Recorder be and it is hereby authorized.

BE IT HEREBY RESOLVED that payment of \$75 to Abraham Bulgheroni and Mary A Bulgheroni for severence damages be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 19th day of May, 1954, by Councilman Mellis, who moved its adoption, which motion being duly seconded by Councilman M. Adams, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: Merrill

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-151

RESOLUTION REGULATING THE RESERVATION AND USE OF PICNIC TABLES, BARBECUE PITS, AND SUCH OTHER PICNIC FACILITIES AS MAY BE PROVIDED IN THE PUBLIC PARKS OF THE CITY OF MODESTO

---oOo---

WHEREAS, the Council of the City of Modesto desires to establish rules and regulations relating to the use of the picnic facilities in the public parks of the City of Modesto,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. Administration of Reservation of Picnic Facilities. The Superintendent of Parks shall be responsible for the administration of the reservation of picnic facilities on city parks in accordance with the provisions of this resolution.

SECTION 2. Public Parks in Which Reservation of Picnic Facilities Shall Not Be required or Permitted. The picnic tables, barbecue pits, and all other picnic facilities provided in Beard Brook, Elk, Enslin, Gradeada, J. M. Pike, John Muir, Maze Wren, Roosevelt, and West Side Parks shall be available to the general public, individually or in groups, without necessity of prior reservation. No reservation of picnic facilities in the aforementioned parks by any individual or group shall be permitted with the exceptions set forth in Section 3 of this resolution.

SECTION 3. Groups Exempt From the Provisions of Section 2. In order that Elementary, Junior High, and High Schools may conduct annual school picnics in the public parks, and to insure maximum availability of facilities for said picnics, any Elementary, Junior High, or High School shall be permitted to make application for reservation of picnic facilities in any of the parks listed in Section 2 of this resolution.

SECTION 4. Public Parks in Which Reservation of Picnic Facilities shall Be Permitted. The picnic tables, barbecue pits, and all other picnic facilities provided in Legion Park shall be available for reservation by any group of persons numbering not less than fifty (50).

SECTION 5. Application for Reservations Required. Any group consisting of not less than fifty (50) individuals desiring to reserve picnic facilities in Legion Park shall make written application to the Superintendent of Parks not less than forty-eight (48) hours prior to the date facilities are desired. Applications for reservations shall be made on a standard form which shall be provided by the Superintendent of Parks.

SECTION 6. Regulations Governing the Use of Reserved Picnic Facilities. Any group making application for reservation of picnic facilities shall agree to abide by the following regulations governing the reservation and use of picnic facilities:

(a) Each group or organization concerned shall provide a representative to claim reserved facilities on date of use.

(b) Each group or organization concerned shall be responsible for leaving facilities in a clean and orderly condition.

(c) Each group or organization concerned shall be responsible for the maintenance of order among those participating.

(d) Each group or organization concerned shall abide by all regulations and ordinances governing city parks and facilities.

Failure of an applicant to comply with the foregoing rules and regulations shall constitute grounds for refusal of the right of subsequent use of park picnic facilities.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 19th day of May, 1954, by Councilman Arata, who moved its adoption, which motion being duly seconded by Councilman Annan, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: Mayor Marks

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-152

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO, DORR COMPANY, HARRY M. JENKS AND THE CITY OF HAYWARD

---oOo---

BE IT HEREBY RESOLVED that the agreement dated May 19, 1954, between the City of Modesto, Dorr Company, Harry M. Jenks, and the City of Hayward, for a testing program at the Hayward Disposal Plant, be and it is hereby approved.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 19th day of May, 1954, by Councilman M. Adams, who moved its adoption, which motion being duly seconded by Councilman Annan, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: Merrill

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-153

A RESOLUTION ESTABLISHING A TAXICAB STAND ON THE WEST SIDE OF TENTH STREET BETWEEN G STREET AND H STREET IN THE CITY OF MODESTO AND RESCINDING RESOLUTION 54-66

---oOo---

WHEREAS, Section 8 (a) of Ordinance No. 1050-N.S., regulating the use and operation of taxicabs upon the public streets in the City of Modesto authorizes the Council, by resolution, to locate and designate taxicab stands, and

WHEREAS, due to the remodeling of the Greyhound bus depot at 10th and G Streets, a temporary taxicab stand was established on the North side of G Street between 9th Street and 10th Street for the use of Joe's Taxi by Resolution No. 54-66 adopted on the 3rd day of March, 1954, and

WHEREAS, the remodeling of the Greyhound bus depot has been completed and there is no longer any need for said temporary taxicab stand inasmuch as the

previous taxicab stand used by Joe's Taxi, located on the West side of 10th Street between G Street and H Street is again available for use,

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL of the City of Modesto as follows:

SECTION 1. A taxicab stand is hereby designated at the following location:

Beginning at the property line on the North side of G Street and running North on the West side of 10th Street for a distance of 55 feet, 10 inches.

SECTION 2. The Director of Public Works shall cause the above described location to be marked and posted in accordance with the provisions of this resolution and the applicable laws of the City.

SECTION 3. Resolution No. 54-66 of the City of Modesto, adopted on the 3rd day of March, 1954, is hereby rescinded.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 19th day of May, 1954, by Councilman Annan, who moved its adoption which motion being duly seconded by Councilman Mellis, was upon roll call carried, and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: Merrill

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-154

A RESOLUTION DESIGNATING A BUS LOADING ZONE ON SCENIC DRIVE IN THE CITY OF MODESTO

---oOo---

WHEREAS, Section 31 (b) of Ordinance No. 345-N.S. authorizes the City Council to designate the location of loading zones,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. A bus loading zone is hereby established at the following location:

On the South side of Scenic Drive commencing 119 feet West of the City Limit boundary marker and continuing West on the South side of Scenic Drive for a distance of 50 feet.

SECTION 2. The Director of Public Works is hereby directed to cause the above location to be marked and designated in accordance with the provisions of this resolution and Section 31 of Ordinance No. 345-N.S.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 19th day of May, 1954, by Councilman Mellis, who moved its adoption, which motion being duly seconded by Councilman Annan, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: Merrill

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-155

A RESOLUTION ESTABLISHING A CROSSWALK ON SCENIC DRIVE NEAR THE CITY LIMITS OF THE CITY OF MODESTO

---oOo---

WHEREAS, Section 6 of Ordinance No. 345-N.S. authorizes the City Council to establish the location of crosswalks on the city streets where, in its opinion there is particular danger to pedestrians crossing the roadway, and

WHEREAS, the Chief of Police recommends that a crosswalk be established on Scenic Drive to protect the pedestrians crossing the roadway,

NOW THEREFORE BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. A crosswalk 8 feet in width is hereby established at the following location:

Across Scenic Drive, commencing 207 feet West of the city limit boundary marker and extending to a point 215 feet West of the city limit boundary marker.

SECTION 2. The Director of Public Works shall cause a crosswalk to be marked at the above described location in accordance with the provisions of Section 6 of Ordinance No. 345-N.S. and other applicable laws of the city.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 19th day of May, 1954 by Councilman R. Adams, who moved its adoption, which motion being duly seconded by Councilman Mellis, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, and Mayor Marks
Noes: Councilmen: None
Absent: Councilmen: Merrill

ATTEST: REX E. GAILFUS, CITY CLERK,

RESOLUTION NO. 54-156

A RESOLUTION APPROVING REVISION OF AGREEMENT BETWEEN THE CITY OF MODESTO AND THE STANDARD OIL COMPANY

---oOo---

WHEREAS, the City of Modesto entered into an agreement with the Standard Oil Company as of June 5, 1947, relating to gasoline facilities at the Municipal Airport, and

WHEREAS, the company has agreed to transfer the underground facilities to the City of Modesto.

NOW, THEREFORE, BE IT RESOLVED that the revised lease agreement and the bill of sale for the underground facilities be and they are hereby approved, and

BE IT FURTHER RESOLVED that the city's authorized officials execute said revised lease agreement.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 19th day of May, 1954, by Councilman Mellis, who moved its adoption, which motion being duly seconded by Councilman R. Adams, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis and Mayor Marks
Noes: Councilmen: None
Absent: Councilmen: Merrill

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-157

A RESOLUTION RENEWING LEASE AGREEMENT BETWEEN THE CITY OF MODESTO AND W. G. DUNLOP

---oOo---

BE IT HEREBY RESOLVED that the lease agreement between the City of Modesto and W. G. Dunlop for the rental of the Hawke Hangar at the Municipal Airport, at a monthly rental of \$100 for a term of one year beginning April 30, 1954, be approved, and

BE IT FURTHER RESOLVED that said lease be executed by the authorized city officials.

The foregoing resolution was introduced at a regular meeting of the Council

of the City of Modesto held on the 19th day of May, 1954, by Councilman Annan, who moved its adoption, which motion being duly seconded by Councilman Arata, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: Merrill

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-158

A RESOLUTION AUTHORIZING THE RENEWAL OF LEASE AGREEMENT BETWEEN THE CITY OF MODESTO AND ROBERT PHILLIPS

---oOo---

BE IT HEREBY RESOLVED that the lease agreement between the City of Modesto and Robert Phillips for the rental of Office Building No. 2, located on the Modesto Municipal Airport, for a term of one year beginning July 1, 1954, at a monthly rental of \$25.00, be approved, and

BE IT FURTHER RESOLVED that said lease agreement be executed by the authorized city officials.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 19th day of May, 1954, by Councilman M. Adams, who moved its adoption, which motion being duly seconded by Councilman Mellis, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: Merrill

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-159

A RESOLUTION ACCEPTING GRANT DEED FROM ROBERT P. BOMBERGER, et ux, FOR THE WIDENING OF TULLY AVENUE

---oOo---

BE IT HEREBY RESOLVED that Grant Deed, dated May 5, 1954, from Robert P. Bomberger and Muriel I. Bomberger, husband and wife, to the City of Modesto, a municipal corporation, covering the East 25 feet of the West 45 feet of the following:

All that portion of the Southwest quarter of the Southwest quarter of the Northwest quarter of Section 20, Township 3 South, Range 9 East, M. D. B. & M.,
(widening of Tully Ave. at Roseburg Ave.)

be and it is hereby accepted.

BE IT FURTHER RESOLVED that the City Clerk be authorized to record said deed with the Stanislaus County Recorder.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 19th day of May, 1954, by Councilman Mellis, who moved its adoption, which motion being duly seconded by Councilman R. Adams, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: Merrill

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-160

A RESOLUTION ACCEPTING BID OF EDWARD A. TOMLINSON FOR THE CONSTRUCTION OF PUMP HOUSES AT PUMP STATIONS NO. 1 and 17

---oOo---

WHEREAS, Resolution No. 54-140, adopted by the Council of the City of Modesto on May 12, 1954, approved the plans and specifications for the construction of pump houses at pump stations No. 1 and 17, and authorized the calling for bids, and

WHEREAS, the bids received for the said construction were opened at 2:00 P.M., May 24, 1954, in the Council Chambers of the City of Modesto and later tabulated by the Public Works Department for the consideration of the Council, and

WHEREAS, the Director of Public Works has recommended that the bid of \$2,580.00 submitted by Edward A. Tomlinson be accepted as it was the lowest bid received.

NOW, THEREFORE, BE IT RESOLVED that the bid of Edward A. Tomlinson of \$2,580.00 for the construction of pump houses at pump stations No. 1 and 17, be and it is hereby accepted, and the execution of a contract for the completion of the construction by the city's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of May, 1954, by Councilman Annan, who moved its adoption, which motion being duly seconded by Councilman Merrill, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks
Noes: Councilmen: None
Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-161

A RESOLUTION APPROVING THE FINAL MAP OF THE ASHFORD TRACT NO. 1 SUBDIVISION OF THE CITY OF MODESTO

---oOo---

WHEREAS, C. Boyce Ashford and Frances E. Ashford, husband and wife, are possessed of a tract of land situated in the City of Modesto, County of Stanislaus, consisting of approximately 4.20 acres, known as Ashford Tract No. 1 Subdivision, and

WHEREAS, a tentative map of said subdivision was approved by the City Planning Commission on the 16th day of March, 1954, and

WHEREAS, the final map of said subdivision has been approved by the Secretary of the City Planning Commission, and

WHEREAS, the City Engineer of the City of Modesto has certified that the final map of said Ashford Tract No. 1 Subdivision meets all the provisions of the California Subdivision Map Act and the City Subdivision Ordinance and that the map is technically correct,

NOW, THEREFORE, BE IT RESOLVED that said final map of Ashford Tract No. 1 Subdivision be approved and the streets and alleys and easements as shown thereon within the boundaries of said subdivision be accepted on behalf of the public for public use and that the City Clerk be, and he is hereby authorized to certify the map of said subdivision on behalf of the City of Modesto after the fees in the amount of \$321.10, as required by Ordinance No. 1041-N.S. for checking, copies of maps, recording, and parks and playgrounds have been paid and that subdivider has furnished

a bond acceptable to the City Attorney in the sum of \$11,500.

BE IT FURTHER RESOLVED that the City Manager be authorized to execute an agreement with subdividers as required by Section 6.5 of Ordinance No. 1041-N.S.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of May, 1954, by Councilman M. Adams, who moved its adoption, which motion being duly seconded by Councilman Arata, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-162

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALLING FOR BIDS FOR THE CONSTRUCTION OF COMFORT STATION AT THE MODESTO JUNIOR COLLEGE SOFTBALL FIELD

---oOo---

BE IT HEREBY RESOLVED that the plans and specifications for the construction of comfort station at the Modesto Junior College Softball Field be, and they are hereby approved, and

BE IT FURTHER RESOLVED that the calling for bids for above described construction be, and it is hereby authorized in accordance with the procedure contained in Section 1307 of the City Charter, said bids to be opened at 3:00 P. M., June 7, 1954, in the Council Chambers of the City of Modesto.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of May, 1954, by Councilman Merrill, who moved its adoption, which motion being duly seconded by Councilman R. Adams, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill, and Mayor Marks

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-163

A RESOLUTION ESTABLISHING THE SEWER SERVICE CHARGE FOR PROCESSING LEEK IN THE CITY OF MODESTO

---oOo---

WHEREAS, the Council of the City of Modesto is advised that leek is being processed within the City of Modesto, and

WHEREAS, the provisions of Ordinance No. 1092-N.S. of the City of Modesto, regulating the discharge of sanitary sewage and industrial wastes, do not provide a specific charge for the processing of leek, and

WHEREAS, Section 6 (g) of said Ordinance No. 1092-N.S. provides that rates for products or processes other than those specified shall be fixed by resolution of the City Council on a comparable basis to those provided in the said ordinance,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The sewer service charge for the processing of Leek is hereby established as follows:

<u>Product</u>	<u>Minimum Charge Per Month</u>	<u>Per Row or Green Ton</u>
Leek	\$3.00	\$.15

SECTION 2. The sewer service charge established by this resolution shall :
apply retroactively, commencing on and after April 1, 1954.

The foregoing resolution was introduced at a regular meeting of the Council
of the City of Modesto held on the 26th day of May, 1954, by Councilman M. Adams,
who moved its adoption, which motion being duly seconded by Councilman Arata was
upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor
Marks
NOES: Councilmen: None
ABSENT: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-164

A RESOLUTION ACCEPTING DONATION FROM MODESTO SOFTBALL ASSOCIATION FOR MADDUX YOUTH
CENTER FURNISHING FUND, AUTHORIZING PLACING IN FUND AND APPROPRIATING FOR EXPENITURE
FOR EQUIPMENT

---oOo---

WHEREAS, the Modesto Softball Association has donated \$167.50 for the L. J.
Maddux Youth Center Furnishing Fund,

NOW, THEREFORE, BE IT RESOLVED that the donation be accepted from the
Modesto Softball Association and deposited in the Youth Center Furnishing Fund, and

BE IT FURTHER RESOLVED that the \$167.50 be appropriated for expenditure for
furnishings & equipment for the L. J. Maddux Youth Center.

BE IT FURTHER RESOLVED that a letter of appreciation be sent to the Modesto
Softball Association expressing the appreciation of the citizens of the City of
Modesto for the donation.

The foregoing resolution was introduced at a regular meeting of the Council
of the City of Modesto held on the 26th day of May, 1954, by Councilman R. Adams,
who moved its adoption, which motion being duly seconded by Councilman Mellis, was
upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor
Marks
NOES: Councilmen: None
ABSENT: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-165

ACCEPT UTILITY EASEMENT FROM MODESTO IRRIGATION DISTRICT ON SOUTH SECTION OF WEST
SANITARY SEWER LINE

---oOo---

BE IT HEREBY RESOLVED that the Utility Easement Agreement from the Modesto
Irrigation District to the City of Modesto, dated May 24, 1954, granting the City
the right to install, operate and maintain an underground pipe line for the trans-
portation of sewage on the following described land, be approved;

That portion within the right of way of Lateral 5 of the Modesto
Irrigation District, of the North 40 feet of the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of
Section 31, Township 3 South, Range 9 East, M.D.B.& M.

BE IT FURTHER RESOLVED that the City Manager and the City Clerk be author-
ized to execute said agreement.

BE IT FURTHER RESOLVED that the City Clerk be authorized to record the
agreement with the Recorder of Stanislaus County.

The foregoing resolution was introduced at a regular meeting of the Council
of the City of Modesto held on the 26th day of May, 1954, by Councilman Arata, who
moved its adoption, which motion being duly seconded by Councilman M. Adams, was

upon roll call carried by the following vote:

AYES: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-166

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF \$500 TO DEFRAY THE COST FOR THE CHANGING OF THE NAME OF THE BAND TO MODESTO BAND

---oOo---

WHEREAS, Milo M. Schrock, President of the Modesto Band, has filed an estimate of the approximate cost for the changing of the name of the Stanislaus County Band to Modesto Band to be \$479.08.

NOW, THEREFORE, BE IT RESOLVED that an appropriation transfer be approved of \$500 from General Reserve to Music & Promotion - Stanislaus County Boys' Band to defray cost for the changing of the name of the band to Modesto Band.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of May, 1954, by Councilman M. Adams, who moved its adoption, which motion being duly seconded by Councilman Mellis, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-167

A RESOLUTION ALLOWING CLAIM OF MRS. H. C. KECK FOR TOWING CHARGES

---oOo---

WHEREAS, a claim has been filed by Mrs. H. C. Keck for \$6.00, being tow charges for pulling her car from a hole in the alley between Leon and Yosemite Avenues on March 21, 1954, caused by a broken city water main, and

WHEREAS, the Phoenix-London Group Insurance Company, the city's comprehensive public liability and property damage carrier has denied the liability because it did not involve property damage, and

WHEREAS, payment of this claim appears in order since the loss was caused by city facilities.

NOW, THEREFORE, BE IT RESOLVED that the claim of Mrs. H. C. Keck for \$6.00 be, and it is hereby allowed.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 2nd day of June, 1954, by Councilman Annan, who moved its adoption, which motion being duly seconded by Councilman Arata, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-168

A RESOLUTION WITHDRAWING CERTAIN DESCRIBED TERRITORY FROM THE MCHENRY-DRY CREEK FIRE PROTECTION DISTRICT BY REASON OF ITS ANNEXATION TO THE CITY OF MODESTO. (MCHENRY VILLAGE ADDITION)

---oOo---

WHEREAS, a portion of the McHenry-Dry Creek Fire Protection District was annexed to the City of Modesto by Ordinance No. 1126-N.S., dated April 28, 1954, and

WHEREAS, said territory officially became a part of the City on April 30, 1954, and

WHEREAS, the state law provides that whenever any portion of a District is included within a City by reason of annexation, such portion may be withdrawn from the District by the filing with the State Board of Equalization, the governing body of the District, and the County Assessor of copies of a resolution of the legislative body of the City, describing the included portion, and declaring such portion withdrawn, and

WHEREAS, it is to the best interests of the residents in the area of said fire District which has been annexed to the City that the area be withdrawn from said fire District and provided fire prevention and fire fighting services by the City,

NOW, THEREFORE, BE IT RESOLVED that the following described territory be, and it is hereby declared withdrawn from the boundaries of the McHenry-Dry Creek Fire Protection District.

All the portions of Sections 16, 17, 20, and 21, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at the intersection of the south line of the Modesto Irrigation District Lateral No. 3 and the west line of the 50-ft. street known as McHenry Avenue, said point being a corner of the existing City Limits; thence easterly along the south right of way line of the Modesto Irrigation District Lateral No. 3, North $89^{\circ} 36'$ East, 587.24 feet; thence continuing along said right of way line along a curve to the right having a radius of 183.48 feet, central angle of $19^{\circ} 50'$, a distance of 63.51 feet; thence continuing along said right of way line, South $70^{\circ} 34'$ East 903.49 feet, to the Westerly line of Camellia Gardens Tract as recorded in Volume 17 of Maps at Page 5, Stanislaus County Records; thence along said Westerly line South $0^{\circ} 51' 30''$ East, 631.73 feet; thence North $89^{\circ} 39'$ West, 150.00 feet; thence along the quarter, quarter section line of said Section 16, South $0^{\circ} 51' 30''$ East, 130.00 feet, to the North line of the 40-ft. road known as Granger Avenue; thence along the North line of Granger Avenue, North $89^{\circ} 39'$ West, 663.12 feet; thence North $0^{\circ} 48'$ West, 112.00 feet; thence North $89^{\circ} 39'$ West, 410.50 feet; thence South $0^{\circ} 48'$ East, 112.00 feet; thence along the North line of Granger Avenue, North $89^{\circ} 39'$ West, 49.50 feet; thence Southerly parallel to McHenry Avenue 200.00 feet; thence Easterly parallel to Granger Avenue 460.00 feet, to a point on the East line of Lot 5, Coolidge Colony, recorded in Volume 5 of Maps at Page 17, Stanislaus County Records; thence Southerly along the East line of Lot 5, a distance of 150.00 feet, to the Southeast corner of Lot 5, thence Westerly along the South line of Lot 5, a distance of 132.00 feet; thence Southerly parallel to McHenry Avenue, 310.00 feet to the North line of the 40-ft. road known as Coolidge Avenue; thence Westerly along said North line, 213.6 feet; thence Northerly parallel to McHenry Avenue, 160.00 feet; thence Westerly parallel to Granger Avenue, 340.40 feet to the West line of McHenry Avenue, a point on the present City Limits; thence Northerly along the West line of McHenry Avenue and the present City Limits 1559.80 feet, to the point of beginning.

BE IT FURTHER RESOLVED that the City Clerk be, and he is hereby directed to file a certified copy of this resolution with the State Board of Equalization, the governing body of the District, and the Assessor of Stanislaus County.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 2nd day of June, 1954, by Councilman Arata, who moved its adoption, which motion being duly seconded by Councilman R. Adams, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: M. Adams, R. Adams, Arata, Annan, Mellis, Merrill, and Mayor Marks

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-169

A RESOLUTION ESTABLISHING A CROSSWALK ON D STREET NEAR ITS INTERSECTION WITH FOURTEENTH STREET IN THE CITY OF MODESTO

---oOo---

WHEREAS, Section 6 of Ordinance No. 345-N.S. authorized the City Council to establish the location of crosswalks on the city streets where, in its opinion, there is particular danger to pedestrians crossing the roadway, and

WHEREAS, the Chief of Police recommends that a crosswalk be established on D Street just West of its intersection with Fourteenth Street to protect the pedestrians crossing the roadway,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. A crosswalk twelve (12') feet in width is hereby established at the following location: Across D Street, commencing at a point on the North side of D Street one hundred twenty-eight (128') feet West from the West property line of Fourteenth Street and extending to a point one hundred forty (140') feet West of the West property line of Fourteenth Street.

SECTION 2. The Director of Public Works shall cause a crosswalk to be marked at the above location in accordance with the provisions of Section 6 of Ordinance No. 345-N.S. and other applicable laws of the City.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 2nd day of June, 1954, by Councilman M. Adams, who moved its adoption, which motion being duly seconded by Councilman Mellis, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-170

A RESOLUTION AUTHORIZING APPROPRIATION TRANSFER FOR CAPITAL IMPROVEMENT TO LIBRARY BUILDING

---oOo---

BE IT HEREBY RESOLVED that appropriation transfer of \$500 from the Library Reserve to Library, Capital Improvements fund to provide for emergency exit from the Assembly Room in the basement of the Library, be approved.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 2nd day of June, 1954, by Councilman Arata, who moved its adoption, which motion being duly seconded by Councilman R. Adams, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-171-N.S.

A RESOLUTION AUTHORIZING THE APPROPRIATION OF DONATION MADE BY P.E.O. SISTERHOOD FOR FURNITURE AT THE L. J. MADDUX YOUTH CENTER.

---oOo---

WHEREAS, on April 21, 1954, the City Council accepted a donation in the amount of Fifteen (\$15.00) Dollars from the P.E.O. Sisterhood for furniture for the L. J. Maddux Youth Center,

NOW, THEREFORE BE IT RESOLVED, and it is hereby ordered that the Fifteen (\$15.00) Dollar donation be deposited in the Youth Center Furnishing Fund, and

BE IT FURTHER RESOLVED that the Fifteen (\$15.00) Dollars be appropriated for expenditure for furniture for the L. J. Maddux Youth Center.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 2nd day of June, 1954, by Councilman R. Adams, who moved its adoption, which motion being duly seconded by Councilman Mellis, it was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor
NOES: Councilmen: Marks
ABSENT: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-172

A RESOLUTION ACCEPTING BID OF ANTHONY ZAMBELLI FOR PAINTING OF McHENRY PUBLIC LIBRARY

---oOo---

WHEREAS, Resolution No. 54-149, adopted by the Council of the City of Modesto on May 19, 1954, approved the specifications for the painting of the McHenry Public Library and authorized the calling for bids, and

WHEREAS, the four bids tabulated for the said work were opened at 2:00 P.M. June 7, 1954, in the Council Chambers of the City Hall and later tabulated by the Public Works Department for the consideration of the Council, and

WHEREAS, the Director of Public Works has recommended that the bid of \$6,485.00 plus \$12.00 per hour and the material for sandblasting, submitted by Anthony Zambelli be accepted as it was the lowest bid received.

NOW, THEREFORE, BE IT RESOLVED that the bid of Anthony Zambelli of \$6,485.00 plus \$12.00 per hour and material for sandblasting for the painting of McHenry Public Library be, and it is hereby accepted, and the execution of a contract for the completion of the work be authorized by designated city officials.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of June, 1954, by Councilman Annan, who moved its adoption, which motion being duly seconded by Councilman Arata, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor
NOES: Councilmen: Marks
ABSENT: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-173

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF FUNDS

---oOo---

BE IT HEREBY RESOLVED that the appropriation transfer of \$2,000 from the Library Unappropriated Reserve Fund and \$1,000 from the Library Capital Improvement to Building Fund, to the Library-Maintenance and Repair, Building and Grounds be, and it is hereby approved.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of June, 1954, by Councilman Merrill, who moved its adoption, which motion being duly seconded by Councilman M. Adams, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill, and Mayor Marks
NOES: Councilmen: None
ABSENT: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-174

A RESOLUTION AUTHORIZING CALLING FOR BIDS FOR THE OFFICIAL ADVERTISING FOR THE CITY FOR THE YEAR ENDING JUNE 30, 1955

---oOo---

BE IT HEREBY RESOLVED that the calling for bids for the official advertising for the city for the year ending June 30, 1955, be, and it is hereby authorized, said bids to be opened at 2:00 P.M., June 21, 1954, in the office of the City Clerk of the City of Modesto.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of June, 1954, by Councilman Merrill, who moved its adoption, which motion being duly seconded by Councilman R. Adams, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks
NOES: Councilmen: None
ABSENT: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-175

A RESOLUTION SETTING DATE FOR A PUBLIC HEARING ON THE APPEAL OF CURTIS MOTE

---oOo---

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the date of June 23, 1954, at 8:00 P. M., in the Council Chambers, Fourteenth and I Streets, be set as the date and place for the holding of a public hearing on the appeal of the action taken by the Modesto City Planning Commission denying permission to Curtis Mote to operate a press shop at 303 Camellia Way.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of June, 1954, by Councilman Mellis, who moved its adoption, which motion being duly seconded by Councilman Merrill, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks
NOES: Councilmen: None
ABSENT: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-176

A RESOLUTION APPROVING AGREEMENT WITH ELKS LODGE--REALIGN ALLEY

---oOo---

BE IT HEREBY RESOLVED that agreement between the City of Modesto and B. P. O. E. Modesto Lodge No. 1282 for the realignment of the alley and sanitary sewer line in Block 728 be, and it is hereby approved, and

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of June, 1954, by Councilman M. Adams, who moved its adoption, which motion being duly seconded by Councilman Merrill, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks
NOES: Councilmen: None
ABSENT: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-177

A RESOLUTION APPOINTING E. GRAHAM MAY ON MODESTO CITY PLANNING COMMISSION

---oOo---

BE IT HEREBY RESOLVED that E. Graham May be appointed a member of the Modesto City Planning Commission to serve the unexpired term of V. E. Barton until January 1, 1957.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of June, 1954, by Councilman R. Adams, who moved its adoption, which motion being duly seconded by Councilman Mellis, it was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks
NOES: Councilmen: None
ABSENT: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-178

A RESOLUTION COMMENDING THE MEMBERS OF THE FORWARD MODESTO COMMITTEE FOR OUTSTANDING SERVICES RENDERED THE CITY OF MODESTO

---oOo---

WHEREAS, the members of the Forward Modesto Committee have completed, after months of effort, the difficult and tremendously important task assigned them, and

WHEREAS, through untiring, conscientious effort, they have produced a comprehensive analytical report to the City Council and to their fellow citizens, and

WHEREAS, the members of said committee in performing this work did so at considerable personal sacrifice, and

WHEREAS, the future of the City and of the Community will be made finer because of the committee's guidance in recommending and programming civic achievement.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto

that the members of the Forward Modesto Committee be commended for the outstanding manner in which they performed their duties in connection with the preparation of the Forward Modesto Report.

BE IT FURTHER RESOLVED that a duly authenticated copy of this resolution be transmitted by the City Clerk to each member of the Forward Modesto Committee.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of June, 1954, by Councilman Mellis, who moved its adoption, which motion being duly seconded by Councilman R. Adams, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks
NOES: Councilmen: None
ABSENT: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-178A

A RESOLUTION ACCEPTING SEWER LINE IN BLOCKS 6196 AND 6198 FROM CONTRACTOR ANDREW P. RASMUSSEN

---oOo---

WHEREAS, a report has been filed by the Director of Public Works that the construction of a sewer line in blocks 6196 and 6198 has been completed by contractor Andrew P. Rasmussen in accordance with contract agreement dated February 24, 1954.

NOW, THEREFORE, BE IT RESOLVED that the construction of a sewer line in blocks 6196 and 6198 be accepted from said contractor Andrew P. Rasmussen, and that Notice of Completion be filed with the County Recorder and payment as provided in the agreement be authorized to said contractor.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of June, 1954, by Councilman Annan, who moved its adoption, which motion being duly seconded by Councilman Arata, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks
NOES: Councilmen: None
ABSENT: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-179

A RESOLUTION RELATING TO THE LOCATION OF THE MODESTO FREEWAY

---oOo---

WHEREAS, the State Division of Highways has presented three proposed Freeway plans designated as Plans A, B, and C, relating to the location of the Modesto Freeway to the City of Modesto for its consideration, and

WHEREAS, the Forward Modesto Committee made a comprehensive study of the said plans and recommended to the City Council that it favor the adoption of Plan B, and

WHEREAS, the City of Modesto employed a consulting traffic engineer to study said plans and submit a traffic engineering report thereon, and

WHEREAS, the Traffic Engineer submitted his report recommending the adoption of Plan B, and

WHEREAS, the City of Modesto employed a Planning Consultant to study the sociological aspects of the various highway relocation plans, and

WHEREAS, said Planning Consultant submitted his report which concludes that Plan B best serves the needs and general welfare of the community, and

WHEREAS, at the request of the City of Modesto, representatives of the State Division of Highways conducted informal hearings in Modesto in order to provide a forum for fact finding and discussion of this matter, and

WHEREAS, at the said informal hearings so conducted by the State Division of Highways, many residents expressed their views with respect to the said plans indicating a divergence of opinion as to which plan is most suitable to the needs of the community and the state highway system; and

WHEREAS, an organization known as the "Modesto Committee for Fair Play", representing certain residents and property owners on the West side of town, is vigorously opposed to the adoption of Plan B and favors the adoption of Plan A, and

WHEREAS, the City Council of the City of Geres has taken formal action opposing Plans B and C as harmful to the best interests of that community, and

WHEREAS, the State Highway Commission is charged by law with the responsibility of selecting the best and proper route for the location of the Freeway so as to best serve the majority of motorists using it and to assure that the route selected fits in with the overall state highway system, and

WHEREAS, the State Highway Commission is the agency best qualified to select said route by reason of its experience in handling similar Freeway matters involving other cities and its knowledge of the needs and requirements of the state highway system, and

WHEREAS, the selection of said route by the State Highway Commission should be based upon an analysis of the effect and consequences of each proposed plan as shown by the facts, and

WHEREAS, the City Council has taken steps to have the facts developed as fully as possible and afforded the public ample opportunity for expression of its views, and

WHEREAS, the City of Modesto has requested the State Highway Commission to conduct a formal public hearing in the City before making its decision,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

That, after conducting a local public hearing on the matter, the State Highway Commission select the plan for the Freeway location which will best serve the needs of the State Highway users and the people of Modesto and environs as shown by all the evidence available to it.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 16th day of June, 1954, by Councilman Mellis, who moved its adoption, which motion being duly seconded by Councilman M. Adams, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis Mayor Marks

NOES: Councilmen: Merrill

ABSENT: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-179-A

A RESOLUTION EXPRESSING THE THANKS OF THE MODESTO CITY COUNCIL FOR HELP IN HANDLING THE PUBLIC HEARING ON PROPOSED FREEWAY ROUTE

---oOo---

WHEREAS, John G. Meyer and members of the staff of the Division of Highways, State of California, District X, Stockton, California, spent much time and effort in assisting with the public hearings held by the Modesto City Council on the proposed Freeway, and

WHEREAS, these discussions were important to all the people of the Modesto Community, and

WHEREAS, the information given by the Division of Highways representatives added greatly to the public's understanding of the problem.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that John G. Meyer, District Engineer, and members of the Division of Highways staff be commended for the outstanding manner in which they handled their part of the public hearings on the proposed Freeway.

BE IT FURTHER RESOLVED that a duly authorized copy of this resolution be transmitted by the City Clerk to the Office of the Division of Highways, District X, 1200 North Center Street, Stockton, California.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 16th day of June, 1954, by Councilman Merrill, who moved its adoption, which motion being duly seconded by Mayor Marks, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-180

A RESOLUTION APPROVING THE FINAL MAP OF THE CAROLAND MANOR NO. 1 SUBDIVISION OF THE CITY OF MODESTO

---oOo---

WHEREAS, Lance E. Ellis and Carol L. Ellis, husband and wife, are possessed of a tract of land situated in the City of Modesto, County of Stanislaus, consisting of approximately 9.7 acres, known as Caroland Manor No. 1 Subdivision, and

WHEREAS, a tentative map of said subdivision was approved by the City Planning Commission, on the 3rd day of November, 1953, and

WHEREAS, the final map of said subdivision has been approved by the Secretary of the City Planning Commission, and

WHEREAS, the City Engineer of the City of Modesto has certified that the final map of said Caroland Manor No. 1 Subdivision meets all the provisions of the California Subdivision Map Act and the City Subdivision Ordinance and that the map is technically correct,

NOW, THEREFORE, BE IT RESOLVED that said final map of Caroland Manor No. 1 Subdivision be approved and the streets, alleys and easements as shown thereon within the boundaries of said subdivision be accepted on behalf of the public for public use and that the City Clerk be, and he is hereby authorized to certify the map of said subdivision on behalf of the City of Modesto after the fees in the amount of \$644.10, as required by Ordinance No. 1041-N.S. for checking, copies of maps, recording, and parks and playgrounds have been paid and that subdivider has furnished a bond acceptable to the City Attorney in the sum of \$26,000.00.

BE IT FURTHER RESOLVED that the City Manager be authorized to execute an agreement with subdivider as required by Section 6.5 of Ordinance No. 1041-N.S.

The foregoing resolution was introduced at a regular adjourned meeting of the Council of the City of Modesto held on the 17th day of June, 1954, by Councilman Annan, who moved its adoption, which motion being duly seconded by Councilman R. Adams, it was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: M. Adams, R. Adams, Annan, Mellis and Mayor Marks

NOES: Councilmen: None

ABSENT: Councilmen: Arata and Merrill

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-181

A RESOLUTION ACCEPTING UTILITY EASEMENT AGREEMENT FROM CAROL M. AND BREWSTER E. FERREL AND REX W. FERREL, AND RAYMOND W. AND MARGARET L. FORTMAN

---oOo---

BE IT HEREBY RESOLVED by the City Council of the City of Modesto that the Utility Easement Agreement from Carol M. and Brewster E. Ferrel, and Rex W. Ferrel, and Raymond W. and Margaret L. Fortman, dated June 16, 1954, being a portion of the Southwest quarter of the Northeast quarter of Section 6, Township 2 South, Range 9 East, M. D. B. & M., which granted permit to the City to maintain a sewer line (South Section of West Sanitary Sewer Line), be accepted, and

BE IT FURTHER RESOLVED that the designated city officials be authorized to execute said agreement and that the City Clerk be directed to record same with the Recorder of Stanislaus County.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of June, 1954, by Councilman Mellis, who moved its adoption, which motion being duly seconded by Councilman R. Adams, it was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, and Mayor Marks

NOES: Councilmen: None

ABSENT: Councilmen: Merrill

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-182

A RESOLUTION ESTABLISHING A TWO HOUR PARKING ZONE ON THE WEST SIDE OF TWELFTH STREET BETWEEN L AND M STREETS IN THE CITY OF MODESTO

---oOo---

WHEREAS, Section 34.1 of Ordinance No. 345-N.S. of the City of Modesto, as amended, authorizes the City Council, by resolution, to restrict or prohibit the parking of motor vehicles upon designated streets of the City, and

WHEREAS, the best interests of the citizens of said City require that parking on the West side of Twelfth Street between L and M Streets be restricted and limited as hereinafter provided,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. It shall be unlawful for the operator of a vehicle to park such vehicle between the hours of 9 o'clock a. m. and 6 o'clock p. m. for a period longer than one hundred twenty (120) consecutive minutes at the following location

in the City of Modesto:

On the West side of Twelfth Street from the property line on the South side of M Street to the property line on the North side of L Street.

SECTION 2. The Director of Public Works is hereby directed to cause the above described area to be marked and/or posted in accordance with the provisions of this resolution and the applicable laws of the City.

The foregoing resolution was introduced at an adjourned meeting of the Council of the City of Modesto held on the 17th day of June, 1954, by Councilman Mellis, who moved its adoption, which motion being duly seconded by Councilman Annan, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: M. Adams, R. Adams, Annan, Mellis and Mayor Marks
NOES: Councilmen: None
ABSENT: Councilmen: Arata and Merrill

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-183

A RESOLUTION AUTHORIZING THE INSTITUTION OF CONDEMNATION PROCEEDINGSTO ACQUIRE EASEMENTS ACROSS CERTAIN PARCELS OF REAL PROPERTY IN CONNECTION WITH THE CONSTRUCTION AND USE OF THE WEST TRUNK SEWER LINE
---oOo---

RESOLVED by the Council of the City of Modesto that it finds and determines and hereby declares that:

The public interest, convenience and necessity require the acquisition, construction and use by the City of Modesto of a public improvement, to-wit: the construction and use of a public sewer line across certain parcels of real property in private ownership, as hereinafter described;

The public interest, convenience and necessity require the acquisition for said public improvement of a perpetual easement across each of said parcels of real property for the purpose of constructing, laying, maintaining and operating sewer pipes therein and thereupon, together with structures, appurtenances and connections, with the right of ingress thereto and egress therefrom;

The use of all of said parcels of property for the construction and operation of a public sewer line is a public use authorized by law;

The proposed public sewer line is planned and located in a manner which will be most compatible with the greatest public good and the least private injury; and

BE IT FURTHER RESOLVED that the City Attorney of the City of Modesto be and he is hereby authorized and directed to commence and maintain in the name of the City of Modesto such actions and proceedings of eminent domain in the Superior Court of the State of California, in and for the County of Stanislaus, as are necessary for the purpose of condemning and acquiring said easements over, upon and through each of the hereinafter described parcels of real property for the purposes and uses aforesaid.

BE IT FURTHER RESOLVED that the City Attorney be and he is hereby authorized to make application to said Court for an order fixing the amount of such security in the way of money deposit as such Court may direct, and for an order permitting the City of Modesto to take immediate possession and use of said real property, or an easement therein, for the purposes and uses aforesaid.

BE IT FURTHER RESOLVED that the City Manager and City Auditor be and they are hereby authorized and directed to make such deposits of such security out of proper funds under the control of the City in such amounts as so fixed and determined, and in such manner as said Court in which such condemnation proceedings are pending may direct.

The parcels of real property herein above referred to, the condemnation of which is hereby authorized for the purpose aforesaid, are situated in the County of Stanislaus, State of California, and are more particularly described as follows:

PARCEL NO. 1A

That portion of the Southeast quarter of the Northwest quarter of Section 6, Township 4 South, Range 9 East, M. D. B. & M., described as follows:

Beginning at a point on the North and South Quarter Section line of said Section 6, distant thereon South 0° 40' East 45 feet from the Northeast corner of the Southeast quarter of the Northwest quarter of said Section 6; thence South 0° 40' East along said North and South quarter section line, a distance of 380 feet; thence at right angles West, a distance of 30 feet; thence North 0° 40' West parallel to and 30 feet West at right angles from said North and South quarter section line of said Section 6, a distance of 380 feet to a point that is 45 feet South of the North line of the Southeast quarter of the Northwest quarter of said Section 6; thence East, a distance of 30 feet to the point of beginning.

PARCEL NO. 1B

That portion of the Southeast quarter of the Northwest quarter of Section 6, Township 4 South, Range 9 East, M. D. B. & M., described as follows:

Beginning at the Southeast corner of the Northwest quarter of said Section 6; thence North 0° 40' West along the North and South quarter section line of said Section 6, a distance of 50 feet; thence Southwesterly to a point on the South line of the Northwest quarter of said Section 6, distant thereon 30 feet from the Southeast corner of the Northwest quarter of said Section 6; thence East along last mentioned line, a distance of 30 feet to the point of beginning.

Said parcels of real property are owned by G. B. PODESTO, by Deed dated September 19, 1910, as to an undivided 1/2 interest, and in JOSEPHINE ARATA AND DAVID ARATA, as their separate property, each as to an undivided 1/4 interest.

PARCEL NO. 2

That portion of Lot 13 and 14 of RIO VISTA COLONY, as per map filed May 24, 1911 in Vol. 5 of Maps, page 43, Stanislaus County Records, described as follows:

Beginning at the Northeast corner of said Lot 13; thence South along the East line of said Lots 13 and 14, a distance of 351.30 feet; thence South 89° 45' 30" West to a point that is 30 feet West at right angles from the East line of said Lot 14; thence North parallel to and 30 feet West at right angles from the East line of said Lots 14 and 13, a distance of 351.30 feet more or less to a point on the North line of said Lot 13; thence North 89° 46' East along last mentioned line to the point of beginning.

Said parcel of real property is owned by ARTHUR J. RIEDEL, a single man, by Deed dated December 9, 1949.

The foregoing resolution was introduced at a regular adjourned meeting of the Council of the City of Modesto held on the 17th day of June, 1954, by Councilman Mellis, who moved its adoption, which motion being duly seconded by Councilman M. Adams, was upon roll carried and the resolution adopted by the following vote:

AYES: Councilmen: M. Adams, R. Adams, Annan, Mellis and Mayor Marks

NOES: Councilmen: None

ABSENT: Councilmen: Arata and Merrill

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-184

A RESOLUTION ACCEPTING EASEMENT AGREEMENT FROM MODESTO IRRIGATION DISTRICT

---oOo---

BE IT HEREBY RESOLVED by the City Council of the City of Modesto that the Easement Agreement from the Modesto Irrigation District, dated June 7, 1954, on the West 25 feet of Block 6007 of the James Tract (Improvement District #2) be accepted, and

BE IT FURTHER RESOLVED that the designated city officials be authorized to execute said agreement and that the City Clerk be directed to record same with the Recorder of Stanislaus County.

The foregoing resolution was introduced at an adjourned meeting of the Council of the City of Modesto held on the 17th day of June, 1954, by Councilman Mellis, who moved its adoption, which motion being duly seconded by Councilman R. Adams, it was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: M. Adams, R. Adams, Annan, Mellis and Mayor Marks

NOES: Councilmen: None

ABSENT: Councilmen: Arata and Merrill

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-185

A RESOLUTION ACCEPTING GRANT DEED FROM ELAINE BECKER

---oOo---

BE IT HEREBY RESOLVED by the City Council of the City of Modesto that the Grant Deed from Elaine Becker, dated June 10, 1954, on the

North 10 feet of the South 30 feet of the West 77.5 feet of the East 1 7/8 acres of the West 3 acres of the South half of the Southwest quarter of the Southwest quarter of the Northwest quarter of Section 20, Township 3 South, Range 9 East, M. D. B. & M.

(widening of Roseburg and Tully Avenues), be, and it is hereby accepted.

BE IT FURTHER RESOLVED that the City Clerk be directed to record said Grant Deed with the Recorder of Stanislaus County.

The foregoing resolution was introduced at an adjourned meeting of the Council of the City of Modesto held on the 17th day of June, 1954, by Councilman R. Adams, who moved its adoption, which motion being duly seconded by Councilman M. Adams, it was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: M. Adams, R. Adams, Annan, Mellis and Mayor Marks

NOES: Councilmen: None

ABSENT: Councilmen: Arata and Merrill

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-186

A RESOLUTION ALLOWING CLAIM OF H. R. WINDUS ON REFUND OF BUSINESS LICENSE TAX PAID UNDER PROTEST

---oOo---

WHEREAS, H. R. Windus has paid the City of Modesto \$19.16 mill license fee, under protest, and

WHEREAS, the City Attorney has stated that it is his opinion that the license should not have been paid on that portion of his income based on inheritance tax appraisals, and

WHEREAS, it has been shown that the license paid was based on inheritance tax appraisals.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the claim of H. R. Windus in the amount of \$19.16 be approved and the City Auditor be authorized to draw a warrant payable to Mr. Windus in the above amount.

The foregoing resolution was introduced at a regular adjourned meeting of the Council of the City of Modesto held on the 17th day of June, 1954, by Councilman Arata, who moved its adoption, which motion being duly seconded by Councilman R. Adams, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis and Mayor Marks

NOES: Councilmen: None

ABSENT: Councilmen: Merrill

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-187

A RESOLUTION ACCEPTING A DONATION FROM THE MODESTO COUNCIL P. T. A. FOR THE L. J. MADDUX YOUTH CENTER FURNISHING FUND

---oOo---

WHEREAS, the City Manager has reported receipt of a check in the amount of \$111.46 from the Modesto Council P. T. A. as a donation to the Maddux Youth Center Furnishing Fund, and

WHEREAS, it is the wish of the P. T. A. Council that this money be used only for furnishing the Youth Center.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that this money be deposited in the Maddux Youth Center Furnishing Fund, and that it be used only for the purchase of furnishing for the youth center.

The foregoing resolution was introduced at a regular adjourned meeting of the Council of the City of Modesto held on the 17th day of June, 1954, by Councilman M. Adams, who moved its adoption, which motion being duly seconded by Councilman Annan, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis and Mayor Marks

NOES: Councilmen: None

ABSENT: Councilmen: Merrill

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-188

A RESOLUTION SETTING THE DATE FOR THE PUBLIC HEARING ON THE PROPOSED BUDGET FOR THE FISCAL YEAR 1954-55 FOR THE CITY OF MODESTO

---oOo---

BE IT HEREBY RESOLVED that the date of July 7, 1954, at 4:30 P.M. in the Council Chambers of the City at Fourteenth and I Streets, McHenry Library Building, be set as the time and place for a public hearing upon the proposed budget for the fiscal year 1954-55, at which time and place all persons interested in said budget will be given an opportunity to be heard, and

BE IT FURTHER RESOLVED that the publication of Notice in the official newspaper of the City of Modesto, The Modesto Tribune, be, and it is hereby authorized.

The foregoing resolution was introduced at a regular adjourned meeting of the Council of the City of Modesto, held on the 17th day of June, 1954, by Councilman R. Adams, who moved its adoption, which motion being duly seconded by Councilman Annan, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: M. Adams, R. Adams, Annan, Mellis and Mayor Marks

NOES: Councilmen: None

ABSENT: Councilmen: Arata and Merrill

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-189

A RESOLUTION AWARDDING THE BID FOR THE OFFICIAL ADVERTISING OF THE CITY OF MODESTO FOR THE FISCAL YEAR 1954-55

---oOo---

WHEREAS, Resolution No. 54-174, adopted by the Council of the City of Modesto on June 9, 1954 authorized the calling for bids for the official advertising of the City for the fiscal year 1954-55, and

WHEREAS, the bids received for the said advertising were opened at 2:00 o'clock p. m. on Monday, June 21, 1954 in the office of the City Clerk and later tabulated by the Clerk for the consideration of the Council, and

WHEREAS, the bid of The Modesto Tribune was the lowest responsible bid received, NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. That the bid of The Modesto Tribune of \$.84 per inch per insertion (in six point type set solid twelve lines to the column inch) for the official advertising of the City of Modesto for the fiscal year 1954-55 be, and it is hereby accepted as provided by Section 1311 of the City Charter and the Modesto Tribune is hereby declared to be the official newspaper of the City of Modesto for the fiscal year commencing July 1, 1954 and ending June 30, 1955, and the execution of an agreement by the city's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of June, 1954 by Councilman R. Adams, who moved its adoption, which motion being duly seconded by Councilman Merrill, was upon roll call carried and the resolution adopted by the following vote:

- AYES: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks
- NOES: Councilmen: None
- ABSENT: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-190

A RESOLUTION GRANTING THE REQUEST OF AGNES J. CHANDLER FOR CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY TO OPERATE TWO TAXICABS IN THE CITY OF MODESTO

---oOo---

WHEREAS, Agnes J. Chandler filed an application, dated May 25, 1954, with the City Clerk requesting the granting of Certificates of Public Convenience and Necessity to operate two taxicabs in the City of Modesto, pursuant to Ordinance No. 1053-N.S., as amended, and

WHEREAS, said application was investigated by the Chief of Police who has reported his findings in connection therewith, and

WHEREAS, the Council of the City of Modesto conducted a public hearing upon said application on the 9th day of June, 1954, at which time said hearing was continued until the 16th day of June, 1954, at which time said hearing was further continued until the 23rd day of June, 1954, and

WHEREAS, on the basis of evidence presented to it, the City Council finds and determines that the public convenience and necessity require the requested additional taxicab service,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that Agnes J. Chandler be granted Certificates of Public Convenience and Necessity to operate two taxicabs in the City of Modesto.

The foregoing resolution was introduced at a regular meeting of the Council of

the City of Modesto on the 23rd day of June, 1954, by Councilman Merrill, who moved its adoption, which motion being duly seconded by Councilman Arata, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: R. Adams, Arata, Merrill and Mayor Marks
NOES: Councilmen: M. Adams, Annan, and Mellis
ABSENT: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-191

not used

RESOLUTION NO. 54-192

A RESOLUTION APPROVING THE PLANS AND SPECIFICATION FOR THE CONSTRUCTION OF SANITARY SEWER IN BLOCKS 733, 743, 6002 and 6056 AND AUTHORIZING THE CALLING FOR BIDS

---oOo---

WHEREAS, the City Manager has presented plans and specifications for the consideration of the Council for furnishing all materials, labor and services for the construction of a sanitary sewer in Blocks 733, 743, 6002 and 6056 in the City of Modesto.

NOW, THEREFORE, BE IT RESOLVED that the plans and specifications be approved and the calling for bids for the above described construction be and it is hereby authorized in accordance with the procedure contained in Sections 1307 of the City Charter, said bids to be opened at 2:00 o'clock P. M., on July 6, 1954, in the office of the City Clerk, City Hall, Modesto, California.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto, held on the 23rd day of June, 1954, by Councilman M. Adams, who moved its adoption, which motion being duly seconded by Councilman R. Adams, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks
NOES: Councilmen: None
ABSENT: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-193

A RESOLUTION AUTHORIZING FINAL PAYMENT FOR CONSTRUCTION OF CURB AND GUTTER AT ROOSEVELT PARK AND ACCEPTING THE PROJECT AS COMPLETE

---oOo---

BE IT HEREBY RESOLVED that progress payment No. 1 and final, be authorized, in the amount of \$2,537.10, to the Tanner Construction Company for the construction of curb and gutter at Roosevelt Park.

BE IT FURTHER RESOLVED that the construction of curbs and gutters be accepted from said contractor, Tanner Construction Company, and that Notice of Completion be filed with the County Recorder.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto, held on the 23rd day of June, 1954, by Councilman Merrill, who moved its adoption, which motion being duly seconded by Councilman R. Adams, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks
NOES: Councilmen: None

ABSENT: Councilmen: None

RESOLUTION NO. 54-194

A RESOLUTION APPROVING AGREEMENT PROVIDING FOR THE EXTENSION OF THE AGREEMENT BETWEEN THE CITY OF MODESTO AND HARRY JENKS, CONSULTING ENGINEER .

---oOo---

WHEREAS, the agreement between the City of Modesto, first party, and Harry Jenks, Consulting Engineer, second party, providing for the rendition of consulting sanitary engineering service by JENKS to CITY, dated June 4, 1952, as extended by that certain agreement dated June 10, 1953, provides in paragraph 7 for the extension of said agreement, and

WHEREAS, it is the desire of the Council of the City of Modesto that said agreement be further extended for a period of one year.

NOW, THEREFORE, BE IT RESOLVED that the agreement, dated June 23, 1954, between said parties, providing for the extension of said agreement for a period of one year, commencing June 4, 1954, and terminating June 3, 1955, be and it is hereby approved and the City Manager and the City Clerk are hereby authorized to execute said agreement on behalf of the City of Modesto.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of June, 1954, by Councilman M. Adams, who moved its adoption, which motion being duly seconded by Councilman Arata, was upon roll call carried and the resolution adopted by the following vote:

- AYES: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks
- NOES: Councilmen: None
- ABSENT: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-195

A RESOLUTION APPROVING THE LEASE AGREEMENT WITH NATHAN J. PROVINCE

---oOo---

BE IT HEREBY RESOLVED that the lease with Nathan J. Province for the rental of a hanger at the Municipal Airport for a monthly rate of \$100.00, effective July 1, 1954, for a term of one year, be approved.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of June, 1954, by Councilman R. Adams, who moved its adoption, which motion being duly seconded by Councilman Annan, it was upon roll call carried and the resolution adopted by the following vote:

- AYES: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill, and Mayor Marks
- NOES: Councilmen: None
- ABSENT: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-196

A RESOLUTION APPROVING AGREEMENT WITH THE STANISLAUS COUNTY ATHLETIC ASSOCIATION RELATING TO THE SERVICES OF POLICE OFFICERS

---oOo---

BE IT HEREBY RESOLVED that the agreement between the City of Modesto and the Stanislaus County Athletic Association for services performed by police officers at the Municipal Baseball Field be, and it is hereby approved, and

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be hereby authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of June, 1954, by Councilman Annan, who moved its adoption, which motion being duly seconded by Councilman Arata, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill, and Mayor Marks
NOES: Councilmen: None
ABSENT: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-197

A RESOLUTION ACCEPTING GRANT DEED AND AUTHORIZING RECORDING WITH THE STANISLAUS COUNTY RECORDER

---oOo---

BE IT HEREBY RESOLVED that the following grant deed be hereby accepted by the Council of the City of Modesto:

<u>Date</u>	<u>Name</u>	<u>Widening of Street</u>
June 10, 1954	Shell Oil Company	Tully Road

BE IT FURTHER RESOLVED that the City Clerk be authorized to record said deed with the Stanislaus County Recorder.

The foregoing resolution was adopted at a regular meeting of the Council of the City of Modesto, held on the 23rd day of June, 1954, by Councilman Mellis, who moved its adoption, which motion being duly seconded by Councilman M. Adams, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks
NOES: Councilmen: None
ABSENT: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-198

A RESOLUTION ESTABLISHING STOP SIGNS ON CERTAIN STREETS IN THE CITY OF MODESTO

---oOo---

WHEREAS, under and by virtue of provisions of Ordinance No. 558-N.S. of the City of Modesto; the City Council of said City has the power when and if the general welfare and safety of the citizens of the City of Modesto so require it, to erect boulevard stop signs at or adjacent to any intersection within the City of Modesto, and

WHEREAS, it appears to said City Council that the general welfare of the citizens of Modesto require that boulevard stop signs be erected and maintained at intersections herein designated and that at said intersections all of the provisions of Ordinance No. 558-N.S. of City of Modesto entitled: "AN ORDINANCE AMENDING SECTION 23 OF ORDINANCE NO. 345-N.S. of THE CITY OF MODESTO AS HEREAFTER AMENDED," shall be enforced and said stop signs shall be erected prohibiting drivers of vehicles from passing said boulevard stop signs without first stopping vehicles so operated by said operator.

NOW, THEREFORE, BE IT RESOLVED and ordered by said City Council that at the places hereinafter designated, the Director of Public Works shall erect or cause to be erected and maintained, boulevard stop signs and that said Ordinance No. 558-N.S. hereto fore referred to shall be enforced at said intersections:

On the Northeast corner of Western Way and Sutter Avenue for traffic entering Sutter Avenue.

On the Northeast corner of South Avenue and Sutter Avenue for traffic entering Sutter Avenue.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of June, 1954, by Councilman Annan, who moved its adoption, which motion being duly seconded by Councilman M. Adams, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks
NOES: Councilmen: None
ABSENT: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-199

A RESOLUTION PROHIBITING PARKING AND LOADING IN A SPECIFIED PLACE IN THE ALLEY BETWEEN NINTH AND TENTH STREETS AND BETWEEN I AND J STREETS IN THE CITY OF MODESTO.

---oOo---

WHEREAS, Section 34.1 of Ordinance No. 345-N.S. of the City of Modesto, as amended, authorizes the City Council, by resolution, to restrict or prohibit the parking, loading and unloading of motor vehicles on designated streets or alleys or portions thereof in the City of Modesto, and

WHEREAS, the general welfare and safety of the citizens of Modesto require that parking and loading be prohibited in the following specified location,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. It shall be unlawful to park, load or unload any motor vehicle in the following location in the City of Modesto:

On the West side of that portion of the alley in Block 56 between 9th and 10th Streets and between I and J Streets commencing at a point seventy-seven (77') feet northwesterly of the northwest property line of I Street and extending in a northwesterly direction along said alley a distance of twenty-four (24') feet.

SECTION 2. The Director of Public Works is hereby directed to cause the above described location to be marked and posted in accordance with the provisions of this resolution.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of June, 1954, by Mayor Marks, who moved its adoption, which motion being duly seconded by Councilman Arata, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: R. Adams, M. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks
NOES: Councilmen: None
ABSENT: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-200

A RESOLUTION AUTHORIZING THE EXECUTION OF AGREEMENT BETWEEN THE CITY OF MODESTO AND THE RPC POPCORN & VENDING COMPANY FOR INSTALLATION OF AUTOMATIC VENDING MACHINES AT THE MODESTO HIGH SCHOOL PLUNGE DURING THE SWIMMING SEASON FOR YEAR 1954

---oOo---

BE IT HEREBY RESOLVED by the City Council of the City of Modesto that Ross Miller, as the City Manager of the City of Modesto, and Rex E. Gailfus, as the City Clerk of the City of Modesto, be and they are hereby authorized and directed to execute in the name of and for and on behalf of the City of Modesto that certain agreement of the R. P. C. Popcorn & Vending Company, as set forth in their proposal of June 18, 1954, providing for the installation of automatic vending machines in the Modesto High School Plunge for the period beginning June 24, 1954 and ending when the City of Modesto Parks and Recreation Department's

1954 summer swimming season is terminated. Reference is hereby made to a copy of said agreement on file in the office of the City Clerk of the City of Modesto for further particulars.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of June, 1954 by Councilman M. Adams, who moved its adoption, which motion being duly seconded by Councilman R. Adams, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill, and Mayor Marks
NOES: Councilmen: None
ABSENT: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-201

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING THE CALLING FOR BIDS FOR THE CONSTRUCTION OF SANITARY SEWER TRUNK LINES ON GRANGER BETWEEN McHENRY AVENUE AND HONEYSUCKLE DRIVE AND ON ROSEBURG AVENUE AT McHENRY AVENUE.

---oOo---

BE IT HEREBY RESOLVED that the plans and specifications for the construction of a sanitary sewer trunk line on Granger between McHenry Avenue and Honeysuckle Drive and on Roseburg Avenue at McHenry Avenue, be and they are hereby approved, and

BE IT FURTHER RESOLVED that calling for bids for above described construction be and it is hereby authorized in accordance with the procedure contained in section 1307 of the City Charter, said bids to be opened at 2:00 P. M. on Monday, July 26, 1954, in the Council Chambers.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of July, 1954, by Councilman Mellis, who moved its adoption, which motion being duly seconded by Councilman M. Adams, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: M. Adams, R. Adams, Arata, Mellis and Mayor Marks
NOES: Councilmen: None
ABSENT: Councilmen: Annan and Merrill

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-202

A RESOLUTION ACCEPTING THE BID OF TED SWINFORD CONSTRUCTION CO. FOR THE CONSTRUCTION OF SANITARY SEWER LINE IN BLOCKS 733, 743, 6002, and 6056.

---oOo---

WHEREAS, Resolution No. 54-192 adopted by the Council of the City of Modesto on June 23, 1954, approved the plans and specifications for the construction of a sanitary sewer line in Blocks 733, 743, 6002 and 6056, and authorized the calling for bids, and

WHEREAS, the bids received for the said construction were opened at 2:00 P. M., July 6, in the office of the City Clerk and later tabulated by the Public Works Department for the consideration of the Council, and

WHEREAS, the Director of Public Works has recommended that the bid of \$6,362.50 submitted by Ted Swinford Construction Company, be accepted as it was the lowest bid received,

NOW, THEREFORE, BE IT RESOLVED that the bid of Ted Swinford Construction Company of \$6,362.50 for the construction of sanitary sewer line in Blocks 733, 743, 6002 and 6056, be and it is hereby accepted and the execution of a contract for the completion of the construction by the city's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of July, 1954, by Councilman M. Adams, who moved its adoption, which motion being duly seconded by Councilman Mellis, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: M. Adams, R. Adams, Arata, Mellis and Mayor Marks
NOES: Councilmen: None
ABSENT: Councilmen: Annan and Merrill

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-203

A RESOLUTION APPROVING AND AUTHORIZING THE EXECUTION OF AGREEMENT BETWEEN THE CITY OF MODESTO AND CODDING HOMES FOR THE FURNISHING OF WATER AND SEWER SERVICE TO McHENRY VILLAGE SUBDIVISION NO. 1

---oOo---

BE IT HEREBY RESOLVED by the City Council of the City of Modesto that Ross Miller, as the City Manager of the City of Modesto, and Rex E. Gailfus, as the City Clerk of the City of Modesto, be and they are hereby authorized and directed to execute in the name of and for and on behalf of the City of Modesto that certain agreement dated July 7, 1954, between the City of Modesto, a municipal corporation, and Coddling Homes, a corporation, providing for the city to furnish water and sewer service to McHenry Village Subdivision No. 1. Reference is hereby made to a copy of said agreement on file in the office of the City Clerk of the City of Modesto for further particulars.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of July, 1954, by Councilman M. Adams, who moved its adoption, which motion being duly seconded by Councilman R. Adams, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: M. Adams, R. Adams, Arata, Mellis, and Mayor Marks
NOES: Councilmen: None
ABSENT: Councilmen: Annan and Merrill

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-204

A RESOLUTION ADOPTING PERSONNEL RULES AND REGULATIONS

---oOo---

WHEREAS, Section 1202 of Article XII of the Charter of the City of Modesto provides that the Personnel System provided by said Article shall be implemented by such rules and regulations governing the administration thereof as are adopted by the City Council upon the recommendation of the City Manager, and

WHEREAS, Section 1109 of Article XI of the City Charter provides that the Personnel Commission shall have the power and be required to recommend to the City Council after a public hearing thereon, the adoption, amendment or repeal of personnel rules and regulations, and

WHEREAS, the Personnel Commission has caused proposed personnel rules and regulations to be prepared and has conducted a public hearing thereon, and

WHEREAS, the City Manager has reviewed the personnel rules and regulations prepared by the Personnel Commission, and

WHEREAS, the City Council has reviewed said personnel rules and regulations as recommended by the Personnel Commission and the City Manager and finds that they carry out the spirit and intent of the City Charter,

NOW, THEREFORE, BE IT RESOLVED, that the attached Personnel Rules and Regulations which are hereby referred to and by this reference are made a part hereof as though set out in full, be approved and adopted, effective on and after July 1, 1954.

BE IT FURTHER RESOLVED that Resolution Numbers 5639-N.S., 6083-N.S., 6118-N.S., 6121-N.S., 6134-N.S., 6135-N.S., 9223-N.S., 9622-N.S., and 10126-N.S. and all resolutions or portions of resolutions in conflict herewith are hereby rescinded.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto on the 7th day of July, 1954, by Councilman Mellis, who moved its adoption, which motion being duly seconded by Councilman R. Adams, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: M. Adams, R. Adams, Arata, Mellis, and Mayor Marks

NOES: Councilmen: None

ABSENT: Councilmen: Annan and Merrill

ATTEST: REX E. GAILFUS, CITY CLERK

City of Modesto

PERSONNEL RULES

RULE 1 - GENERAL PROVISIONS

1.1 Authority

These rules are adopted under authority of Section 1202 of Article XII of the City Charter, which provides that "The personnel system provided by this article shall be implemented by such rules and regulations governing the administration thereof as are adopted by the Council upon the recommendation of the City Manager."

1.2 Intent

It is the intent of these rules to recognize the following principles:

- (a) The City Council and all citizens of the City of Modesto have the right to expect: that the City will employ the best qualified persons reasonably available, with preference to citizens of Modesto, qualifications being equal; that the tenure of every city employee will be based upon demonstrated need for the work performed, availability of funds, faithful effective performance, proper personal conduct, and continuing fitness for his position; that each employee will be encouraged, trained, and developed to assure optimum performance.
- (b) Each employee of the City of Modesto has the right to expect: that he will be fully informed as to his duties and responsibilities; that he will be provided with adequate administrative and supervisory direction; that he will be informed as to how well he is performing his duties and will be encouraged and helped to improve his level of performance; that promotions will be made on the basis of merit and ability; that progressively improved work performance over an extended period will be recognized and rewarded and that incompetence will not be tolerated; that he will not be subject to dismissal without justification.

1.3 Changes in Rules

Suggestions for changes in these rules shall be submitted to the City Manager in writing. The City Manager shall transmit any suggested changes to the City Attorney who shall review them to determine conformance with the spirit and intent of the

Charter, Personnel Ordinance and with these rules. At its next regular meeting, the Personnel Commission shall consider the suggested changes and may schedule a public hearing on them. At least ten days prior to the hearing, notices shall be posted on appropriate city bulletin boards, setting forth the nature of the changes, the time and place of the hearing, and noting that any interested party may appear and be heard. Following any hearing, the Commission may submit proposed changes, together with its recommendations to the City Council and the City Manager. When proposed changes are submitted to the City Council, the City Manager shall also submit his recommendations concerning them. Adoption of changes in the rules shall be by Council resolution.

RULE 2 - POSITION CLASSIFICATION

2.1 Preparation of Plan

The City Manager shall ascertain the duties and responsibilities of all positions in the city service, except those positions which are filled by appointees of the City Council, and after appropriate consultation with employees and department heads, shall prepare a classification plan for such positions. This plan shall consist of classes of positions defined by class specifications, including the class title, illustrative listing of typical duties and responsibilities, and a statement of employment standards for applicants for employment in each class. The typical tasks listed shall be for illustration only and shall not be considered complete or exclusive. The classification plan shall be so developed and maintained that all positions substantially similar with respect to duties, responsibilities, and employment standards will be included within the same class.

2.2 Adoption or Revision of Plan

The classification plan or major revisions of it shall be effective upon adoption by City Council resolution. Minor modifications of the class specifications, as necessary to maintain the plan by reflecting changes in duties of positions, may be made by the Director of Personnel.

2.3 Allocation of Positions to Classes

Each position in the city service shall be allocated by the City Manager to one of the classes established by the plan. Positions whose duties have changed substantially shall be allocated to more appropriate classes. Such reallocations shall not be used to evade rules governing promotions and demotions. Upon reallocation of an occupied position, the incumbent employee shall be promoted, demoted, transferred, or he may be granted status in the new class if: (1) reallocation results from a general study affecting the entire classified service, or (2) it is clearly shown that duties of his position have gradually evolved without design to evade the merit principle or these rules. Should the incumbent of a reallocated position fail to qualify for the new class, he may be appointed to a vacant position for which he has status, or he may be laid off and his name placed on a re-employment list.

2.4 Classification of New or Additional Positions

A new or additional position shall be allocated to an existing class whenever possible; otherwise the City Manager shall recommend to the Council the creation of a new class.

2.5 Official Copy

The Personnel Office shall maintain an official copy of the classification plan available for public inspection, and shall supply each department head a copy of the classification plan and of any changes.

RULE 3 - PAY PLAN

3.1 Preparation or Review of the Pay Plan

At least annually the City Manager shall review the existing pay plan and recommend to the City Council an appropriate range or rate of pay for each class for which he is the appointing authority. In arriving at salary ranges or rates, consideration shall be given to

both basic pay and conditions of work in comparable public and private employment in the recruitment area. The Personnel Commission shall, upon the request of the City Manager or the City Council, review the pay plan or revisions proposed by the City Manager and submit recommendations for consideration by the City Council.

3.2 Bases for Determination of Salaries and Salary Changes

No increase in salary shall be automatic merely upon completion of a specified period of service. All increases shall be based on merit as established by record of the employee's performance and shall require recommendation of the department head and approval by the City Manager. Standards of performance shall become progressively higher as the employee advances through the salary range. In case of inferior work, lack of application, or indifferent attitude, increase in salary may be withheld or the salary of the employee may be reduced to a lower step within the established salary range for his class upon recommendation of the department head and approval of the City Manager. Any regular employee may request and will be given a written statement of the justification for reduction in salary.

In cases of unusual recruitment difficulty or in hiring exceptionally qualified personnel, initial salary may be at any step below the fifth. In case of exceptional performance, persons hired under this provision may be considered for the first step increase after six months.

If the City Manager at any time determines that it is in the City's interest, he may assign an employee to a higher rate within the salary range fixed for the class.

3.3 Advancement Within Salary Range

Subject to the provisions of Rule 3.2, employees may be considered eligible for increase in salary according to the following plan:

Step A shall be paid upon initial employment,

Step B upon completion of six months' satisfactory service at Step A,

Step C upon completion of twelve months' satisfactory service at Step B,

Step D upon completion of twelve months' satisfactory service at Step C,

Step E upon completion of twelve months' satisfactory service at Step D.

3.4 Salary Upon Transfer or Promotion

The transfer of an employee shall not be cause for a change in salary. The salary of an employee who is promoted shall normally be set at the lowest step of the range for the new class which will represent an increase, and shall be governed thereafter by Rules 3.2 and 3.3.

3.5 Salary for Full-Time Work

The salary rates established by the City presume the work being compensated for is the primary employment and occupation of the employee, and that services will reflect the employee's full time application at full competence. Compensation for employees working less than full time shall be adjusted proportionately. Full-time city employees may not carry on, concurrently with their public service, any private business or undertaking, attention to which affects the time or quality of their work or which casts discredit upon ~~or~~ creates embarrassment for the city government. Each full-time employee engaging in business or employment in addition to his city work shall report such activity to his department head, in accordance with procedures to be prescribed by the department head or by the City Manager.

RULE 4 - ANNOUNCEMENTS, APPLICATIONS

4.1 Announcements

The Director of Personnel shall publicize examinations by appropriate means, including posting on bulletin boards of announcements which shall state the class title, salary, nature of the work to be performed, required training and experience, when and where to file applications, and other pertinent information. In addition to the general employment standards in the class specification, the Director may establish additional requirements which shall be included in the examination announcements and which must be met by each applicant before admission to examination or before appointment.

4.2 Disqualification

The Director may disqualify an applicant or a candidate, or remove a name from the eligible list, or refuse to refer any person on an eligible list for employment for any of the following reasons:

- (a) Failure to meet any of the requirements or qualifications established for the examination.
- (b) Physical unfitness to perform the duties of the class.
- (c) Addiction to the use of narcotics or to the excessive use of intoxicating liquors.
- (d) Conviction of a felony or a misdemeanor.
- (e) Evidence of immoral, infamous, or disgraceful conduct.
- (f) False statement of material fact or actual or attempted deception, fraud, or misconduct in connection with an application or examination.
- (g) Record of dismissal from public or private employment for any of the above causes, or resignation to avoid such dismissal.

4.3 Notice of Rejection

Whenever an application is rejected, written notice shall be given the applicant. Incomplete or deficient applications may be returned to the applicant for amendment.

4.4 Fingerprinting

Candidates and employees may be required to be fingerprinted.

4.5 Physical Fitness

An applicant may be required to submit a statement of a licensed physician that the applicant is free from disqualifying disease or physical defects and meets established physical standards, or the applicant may be referred to a special medical examiner.

RULE 5 - EXAMINATIONS

5.1 Types of Examinations

In qualifying persons for positions in the city service, promotional, open, and continuous examinations may be used. When practical and consistent with the best interests of the city service, promotional examinations shall be used; however, if the Director of Personnel believes it desirable, both promotional and open examinations may be given concurrently.

- (a) Promotional Examination. Candidates for promotional examination must be regular employees in the classified service and must possess minimum employment standards of the examination announcement. In addition, to types of tests listed in Rule 5.2, evaluations of performance in city service and accomplishments in special training courses may be included.
- (b) Open Examination. Any person meeting requirements of the examination announcement may apply for open examination.
- (c) Continuous Examinations. Continuous open examinations for a given class may be announced by a single notice. Such examinations may be administered from time to time as applicants are available or as appointments are necessary. A single eligible list shall be maintained, to which the names of candidates shall be added as they

qualify and from which names shall be removed after one year.

5.2 Types of Tests

As the Director may determine, examinations may consist of any one or a combination of the following types of tests: written, oral, performance, physical, medical or psychological, evaluation of training and experience, or any other forms designed to test fairly the qualifications of applicants.

- (a) Written. Written tests may be used to measure knowledges, abilities, judgments, aptitudes, or alertness, insofar as such traits are related to ability to perform the work in a class.
- (b) Oral. Oral interviews may be used to evaluate personal fitness, training and experience, knowledge, capacity, and judgment. In considering personal fitness, it shall be appropriate to evaluate pertinent personality traits but the evaluation shall be done on a basis which is as objective as possible.
- (c) Performance. Performance tests may be used to evaluate the facility, speed, or accuracy with which typical tasks of the class are performed.
- (d) Physical. Physical tests may be used to measure agility, strength, coordination, or general physical fitness.
- (e) Training and Experience. Evaluation may be made of the relevance, level, recency, progression, and quality of education and experience offered by candidates, which may be done in an oral interview or by a review of written statements by candidates. Reports of superiors, former employers, and educational institutions may be considered in this process.
- (f) Medical. An examination by a licensed physician may be required before or after appointment. The Director may establish physical or medical standards for any class. Failure of a candidate to achieve the minimum standard will disqualify him.

5.3 Scheduling.

The Director shall schedule examinations as the current and anticipated needs of the service require. Scheduled examinations may be postponed or cancelled or the final date for filing applications extended by the Director by notifying all persons directly affected and posting on official bulletin boards.

5.4 Test Administration

The Director shall be responsible for administering and scoring tests.

- (a) Assistance. As needed the Director may appoint special examiners for any phase of the testing process. Special examiners may be paid reasonable expenses and/or a daily fee at a rate to be approved by the City Manager.
- (b) Disqualification. The Director may disqualify any candidate who attempts to interfere with the fair, equitable, and orderly conduct of any part of the competitive examination process. Tardiness may be grounds for disqualification in the examination. Failure in one test of the examination may be grounds for failure in the entire examination.
- (c) Qualifying Score. The Director shall establish the lowest qualifying score on a test or examination or shall establish the maximum number of names to be placed on an eligible list to meet the needs of the City.
- (d) Notification. Each candidate taking an examination shall be given written notice of whether or not he qualified in the examination.
- (e) Review of Test Materials. Appropriate opportunity to inspect test materials shall be granted in accordance with procedure established by the Director.

RULE 6 - ELIGIBLE LISTS

6.1 Preparation

As soon as possible after the conclusion of an examination, the Director of Personnel shall prepare an eligible list consisting of names of persons qualifying, arranged in order of final scores, based upon the relative value assigned to each part of the examination before it was given. Names on continuous examination lists shall be in chronological order.

6.2 Life of Eligible Lists

Eligible lists shall become effective when certified by the Director of Personnel. The Director shall report to the Personnel Commission the establishment, cancellation, or extension of eligible lists. Eligible lists shall remain in effect one year, unless sooner cancelled for any reason by the Director, and may be extended by action of the Director for additional six months' periods, but in no event shall a list remain in effect for more than two years. At any time during the life of an eligible list the Director may add names to the list by giving another examination.

6.3 Disqualification and Removal from the List

The name of an eligible may be removed from an eligible list upon his request, or by the Director of Personnel for any of the following:

- (a) Inability of postal authorities to deliver mail to the eligible within reasonable time.
- (b) Appointment to a position in a class for which the list is deemed suitable by the Director.
- (c) Failure, without valid reason, to appear or to arrange for an interview within a reasonable time after requested to do so, or to appear for work after appointment.
- (d) Refusal to accept an offer of appointment without reason satisfactory to the Director.
- (e) Resignation of an eligible on a promotional list. (If eligible requests, his name may be placed on an open competitive list for the class, if one exists.)

6.4 Use of Other Lists

Lists of persons qualified to fill specialized positions are from time to time developed on the basis of merit and fitness by public agencies other than the City. The Director may determine that such a list may be used as a basis for selection.

RULE 7 - METHOD OF FILLING VACANCIES

7.1 Policy

When practical and consistent with the best interests of the city service, vacancies in the classified service shall be filled by promotion from within, by re-employment of persons previously laid off, or by persons demoted from the class in lieu of lay-off. Following consideration of these means of filling a vacancy, the appointing authority shall refer to eligible lists resulting from open competitive examination, or, in the absence of such lists, may make a provisional appointment.

7.2 Notice of Vacancy

Whenever a department head desires to fill a vacancy, he shall notify the Director of Personnel, who shall advise as to the availability of persons eligible for appointment.

7.3 Furnishing of Lists

Names of persons eligible for appointment shall be furnished by the Director in the following order:

- (1) Regular employees who have been demoted in good standing to a position in a lower class, provided they meet the employment standards for the position to be filled.
- (2) Regular employees in the class who have been laid off.
- (3) Regular employees on an appropriate promotional eligible list.

- (4) Former regular employees who have requested, and are eligible for, reinstatement.
- (5) Persons on an appropriate eligible list resulting from open competitive examination.

7.4 Appointments

After interview and any investigation desired, any of the persons whose names are furnished may be appointed.

7.5 Types of Appointment

- (a) Probationary: appointment from an eligible list to a position in the classified service, for a specified working test period.
- (b) Regular: appointment following satisfactory completion of the probationary period, upon recommendation of the department head and approval of the City Manager.
- (c) Provisional: appointment of a person who has not qualified through examination. It is intended that the appointing authority shall have the choice of at least three names in filling any vacancy. If less than three persons from eligible lists furnished are available for appointment, a probationary appointment may be made, or a provisional appointment of a person meeting the employment standards for the class may be made. If the position is considered to be permanent, the Director shall schedule an examination and establish an eligible list from which to make an appointment. A provisional appointment shall not extend beyond six months, except that the City Manager, with the approval of the City Council, may extend such period for not more than sixty days by any one action. Time spent on a provisional appointment shall not constitute a part of the probationary period.
- (d) Temporary: appointment to a position of limited duration.
 - 1. Temporary positions of less than 90 days' duration are in the unclassified service.
 - 2. Temporary positions of more than 90 days' duration are in the classified service.
 - 3. The first 90 days of any temporary appointment, whether or not appointment is from an eligible list for the class, shall not constitute a part of the probationary period.
 - 4. Temporary appointees hired on an hourly or per diem basis shall not receive paid vacation, holiday, or sick leave benefits.
- (e) Part-Time: appointment to a position which requires less than full time.
 - 1. Part-time positions requiring less than half time are in the unclassified service and pay shall be on an hourly or per diem basis for time worked only.
 - 2. Part-time positions requiring half time or more are in the classified service. Vacation, holiday, and sick leave benefits shall be proportional to time worked. Service credit toward probationary period shall be proportional to time worked.
- (f) Emergency: appointment to meet the immediate requirements of any emergency condition such as extraordinary fire, flood, earthquake, or enemy attack, which threatens public life or property. With the approval of the City Manager, any department head may employ such persons as may be needed for the duration of the emergency without regard to these rules affecting appointments, except that no such appointment shall exceed fifteen working

7.6 Reinstatement

In the City's interest a vacancy may be filled by the reinstatement, within two years, of a former regular employee who held status in the same class at the time of termination. Nevertheless, all employment rights are forfeited upon resignation.

7.7 Transfer

As an alternative to appointment from any list, a position may be filled by transfer, from another department, of an employee in the same or a comparable class, upon recommendation of the department heads concerned and approval of the Director. Transfers shall not be used to evade rules governing promotion, demotion, advancement, or reduction. No person shall be transferred to a position for which he does not possess the minimum employment standards.

RULE 8 - PROBATIONARY PERIOD

8.1 Appointments Subject to Probationary Period

All appointments from open or promotional eligible lists to positions in the classified service shall be for a probationary period of six months, during which the department head shall observe and appraise the conduct, performance, attitude, adaptability and job knowledge of each employee and determine whether the employee is fully qualified for regular status. The Director of Personnel may establish a longer probationary period for specified classes, to be uniform for all persons appointed to the positions in the classes and to be made known to all such persons at the time of their initial appointments.

8.2 Reports on Probationers

The department head shall file with the Personnel Office employee performance appraisals on probationers as required by the Director. Fifteen days prior to the termination of the probationary period, the Personnel Office shall notify the department head. If the service of the probationer has been satisfactory, the department head shall recommend retention. If retention is not recommended, the probationer shall be released.

8.3 Release of Probationer

During the probationary period an employee may be released at any time without right of appeal. Written notice of release shall be furnished the probationer.

8.4 Release Following Promotion

Any employee released during or at the conclusion of the probationary period following promotion shall be reinstated, at his former salary step, to the position from which he was promoted, unless the reasons for his release are cause for dismissal from the city service.

RULE 9 - PERFORMANCE EVALUATION

9.1 Employee Appraisal

The Director of Personnel shall establish and maintain a plan for appraising performance of employees. Appraisals shall be made periodically by the supervisor, discussed with employee, and made a matter of record.

9.2 Unsatisfactory Performance

If appraisal shows an employee's work to be below standard, the supervisor shall take appropriate steps to encourage improvement, and may set a definite period in which improvement is expected; failure to achieve satisfactory improvement may be cause for demotion, reduction in pay, or dismissal.

RULE 10 - DEMOTIONS, SUSPENSIONS

10.1 Demotion

The appointing authority may demote an employee whose ability to perform required duties falls below an acceptable standard, or for disciplinary purposes. Upon request of the employee and with the approval of the appointing authority, demotion may be made to a vacant position as a substitution for lay-off.

10.2 Suspension

The appointing authority may suspend an employee without pay at any time for cause.

Suspension without pay may not exceed thirty days in any fiscal year. Suspension for over five working days must be approved by the appointing authority. A department head may suspend an employee for not to exceed five working days. Suspensions shall be reported immediately to the appointing authority and to the Personnel Office.

RULE 11 - SEPARATION FROM THE SERVICE

11.1 Lay-Off

When it becomes necessary through lack of work, lack of funds, or for other reasons to reduce the number of employees within a given class, the Director of Personnel shall be notified and shall prepare a lay-off list, providing that temporary and provisional employees shall be laid off before probationers or regular employees. The order of lay-off shall then be based on the needs of the service, with particular regard for length of service with the City and reports of performance.

11.2 Resignation

An employee wishing to leave the city service in good standing shall file with his department head at least two weeks before leaving a written resignation, stating the effective date and reasons for leaving, unless such notice is waived by the appointing authority. The resignation shall be forwarded to the Personnel Office with a performance appraisal by the department head and any other pertinent information.

11.3 Dismissal

An employee may be dismissed at any time by the appointing authority. Any regular employee holding a position in the classified service shall be entitled to receive a written statement of the reasons for such action and to a hearing if he requests, as provided by the Personnel Ordinance and these rules.

RULE 12 - APPEALS AND HEARINGS

12.1 Requests for Hearing on Disciplinary Action

Any regular employee holding a position in the classified service shall have the right of appeal to the Personnel Commission for a hearing on a suspension, demotion, or dismissal, in accordance with applicable provisions of the Personnel Ordinance.

12.2 Requests for Investigation

Any person may file with the Personnel Commission a written request for an investigation of any alleged violation of the Personnel Ordinance or of these rules. The Commission shall consider the request at its next meeting and determine if an investigation is needed and so inform the person making the request. If an investigation is made, the provisions of Rule 12,3 shall apply.

12.3 Personnel Commission Responsibility

In carrying out its responsibility for the conduct of investigations and hearings and advising the City Council and the City Manager on personnel matters, the Personnel Commission shall proceed in any manner which will, in its judgment, develop all the facts bearing upon the matter before it, and no informality in its actions will be just cause for criticism of its findings and recommendations. When the investigation or hearing is completed, the Commission shall furnish certified copies of its findings and recommendations to persons concerned, keeping one for its permanent record. Any member of the Commission may prepare and submit a minority or supplementary report for the information of the appointing authority and others concerned.

RULE 13 - ATTENDANCE AND LEAVES

13.1 Hours of Work

- (a) All Employees Except Police and Fire Personnel. All full-time city employees, except designated police and fire personnel shall work a minimum of forty hours a week, normally to be composed of five consecutive days of eight hours each and, except in the case of designated shift personnel working a straight eight-hour shift, shall not include time taken for meals. The days and hours to be worked by each employee shall be established by his department head.
- (b) All Police Personnel working in a class for which safety membership in the State Employees' Retirement System is required shall work an average minimum of forty-four hours within each seven days, including time for one meal each full shift. The regular hours and days of employment shall be established by the Chief of Police.
- (c). All Fire Personnel working in a class for which safety membership in the State Employees' Retirement System is required shall be on duty an average minimum of seventy-two hours a week when averaged over a twelve month period. The regular hours and days of duty shall be established by the Fire Chief.

13.2 Overtime

The following provisions shall apply to all city employees except department and division heads and other personnel who are designated by the appointing authority and are compensated on the basis of responsibilities carried, rather than time spent on the job. However, in cases of unusual demands, the appointing authority may grant extra leave time to the latter.

It is the policy of the City that paid overtime be held to a reasonable minimum. The City Manager shall establish administrative rules governing paid overtime, subject to the following:

- (a) Authorized overtime may be compensated by equivalent time off within six months, to be taken as directed by the department head, with due regard for the wishes of the employee, and particular regard for the needs of the City. If overtime is not taken as time off within six months, it shall be paid for at the employee's rate of pay at the time payment is made. In special cases the City Manager may extend the period for taking compensating time off for an additional six months. The department head shall determine if the City's needs are better served by time off or by pay for overtime. Upon termination, an employee shall be paid for authorized accumulated recorded overtime.
- (b) Overtime of less than one hour shall not be compensated.
- (c) Call back. Any employee, unless on regular stand-by duty, shall receive a minimum of two hours overtime credit for any call which requires him to return to duty for emergency, exceptional, or unusual reasons.
- (d) Standby duty. Procedures governing compensation for employees on regular standby duty shall be established by the City Manager.

13.3 Holidays

The City observes the following as paid holidays: January 1, February 12, February 22, May 30, July 4, the first Monday in September, September 9, October 12, November 11, Thanksgiving Day, December 25, State-wide election days, and from 12:00 noon to 3:00 p.m. on Good Friday. Any employee who is required to work on a holiday shall receive one day overtime credit. When a holiday falls on Sunday, the following Monday will be observed instead. Employees whose regular days off are other than Saturday and Sunday shall be entitled to the same number of paid holidays per year as are those whose regular days off are Saturday and Sunday.

13.4 Vacations

Effective January 1, 1955

Paid vacation shall be governed by the following:

- (a) Each full-time employee, during the remainder of the calendar year in which he is originally appointed, and during the next succeeding calendar year, shall be entitled to vacation leave credit at the rate of 1-1/6 calendar days for each calendar month of service. Each employee shall be entitled to take, during these two calendar years, only the amount of leave earned at the time vacation begins.
- (b) During the third and subsequent calendar years of service, up to and including the tenth, each full-time employee shall be entitled to two calendar weeks' vacation.
- (c) During the eleventh and subsequent calendar years of service up to and including the twenty-fifth, each full-time employee shall be entitled to three calendar weeks' vacation.
- (d) During the twenty-sixth and subsequent calendar years of service, each full-time employee shall be entitled to four calendar weeks' vacation.
- (e) Part-time employees working half-time or more shall be eligible for proportional benefits.
- (f) If a holiday falls during an employee's vacation, one additional work day shall be added to the vacation.
- (g) Vacations shall be scheduled by the department head, with due regard for the wishes of the employee and with particular regard for the needs of the City.
- (h) Each employee will be expected to take during each year the vacation to which he is entitled. Accumulation of unused vacation leave, not to exceed twice the employee's annual allowance, may be permitted on approval of the department head.
- (i) Employees who terminate with less than one year's service shall not be eligible for vacation benefits.
- (j) Employees who have one year or more of continuous service with the City and who are terminated in good standing, shall be paid for vacation on a pro-rata basis through the last day of work.
- (k) Vacation credit shall be forfeited by an employee who is dismissed or who resigns in order to avoid dismissal. Unless specifically excepted by the appointing authority, vacation credit shall likewise be forfeited by an employee who resigns without giving proper prior notice.

13.5 Sick Leave

After completing six months of continuous service, an employee shall be entitled to paid sick leave at the rate of one working day for each completed calendar month of service, counted from the original appointment. Sick leave credit shall not continue to accrue to an employee absent from duty on any leave other than vacation leave or temporary military leave. Unused sick leave time may be accrued not to exceed ninety days. Sick leave shall be considered a privilege to be allowed only in case of sickness, disability, or quarantine. Paid sick leave shall not be given for any absence from duty due to an injury or illness arising out of or incurred in connection with outside employment. In order to receive sick leave pay, an employee must notify his supervisor or the Personnel Office not later than four hours after the start of the work day. When absent more than three work days, the employee

shall file a physician's certificate or a personal affidavit with the Director of Personnel, stating the cause of the absence. He may be required to file such certificate in cases of less than three work days' absence.

Leave for disability covered by workmen's compensation shall be charged against the employee's accrued sick leave and the employee shall receive full pay to the extent of his sick leave credit. Compensation insurance checks shall be endorsed to the City while full salary is paid. When sick leave is exhausted, the employee shall receive the compensation insurance check. Sick leave shall be charged at a rate proportional to the City's actual contribution to the full salary. This provision shall be modified for police and fire personnel to the extent necessary to conform to the provisions of Section 4850 of the State Labor Code.

Employees terminating their city employment or being terminated shall forfeit all unused sick leave benefits, as of the terminal date. Former employees re-employed by the City shall no credit for prior service in determination of sick leave or vacation benefits.

13.6 Other Leaves

- (a) Funeral. At the discretion of the department head, an employee may use accrued sick leave or vacation leave with pay in case of critical illness or death in the immediate family.
- (b) Jury. An employee summoned to jury duty shall inform his supervisor and, if required to serve, may be absent from duty with full pay. Except for travel expense, the jury fees shall be remitted to the City.
- (c) Military. Military leave shall be granted in accordance with the provisions of State law. All employees entitled to military leave shall give the appointing power an opportunity within the limits of military regulations to determine when such leave shall be taken.
- (d) Campaign. Upon becoming a candidate for public office, any regular employee shall request and be granted a leave of absence without pay to remain in effect for the period of his candidacy.
- (e) Disability. The appointing authority may require an employee whom he believes may be physically or mentally incapacitated for work to be examined by a designated physician and may require the employee to take leave of absence. Any accrued sick leave may be used.
- (f) Leave of Absence. Upon written request, the appointing authority may grant an employee a leave of absence without pay for a definite period not to exceed one year. Upon expiration of leave, the employee shall be reinstated in the position held at the time the leave was granted, or to another position in the same class. Failure on the part of an employee on leave to report promptly at its expiration, or within a reasonable time after notice for return to duty, shall be cause for dismissal.

13.7 Attendance

Each department shall keep daily attendance records of all employees. Absence without leave may be sufficient cause for dismissal.

RULE 14 - TRAINING OF EMPLOYEES

14.1 Responsibility for Training

Responsibility for developing training programs for employees shall be assumed jointly by the Director of Personnel and department heads.

14.2 Credit for Training

Evidence of special effort to improve job knowledge and capacity may be filed by the employee with the Personnel Office and shall be considered in decisions regarding pay increases and promotions.

RULE 15 - REPORTS AND RECORDS

15.1 Roster Cards

The Personnel Office shall maintain a service or roster card for each employee, showing his name, title, department, salary, changes in employment status, and other pertinent information.

15.2 Confidential Nature of Personnel Records.

All personnel records, including applications, examination papers, and eligible lists, shall be considered confidential, and may be made available to employees, department heads, or the public only with approval of the Director of Personnel.

15.3 Destruction of Records

Roster cards shall be considered permanent records. All other records relating to personnel, including correspondence, applications, examination records, and reports may be destroyed after two years. Any record, permanent or temporary, may be destroyed by the Director with the consent of the Personnel Commission and the City Attorney.

RULE 16 - VIOLATION

16.1 Violation

Violation of the provisions of the Charter, the Personnel Ordinance, or these rules or related administrative orders shall be grounds for disciplinary action.

RULE 17 - ADMINISTRATIVE ORDERS

17.1 Authority

The City Manager is hereby authorized to issue written administrative orders to establish procedures and practices for administration of the city personnel system and to interpret or clarify any provision of the Personnel Ordinance or these rules. The City Manager may refer such administrative orders to the Personnel Commission for its review and comment and shall refer them to the City Attorney to determine that they conform with the spirit and intent of the Charter, the Personnel Ordinance, and these rules.

RULE 18 - DEFINITIONS

The words and terms used in these rules shall have the meaning indicated as follows, unless the context clearly indicates otherwise:

18.1 Advancement. A salary increase within the limits of the salary range established for the class.

18.2 Allocation. The assignment of a position to its class.

18.3 Anniversary Date. The anniversary of the date an employee was appointed to his current position.

18.4 Applicant. A person who has made formal application for employment.

18.5 Appointment. The offer to a person and his acceptance of a position.

18.6 Appointing Authority. The Council, City Manager, or persons delegated authority to make appointments or remove persons from city service.

18.7 Candidate An applicant whose application has passed initial screening and who is admitted to examination.

18.8 Class or Classes of Positions. A group of positions having duties and responsibilities sufficiently similar that the same title, examples of duties, and requirements may be applied.

18.9 Classification Plan. The arrangement of positions into classes, with titles and specifications describing each class.

18.10 Classified Service. All positions in the city service EXCEPT: (1) all elected

officers; (2) City Manager, City Attorney, City Clerk and Auditor, and all heads of departments; (3) all members of boards and commissions; (4) persons employed as unskilled laborers; (5) positions in any class or grade created for a special or temporary purpose for a period of not longer than 90 days in any one fiscal year; (6) persons employed to render professional, scientific, technical, or expert services of any occasional or exceptional character; (7) part-time employees paid on an hourly or per diem basis.

- 18.11 Commission. The Personnel Commission, established by Section 1108 of the Charter.
- 18.12 Continuous Service. Employment by the City, uninterrupted from the date of appointment, except by authorized absence with pay.
- 18.13 Demotion. A change of an employee from a position in one class to a position in another class having lesser duties and responsibilities, lower qualifications, and a lower range of pay; or a reduction in pay, when not part of a general service-wide salary adjustment.
- 18.14 Dismissal. The separation from employment of an employee by an appointing authority for cause.
- 18.15 Eligible. A person whose name is on an appropriate eligible list and who is not ineligible for appointment for any reason.
- 18.16 Eligible List. A record of the names of persons who have qualified, through examination for employment in a specific class.
- 18.17 Examination. A test or group of tests and evaluations used to determine eligibility and to rank candidates for employment in a class.
- 18.18 Lay-off. Termination of service because of lack of work, lack of funds, or in the interests of economy, without fault on the part of the employee involved.
- 18.19 Leave of Absence. Permission to be absent from duty without pay for a specified period and purpose, with the right to return before or at the expiration of the period.
- 18.20 Original Appointment. The first appointment of an employee to a position in the city service.
- 18.21 Personnel Ordinance. The Ordinance which establishes a personnel system for the City of Modesto.
- 18.22 Position. A combination of duties regularly assigned to be performed by one person.
- 18.23 Probationary Period. A working test period during which an employee appointed from an eligible list is required to demonstrate his fitness for the class by actual performance of the duties of his position.
- 18.24 Probationary Status. The status of an employee who has been appointed from an eligible list, but has not completed the prescribed probationary period.
- 18.25 Probationer. An employee who has probationary status.
- 18.26 Promotion. A change in employment status from one class to another class with a higher range of pay.
- 18.27 Promotional Examination. An examination in which competition is limited to regular employees in the classified service.
- 18.28 Promotional List. An eligible list resulting from a promotional examination.
- 18.29 Provisional Employee. An employee who is appointed without examination to a regular position in the classified service for which no eligible list exists.
- 18.30 Reduction. A salary decrease within the pay range for the class.
- 18.31 Regular Employees. An employee who has satisfactorily completed his probationary period and has been retained in the classified service.
- 18.32 Regular Position. A position in the classified service which requires, or is likely to require, the services of an employee for more than six months.

18.33 Release. Separation of an employee from the service during or at the close of the probationary period.

18.34 Reinstatement. The reappointment without examination of an employee who has resigned in good standing.

18.35 Resignation. The voluntary separation of an employee from his position.

18.36 Separation. Any termination of employment

18.37 Status. The condition of an employee's present appointment, such as temporary, provisional, probationary, or regular.

18.38 Suspension. An involuntary absence without pay, imposed for disciplinary purposes, or pending investigation of charges.

18.39 Temporary Appointment. An appointment for a limited period.

18.40 Transfer. A change from one position to another within the same or to a comparable class.

18.41 Unclassified Service. The non-competitive service. Positions in the unclassified service are those listed as exceptions in rule 18.10 above.

18.42 Vacancy or Vacant Position. Any unfilled position in the city service.

RESOLUTION NO. 54-205

A RESOLUTION ACCEPTING PUMP HOUSES NOS. 1 AND 17 FROM CONTRACTOR, EDWARD O. TOMLINSON

---oOo---

WHEREAS, a report has been filed by the Director of Public Works that the construction of Pump Houses Nos. 1 and 17 has been completed by contractor Edward O. Tomlinson in accordance with contract agreement dated June 1, 1954,

NOW, THEREFORE, BE IT RESOLVED that the construction of Pump Houses Nos. 1 and 17 be accepted from said contractor, that "Notice of Completion" be filed with the County Recorder, and that payment of amounts due as provided in the contract be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of July, 1954, by Councilman M. Adams, who moved its adoption, which motion being duly seconded by Councilman R. Adams, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: M. Adams, R. Adams, Arata, Mellis, and Mayor Marks

NOES: Councilmen: None

ABSENT: Councilmen: Annan and Merrill

ATTEST:

REX E. GAILFUS, City Clerk

RESOLUTION NO. 54-206

A RESOLUTION AUTHORIZING A REFUND OF PENALTY CHARGES PAID AS A RESULT OF DELINQUENT LICENSE FEE PAYMENTS UNDER THE BUSINESS LICENSE ORDINANCE. (ORDINANCE NO. 487-N.S., AS AMENDED)

---oOo---

WHEREAS, Federal Department Stores has requested a refund of penalty charges in the sum of \$26.77 imposed as a result of a deficiency determination by the Tax Collector on delinquent license fee payments heretofore paid under written protest to the City, and

WHEREAS, the City Council finds that the failure of taxpayer to pay all taxes due on time was not intentional or by reason of carelessness, and

WHEREAS, under such conditions, the Council is authorized to refund the penalty charges by the provisions of Section 10 (b) of Ordinance No. 487-N.S., as

amended by Ordinance No. 1129-N.S.,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the refund of penalty charges in the sum of \$26.77 to taxpayer be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of July, 1954, by Councilman R. Adams, who moved its adoption, which motion being duly seconded by Councilmen M. Adams, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: M. Adams, R. Adams, Arata, Mellis and Mayor Marks

NOES: Councilmen: None

ABSENT: Councilmen: Annan and Merrill

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-207

A RESOLUTION AUTHORIZING WAIVER OF PENALTY CHARGES ASSESSED AS A RESULT OF DELINQUENT LICENSE FEE PAYMENTS UNDER THE BUSINESS LICENSE ORDINANCE. (ORDINANCE NO. 487-N.S. AS AMENDED.)

---oOo---

WHEREAS, Lee Brothers has requested a waiver of penalty charges in the sum of \$84.24 applicable to delinquent license fee payments and imposed as a result of the deficiency determination by the Tax Collector, and

WHEREAS, the City Council finds and determines that failure of taxpayer to pay all taxes due on time was not intentional or by reason of carelessness, and

WHEREAS, said request for a waiver was filed in writing by taxpayer with the Collector within thirty (30) days from the date of the mailing of written notice to taxpayer of said deficiency determination, and

WHEREAS, under such circumstances, the Council is authorized by the provisions of Section 10 (b) of Ordinance No. 487-N.S., as amended by Ordinance No. 1129-N.S., to waive such penalty charges,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that penalty charges in the sum of \$84.24 assessed against Lee Brothers are hereby waived.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of July, 1954, by Councilman M. Adams, who moved its adoption, which motion being duly seconded by Councilman Arata, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: M. Adams, R. Adams, Arata, Mellis, and Mayor Marks

NOES: Councilmen: None

ABSENT: Councilmen: Annan and Merrill

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-208

A RESOLUTION AUTHORIZING WAIVER OF PENALTY CHARGES ASSESSED AS A RESULT OF DELINQUENT LICENSE FEE PAYMENTS UNDER THE BUSINESS LICENSE ORDINANCE. (ORDINANCE NO. 487-N.S. AS AMENDED)

---oOo---

WHEREAS, Z Tailor has requested a waiver of penalty charges in the sum of \$11.76 applicable to delinquent license fee payments and imposed as a result of the deficiency determination by the Tax Collector, and

WHEREAS, the City Council finds and determines that failure of taxpayer to pay all taxes due on time was not intentional or by reason of carelessness, and

WHEREAS, said request for a waiver was filed in writing by taxpayer with the Collector within thirty (30) days from the date of the mailing of written notice to taxpayer

of said deficiency determination, and

WHEREAS, under such circumstances, the Council is authorized by the provisions of Section 10 (b) of Ordinance No. 487-N.S., as amended by Ordinance No. 1129-N.S. to waive such penalty charges,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that penalty charges in the sum of \$11.76 assessed against Z Tailor are hereby waived.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of July, 1954, by Councilman Arata, who moved its adoption, which motion being duly seconded by Councilman M. Adams, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: M. Adams, R. Adams, Arata, Mellis, and Mayor Marks

NOES: Councilmen: None

ABSENT: Councilmen: Annan and Merrill

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-209

A RESOLUTION AUTHORIZING WAIVER OF PENALTY CHARGES ASSESSED AS A RESULT OF DELINQUENT LICENSE FEE PAYMENTS UNDER THE BUSINESS LICENSE ORDINANCE. (ORDINANCE NO. 487-N.S. AS AMENDED)

---oOo---

WHEREAS, Andrews Electric Motor Works has requested a waiver of penalty charges in the sum of \$48.84 applicable to delinquent license fee payments and imposed as a result of the deficiency determination by the Tax Collector, and

WHEREAS, the City Council finds and determines that failure of taxpayer to pay all taxes due on time was not intentional or by reason of carelessness, and

WHEREAS, said request for a waiver was filed in writing by taxpayer with the Collector within thirty (30) days from the date of the mailing of written notice to taxpayer of said deficiency determination, and

WHEREAS, under such circumstances, the Council is authorized by the provisions of Section 10 (b) of Ordinance No. 487-N.S., as amended by Ordinance No. 1129-N.S., to waive such penalty charges,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that penalty charges in the sum of \$48.84 assessed against Andrews Electric Motor Works are hereby waived on the condition that the tax deficiency in the amount of \$195.36 be paid within ten days of the granting of the waiver.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of July, 1954, by Councilman M. Adams, who moved its adoption, which motion being duly seconded by Councilman R. Adams, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: M. Adams, R. Adams, Arata, Mellis and Mayor Marks

NOES: Councilmen: None

ABSENT: Councilmen: Annan and Merrill

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-210

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MODESTO ADOPTING BUDGET AND APPROVING MEMORANDUM OF AGREEMENT FOR EXPENDITURE OF GAS TAX ALLOCATION FOR MAJOR CITY STREETS.

---oOo---

WHEREAS, a memorandum of agreement has been presented to be entered into with the State of California in accordance with a project statement submitted by the City of Modesto for expenditure of the gas tax allocation to cities for the fiscal year 1955, and

WHEREAS, the city council has heard read said agreement in full and is familiar with the contents thereof;

THEREFORE, be it resolved by the city council of the City of Modesto that said project statement be and it is hereby adopted as the budget of proposed expenditures of the gas tax allocation to cities, and said agreement be and the same is hereby approved and the mayor and the city clerk are directed to sign the same on behalf of said City, said agreement to be binding upon the City upon its execution by the authorized officials of the State.

ADOPTED this 7th day of July, 1954.

HARRY MARKS, MAYOR OF THE CITY OF MODESTO

ATTEST: REX E. GAILFUS, CITY CLERK OF THE CITY OF MODESTO

I hereby certify that the foregoing resolution was duly and regularly passed by the city council of the City of Modesto at a regular meeting thereof held July 7th, 1954.

REX E. GAILFUS, CITY CLERK OF THE CITY OF MODESTO

RESOLUTION NO. 54-211

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALLING FOR BIDS ON CONSTRUCTION OF SANITARY SEWER LINE ON COLDWELL AVENUE BETWEEN ALLEY OF BLOCK 803 AND TULLY ROAD

---oOo---

BE IT HEREBY RESOLVED that the plans and specifications for the construction of a sanitary sewer line on Coldwell Avenue between alley of Block 803 and Tully Road, be and they are hereby approved, and

BE IT FURTHER RESOLVED that calling for bids for above described construction be and it is hereby authorized in accordance with the procedure contained in section 1307 of the City Charter, said bids to be opened at 2:00 P. M., July 19, 1954, in the City Clerk's Office in the City Hall.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of July, 1954, by Councilman R. Adams, who moved its adoption, which motion being duly seconded by Councilman M. Adams, was upon roll call carried and the resolution adopted by the following vote:

- Ayes: Councilmen: M. Adams, R. Adams, Arata, Mellis and Mayor Marks
- Noes: Councilmen: None
- Absent: Councilmen: Annan and Merrill

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-212

A RESOLUTION AUTHORIZING THE CITY CLERK TO SEND TELEGRAMS TO THE PRESIDENT OF THE UNITED STATES AND OTHERS URGING SUPPORT OF THE EISENHOWER-AMERICAN MUNICIPAL ASSOCIATION POSITION CALLING FOR RESTORATION OF FEDERAL AID TO AIRPORTS

---oOo---

BE IT HEREBY RESOLVED that the City Clerk be instructed to send telegrams to President Eisenhower, Senators of the State of California and Members of the House of Representatives urging support of the Eisenhower-American Municipal Association position calling for restoration of federal aid to airports.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of July, 1954, by Councilman Mellis, who moved its adoption, which motion being duly seconded by Councilman R. Adams, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, and Mayor Marks
Noes: Councilmen: None
Absent: Councilmen: Merrill

ATTEST: ANNE M. COLLINS, ACTING CITY CLERK

RESOLUTION NO. 54-213

A RESOLUTION APPROVING SPECIFICATIONS AND AUTHORIZING CALLING FOR BIDS FOR FURNISHING OF VARIOUS TYPES OF LAMPS FOR MUNICIPAL LIGHTING FOR THE PERIOD OF ONE YEAR BEGINNING JULY 1, 1954

---oOo---

BE IT HEREBY RESOLVED that the specifications for the furnishing of various types of lamps for municipal lighting for the period of one year beginning July 1, 1954, be and they are hereby approved, and

BE IT FURTHER RESOLVED that calling for bids for above described construction be and it is hereby authorized in accordance with the procedure contained in section 1307 of the City Charter, said bids to be opened at 3:00 P. M., July 26, 1954.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of July, 1954, by Councilman Annan, who moved its adoption, which motion being duly seconded by Councilman Arata, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, and Mayor Marks
Noes: Councilmen: None
Absent: Councilmen: Merrill

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-214

A RESOLUTION ELIMINATING A TAXICAB STAND ON THE NORTH SIDE OF H STREET BETWEEN NINTH AND TENTH STREETS AND ESTABLISHING A TAXICAB STAND ON THE NORTH SIDE OF J STREET BETWEEN TENTH AND ELEVENTH STREETS IN THE CITY OF MODESTO, AND RESCINDING RESOLUTION NO. 10,364-N.S. OF SAID CITY.

---oOo---

WHEREAS, Section 8 (a) of Ordinance No. 1053-N.S., as amended, regulating the use and operation of taxicabs upon the public streets of the City of Modesto authorizes the Council, by resolution, to locate and designate taxicab stands, and

WHEREAS, the elimination of a taxicab stand at the following described location and the establishment of a taxicab stand at the following described location is in the public interest,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The taxicab stand presently used by Yellow Cab Company on the North side of H Street, beginning at a point 61' 10" from the property line on the West side of Tenth Street and extending to a point 77' 10" from the property line on the West side of Tenth Street is hereby eliminated.

SECTION 2. A taxicab stand for the use of Yellow Cab Company is hereby designated at the following location:

On the North side of J Street beginning at the East property line of Tenth Street and extending twenty-seven (27') feet East on J Street.

SECTION 3. The Director of Public Works is hereby directed to cause the above described locations to be marked and posted in accordance with the provisions of this resolution and the applicable laws of the City.

SECTION 4. Resolution No. 10,364-N.S. of the City of Modesto is hereby rescinded.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of July, 1954, by Councilman R. Adams, who moved its adoption, which motion being duly seconded by Councilman Merrill, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: M. Adams R. Adams, Annan, Arata, Mellis, and Mayor Marks

NOES: Councilmen: None

ABSENT: Councilmen: Merrill

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-215

A RESOLUTION ESTABLISHING A TAXICAB STAND ON THE WEST SIDE OF TENTH STREET BETWEEN J AND K STREETS IN THE CITY OF MODESTO

---oOo---

WHEREAS, Section 8 (a) of Ordinance No. 1053-N.S., as amended, regulating the use and operation of taxicabs upon the public streets of the City of Modesto authorizes the Council, by resolution, to locate and designate taxicab stands, and

WHEREAS, Agnes J. Chandler, doing business as Joann's Taxi, has requested a taxicab stand at the location described hereinafter,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. A taxicab stand for the use of Joann's Taxi is hereby designated at the following location:

On the West side of Tenth Street, beginning at the North property line of J Street and extending twenty-five (25') feet North on Tenth Street.

SECTION 2. The Director of Public Works is hereby directed to cause the above described location to be marked and posted in accordance with the provisions of this resolution and the applicable laws of the City.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of July, 1954, by Councilman Arata, who moved its adoption, which motion being duly seconded by Councilman M. Adams, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis and Mayor Marks

NOES: Councilmen: None

ABSENT: Councilmen: Merrill

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-216

A RESOLUTION ESTABLISHING A TWO HOUR PARKING ZONE ON THE EAST SIDE OF NINTH STREET BETWEEN O STREET AND P STREET IN THE CITY OF MODESTO

---oOo---

WHEREAS, Section 34.1 of Ordinance No. 345-N.S. of the City of Modesto, as amended, authorizes the City Council, by resolution, to restrict or prohibit the parking of motor vehicles upon designated streets of the City, and

WHEREAS, the best interests of the citizens of said City require that parking on the East side of Ninth Street between O Street and P Street in the City of Modesto be restricted and limited as hereinafter provided,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. It shall be unlawful for the operator of a vehicle to park such vehicle between the hours of 9 o'clock a.m. and 6 o'clock p.m. for a period longer than one hundred twenty (120) consecutive minutes at the following location in the City of Modesto:

On the East side of Ninth Street between O Street and P Street in the City of Modesto.

SECTION 2. The Director of Public Works is hereby directed to cause the above described areas to be marked and/or posted in accordance with the provisions of this resolution and the applicable laws of the City.

SECTION 3. That portion of Resolution No. 4193-N.S. and all resolutions or portions of resolutions in conflict herewith are hereby rescinded.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of July, 1954, by Councilman M. Adams, who moved its adoption, which motion being duly seconded by Councilman Annan, was upon roll call carried and the resolution adopted by the following vote:

- AYES: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis and Mayor Marks
- NOES: Councilmen: None
- ABSENT: Councilmen: Merrill

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-217

A RESOLUTION ACCEPTING CONTRACT FOR THE FURNISHING OF DEEP WELL PUMPS FOR PUMP STATIONS NOS. 1 and 17 FROM CONTRACTOR WESTERN PUMP COMPANY

---oOo---

WHEREAS, a report has been filed by the Director of Public Works that the construction of Deep Well Pumps at Stations Nos. 1 and 17 has been completed by Western Pump Company in accordance with contract agreement dated June 1, 1954.

NOW, THEREFORE, BE IT RESOLVED that the construction of Deep Well Pumps at Stations Nos. 1 and 17 be accepted from said contractor, that "Notice of Completion" be filed with the County Recorder, and that payment of amounts due as provided in the contract be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of July, 1954, by Councilman Arata, who moved its adoption, which motion being duly seconded by Councilman Annan, was upon roll call carried and the resolution adopted by the following vote:

- Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis and Mayor Marks
- Noes: Councilmen: None
- Absent; Councilmen: Merrill

RESOLUTION NO. 54-218

A RESOLUTION AMENDING RESOLUTION NO. 10,290-N.S. ENTITLED, "A RESOLUTION ESTABLISHING SALARY SCHEDULES, CLASSES OF POSITIONS, AND FIXING THE COMPENSATION OF OFFICERS AND EMPLOYEES IN THE CITY SERVICE"

---oOo---

WHEREAS, the Council of the City of Modesto adopted Resolution No. 10,290-N.S. entitled, " A Resolution Establishing Salary Schedules, Classes of Positions, and Fixing the Compensation of Officers and Employees in the City Service" on August 5, 1953, and

WHEREAS, it is the desire of the Council to create the new position of Traffic Engineer and to establish a salary rate for it,

NOW, THEREFORE, BE IT RESOLVED that Exhibit "B" entitled, "Salary Ranges and Rates of Positions in the City Service", of said Resolution No. 10,290-N.S., be amended to include:

I - CLASSIFIED SERVICE

<u>Position</u>	<u>Range No.</u>	
Traffic Engineer	Y-Rate	\$800.00 per month

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of July, 1954, by Councilman Annan, who moved its adoption, which motion being duly seconded by Councilman M. Adams, it was upon roll call carried and the resolution was adopted by the following vote:

AYES: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis and Mayor Marks

NOES: Councilmen: None

ABSENT: Councilmen: Merrill

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-219

A RESOLUTION CREATING A SERVICE DIVISION WORKING CAPITAL FUND FOR THE CITY OF MODESTO AND AUTHORIZING THE TRANSFER OF \$20,000.00 TO SAID FUND FROM THE GENERAL FUND OF THE CITY

---oOo---

WHEREAS, The Budget for the 1954-55 fiscal year as adopted by the Council provides for the establishment of a Service Division Working Capital Fund for the operation of the Service Division within the Public Works Department, and

WHEREAS, the Service Division will have under its control all motorized equipment of the City of Modesto, with the exception of the fire fighting equipment, and

WHEREAS, it is desirable to establish a fund for the eventual replacement of all pieces of equipment through service charges for equipment usage, and

WHEREAS, it appears that it is necessary to have a capital of Twenty thousand (\$20,000.00) dollars advanced from the General Fund for the purpose of operating such Service Division Working Capital Fund,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

Section 1. A service Division Working Capital Fund is hereby created for the City of Modesto in the sum of Twenty thousand (\$20,000.00 dollars,) which sum shall be accounted for as a working capital fund as recommended by the National Committee of Governmental Accounting of the Municipal Finance Officers Association.

Section 2. Said fund shall be used solely for operating expenses connected with the Service Division of the Public Works Department, including the purchasing of replacement equipment.

Section 3. The Director of Finance is hereby authorized to transfer Twenty thousand (\$20,000.00) dollars from the General Fund of the City to the Service Division Working Capital Fund to be used as specified above.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of July, 1954 by Councilman M. Adams, who moved its adoption, which motion being duly seconded by Councilman Annan, was upon roll call carried by the following vote:

AYES: Councilmen: M. Adams, Annan, Arata, Mellis and Mayor Marks

NOES: Councilmen: None

ABSENT: Councilmen: R. Adams, and Merrill

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-220

A RESOLUTION INCREASING THE PURCHASING REVOLVING FUND OF THE CITY OF MODESTO FROM A FUND OF \$2500.00 TO A FUND OF \$3500.00 AND AUTHORIZING THE TRANSFER OF THE ADDITIONAL \$1000.00 FROM THE GENERAL FUND OF THE CITY.

---oOo---

WHEREAS, the City Council, by Resolution No. 10,259-N.S. adopted June 24, 1953, established a Purchasing Revolving Fund in the total sum of Twenty-five hundred (\$2500.00) dollars for the purpose of purchasing office supplies, janitor supplies, and other materials for the use of all departments, and

WHEREAS, it is desirable and necessary that the Purchasing Revolving Fund be increased to Thirty-five hundred (\$3500.00) dollars in order to provide funds to effectively accomplish its purpose,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

Section 1. The Purchasing Revolving Fund established by Resolution No. 10,259-N.S. is hereby increased from Twenty-five hundred (\$2500.00) dollars to Thirty-five hundred (\$3500.00) dollars.

Section 2. The Director of Finance is hereby authorized to transfer One thousand (\$1000.00) dollars from the General Fund of the City to the Purchasing Revolving Fund as an increase in the advance of capital.

Section 3. The Director of Finance shall account for the funds authorized for transfer to the Purchasing Revolving Fund by this resolution in accordance with the provisions of Resolution No. 10,259-N.S.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of July, 1954 by Councilman Annan, who moved its adoption, which motion being duly seconded by Councilman Arata, was upon roll call carried by the following vote:

AYES: Councilmen: M. Adams, Annan, Arata, Mellis and Mayor Marks

NOES: Councilmen: None

ABSENT: Councilmen: R. Adams, and Merrill

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-221

A RESOLUTION ALLOWING CLAIM OF MODESTO BAND

---oOo---

BE IT HEREBY RESOLVED that the claim filed by the Modesto Band for summer concerts for 1954, in the sum of \$600, be and it is hereby allowed.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of July, 1954, by Councilman M. Adams, who moved its adoption, which motion being duly seconded by Councilman Annan, was upon roll call carried and the resolution adopted by the following vote:

- AYES: Councilmen: M. Adams, Annan, Arata, Mellis and Mayor Marks
- NOES: Councilmen: None
- ABSENT: Councilmen: R. Adams and Merrill

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-222

A RESOLUTION PROHIBITING PARKING IN A SPECIFIED PLACE ON YOSEMITE BOULEVARD IN BLOCK 2086 OF THE CITY OF MODESTO.

---oOo---

WHEREAS, Section 34.1 of Ordinance No. 345-N.S. of the City of Modesto, as amended, authorizes the City Council, by resolution to restrict or prohibit the parking of motor vehicles upon designated streets of the City if the general welfare and safety of the citizens so require it, and

WHEREAS, the Council finds and declares that the best interests of the citizens of said City require that parking on Yosemite Boulevard be prohibited as hereinafter provided,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. It shall be unlawful for the operator of a vehicle to park such vehicle in the following place in the City of Modesto, except temporarily for the purpose of depositing mail in the mail box located on the adjoining sidewalk area:

Beginning at a point on the North side of Yosemite Boulevard 47 feet Easterly of the Southwest corner of Block 2086 and running Easterly along the North side of Yosemite Boulevard a distance of 32 feet.

SECTION 2. The Director of Public Works is hereby directed to cause the above described area to be marked and posted in accordance with the provisions of this resolution and the applicable laws of the City.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of July, 1954, by Councilman Annan, who moved its adoption, which motion being duly seconded by Councilman Arata, was upon roll call carried and the resolution adopted by the following vote:

- AYES: Councilmen: M. Adams, Annan, Arata, Mellis and Mayor Marks
- NOES: Councilmen: None
- ABSENT: Councilmen: R. Adams, and Merrill

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-223

A RESOLUTION AUTHORIZING THE CITY MANAGER ON BEHALF OF THE CITY OF MODESTO, CALIFORNIA, TO ACCEPT FUNDS FROM THE FEDERAL CIVIL DEFENSE ADMINISTRATION

---oOo---

BE IT HEREBY RESOLVED that Ross Miller, City Manager of the City of Modesto, be and he is hereby authorized to accept matching funds from the Federal Civil Defense Administration on behalf of the City of Modesto as a contribution towards the costs of the following

Police Civil Defense Equipment:

1 Selectronic Siren Model 17A as approved in M25-1 par 9.4g

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of July, 1954, by Councilman Annan, who moved its adoption, which motion being duly seconded by Councilman M. Adams, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: M. Adams, Annan, Arata, Mellis and Mayor Marks

NOES: Councilmen: None

ABSENT: Councilmen: R. Adams, and Merrill

ATTEST: ANNE M. COLLINS, ACTING CITY CLERK

RESOLUTION NO. 54-224

A RESOLUTION AUTHORIZING THE CITY MANAGER ON BEHALF OF THE CITY OF MODESTO, CALIFORNIA, TO ACCEPT FUNDS FROM THE FEDERAL CIVIL DEFENSE ADMINISTRATION

---oOo---

BE IT HEREBY RESOLVED that Ross Miller, City Manager of the City of Modesto, be and he is hereby authorized to accept matching funds from the Federal Civil Defense Administration on behalf of the City of Modesto as a contribution towards the costs of the following Fire Civil Defense Equipment:

Radio equipment as outlined on Project Application Part II dated March 17, 1954

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of July, 1954, by Councilman Mellis, who moved its adoption, which motion being duly seconded by Councilman M. Adams, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen; M. Adams, Annan, Arata, Mellis and Mayor Marks

NOES: Councilmen: None

ABSENT: Councilmen: R. Adams, and Merrill

ATTEST: ANNE M. COLLINS, ACTING CITY CLERK

RESOLUTION NO. 54-225

A RESOLUTION AUTHORIZING APPROPRIATION TRANSFER

---oOo---

BE IT HEREBY RESOLVED that the following appropriation transfer be approved:

FROM: General Reserve Fund	\$500.00
TO: Parks and Recreation Dept.	\$500.00

to be expended for a preliminary plan for an 18 hole golf course by William Bell, Architect, and

BE IT FURTHER RESOLVED that the City Manager be authorized and empowered to execute an agreement on behalf of the City of Modesto with Mr. Bell for his services.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of July, 1954, by Councilman M. Adams, who moved its adoption, which motion being duly seconded by Councilman Annan, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis and Mayor Marks

NOES: Councilmen: None

ABSENT: Councilmen: Merrill

ATTEST: ANNE M. COLLINS, ACTING CITY CLERK

RESOLUTION NO. 54-226

A RESOLUTION REJECTING BIDS ON CONSTRUCTION OF COMFORT STATIONS AT JUNIOR COLLEGE BALL PARK.

---oOo---

BE IT HEREBY RESOLVED that all bids received for the construction of the comfort stations at the Junior College Softball Field be, and they are hereby rejected.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 21st day of July, 1954, by Councilman M. Adams, who moved its adoption, which motion being duly seconded by Councilman Annan, was upon roll call carried and the resolution adopted by the following vote:

- AYES: Councilmen: M. Adams, R. Adams, Annan, Mellis, Merrill and Mayor Marks
- NOES: Councilmen: None
- ABSENT: Councilmen: Arata

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-227

A RESOLUTION ACCEPTING THE BID OF STANDARD MATERIALS INC. FOR THE CONSTRUCTION OF SANITARY SEWER ON COLDWELL AVENUE BETWEEN ALLEY IN BLOCK 803 AND TULLY AVENUE

---oOo---

WHEREAS, Resolution No. 54-211 adopted by the Council of the City of Modesto on July 7, 1954, approved the plans and specifications for the construction of sanitary sewer on Coldwell Avenue between alley in Block 803 and Tully Avenue, and authorized the calling for bids, and

WHEREAS, the bids received for the said construction were opened at 2:00 P. M., July 19, 1954 in the office of the Director of Finance and later tabulated by the Public Works Department for the consideration of the Council, and

WHEREAS, the Director of Public Works has recommended that the bid of \$4,485.00 submitted by Standard Materials Inc., be accepted as it was the lowest bid received.

NOW, THEREFORE BE IT RESOLVED that the bid of Standard Materials Inc. of \$4,485.00 for the construction of sanitary sewer on Coldwell Avenue between alley in Block 803 and Tully Avenue, be and it is hereby accepted and the execution of a contract for the completion of the construction by the city's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 21st day of July, 1954, by Councilman Annan, who moved its adoption, which motion being duly seconded by Councilman Merrill, was upon roll call carried and the resolution adopted by the following vote:

- AYES: Councilmen: M. Adams, R. Adams, Annan, Mellis, Merrill and Mayor Marks
- NOES: Councilmen: None
- ABSENT: Councilmen: Arata

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-228

A RESOLUTION ACCEPTING DONATION FROM THE JOHN C. FREEMONT DAD'S CLUB FOR RECREATION SUPERVISION FOR THE SUMMER PROGRAM, AUTHORIZING THE DEPOSITING OF THE SUM IN THE GENERAL FUND AND APPROPRIATION FOR EXPENDITURE FOR RECREATION SUPERVISION FOR THE SUMMER PROGRAM

---oOo---

WHEREAS the John C. Freemont Dad's Club has donated the sum of \$652.50 for recreation supervision for the summer program

NOW THEREFORE BE IT RESOLVED that the donation be accepted from the John C. Freemont Dad's Club and deposited in the General Fund of the City of Modesto, and

BE IT FURTHER RESOLVED that the said sum of \$652.50 be appropriated for expenditure for salary and wages, extra help in the Parks and Recreation Department, for recreation supervision for the summer program.

BE IT FURTHER RESOLVED that a letter of appreciation be sent to the John C. Fremont Dad's Club, expressing the appreciation of the citizens of the City of Modesto for the donation.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 21st day of July, 1954, by Councilman R. Adams, who moved its adoption, which motion being duly seconded by Councilman M. Adams, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: M. Adams, R. Adams, Annan, Mellis, Merrill and Mayor Marks

NOES: Councilmen: None

ABSENT: Councilmen: Arata

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-229

A RESOLUTION ADOPTING A POSITION CLASSIFICATION PLAN FOR THE CITY OF MODESTO.

---oOo---

WHEREAS, Section 6 of the Personnel Ordinance provides that the City Council shall adopt, by resolution, personnel rules governing the preparation, installation, revision, and maintenance of a position classification plan covering all appointive positions in the City service, and

WHEREAS, Rule 2.1 of the City of Modesto Personnel Rules, adopted by the City Council, effective July 1, 1954, provides that the City Manager shall ascertain the duties and responsibilities of all positions in the City service, except positions filled by appointees of the City Council, and prepare a classification plan for such positions, and

WHEREAS, a classification plan has been prepared by Louis J. Kroeger and Associates, entitled "POSITION CLASSIFICATION PLAN - CITY OF MODESTO - June, 1954", and filed with the City Manager, and the City Manager recommends adoption of such plan, and

WHEREAS, Rule 2.2 of the City of Modesto Personnel Rules provides that the classification plan shall be effective upon adoption by resolution by the City Council,

NOW, THEREFORE, BE IT RESOLVED BY THE City Council of the City of Modesto as follows:

SECTION 1. ADOPTION OF PLAN. The basic classification plan consisting of the titles and specifications contained in a report entitled, "POSITION CLASSIFICATION PLAN, CITY OF MODESTO", by Louis J. Kroeger and Associates, dated June, 1954, a copy of which is on file in the office of the City Clerk, is hereby adopted by reference as The Position Classification Plan of the City of Modesto, effective August 1, 1954.

SECTION 2. THE CLASSIFICATION PLAN. The classification plan shall consist of the titles and specifications contained in the report adopted by the foregoing section, and all subsequent amendments approved in accordance with the Personnel Ordinance and Personnel Rules. The titles and specifications shall be interpreted and used as follows:

(a) The class title shall be used in all official records of the City and for all classification and payroll purposes.

(b) The definition of a class is a summary statement of the supervision received, the duties performed and the supervision exercised in any position allocated to the class. Each definition includes the phrase "and to do related work as required," to provide flexibility in permitting employees to do any reasonably related work not specifically described.

(c) The typical tasks are illustrations of duties commonly performed in positions allocated to the class. The inclusion of a task does not necessarily require each employee whose position is allocated to the class to perform that duty; nor does the exclusion of any task, related to the duties of any such employee, release him from responsibility for performing that duty when assigned.

(d) Statements of distinguishing characteristics, where used, are merely for further explanation of the differences between classes.

(e) Employment standards and desirable qualifications indicate the training, experience, knowledges, skills, abilities and personal and physical characteristics which may be used as standards in the selection of employees for the class. The statements of training and experience are to be interpreted as general standards, and any reasonably equivalent combination may be accepted by the Director of Personnel for admitting candidates to examinations. Minimum requirements in any examination announcement may vary from these standards when, in the judgment of the Director of Personnel, it is in the City's interest. In addition to standards specifically stated, general requirements of integrity, good judgment, good moral character--as well as requirements generally imposed by law, such as possession of a valid driver's license, where required--are considered to be a part of any or all specifications.

SECTION 3. ALLOCATION OF POSITIONS. Upon the effective date hereof, or as soon thereafter as practicable, the City Manager shall allocate each position for which he is the appointing authority to one of the classes established by this resolution. When such allocations are made, status of persons occupying reallocated positions shall be governed by the following:

Each employee who has previously acquired status in the classified service will be granted the same status in the class to which his position is reallocated as he had in his former class. The name of any employee who has status in a higher class than that to which his position is reallocated shall be placed on a re-employment list for his former class or a comparable class for a period not to exceed two years.

SECTION 4. QUALIFICATIONS OF EMPLOYEES. An employee having regular or probationary status on the effective date of this resolution, and whose position is allocated to a different class is deemed to have met minimum requirements for appointment to the class to which his position is allocated.

SECTION 5. TITLES IN RECORDS. The title of existing eligible lists and other appropriate records of the City shall be amended to conform to the new classification plan and allocation of positions.

SECTION 6. AMENDMENT. This classification plan may be amended as provided in the Personnel Rules.

SECTION 7. EFFECTIVE DATE. This resolution shall be effective on and after August 1, 1954.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 21st day of July, 1954, by Councilman Mellis, who moved its adoption, which motion being duly seconded by Councilman R. Adams, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: M. Adams, R. Adams, Annan, Mellis, Merrill and Mayor Marks

NOES: Councilmen: None

ABSENT: Councilmen: Arata

ATTEST: REX E. GAILFUS, City Clerk

RESOLUTION NO. 54-230

A RESOLUTION ESTABLISHING SALARY SCHEDULES AND FIXING THE COMPENSATION FOR CLASSES OF POSITIONS IN THE CITY SERVICE.

---oOo---

BE IT RESOLVED by the City Council of the City of Modesto as follows:

Section 1. Salary Ranges and Rates. The salary rates, salary ranges and salary steps as set forth in "Exhibit A", entitled "Schedule of Salary Ranges in the City Service", which is attached hereto and hereby made a part hereof, are hereby established.

Section 2. Salaries for Classes of Positions. The salary ranges and rates for the classes of positions established by the Position Classification Plan, as set forth in "Exhibit B" entitled, "Salary Ranges and Rates for Classes of Positions in the City Service", which is attached hereto and hereby made a part hereof, are hereby established.

Section 3. Use of Classes. The designated classes of positions may be used in any organizational unit of the city deemed proper by the City Manager.

Section 4. Salary Period. The salaries hereby established are on a monthly basis, unless otherwise designated.

Section 5. Positions. The City Council authorizes and directs the City Manager, within the limits of funds budgeted therefor, to appoint employees in such number and in such classes in each department as may be necessary properly to operate the department under the Charter, ordinances, and resolutions adopted by the City Council.

Section 6. Appointments and Salaries. The City Manager is hereby authorized to appoint, in accordance with applicable provisions of the Personnel Ordinance and Personnel Rules and within the limits of funds budgeted therefor, any person to a position in a class for which he is the appointing authority and for which the salary is herein provided, to designate the definite salary rate or salary step at which such person is appointed, and the salary so designated is hereby fixed as the salary of such employee for the position.

Section 7. Special Salary Rates. The City Manager is further authorized, subject to budgetary appropriation control by the City Council, to fix the salary range or rate for part-time or special positions in the Unclassified Service for which he is the appointing authority and which are not designated herein. The City Manager is further authorized to approve increase in the salaries of employees in the class of Patrolman to the equivalent step in any of the next three higher ranges above the range established for the class, as compensation for special assignment by the Chief of Police.

Section 8. Part-Time Employment. Employees appointed to any of the

work less hours per week than established for their class by Rule 13.1 of the Personnel Rules, shall be paid in approximate proportion to the time worked.

Section 9. Title of Resolution. This resolution shall be known as "The Salary Resolution" and shall be referred to as such.

Section 10. Effective Date. The schedules of salary rates and ranges, and the compensation fixed for classes of positions by this resolution shall be effective August 1, 1954.

Section 11. Repeal. Resolution No. 10290-N.S., and all amendments thereto, and all resolutions or portions of resolutions in conflict herewith, are hereby rescinded.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 21st day of July, 1954, by Councilman M. Adams, who moved its adoption, which motion being duly seconded by Councilman Annan, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: M. Adams, R. Adams, Annan, Mellis, Merrill and Mayor Marks

NOES: Councilmen: None

ABSENT: Councilmen: Arata

ATTEST: REX E. GAILFUS, CITY CLERK

City of Modesto

SCHEDULE OF SALARY RANGES IN THE CITY SERVICE
(Exhibit A)

<u>RANGE NO.</u>	<u>STEP A</u>	<u>STEP B</u>	<u>STEP C</u>	<u>STEP D</u>	<u>STEP E</u>
1	\$160	\$170	\$180	\$190	\$200
2	170	180	190	200	210
3	180	190	200	210	220
4	190	200	210	220	231
5	200	210	220	231	243
6	210	220	231	243	255
7	220	231	243	255	268
8	231	243	255	268	281
9	243	255	268	281	295
10	255	268	281	295	310
11	268	281	295	310	325
12	281	295	310	325	341
13	295	310	325	341	358
14	310	325	341	358	376
15	325	341	358	376	395
16	341	358	376	395	415
17	358	376	395	415	436
18	376	395	415	436	458
19	395	415	436	458	481
20	415	436	458	481	505
21	436	458	481	505	530
22	458	481	505	530	556
23	481	505	530	556	584
24	505	530	556	584	613
25	530	556	584	613	644
26	556	584	613	644	676
27	584	613	644	676	710
28	613	644	676	710	745
29	644	676	710	745	782
30	676	710	745	782	821

City of Modesto

Exhibit "B"

SALARY RANGES AND RATES

For

CLASSES OF POSITIONS IN THE CITY SERVICE

RANGE 5 \$200-210-220-231-243

Clerk
Typist Clerk

RANGE 6 \$210-220-231-243-255

Account Clerk
Janitor
Telephone Operator

RANGE 7 \$220-231-243-255-268

Laborer
Police Clerk
Stenographer Clerk

RANGE 8 \$231-243-255-268-281

Office Service Clerk
Parking Enforcement Officer
Pump Operator

RANGE 9 \$243-255-268-281-295

Junior Engineering Aide
Maintenance Man
Poundmaster
Public Health Assistant
Secretary
Senior Account Clerk
Sewage Plant Operator

Exhibit "B"

RANGE 10 \$255-268-281-295-310

Heavy Equipment Operator
 Legal Secretary
 Nurseryman
 Pump Maintenance Man
 Special Maintenance Man
 Stores and Equipment Clerk
 Traffic Painter
 Tree Trimmer

RANGE 11 \$268-281-295-310-325

Equipment Serviceman
 Policewoman
 Staff Nurse

RANGE 12 \$281-295-310-325-341

Airport Manager
 Engineering Aide
 Fireman
 Junior Public Health Nurse
 Parks Leadman
 Public Works Leadman
 Secretary to the City Manager

RANGE 13 \$295-310-325-341-358

Assistant City Clerk
 Electrician I
 Equipment Mechanic I
 Fire Alarm Operator
 Fire Engineer
 Greenskeeper
 Parks Foreman
 Patrolman
 Senior Sewage Plant Operator

RANGE 14 \$310-325-341-358-376

Building Inspector
 Equipment Mechanic II
 Fire Lieutenant
 Fire Technician
 Personnel Technician
 Public Health Nurse
 Purchasing Assistant
 Sanitarian

RANGE 15 \$325-341-358-376-395

Chief Mechanic
 Dairy Sanitarian
 Electrician II
 Fire Captain
 Chief Pump Maintenance Man
 Police Sergeant
 Public Works Foreman
 Senior Engineering Aide

RANGE 16 \$341-358-376-395-415

Sewage Plant Superintendent

RANGE 17 \$358-376-395-415-436

Administrative Assistant
 Fire Marshal
 Planning Technician
 Police Lieutenant
 Recreation Superintendent

RANGE 18 \$376-395-415-436-458

Chief Cashier
 Chief Electrician
 Civil Engineering Assistant
 Service Division Superintendent

RANGE 19 \$395-415-436-458-481

Accountant
 Assistant Fire Chief
 Assistant to the Public Works Director
 Construction Inspector
 Police Captain

RANGE 20 \$415-436-458-481-505

Associate Planner
 Chief Building Inspector
 Construction & Maintenance Superintendent

RANGE 21 \$436-458-481-505-530

No classes

RANGE 22 \$458-481-505-530-556

Associate Civil Engineer

RANGE 23 \$481-505-530-556-584

Assistant City Manager
 Health Officer

RANGE 24 \$505-530-556-584-613

Fire Chief
 Parks and Recreation Director

RANGE 25 \$530-556-584-613-644

Assistant Public Works Director

RANGE 26 \$556-584-613-644-676

Police Chief

RANGE 27 \$584-613-644-676-710

Finance Director
 Planning Director

RANGE 28 \$613-644-676-710-745

No classes

RANGE 29 \$644-676-710-745-782

No classes

RANGE 30 \$676-710-745-782-821

Public Works Director

Y RATES

Y \$221-231-242-253-265

Library Assistant

Y \$265-277-290-304-318

Librarian II

Y \$200

Traffic Engineer

RESOLUTION NO. 54-231

A RESOLUTION APPROVING UTILITY EASEMENT AGREEMENT BETWEEN THE CITY OF MODESTO AND MARIA CHIA

---oOo---

BE IT RESOLVED by the City Council of the City of Modesto that the Utility Easement Agreement between the City of Modesto and Maria Chia providing for a right-of-way for a sewer line (West Trunk Sewer Line) be approved.

BE IT FURTHER RESOLVED that Ross Miller as City Manager and Rex E. Gailfus as City Clerk of the City of Modesto be, and they are hereby authorized and directed to execute said Utility Easement Agreement on behalf of the City of Modesto.

BE IT FURTHER RESOLVED that the City Clerk be authorized to record said Utility Easement Agreement with the Recorder of Stanislaus County.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto, held on the 21st day of July, 1954, by Councilman R. Adams, who moved its adoption, which motion being duly seconded by Councilman Mellis, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: M. Adams, R. Adams, Annan, Mellis, Merrill and Mayor Marks
NOES: Councilmen: None
ABSENT: Councilmen: Arata

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-232

A RESOLUTION APPROVING APPROPRIATION TRANSFER

---oOo---

BE IT HEREBY RESOLVED that the following appropriation transfer be approved:

FROM: General Reserve	\$14,216.00
TO: Various Departments, for salaries and wages, regular	13,291.00
Misc. Unclassified, Retirement Contributions	925.00

(Salary adjustments for the 1954-55 fiscal year approved by Council, related to classification survey made by the Personnel Office.)

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 21st day of July, 1954, by Councilman Annan, who moved its adoption, which motion being duly seconded by Councilman Mellis, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: M. Adams, R. Adams, Annan, Mellis, Merrill and Mayor Marks
NOES: Councilmen: None
ABSENT: Councilmen: Arata

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-233

A RESOLUTION APPROVING APPROPRIATION TRANSFER

---oOo---

BE IT HEREBY RESOLVED that the following appropriation transfer be approved:

FROM: Library Reserve	\$293.00
TO: Library, Salaries and Wages, Regular	274.00
Retirement Contributions	19.00

(Salary adjustments for the 1954-55 fiscal year approved by Council, related to classification survey made by the Personnel Office.)

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 21st day of July, 1954, by Councilman Annan, who moved its adoption, which motion being duly seconded by Councilman R. Adams, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: M. Adams, R. Adams, Annan, Mellis, Merrill and Mayor Marks
NOES: Councilmen: None
ABSENT: Councilmen: Arata

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-234

A RESOLUTION COMMENDING ROBERT H. SHELTON FOR SERVICES RENDERED TO THE CITY OF MODESTO IN THE CAPACITY OF ASSISTANT CITY MANAGER

---oOo---

WHEREAS, Robert H. Shelton, Assistant City Manager, has submitted his resignation to the City of Modesto in order to accept a position of advancement in his profession in the City of Santa Barbara, and

WHEREAS, Mr. Shelton has rendered outstanding service to the City of Modesto during the three years that he has been in its employ,

NOW THEREFORE BE IT RESOLVED that the City Council hereby expresses to Robert H. Shelton its sincere appreciation on behalf of the citizens of the City of Modesto for his devotion to the betterment of said city and hereby extends best wishes for his success in his new job.

BE IT FURTHER RESOLVED that a certificate, suitably inscribed, be presented to Mr. Shelton in recognition of his outstanding service.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 21st day of July, 1954, by Councilman Mellis, who moved its adoption, which motion being duly seconded by Councilman R. Adams, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: M. Adams, R. Adams, Annan, Mellis, Merrill and Mayor Marks
NOES: Councilmen: None
ABSENT: Councilmen: Arata

ATTEST: ANNE M. COLLINS, ACTING CITY CLERK

RESOLUTION NO. 54-235

A RESOLUTION CONGRATULATING THE MAYOR AND CITY COUNCIL OF THE CITY OF SANTA BARBARA FOR HAVING APPOINTED ROBERT H. SHELTON AS ITS CHIEF ADMINISTRATIVE OFFICER.

---oOo---

WHEREAS, Robert H. Shelton, Assistant City Manager of the City of Modesto has submitted his resignation in order to accept the position of Chief Administrative Officer of the City of Santa Barbara, and

WHEREAS, Mr. Shelton has rendered outstanding service to the City of Modesto during the three years that he has been in its employ and his resignation has been accepted with deepest regret.

NOW THEREFORE BE IT RESOLVED that the Council of the City of Modesto does hereby congratulate the Mayor and the Council of the City of Santa Barbara for having appointed Mr. Shelton as its Chief Administrative Officer.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 21st day of July, 1954, by Councilman

R. Adams, who moved its adoption, which motion being duly seconded by Councilman Merrill, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: M. Adams, R. Adams, Annan, Mellis, Merrill and Mayor Marks

NOES: Councilmen: None

ABSENT: Councilmen: Arata

ATTEST: ANNE M. COLLINS, ACTING CITY CLERK

RESOLUTION NO. 54-236

A RESOLUTION AUTHORIZING THE CITY MANAGER TO PROCEED WITH THE ESTABLISHMENT OF A SANITARY FILL AREA AT THE SEWER FARM AND AUTHORIZING EXPENDITURE OF A MAXIMUM \$1000. FOR THIS PURPOSE.

---oOo---

BE IT HEREBY RESOLVED that the City Manager be authorized to proceed with the establishment of a sanitary fill area at the southwest extremity of the sewer farm for the purpose of a reclamation area for the disposal of the garbage of the City of Modesto, and

BE IT FURTHER RESOLVED that the City Manager be authorized to expend the maximum of \$1000. for this purpose.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 21st day of July, 1954, by Mayor Marks, who moved its adoption, which motion being duly seconded by Councilman M. Adams, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: M. Adams, R. Adams, Annan, Mellis, Merrill and Mayor Marks

NOES: Councilmen: None

ABSENT: Councilmen: Arata

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-237

A RESOLUTION AUTHORIZING PURCHASE OF PENTAVATE

---oOo---

BE IT HEREBY RESOLVED that the City Manager be authorized to purchase the Pentavate needed at the Sewage Disposal Plant for the 1954 summer season, and

BE IT FURTHER RESOLVED that the City Manager be authorized to enter into a contract with the successful bidder on this material.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 21st day of July, 1954, by Councilman Annan, who moved its adoption, which motion being duly seconded by Councilman R. Adams, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: M. Adams, R. Adams, Annan, Mellis, Merrill and Mayor Marks

NOES: Councilmen: None

ABSENT: Councilmen: Arata

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-238

A RESOLUTION COMMENDING PHIL JOHNSON FOR SERVICES RENDERED TO THE CITY OF MODESTO IN THE CAPACITY OF ASSOCIATE ENGINEER

---oOo---

WHEREAS, Phil Johnson, Associate Engineer, has submitted his resignation to the City of Modesto in order to accept a position of advancement in his profession in the City of Redlands, and

WHEREAS, Mr. Johnson has rendered commendable services to the City of Modesto during his employ

NOW THEREFORE BE IT RESOLVED that the City Council does hereby express to Mr. Johnson its appreciation for his excellent services and does hereby extend best wishes for his success in his new job,

BE IT HEREBY RESOLVED that a certificate, suitably inscribed, be presented to Mr. Johnson in recognition of his service to the City of Modesto.

BE IT FURTHER RESOLVED that the City Clerk be directed to forward a copy of this resolution to the City of Redland.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 21st day of July, 1954, by Councilman M. Adams, who moved its adoption, which motion being duly seconded by Councilman Mellis, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: M. Adams, R. Adams, Annan, Mellis, Merrill and Mayor Marks

NOES: Councilmen: None

ABSENT: Councilmen: Arata.

ATTEST: ANNE M. COLLINS, ACTING CITY CLERK

RESOLUTION NO. 54-239

A RESOLUTION ACCEPTING THE BID OF STANDARD MATERIALS, INC., FOR THE CONSTRUCTION OF A SANITARY TRUNK SEWER ON GRANGER AVENUE BETWEEN McHENRY AVENUE AND HONEYSUCKLE DRIVE AND ROSEBURG AVENUE AT McHENRY AVENUE.

---oOo---

WHEREAS, Resolution No. 54-201, adopted by the Council of the City of Modesto on July 7, 1954, approved the plans and specifications and the construction of a sanitary trunk sewer on Granger Avenue between McHenry Avenue and Honeysuckle Drive and Roseburg Avenue at McHenry Avenue, and authorizing the calling for bids, and

WHEREAS, the bids received for the said construction were opened at 2:00 P.M., July 26, 1954, in the office of the City Clerk and later tabulated for Council consideration by the Public Works Department, and

WHEREAS, the Director of Public Works has reported that the low bid submitted by the Standard Materials, Inc. contained a minor irregularity in addition which changed the bid from \$8,687.00 to \$8,587.00, and

WHEREAS, the Director of Public Works recommends that this minor irregularity be waived and the bid be awarded to said Standard Materials, Inc.

NOW, THEREFORE, BE IT RESOLVED THAT the bid of Standard Materials, Inc. of \$8,587.00 for the construction of a sanitary trunk sewer on Granger Avenue between McHenry Avenue and Honeysuckle Drive and Roseburg Avenue at McHenry Avenue be, and it is hereby accepted and the execution of a contract for the completion of the construction by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 28th day of July, 1954, by Councilman M. Adams, who moved its adoption, which motion being duly seconded by Councilman Annan, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, and Mayor Marks

NOES: Councilmen: None

ABSENT: Councilmen: Merrill

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-240

A RESOLUTION AUTHORIZING THE INCREASING OF THE SALARY OF CITY ATTORNEY GRIMES

---oOo---

BE IT HEREBY RESOLVED that the salary of City Attorney Allen Grimes be increased from \$800.00 per month to \$840.00 per month, effective August 1, 1954.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 28th day of July, 1954, by Councilman R. Adams, who moved its adoption, which motion being duly seconded by Councilman M. Adams, was upon roll call carried and the resolution adopted by the following vote:

- AYES: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis and Mayor Marks
- NOES: Councilmen: None
- ABSENT: Councilmen: Merrill

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-241

A RESOLUTION AUTHORIZING THE INCREASING OF THE SALARY OF CITY CLERK AND AUDITOR REX GAILFUS

---oOo---

BE IT HEREBY RESOLVED that the salary of Rex Gailfus, City Clerk and Auditor, be increased as of August 1, 1954, from \$530.00 per month ^{to} \$556.50 per month.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 28th day of July, 1954, by Councilman Annan, who moved its adoption, which motion being duly seconded by Councilman Arata, was upon roll call carried and the resolution adopted by the following vote:

- AYES: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis and Mayor Marks
- NOES: Councilmen: None
- ABSENT: Councilmen: Merrill

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-242

A RESOLUTION ACCEPTING GRANT DEED FROM RAYMOND C. KELLY AND FERN KELLY

---oOo---

BE IT HEREBY RESOLVED by the City Council of the City of Modesto that the Grant Deed from Raymond C. Kelly and Fern Kelly, dated July 27, 1954, on the following described real property located in the County Stanislaus, State of California:

The North 146.30 feet of the West 30 feet of the following: All that portion of Lots 18, 19, and 20 of the TATUM TRACT, as per map filed February 17, 1913, in Vol. 7 of Maps, page 9, Stanislaus County Records.

(widening of Ramona Avenue), be, and it is hereby accepted.

BE IT FURTHER RESOLVED that the City Clerk be directed to record said Grant Deed with the Recorder of Stanislaus County.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 28th day of July, 1954, by Councilman R. Adams, who moved its adoption, which motion being duly seconded by Councilman Annan, it was upon roll call carried and the resolution adopted by the following vote:

- AYES: Councilmen: M. Adams, R. Adams, Arata, Annan, Mellis and Mayor Marks
- NOES: Councilmen: None
- ABSENT: Councilmen: Merrill

ATTEST: ANNE M. COLLINS, ACTING CITY CLERK

RESOLUTION NO. 54-243

A RESOLUTION ACCEPTING THE BID OF WILLE ELECTRIC SUPPLY COMPANY FOR LAMPS FOR THE CITY OF MODESTO FOR THE FISCAL YEAR 1954-55

---oOo---

WHEREAS, Resolution No. 54-213, adopted by the Council of the City of Modesto on July 14, 1954, approved the specifications for the furnishing of lamps for the City of Modesto for the fiscal year 1954-55 and authorizing the calling for bids, and

WHEREAS, the bids received for said lamps were opened at 2:00 P.M., July 26, 1954, in the office of the City Clerk and later tabulated for Council consideration by the Public Works Department, and

WHEREAS, the Director of Public Works has reported that the two bids received for the furnishing of the lamps were identical, and

WHEREAS, as the Charter of the City of Modesto requires favorable consideration be given to the bid of the Wille Electric Supply Company over the bid of the Industrial Electrical Company since the latter company is not located in the City limits.

NOW, THEREFORE, BE IT RESOLVED that the bid of Wille Electric Supply Company for the furnishing of lamps for the City of Modesto for the fiscal year 1954-55 be accepted and the designated City officials be authorized to execute a contract with said Wille Electric Supply Company.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 28th day of July, 1954, by Councilman R. Adams, who moved its adoption, which motion being duly seconded by Councilman M. Adams, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, and Mayor Marks
NOES: Councilmen: None
ABSENT: Councilmen: Merrill

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-244

A RESOLUTION RATIFYING THE ACTION OF PLACING THE CITY'S COMPREHENSIVE GENERAL LIABILITY INSURANCE WITH THE MODESTO INSURANCE AGENTS ASSOCIATION.

---oOo---

BE IT HEREBY RESOLVED that the action of placing the City's comprehensive general liability insurance for the year ending June 28, 1955, with the Modesto Insurance Agents Association be ratified.

BE IT FURTHER RESOLVED that the payment of the claim of \$8,713.91 for this insurance be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 28th day of July, 1954, by Councilman Mellis, who moved its adoption, which motion being duly seconded by Councilman Annan, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, and Mayor Marks
NOES: Councilmen: None
ABSENT: Councilmen: Merrill

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-245

A RESOLUTION RATIFYING THE ACTION OF PLACING COMPENSATION INSURANCE WITH THE STATE COMPENSATION INSURANCE FUND.

---oOo---

BE IT HEREBY RESOLVED that the action of placing the Compensation Insurance for the City of Modesto for the year ending June 30, 1955, with the State Compensation Insurance Fund be ratified, and

BE IT FURTHER RESOLVED that the payment of the claim of \$11,608.82 for this insurance be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 28th day of July, 1954, by Councilman Annan, who moved its adoption, which motion being duly seconded by Councilman Mellis, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, and Mayor Marks
NOES: Councilmen: None
ABSENT: Councilmen: Merrill

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-246

A RESOLUTION ESTABLISHING A TAXICAB STAND ON THE SOUTH SIDE OF J STREET BETWEEN NINTH AND TENTH STREETS IN THE CITY OF MODESTO.

---oOo---

WHEREAS, Section 8 (a) of Ordinance No. 1053-N.S., as amended, regulating the use and operation of taxicabs upon the public streets of the City of Modesto authorizes the Council, by resolution, to locate and designate taxicab stands, and

WHEREAS, Agnes J. Chandler, doing business as Jo Ann's Taxicab Company, has requested a taxicab stand at the location described hereinafter,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. A taxicab stand for the use of Jo Ann's Taxicab Company is hereby designated at the following location:

Beginning at a point on the South side of J Street, 6½ feet West of the property line on the West side of 10th Street and running West on the South side of J Street a distance of 22 feet.

SECTION 2. The Director of Public Works is hereby directed to cause the above described location to be marked and posted in accordance with the provisions of this resolution and the applicable laws of the City.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 4th day of August, 1954, by Councilman Arata, who moved its adoption, which motion being duly seconded by Councilman Annan, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks
NOES: Councilmen: None
ABSENT: Councilmen: None

ATTEST: ANNE M. COLLINS, ACTING CITY CLERK

RESOLUTION NO. 54-247

A RESOLUTION APPROVING AGREEMENT WITH THE STATE PERSONNEL BOARD FOR EXAMINING SERVICES FOR FISCAL YEAR 1954-55

---oOo---

BE IT HEREBY RESOLVED by the City Council of the City of Modesto that Ross Miller, as the City Manager of the City of Modesto, and Anne M. Collins, as the Acting City Clerk

of the City of Modesto, be and they are hereby authorized and directed to execute in the name of and for and on behalf of the City of Modesto that certain contract of the State Personnel Board dated August 4 providing for the continuance of the examining service for the fiscal year 1954-55.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 4th day of August, 1954 by Councilman Annan, who moved its adoption, which motion being duly seconded by Councilman Arata, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill, and Mayor Marks
NOES: Councilmen: None
ABSENT: Councilmen: None

ATTEST: ANNE M. COLLINS, ACTING CITY CLERK

RESOLUTION NO. 54-248

A RESOLUTION REFERRING TO THE MODESTO CITY PLANNING COMMISSION A PETITION FOR ANNEXATION OF CERTAIN UNINHABITED TERRITORY TO THE CITY OF MODESTO (MINENI MANOR ADDITION)

---oOo---

WHEREAS, a petition has been filed requesting the annexation of certain uninhabited territory to the City of Modesto, which territory is more specifically described hereinafter, and

WHEREAS, the County Boundary Commission has certified to the definiteness and accuracy of the boundaries of said territory,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that said petition for the annexation of the following described uninhabited territory be referred to the Planning Commission for its report and recommendation.

The territory herein referred to is situated in the County of Stanislaus, State of California, and more particularly described as follows:

All that portion of the Northeast quarter of Section 6, Township 4 South, Range 9 East, M.D.B. & M., described as follows:

Commencing at the Northeast corner of said Section 6; thence South $0^{\circ} 24'$ East along the East line of said Section 6, a distance of 1304.84 feet to the intersection thereof with the North line of Rouse Avenue, as said Avenue is shown on the Map of Hudson Park, filed April 14, 1953, in Vol. 17 of Maps, page 57, being also the South-easterly corner of the City Limits Line of the City of Modesto, as established by Ordinance No. 1091-N.S. recorded August 28, 1953, as Instrument No. 21233, and being the true point of beginning of this description; thence continue South $0^{\circ} 24'$ East and along the East line of said Section 6, a distance of 1334.20 feet to the East quarter corner of said Section 6; thence South $88^{\circ} 44'$ West along the East and West quarter Section line of said Section and being along the South boundary line of Mineni Manor, as per map filed June 10, 1954, in Vol. 17 of Maps, page 75, a distance of 1322.38 feet to the Southwest corner of said Mineni Manor; thence North $0^{\circ} 27'$ West along the West line of said Mineni Manor, a distance of 567.33 feet to the Northwest corner of said Mineni Manor; thence South $89^{\circ} 05'$ East along the North line of said Mineni Manor, a distance of 644.88 feet to an angle point therein; thence continuing along the Northerly line of said Mineni Manor North $75^{\circ} 00'$ East, a distance of 567.42 feet to a point that intersects the East line of alley extended South through Block 3071 of Sunset Manor, as per map filed November 6, 1947, in Vol. 16 of Maps, page 50; thence North $0^{\circ} 24'$ West along the East line of said alley and its extensions, a distance of 657.86 feet to a point on the North line of said Rouse Avenue, as said Avenue is shown on the said Map of Hudson Park and being also the South line of said City Limits line as hereinbefore mentioned; thence North $89^{\circ} 00'$ East a distance of 130 feet to the true point of beginning.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 4th day of August, 1954, by Councilman Arata, who moved its adoption, which motion being duly seconded by Councilman Merrill, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: ANNE M. COLLINS, ACTING CITY CLERK

RESOLUTION NO. 54-249

A RESOLUTION APPROVING APPROPRIATION TRANSFER

---oOo---

BE IT HEREBY RESOLVED that the following appropriation transfer be approved:

FROM: General Reserve \$732.00

TO: City Attorney, for salaries and wages, regular 440.00

City Clerk, for salaries and wages, regular 292.00

(To appropriate additional amounts for salaries and wages due to increase granted City Attorney and City Clerk and Auditor by Council Action of July 28, 1954, to become effective August 1, 1954.)

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 4th day of August, 1954, by Councilman M. Adams, who moved its adoption, which motion being duly seconded by Councilman Arata, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill, and Mayor Marks

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: ANNE M. COLLINS, ACTING CITY CLERK

RESOLUTION NO. 54-250

A RESOLUTION APPROVING APPROPRIATION TRANSFER

---oOo---

BE IT HEREBY RESOLVED that the following appropriation transfer be approved:

FROM: Municipal Airport Gas Tax Reserve \$547.00

TO: Airport Division, Capital Outlay, Ground Improvements 435.00 Building Improvements 112.00

(\$110 is requested for oiling the area around the new shop \$325 would provide a plant mix apron 35' x 60' in front of the shop \$87 is for tiling office floor \$25 is for a window in the office to provide a proper ventilation)

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 4th day of August, 1954, by Councilman Arata, who moved its adoption, which motion being duly seconded by Councilman R. Adams, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks

ABSENT: Councilmen: None

ATTEST: ANNE M. COLLINS, ACTING CITY CLERK

RESOLUTION NO. 54-251

A RESOLUTION APPROVING THE SPECIFICATION AND AUTHORIZING THE CALLING OF BIDS FOR A MOTOR GRADER

---oOo---

BE IT HEREBY RESOLVED that the specifications for a motor grader be, and they are hereby approved

BE IT FURTHER RESOLVED that the calling for bids for said equipment be authorized, said bids to be opened at 2:00 P.M., August 23, 1954, in the office of the City Clerk.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 4th day of August, 1954, by Councilman M. Adams, who moved its adoption, which motion being duly seconded by Councilman Arata, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill, and Mayor Marks
NOES: Councilmen: None
ABSENT: Councilmen: None

ATTEST: ANNE M. COLLINS, ACTING CITY CLERK

RESOLUTION NO. 54-252

A RESOLUTION APPROVING THE PLANS AND SPECIFICATIONS AND AUTHORIZING THE CALLING FOR BIDS FOR THE CONSTRUCTION OF A SANITARY SEWER LATERAL ON AMHERST AVENUE FROM ROSEBURG AVENUE TO FORDHAM AVENUE.

---oOo---

BE IT HEREBY RESOLVED that the plans and specifications for a sewer lateral on Amherst Avenue between Roseburg Avenue and Fordham Avenue be, and they are hereby approved, and

BE IT FURTHER RESOLVED that the calling for bids for the said construction be approved, said bids to be opened at the office of the City Clerk at 2:00 P.M., August 16, 1954.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 4th day of August, 1954, by Councilman Merrill, who moved its adoption, which motion being duly seconded by Councilman R. Adams, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks
NOES: Councilmen: None
ABSENT: Councilmen: None

ATTEST: ANNE M. COLLINS, ACTING CITY CLERK

RESOLUTION NO. 54-253

A RESOLUTION AUTHORIZING THE CITY OF MODESTO TO CONTRACT FOR FIRE INSURANCE ON CITY BUILDINGS FOR THE YEAR 1954-55 WITH THE MODESTO INSURANCE AGENTS ASSOCIATION.

---oOo---

BE IT HEREBY RESOLVED that the City Manager be authorized to contract for fire insurance policies for year 1954-55 covering city buildings and equipment with the Modesto Insurance Agents Association.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 4th day of August, 1954, by Councilman Merrill, who moved its adoption, which motion being duly seconded by Councilman M. Adams, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: M. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks
NOES: Councilmen: None
ABSENT: Councilmen: R. Adams

ATTEST: ANNE M. COLLINS, ACTING CITY CLERK

RESOLUTION NO. 54-254

A RESOLUTION AUTHORIZING THE PURCHASE OF A NEW MULTILITH MACHINE

---oOo---

BE IT HEREBY RESOLVED that the City Manager be authorized to purchase a

new Multilith machine at an approximate cost of \$2470.00, and that the old Multilith machine be retained by the City.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 4th day of August, 1954, by Councilman Annan, who moved its adoption, which motion being duly seconded by Councilman M. Adams, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill, and Mayor Marks
NOES: Councilmen: None
ABSENT: Councilmen: None

ATTEST: ANNE M. COLLINS, ACTING CITY CLERK

RESOLUTION NO. 54-255

A RESOLUTION FIXING THE TIME AND PLACE FOR A PUBLIC HEARING AT WHICH THE COUNCIL OF THE CITY OF MODESTO WILL CONSIDER THE MATTER OF THE REVOCATION OR SUSPENSION OF THE PERMIT OF THE MODESTO TRANSIT COMPANY TO OPERATE MOTOR BUSES WITHIN THE CITY.

---oOo---

WHEREAS, the operation of motor buses operating on a fixed schedule and over an established route within the City of Modesto is governed by the provisions of Ordinance No. 306-N.S., as amended, and

WHEREAS, pursuant to an application heretofore made under the terms and provisions of said ordinance the Modesto Transit Company was heretofore granted a permit to operate a bus line within the City for a term expiring on December 13, 1959, and

WHEREAS, said ordinance provides that the holder of such a permit shall at all times operate motor buses in conformity with schedules from time to time in force, and

WHEREAS, said Modesto Transit Company ceased to operate motor buses within the City on August 4, 1954 and has not resumed the operation of said motor buses to date,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. In accordance with the provisions of Section 11 of Ordinance No. 306-N.S., as amended, Wednesday, August 25, 1954, at 8:30 o'clock p.m., in the Council Chamber of the McHenry Library Building, Fourteenth and I Streets, in the City of Modesto is hereby fixed as the time and place for a public hearing at which the City Council will consider the matter of the revocation or suspension of the aforesaid permit of the Modesto Transit Company to operate motor buses on a fixed schedule and over an established route within the City of Modesto for failure to comply with the terms and conditions of said permit.

SECTION 2. The City Clerk is hereby directed to cause a copy of this resolution to be personally served upon E. B. Osthues and Mrs. Mary Maritzen, owners of the Modesto Transit Company, at least ten (10) days prior to the date set for said hearing.

The foregoing resolution was introduced at a regular meeting held on the 11th day of August, 1954, by Councilman Arata, who moved its adoption, which motion being duly seconded by Councilman R. Adams, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: M. Adams, R. Adams, Annan, Arata, Mayor Pro Tempore Merrill
NOES: Councilmen: None
ABSENT: Councilmen: Mellis and Mayor Marks

ATTEST: ANNE M. COLLINS, ASSISTANT CITY CLERK

RESOLUTION NO. 54-256

A RESOLUTION ACCEPTING THE PAINTING OF THE MCHENRY PUBLIC LIBRARY FROM CONTRACTOR ANTHONY ZAMBELLI

---oOo---

WHEREAS, a report has been filed by the Director of Public Works that the painting

of the McHenry Public Library building at 14th and "I" Streets has been completed by Anthony Zambelli in accordance with the contract agreement dated June 17, 1954.

NOW, THEREFORE, BE IT RESOLVED that the painting of the McHenry Public Library building at above location be accepted from said contractor, that Notice of Completion be filed with the County Recorder and that payment of amounts due, as provided in the contract, be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of August, 1954, by Councilman Annan, who moved its adoption, which motion being duly seconded by Councilman M. Adams, it was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: M. Adams, R. Adams, Annan, Arata, and Mayor Pro Tempore Merrill
NOES: Councilmen: None
ABSENT: Councilmen: Mellis and Mayor Marks

ATTEST: ANNE M. COLLINS, ACTING CITY CLERK

RESOLUTION NO. 54-257

A RESOLUTION ACCEPTING THE CONSTRUCTION OF THE AIRCRAFT BUILDING AT THE MUNICIPAL AIRPORT FROM CODDING HOMES, A CALIFORNIA CORPORATION

---oOo---

WHEREAS, City Engineer Fredricksen has filed a report with the Council of the City of Modesto that the construction of the aircraft building at the Municipal Airport has been completed in accordance with the contract agreement dated May 13, 1954, by Coddling Homes, a California Corporation, and that the building conforms with the plans and specifications.

NOW, THEREFORE, BE IT HEREBY RESOLVED, that the aircraft building be accepted from said contractor, and

BE IT FURTHER RESOLVED that Notice of Completion be filed with the County Recorder of Stanislaus County.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of August, 1954, by Councilman Annan, who moved its adoption, which motion being duly seconded by Councilman R. Adams, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: M. Adams, R. Adams, Annan, Arata, Mayor Pro Tempore Merrill
NOES: Councilmen: None
ABSENT: Councilmen: Mellis and Mayor Marks

ATTEST: ANNE M. COLLINS, ACTING CITY CLERK

RESOLUTION NO. 54-258

A RESOLUTION ACCEPTING THE CONSTRUCTION OF THE EMERALD AVENUE PUMPING PLANT FROM CONTRACTOR STOLTE, INC.

---oOo---

WHEREAS, a report has been filed by the Director of Public Works that the construction of the Emerald Avenue Pumping Plant has been completed by Stolte, Inc. in accordance with the contract agreement dated July 15, 1953.

NOW, THEREFORE, BE IT RESOLVED that the construction of the Emerald Avenue Pumping Plant be accepted from said contractor, that Notice of Completion be filed with the County Recorder, and that payment of amounts due, as provided in the contract, be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of August, 1954, by Councilman Arata, who moved its adoption, which motion being duly seconded by Councilman M. Adams, it was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: M. Adams, R. Adams, Annan, Arata and Mayor Pro Tempore Merrill

NOES: Councilmen: None

ABSENT: Councilmen: Mellis and Mayor Marks

ATTEST: ANNE M. COLLINS, ACTING CITY CLERK

RESOLUTION NO. 54-259

A RESOLUTION APPROVING APPROPRIATION TRANSFER

---oOo---

BE IT HEREBY RESOLVED that the following appropriation transfer be approved:

FROM: Public Works - Street Division	
Construction Materials	\$1810.00
Equipment Rental Charges	660.00
Salaries & Wages (80%)	5252.00
TO: Traffic Engineering Department	
Construction Materials	1810.00
Equipment Rental Charges	660.00
Salaries & Wages (80%)	5252.00

(To transfer traffic painting function from Public Works - Street Division to Traffic Engineering Department.)

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of August, 1954, by Councilman Annan, who moved its adoption, which motion being duly seconded by Councilman Arata, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: M. Adams, R. Adams, Annan, Arata, and Mayor Pro Tempore Merrill

NOES: Councilmen: None

ABSENT: Councilmen: Mellis and Mayor Marks

ATTEST: ANNE M. COLLINS, ACTING CITY CLERK

RESOLUTION NO. 54-260

A RESOLUTION ACCEPTING GRANT DEED AND AUTHORIZING RECORDING WITH THE STANISLAUS COUNTY RECORDER

---oOo---

BE IT HEREBY RESOLVED that the grant deed, dated July 15, 1954, from the Modesto Lodge No. 1282 of the Benevolent and Protective Order of Elks, an unincorporated benevolent Association, covering a portion of Lot 5 in Falk Tract, Stanislaus County, California, to be used in the realignment of alley in Block 728, be, and it is hereby accepted.

BE IT FURTHER RESOLVED that the City Clerk be authorized to record said deed with the Stanislaus County Recorder.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto, held on the 11th day of August, 1954, by Councilman M. Adams, who moved its adoption, which motion being duly seconded by Councilman Arata, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: M. Adams, R. Adams, Annan, Arata and Mayor Pro Tempore Merrill

NOES: Councilmen: None

ABSENT: Councilmen: Mellis and Mayor Marks

ATTEST: ANNE M. COLLINS, ACTING CITY CLERK

RESOLUTION NO. 54-261

A RESOLUTION ACCEPTING THE BID OF A.P. RASMUSSEN FOR THE CONSTRUCTION OF A SANITARY SEWER TRUNK LINE ON AMHERST AVENUE BETWEEN ROSEBURG AND FORDHAM AVENUES.

---oOo---

WHEREAS, Resolution 54-251 adopted by the Council of the City of Modesto on August 4, 1954, approved the plans and specifications for the construction of a sanitary sewer trunk line on Amherst Avenue between Fordham and Roseburg Avenues and authorized the calling for bids, and

WHEREAS, the bids received for the said construction were opened at 2:00 P.M., August 16, 1954, in the office of the City Clerk and later tabulated by the Public Works Department for Council consideration, and

WHEREAS, the Director of Public Works has recommended that the bid of \$4,206.40 submitted by A. P. Rassmussen be accepted as it is the lowest bid submitted.

NOW, THEREFORE, BE IT RESOLVED that the bid of A. P. Rassmussen of \$4,206.40 for the construction of a sanitary sewer trunk line at above described location be and it is hereby accepted and the execution of a contract by the City's designated officials for the completion of the construction be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 18th day of August, 1954, by Councilman Annan, who moved its adoption, which motion being duly seconded by Councilman Arata, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks
NOES: Councilmen: None
ABSENT: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-262

A RESOLUTION RELOCATING THE TAXICAB STAND ON THE WEST SIDE OF TENTH STREET BETWEEN J AND K STREETS IN THE CITY OF MODESTO.

---oOo---

WHEREAS, Section 8 (a) of Ordinance No. 1053-N.S., as amended, regulating the use and operation of taxicabs upon the public streets of the City of Modesto authorizes the Council, by resolution, to locate and designate taxicab stands, and

WHEREAS, the elimination of a taxicab stand at the following described location and the establishment of a taxicab stand at the following described location is in the public interest,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The taxicab stand presently used by Jo Ann's Taxicab Company on the West side of Tenth Street, beginning at the North property line of J Street and extending twenty-five feet North on Tenth Street is hereby eliminated.

SECTION 2. A taxicab stand for the use of Jo Ann's Taxicab Company is hereby designated at the following location:

Beginning at a point on the Southwesterly curb of TENTH STREET distant forty-six (46') feet Northwesterly measured along said curb from the intersection of said curb with the prolongation of the Northwesterly property line of J STREET and extending Northwesterly along said curb a distance of twenty-two (22') feet.

SECTION 3. The Traffic Engineer is hereby directed to cause the above described locations to be marked and posted in accordance with the provisions of this resolution and the applicable laws of the City.

SECTION 4. Resolution No. 54-215 of the City of Modesto is hereby rescinded.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 18th day of August, 1954, by Councilman Merrill, who moved its adoption, which motion being seconded by Councilman Annan, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-263

A RESOLUTION RELOCATING THE TAXICAB STAND ON THE WEST SIDE OF TENTH STREET BETWEEN I AND J STREETS IN THE CITY OF MODESTO.

---oOo---

WHEREAS, Section 8 (a) of Ordinance No. 1053-N.S., as amended, regulating the use and operation of taxicabs upon the public streets of the City of Modesto authorizes the Council, by resolution, to locate and designate taxicab stands, and

WHEREAS, the elimination of a taxicab stand at the following described location and the establishment of a taxicab stand at the following described location is in the public interest,

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Modesto as follows:

SECTION 1. The taxicab stand presently used by Yellow Cab Company on the West side of Tenth Street, beginning at the North property line of I Street and extending twenty-two feet North on Tenth Street is hereby eliminated.

SECTION 2. A taxicab stand for the use of Yellow Cab Company is hereby designated at the following location:

Beginning at a point on the Southwesterly curb of TENTH STREET distant forty-seven (47') feet Northwesterly measured along said curb from the intersection of said curb with the prolongation of the Northwesterly property line of I STREET and extending Northwesterly along said curb a distance of twenty-two (22') feet.

SECTION 3. The Traffic Engineer is hereby directed to cause the above described locations to be marked and posted in accordance with the provisions of this resolution and the applicable laws of the City.

SECTION 4. All resolutions or portions of resolutions in conflict herewith are hereby rescinded.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 18th day of August, 1954, by Councilman M. Adams, who moved its adoption, which motion being duly seconded by Councilman Arata, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-264

A RESOLUTION DESIGNATING BUS LOADING ZONES ON TENTH STREET AT ITS INTERSECTIONS WITH H, I AND J STREETS IN THE CITY OF MODESTO.

---oOo---

WHEREAS, Section 31 (b) of Ordinance No. 345-N.S. authorizes the City Council to designate the location of loading zones,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto, as follows:

SECTION 1. Bus loading zones are hereby established at the following locations in the City of Modesto:

- (a) Beginning at the intersection of the northeasterly curb line of TENTH STREET with the prolongation of the northwesterly property line of H STREET and continuing northwesterly along said curb line a distance of forty-five (45') feet;
- (b) Beginning at the intersection of the northeasterly curb line of TENTH STREET with the prolongation of the southeasterly property line of J STREET and continuing southeasterly along said curb line a distance of forty-seven (47') feet;
- (c) Beginning at the intersection of the southwesterly curb line of TENTH STREET and the prolongation of the northwesterly property line of I STREET and continuing northwesterly along said curb line a distance of forty-seven (47') feet;
- (d) Beginning at the intersection of the southwesterly curb line of TENTH STREET and the prolongation of the northwesterly property line of J STREET and continuing northwesterly along said curb line a distance of forty-six (46') feet.

SECTION 2. The Traffic Engineer is hereby directed to cause the above locations to be marked and designated in accordance with the provisions of this resolution and Section 31 of Ordinance No. 345-N.S. and to remove all parking meters installed along the curb adjacent to the above described locations.

SECTION 3. All resolutions or portions of resolutions in conflict herewith are hereby rescinded.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 18th day of August, 1954, by Councilman Arata, who moved its adoption, which motion being duly seconded by Councilman M. Adams, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks
NOES: Councilmen: None
ABSENT: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-265

A RESOLUTION GRANTING PERMISSION TO THE STANISLAUS COUNTY CHAPTER OF THE NATIONAL FOUNDATION FOR INFANTILE PARALYSIS TO PLACE WISHING WELLS IN THE BUSINESS DISTRICT FOR THE SPECIAL EMERGENCY MARCH OF DIMES CAMPAIGN

---oOo---

WHEREAS, the Stanislaus County Chapter for Infantile Paralysis, sponsored by the Modesto Junior Chamber of Commerce, has filed a request for permission to place "Wishing Wells" at the following locations in connection with the special emergency March of Dimes Campaign:

Tenth and I Streets
Tenth and J Streets
Tenth and K Streets
Eleventh and J Streets

NOW, THEREFORE, BE IT RESOLVED that permit be granted to said applicant to install "Wishing Wells" at above locations, providing that prior to the placing of these "Wishing Wells", written evidence will be furnished the city by said applicant of its willingness to indemnify and hold the city harmless from and against any and all costs, damages and liability arising out of the erection and maintenance of said "Wishing Wells".

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 18th day of August, 1954, by Councilman Mellis, who moved its adoption, which motion being duly seconded by Councilman Arata, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks
NOES: Councilmen: None
ABSENT: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-266

A RESOLUTION SETTING THE DATE AND PLACE FOR A PUBLIC HEARING ON THE MATTER OF AMENDING ZONING ORDINANCE 700-N.S. TO ADOPT A BUILDING LINES MAP ESTABLISHING BUILDING LINES ON THE WEST SIDE OF McHENRY AVENUE BETWEEN GRISWOLD AVENUE AND THE M.I.D. LATERAL NO. 3

---oOo---

WHEREAS, the Modesto City Planning Commission at its special meeting of August 17, 1954 adopted Resolution No. 153A recommending to the Council that the building lines map on file in the office of the City Clerk be adopted, thus, establishing building lines on the west side of McHenry Avenue between Griswold Avenue and the M. I. D. Lateral No. 3, as 50 feet from the center line of McHenry Avenue, and

WHEREAS, if such proceedings are approved an amendment to the Modesto Zoning Ordinance No. 700-N.S. will be necessary, and

WHEREAS, said ordinance, as amended, requires that not less than one public hearing by the Modesto City Council must be held before said City Council acts upon the recommendation of the Modesto City Planning Commission.

NOW, THEREFORE, BE IT RESOLVED that Wednesday, September 8, 1954, at 8:00 P.M. in the Council Chamber, McHenry Library Building, 14th and I Streets, Modesto, be set as the time and place for the public hearing where all persons interested in said proposal, either for or against the same, will be given the opportunity to be heard.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 18th day of August, 1954, by Councilman Merrill, who moved its adoption, which motion being duly seconded by Councilman Annan, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks
NOES: Councilmen: None
ABSENT: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-266A

A RESOLUTION REVOKING THE PERMIT OF THE MODESTO TRANSIT COMPANY TO OPERATE MOTOR BUSES WITHIN THE CITY OF MODESTO

---oOo---

WHEREAS, the operation of motor buses operating on a fixed schedule and over an established route within the City of Modesto is governed by the provisions of Ordinance No. 306-N.S., as amended, and

WHEREAS, pursuant to an application heretofore made under the terms and provisions of said ordinance the Modesto Transit Company was heretofore granted a permit to operate a bus line within the City for a term expiring on December 13, 1959, and

WHEREAS, said ordinance provides that the holder of such a permit shall at all times operate motor buses in conformity with schedules from time to time in force, and

WHEREAS, said Modesto Transit Company ceased to operate motor buses within the City on August 4, 1954, and has not resumed the operation of said motor buses to date, and

WHEREAS, in accordance with the provisions of Section 11 of Ordinance No. 306-N.S., as amended, the City Council fixed Wednesday, August 25, 1954, at 8:30 o'clock p.m., in the Council Chambers of the McHenry Library Building, 14th and I Streets, in the City of Modesto, as the time and place for a public hearing to consider the matter of the revocation or suspension of the aforesaid permit of the Modesto Transit Company, and

WHEREAS, notice of said hearing has been personally served upon E. B. Osthues and Mrs. Mary Maritzen, owners of the Modesto Transit Company, at least ten (10) days prior to the date set for said hearing, and

WHEREAS, said Modesto Transit Company has advised the City in writing that it does not intend to resume the operation of said motor buses, and

WHEREAS, said hearing has been held in accordance with law and the City Council finds and determines that said company has failed to comply with terms and conditions of said permit and that the public interest will best be served by the revocation of the permit of the Modesto Transit Company to operate motor buses within the city,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The permit of the Modesto Transit Company to operate motor buses on a fixed schedule and over an established route within the City of Modesto, is hereby revoked.

SECTION 2. The City Clerk is hereby directed to cause a copy of this resolution to be furnished to E. B. Osthues and Mrs. Mary Maritzen, owners of the Modesto Transit Company.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 25th day of August, 1954, by Councilman Mellis, who moved its adoption, which motion being duly seconded by Councilman Arata, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, and Mayor Marks

NOES: Councilmen: None

ABSENT: Councilmen: Merrill

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-267

A RESOLUTION AUTHORIZING THE EXECUTION OF A DEED GRANTING AN UNDERGROUND UTILITY EASEMENT THROUGH A PORTION OF THE PARK AREA ACQUIRED FROM C. BOYCE AND FRANCES E. ASHFORD.

---oOo---

WHEREAS, the purchase of certain real property from C. Boyce Ashford and Frances E. Ashford, for use by the City of Modesto, was authorized by Ordinance No. 1103-N.S., and

WHEREAS, as a part of said transaction City agreed to provide an easement of twenty (20') feet in width across the east end of said property for underground utilities,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the Mayor and the City Clerk be, and they are hereby authorized to execute and attest, respectively, under authority of Ordinance No. 1103-N.S., and this resolution, that certain document entitled "Deed of Easement" granting an underground utility easement twenty (20') feet in width across the east end of said property to C. Boyce Ashford and Frances E. Ashford for underground utilities.

BE IT FURTHER RESOLVED that the City Clerk be, and he is hereby directed to record said document, after its execution, in the office of the Recorder of Stanislaus County.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 25th day of August, 1954, by Councilman Annan, who moved its adoption, which motion being duly seconded by Councilman Arata, was upon roll call carried and the resolution adopted by the following vote:

- AYES: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, and Mayor Marks
- NOES: Councilmen: None
- ABSENT: Councilmen: Merrill

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-268

A RESOLUTION APPOINTING CARLYLE D. MILLAR CITY MANAGER PRO TEMPORE DURING THE ABSENCE OR DISABILITY OF THE CITY MANAGER

---oOo---

BE IT HEREBY RESOLVED that Carlyle D. Millar, Assistant City Manager, be and he is hereby appointed City Manager Pro Tempore during the absence or disability of the City Manager.

BE IT FURTHER RESOLVED that Resolution No. 9803-N.S. adopted by the Council on April 2, 1952, entitled "A RESOLUTION APPOINTING ROBERT H. SHELTON AS CITY MANAGER PRO TEMPORE DURING ANY ABSENCE OF THE CITY MANAGER" be and it is hereby rescinded.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 25th day of August, 1954, by Councilman Annan, who moved its adoption, which motion was duly seconded by Councilman R. Adams, and upon roll call carried and the resolution was adopted by the following vote:

- AYES: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis and Mayor Marks
- NOES: Councilmen: None
- ABSENT: Councilmen: Merrill

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-269

A RESOLUTION URGING THE PUBLIC UTILITIES COMMISSION TO ACT EXPEDITIOUSLY ON ANY APPLICATION TO BRING PASSENGER BUS SERVICE TO THE AREA FORMERLY SERVED BY THE MODESTO TRANSIT COMPANY

---oOo---

WHEREAS the Modesto Transit Company discontinued passenger bus service in Modesto, California, on August 4, 1954, thus depriving the South Modesto, LaLoma and Airport Districts of bus service, and

WHEREAS thereis an urgent public need for passenger bus service in these districts, and

WHEREAS the Council of the City of Modesto has been informed that an application will be made to the Public Utilities Commission to take over these routes,

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Modesto does hereby request the Public Utilities Commission to act expeditiously on any application to provide bus service to the South Modesto, LaLoma and Airport Districts, formerly served by the Modesto Transit Company in order to provide service to said areas at the earliest practicable time.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 25th day of August, 1954 by Councilman R. Adams, who moved its adoption, which motion being duly seconded by Councilman Annan, was upon roll call carried and the resolution adopted by the following vote:

- AYES: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis and Mayor Marks
- NOES: Councilmen: None
- ABSENT: Councilmen: Merrill

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-270

A RESOLUTION APPROVING APPROPRIATION TRANSFER

---oOo---

BE IT HEREBY RESOLVED that the appropriation transfer of \$3,000.00 from the General Reserve Fund of the City of Modesto to the Public Works, Garbage Disposal Area, to provide for costs of current garbage dump at the disposal plant and to provide guards for levy as well as repairs of dike break, be and it is hereby approved.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 25th day of August, 1954, by Councilman Mellis, who moved its adoption, which motion being duly seconded by Councilman Annan, was upon roll call carried and the resolution adopted by the following vote:

- AYES: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, and Mayor Marks
- NOES: Councilmen: None
- ABSENT: Councilmen: Merrill

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-271

A RESOLUTION APPROVING THE PLANS AND SPECIFICATIONS AND AUTHORIZING THE CALLING FOR BIDS FOR IMPROVEMENT OF TULLY AVENUE BETWEEN PRINCETON AND CECIL WAY

---oOo---

BE IT HEREBY RESOLVED that the plans and specifications for the improvement of Tully Avenue between Princeton and Cecil Way be and they are hereby approved, and

BE IT FURTHER RESOLVED that calling for bids for above described construction be and it is hereby authorized in accordance with the procedure contained in Section 1307 of the City Charter. Said bids to be opened at 2:00 p.m., September 7, in the office of the City Clerk.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 25th day of August, 1954, by Councilman M. Adams, who moved its adoption, which motion being duly seconded by Councilman Annan, was upon roll call carried and the resolution adopted by the following vote:

- AYES: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, and Mayor Marks
- NOES: Councilmen: None
- ABSENT: Councilmen: Merrill

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-272

A RESOLUTION ACCEPTING WATER EASEMENT AGREEMENT FROM THE McHENRY VILLAGE, INC.

---oOo---

BE IT HEREBY RESOLVED that the water easement agreement between the City of Modesto and McHenry Village Inc., dated August 25, 1954, covering a portion of the McHenry Village Tract be and it is hereby accepted.

BE IT FURTHER RESOLVED that the water easement agreement be recorded with the Stanislaus County Recorder.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 25th day of August, 1954, By Councilman R. Adams, who moved its adoption, which motion being duly seconded by Councilman Annan, was upon roll call carried and the resolution adopted by the following vote:

- AYES: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, and Mayor Marks
- NOES: Councilmen: None
- ABSENT: Councilmen: Merrill

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-273

A RESOLUTION ACCEPTING GRANT DEED FROM McHENRY VILLAGE, INC. AND MODESTO INVESTMENT COMPANY

---oOo---

BE IT HEREBY RESOLVED that a grant deed from the Modesto Investment Company, dated August 16, 1954, covering a portion of McHenry Village Tract to be used for alley purposes be and it is hereby accepted.

BE IT HEREBY RESOLVED that a grant deed from the McHenry Village, Inc., dated August 24, 1954, covering a portion of McHenry Village Tract to be used for alley purposes be and it is hereby accepted.

BE IT FURTHER RESOLVED that the aforementioned grant deeds be recorded with the Stanislaus County Recorder.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 25th day of August, 1954, by Councilman Mellis, who

moved its adoption, which motion being duly seconded by Councilman Annan, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, and Mayor Marks

NOES: Councilmen: None

ABSENT: Councilmen: Merrill

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-274

A RESOLUTION ACCEPTING THE BID OF ALLIED EQUIPMENT COMPANY FOR A MOTOR GRADER

---oOo---

WHEREAS, Resolution No. 54-251 adopted by the Council of the City of Modesto on August 4, 1954, approved the specifications for the purchase of a motor grader, and authorized the calling for bids, and

WHEREAS, the bids received for the furnishing of a motor grader were opened at 2:00 p.m., August 23 in the office of the City Clerk and later tabulated by the Public Works for the consideration of the Council, and

WHEREAS, the Director of Public Works has recommended that the bid of Allied Equipment Company of \$11,540.00 for an Adams-440 Model motor grader be accepted as it met the specifications and was mechanically more reliable.

AND, THEREFORE, BE IT RESOLVED that the bid of Allied Equipment Company of \$11,540.00 for a motor grader be and it is hereby accepted.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 1 day of September, 1954, by Councilman Annan, who moved its adoption, which motion being duly seconded by Councilman R. Adams, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: R. Adams, Annan, Arata, and Mayor Marks

NOES: Councilmen: None

ABSENT: Councilmen: M. Adams, Mellis, Merrill

ATTEST: REX E. GAILFUS, CITY CLERK

Refer to page 294A for Resolution No. 54-275

RESOLUTION NO. 54-275

A RESOLUTION ACCEPTING THE STREETS AND ALLEYS AND EASEMENTS AS SHOWN ON THE FINAL MAP OF THE COEY TRACT ON BEHALF OF THE PUBLIC FOR PUBLIC USE

---oOo---

WHEREAS, a subdivision map of the Coey Tract was recorded on April 8, 1946, in Volume 14 of Maps, Page 48, in the office of the Recorder of the County of Stanislaus, State of California, by the owner and subdivider thereof, Lydia C. Coey, and

WHEREAS, said map provided for the dedication of certain avenues, streets, alleys and other public places for public use, as shown thereon, and

WHEREAS, the Board of Supervisors of the County of Stanislaus, State of California, in approving said map, rejected on behalf of the public all roads, highways, avenues, alleys and other public places shown on said map, and

WHEREAS, said map was approved by the Modesto Planning Commission in accordance with the requirements of law at a duly authorized meeting held on March 8, 1946, and

WHEREAS, said tract of land was annexed to City on 27th day of November, 1953, by Ordinance No. 1099-N.S. and

WHEREAS, the general public has used said streets, avenues, alleys and other public places as shown on said map for the purposes for which they were dedicated,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that all of the avenues, streets, alleys and other public places as shown on said map of the Coey tract be and they are hereby accepted on behalf of the public for public use.

BE IT FURTHER RESOLVED that the City Clerk be, and he is hereby directed to record a certified copy of this resolution in the office of the Recorder of Stanislaus County, State of California.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 1 day of September, 1954, by Councilman Arata, who moved its adoption, which motion being duly seconded by Councilman R. Adams, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: R. Adams, Annan, Arata and Mayor Marks

NOES: Councilmen: None

ABSENT: Councilmen: M. Adams, Mellis, Merrill

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-276

A RESOLUTION AUTHORIZING THE USE OF CERTAIN REAL PROPERTY HELD UNDER LEASE BY THE
CITY FOR THE DISPOSAL OF GARBAGE

---oOo---

WHEREAS, the City of Modesto is the lessee in possession of a certain tract of land, containing approximately twenty-five (25) acres South of the Tuolumne River, in Stanislaus County, California, which has heretofore been used for the disposal of garbage, and

WHEREAS, City entered into an agreement with the owners of said property, dated April 14, 1954, whereby the use of said property for the disposal of garbage was temporarily suspended subject to the right of the City Council, by resolution, to provide for the continued use of said property for this purpose, and

WHEREAS, the City Council, by Resolution No. 54-236, adopted on July 21, 1954, authorized the use of a portion of the City sewer farm for the purpose of establishing and maintaining a sanitary fill and reclamation area for the disposal of garbage, and

WHEREAS, thereafter, the use of said sewer farm property for the

purpose of disposing of garbage has become unavailable for temporary periods of time due to circumstances beyond the control of City, and

WHEREAS, it is necessary that an alternate site be available for the disposal of garbage at such times as may be necessary or desirable,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that during such periods of time as may be necessary or desirable as determined by the City Manager for the disposal of garbage, the above described property shall be used for the disposal of garbage.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 1 day of September, 1954, by Councilman Annan, who moved its adoption, which motion being duly seconded by Councilman Arata, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: R. Adams, Annan, Arata, and Mayor Marks

NOES: Councilmen: None

ABSENT: Councilmen: M. Adams, Mellis, Merrill

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-277

A RESOLUTION GRANTING PERMISSION TO THE MODESTO RETAIL MERCHANTS ASSOCIATION AND THE MODESTO BEE TO USE MANCINI BOWL ON SEPTEMBER 24, 1954, TO HOLD A STYLE PAGEANT

---oOo---

BE IT HEREBY RESOLVED that permission be granted to the Modesto Retail Association and the Modesto Bee to use Mancini Bowl in Graceda Park for a style pageant on Friday, September 24, 1954, with the provisions that the sponsors (1) assume the costs for the necessary extra electrical work (2) indemnify and hold the City harmless from and against any and all costs, damages, and liabilities arising out of the use of the Mancini Bowl.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 1 day of September, 1954, by Councilman Annan, who moved its adoption, which motion being duly seconded by Councilman Arata, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: R. Adams, Annan, Arata, and Mayor Marks

NOES: Councilmen: None

ABSENT: Councilmen: M. Adams, Mellis, Merrill

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-278

A RESOLUTION ACCEPTING CONSTRUCTION OF SANITARY SEWER IN BLOCKS 733, 743, 6002, and 6056 FROM TED SWINFORD CONSTRUCTION COMPANY

---oOo---

WHEREAS, a report has been filed by the Director of Public Works that the construction of sanitary sewer in Blocks 733, 743, 6002 and 6056 has been completed by Ted Swinford Construction Company in accordance with the contract dated July 7, 1954,

NOW, THEREFORE, BE IT RESOLVED that the construction of the sanitary sewer in above named blocks be accepted from Ted Swinford Construction Company, that Notice of Completion be filed with the County Recorder, and that payment of amounts due as provided in the contract be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 1 day of September, 1954, by Councilman Arata, who moved

its adoption, which motion being duly seconded by Councilman R. Adams, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: R. Adams, Annan, Arata, and Mayor Marks

NOES: Councilmen: None

ABSENT: Councilmen: M. Adams, Mellis, Merrill

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-279

A RESOLUTION ACCEPTING SANITARY SEWER ON COLDWELL AVENUE BETWEEN ALLEY IN BLOCK 803 AND TULLY AVENUE FROM STANDARD MATERIALS, INC.

---oOo---

WHEREAS, a report has been filed by the Director of Public Works that the construction of sanitary sewer on Coldwell Avenue between alley in Block 803 and Tully Avenue has been completed by Standard Materials, Inc. in accordance with the contract dated July 21, 1954,

NOW, THEREFORE, BE IT RESOLVED that the construction of sanitary sewer at above described location be accepted from Standard Materials, Inc., that Notice of Completion be filed with the County Recorder, and that payment of amounts due as provided in the contract be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 1 day of September, 1954, by Councilman R. Adams, who moved its adoption, which motion being duly seconded by Councilman Annan, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: R. Adams, Annan, Arata, and Mayor Marks

NOES: Councilmen: None

ABSENT: Councilmen: M. Adams, Mellis, Merrill

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-280

A RESOLUTION APPROVING APPROPRIATION TRANSFER

---oOo---

BE IT HEREBY RESOLVED that appropriation transfer be approved of \$500.00 from the General Reserve to Music and Promotion, Miscellaneous Promotions for the Junior Chamber of Commerce to share in the program to bring the Junior Chamber International headquarters to Modesto.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 1 day of September, 1954, by Councilman Arata, who moved its adoption, which motion being duly seconded by Councilman Annan, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: R. Adams, Annan, Arata, and Mayor Marks

NOES: Councilmen: None

ABSENT: Councilmen: M. Adams, Mellis, Merrill

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-281

A RESOLUTION APPROVING APPROPRIATION TRANSFER

---oOo---

BE IT HEREBY RESOLVED that appropriation transfer be approved of \$700.00 from the General Reserve to Traffic Engineer, Capital Outlay to provide for two additional traffic counters necessary to complete study of traffic conditions in Modesto.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 1 day of September, 1954, by Councilman Arata, who moved its adoption, which motion being duly seconded by Councilman R. Adams, was upon roll call carried and the resolution adopted by the following vote;

- AYES: Councilmen: R. Adams, Annan, Arata, and Mayor Marks
- NOES: Councilmen: None
- ABSENT: Councilmen: M. Adams, Mellis, Merrill

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-282

A RESOLUTION ACCEPTING THE BID OF M. J. RUDDY AND SON FOR THE IMPROVEMENT OF TULLY AVENUE BETWEEN PRINCETON AVENUE AND CECIL WAY

---oOo---

WHEREAS Resolution No. 54-271 adopted by the Council of the City of Modesto on August 25, 1954, approved the plans and specifications for the improvement of Tully Avenue between Princeton Avenue and Cecil Way, and authorized the calling for bids, and

WHEREAS the bids received for the said improvement were opened at 2 P.M. Sept. 7, 1954, in the office of the City Clerk and later tabulated for the consideration of the Council, and

WHEREAS the Assistant Director of Public Works has recommended that the bid of \$6,978.00 submitted by M. J. Ruddy and Son, be accepted as it was the lowest bid received.

NOW, THEREFORE, BE IT RESOLVED that the bid of M. J. Ruddy and Son of \$6,978.00 for the improvement of Tully Avenue between Princeton Avenue and Cecil Way be and it is hereby accepted and the execution of a contract for the completion of the work by the city's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of September, 1954 by Councilman Merrill, who moved its adoption, which motion being duly seconded by Councilman Arata, was upon roll call carried and the resolution was adopted by the following vote:

- Ayes: Councilmen: R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks
- Noes: Councilmen: None
- Absent: Councilmen: M. Adams

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-283

A RESOLUTION RECOMMENDING TO THE CALIFORNIA PUBLIC UTILITIES COMMISSION THAT IT APPROVE THE APPLICATION OF WILLIS M. KLEINENBROICH FOR FURNISHING PASSENGER STAGE SERVICE IN THE MODESTO AREA

---oOo---

WHEREAS, WILLIS M. KLEINENBROICH, an individual doing business under the name of MODESTO MOTOR BUS SERVICE, has filed an application before the Public Utilities Commission of the State of California requesting a Certificate of Public Convenience and Necessity to

operate a passenger stage service over new and additional routes in the City of Modesto and environs, to discontinue two routes and modify one route over which service is being provided under Decision No. 42389 on Application No. 29350, and for authority to discontinue night service, and

WHEREAS, E. B. Osthues and Mrs. Mary Maritzen, doing business as Modesto Transit Company, which previously served the area covered by the aforesaid application, ceased to operate motor buses within the City of Modesto and environs on August 4, 1954, and

WHEREAS, at the present time, no motor bus service is available to the residents residing in the LaLoma, Airport and South Modesto districts, and

WHEREAS, the public convenience and necessity require that motor bus service be provided to the residents of said districts as promptly and expeditiously as possible,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it recommend to the Public Utilities Commission of the State of California that it approve the aforesaid application of WILLIS M. KLEINENBROICH for a Certificate of Public Convenience and Necessity to operate passenger stage service over the routes requested in said application, and

BE IT FURTHER RESOLVED that said application for a Certificate of Public Convenience and Necessity be granted without the conducting of a public hearing so that applicant may commence to furnish passenger stage service to said areas as promptly as possible.

BE IT FURTHER RESOLVED that the City Clerk be, and he is hereby directed to transmit a copy of this resolution to the Public Utilities Commission and to the said WILLIS M. KLEINENBROICH.

The foregoing resolution was introduced at a regular meeting held on the 8 day of September, 1954, by Councilman Merrill, who moved its adoption, which motion being duly seconded by Councilman R. Adams, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: R. Adams, Mellis, Merrill, Annan, Arata, and Mayor Marks

NOES: Councilmen: None

ABSENT: Councilmen: M. Adams

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-284

A RESOLUTION AUTHORIZING EXECUTION OF AGREEMENT BETWEEN THE CENTRAL PACIFIC RAILWAY COMPANY AND SOUTHERN PACIFIC COMPANY AND THE CITY OF MODESTO RELATING TO AN EASEMENT FOR SEWER PURPOSES

---oOo---

BE IT HEREBY RESOLVED by the City Council of the City of Modesto that Ross Miller, as City Manager of the City of Modesto, and Rex E. Gailfus, as City Clerk of the City of Modesto, be, and they are hereby authorized and directed to execute in the name of and for and on behalf of the City of Modesto that certain agreement dated September 8, 1954, by and between Central Pacific Railway Company and Southern Pacific Company herein called RAILROAD, first party, and the City of Modesto, a municipal corporation of the State of California, herein called GRANTEE, second party, relating to the right to reconstruct, maintain, and use an 18-inch reinforced concrete pipe line beneath the track of RAILROAD and in, along and across that certain strip of land 10 feet in width situate in the City of Modesto.

County of Stanislaus, State of California, and further described in said agreement. Reference is hereby made to a copy of said agreement on file in the office of the City Clerk of the City of Modesto for further particulars.

BE IT FURTHER RESOLVED that the City Clerk be directed to record said agreement with the County Recorder of Stanislaus County.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8 day of September, 1954, by Councilman Mellis, who moved its adoption, which motion being duly seconded by Councilman Annan, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks
NOES: Councilmen: None
ABSENT: Councilmen: M. Adams

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-285

A RESOLUTION AUTHORIZING THE CITY MANAGER TO PURCHASE PARKING METERS FROM THE CITY OF FRESNO

---oOo---

WHEREAS the City Fresno has offered to sell to the City of Modesto a number of used Mico-O Parking meters at an unusual low price of \$7.50 each.

NOW THEREFORE BE IT RESOLVED that the City Manager be authorized to purchase 200 used one-hour and two-hour Mico-O Parking meters at a price of \$7.50 each, f.o.b. Modesto, from the City of Fresno.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of September, 1954 by Councilman Mellis, who moved its adoption, which motion being duly seconded by Councilman Arata, was upon roll call carried and adopted by the following vote:

AYES: Councilmen: R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks
NOES: Councilmen: None
ABSENT: Councilmen: M. Adams

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-286

A RESOLUTION SETTING THE TIME AND PLACE FOR A PUBLIC HEARING ON THE REQUEST OF AGNES J. CHANDLER FOR TWO ADDITIONAL TAXICAB PERMITS

---oOo---

BE IT HEREBY RESOLVED that a public hearing on the request of Agnes J. Chandler, doing business as JoAnn's Taxi, for two additional taxicab permits be set for 8:00 P.M., September 22, 1954 in the Council Chamber of the City of Modesto located at the McHenry Public Library Building, 14th and I Streets, Modesto.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of September, 1954 by Councilman R. Adams, who moved its adoption, which motion being duly seconded by Councilman Mellis, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks
NOES: Councilmen: None
ABSENT: Councilmen: M. Adams

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-287

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING THE CALLING FOR BIDS FOR THE LA LOMA AREA SANITARY TRUNK SEWER

---oOo---

BE IT HEREBY RESOLVED that the plans and specifications for the construction of a trunk sewer in the La Loma area be and they are hereby approved, and

BE IT FURTHER RESOLVED that the calling for bids for the above described construction be and it is hereby authorized in accordance with the procedure contained in Section 1307 of the City Charter, said bids to be opened at 2:00 P.M., October 1, 1954, in the office of the City Clerk.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 15th day of September, 1954, by Councilman Annan, who moved its adoption, which motion being duly seconded by Councilman M. Adams, it was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks
NOES: Councilmen: None
ABSENT: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-288

A RESOLUTION APPROVING THE PLANS AND SPECIFICATIONS AND AUTHORIZING THE CALLING FOR BIDS ON SANITARY SEWER LATERAL IN NORTH CENTRAL ADDITION

---oOo---

BE IT HEREBY RESOLVED that the plans and specifications for the construction of sanitary sewer lateral in North Central Addition be and they are hereby approved.

BE IT FURTHER RESOLVED that the calling for bids for the above described construction be and it is hereby authorized in accordance with the procedure contained in Section 1307 of the City Charter, said bids to be opened at 3:00 P.M., October 4, 1954, in the office of the City Clerk.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 15th day of September, 1954, by Councilman M. Adams, who moved its adoption, which motion being duly seconded by Councilman R. Adams, it was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks
NOES: Councilmen: None
ABSENT: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-289

A RESOLUTION ACCEPTING GRANT DEED FROM EDGAR LANDES AND EVA LANDES (ALLEY IN MCHENRY VILLAGE)

---oOo---

BE IT HEREBY RESOLVED that the Grant Deed dated September 10, 1954, from Edgar Landes and Eva Landes, husband and wife, as Joint Tenants, to the City of Modesto, a municipal corporation, be and it is hereby accepted, (alley in rear of Medical Center in McHenry Village)

BE IT FURTHER RESOLVED that the City Clerk be authorized to record said Grant Deed with the Recorder of Stanislaus County.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 15th day of September, 1954, by Councilman R. Adams, who moved its adoption, which motion being duly seconded by Councilman Arata, it was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks
NOES: Councilmen: None
ABSENT: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-290

A RESOLUTION AMENDING RESOLUTION NO. 54-59 "A RESOLUTION STATING THE BASIC PRINCIPLES TO GOVERN THE ACTIVITIES OF THE CITY OF MODESTO PARKING AUTHORITY IN CONDUCTING AN EXPANDED OFF-STREET PARKING PROGRAM

---oOo---

BE IT HEREBY RESOLVED that Resolution No. 54-59 entitled "A RESOLUTION STATING THE BASIC PRINCIPLES TO GOVERN THE ACTIVITIES OF THE CITY OF MODESTO PARKING AUTHORITY IN CONDUCTING AN EXPANDED OFF-STREET PARKING PROGRAM" adopted February 17, 1954, by the Council of the City of Modesto be amended to delete Section 1A, entitled "Private Participation" and

BE IT FURTHER RESOLVED that the second paragraph of Section 1 of said resolution which reads "The provision of off-street parking facilities is the joint responsibility of public and private interests. In order that such interest shall meet its responsibilities, the financing of an expanded parking program shall be implemented as follows: "be and it is hereby deleted.

BE IT FURTHER RESOLVED that the people of the community have an opportunity to vote in the general election to be held in April, 1955, on whether or not there is to be a revenue bond financing program for the solution of the parking problem of this City.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 15th day of September, 1954, by Mayor Marks, who moved its adoption, which motion being duly seconded by Councilman Arata, it was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: R. Adams, Annan, Arata, Merrill and Mayor Marks
NOES: Councilmen: M. Adams and Mellis
ABSENT: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-291

A RESOLUTION GRANTING PERMIT TO THE MODESTO OPTIMIST CLUB TO USE THE MUNICIPAL BALL PARK ON OCTOBER 7, 1954

---oOo---

WHEREAS, the Modesto Optimist Club has requested permission to use the Municipal Ball Park on October 7, 1954, for the showing of the Ruddy Brothers Circus, and

WHEREAS, the said club has requested the City to waive all license fees since it is a non-profit organization and funds derived from the show are to be used in the club's program devoted to furthering boys' activities, and

NOW, THEREFORE, BE IT RESOLVED that permission be granted to the Modesto Optimist Club to use the Municipal Ball Park on October 7, 1954, to show the Ruddy Brothers Circus, under the supervision of the Director of Parks and Recreation, and

BE IT FURTHER RESOLVED that the license fees required by the City of Modesto be waived.

BE IT FURTHER RESOLVED that the Modesto Optimist Club submit written evidence to the City Clerk that the City will be held harmless from and against any and all costs, damages, and liabilities arising out of the erection and maintenance of said circus.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22 day of September, 1954, by Councilman Arata, who moved its adoption, which motion being duly seconded by Councilman Merrill, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill, and Mayor
Marks
NOES: Councilmen: None
ABSENT: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-292

A RESOLUTION APPROVING THE SPECIFICATIONS FOR THE PRINTING OR LITHOGRAPHING OF THE MODESTO MUNICIPAL CODE AND AUTHORIZING THE CALLING FOR BIDS

---oOo---

BE IT HEREBY RESOLVED that the specifications for the printing or lithographing of the Modesto Municipal Code be approved, and

BE IT FURTHER RESOLVED that the calling for bids for the printing or lithographing of the Municipal Code be and it is hereby authorized. Said bids to be opened in the office of the City Clerk at 2:00 P. M., October 5, 1954.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22 day of September, 1954, by Councilman Annan, who moved its adoption, which motion being duly seconded by Councilman M. Adams, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill, and Mayor
Marks
NOES: Councilmen: None
ABSENT: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-293

A RESOLUTION DENYING THE REQUEST OF AGNES J. CHANDLER dba JOANN'S TAXICAB FOR TWO ADDITIONAL TAXICAB PERMITS

---oOo---

WHEREAS, Agnes J. Chandler, dba JoAnn's Taxicab, has requested two additional taxicab permits, and

WHEREAS, a report has been filed by Police Chief Neel that Mrs. Chandler had been arrested under Section 647.5 of the California Vehicle Code charged with vagrancy and has recommended that the request be denied.

NOW, THEREFORE, BE IT RESOLVED that the request of Mrs. Agnes J. Chandler, dba JoAnn's Taxicab, for two additional taxicab permits be and it is hereby denied.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22 day of September, 1954, by Council-

man Mellis, who moved its adoption, which motion being duly seconded by Councilman M. Adams, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-294

A RESOLUTION APPROVING SPECIFICATIONS AND AUTHORIZING THE CALLING FOR BIDS ON PAVING MATERIALS FOR FISCAL YEAR 1954-1955

---oOo---

BE IT HEREBY RESOLVED that the specifications for the paving materials for the fiscal year 1954-55 presented by the Public Works Department be and they are hereby approved, and

BE IT FURTHER RESOLVED that the calling for bids for the said materials be and it is hereby approved. Said bids are to be opened in the office of the City Clerk, October 5, 1954, at 2:00 P.M.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22 day of September, by Councilman M. Adams, who moved its adoption, which motion being duly seconded by Councilman Annan, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill, and Mayor Marks

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-295

A RESOLUTION SETTING THE DATE OF OCTOBER 6, 1954, AT 4:30 P.M. IN THE COUNCIL CHAMBER, MCHENRY PUBLIC LIBRARY, 14th and I STREETS AS THE TIME AND PLACE FOR A PUBLIC HEARING ON THE PROPOSED AMENDMENT OF ZONING ORDINANCE NO. 700-N.S.

---oOo---

WHEREAS, the Modesto City Planning Commission has recommended by its Resolution No. 161 that the Council of the City of Modesto adopt an amendment to Zoning Ordinance No. 700-N.S., as amended, to provide for the development of off-street parking facilities in residential districts adjacent to commercial districts.

NOW, THEREFORE, BE IT RESOLVED that the date of October 6, 1954, at 4:30 P.M. in the Council Chamber, McHenry Public Library, 14th and I Streets be set as the time and place for the public hearing on the proposed amendment of Zoning Ordinance No. 700-N.S. to provide for the development of off-street parking facilities in residential districts adjacent to commercial districts.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22 day of September, 1954, by Councilman Merrill, who moved its adoption, which motion being duly seconded by Councilman Arata, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill, and Mayor Marks

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-296

A RESOLUTION APPROVING CHANGE IN PASSENGER STAGE ROUTES AND SCHEDULES
OF THE MODESTO MOTOR BUS SERVICE

---o0o---

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the routes of the Modesto Motor Bus Service as set forth in that certain document entitled "Application For Approval of Change in Passenger Stage Routes and Schedules Filed in the City Clerk's Office September 22, 1954", be and it is hereby approved.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modestoheld on the 22 day of September, 1954, by Councilman Merrill, who moved its adoption, which motion being duly seconded by Councilman R. Adams, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill, and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CityClerk

RESOLUTION NO. 54-297

A RESOLUTION APPROVING THE RENEWAL OF LEASE AGREEMENT WITH D. E. SHANNON AND CARL W. SHANNON FOR THE OFFICE OF THE CITY ATTORNEY

---oOo---

BE IT HEREBY RESOLVED by the Council of the City of Modesto that Ross Miller, City Manager, and Rex E. Gailfus, City Clerk, of the City of Modesto, be and they are hereby authorized and directed to execute in the name of and for and on behalf of the City of Modesto, that certain renewal lease agreement dated July 23, 1952, covering the lease of Suite 5, Carlton Building, 925 12th Street, Modesto, California, occupied by the City Attorney, for the term of one year commencing October 6, 1954. Reference is hereby made to a copy of lease agreement on file in the office of the City Clerk in the City of Modesto for further particulars.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto, held on the 22 day of September, 1954, by Councilman Merrill, who moved its adoption, which motion being duly seconded by Councilman M. Adams, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill, and Mayor Marks
NOES: Councilmen: None
ABSENT: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-298

A RESOLUTION APPROVING THE APPROPRIATION TRANSFER

---oOo---

BE IT HEREBY RESOLVED that the following appropriation transfer be and it is hereby approved:

FROM: General Reserve \$1,545.00
TO: Public Works--Parking \$1,545.00
Meter Division

for purchase of used parking meters from the City of Fresno as provided in Resolution No. 54-285 adopted by the Council on September 8, 1954.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22 day of September, 1954, by Councilman Annan, who moved its adoption, which motion being duly seconded by Councilman Merrill, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill, and Mayor Marks
NOES: Councilmen: None
ABSENT: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-299

NOT USED

RESOLUTION NO. 54-300

A RESOLUTION APPROVING THE AGREEMENT BETWEEN THE CITY OF MODESTO AND THE MODESTO CITY SCHOOL DISTRICT, THE MODESTO HIGH SCHOOL DISTRICT, AND THE MODESTO JUNIOR COLLEGE DISTRICT FOR NURSING SERVICES TO THE SCHOOLS

---oOo---

BE IT HEREBY RESOLVED by the City Council of the City of Modesto that Ross

Müller, as City Manager of the City of Modesto, and Rex E. Gailfus, as City Clerk of the City of Modesto, be and they are hereby authorized and directed to execute in the name of and for and on behalf of the City of Modesto that certain agreement dated September 22, 1954, by and between the City of Modesto, a municipal corporation of the State of California, and the Modesto City School District, the Modesto High School District, and the Modesto Junior College District, referred to as "DISTRICTS", relating to nursing services to the schools situated in said school districts, and reference is hereby made to a copy of said agreement on file in the office of the City Clerk of the City of Modesto for further particulars.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22 day of September, 1954, by Councilman R. Adams, who moved its adoption, which motion being duly seconded by Councilman Mellis, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill, and Mayor Marks
NOES: Councilmen: None
ABSENT: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-301

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND THE MODESTO CITY SCHOOL DISTRICT FOR THE OPERATION OF THE PLAYGROUND FOR AN AFTER-SCHOOL RECREATION PROGRAM

---oOo---

BE IT RESOLVED by the City Council of the City of Modesto that Ross Miller, as City Manager, and Rex E. Gailfus, as City Clerk, of the City of Modesto, be and they are hereby authorized and directed to execute in the name of and for and on behalf of the City of Modesto that certain agreement dated September 22, 1954, by and between the City of Modesto, a municipal corporation of the State of California, referred to as "CITY", First Party, and the Modesto City School District of Stanislaus County, referred to as "DISTRICT", Second Party, relating to the operation by the City of the Modesto Elementary School District playgrounds on an after-school basis for the purpose of recreation. Reference is hereby made to a copy of said agreement on file in the office of the City Clerk of the City of Modesto for further particulars.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto, held on the 22nd day of September, 1954, by Councilman Mellis, who moved its adoption, which motion being duly seconded by Councilman Annan, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks
Noes: Councilmen: None
Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-302

A RESOLUTION DESIGNATING A FREIGHT LOADING ZONE ALONG THE SOUTHWESTERLY SIDE OF TWELFTH STREET BETWEEN B AND D STREETS

--oOo--

WHEREAS, Section 31 (B) of Ordinance No. 345-N.S. authorizes the City Council to designate the location of loading zones,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. A freight loading zone is hereby established at the following location:

Along the southwesterly side of TWELFTH STREET between B STREET AND D STREET in the City of Modesto.

SECTION 2. The City Traffic Engineer is hereby directed to cause the above location to be marked and designated in accordance with the provisions of this resolution and Section 31 of Ordinance No. 345-N.S.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22 day of September 1954, by Councilman Arata, who moved its adoption, which motion being duly seconded by Councilman Merrill, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-303

A RESOLUTION APPROVING AGREEMENT BETWEEN THE STATE OF CALIFORNIA DEPARTMENT OF PUBLIC HEALTH AND THE CITY OF MODESTO FOR FEDERAL ALLOCATIONS TO LOCAL PUBLIC HEALTH AGENCIES

--oOo--

BE IT HEREBY RESOLVED by the City Council of the City of Modesto that Ross Miller, as City Manager, and Rex E. Gailfus, as City Clerk, of the City of Modesto, be and they are hereby authorized and directed to execute in the name of and for and on behalf of the City of Modesto, that certain agreement dated September 8, 1954, between the City of Modesto, a municipal corporation of the State of California, second party, and the State of California, through its Department of Public Health first party, relating to Federal allocations to local public health agencies. Reference is hereby made to a copy of said agreement on file in the office of the City Clerk of the City of Modesto for further particulars.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto, held on the 22 day of September, 1954, by Councilman M. Adams, who moved its adoption, which motion being duly seconded by Councilman M. Adams, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-304

A RESOLUTION RELOCATING THE BUS LOADING ZONES AT THE INTERSECTION OF TENTH STREET WITH H STREET IN THE CITY OF MODESTO.

--oOo--

WHEREAS, Section 31 (B) of Ordinance No. 345-N.S. authorizes the City Council to designate the location of loading zones,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. Bus loading zones are hereby established at the following locations in the City of Modesto:

(a) Beginning at the intersection of the northeasterly curb line of TENTH STREET with the prolongation of the northwesterly property line of H STREET and continuing northwesterly along said curb line a distance of sixty-seven (67') feet;

(b) Beginning at the intersection of the northwesterly curb line of H STREET with the southwesterly property line of TENTH STREET and continuing southwesterly along the H STREET curb line a distance of eighty (80') feet.

SECTION 2. The Traffic Engineer is hereby directed to cause the above locations to be marked and designated in accordance with the provisions of this resolution and Section 31 of Ordinance No. 345-N.S. and to remove all parking meters installed along the curb adjacent to the above described locations.

SECTION 3. Resolution No. 6370-N.S. and that portion of Resolution No. 54-264 in conflict herewith are hereby rescinded.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6 day of October, 1954, by Councilman Arata, who moved its adoption, which motion being duly seconded by Councilman M. Adams, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Mayor Marks
Noes: Councilmen: None
Absent: Councilmen: Merrill

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-305

A RESOLUTION ESTABLISHING STOP SIGNS ON CERTAIN STREETS IN THE CITY OF MODESTO

--oOo--

WHEREAS, under and by virtue of provisions of ordinance No. 558-N.S. of the City of Modesto; the City Council of said City has the power when and if the general welfare and safety of the citizens of the City of Modesto so require it, to erect boulevard stop signs at or adjacent to any intersection within the City of Modesto, and

WHEREAS, it appears to said City Council that the general welfare of the citizens of Modesto require that boulevard stop signs be erected and maintained at intersections herein designated and that at said intersections all of the provisions of Ordinance No. 558-N.S. of City of Modesto entitled: "AN ORDINANCE AMENDING SECTION 23 of ORDINANCE NO. 345-N.S. of the CITY OF MODESTO AS HEREAFTER AMENDED," shall be enforced and said stop signs shall be erected prohibiting drivers of vehicles from passing said boulevard stop signs without first stopping vehicles so operated by said operator.

NOW THEREFORE BE IT RESOLVED and ordered by said City Council

that at the places hereinafter designated, the Traffic Engineer shall erect or cause to be erected and maintained, boulevard stop signs and that said Ordinance No. 558-N.S. heretofore referred to shall be enforced at said intersections:

On the Southeast and Northwest corners of Morris Avenue and Magnolia Avenue for traffic entering Morris Avenue.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6 day of October, 1954, by Councilman R. Adams who moved its adoption, which motion being duly seconded by Councilman Mellis, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: Merrill

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-306

A RESOLUTION EXTENDING THE INVITATION OF THE CITY COUNCIL OF THE CITY OF MODESTO TO THE JUNIOR CHAMBER OF COMMERCE INTERNATIONAL TO LOCATE ITS HEADQUARTERS IN THE CITY OF MODESTO.

--oOo--

WHEREAS, the Junior Chamber of Commerce International is an organization of world-wide scope and influence, and

WHEREAS, it has become known that said organization plans the establishment of a permanent world headquarters with consequent benefit to the community in which it may be located,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

1. That the Council of the City of Modesto does hereby cordially invite the Junior Chamber of Commerce International to locate its headquarters in the City of Modesto and does offer approximately 2,500 square feet of floor space in the former John Muir School building for a period of not less than five years at no rental charge for this purpose.

2. That the Council of the City of Modesto offers its full cooperation to the Junior Chamber of Commerce International to assist it in locating its headquarters in the City of Modesto.

3. That the City Clerk of the City of Modesto be directed to furnish a certified copy of this resolution to the Modesto Chapter of the Junior Chamber of Commerce for presentation to the Junior Chamber of Commerce International at its Ninth World Congress to be held in Mexico City, Mexico beginning October 23, 1954.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of October, 1954 by Councilman M. Adams, who moved its adoption, which motion being duly seconded by Councilman Arata, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: Merrill

ATTEST: REX E. GAILFUS, CITY CLERK

(Signed) HARRY MARKS, Mayor

(Signed) Merrill Adams, Councilman

(Signed) D.L. Arata, Councilman

(Signed) Robert W. Adams, Councilman

(Signed) Dan Mellis, Councilman

(Signed) Clifford Annan, Councilman

(Signed) Lyndall Merrill, Councilman

RESOLUTION NO. 54-307

A RESOLUTION APPROVING THE AGREEMENT BETWEEN THE CITY OF MODESTO AND STANISLAUS COUNTY RELATING TO THE COST OF MAINTAINING CITY PRISONERS IN THE COUNTY JAIL.

--oOo--

BE IT HEREBY RESOLVED by the City Council of the City of Modesto that Ross Miller, as City Manager, and Rex E. Gailfus, as City Clerk, of the City of Modesto, be and they are hereby authorized and directed to execute in the name of, and for, and on behalf of the City of Modesto that certain agreement by and between the City of Modesto, a municipal corporation of the State of California, first party, and the County of Stanislaus, a political subdivision of the State of California, second party, relating to the cost of maintaining City prisoners in the County jail and reference is hereby made to a copy of said agreement on file in the office of the City Clerk of the City of Modesto for further particulars.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of October, 1954, by Councilman Annan, who moved its adoption, which motion being duly seconded by Councilman R. Adams, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis and Mayor Marks
Noes: Councilmen: None
Absent: Councilmen: Merrill

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-308

A RESOLUTION APPROVING THE AGREEMENT BETWEEN THE CITY OF MODESTO AND STANISLAUS COUNTY RELATING TO THE COST OF MAINTAINING CITY PRISONERS IN THE COUNTY ROAD CAMP

--oOo--

BE IT HEREBY RESOLVED by the City Council of the City of Modesto that Ross Miller, as City Manager, and Rex E. Gailfus, as City Clerk, of the City of Modesto, be, and they are hereby authorized and directed to execute in the name of, and for, and on behalf of the City of Modesto that certain agreement by and between the City of Modesto, a municipal corporation of the State of California, first party, and the County of Stanislaus, a political subdivision of the State of California, second party, relating to the cost of maintaining City prisoners in the County Road Camp and reference is hereby made to a copy of said agreement on file in the office of the City Clerk of the City of Modesto for further particulars.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of October, 1954, by Councilman Arata, who moved its adoption, which motion being duly seconded by Councilman R. Adams, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, and Mayor Marks
Noes: Councilmen: None
Absent: Councilmen: Merrill

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-309

A RESOLUTION APPROVING THE PLANS AND SPECIFICATIONS AND AUTHORIZING THE CALLING FOR BIDS FOR THE CONSTRUCTION OF SANITARY TRUNK SEWER--TUOLUMNE RIVER CROSSING

--oOo--

BE IT HEREBY RESOLVED that the plans and specifications for the construction of sanitary trunk sewer -- Tuolumne River Crossing be and they are hereby approved, and

BE IT FURTHER RESOLVED that the calling for bids for above described construction be and it is hereby authorized in accordance with the procedure contained in Section 1307 of the City Charter. Said bids to be opened at 2:00 P.M., October 19, 1954, in the office of the City Clerk.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of October, 1954, by Councilman M. Adams, who moved its adoption, which motion being duly seconded by Councilman Annan, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis and Mayor Marks
Noes: Councilmen: None
Absent: Councilmen: Merrill

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-310

A RESOLUTION ACCEPTING THE BID OF VINCENT RODRIGUES FOR SEWER LATERALS IN NORTH CENTRAL ADDITION

--oOo--

WHEREAS, Resolution No. 54-288, adopted by the Council of the City of Modesto on September 15, 1954, approved the plans and specifications for the construction of sanitary sewer laterals in North Central Addition and authorized the calling for bids, and

WHEREAS, the thirteen bids received for the said construction were opened at 3:00 P.M., October 4, 1954, in the office of the City Clerk and later tabulated by the Public Works Department for the consideration of the Council, and

WHEREAS, the Director of Public Works has recommended that the bid of \$58,690.05 submitted by Vincent Rodrigues be accepted as it was the lowest bid received.

NOW, THEREFORE, BE IT RESOLVED that the bid of Vincent Rodrigues of \$58,690.05 for the construction of sewer laterals in North Central Addition be and it is hereby accepted and the execution of a contract for the completion of the construction by the City's designated officials be authorized.

The Foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of October, 1954, by Councilman Annan, who moved its adoption, which motion being duly seconded by Councilman Arata, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis and Mayor Marks
Noes: Councilmen: None
Absent: Councilmen: Merrill

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-311

A RESOLUTION ACCEPTING THE BID OF STOCKTON CONSTRUCTION COMPANY FOR THE CONSTRUCTION OF LALOMA SANITARY TRUNK SEWER

--oOo--

WHEREAS, Resolution No. 54-287, adopted by the Council of the City of Modesto on September 15, 1954, approved the plans and specifications for the construction of a sanitary trunk sewer in the LaLoma area, and authorized the calling for bids, and

WHEREAS, the eight bids received for the said construction were opened at 2:00 P.M., October 1, 1954, in the office of the City Clerk and later tabulated by the Public Works Department for the consideration of the Council, and

WHEREAS, the Director of Public Works has recommended that the bid of \$129,818.00 submitted by Stockton Construction Company be accepted as it was the lowest bid received.

NOW, THEREFORE, BE IT RESOLVED that the bid of Stockton Construction Company of \$129,818.00 for the construction of a sanitary trunk sewer in the LaLoma area be and it is hereby accepted and the execution of a contract for the completion of the construction by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of October, 1954, by Councilman Mellis, who moved its adoption, which motion being duly seconded by Councilman R. Adams, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, and Mayor Marks
Noes: Councilmen: None
Absent: Councilmen: Merrill

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-312

A RESOLUTION ACCEPTING THE BID OF CLEMENTS AND COMPANY FOR THE FURNISHING OF PAVING MATERIALS FOR THE FISCAL YEAR 1954-1955

--oOo--

WHEREAS, Resolution No. 54-294, adopted by the Council of the City of Modesto on September 22, 1954, approved the specifications for the furnishing of paving materials for the fiscal year 1954-1955 and authorized the calling for bids, and

WHEREAS, the three bids received for the said materials were opened at 2:00 P.M., October 5, 1954, in the office of the City Clerk and later tabulated by the Public Works Department for consideration of the Council, and

WHEREAS, the Director of Public Works has recommended that the bid of Clements and Company be accepted as it was the lowest bid received.

NOW, THEREFORE, BE IT RESOLVED that the bid of Clements and Company for paving materials for the fiscal year 1954-1955 be and it is hereby accepted and execution of a contract, for the furnishing of the materials by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of

the Council of the City of Modesto held on the 6th day of October, 1954, by Councilman Annan, who moved its adoption, which motion being duly seconded by Councilman Mellis, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: Merrill

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-313

A RESOLUTION APPROVING THE LEASE AGREEMENT BETWEEN THE CITY OF MODESTO AND WAYNE MANUFACTURING COMPANY

--oOo--

BE IT RESOLVED by the City Council of the City of Modesto that Ross Miller, as City Manager, and Rex E. Gailfus, as City Clerk, of the City of Modesto, be and they are hereby authorized and directed to execute in the name of, and for, and on behalf of the City of Modesto that certain agreement dated October 6, 1954, by and between the City of Modesto, a municipal corporation of the State of California, and Wayne Manufacturing Company, relating to the lease rental of a leaf loader for the term of three months beginning October 15, 1954. Reference is hereby made to a copy of said agreement on file in the office of the City Clerk of the City of Modesto.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of October, 1954, by Councilman M. Adams, who moved its adoption, which motion being duly seconded by Councilman R. Adams, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: Merrill

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-314

A RESOLUTION ACCEPTING DEED FROM CLARENCE O. KEHRER AND MABLE L. KEHRER

--oOo--

BE IT HEREBY RESOLVED that Grant Deed dated September 15, 1954, from Clarence O. Kehrer and Mable L. Kehrer to the City of Modesto on the following described property located in Stanislaus County, State of California be accepted:

The East 7.5 feet of the following:

That portion of the Northeast quarter of the Northwest quarter of the Southeast ^{Quarter} of Section 20, Township 3 South, Range 9 East, M.D.B.&M., described as follows:

Commencing at a point on the South line of Roseburg Avenue, being the Northwest corner of Lot 13 of the First Addition to the Bonnie Brae tract, according to the map thereof, recorded in the Office of the County Recorder of Stanislaus, County, California, to which reference is made hereby; running thence South 10 14' East along the West line of Lots 13 and 14 of said First Addition to the Bonnie Brae Tract, to the Southwest corner of said Lot 14, and North line of Kewin Avenue, now Mensinger Avenue; thence in a Westerly direction along Mensinger Avenue extended, one hundred ten and eighteen one hundredths feet (110.18'); thence at right angles in a Northerly direction and parallel to the West line of said Lots 13 and 14, to the South line of said Roseburg Avenue; thence in an Easterly direction along the South line of said Roseburg Avenue to the point of beginning. (North Central Sewer line).

BE IT FURTHER RESOLVED that the City Clerk be authorized to record said Grant Deed with the Recorder of Stanislaus County.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of October, 1954, by Councilman

R. Adams, who moved its adoption, which motion being duly seconded by Councilman Annan, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis and Mayor Marks
Noes: Councilmen: None
Absent: Councilmen: Merrill

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION 54-315

A RESOLUTION ACCEPTING THE BID OF WILLEY PRINTING COMPANY FOR THE PRINTING OR LITHOGRAPHING OF THE MODESTO MUNICIPAL CODE

--oOo--

WHEREAS, Resolution No. 54-292, adopted by the Council of the City of Modesto on September 22, 1954, approved the specifications for the printing or lithographing of the Modesto Municipal Code and authorized the calling for bids, and

WHEREAS, the one bid received for the said printing was opened at 2:00 P.M., October 5, 1954, in the office of the City Clerk, and

WHEREAS, the City Attorney has recommended that the bid of \$4,326.00 submitted by Willey Printing Company be accepted.

NOW, THEREFORE, BE IT RESOLVED that the bid of Willey Printing Company of \$4,326.00 for the printing or lithographing of the Modesto Municipal Code be and it is hereby accepted and the execution of a contract for the completion of the work by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of October, 1954, by Councilman Mellis, who moved its adoption, which motion being duly seconded by Councilman R. Adams, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, and Mayor Marks
Noes: Councilmen: None
Absent: Councilmen: Merrill

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-316

NUMBER NOT USED

RESOLUTION NO. 54-317

A RESOLUTION ACCEPTING THE CONSTRUCTION OF THE SANITARY TRUNK SEWER LINES ON GRANGER AVENUE BETWEEN MCHENRY AND HONEYSUCKLE AND ON ROSEBURG AT MCHENRY AVENUE FROM CONTRACTOR STANDARD MATERIALS, INC.

--oOo--

WHEREAS, a report has been filed by the Director of Public Works that the construction of sanitary trunk sewer lines on Granger Avenue between McHenry Avenue and Honeysuckle Avenue and on Roseburg Avenue at McHenry has been completed by the contractor, Standard Materials, Inc., in accordance with the contract agreement dated July 28, 1954.

NOW, THEREFORE, BE IT RESOLVED that the construction of the sanitary trunk sewer lines at the above described locations be accepted from said contractor, Standard Materials, Inc.; that Notice of Completion be filed with

the Recorder of Stanislaus County and that payment of amounts due as provided in the contract be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of October, 1954, by Councilman Annan, who moved its adoption, which motion being duly seconded by Councilman Arata was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, and Mayor Marks
Noes: Councilmen: None
Absent: Councilmen: Merrill

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-318

A RESOLUTION APPROVING TERMINATION AGREEMENT BETWEEN THE CITY OF MODESTO AND PACIFIC FRUIT EXPRESS RELATING TO THE DISPOSAL OF DOMESTIC SEWAGE AND WASTE WATER

--oOo--

BE IT RESOLVED by the City Council of the City of Modesto that Ross Miller, as City Manager, and Rex E. Gailfus, as City Clerk, of the City of Modesto, be and they are hereby authorized and directed to execute in the name of and for and on behalf of the City of Modesto that certain agreement dated September 14, 1954, by and between the City of Modesto, a municipal corporation of the State of California, and the Pacific Fruit Express, relating to the termination of agreement dated October 30, 1945, regulating the disposal of domestic sewage and waste water and reference is hereby made to a copy of said agreement on file in the office of the City Clerk of the City of Modesto for further particulars.

The Foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of October, 1954, by Councilman Annan, who moved its adoption, which motion being duly seconded by Councilman Arata, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, and Mayor Marks
Noes: Councilmen: None
Absent: Councilmen: Merrill

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-319

A RESOLUTION APPROVING AGREEMENT AND BILL OF SALE BETWEEN THE CITY OF MODESTO AND THE PACIFIC FRUIT EXPRESS COMPANY

--oOo--

BE IT RESOLVED by the City Council of the City of Modesto that Ross Miller, as City Manager, and Rex E. Gailfus, as City Clerk, of the City of Modesto, be and they are hereby authorized and directed to execute in the name of, and for, and on behalf of the City of Modesto, that certain agreement dated September 14, 1954, between the City of Modesto, a municipal corporation of the State of California, and the Pacific Fruit Express Company, relating to the eighteen inch concrete sewer line located on land of the Central Pacific Railway Company and its lessee, Southern Pacific Company and reference is hereby made to a copy of said agreement on file in the office of the City Clerk of the City of Modesto for further particulars.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of October, 1954, by Councilman R. Adams, who moved its adoption, which motion being duly seconded by Councilman Arata, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, and Mayor Marks
Noes: Councilmen: None
Absent: Councilmen: Merrill

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-320

A RESOLUTION APPROVING THE RENEWAL OF THE PUBLIC LIABILITY AND PROPERTY DAMAGE AUTOMOBILE INSURANCE WITH THE MASSACHUSETTS BONDING AND INSURANCE COMPANY

--oOo--

BE IT HEREBY RESOLVED that the renewal of the Public Liability and Property Damage Insurance Policy which expires on October 13, 1954, on the automotive equipment of the City of Modesto with the Massachusetts Bonding and Insurance Company be and it is hereby approved.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of October, 1954, by Councilman Mellis, who moved its adoption, which motion being duly seconded by Councilman R. Adams, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, and Mayor Marks
Noes: Councilmen: None
Absent: Councilmen: Merrill

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-321

A RESOLUTION ACCEPTING THE ANNUAL FINANCIAL AUDIT OF THE CITY ACCOUNTS FOR THE FISCAL YEAR ENDING JUNE 30, 1954, FROM C.D. NATTINGER

--oOo--

BE IT HEREBY RESOLVED that the annual financial audit report of C.D. Nattinger of the accounts of the City of Modesto for the fiscal year ending June 30, 1954, be and it is hereby accepted.

BE IT HEREBY RESOLVED that the Director of Finance is hereby authorized to pay any funds due under the contract with C.D. Nattinger.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of October, 1954, by Councilman Annan, who moved its adoption, which motion being duly seconded by Councilman Arata, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis and Mayor Marks
Noes: Councilmen: None
Absent: Councilmen: Merrill

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-322

A RESOLUTION APPROVING THE NAMING OF MCHENRY VILLAGE WAY

--oOo--

WHEREAS, the Modesto City Planning Commission has recommended to the Council of the City of Modesto that the private road which runs directly in front of the Medical Building east of McHenry Village from Granger Avenue northerly to the proposed extension of Northern Boulevard, be officially designated as "McHenry Village Way"

NOW THEREFORE be it resolved that the Council of the City of Modesto does hereby designate the above described private road as "McHenry Village Way".

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of October, 1954, by Councilman M. Adams, who moved its adoption, which motion being duly seconded by Councilman R. Adams, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis and Mayor Marks
Noes: Councilmen: None
Absent: Councilmen: Merrill

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-323

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MODESTO APPROVING AMENDMENT NUMBER ONE TO AGREEMENT FOR MAINTENANCE OF STATE HIGHWAY IN THE CITY OF MODESTO

--oOo--

WHEREAS, the State of California, through its Department of Public Works, Division of Highways, has presented Amendment Number 1 to the Agreement for Maintenance of the State Highway in the City of Modesto, dated April 1, 1954.

WHEREAS, the City Council has heard read said Amendment Number 1 in full and is familiar with the contents thereof;

THEREFORE, be it resolved by the City Council of the City of Modesto that said Amendment Number 1 is hereby approved and the Mayor and the City Clerk are directed to sign the same on behalf of said City.

ADOPTED this 13th day of October, 1954.

Mayor of the City of Modesto

Attest: REX E. GAILFUS, CITY CLERK OF THE CITY OF MODESTO

I hereby certify that the foregoing resolution was duly and regularly passed by the City Council of the City of Modesto at a regular meeting thereof held October 13, 1954.

REX E. GAILFUS, Clerk of the City of Modesto

RESOLUTION NO. 54-324

A RESOLUTION DESIGNATING A PASSENGER LOADING ZONE ON TWELFTH STREET IN THE CITY OF MODESTO

--oOo--

WHEREAS, Section 31 (b) of Ordinance No. 345-K.S. authorizes the City Council to designate the location of loading zones,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. A passenger loading zone is hereby established at the following location:

Beginning at a point on the southwesterly side of TWELFTH STREET, said point being one hundred twenty-eight (128') feet northwesterly along said curb from the intersection of said curb with the northwesterly curb line of M Street and continuing northwesterly along the TWELFTH STREET curb line a distance of forty-four (44') feet.

SECTION 2. The Traffic Engineer is hereby directed to cause the above location to be marked and designated in accordance with the provisions of this resolution and Section 31 of Ordinance No. 345-N.S.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of October, 1954, by Councilman M. Adams, who moved its adoption, which motion being duly seconded by Councilman Mellis, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, Arata, Mellis, Merrill, and Mayor Marks
Noes: Councilmen: None
Absent: Councilmen: R. Adams, Annan

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-325

A RESOLUTION REVISING THE SYSTEM OF NUMBERING THE OFFICIAL ORDINANCES ADOPTED BY THE COUNCIL OF THE CITY OF MODESTO.

--oOo--

WHEREAS, on October 6, 1954 the Council of the City of Modesto by Ordinance No. 1142-N.S. adopted the Modesto Municipal Code consisting of the codification of the valid general ordinances of the City, and

WHEREAS, it would facilitate the location and use of future ordinances adopted by the Council to establish a new system of numbering ordinances concurrently with the adoption of said Code,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto, as follows:

SECTION 1. Commencing on the 6th day of October, 1954, all ordinances adopted by the Council of the City of Modesto shall be numbered consecutively commencing with number "1" and shall be known as "Codified Series" which may be designated by the letters "C.S."

SECTION 2. The City Clerk is hereby directed to execute and to implement the provisions of this resolution.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of October, 1954, by Councilman Merrill, who moved its adoption, which motion being duly seconded by Councilman Arata, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, Arata, Mellis, Merrill, and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: R. Adams and Annan

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-326

A RESOLUTION OF THE COUNCIL OF THE CITY OF MODESTO OPPOSING AMENDMENTS TO THE RAKER ACT GOVERNING THE CONSERVATION AND DEVELOPMENT OF WATER RESOURCES ON THE TUOLUMNE RIVER.

WHEREAS, two proposals have been made to modify the Raker Act of 1913 relating to the development of the upper Tuolumne River Watershed, and

WHEREAS, one of the proposed Raker Act amendments would authorize the Tuolumne County Water District No. 2 to develop a power house site now belonging to the City of San Francisco and sell power to the federal government or any other purchaser, and

WHEREAS, the second proposed amendment to the Raker Act would permit the City of San Francisco to sell Tuolumne River water to private water companies, which is now banned by the Raker Act, and

WHEREAS, the Council believes that both of these amendments to the Raker Act would be detrimental to the interests of the Modesto Irrigation District and the Turlock Irrigation District, and would constitute a real threat to the district irrigator's water rights, posing a threat to district water users and adversely affecting the financial interests of district power consumers, and

WHEREAS, there are also pending before the Division of Water Resources of the State of California applications requesting authority to take unappropriated water out of the Tuolumne River for domestic, irrigation and power making purposes, and

WHEREAS, there is not sufficient run-off or storage in the Tuolumne River watershed to serve any new users and not jeopardize the rights of San Joaquin Valley irrigators, and

WHEREAS, the natural flow of the Tuolumne River will be put to full use when the construction now proposed by the Modesto Irrigation District, the Turlock Irrigation District and the City of San Francisco is completed in the light of past experience in dry years and existing storage facilities, and

WHEREAS, it appears that the proposed irrigation program of the Tuolumne County Water District No. 2 is not economically feasible for in many instances the cost per acre to bring water to much of the land is more than the ultimate value of the land, and

WHEREAS, having the storage on the watershed above Don Pedro Dam on the Tuolumne River could jeopardize the rights of the local districts and cause shortages of water in the rich, more easily irrigated valley regions, and

WHEREAS, the City of Modesto has an interest in the water rights of the Tuolumne River watershed, and

WHEREAS, the proposed amendments to the Raker Act could jeopardize the future water supply of the City of Modesto and its inhabitants which is needed for its full economic growth and development,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it urges the Congress of the United States to leave the present provisions of the Raker Act of 1913, relating to the development of the upper Tuolumne River watershed, intact, thus protecting the prior rights of the City of Modesto and the County of Stanislaus irrigators.

BE IT FURTHER RESOLVED that the Division of Water Resources of the State of California be urged to deny applications pending before it requesting to take unappropriated water out of the Tuolumne River for domestic, irrigation and power making purposes.

BE IT FURTHER RESOLVED that a duly authenticated copy of this resolution be transmitted by the City Clerk to representatives from the State of California to the Congress of the United States and to representatives from the County of Stanislaus to the Legislature of the State of California, the Division of Water Resources of the State of California, and to the Modesto Irrigation District and the Turlock Irrigation District.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of October, 1954 by Councilman M. Adams, who moved its adoption, which motion being duly seconded by Councilman Mellis, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, Arata, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: R. Adams and Annan

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-327

A RESOLUTION GRANTING PERMIT TO THE MODESTO CITY SCHOOLS TO DISPLAY BANNER ACROSS CITY STREETS

--oOo--

BE IT HEREBY RESOLVED that the Modesto City Schools be permitted to display a banner across the city streets at 10th and J Streets during the period beginning November 3 through November 16, to advertise the School Bond Election of November 16.

BE IT FURTHER PROVIDED that the Modesto City Schools agree to hold the City harmless from and against any and all costs, damages, and liability arising out of the erection and display of this banner.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of October, 1954, by Mayor Marks, who moved its adoption, which motion being duly seconded by Councilman Mellis, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, Arata, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: R. Adams and Annan

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-328

A RESOLUTION AUTHORIZING PAYMENT OF AMOUNT APPROPRIATED IN THE 1954-55 BUDGET TO THE MODESTO CHAMBER OF COMMERCE

--oOo--

BE IT HEREBY RESOLVED that payment of \$4,000.00, being the amount appropriated in the 1954-55 budget, be authorized to the Modesto Chamber of Commerce.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of October, 1954, by Councilman Merrill, who moved its adoption, which motion being duly seconded by Councilman Arata, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, Arata, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: R. Adams and Annan

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-329

A RESOLUTION GRANTING PERMIT TO THE MODESTO MCHENRY LIONS CLUB TO SELL ELECTRIC LIGHT BULBS IN THE CITY OF MODESTO

BE IT HEREBY RESOLVED that permit be granted to the Modesto McHenry Lions Club to sell assorted electric light bulbs during the period beginning October 21 and ending November 6, 1954, provided that the club will hold the city harmless from and against any and all costs, damages, and liability arising from this operation.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of October, 1954, by Councilman Merrill, who moved its adoption, which motion being duly seconded by Councilman M. Adams, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, Arata, Mellis, Merrill, and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: R. Adams and Annan

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-330

A RESOLUTION APPROVING APPROPRIATION TRANSFER

BE IT HEREBY RESOLVED that appropriation transfer of \$10,724.00 from General Reserve Fund to the various funds as follows, be approved:

Miscellaneous - unclassified for printing and binding of Municipal Code	\$5,000.00
City Hall Building - Maintenance & Repair Building and Grounds	1,780.00
Inspection Division, salaries & wages \$1705. Equipment Rental charges \$240.	1,945.00
Fire Department - Capital Outlay, Fire alarm system installation of 2 fire alarm boxes on North side of Yosemite Boulevard at Santa Cruz Avenue and LaLoma Boulevard	850.00
Parks & Recreation - (#429-prior year charges payment to vendors for supplies-materials and services during the 1952-53 and 1953-54 years authorized by Council on October 6, 1954	1,149.00

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of October, 1954, by Councilman M. Adams, who moved its adoption, which motion being duly seconded by Councilman Arata, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, Arata, Mellis, Merrill, and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: R. Adams and Annan

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-331

A RESOLUTION ACCEPTING THE BID OF VALLEY ENGINEERS INC. FOR THE CONSTRUCTION OF SANITARY TRUNK SEWER-TUOLUMNE RIVER CROSSING

--oOo--

WHEREAS, Resolution No. 54-309 adopted by the Council of the City of Modesto on October 6, 1954, approved the plans and specifications for the construction of a sanitary trunk sewer--Tuolumne River crossing and authorized the calling for bids.

WHEREAS the five bids received for the said construction were opened at 2:00 P.M. October 19th in the office of the City Manager and later tabulated by the Public Works Department for the consideration of the Council, and

WHEREAS the Director of Public Works has recommended that the bid of \$21,890.00 submitted by Valley Engineers Inc., be accepted as it was the lowest bid received, and

WHEREAS the Director of Public Works has reported that only one of the two necessary easements on the banks of the river has been signed.

NOW THEREFORE BE IT RESOLVED that the bid of the Valley Engineers Inc., of \$21,890.00 for the construction of sanitary trunk sewer - Tuolumne River crossing, be accepted as it is the lowest bid submitted, as recommended by the Director of Public Works, and authorizing the execution of a contract for the completion of the work by the city's designated officials, when and if the necessary easements are received.

The foregoing resolution was introduced at an adjourned regular meeting of the Council of the City of Modesto held on the 21st day of October, 1954 by Councilman Arata, who moved its adoption, which motion being duly seconded

the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: Merrill

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-332

A RESOLUTION ACCEPTING CONSTRUCTION ENCROACHMENT FROM AGNES C. HUFFMAN

--oOo--

BE IT HEREBY RESOLVED that the Council of the City of Modesto does hereby accept from Agnes C. Huffman a Construction Encroachment granting permission to the city to enter upon her property located on McHenry Avenue, near Norwegian Avenue, for the period beginning November 1, 1954 and ending December 31, 1954, for the purpose of a working area in constructing the Norwegian Avenue sanitary trunk sewer, and

BE IT FURTHER RESOLVED that the City Clerk is hereby authorized to record said Construction Encroachment with the Recorder of Stanislaus County.

The foregoing resolution was introduced at an adjourned regular meeting of the Council of the City of Modesto held on the 21st day of October, 1954 by Councilman Annan, who moved its adoption, which motion being duly seconded by Councilman Arata, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: Merrill

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-333

A RESOLUTION AUTHORIZING THE MAYOR TO ISSUE A PROCLAMATION DECLARING THE MONTH OF NOVEMBER AS "RELIGION IN AMERICAN LIFE MONTH".

--oOo--

BE IT HEREBY RESOLVED that Mayor Marks be authorized to declare the month of November, 1954, as "Religion in American Life Month" and urge that every resident participate in this program through regular attendance at his own house of worship as an essential part of family and community life.

BE IT FURTHER RESOLVED that the publication of this proclamation be authorized in all the newspapers in the City and that it be broadcasted over the local radio stations.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of October, 1954, by Councilman Arata, who moved its adoption, which motion being duly seconded by Councilman Mellis, was upon roll call, duly carried, and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: Merrill

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-334

A RESOLUTION COMENDING CAPTAIN U.H. PICKERING

--oOo--

WHEREAS, U.H. Pickering has tendered to the City of Modesto his resignation as Captain of the Police Department, and

WHEREAS, U.H. Pickering has been a loyal and faithful servant of the City of Modesto for a period beginning July 3, 1934 through August 21, 1954, and

WHEREAS, U.H. Pickering is held in the highest esteem by his fellow workers and the Council of the City of Modesto and will be deeply and sincerely missed as Captain of the Police Department.

NOW, THEREFORE, BE IT RESOLVED that the City Council, through this resolution, hereby expresses to U.H. Pickering its appreciation on behalf of the citizens of the City of Modesto for the many years he has unstintingly devoted to the betterment of said City and hereby extends sincere best wishes for the future.

BE IT FURTHER RESOLVED that a certified copy of this resolution be delivered to U.H. Pickering, Captain of the Police Department of the City of Modesto, as an expression of gratitude to him for his faithful service.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of October, 1954, by Councilman Arata, who moved its adoption, which motion being duly seconded by Councilman Mellis, was upon roll call carried, and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis and Mayor Marks
Noes: Councilmen: None
Absent: Councilmen: Merrill

ATTEST: REX E. GAILFUS, CITYCLERK

RESOLUTION NO. 54-335

A RESOLUTION APPROVING THE PLANS AND SPECIFICATIONS AND AUTHORIZING THE CALLING FOR BIDS FOR A SANITARY TRUNK SEWER ON NORWEGIAN AVENUE

--oOo--

BE IT HEREBY RESOLVED that the plans and specifications for the construction of a sanitary trunk sewer on Norwegian Avenue be and they are hereby approved, and

BE IT FURTHER RESOLVED that the calling for bids for the above described construction be and it is hereby authorized in accordance with the procedure contained in Section 1307 of the City Charter, said bids to be opened in the office of the City Clerk at 2:00 P.M., November 15, 1954.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of October, 1954, by Councilman M. Adams, who moved its adoption, which motion being duly seconded by Councilman Annan, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, and Mayor Marks
Noes: Councilmen: None
Absent: Councilmen: Merrill

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-336

A RESOLUTION ACCEPTING THE SANITARY SEWER LATERAL ON AMHERST AVENUE BETWEEN ROSEBURG AND FORDHAM AVENUES FROM ANDREW P. RASSMUSSEN

--oOo--

WHEREAS, the Director of Public Works has filed a report that the construction of the sanitary sewer lateral on Amherst Avenue between Roseburg and Fordham Avenues has been completed by Andrew P. Rassmussen in accordance with the contract agreement, dated August 18, 1954, and has recommended its acceptance by the City of Modesto.

NOW, THEREFORE, BE IT RESOLVED that the construction of the sanitary sewer lateral on Amherst Avenue between Roseburg and Fordham Avenues be accepted from Andrew P. Rassmussen; that Notice of Completion be filed with the County Recorder of Stanislaus County; and that payment of amounts due as provided in the contract be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of October, 1954, by Councilman Arata, who moved its adoption, which motion being duly seconded by Councilman Annan, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, and Mayor Marks
Noes: Councilmen: None
Absent: Councilmen: Merrill

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-337

A RESOLUTION AUTHORIZING THE RELEASE OF SUBDIVISION BOND FILED BY WILBUR E. GRANT ON THE COLLEGE FIG GARDEN SUBDIVISION

--oOo--

WHEREAS, the Director of Public Works has reported that the work required under the Subdivision Bond No. 734965 of the Massachusetts Bonding and Insurance Company filed with the City by Wilbur E. Grant on the College Fig Garden Subdivision has been completed and all provisions of the agreement fulfilled and has recommended that the bond be released to Mr. Grant.

NOW, THEREFORE, BE IT HEREBY RESOLVED that the release of the aforesaid bond to Wilbur E. Grant be and it is hereby authorized as of this date.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of October, 1954, by Councilman M. Adams, who moved its adoption, which motion being duly seconded by Councilman R. Adams, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, and Mayor Marks
Noes: Councilmen: None
Absent: Councilmen: Merrill

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-338

A RESOLUTION APPROVING AND AUTHORIZING EXECUTION OF UTILITY EASEMENT AGREEMENT BETWEEN KENNETH H. DURAND AND GLADYS S. DURAND AND CITY OF MODESTO

--oOo--

BE IT HEREBY RESOLVED that the Utility Easement Agreement, dated October 21, 1954, between Kenneth H. Durand and Gladys S. Durand, grantors, and the City of Modesto, a municipal corporation, for the right of way to excavate for, construct, ins all, lay and maintain underground, and thereafter use, operate, inspect, repair, remove and replace such facilities for the provision of utilities, including a sewer pipe line or

lines (Tuolumne River Crossing) be and it is hereby approved.

BE IT HEREBY RESOLVED that the City's designated officials be authorized to execute the aforesaid agreement.

BE IT FURTHER RESOLVED that the City Clerk be directed to record said Utility Easement Agreement with the Recorder of Stanislaus County.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of October, 1954, by Councilman Annan, who moved its adoption, which motion being duly seconded by Councilman Arata, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Annan, Arata, Mellis, and Mayor Marks
Noes: Councilmen: None
Absent: Councilmen: Merrill

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-339

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH THE DRY CHEMICAL PACIFIC COMPANY FOR THE PURCHASE OF ACTI-ZYME TO BE USED AT THE SEWAGE DISPOSAL PLANT

--oOo--

BE IT HEREBY RESOLVED that the City Manager be and he is hereby authorized to execute on behalf of the City of Modesto an agreement with the Dry Chemical Pacific Company for the purchase of Acti-Zyme to be used at the Sewage Disposal Plant.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of October, 1954, by Councilman M. Adams, who moved its adoption, which motion being duly seconded by Councilman Arata, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis and Mayor Marks
Noes: Councilmen: None
Absent: Councilmen: Merrill

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-340

A RESOLUTION ABANDONING A BUS LOADING ZONE LOCATED ON ELEVENTH STREET IN THE CITY OF MODESTO.

--oOo--

WHEREAS, Section 31 (B) of Ordinance No. 345-N.S. authorizes the City Council to designate the location of loading zones,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. That the bus loading zone located on the east side of ELEVENTH STREET just south of I Street be, and it is hereby abandoned.

SECTION 2. That the City Traffic Engineer be and he is hereby directed to cause parking meters to be installed in said location in accordance with the applicable laws of the City.

SECTION 3. That all resolutions or parts of resolutions in conflict herewith are hereby rescinded.

The foregoing resolution was introduced at a regular meeting of the

Council of the City of Modesto held on the 27 day of October, 1954, by Councilman Arata, who moved its adoption, which motion being duly seconded by Councilman R. Adams, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, and Mayor Marks
Noes: Councilmen: None
Absent: Councilmen: Merrill

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-341

A RESOLUTION GRANTING PERMIT TO THE MODESTO RETAIL MERCHANTS ASSOCIATION TO INSTALL CHRISTMAS DECORATIONS ON THE LIGHT POLES IN THE BUSINESS DISTRICT OF THE CITY OF MODESTO

--oOo--

WHEREAS, the Modesto Retail Merchants, Downtown Division, has requested permission pursuant to Section 9-6.12(a)(7) of the Municipal Code to place Christmas decorations on the City light poles in the business district.

NOW, THEREFORE, BE IT RESOLVED that permission be granted to the Modesto Retail Merchants Association to place Christmas decorations as requested in its letter of October 27, 1954, at a height of 11 feet on the condition that the Association will hold the City harmless from and against any and all costs, damages and liability arising from the installation of the decorations.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of October, 1954, by Councilman Annan, who moved its adoption, which motion being duly seconded by Councilman R. Adams, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, and Mayor Marks
Noes: Councilmen: None
Absent: Councilmen: Merrill

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-342

A RESOLUTION APPROVING APPROPRIATION TRANSFER TO THE TRAFFIC ENGINEER DEPARTMENT

--oOo--

BE IT HEREBY RESOLVED that the following appropriation transfers to the Traffic Engineer Department be approved:

From the Public Works - Streets Division

Capital Outlay-Traffic Channels at intersections	\$3,000
Capital Outlay-Traffic Signs	2,000

From the General Reserve

Salaries and wages, regular	\$2,739	
Salaries and wages-extra help	370	
Maint.&Repair,-office equip.	15	
" " equip. other	75	
Tools, Shop-Field Supplies	110	
Construction Material	690	
Capital Outlay-Camera	25	
	<u>\$4,024</u>	4,024

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of October, 1954 by Councilman Annan, who moved its adoption, which motion was duly seconded by Councilman M. Adams was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis and Mayor Marks
Noes: Councilmen: None
Absent: Councilmen: Merrill

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-343

A RESOLUTION APPROVING APPROPRIATION TRANSFER FROM THE GENERAL RESERVE TO THE PLANNING DEPARTMENT

--oOo--

BE IT HEREBY RESOLVED that the following appropriation transfer to the Planning Department be approved:

From the General Reserve

Salaries and wages - - - - -	\$3,000
Postage - - - - -	25
Conference and travel - - - - -	100
Office Supplies - - - - -	1,000
Books and Periodicals - - - - -	100
Capital Outlay-Desk - - - - -	100
Chair - - - - -	55
Light Table - - - - -	100
Map file - - - - -	<u>44</u>
Total	\$4,524

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of October, 1954 by Councilman Arata, who moved its adoption, which motion being duly seconded by Councilman M. Adams, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis and Mayor Marks
 Noes: Councilmen: None
 Absent: Councilmen: Merrill

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 55-344

A RESOLUTION APPROVING APPROPRIATION TRANSFER FROM THE GENERAL RESERVE TO THE PUBLIC WORKS-SEWER DIVISION

--oOo--

BE IT HEREBY RESOLVED that the following appropriation transfer from the General Reserve to the Public Works-Sewer Division be and it is hereby approved:

<u>From</u>	
General Reserve	\$15,000
<u>To</u>	
Public Works Department-Sewer Division	
Capital Outlay-Seweral Lateral Extensions	15,000

(To appropriate from the General Fund the excess of the cost of sanitary sewers laterals in North Central Addition over the revenue received under Ordinance 1070-N.S. for sewer lateral connection fees. Contract for construction of sewer laterals \$58,690.05, sewer lateral connection fees, per Ord. 1070-N.S. \$44,112.)

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of October, 1954 by Councilman Mellis, who moved its adoption, which motion being duly seconded by Councilman R. Adams, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis and Mayor Marks
 Noes: Councilmen: None
 Absent: Councilmen: Merrill

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-345

A RESOLUTION APPROVING UTILITY EASEMENT AGREEMENT BETWEEN THE CITY OF MODESTO AND CHARLES TOCALINO AND TERESA TOCALINO AND AUTHORIZING ITS EXECUTION

--oOo--

BE IT HEREBY RESOLVED that the Council of the City of Modesto does hereby approve the Utility Easement Agreement between the City of Modesto and Charles Tocalino and Teresa Tocalino relating to the sewer trunk line--Tuolumne River Crossing, and

BE IT FURTHER RESOLVED that Ross Miller, as City Manager, and Rex E. Gailfus, as City Clerk, of the City of Modesto, be and they are hereby authorized and directed to execute in the name of, and for, and on behalf of the City of Modesto, said Utility easement agreement and the City Clerk is directed to record said agreement with the Recorder of Stanislaus County.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd day of November, 1954, by Councilman Annan, who moved its adoption, which motion being duly seconded by Councilman M. Adams, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks
Noes: Councilmen: None
Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-346

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND ORRICK, DAHLQUIST, HERRINGTON & SUTCLIFFE, BOND COUNSELS, AND AUTHORIZING ITS EXECUTION

--oOo--

BE IT HEREBY RESOLVED that the Council of the City of Modesto does hereby approve the agreement between the City of Modesto and Orrick, Dahlquist, Herrington & Sutcliffe, Bond Counsels, relating to the proposed amendment to the Charter of the City of Modesto regarding revenue bonds for Off-Street parking facilities. Reference is hereby made to a copy of said agreement on file in the office of the City Clerk of the City of Modesto for further particulars, and

BE IT FURTHER RESOLVED that Ross Miller, as City Manager, and Rex E. Gailfus, as City Clerk of the City of Modesto, be and they are hereby authorized and directed to execute said agreement in the name of, and for, and on behalf of the City of Modesto.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd day of November, 1954, by Councilman Merrill, who moved its adoption, which motion being duly seconded by Councilman Arata, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks
Noes: Councilmen: None
Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-347

A RESOLUTION AUTHORIZING THE REFUND OF OVERPAYMENT OF MILL LICENSE TO THREE B'S LIQUOR STORE

--oOo--

WHEREAS, a claim has been filed by the Three B's Liquor Store, 1601 Yosemite Boulevard, for overpayment of Mill License for the period beginning October 1, 1953, to March 31, 1954, inclusive, in the amount of \$32.60.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Modesto does hereby approve the claim of the Three B's Liquor Store and authorizes the Director of Finance to issue a warrant payable to said claimant in the amount of \$32.60.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd day of November, 1954, by Councilman Annan, who moved its adoption, which motion being duly seconded by Councilman R. Adams, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Markw

Noes: Councilmen: None

Absent: Councilmen: None

REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-348

A RESOLUTION PROVIDING FOR THE OPERATION OF THE MUNICIPAL DISPOSAL AREA AND ESTABLISHING CHARGES FOR THE USE OF SAID DISPOSAL AREA BY GARBAGE COLLECTING COMPANIES

--oOo--

WHEREAS, the Council of the City of Modesto, by Resolution No. 54-236, adopted on July 21, 1954, authorized the use of a portion of the City Sewer Farm for the purpose of establishing and maintaining a sanitary fill and reclamation area for the disposal of garbage, and

WHEREAS, it is desired to establish an interim basis for the operation and use of said disposal area by garbage operators collecting garbage produced within the City pending the final determination of the manner of operating and maintaining said garbage disposal area,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. USE OF DISPOSAL AREA. The disposal area established on a portion of the City sewer farm may be used for the disposal of garbage by all persons engaged in the business of collecting garbage produced within the City and collected by them on the terms set forth in this resolution. No garbage produced outside the City limits shall be disposed of or deposited at said disposal area.

SECTION 2. AMOUNT OF CHARGES. A charge of Two and 50/100ths (\$2.50) Dollars per load is hereby established for the privilege of using said disposal area by garbage collectors for the disposal or deposit thereat of garbage produced within the City and collected by such garbage collectors.

SECTION 3. MANNER OF DISPOSAL. All garbage disposed of or deposited at said disposal area shall be deposited as and where directed by the operator in charge of said disposal area.

SECTION 4. OPERATION AND MAINTENANCE OF THE DISPOSAL AREA. Said garbage disposal area shall be maintained and operated in a sanitary manner by the Modesto Garbage Company under the direction and supervision of the Director of Public Works. Said operator shall comply with all federal, state, county and municipal laws, rules and regulations which may be applicable to the operation and maintenance of said disposal area. Said operator shall keep at its own cost and expense such employees and attendants thereat as may be necessary to properly operate and maintain said disposal area and provide for the reception and disposal of garbage.

SECTION 5. COMPENSATION. In consideration of its proper operation and maintenance of said disposal area, the Modesto Garbage Company shall be entitled to payment in the sum of One and 25/100ths (\$.25) Dollars for each load of garbage disposed of thereat, including each load of garbage disposed of thereat by said company. Said compensation shall be credited against charges incurred by said company for the privilege of disposing of garbage collected within the City by it at said disposal area.

SECTION 6. RECORDS. Said company shall keep detailed written records of all loads of garbage disposed of at said disposal area, including the name of the garbage operator delivering said loads, and the date upon which they were delivered, and shall furnish an itemized monthly report of same to the Director of Finance. City shall have the right to inspect, audit and copy such records upon notice at all reasonable times.

SECTION 7. BILLING AND COLLECTION OF CHARGES. City shall be responsible for doing the necessary billing and collecting of all garbage disposal charges imposed by reason of the use of said disposal area.

SECTION 8. REPEALS. All resolutions or portions of resolutions in conflict herewith are hereby rescinded.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3 day of November, 1954, by Councilman M. Adams, who moved its adoption, which motion being duly seconded by Councilman Merrill, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks
Noes: Councilmen: None
Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-349

A RESOLUTION ACCEPTING THE IMPROVEMENT OF TULLY AVENUE, BETWEEN PRINCETON AVENUE AND CECIL WAY, FROM CONTRACTOR M.J. RUDDY & SON

--oOo--

WHEREAS, the Director of Public Works has reported that the improvement of Tully Avenue, between Princeton Avenue and Cecil Way, has been completed by the contractor, M.J. Ruddy & Son, in accordance with the contract agreement dated September 8, 1954, and

WHEREAS, the Director of Public Works has reported that due to the nature of the work and the complications arising from the use of new materials, that the contractor was unable to complete the project on the specified date, and

WHEREAS, the Director of Public Works has recommended that the project be accepted as completed by M.J. Ruddy & Son and that no liquidated damages be collected.

NOW, THEREFORE, BE IT HEREBY RESOLVED that the Council of the City of Modesto does hereby accept the improvement of Tully Avenue, between Princeton Avenue and Cecil Way, from the contractor, M.J. Ruddy and Son; does hereby waive all liquidated damages; does hereby authorize the recording of the Notice of Completion with the Stanislaus County Recorder; and, does hereby authorize payments due the said contractor as due under the contract, as recommended by the Director of Public Works.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of November, 1954, by Councilman Mellis, who moved its adoption, which motion being duly seconded by Councilman R. Adams, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks
Noes: Councilmen: None
Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-350

A RESOLUTION APPROVING AMENDMENT TO THE AGREEMENT BETWEEN THE CITY OF MODESTO AND CODDING HOMES FOR THE DEVELOPMENT OF MCHENRY VILLAGE SUBDIVISION NO. 1.

--oOo--

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the amendment to the agreement relating to the development of McHenry Village Subdivision No. 1 between the City of Modesto and Coddington Homes, providing for the payment of the fees required under Section 7, Subsection (a) and (c) of said agreement, to be made to the City as the Subdivision is developed, be and it is hereby approved.

BE IT FURTHER RESOLVED that Ross Miller, as City Manager, and Rex E. Gailfus, as City Clerk, of the City of Modesto, be and they are hereby authorized to execute said agreement for, and on behalf of the City of Modesto.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of November, 1954, by Councilman Annan, who moved its adoption, which motion being duly seconded by Councilman Merrill, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks
Noes: Councilmen: None
Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-351

A RESOLUTION APPROVING UTILITY EASEMENT AGREEMENT BETWEEN THE CITY OF MODESTO AND THE MODESTO TALLOW COMPANY, A CORPORATION, AND AUTHORIZING ITS EXECUTION

--oOo--

BE IT HEREBY RESOLVED that the Council of the City of Modesto does hereby approve the Utility Easement Agreement between the City of Modesto and the Modesto Tallow Company, a corporation, relating to the sewer trunk line - Tuolumne River Crossing, and

RESOLUTION NO. 54-351 (Continued)

BE IT FURTHER RESOLVED that Ross Miller, as City Manager, and Rex E. Gailfus, as City Clerk, of the City of Modesto, be and they are hereby authorized and directed to execute in the name of, and for, and on behalf of the City of Modesto, said utility easement agreement and the City Clerk is directed to record said agreement with the Recorder of Stanislaus County.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of November, 1954, by Councilman Arata, who moved its adoption, which motion being duly seconded by Councilman Merrill, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill, and Mayor Marks
Noes: Councilmen: None
Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-352

A RESOLUTION APPROVING THE FINAL MAP OF THE WILKINSON TRACT NO. 2 OF THE CITY OF MODESTO.

--oOo--

WHEREAS, Charles T. Chadwick, E.F. Benzow, Martin Wilkinson and Renetta Hay Benzow are possessed of a tract of land situate in the City of Modesto, County of Stanislaus, consisting of 2.31 acres known as Wilkinson Tract No. 2, and

WHEREAS, a tentative map of said tract was approved by the City Planning Commission on the 14th day of June, 1954, and

WHEREAS, the final map of said tract has been approved by the Secretary of the City Planning Commission, and

WHEREAS, the City Engineer of the City of Modesto has certified that the final map of said Wilkinson Tract No. 2 meets all the provisions of the California Subdivision Map Act and the provisions of the Modesto Municipal Code relating to subdivisions and that the map is technically correct,

NOW, THEREFORE, BE IT RESOLVED that said final map of the Wilkinson Tract No. 2 be approved and the streets, alleys and easements as shown thereon within the boundaries of said tract be accepted on behalf of the public for public use and that the City Clerk be, and he is hereby authorized to certify the map of said tract on behalf of the City of Modesto after the fees in the amount of \$369.60, as required by the Modesto Municipal Code for checking, copies of maps, recording and parks and playgrounds have been paid and subdividers have furnished a bond acceptable to the City Attorney, or, in lieu thereof, have posted a cash deposit with the City Clerk in the sum of \$750.00.

BE IT FURTHER RESOLVED that the City Manager and the City Clerk be, and they are hereby authorized to execute and attest, respectively, an agreement with subdividers as required by Section 4-4.604 (c) of the Modesto Municipal Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10 day of November, 1954 by Councilman R. Adams, who moved its adoption, which motion being duly seconded by Councilman M. Adams, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks
Noes: Councilmen: None
Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-353

A RESOLUTION APPROVING AND AUTHORIZING EXECUTION OF AGREEMENT WITH FRANK L. HUFFMAN TO ACT AS CITY RIGHT OF WAY AGENT.

--oOo--

BE IT HEREBY RESOLVED BY the Council of the City of Modesto that the agreement between the City of Modesto and Frank L. Huffman, providing for the rendering of personal services to the city as city Right of Way Agent, be and it is hereby approved, and

BE IT FURTHER RESOLVED that Ross Miller, City Manager, and Rex E. Gailfus, City Clerk be and they are hereby authorized and directed to execute said agreement in the name of and for and on behalf of the City of Modesto.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of November, 1954, by Councilman Merrill, who moved its adoption, which motion being duly seconded by Mayor Marks, was upon roll call carried and the resolution adopted by the following vote:

- Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks
- Noes: Councilmen: None
- Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-355

A RESOLUTION PROVIDING FOR THE ISSUANCE OF CERTIFICATES OF SERVICE TO FORMER MEMBERS OF THE COUNCIL OF THE CITY OF MODESTO.

--oOo--

WHEREAS, many public spirited citizens have rendered outstanding service to their fellow citizens of Modesto by serving as members of the Legislative Body of the City, and

WHEREAS, it is fitting that an expression of appreciation be made of their unselfish interests in the community as a whole and their untiring efforts in its behalf by furnishing them with tangible evidence of this appreciation,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the Mayor and City Clerk be, and they are hereby directed to properly authenticate and present Certificates of Service in the form attached to this Resolution to all former members of the Council of the City of Modesto who still live in the community who have not been furnished with appropriate written recognition of such services.

BE IT FURTHER RESOLVED that said Certificates be presented in person at a fitting ceremonial service at a regular meeting of this Body.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 17 day of November, 1954 by Councilman Mellis, who moved its adoption, which motion being duly seconded by Councilman Annan, was upon roll call carried and the resolution adopted by the following vote:

- Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks
- Noes: Councilmen: None
- Absent: Councilmen: None

RESOLUTION NO. 54-356

A RESOLUTION DESIGNATING A BUS LOADING ZONE ON COLLEGE AVENUE BETWEEN NEEDHAM AND ALICE STREETS IN THE CITY OF MODESTO

--oOo--

WHEREAS, Section 31 (b) of Ordinance No. 345-N.S. authorizes the City Council to designate the location of loading zones,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto, as follows:

SECTION 1. A bus loading zone is hereby established at the following location in the City of Modesto:

Beginning at the northerly curb line of Needham Avenue at its intersection with the westerly curb line of COLLEGE AVENUE and continuing northerly along the west curb line of COLLEGE AVENUE a distance of fifty (50') feet.

SECTION 2. The Traffic Engineer is hereby directed to cause the above location to be marked and designated in accordance with the provisions of this resolution and Section 31 of Ordinance No. 345-N.S.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 17 day of November, 1954 by Councilman M. Adams, who moved its adoption, which motion being duly seconded by Councilman R. Adams, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-357

A RESOLUTION APPROVING AND AUTHORIZING EXECUTION OF AGREEMENT BETWEEN THE CITY OF MODESTO AND RPC POPCORN AND VENDING COMPANY

--oOo--

BE IT HEREBY RESOLVED that the Council of the City of Modesto does hereby approve the agreement between the City of Modesto, a municipal corporation, and RPC Popcorn and Vending Company, for the installation of vending machines in the Maddux Youth Center. Reference is hereby made to a copy of said agreement on file in the office of the City Clerk for further particulars.

BE IT FURTHER RESOLVED that Ross Miller, City Manager, and Rex E. Gailfus, City Clerk, of the City of Modesto, be and they are hereby authorized and directed to execute the same in the name of and for and on behalf of the City of Modesto.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 17th day of November, 1954, by Councilman Annan, who moved its adoption, which motion being duly seconded by Councilman R. Adams, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-358

A RESOLUTION DESIGNATING A FREIGHT LOADING ZONE ALONG THE NORTHWESTERLY SIDE OF NINTH STREET BETWEEN G AND H STREETS.

--oOo--

WHEREAS, Section 31 (b) of Ordinance No. 345-N.S. authorizes the City Council to designate the location of loading zones,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. A freight loading zone is hereby established between the hours of 7 o'clock a.m. and 7 O'clock p.m. at the following location:

Beginning at a point on the northeasterly curb line of NINTH STREET one hundred forty-two (142') feet northwesterly from the intersection of said curb line with the northwesterly curb line of G Street and extending northwesterly along the NINTH STREET curb line a distance of thirty (30') feet.

SECTION 2. The Traffic Engineer is hereby directed to cause the above location to be marked and designated in accordance with the provisions of this resolution and Section 31 of Ordinance No. 345-N.S.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 17 day of November, 1954, by Councilman Annan, who moved its adoption, which motion being duly seconded by Councilman Mellis, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill, and Mayor Marks
Noes: Councilmen: None
Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-359

A RESOLUTION PROHIBITING PARKING IN SPECIFIED PLACES ON COLDWELL AVENUE BETWEEN COLLEGE AVENUE AND TULLY ROAD AND ON SEVENTH STREET BETWEEN K AND L STREETS IN THE CITY OF MODESTO.

--oOo--

WHEREAS, Section 34.1 of Ordinance No. 345-N.S. of the City of Modesto, as amended, authorizes the City Council, by resolution, to restrict or prohibit the parking of motor vehicles upon designated streets of the City if the general welfare and safety of the citizens so require it, and

WHEREAS, the Council finds and declares that the best interests of the citizens of said City require that parking in specified places on Coldwell Avenue between College Avenue and Tully Road and on Seventh Street between K and L Streets be prohibited as hereinafter provided,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. It shall be unlawful for the operator of a vehicle to park or stop such vehicle in the following places in the City of Modesto:

(a) Beginning at a point on the southerly curb line of COLDWELL AVENUE four hundred fifty-four (454') feet west of the westerly curb line of College Avenue south of COLDWELL AVENUE and continuing westerly along the COLDWELL AVENUE curb line a distance of fifty (50') feet.

(b) Beginning at a point on the northerly curb line of COLDWELL AVENUE four hundred fifty-four (454') feet west of the westerly curb line of College Avenue south of Coldwell Avenue and continuing westerly along the COLDWELL AVENUE curb line a distance of fifty (50') feet.

(c) Beginning at the intersection of the northeasterly curb line of Seventh Street and the southwesterly curb line of L Street and extending southeasterly along the Seventh Street curb line a distance of forty (40') feet.

SECTION 2. The Traffic Engineer is hereby directed to cause the above described areas to be marked and posted in accordance with the provisions of this resolution and the applicable laws of the City.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 17 day of November, 1954, by Councilman Annan, who moved its adoption, which motion being duly seconded by Councilman R. Adams, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill, and Mayor Marks
Noes: Councilmen: None
Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-360

A RESOLUTION ESTABLISHING THE PRICES FOR THE PUBLIC SALE OF THE MODESTO MUNICIPAL CODE

--oOo--

WHEREAS, the laws of the City have been compiled and codified in the Modesto Municipal Code which was adopted by the Council on the 6th day of October, 1954, and WHEREAS, said Code is being published and will be available for sale to the public,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. A special pre-publication price for the Modesto Municipal Code for purchase by the public is hereby established in the sum of \$10.00, plus tax.

SECTION 2. Following the publication of the Code, the price for the purchase of same is hereby established in the sum of \$12.50, plus tax,

SECTION 3. The price for the purchase of individual titles of the Code is hereby established in the sum of \$1.00 each, plus tax.

SECTION 4. The cost for receiving the annual replacement service to the Code is hereby established in the sum of \$2.50 per year, plus tax.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 17 day of November, 1954, by Councilman Merrill, who moved its adoption, which motion being duly seconded by Councilman Arata, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks
Noes: Councilmen: None
Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-361

A RESOLUTION GRANTING PERMIT TO LAWRENCE ROBINSON & SONS TO DRILL A WELL ON ITS PROPERTY LOCATED ON MCHENRY AVENUE

--oOo--

BE IT HEREBY RESOLVED that the Council of the City of Modesto does hereby grant permit to Lawrence Robinson and Sons to drill a well on its property located on McHenry Avenue as provided in Section 5-1.501 of the Modesto Municipal Code, under the conditions established by the Public Works and Health Departments of the City of Modesto.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 17th day of November, 1954, by Councilman Annan, who moved its adoption, which motion being duly seconded by Councilman R. Adams, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks
Noes: Councilmen: None
Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-362

A RESOLUTION COMMENDING CITIZENS OF MODESTO FOR PARTICIPATION IN THE ALL AMERICA CITIES AWARD PROGRAM

--oOo--

WHEREAS, the citizens of the City of Modesto have taken upon themselves the responsibility for improving their City's government and establishing high and ambitious goals, and

WHEREAS, through their activities they have both as individuals and as organized groups lead Modesto to a position of finalist in the All America Cities contest for the selection of cities in which citizen participation for better government has been most notably demonstrated.

WHEREAS, in response to an invitation by Look Magazine to be photographed as competitors for the All America Cities award, on less than 24 hours notice over 1,000 citizens appeared,

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Modesto does commend the citizens for active, alert interest in their city government and for their unending efforts to continuously improve their community.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Mdesto held on the 17th day of November, 1954, by Mayor Marks, who moved its adoption, which motion being duly seconded by Councilman Arata, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks
Noes: Councilmen: None
Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-363

A RESOLUTION COMMENDING DR. ROBERT MOON ON HIS PRESENTATION BEFORE THE JURY OF THE ALL AMERICA CITIES AWARD

--oOo--

WHEREAS, Dr. Robert Moon has been actively participating in citizens activities in Modesto for many years, and

WHEREAS, he has been particularly active in the Chamber of Commerce, being past president of that civic minded group, and

WHEREAS, he was a member of the Greater Modesto Committee which was a leader in this City's annexation activities of the past few years, and

WHEREAS, he was an energetic member and Vice-Chairman of the Forward

WHEREAS, he has willingly and freely contributed of his time to aid in any and all civic projects, and

WHEREAS, he presented the case for Modesto's bid for the All America Cities award in Kansas City, Missouri, November 8, 1954, in a most able and masterful manner,

NOW, THEREFORE, BE IT HEREBY RESOLVED that the Council of the City of Modesto does hereby commend Dr. Robert Moon for his long and active participation in community activities and for his appearance on behalf of the City of Modesto before the All America Cities Award committee.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 17th day of November, 1954, by Mayor Marks, who moved its adoption, which motion being duly seconded by Councilman Arata, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks
Noes: Councilmen: None
Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-364

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING THE CALLING FOR BIDS FOR THE CONSTRUCTION OF A STORM SEWER IN 8th STREET BETWEEN L AND N STREETS

--oOo--

BE IT HEREBY RESOLVED that the Plans and Specifications for the construction of a storm sewer in 8th Street between L and N Streets be and they are hereby approved, and

BE IT FURTHER RESOLVED that the calling for bids for the above described construction be and it is hereby authorized in accordance with the procedure contained in Section 1307 of the City Charter, said bids to be opened at 2:00 P.M., December 13, 1954, in the office of the City Clerk.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of November, 1954, by Councilman Arata, who moved its adoption, which motion being duly seconded by Councilman M. Adams, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Arata, Mellis, Merrill, and Mayor Marks
Noes: Councilmen: None
Absent: Councilmen: Annan

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-365

A RESOLUTION APPROVING THE RENEWAL OF THE AGREEMENT FOR TEMPORARY TRANSFER OF VEHICULAR EQUIPMENT BETWEEN THE CITY OF MODESTO AND THE STATE OF CALIFORNIA, OFFICE OF CIVIL DEFENSE

--oOo--

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the renewal of the Agreement for Temporary Transfer of Vehicular Equipment between the City of Modesto, a municipal corporation, and the State of California, Office of Civil Defense, be and it is hereby approved for a term of six months beginning November 8, 1954.

BE IT FURTHER RESOLVED that Ross Miller, as City Manager of the City of Modesto, be and he is hereby authorized and directed to execute said agreement in the name of, and for, and on behalf of the City of Modesto. Reference is hereby made to a copy of said agreement on file in the office of the City Clerk of the City of

Modesto for further particulars.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of November, 1954, by Councilman Arata, who moved its adoption, which motion being duly seconded by Councilman R. Adams, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Arata, Mellis, Merrill, and Mayor Marks
Noes: Councilmen: None
Absent: Councilmen: Annan

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-366

A RESOLUTION REQUESTING THE BOARD OF SUPERVISORS OF STANISLAUS COUNTY TO CANCEL CITY TAXES ON PROPERTY OWNED BY THE CITY OF MODESTO PARKING AUTHORITY.

--oOo--

WHEREAS, the City of Modesto Parking Authority acquired Lots 6 and 7 of Block 69 of the City of Modesto on June 17, 1954, and Lots 8 and 9 of Block 69 of the City of Modesto on July 20, 1954, and

WHEREAS, Sections 4986 and 4986.2 of the Revenue and Taxation Code of the State of California authorize the cancellation of city taxes on property acquired after the lien date by a public agency upon the written consent of the City Attorney and the District Attorney, respectively, and

WHEREAS, the City of Modesto Parking Authority has requested this Body to request the Board of Supervisors of Stanislaus County to cancel City taxes on the above described property, and

WHEREAS, the City Attorney has consented to such cancellations,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the Board of Supervisors of Stanislaus County be, and it is hereby requested to cancel the 1954-55 City taxes on the following described properties owned by the City of Modesto Parking Authority and acquired after the lien date:

<u>TAX BILL NUMBER</u>	<u>LEGAL DESCRIPTION OF PROPERTY</u>	<u>AMOUNT</u>
1436	Lots 6 and 7 in Block 69 of the City of Modesto, as per map filed December 21, 1942 in Vol. 15 of Maps, Stanislaus County Records.	\$366.68
3539	Lots 8 and 9 in Block 69 of the City of Modesto according to the Official Map thereof, filed in the office of the Recorder of Stanislaus County, California, on December 21, 1942 in Vol. 15 of Maps.	298.68

BE IT FURTHER RESOLVED that the City Clerk be, and he is hereby directed to transmit a duly authenticated copy of this Resolution to the Clerk of the Board of Supervisors of Stanislaus County.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24 day of November, 1954, by Councilman Mellis, who moved its adoption, which motion being duly seconded by Councilman Arata, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Arata, Mellis, Merrill and Mayor Marks
Noes: Councilmen: None
Absent: Councilmen: Annan

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-367

A RESOLUTION APPROVING THE SPECIFICATIONS FOR THE PURCHASE OF A FIRE TRUCK AND AUTHORIZING THE CALLING FOR BIDS

--oOo--

BE IT HEREBY RESOLVED that the specifications for the purchase of a triple combination fire truck be and they are hereby approved, and

BE IT FURTHER RESOLVED That the calling for bids for above described equipment be and it is hereby authorized. Said bids to be opened at 2:00 P.M., December 30, 1954, in the office of the City Clerk.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 1st day of December, 1954, by Councilman Mellis, who moved its adoption, which motion being duly seconded by Councilman Arata, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks
Noes: Councilmen: None
Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-368

A RESOLUTION AUTHORIZING THE RELEASE OF THE SUBDIVISION BOND FILED BY LIONEL R. VAN HORN AND ORVAL J. TSCHANTZ

--oOo--

WHEREAS, the Director of Public Works has filed a statement that the improvements on the Tschantz and Van Horn Tract have been completed in accordance with the agreement and to his satisfaction, and

WHEREAS, the Director of Public Works has recommended that the Subdivision Bond filed by Lionel R. Van Horn and Orval J. Tschantz be released,

NOW, THEREFORE, BE IT RESOLVED that the Subdivision Bond of the American Surety Company in the amount of \$2,500 filed by Lionel R. Van Horn and Orval J. Tschantz be and it is hereby released and ordered returned to the principals.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 1st day of December, 1954, by Councilman M. Adams, who moved its adoption, which motion being duly seconded by Councilman R. Adams, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks
Noes: Councilmen: None
Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-369

A RESOLUTION ESTABLISHING STOP SIGNS ON CERTAIN STREETS IN THE CITY OF MODSTO

--oOo--

WHEREAS, under and by virtue of provisions of Ordinance No. 558-N.S. of the City of Modesto; the City Council of said City has the power when and if the general welfare and safety of the citizens of the City of Modesto so require it, to erect boulevard stop signs at or adjacent to any intersection within the City of Modesto, and

WHEREAS, it appears to said City Council that the general welfare of the citizens of Modesto require that boulevard stop signs be erected and maintained at

intersections herein designated and that at said intersections all of the provisions of Ordinance No. 558-N.S. of City of Modesto entitled: "AN ORDINANCE AMENDING SECTION 23 of ORDINANCE NO. 345-N.S. OF THE CITY OF MODESTO AS HEREAFTER AMENDED," shall be enforced and said stop signs shall be erected prohibiting drivers of vehicles from passing said boulevard stop signs without first stopping vehicles so operated by said operator.

NOW, THEREFORE BE IT RESOLVED; and ordered by said City Council that at the places hereinafter designated, the City Traffic Engineer shall erect or cause to be erected and maintained, boulevard stop signs and that said Ordinance No. 558-N.S. heretofore referred to shall be enforced at said intersections:

On the Northeast and Southwest corners of Laurel Avenue and Jefferson Street for traffic entering Jefferson Street.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 1 day of December, 1954, by Councilman Merrill, who moved its adoption, which motion being duly seconded by Councilman Arata, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

R. SOLUTION NO. 54-370

A RESOLUTION DESIGNATING A FREIGHT LOADING ZONE ALONG THE NORTHEASTERLY SIDE OF NINTH STREET BETWEEN F AND G STREETS IN THE CITY OF MODESTO.

--oOo--

WHEREAS, Section 31 (b) of Ordinance No. 345-N.S., as amended, authorizes the City Council to designate the location of loading zones,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. A freight loading zone is hereby established between the hours of 6 o'clock a.m. and 6 o'clock p.m. at the following location:

Beginning at a point on the northeasterly curb line of NINTH STREET, said point being fifty-nine (59') feet northwesterly from the intersection of this curb line with the northwesterly curb line of F Street and continuing northwesterly along the NINTH STREET curb line a distance of twenty-two (22') feet.

SECTION 2. The Traffic Engineer is hereby directed to cause the above location to be marked and designated in accordance with the provisions of this resolution and Section 31 of Ordinance No. 345-N.S.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 1 day of December, 1954, by Councilman R. Adams, who moved its adoption, which motion being duly seconded by Councilman Mellis, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-371

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND DALTON P. ELLIS, LEVOY WRIGHT, AND LANCE E. ELLIS RELATIVE TO IMPROVEMENT OF BISPO DRIVE

--oOo--

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement dated December 1, 1954, between the City of Modesto and Dalton P. Ellis, Levoy Wright, and Lance E. Ellis relative to the improvement of Bispo Drive from Chenery Drive westward approximately 100 feet to the easterly boundary of the Caroland Manor Tract be approved, and

BE IT FURTHER RESOLVED that Ross Miller, City Manager, and Rex E. Gailfus, City Clerk, of the City of Modesto, be authorized to execute said agreement in the name of, and for, and on behalf of the City of Modesto. Reference is hereby made to a copy of said agreement on file in the office of the City Clerk of the City of Modesto for further particulars.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 1st day of December, 1954, by Councilman Arata, who moved its adoption, which motion being duly seconded by Councilman M. Adams, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks
Noes: Councilmen: None
Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-372

A RESOLUTION APPROVING THE SPECIFICATIONS AND AUTHORIZING THE CALLING FOR BIDS FOR AUTOMOTIVE EQUIPMENT

--oOo--

BE IT HEREBY RESOLVED that the specifications for the purchase of the following automotive equipment be and it is hereby approved:

- Two - one half ton pickups
- One - Three-quarter ton dump truck
- Two - Standard business coupes
- Four - Four door sedans
- One - Two ton dump truck

BE IT FURTHER RESOLVED that the calling for bids be authorized, said bids to be opened at 2:00 P.M. December 27, 1954, in the office of the City Clerk.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of December, 1954 by Councilman M. Adams, who moved its adoption, which motion being duly seconded by Councilman Annan, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks
Noes: Councilmen: None
Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-373

A RESOLUTION ACCEPTING DONATION FROM THE MAVIS DELL SCHOOL OF DANCING FOR THE MADDUX YOUTH CENTER FURNISHING FUND AND AUTHORIZING ITS EXPENDITURE FOR FURNISHINGS

--oOo--

WHEREAS, the Mavis Dell School of Dancing has donated \$414.00 to the Maddux Youth Center Furnishing Fund,

NOW, THEREFORE BE IT RESOLVED that the Council of the City of Modesto does hereby express the appreciation of the Citizens of this city to the Mavis Dell School of Dancing for its generous donation and does hereby accept the donation and authorize its deposit in the L.J. Maddux Youth Center Furnishing Fund, and

BE IT FURTHER RESOLVED that the donation of \$414.00 be appropriated for expenditure for furnishing for the Youth Center.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of December, 1954 by Councilman M. Adams, who moved its adoption, which motion being duly seconded by Councilman R. Adams, was upon roll call carried and the resolution adopted by the following vote:

- Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks
- Noes: Councilmen: None
- Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-374

A RESOLUTION AUTHORIZING A TEMPORARY TRANSFER FROM THE GENERAL FUND OF THE CITY OF MODESTO TO THE SPECIAL FUND FOR CAPITAL OUTLAYS AND TO PROVIDE FOR ITS REIMBURSEMENT.

--oOo--

WHEREAS, moneys anticipated to be received during the 1954-55 fiscal year by the Special Fund for Capital Outlays have been appropriated for expenditure, and

WHEREAS, the revenue from the additional 1/2 of 1% City sales and Use Tax will not accrue to this Fund until after January 1, 1955, and

WHEREAS, it is the desire of the Council of the City of Modesto to make a purchase of land from funds heretofore appropriated in the Special Fund for Capital Outlays,

NOW THEREFORE BE IT RESOLVED that the Director of Finance be authorized to make a temporary transfer of Twenty-two Thousand (\$22,000) dollars from the General Fund of the City of Modesto to the Special Fund for Capital Outlays, and

BE IT FURTHER RESOLVED that the Director of Finance be authorized to reimburse the General Fund for said transfer from the first moneys received in the Special Fund for Capital Outlays after January 1, 1955.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8 day of December, 1954, by Councilman Arata, who moved its adoption, which motion being duly seconded by Councilman Annan, was upon roll call carried and the resolution adopted by the following vote:

- Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks
- Noes: Councilmen: None
- Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-375

A RESOLUTION ACCEPTING THE RESIGNATION OF COUNCILMAN ROBERT W. ADAMS AND EXPRESSING GRATITUDE AND APPRECIATION FOR PERFORMANCE OF HIS CIVIC DUTY

--oOo--

WHEREAS, Robert W. Adams has acted as A Councilman for the City of Modesto since April 27, 1954, and

WHEREAS, Mr. Adams has been elected to the office of Supervisor of the Fourth District of the County of Stanislaus, effective January 3, 1955, and

WHEREAS, as a member of the City Council he has been instrumental in directing the affairs of the City of Modesto and has unselfishly assumed the burden of government, and

WHEREAS, he has brought to the government of the City of Modesto a calm, thoughtful and intelligent attitude in the solution of civic problems,

NOW, THEREFORE, BE IT RESOLVED as follows:

1. That the resignation of Robert W. Adams, as Councilman of the City of Modesto, be accepted, effective as of December 9, 1954.
2. That the City Council through this resolution hereby expresses to Robert W. Adams its appreciation on its own behalf and on behalf of the citizens of the City of Modesto for the many hours which he has devoted for the welfare of his city and in the solution of the many problems confronting a present day municipality.
3. That this resolution shall be spread upon the minutes of the Council of the City of Modesto and that a copy be delivered to Robert W. Adams as an expression of gratitude to him for his service to the City of Modesto and as evidence that his resignation is regretfully accepted.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of December, 1954 by Councilman Mellis, who moved its adoption, which motion being duly seconded by Councilman M. Adams, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks
 Noes: Councilmen: None
 Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-376

A RESOLUTION ACCEPTING THE BID OF TED SWINFORD FOR THE CONSTRUCTION OF STORM SEWER IN 8th STREET BETWEEN L AND N STREETS

--oOo--

WHEREAS, Resolution No. 54-364, adopted by the Council of the City of Modesto on November 24, 1954, approved the plans and specifications for the construction of storm sewer in 8th Street between L and N Streets and authorized the calling for bids, and

WHEREAS, the bids received for the said construction were opened at 2:00 P.M. December 13, 1954, in the office of the City Clerk and later tabulated by the Public Works Department for the consideration of the Council, and

WHEREAS, the Director of Public Works has recommended that the bid of \$5,116.00 submitted by Ted Swinford be accepted as it was the lowest bid received.

NOW, THEREFORE, BE IT RESOLVED that the bid of Ted Swinford for \$5,116.00 for the construction of a storm sewer in 8th Street between L and N Streets be and it is hereby accepted, and the execution of a contract for the completion of the contract by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 15th day of December, 1954, by Councilman Annan, who moved its adoption, which motion being duly seconded by Councilman Mellis, was

upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Annan, Arata, Heckendorf, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: M. Adams

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-377

A RESOLUTION APPOINTING MARVIN L. HECKENDORF TO THE VACANCY EXISTING IN THE OFFICE OF COUNCILMAN OF THE CITY OF MODESTO.

--oOo--

WHEREAS, Robert W. Adams resigned from the office of Councilman, effective December 9, 1954, by reason of his election to the office of Supervisor of District 4 of the County of Stanislaus, State of California, and

WHEREAS, a vacancy now exists in the office of Councilman of the City of Modesto, and

WHEREAS, Section 702 of the City Charter provides that if a vacancy shall occur in the office of Councilman, the Council shall forthwith appoint a person to fill such vacancy, and

WHEREAS, the Council believes that Marvin L. Heckendorf is eminently qualified for the appointment to the office of Councilman and will serve the City in such capacity in the interests of the entire community,

NOW, THEREFORE, BE IT RESOLVED that Marvin L. Heckendorf be appointed to the office of Councilman of the City of Modesto to fill the vacancy created by the resignation of Robert W. Adams to serve until the next general municipal election to be held in April, 1955, or until the next special municipal election, as provided in Section 702 of the Charter of the City of Modesto.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 15 day of December, 1954, by Councilman Mellis, who moved its adoption, which motion being duly seconded by Councilman Arata, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Annan, arata, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: M. Adams

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-378

A RESOLUTION APPROVING THE SPECIFICATIONS AND AUTHORIZING THE CALLING FOR BIDS FOR GASOLINE FOR PERIOD JANUARY 16, 1955 to January 15, 1956

--oOo--

BE IT HEREBY RESOLVED that the specifications for the furnishing of the following quantities of gasoline during a period from the 16th day of January, 1955, to the 15th day of January, 1956, be and it is hereby approved:

Approximately 2,000 gallons of first grade gasoline (Ethyl)

Approximately 50,000 gallons of second grade gasoline (Regular)

BE IT FURTHER RESOLVED that the calling for bids for above described material be and it is hereby authorized. Said bids are to be opened at 2:00 P.M., January 3, 1955.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 15th day of December, 1954, by Councilman Arata, who moved its adoption, which motion being duly seconded by Councilman Merrill, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Annan, Arata, Heckendorf, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: M. Adams

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-379

A RESOLUTION AUTHORIZING TRANSFER OF FUNDS FROM THE GENERAL
RESERVE TO SEWER DIVISION

---oOo---

BE IT HEREBY RESOLVED that the appropriation transfer of \$3,640 00 from the General Reserve to the Sewer Division, Miscellaneous Storm Drains, for the financing of the following be approved:

- (a) \$1,140 - for financing the balance of the cost on the Eighth Street storm sewer project
- (b) \$2,000 - for dry wells and other miscellaneous structures
- (c) \$ 500 - for a proposed cooperative project with the Division of Highways on Yosemite Blvd.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 15th day of December, 1954, by Councilman Merrill, who moved its adoption, which motion being duly seconded by Councilman Arata, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Annan, Arata, Heckendorf, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: M. Adams

ATTEST: REX E. GAILFUS, City Clerk

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING THE CALLING FOR BIDS FOR THE CONSTRUCTION OF TRAFFIC SIGNALS AND STREET LIGHTING AT 14th and H Streets

--oOo--

BE IT HEREBY RESOLVED that the plans and specifications for the construction of traffic signals and street lighting at 14th and H Streets be and they are hereby approved, and

BE IT FURTHER RESOLVED that the calling for bids for the above described construction be and it is hereby authorized in accordance with the procedure contained in Section 1307 of the City Charter. Said bids to be opened at 2:00 P.M. January 4, 1955, in the office of the City Clerk.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 15th day of December, 1954, by Councilman Arata, who moved its adoption, which motion being duly seconded by Councilman Merrill, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Annan, Arata, Heckendorf, Mellis, Merrill, and Mayor Marks
Noes: Councilmen: None
Absent: Councilmen: M. Adams

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-381

A RESOLUTION AUTHORIZING THE PAYMENT OF THE CLAIM OF \$58.96 TO THE STANISLAUS COUNTY AGRICULTURAL COMMISSIONER

--oOo--

BE IT HEREBY RESOLVED that the payment of the claim of \$58.96 of the Stanislaus County Agricultural Commissioner Milo M. Shrock for rodent control at the Municipal Airport for the months of February and March, 1954, be and it is hereby approved.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 15th day of December, 1954, by Councilman Mellis, who moved its adoption, which motion being duly seconded by Councilman Arata, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Annan, Arata, Heckendorf, Mellis, Merrill and Mayor Marks
Noes: Councilmen: None
Absent: Councilmen: M. Adams

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-382

A RESOLUTION RESCINDING RESOLUTION NO. 8210-N.S. RELATING TO THE ESTABLISHMENT OF A RESERVED PARKING SPACE FOR THE POLICE DEPARTMENT ON THE EASTERLY SIDE OF 11th STREET AT J STREET.

--oOo--

BE IT HEREBY RESOLVED by the Council of the City of Modesto that Resolution No. 8210-N.S. entitled "A Resolution Authorizing the Establishment of a Reserved Parking Space for the Police Department on the Easterly Side of 11th Street at J Street" is hereby rescinded.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 15th day of December, 1954, by Councilman Arata, who moved its adoption, which motion being duly seconded by Councilman Merrill, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Annan, Arata, Heckendorf, Mellis, Merrill and Mayor Marks
Noes: Councilmen: None
Absent: Councilmen: M. Adams

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-383

A RESOLUTION AUTHORIZING THE REMOVAL OF STOP SIGNS ON COLLEGE AVENUE AND TENTH STREET AT THEIR INTERSECTION WITH NEEDHAM AVENUE IN THE CITY OF MODESTO

--oOo--

WHEREAS, automatic traffic signals have been installed at the intersection of Tenth Street, College Avenue, and Needham Avenue in the City of Modesto,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the Traffic Engineer be, and he is hereby authorized to remove the boulevard stop signs on College Avenue and Tenth Street at their intersection with Needham Avenue in the City of Modesto.

BE IT FURTHER RESOLVED that the Traffic Engineer be, and he is hereby authorized to commence the operation of the automatic traffic signals at said intersection as of December 23, 1954.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22 day of December, 1954, by Councilman Merrill, who moved its adoption, which motion being duly seconded by Councilman M. Adams, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Arata, M. Adams, Mellis, Heckendorf, Merrill and Mayor Marks
Noes: Councilmen: None
Absent: Councilmen: Annan

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-384

A RESOLUTION AUTHORIZING THE REMOVAL OF STOP SIGNS ON ORANGEBURG AVENUE AT ITS INTERSECTION WITH SYCAMORE STREET IN THE CITY OF MODESTO

--oOo--

BE IT RESOLVED by the Council of the City of Modesto that the stop signs located on Orangeburg Avenue at its intersection with Sycamore Street be removed.

BE IT FURTHER RESOLVED that the Traffic Engineer be, and he is hereby authorized to remove said stop signs.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22 day of December, 1954 by Councilman Mellis, who moved its adoption, which motion being duly seconded by Councilman Heckendorf, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, Arata, Mellis, Heckendorf, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: Annan

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-385

A RESOLUTION PROHIBITING PARKING IN A SPECIFIED PLACE IN THE ALLEY BETWEEN CAMPUS WAY AND COLLEGE AVENUE IN THE CITY OF MODESTO

--oOo--

WHEREAS, Section 34.1 of Ordinance No. 345-N.S. of the City of Modesto as amended, authorizes the City Council, by resolution, to restrict or prohibit the parking of motor vehicles upon designated streets of the City if the general welfare and safety of the citizens so require it, and

WHEREAS, the Council of the City of Modesto finds and determines that the best interest of the citizens of the City require that parking in a specified place on the alley between Campus Way and Collgge Avenue in the City of Modesto be prohibited as hereinafter provided,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. It shall be unlawful for the operator of a vehicle to park or stop such vehicle in the following place in the City of Modesto:

Beginning at the intersection of the westerly curb line of College Avenue and northerly property line of the alley running between College Avenue and Campus Way, and continuing westerly along said property line of said alley for a distance of 72 feet.

SECTION 2. The Traffic Engineer is hereby directed to cause the above described area to be marked and posted in accordance with the provisions of this resolution and the applicable laws of the City of Modesto.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22 day of December, 1954, by Councilman Arata, who moved its adoption, which motion being duly seconded by Councilman Heckendorf, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, Arata, Heckendorf, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: Annan

ATTEST: REX E. GAILFUS, CITY CLERK

CITY OF MODESTO COUNCIL
RESOLUTION NO. 54-386

A RESOLUTION GRANTING PERMIT TO THE MODESTO JUNIOR CHAMBER OF COMMERCE TO USE BUS LOADING ZONE AND ADJOINING PARKING SPACES ON I STREET AT 12th STREET FOR ITS CAMPAIGN FOR FUNDS FOR THE MARCH OF DIMES.

--oOo--

WHEREAS, the Modesto Junior Chamber of Commerce has requested permission to use the Bus Loading Zone on the southeast corner of 12th and I Streets, when not in use, and the two adjoining parking spaces to sell cases of 7-Up which have been donated to the March of Dimes.

NOW, THEREFORE, BE IT HEREBY RESOLVED that permit be granted to the said Modesto Junior Chamber of Commerce to use the Bus Loading Zone on the southeast corner of I Street at its intersection with 12th Street, when not in use, and the two adjoining parking spaces, on January 15, 1955, from 9:30 A.M. to 5:00 P.M. to sell cases of 7-Up for the March of Dimes Campaign.

BE IT FURTHER RESOLVED that permit is granted to said applicant on the provision that it will hold the City harmless from and against any and all costs, damages, and liabilities arising out of the use of this parking area by the Modesto Junior Chamber of Commerce.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of December, 1954, by Councilman Arata, who moved its adoption, which motion being duly seconded by Councilman Merrill, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, Arata, Heckendorf, Mellis, Merrill and Mayor Marks
Noes: Councilmen: None
Absent: Councilmen: Annan

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-387

A RESOLUTION GRANTING PERMIT TO CARL J. BELLO TO OPERATE A PUBLIC DANCE AT THE PAMRON ROOM UNDER CERTAIN CONDITIONS.

--oOo--

WHEREAS, Carl J. Bello has filed an application to operate a public dance on the premises of the Pamron Room at 921 I Street, and

WHEREAS, it is necessary for the Council to approve the occupancy limitation.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Modesto does hereby grant permit to Carl J. Bello to operate a dance on the premises of the Pamron Room at 921 I Street on the condition that the occupancy be limited to 80 persons and that the applicant meet all requirements of the Modesto Municipal Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of December, 1954, by Councilman Mellis, who moved its adoption, which motion being duly seconded by Councilman Heckendorf, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, Arata, Heckendorf, Mellis, Merrill, and Mayor Marks
Noes: Councilmen: None
Absent: Councilmen: Annan

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 54-388

A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE PROOFS OF LOSS ON BEHALF OF THE CITY OF MODESTO ON THE FIRE LOSS AT THE MUNICIPAL BASEBALL PARK

---oOo---

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the City Manager be authorized to execute on behalf of the City of Modesto those certain proofs of loss relating to the fire loss which occurred on September 24, 1954, at the Municipal Baseball Park.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of December, 1954, by Councilman Merrill, who moved its adoption, which motion being duly seconded by Councilman Arata, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilman: M. Adams, Arata, Heckendorf, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: Annan

ATTEST: REX E. GAILFUS, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 54-389

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING THE CALLING FOR BIDS FOR THE CONSTRUCTION OF A TWO LANE BRIDGE ACROSS M.I.D. LATERAL #3 AT COLLEGE AVENUE.

--oOo--

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for the construction of a two lane bridge across M.I.D. lateral #3 at College Avenue, copies of which are on file in the office of the Director of Public Works, are hereby accepted and approved.

SECTION 2. The City Clerk is hereby authorized and directed to call for Public competitive sealed bids for the work to be opened in the office of the City Clerk, 717 10th Street, in the City of Modesto, on Monday, January 10, 1955, at 2:00 P.M., and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form and manner provided by law.

SECTION 3. After the bids are opened, the bids shall be tabulated and analyzed by the Director of Public Works, who shall submit them, together with his recommendations thereon, to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of December, 1954, by Councilman Adams, who moved its adoption, which motion being duly seconded by Councilman Arata, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, Arata, Heckendorf, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: Annan

ATTEST: REX E. GAILFUS, CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 54-390

A RESOLUTION AUTHORIZING THE CLOSING OF THE CITY OFFICES AT NOON ON DECEMBER 24 and DECEMBER 31, 1954

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BE IT HEREBY RESOLVED BY the Council of the City of Modesto that the City Offices be closed at noon on December 24 and December 31, 1954, and

BE IT FURTHER RESOLVED that where it is necessary for certain employees to be on duty during these hours that the department head be authorized to work out a schedule for time off.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of December, 1954, by Councilman Mellis, who moved its adoption, which motion being duly seconded by Councilman Heckendorf, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, Arata, Heckendorf, Mellis, Merrill, and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: Annan

ATTEST: REX E. GAILFUS, CITY CLERK
