

RESOLUTION NO. 8728-N.S.

A RESOLUTION OF THE COUNCIL OF THE CITY OF MODESTO PROVIDING FOR A SPECIAL MUNICIPAL ELECTION IN AND FOR THE CITY OF MODESTO.

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

That under and pursuant to the Charter of the City of Modesto, a special municipal election in and for the City of Modesto be and the same is hereby called to be held on Tuesday, the 7th day of March, 1950, which said municipal election is for the purpose of electing two officers for the City of Modesto, to-wit: Two councilmen. Of the two councilmen elected the one receiving the greatest number of votes shall hold office until May 1, 1953, and the one receiving the next largest number of votes shall hold office until May 1, 1951.

Said election shall be held in all respects in conformity with the general election laws of the State of California so far as the same may be applicable and in conformity with the Charter of the City of Modesto. On the day the election is held, the polls shall be opened at 7 o'clock A. M. and must be kept open until 7 o'clock P. M. of said day when the polls shall be closed.

The City Clerk is hereby ordered to publish a Notice of Election and to publish such other notices in the form and manner required by law.

The foregoing Resolution was introduced at a special meeting of the Council of the City of Modesto held on the 4th day of January, 1950, by Councilman Stanley, who moved its adoption, which motion being duly seconded by Councilman Frad, was upon roll call, duly carried, and the Resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 8729-N.S.

A RESOLUTION ACCEPTING DEED FROM CERTAIN PROPERTY OWNERS ON PROPERTY TO BE USED FOR STREET PURPOSES KNOWN AS BLAIR AVENUE IN THE CITY OF MODESTO

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BE IT HEREBY RESOLVED that deed be accepted from John E. Brooks and Beverly Lauren Brooks, husband and wife, Robert S. Rubert and Betty E. Rubert, husband and wife, Wallace Cox and Joan Cox, husband and wife, Wallace DeVe and Helen L. DeVe, husband and wife, Richard William Kealm and Maxine Kealm, husband and wife, Milton L. Hibdon and Betty June Hibdon, husband and wife, George E. Davis and Lawrence Glenn Davis, husband and wife, Department of Veterans Affairs of the State of California, Wayne Greenlee and Ellen Greenlee, husband and wife, Walter R. Anderson and Evelyn M. Anderson, husband and wife and John D. Messina, a single man, certain real property situated in the County of Stanislaus, State of California as set forth in deed, to be used for street purposes by the City of Modesto, said street to be known as Blair Avenue.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 4th day of January, 1950 by Commissioner Burkner, who moved its adoption, which motion being duly seconded by Commissioner Stanley, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 8730-N.S.

A RESOLUTION AWARDDING BID ON PIPE FITTINGS AND VALVES

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BE IT HEREBY RESOLVED that bid on items one through three for four inch, six inch and eight/ cast iron pipe of notice to bidders dated December 28, 1949 be awarded to the Pacific States Cast Iron Pipe Company for \$13,239 88, as their bid was the lowest and best bid and the City Clerk is directed to return bidding checks to the unsuccessful bidders.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 4th day of January, 1950 by Commissioner Frad, who moved its adoption, which motion being duly seconded by Commissioner Stanley, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 8731-N.S.

A RESOLUTION AWARDDING BID ON FITTINGS TO THE PACIFIC STATES CAST IRON PIPE COMPANY

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BE IT HEREBY RESOLVED that the bid of the Pacific States Cast Iron Pipe Company for \$404 94 on items four through eleven on fittings of Notice to Bidders dated December 28, 1949 is the lowest and best bid, and

BE IT THEREFORE RESOLVED that this bid be accepted by the City of Modesto and the City Clerk be directed to return bidding checks to the unsuccessful bidders.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 4th day of January, 1950 by Commissioner Frad, who moved its adoption, which motion being duly seconded by Commissioner Burkner, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 8732-N.S.

A RESOLUTION AWARDING BID ON GATE VALVES TO THE GRINNELL COMPANY OF THE PACIFIC

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BE IT HEREBY RESOLVED that the bid of the Grinnell Company of the Pacific for \$1207 50 on gate valves, items 12 through 14 of Notice to Bidders dated December 28, 1949, be accepted as it is the lowest and best bid and the City Clerk be directed to return bidding checks to the unsuccessful bidders.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 4th day of January, 1950 by Commissioner Frad, who moved its adoption, which motion being duly seconded by Commissioner Stanley, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 8733-N.S.

A RESOLUTION AUTHORIZING PROGRESSIVE PAYMENT ON INSTALLATION OF WATER MAINS BY E. T. HAAS COMPANY

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BE IT HEREBY RESOLVED that progressive payment of \$8509 76 be authorized to the E. T. Haas Company for the installation of water mains on Virginia Avenue from Morris to Needham on 12th Street to E Street on E Street to 10th Street, on 10th Street to City Property in Block 50.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 4th day of January, 1950 by Commissioner Burkner, who moved its adoption, which motion being duly seconded by Commissioner Wilson, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 8734-N.S.

A RESOLUTION ACCEPTING PETITION FOR ANNEXATION OF A PORTION OF THE M & G OLIVEWOOD TRACT TO THE CITY OF MODESTO.

WHEREAS, there has been presented to the City Council of the City of Modesto at a special meeting thereof held on the 4th day of January, 1950, a petition requesting that the City Council give such notice, hold such hearings and pass such Resolutions as may be necessary to annex certain real property to the City of Modesto and incorporate said real property within the limits of the City of Modesto, said real property being described as follows, to-wit:

All those certain lots, pieces or parcels of land situated in the County of Stanislaus, State of California, and bounded and particularly described as follows:

Lots 1 through 12 of Block 726 of the M & G Olivewood Tract as filed for record on October 15, 1928, Vol. 11 page 8 of Maps, Stanislaus County records, including also the 7.5' alley immediately to the East boundary of said lots.

WHEREAS, it appears to the City Council of said City that said petition is in order and the real property described therein and hereinabove described is contiguous to the City of Modesto and less than twelve (12) qualified electors reside therein and such real property is uninhabited territory.

NOW, THEREFORE, said petition is hereby accepted by said City Council of said City and it is hereby resolved and the City Attorney is hereby ordered to prepare the necessary documents, resolutions and notices for the purpose of determining whether or not the owners of the property within the territory proposed to be annexed desire said territory to be annexed to and to become a part of the City of Modesto.

The foregoing Resolution was introduced at a special meeting of the Council of the City of Modesto held on the 4th day of January, 1950, by Councilman Frad who moved its adoption, which motion being duly seconded by Councilman Burkner, was upon roll call carried and adopted by the following vote:

Ayes: Councilmen: Frad, Burkner, Wilson, Stanley, Mayor Shannon  
Noes: Councilmen: None  
Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 8735-N.S.

RESOLUTION GIVING NOTICE OF PROPOSED ANNEXATION OF A PORTION OF THE M & G OLIVEWOOD TRACT TO THE CITY OF MODESTO

WHEREAS, application for annexation to the City of Modesto has been filed by R. H. Dynan, Faith Dynan, Bernard Anker, Agnes Anker, Joseph L. Azevedo, Jr., and Helen Finley Azevedo to annex to the City of Modesto under the provisions of the Uninhabited Territory Act of 1939 as amended (Act 5162 of General Laws of California) that said area or territory known and designated as a portion of the M & G Olivewood Tract located in the County of Stanislaus, State of California and contiguous to the City of Modesto described as follows, to-wit:

All those certain lots, pieces or parcels of land situated in the County of Stanislaus, State of

California, and bounded and particularly described as follows:

Lots 1 through 12 of Block 726 of the M & G Olivewood Tract as filed for record on October 15, 1928, Vol. 11, page 8 of Maps, Stanislaus County Records, including also the 7.5' alley immediately to the East boundary of said lots.

NOW, THEREFORE, be it hereby resolved by the City Council of the City of Modesto and notice is hereby given that the 1st day of February, 1950, at the hour of 4 o'clock P. M. of said day in the Council Chambers of the City Hall located at 717 10th Street of 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 City Council of the City of Modesto and show cause why such territory should not be so annexed.

BE IT FURTHER RESOLVED that the City Clerk shall cause a copy of this Resolution to be published at least once a week for two successive weeks prior to the date set for said hearing in the Modesto Bee, a newspaper of general circulation published in the City of Modesto and being the official newspaper of the City of Modesto.

The foregoing Resolution was introduced at a special meeting of the Council of the City of Modesto held on the 4th day of January, 1950, by Councilman Frad, who moved its adoption, which motion being duly seconded by Councilman Burkner, was upon roll call duly carried and the resolution adopted by the following vote:

Ayes: Councilmen: Frad, Burkner, Wilson, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 8736-N.S.

A RESOLUTION REAPPOINTING E. J. BOUNDEY AND RICHARD VANDER WALL ON THE MODESTO CITY PLANNING COMMISSION

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BE IT HEREBY RESOLVED that E. J. Boundey and Richard Vander Wall be reappointed members of the Modesto City Planning Commission for a term of four years from January 10, 1950.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 4th day of January, 1950 by Commissioner Wilson, who moved its adoption, which motion being duly seconded by Commissioner Stanley, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 8737-N.S.

A RESOLUTION GRANTING PERMIT TO WALTER E. BARBOUR, JESS A. HALL AND RAYMOND C. BROWN TO ERECT AND OPERATE A SERVICE STATION AT THE CORNER OF NINTH AND N STREETS

---oOo---

WHEREAS, application has been filed by Walter E. Barbour, Jess A. Hall and Raymond C. Brown for permission to erect and operate a service station in Block 61, 16ts 17 to 21 inc. at the corner of Ninth and N Streets and

WHEREAS, plans and specification for the building and curb cuts have been approved by the City Engineer

BE IT HEREBY RESOLVED that permit be granted to the said applicants to erect and operate a service station at above named location and curb cuts be granted as set forth in the plans and specifications under the supervision of the City Engineer.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 4th day of January, 1950 by Commissioner Wilson, who moved its adoption, which motion being duly seconded by Commissioner Burkner, it was upon roll call carried and the resolution was adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 8738-N.S.

A RESOLUTION AUTHORIZING THE PURCHASE OF AUXILIARY AUTOMATIC TRAFFIC SIGNAL FROM THE PETERS METAL PRODUCTS COMPANY

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BE IT HEREBY RESOLVED that the purchase of one Auxiliary Automatic Traffic Signal for \$285.00 from the Peters Metal Products Company be authorized.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 4th day of January, 1950 by Commissioner Stanley who moved its adoption, which motion being duly seconded by Commissioner Frad, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 8739-N.S.

ADJOURNMENT

BE IT HEREBY RESOLVED that this Council meeting now in session adjourn.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 4th day of January, 1950 by Commissioner Stanley, who moved its adoption, which motion being duly seconded by Commissioner Frad, it was upon roll call carried and the resolution was adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 8740-N.S.

A RESOLUTION GRANTING REQUEST OF THE MODESTO JUNIOR CHAMBER OF COMMERCE TO INSTALL WISHING WELLS FOR THE MARCH OF DIMES CAMPAIGN

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WHEREAS, Randolph Sanders, representing the Modesto Junior Chamber of Commerce appeared before the Council and requested permission to install wishing wells at various intersections in the business district to collect funds for the Infantile Paralysis March of Dimes Campaign

BE IT HEREBY RESOLVED that the said Modesto Junior Chamber of Commerce be granted permit to install four wishing wells in the business district to collect funds for the March of Dimes Campaign.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of January, 1950 by Commissioner Wilson, who moved its adoption, which motion being duly seconded by Commissioner Burkner, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 8741-N.S.

A RESOLUTION ALLOWING CLAIMS FOR THE MONTH OF DECEMBER, 1949

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WHEREAS the claims against the City of Modesto for the month of December, 1949 for the various sums in the aggregate hereinafter stated having been audited by the Council and found to be correct:

NOW THEREFORE, BE IT RESOLVED that all of said claims so audited and approved be and they are hereby ordered allowed, with reference being made to the Auditor's Cash Records for further details relative to amounts of withdrawals from the various funds as follows:

GENERAL FUND-----	\$101,824 04
WATER FUND -----	9,131 06
LIBRARY FUND -----	2,840 00
BOND REDEMPTION FUND -----	54,654 48
PARKING METER FUND -----	34 27
WATER BOND FUND -----	23,792 32
SEWER BOND FUND -----	526 99
	<u>\$192,803 16</u>

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of January, 1950 by Commissioner Wilson, who moved its adoption, which motion being duly seconded by Commissioner Frad, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 8742-N.S.

A RESOLUTION ALLOWING CLAIM FOR EXPENSES M. AHMED ALI

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BE IT HEREBY RESOLVED that claim of \$12 57 be allowed to M. Ahmed Ali for expenses incurred in connection with the Economic Survey of the Community.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of January, 1950, by Commissioner Burkner, who moved its adoption, which motion being duly seconded by Commissioner Wilson, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 8743-N.S.

A RESOLUTION SETTING DATE OF HEARING ON ZONING ANNEXED THOUSAND OAKS TRACT

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BE IT HEREBY RESOLVED that the date of January 25, 1950 at 7:30 P. M. in the Council Chambers be set as the date and place for the hearing of protests to the zoning of the portion of the resubdivision of Thousand Oaks Tract annexed to the City of Modesto, as R-1, Single Family Residential District as recommended by the Modesto City Planning Commission.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of January, 1950 by Commissioner Stanley who moved its adoption, which motion being duly seconded by Commissioner Frad, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 8744-N.S.

A RESOLUTION AUTHORIZING THE RESUBMITTING OF PETITION TO THE BOARD OF SUPERVISORS OF STANISLAUS COUNTY FOR THE ANNEXATION OF THE SEWER FARM TO THE CITY OF MODESTO

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WHEREAS the City of Modesto filed a petition with the Board of Supervisors of Stanislaus County for the annexation of the Sewer Farm to the City of Modesto and

WHEREAS the description in this petition was in error

BE IT HEREBY RESOLVED that a new petition be filed with the said Board of Supervisors of Stanislaus County and the Mayor and City Clerk are hereby appointed signatory officials on said petition.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of January, 1950 by Commissioner Stanley, who moved its adoption, which motion being duly seconded by Commissioner Wilson, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 8745-N.S.

A RESOLUTION OF THE COUNCIL OF THE CITY OF MODESTO CONSOLIDATING ELECTION PRECINCTS FOR A SPECIAL MUNICIPAL ELECTION TO BE HELD MARCH 7, 1950 DESCRIBING LOCATION OF POLLING PLACES AND APPOINTING ELECTION OFFICERS

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WHEREAS, a special municipal election has been called in and for the City of Modesto to be held on Tuesday, the 7th day of March, 1950, be it resolved by the Council of the City of Modesto as follows:

For the purpose of holding said election the said City of Modesto shall be and the same is hereby precincted and established into ten (10) election precincts to be known and designated as follows:

- Special Consolidated Election Precinct No. 1.
- Special Consolidated Election Precinct No. 2.
- Special Consolidated Election Precinct No. 3.
- Special Consolidated Election Precinct No. 4.
- Special Consolidated Election Precinct No. 5.
- Special Consolidated Election Precinct No. 6.
- Special Consolidated Election Precinct No. 7.
- Special Consolidated Election Precinct No. 8.
- Special Consolidated Election Precinct No. 9.
- Special Consolidated Election Precinct No. 10.

Said consolidated election precincts have been established by consolidating the general election precincts within the City of Modesto, as established by the orders or Resolution of the Board of Supervisors of Stanislaus County, California, now in force for general election purposes within the City, which said orders or Resolutions now on file and of record in the Office of the Clerk of the Board of Supervisors of Stanislaus County, California, are hereby referred to and by such reference made a part hereof for greater certainty and a more particular description of the boundaries thereof in the following manner (said precincts so established by said Board of Supervisors being herein referred to as "Special Consolidated Election Precincts"):

Said General Election Precincts so designated by the said Board of Supervisors as Modesto No. 1, 2, 33, 42 and 43 have been consolidated and established into Special Consolidated Election Precinct No. 1.

Said General Election Precincts so Designated by the said Board of Supervisors as Modesto No. 3, 4, 5 and 34 have been consolidated and established into Special Consolidated Election Precinct No. 2.

Said General Election Precincts so designated by the said Board of Supervisors as Modesto No. 6, 7 and 8 have been consolidated and established into Special Consolidated Election Precinct No. 3.

Said General Election Precincts so designated by the said Board of Supervisors as Modesto No. 9, 10, 11 35 and 36 have been consolidated and established into Special Consolidated Election Precinct No. 4.

Said General Election Precincts so designated by the said Board of Supervisors as Modesto No. 12, 13 and 15 have been consolidated and established

into Special Consolidated Election Precinct No. 5.

Said General Election Precincts so designated by the said Board of Supervisors as Modesto No. 14, 17, 18 and 37 have been consolidated and established into Special Consolidated Election Precinct No. 6.

Said General Election Precincts so designated by the said Board of Supervisors as Modesto No. 16, 19, 20 and 21, have been consolidated and established into Special Consolidated Election Precinct No. 7.

Said General Election Precincts so designated by the said Board of Supervisors as Modesto No. 22, 23, 24 and 38 have been consolidated and established into Special Consolidated Election Precinct No. 8.

Said General Election Precincts so designated by the said Board of Supervisors as Modesto No. 25, 26, 27, 32, 39 and 41 have been consolidated and established into Special Consolidated Election Precinct No. 9.

Said General Election Precincts so designated by the said Board of Supervisors as Modesto No. 28, 29, 30, 31 and 40 have been consolidated and established into Special Consolidated Election Precinct No. 10.

The following places have been and are hereby fixed and designated by said City Council as and for the places of holding said election within the said City of Modesto and the following named persons have been and are hereby designated and appointed to act as officers of election for said election, to-wit:

Special Consolidated Election Precinct No. 1 (1-2-33-42-43)

Polling Place, 102 Olive Avenue, Utterback Garage

PRECINCT BOARD

Inspector	Lilabeth J. Thurber	445 Myrtle Street
Judge	Marguerite Coughlin	121 Orange Avenue
Clerk	Helen G. DuVall	127 Hackberry Avenue
Clerk	Ada Dallas Carroll	130 College Avenue

Special Consolidated Election Precinct No. 2 (3-4-5-34)

Polling Place, 305 Elmwood Avenue, Bonner Garage

PRECINCT BOARD

Inspector	Bessie Case	1618 Elmwood Court
Judge	Sarah A. Jessen	417 Hackberry Avenue
Clerk	Ada M. Pickett	1303 Wright Street
Clerk	Irene O. Pubanz	805 Geer Avenue

Special Consolidated Election Precinct No. 3 (6-7-8)

Polling Place, 1715 Downey Avenue, Broughton Garage

PRECINCT BOARD

Inspector	Hazel C. Pedersen	1728 Lee Street
Judge	Anne J. Cunningham	1740 Lee Street
Clerk	Marian E. Sharp	1743 Almond Avenue
Clerk	Dora L. Peterson	116 Johnson Street

Special Consolidated Election Precinct No. 4 (9-10-11-35-36-)

Polling Place, 291 Auburn Street, Bell Garage

PRECINCT BOARD

Inspector	Edith M. Rogers	102 Redwood Street
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Judge	Dorothy E. Hosking	241 Auburn Street
Clerk	Maude B. Test	333 Melrose Street
Clerk	Bessie Cox	126 High Street

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Special Consolidated Election Precinct No. 5 (12-13-15)

Polling Place, 1104 14th Street, Singleton Garage

PRECINCT BOARD

Inspector	Metta B. Mashek	1027 15th Street
Judge	Charlotte E. Martz	1026 12th Street
Clerk	Myrtle Wootten	1026 14th Street
Clerk	Edna Henry	1010 12th Street

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Special Consolidated Election Precinct No. 6 (14-17-18-37)

Polling Place, 2016 Downey Avenue, Fire Station #3

PRECINCT BOARD

Inspector	Helen A. Gunderson	216 Walden Street
Judge	Nona Hardin	123 Pleasant Street
Clerk	Lorraine Brubaker	115 Kelley Street
Clerk	Josephine D. Satterlee	215 Jennie Street

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Special Consolidated Election Precinct No. 7 (16-19-20-21)

Polling Place, 717 10th Street City Hall

PRECINCT BOARD

Inspector	Lottie Savercool	714 13th Street
Judge	Violet E. Plummer	526 14th Street
Clerk	Grace E. Darling	606 12th Street
Clerk	Ward C. Rowe	814 12th Street

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Special Consolidated Election Precinct No. 8 (22-23-24-38)

Polling Place, 105 Linden Street, Cumming's Residence

PRECINCT BOARD

Inspector	Alice F. Handley	214 Laurel Street
Judge	Cecelia M. Cummings	105 Linden Street
Clerk	Gertrude F. Boundey	202 Laurel Street
Clerk	Anna L. Starr	304 Maze Blvd.

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Special Consolidated Election Precinct No. 9 (25-26-27-32-39-41)

Polling Place, Sturm Garage, 515 Fifth Street

PRECINCT BOARD

Inspector	Ruby C. Sturm	515 Fifth Street
Judge	Emma S. Putman	105 Pine Street
Clerk	Myrtle M. Julius	521 Fifth Street
Clerk	Erlene L. Johnson	830 6th Street

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Special Consolidated Election Precinct No. 10 (28-29-30-31-40-)

Polling Place, Fire Station #2, 629 Second Street

PRECINCT BOARD

Inspector	Carolyn Ustick	213 Rosemont Street
Judge	Hazel R. Jones	122 Madera Avenue

Clerk Wilna G. Graham 209 Roselawn Avenue  
Clerk Maggie A. Cooper 223 Roselawn Avenue

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The duties of said officers in the conduct of said election shall be the same as the duties prescribed by the elections Code of the State of California for officers of general elections, If the officers appointed hereby do not attend at the opening of the polls on the morning of the election, the electors of the precinct who are present at that time may appoint a Board of Election of supply the place of any absent member thereof.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of January, 1950, by Councilman Wilson, who moved its adoption, which motion being duly seconded by Councilman Frad, was upon roll call duly carried and the Resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 8746-N.S.

A RESOLUTION APPOINTING THE MAJOR IN CHARGE OF THE LOCAL SALVATION ARMY SPECIAL OFFICER OF THE POLICE DEPARTMENT

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BE IT HEREBY RESOLVED that the Major in charge of the local Salvation Army be appointed special officer of the Police Department for a period of six months, beginning January 1, 1950 at a salary of \$50 00 per month.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of January, 1950 by Commissioner Stanley, who moved its adoption, which motion being duly seconded by Commissioner Wilson, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 8747-N.S.

A RESOLUTION AUTHORIZING FINAL PAYMENT TO MUNN AND PERKINS

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BE IT HEREBY RESOLVED that final payment of \$2496 00 be authorized to Munn and Perkins, contractors, on the improvement of Johnson Street from Jones Street to Morris Avenue.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of January, 1950 by Commissioner Burkner, who moved its adoption, which motion being duly seconded by Commissioner Stanley, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

Attest: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 8748-N.S.

A RESOLUTION AUTHORIZING HARRY N. JENKS, CONSULTING SANITARY ENGINEER TO PROCEED TO PREPARE PLANS AND SPECIFICATIONS FOR THE INSTALLATION OF TWO VACUATORS

---oOo---

BE IT HEREBY RESOLVED that Harry N. Jenks, Consulting Sanitary Engineer be authorized to proceed to prepare plans and specifications for the installation of two vacuators in accordance with prior agreement with the City of Modesto, dated April 1, 1948,

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of January, 1950 by Commissioner Frad, who moved its adoption, which motion being duly seconded by Commissioner Burkner, it was upon roll call carried and the resolution adopted by the following vote:  
Ayes; Councilmen: Burkner, Frad, Wilson, Stanley, Mayor Shannon  
Noes: Councilmen: None  
Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 8749-N.S.

A RESOLUTION ADJOURNING COUNCIL MEETING

---oOo---

BE IT HEREBY RESOLVED that this Council meeting now in session adjourn.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of January, 1950 by Commissioner Frad, who moved its adoption, which motion being duly seconded by Commissioner Burkner, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon  
Noes: Councilmen: None  
Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 8750-N.S.

A RESOLUTION DESIGNATING A CERTAIN CITY STREET AS A MAJOR CITY STREET AND ADDING IT TO THE EXISTING SYSTEM OF MAJOR CITY STREETS IN SAID CITY.

---oOo---

RESOLVED, that the following street within the corporate city limits of the City of Modesto between the termini indicated herein, be selected, approved, and designated by the City Council of said City, as a "Major City Street" and added to the existing system of Major City Streets in said City:

<u>Name</u>	<u>Termini</u>
Tuolumne Boulevard	From Seventh Street to Paradise Avenue

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 street be likewise approved and designated by the Director of said Department as a

"Major City Street" in said City and that said street, within the limits above given, be considered a portion of 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 Streets and Highways Code.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on January 18, 1950, by Councilman Burkner, who issued its adoption, which motion being duly seconded by Councilman Wilson, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 8751-N.S.

A RESOLUTION AWARDDING BID ON SEWER PIPE TO THE UNITED CONCRETE PIPE CORPORATION

---oOo---

BE IT HEREBY RESOLVED that the bid of the United Concrete Pipe Corporation on the following equipment be accepted

item 1	800 feet of 8" concrete sewer pipe - unit price 30¢
item 2	4000 feet of 12" reinforced concrete sewer pipe, unit price 95¢
item 3	1600 feet of 18" reinforced concrete sewer pipe, unit price \$1.80

BE IT FURTHER RESOLVED that all bids on item 4 for 2600 feet of 24" reinforced concrete sewer pipe be rejected and the City Clerk be authorized to return bidding checks to the unsuccessful bidders on all items.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 18th day of January, 1950 by Commissioner Frad, who moved its adoption, which motion being duly seconded by Commissioner Stanley, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 8752-N.S.

A RESOLUTION AWARDDING BID ON SEWER PIPE TO GLADDING, MCBEAN & COMPANY

---oOo---

BE IT HEREBY RESOLVED that the bid of Gladding McBean & Company on the following equipment be accepted:

Item 5 for 4000 ft. 8" sewer pipe, unit price 55¢
Item 6 for 1500 ft. 12" sewer pipe, unit price \$1.08

BE IT FURTHER RESOLVED that the City Clerk be directed to return the bidding checks to the unsuccessful bidders.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 18th day of January, 1950 by Commissioner Frad, who moved its adoption, which motion being duly seconded by Commissioner Wilson, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 8753-N.S.

A RESOLUTION ACCEPTING ANNUAL REPORT OF THE POLICE DEPARTMENT ON EXPENDITURES FOR THE TRAFFIC AND LIQUOR ENFORCEMENT FOR YEAR 1949-50

---oOo---

BE IT HEREBY RESOLVED that the annual report for year 1949-50 on the expenditures on the Traffic and Liquor Enforcement of the Police Department be and it is hereby accepted and ordered filed.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 18th day of January, 1950 by Commissioner Stanley, who moved its adoption, which motion being duly seconded by Commissioner Wilson, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 8754-N.S.

A RESOLUTION CALLING FOR BIDS ON MOTORCYCLE FOR THE POLICE DEPARTMENT

---oOo---

BE IT HEREBY RESOLVED that the City Clerk be authorized to call for bids on one three wheel servi-car motorcycle, for the Police Department, said bids to be opened at the regular meeting of January 25, 1950.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 18th day of January, 1950 by Commissioner Stanley, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 8755-N.S.

A RESOLUTION ESTABLISHING DIAGONAL PARKING ON CERTAIN STREETS IN THE CITY OF MODESTO

---oOo---

BE IT HEREBY RESOLVED that diagonal parking be established on the Southerly side of E Street between 15th Street and Burney Street  
Easterly side of 15th Street between Burney Street and E Street

and the City Engineer be directed to mark the streets at above location for diagonal parking.

The foregoing resolution was introduced at a special meeting of

the Council of the City of Modesto held on the 18th day of January, 1950 by Commissioner Wilson, who moved its adoption, which motion being duly seconded by Commissioner Burkner, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 8756-N.S.

A RESOLUTION AUTHORIZING ATTENDANCE OF TWO POLICE OFFICERS TO TRAINING SCHOOL

---oOo---

BE IT HEREBY RESOLVED that two police officers be authorized to attend the Basic Peace Officers' Training School at the Northern California Peace Officers' Training Center in Pleasanton from February 13th to March 11th inc. 1950, with all expenses paid by the City of Modesto.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 18th day of January, 1950 by Commissioner Stanley, who moved its adoption, which motion being duly seconded by Commissioner Burkner, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 8757-N.S.

A RESOLUTION RELATING TO THE CREATION OF A PARKING AUTHORITY IN THE CITY OF MODESTO AND DETERMINING THAT THERE IS NEED FOR A PARKING AUTHORITY TO FUNCTION IN THE CITY OF MODESTO

---oOo---

WHEREAS, there exists in the City of Modesto a serious condition of congestion of street traffic preventing free circulation of traffic, obstructing access to and use of both business and private property, increasing traffic hazards, impeding rapid and effective fighting of fires and the disposition of the police force and endangering the public peace, health and safety, and

WHEREAS, this condition is caused in substantial part by insufficiency of space or accommodations for the parking of motor vehicles off the public streets and,

WHEREAS, the "Parking Law of 1949" (Statutes of 1949, Chapter 1503) provides for the creation of a parking authority,

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

The City Council does hereby declare that there is a need for a parking authority to function in the City of Modesto and the Mayor of the City of Modesto is hereby authorized to appoint five (5) electors of the City as members of the authority pursuant to the Parking Law of 1949.

The foregoing Resolution was introduced at a special meeting of the Council of the City of Modesto held on the 18th day of January, 1950, by Councilman Burkner, who moved its adoption, which motion being duly seconded by Councilman Stanley was upon roll call duly carried, the Resolution adopted by following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 8758-N.S.

A RESOLUTION APPROVING THE APPOINTMENT OF MEMBERS OF A PARKING AUTHORITY FOR THE CITY OF MODESTO

---oOo---

WHEREAS, Carl W. Shannon, Mayor of the City of Modesto, pursuant to the "Parking Law of 1949" (Statutes of 1949, Chapter 1503) has appointed the following five (5) electors of the City of Modesto as members of the authority for the terms as shown therein and has appointed A. M. Rose, as Chairman of said parking authority, to-wit:

- Ronald E. Bates for a term of one year.
- Dan Mellis for a term of two years.
- Ian Mensinger for a term of three years.
- George Lucas for a term of four years.
- A. M. Rose for a term of four years.

BE IT RESOLVED by the Council of the City of Modesto that the appointment of the foregoing members be and the same is hereby approved by the City Council, being the legislative body of the City of Modesto.

The foregoing Resolution was introduced at a Special meeting of the Council of the City of Modesto held on the 18th day of January, 1950 by Councilman Frad, who moved its adoption, which motion being duly seconded by Councilman Wilson, was upon roll call duly carried, and the Resolution was adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon  
Noes: Councilmen: None  
Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 8759-N.S.

A RESOLUTION CALLING FOR BIDS ON SEWAGE EQUIPMENT

---oOo---

BE IT HEREBY RESOLVED that the City Clerk be authorized to call for bids on complete mechanism for installation in a 50 foot diameter vacuator complete with mechanical and electrical auxiliaries and appurtenances, said bids to be opened on January 25, 1950.

The foregoing resolution was introduced at special meeting of the Council of the City of Modesto held on the 18th day of January, 1950 by Commissioner Frad, who moved its adoption, which motion being duly seconded by Commissioner Stanley, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon  
Noes: Councilmen: None  
Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 8760-N.S.

A RESOLUTION AUTHORIZING PAYMENT OF \$3500 TO HARRY JENKS, CONSULTING SANITARY ENGINEER AS PROVIDED BY AGREEMENT

---oOo---

BE IT HEREBY RESOLVED that payment of \$3500 00 to Harry N. Jenks, Consulting Sanitary Engineer, be authorized as provided by agreement dated April 1, 1948.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 18th day of January, 1950 by Commissioner Burkner, who moved its adoption, which motion being duly seconded by Commissioner Wilson, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon  
Noes: Councilmen: None  
Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 8761-N.S.

A RESOLUTION AUTHORIZING THE CITY ATTORNEY TO SIGN STIPULATION FOR THE PURPOSE OF EXPEDITING THE COURT HEARING AS TO THE VALIDITY OF THE NEW CITY CHARTER

---oOo---

WHEREAS, Attorney Frank Collier representing the opponents of the new Charter has applied to the Attorney General for permission to file a complaint, and

WHEREAS, the City of Modesto will be given an opportunity to contest the granting of the petition, as it is customary in "Quo Warranto" protests, and

WHEREAS, the City Attorney recommends that in order to expedite the court hearing, the City enter into a stipulation so that the Attorney General could immediately decide the request

BE IT HEREBY RESOLVED that the City Attorney be and he is hereby authorized to sign a stipulation in the form proposed, a copy of which is on file with the City Clerk, for the purpose of expediting the court hearing as to the validity of the new city charter.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 18th day of January, 1950 by Councilman Wilson, who moved its adoption, which motion being duly seconded by Commissioner Stanley, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon  
Noes: Councilmen: None  
Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 8762-N.S.

ADJOURNMENT

BE IT HEREBY RESOLVED that this Council meeting now in session adjourn.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 18th day of January, 1950 by Commissioner Wilson, who moved its adoption, which motion being duly seconded by Commissioner Stanley, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon  
Noes: Councilmen: None  
Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 8763-N.S.

A RESOLUTION ALLOWING CLAIM OF \$600 00 OF THE STANISLAUS COUNTY BOY'S BAND FOR SUMMER CONCERTS

---oOo---

BE IT HEREBY RESOLVED that claim of \$600 00 of the Stanislaus County Boy's Band, being balance budgeted in the 1949-50 budget for summer concerts be allowed.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 25th day of January, 1950 by Commissioner Stanley, who moved its adoption, which motion being duly seconded by Commissioner Frad, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Stanley, Frad, and Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Burkner and Wilson

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 8764-N.S.

A RESOLUTION AWARING BID ON SERVI-CAR MOTORCYCLE TO LEONARD ANDRES

---oOo---

BE IT HEREBY RESOLVED that the bid of \$1198 65 from Leonard Andres for one servi-car motorcycle for the Police Department be accepted.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 25th day of January, 1950 by Commissioner Frad, who moved its adoption, which motion being duly seconded by Commissioner Stanley, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Stanley, Frad and Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Burkner and Wilson

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 8765-N.S.

A RESOLUTION AWARING BID ON SEWAGE EQUIPMENT TO THE DORR COMPANY

---oOo---

BE IT HEREBY RESOLVED that the bid of \$25,981 00 of the Dorr Company for the furnishing and delivering f.o.b. Modesto Sewage Treatment Plant site one complete mechanism for installation in a 50 foot diameter vacuator 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 25th day of January, 1950 by Commissioner Stanley, who moved its adoption, which motion being duly seconded by Commissioner Frad, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Stanley, Frad, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Burkner and Wilson

ATTEST: REX E. GAILFUS, CITY CLERK

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## A RESOLUTION ACCEPTING PETITION FOR ANNEXATION OF THE CHAPIN TRACT TO THE CITY OF MODESTO

---oOo---

WHEREAS, there has been presented to the City Council of the City of Modesto at a regular meeting thereof held on the 25th day of January, 1950, a petition requesting that the City Council give such notice, hold such hearings and pass such resolutions as may be necessary to annex certain real property to the City of Modesto and incorporate said real property within the limits of the City of Modesto, said real property being described as follows, to-wit:

All that certain lot, piece or parcel of land situated in the County of Stanislaus, State of California and bounded and particularly described as follows:

Beginning at the Northwest corner of Block 834 of the College Manor Tract, No. 2, filed in the office of the Recorder on January 9, 1947 Page 17, Vol. 16 of the maps of Stanislaus County, said point being on the North City Limit Line of the City of Modesto; thence North  $0^{\circ} 50' 40''$  West 50 ft. to a point on the projected East boundary of Mills Avenue; thence North  $88^{\circ} 48'$  West 30 ft. to the center line of Mills Avenue; thence along said center line North  $0^{\circ} 50' 40''$  West 599.44 ft; thence North  $88^{\circ} 49' 50''$  West 659.91 ft. (along the South Boundary of Ulrich Avenue) to the center line of College Avenue; thence along said center line South  $0^{\circ} 50'$  East 599.09 ft. to a point; thence (along the North boundary of Roseburg Avenue) South  $88^{\circ} 48'$  East 630.00 ft. to the Southeast corner of Block 6010 of the Chapin Tract, filed in the office of the Recorder on August 31, 1946, page 73, Vol 14 of Maps of Stanislaus County; thence South  $0^{\circ} 50' 40''$  East 50 ft. to the Northeast corner of Block 833 of the College Manor Tract, filed in the office of the Recorder on July 13, 1938, Page 45, Vol. 11 of the Maps of Stanislaus County; thence South  $88^{\circ} 48'$  East 30 ft. to the center line of Mills Avenue and the North City Limit line; thence continuing along the North City Limit Line on the same bearing (South  $88^{\circ} 48''$  East) a further 30 ft. to the point of beginning.

WHEREAS, it appears to the City Council of said City that said petition is in order and the real property described therein and hereinabove described is contiguous to the City of Modesto, and less than twelve (12) qualified electors reside therein, and such real property is uninhabited territory.

NOW, THEREFORE, said petition is hereby accepted by said City Council of said City, and it is hereby resolved and the City Attorney is hereby ordered to prepare the necessary documents, resolutions and notices for the purpose of determining whether or not the owners of property within the territory proposed to be annexed desire said territory to be annexed to and to become a part 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 25th day of January, 1950 by Councilman Stanley, who moved its adoption, which motion being duly seconded by Councilman Frad, was upon roll call carried and adopted by the following vote:

Ayes: Councilmen: Stanley, Frad, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Burkner and Wilson

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 8767-N.S.

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

---oOo---

WHEREAS, application for annexation to the City of Modesto has been filed by John Quaresma, Bernice Quaresma, Grady Monks, Lucille Monks, Everett M. Odell, Rena F. Odell, Eva A. Chapin, L. D. Chapin, Marie Doran Bare, H. L. Bare, Florence Wyman and Wally Wyman to annex to the City of Modesto under the provisions of the Uninhabited Territory Act of 1939 as amended that said area or territory in the County of Stanislaus, State of California, and contiguous to the City of Modesto known as the Chapin Tract, described as follows, to-wit:

All that certain lot, piece or parcel of land situated in the County of Stanislaus, State of California and bounded and particularly described as follows: Beginning at the Northwest corner of Block 834 of the College Manor Tract No. 2, filed in the office of the Recorder on January 9, 1947, page 17, Vol. 16 of the Maps of Stanislaus County, said point being on the north city limit line of the City of Modesto; thence North  $0^{\circ} 50' 40''$  West 50 ft. to a point on the projected East boundary of Mills Avenue; thence North  $88^{\circ} 48'$  West 30 ft. to the center line of Mills Avenue; thence along said center line North  $0^{\circ} 50' 40''$  West 599.44 ft; thence North  $88^{\circ} 49' 50''$  West 659.91 ft. (along the South boundary of Ulrich Avenue) to the center line of College Avenue; thence along said center line South  $0^{\circ} 50''$  East 599.09 ft. to a point; thence (along the North boundary of Roseburg Avenue) South  $88^{\circ} 48'$  East 630.00 ft. to the Southeast corner of Block 6010 of the Chapin Tract, filed in the office of the Recorder on August 31, 1946, Page 73, Vol. 14 of the Maps of Stanislaus County; thence South  $0^{\circ} 50' 40''$  East 50 ft. to the Northeast corner of Block 833 of the College Manor Tract, filed in the office of the Recorder on July 13, 1938, Page 45, Vol. 11 of the Maps of Stanislaus County; thence South  $88^{\circ} 48'$  East 30 ft. to the center line of Mills Avenue and the North City Limit Line; thence continuing along the North City Limit Line on the same bearing (South  $88^{\circ} 48'$  East) a further 30 ft. to the point of beginning.

NOW, THEREFORE BE IT RESOLVED by the City Council of the City of Modesto and notice is hereby given that the 15th day of February, 1950, at 4 o'clock P.M. of said day in the Council Chambers of the City Hall located at 717 10th Street of 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 City Council of the City of Modesto and show cause why such territory should not be so annexed.

BE IT FURTHER RESOLVED that the City Clerk shall cause a copy of this Resolution to be published at least once a week for two successive weeks prior to the time set for said hearing in the Modesto Bee, a newspaper of general circulation, published in the City of Modesto and being 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 25th day of January, 1950 by Councilman Stanley, who moved its adoption, which motion being duly seconded by Councilman Frad was upon roll call duly carried and the resolution adopted by the following vote:

Ayes: Councilmen: Stanley, Frad, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Burkner and Wilson

ATTEST: REX E. GAILFUS, CITY CLERK OF THE  
CITY OF MODESTO

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RESOLUTION NO. 8768-N.S.

A RESOLUTION APPOINTING SIGNATORY OFFICIALS ON LEASE AGREEMENT WITH VOY S. McMATH FOR THE RENTAL OF LAND AT THE MUNICIPAL AIRPORT

---oOo---

BE IT HEREBY RESOLVED that the Mayor, Auditor and City Clerk be appointed signatory officials on agreement with Voy S. McMath for the rental of four acres at the northwest end of the runway and 13 acres bounded on the south by the northerly taxiway on the west by easterly oiled runway on the east by the property leased by the United Airlines and on the north by the present northerly boundary of the Modesto Municipal Airport for a term of one year beginning December 1, 1949 with option for renewal.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 25th day of January, 1950 by Commissioner Stanley, who moved its adoption, which motion being duly seconded by Commissioner Frad, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Burkner and Wilson

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 8769-N.S.

A RESOLUTION APPOINTING SIGNATORY OFFICIALS ON LEASE AGREEMENT WITH VOY S. McMATH FOR THE RENTAL OF LAND AT THE MUNICIPAL AIRPORT

---oOo---

BE IT HEREBY RESOLVED that the Mayor, Auditor and City Clerk be appointed signatory officials on agreement with Voy S. McMath for the rental of Parcel No. 1 containing 6.916 acres Parcel No. 2, containing 16.424 acres and parcel No. 3, containing 11.646 acres of land, all parcels of land being located within the Modesto Municipal Airport, for a period of one year, beginning December 1, 1949 with option to renew.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 25th day of January, 1950 by Commissioner Frad, who moved its adoption, which motion being duly seconded by Commissioner Stanley, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Frad, Stanley and Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Burkner and Wilson

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 8770-N.S.

ADJOURNMENT

BE IT HEREBY RESOLVED that this Council meeting now in session adjourn.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 25th day of January, 1950 by Commissioner Frad, who moved its adoption, which motion being duly seconded by Commissioner Stanley, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Frad, Stanley and Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Burkner and Wilson

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 8771-N.S.

A RESOLUTION AUTHORIZING PROGRESSIVE PAYMENT TO E. T. HAAS COMPANY

---oOo---

BE IT HEREBY RESOLVED that progressive payment of \$5540 01 be authorized to E. T. Haas Company on the installation of water mains on Twelfth Street and Virginia Avenue.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 1st day of February, 1950 by Commissioner Burkner, who moved its adoption, which motion being duly seconded by Commissioner Wilson, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 8772-N.S.

A RESOLUTION ALLOWING CLAIM FOR EXPENSES OF DELEGATES TO LEAGUE MEETING AT LODI

---oOo---

BE IT HEREBY RESOLVED that claim of \$24 70 be allowed for expenses of delegates attending the League of California Cities Central Division meeting in Lodi on January 26, 1950.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 1st day of February, 1950 by Commissioner Wilson, who moved its adoption, which motion being duly seconded by Commissioner Frad, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 8773-N.S.

A RESOLUTION APPOINTING RUSSELL MARKEL MEMBER OF THE MODESTO PERSONNEL BOARD

---oOo---

BE IT HEREBY RESOLVED that Russell Markel be and he is hereby appointed a member of the Modesto Personnel Board to serve the unexpired term of James W. Poulton until January 15, 1955.

The foregoing resolution was introduced at a special meeting of the Council

of the City of Modesto held on the 1st day of February 1950 by Commissioner Wilson, who moved its adoption, which motion being duly seconded by Commissioner Burkner, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon  
Noes: Councilmen: None  
Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 8774-N.S.

ADJOURNMENT

BE IT HEREBY RESOLVED that this Council meeting now in session adjourn.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 1st day of February, 1950 by Commissioner Wilson, who moved its adoption, which motion being duly seconded by Commissioner Burkner, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon  
Noes: Councilmen: None  
Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 8775-N.S.

A RESOLUTION POSTPONING ACTION ON FINAL ADOPTION OF ORDINANCE NO. 924-N.S. ENTITLED "AN ORDINANCE DISAPPROVING THE ANNEXATION OF A PORTION OF THE BODEM AND TATUM TRACTS TO THE CITY OF MODESTO"

---oOo---

WHEREAS, Jack Andrews has appeared before the Council protesting to the final adoption of Ordinance No. 924-N.S. entitled "AN ORDINANCE DISAPPROVING THE ANNEXATION OF A PORTION OF THE BODEM AND TATUM TRACTS TO THE CITY OF MODESTO" and has requested that the final adoption be delayed for a period of two weeks.

NOW THEREFORE BE IT RESOLVED that final adoption on said Ordinance No. 924-N.S. be postponed until the regular meeting of February 23, 1950.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of February, 1950 by Commissioner Wilson, who moved its adoption, which motion being duly seconded by Commissioner Burkner, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon  
Noes: Councilmen: None  
Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 8776-N.S.

A RESOLUTION POSTPONING ACTION ON FINAL ADOPTION OF ORDINANCE NO. 925-N.S. ENTITLED "AN ORDINANCE DISAPPROVING THE ANNEXATION OF A PORTION OF THE RICE AND TATUM TRACTS TO THE CITY OF MODESTO"

---oOo---

WHEREAS, Jack Andrews has appeared before the Council protesting to the final adoption of Ordinance No. 925-N.S. entitled: "AN ORDINANCE DISAPPROVING THE ANNEXATION OF A PORTION OF THE RICE AND TATUM TRACTS TO THE CITY OF MODESTO" and has requested that the final adoption be delayed for a period of two weeks.

NOW THEREFORE BE IT RESOLVED that final adoption on said Ordinance No. 925-N.S. be postponed until the regular meeting of February 23, 1950.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of February, 1950 by Commissioner Wilson, who moved its adoption, which motion being duly seconded by Commissioner Burkner, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 8777-N.S.

A RESOLUTION ALLOWING CLAIMS FOR MONTH OF JANUARY, 1950

---oOo---

WHEREAS, the claims against the City of Modesto for the month of January, 1950 for the various sums in the aggregate hereinafter stated having been audited by the Council and found to be correct:

NOW THEREFORE, BE IT RESOLVED that all of said claims so audited and approved be and they are hereby ordered allowed with reference being made to the Auditor's Cash Records for further details relative to amounts of withdrawals from the various funds as follows:

GENERAL FUND-----	\$94,073 21
BOND REDEMPTION FUND-----	1,975 00
WATER FUND-----	20,429 85
LIBRARY FUND-----	3,133 93
PARKING METER-----	320 24
WATER BOND-----	9,171 85
SEWER BOND-----	267 00
STATE SHARE INDUSTRIAL TREATMENT PLANT-----	3,500 00
	<u>\$132,871 09</u>

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of February, 1950 by Commissioner Wilson, who moved its adoption, which motion being duly seconded by Commissioner Burkner, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 8778-N.S.

A RESOLUTION AUTHORIZING PAYMENT OF \$100 00 TO THE MODESTO CHAMBER OF COMMERCE FOR MONEY ADVANCED TO M. AHMED ALI

---oOo---

BE IT HEREBY RESOLVED that the City Auditor be authorized to draw warrant for \$100 00 to the Modesto Chamber of Commerce to cover money advanced to M. Ahmed Ali on his report "Modesto Looks Ahead".

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of February, 1950 by Commissioner Wilson, who moved its adoption, which motion being duly seconded by Commissioner Burkner, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 8779-N. S.

A RESOLUTION SETTING THE DATE FOR HEARING ON REZONING OF PROPERTY AT THE CORNER OF MORRIS AND HIGH STREETS

---oOo---

WHEREAS, pursuant to the filing of a petition by the Modesto City Planning Commission signed by Harold N. and Winifred I. Gerow for the rezoning from R-2, Two Family Residence District to C-1, Neighborhood Business District of the following property

Lots 47 and 48 of Block 585

Lots 25 and 26 of Block 584

Lots 23 and 24 of Block 583

Lots 1 and 2 of Block 582

BE IT HEREBY RESOLVED THAT the date of March 8, 1950 at 7:30 P.M. in the Council Chambers be set as the time and place for public hearing on this petition at which time and place all persons opposing such change may appear and show cause why the petition should not be granted.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of February, 1950 by Commissioner Wilson, who moved its adoption, which motion being duly seconded by Commissioner Stanley, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 8780-N.S.

A RESOLUTION GRANTING PERMIT TO CUT CURB TO MARVIN L. HECKENDORF

---oOo---

BE IT HEREBY RESOLVED that permit be granted to Marvin L. Heckendorf to cut the curb 30 feet on the North 95 feet of Block 5, lots 13 (N. 1/2) all 14, 15 and 16 at the corner of Third and H Streets, under the supervision of the City Engineer.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of February, 1950 by Commissioner

Stanley, who moved its adoption, which motion being duly seconded by Commissioner Wilson, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 8781-N.S.

A RESOLUTION AUTHORIZING THE CITY CLERK TO ADVERTISE FOR BIDS ON TRAFFIC SIGNAL EQUIPMENT AND MATERIALS

---000---

BE IT HEREBY RESOLVED that the City Clerk be authorized to call for bids on traffic signal equipment and materials as set forth in the Notice to Bidders, said bids to be opened on February 23, 1950.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of February, 1950 by Commissioner Burkner, who moved its adoption, which motion being duly seconded by Commissioner Frad, it was upon roll call carried and the resolution was adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 8782-N.S.

ADJOURNMENT

BE IT HEREBY RESOLVED that this Council meeting now in session adjourn.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 8th day of February, 1950 by Commissioner Wilson, who moved its adoption, which motion being duly seconded by Commissioner Stanley, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 8783-N.S.

A RESOLUTION DELAYING ACTION ON ANNEXATION OF CHAPIN TRACT TO THE CITY OF MODESTO

---000---

WHEREAS, pursuant to advertising for hearing of protests to the proposed annexation of the Chapin Tract to the City of Modesto, and

WHEREAS the City Clerk reported that several written protests have been filed and certain individuals who had signed the petition of annexation had requested that their names be withdrawn from the petition, and

WHEREAS the City Clerk reported that the assessed valuation of the property owned by those objecting to the annexation, was less than those petitioning for the annexation of this tract.

NOW THEREFORE BE IT RESOLVED that the decision on this annexation

be delayed for one week and that the City Attorney check on the legal ownership of certain parcels of land in this tract and report to the Council.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 15th day of February, 1950 by Commissioner Frad, who moved its adoption, which motion being duly seconded by Commissioner Wilson, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 8784-N.S.

A RESOLUTION GRANTING PERMIT TO VETERANS OF FOREIGN WARS TO EXHIBIT MOBILE SHOW

---oOo---

WHEREAS a request has been filed by the Veterans of Foreign Wars to show a mobile war exhibit on the city streets

NOW THEREFORE BE IT RESOLVED that permit be granted and the Chief of Police be authorized to make arrangements for the location and date exhibit is to be shown in this city.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 15th day of February, 1950 by Commissioner Frad, who moved its adoption, which motion being duly seconded by Commissioner Wilson, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 8785-N.S.

ADJOURNMENT

BE IT HEREBY RESOLVED that this Council meeting now in session adjourn.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 15th day of February, 1950 by Commissioner Wilson, who moved its adoption, which motion being duly seconded by Commissioner Burkner, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 8786-N.S.

A RESOLUTION DENYING CLAIM FOR DAMAGES ON AUTOMOBILE TO HAROLD B. GOLDBERG

---oOo---

WHEREAS, Harold B. Goldberg has filed claim of \$7 64 for damages to his car which he claims was damaged due to street excavation at Helen Avenue and Sunrise Avenue,

BE IT HEREBY RESOLVED that claim of said Harold B. Goldberg be rejected and the City Clerk is directed to refer this claim to the insurance carrier 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 February, 1950 by Commissioner Wilson, who moved its adoption, which motion being duly seconded by Commissioner Frad, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Wilson, Acting Mayor Stanley

Noes: Councilmen: None

Absent: Mayor Shannon

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 8787-N.S.

A RESOLUTION APPOINTING SIGNATORY OFFICIALS ON RIGHT OF WAY DEED TO THE PACIFIC TELEPHONE AND TELEGRAPH COMPANY

---oOo---

BE IT HEREBY RESOLVED that the City of Modesto execute right of way deed to the Pacific Telephone and Telegraph Company, a corporation, on the following described real property situate in the County of Stanislaus, State of California, to-wit:

Let B, Block 213 of the City of Modesto, according to the official plat thereof, filed in the office of the Recorder of Stanislaus County, California, on December 21, 1942, in Book 15 of Maps.

BE IT FURTHER RESOLVED that the Mayor and City Clerk of the City of Modesto be and they are hereby authorized and directed to execute said deed on behalf of said 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 February, 1950 by Commissioner Frad, who moved its adoption, which motion being duly seconded by Commissioner Burkner, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Wilson, Acting Mayor Stanley

Noes: Councilmen: None

Absent: Mayor Shannon

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 8788-N.S.

A RESOLUTION RECOMMENDING NO FURTHER PROCEDURE BE TAKEN ON THE PETITION FOR ANNEXATION OF THE CHAPIN TRACT

---oOo---

WHEREAS, pursuant to referring the matter of protests to the proposed annexation of the Chapin Tract to the City Attorney for investigation as to assessed valuation of property of those protesting to the annexation, and

WHEREAS, the City Attorney has reported that those persons protesting to the annexation owned property assessed at more than one half of the total assessed valuation of the entire Chapin Tract,

BE IT HEREBY RESOLVED that pursuant to government code 35313 no further procedure be taken on the petition for annexation.

The foregoing resolution was introduced at a regular meeting of the City of Modesto held on the 23rd day of February, 1950 by Commissioner Frad,  
Council

who moved its adoption, which motion being duly seconded by Commissioner Wilson, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Wilson, Acting Mayor Stanley

Noes: Councilmen: None

Absent: Mayor Shannon

ATTEST: REX E. GLILFUS, CITY CLERK

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RESOLUTION NO. 8789-N.S.

A RESOLUTION ACCEPTIN DEED FROM FRANK FRANCEK & MARY FRANCEK ON A PORTION OF LOT 9 OF SPENCER COLONY TO BE USED FOR ALLEY AND UTILITY PURPOSES

---oOo---

BE IT HEREBY RESOLVED that deed be accepted from Frank Francek and Mary Francek, his wife, on a portion of lot 9 of Spencer Colony in the County of Stanislaus, to be used for alley and utility purposes.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of February, 1950 by Commissioner Burkner, who moved its adoption, which motion being duly seconded by Commissioner Frad, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Wilson, Acting Mayor Stanley

Noes: Councilmen: None

Absent: Mayor Shannon

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 8790-N.S.

A RESOLUTION AUTHORIZING THE CITY CLERK TO ADVERTISE FOR BIDS FOR FURNISHING AND DELIVERING ASPHALTIC MIXED PAVING MATERIALS TO ANY STREET WITHIN THE CITY LIMITS

---oOo---

BE IT HEREBY RESOLVED that the City Clerk be authorized to advertise for bids for furnishing and delivering asphaltic mixed paving materials to any street within the city limits, said bids to be opened on March 8, 1950.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of February, 1950 by Commissioner Frad, who moved its adoption, which motion being duly seconded by Commissioner Burkner, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Wilson, Acting Mayor Stanley

Noes: Councilmen: None

Absent: Mayor Shannon

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 8791-N.S.

A RESOLUTION DELAYING FINAL ADOPTION OF ORDINANCE NO. 924-N.S. DISAPPROVING ANNEXATION OF BODEM AND TATUM TRACT AND ORDINANCE NO 925-N.S. DISAPPROVING ANNEXATION OF RICE AND TATUM TRACT TO THE CITY OF MODESTO UNTIL MARCH 8, 1950 MEETING OF THE COUNCIL.

---oOo---

WHEREAS, pursuant to delaying final action of the adoption of Ordinance No. 924-N.S. disapproving the annexation of a portion of Bodem and Tatum Tracts to the City of Modesto and Ordinance No. 925-N.S. disapproving the annexation of a portion of Rice and Tatum Tracts to the City of Modesto until this time, and

WHEREAS, Clyde E. Miller, owner of property in that portion of Rice and

Tatum Tract, proposed to be annexed, has filed a petition for the withdrawal of his objections to the annexation, and

WHEREAS, Reid Cochran, owner of property in that portion of Bodem and Tatum Tract, proposed to be annexed, has filed a petition for the withdrawal of his objections to the annexation

NOW THEREFORE BE IT RESOLVED that the action on the final adoption of aforesaid ordinances be delayed until the regular meeting of the Council of the City of Modesto to be held on March 8, 1950, and

BE IT FURTHER RESOLVED that the City Clerk be and he is hereby directed to notify Henry A. Grube, owner of property in that portion of Bodem and Tatum Tract proposed to be annexed and Ed Burt, owner of property in the Rice and Tatum Tract proposed to be annexed, that the Council would act on the adoption of these ordinances at this time.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of February, 1950 by Commissioner Wilson, who moved its adoption, which motion being duly seconded by Commissioner Frad, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Wilson, Acting Mayor Stanley

Noes: Councilmen: None

Absent: Mayor Shannon

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 8792-N.S.

A RESOLUTION ACCEPTING DEED OF EASEMENT FROM JAMES A. MORRISON JR. AND FLORENCE J. MORRISON ON A PORTION OF LOT 5 OF MISSION GROVE TRACT TO BE USED FOR UTILITIES

---oOo---

BE IT HEREBY RESOLVED that deed of easement be and it is hereby accepted from James A. Morrison, Jr. and Florence J. Morrison, husband and wife, on a portion of lot 5 of Mission Grove Tract, to be used for the purposes of the installation, operation and maintenance of sewer and water lines by 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 February, 1950 by Commissioner Frad, who moved its adoption, which motion being duly seconded by Commissioner Burkner, it was upon roll call carried and resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Wilson, Acting Mayor Stanley

Noes: Councilmen: None

Absent: Mayor Shannon

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 8793-N.S.

A RESOLUTION ACCEPTING DEED OF EASEMENT FROM DON L. PIERCE AND VIRGINIA PIERCE

---oOo---

BE IT HEREBY RESOLVED that deed of easement be and it is hereby accepted from Don L. Pierce and Virginia Pierce, husband and wife on a portion of lot 5 of the Mission Grove Tract to be used by the City of Modesto for the purposes of the installation, operation and maintenance of sewer and water lines.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of February, 1950 by Commissioner Burkner, who moved its adoption, which motion being duly seconded by Commissioner Wilson, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Wilson, Acting Mayor Stanley

Noes: Councilmen: None

Absent: Mayor Shannon

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 8794-N.S.

A RESOLUTION ACCEPTING DEED FROM EDMUND W. ANDREWS AND ELFLEDA S. ANDREWS, HUSBAND AND WIFE, ON A PORTION OF LOT 5 OF MISSION GROVE TRACT

---oOo---

BE IT HEREBY RESOLVED that deed be and it is hereby accepted from Edmund W. Andrews and Elfleda S. Andrews, husband and wife, on a portion of lot 5 of Mission Grove Tract, to be used for alley purposes by 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 February, 1950 by Commissioner Burkner, who moved its adoption, which motion being duly seconded by Commissioner Frad, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Wilson, Acting Mayor Stanley

Noes: Councilmen: None

Absent: Councilmen; Mayor Shannon

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 8795-N.S.

A RESOLUTION ACCEPTING DEED OF EASEMENT FROM R. A. CILKER AND ADA S. CILKER, HUSBAND AND WIFE

---oOo---

BE IT HEREBY RESOLVED that deed of easement be and it is hereby accepted from R. A. Cilker and Ada S. Cilker, husband and wife, on a portion of lot 3 of the Mission Grove Tract, for the purpose of constructing, installing, laying, using, operation, repairing and maintaining a sewer pipe line or lines underground, across said land.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of February, 1950 by Commissioner Burkner, who moved its adoption, which motion being duly seconded by Commissioner Frad, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Wilson, Acting Mayor Stanley

Noes: Councilmen: None

Absent: Mayor Shannon

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 8796-N.S.

A RESOLUTION ACCEPTING DEED FROM VERNE STARK AND PEARL STARK

---oOo---

BE IT HEREBY RESOLVED that deed be and it is hereby accepted from Verne Stark and Pearl Stark, husband and wife, on a portion of lot 1 of the Mission Grove Tract, to be used for alley purposes.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of February, 1950 by Commissioner

Burkner, who moved its adoption, which motion being duly seconded by Commissioner Wilson, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Wilson, Acting Mayor Stanley

Noes: Councilmen: None

Absent: Mayor Shannon

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 8797-N.S.

A RESOLUTION ACCEPTING DEED OF EASEMENT FROM VERNE GARRETT AND GERALDINE GARRETT

---oOo---

BE IT HEREBY RESOLVED that a deed of easement be and it is hereby accepted from Verne Garrett and Geraldine Garrett on a portion of lot 1 of the Mission Grove Tract for the purpose of laying, installing, constructing, using, operating, repairing and maintaining a sewer pipe line or lines underground across said property.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of February, 1950 by Commissioner Wilson, who moved its adoption, which motion being duly seconded by Commissioner Burkner, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Wilson, Acting Mayor Stanley

Noes: Councilmen: None

Absent: Mayor Shannon

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 8798-N.S.

A RESOLUTION ACCEPTING DEED OF EASEMENT FROM CHARLES J. HALL AND VIOLA L. HALL

---oOo---

BE IT HEREBY RESOLVED that deed of easement from Charles J. Hall and Viola L. Hall, husband and wife be and it is hereby accepted for a portion of lot 1 of the Mission Grove Tract for the purpose of constructing, installing, laying, using, operating, repairing and maintaining a sewer line or lines underground.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of February, 1950 by Commissioner Frad, who moved its adoption, which motion being duly seconded by Commissioner Wilson, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Wilson, Acting Mayor Stanley

Noes: Councilmen: None

Absent: Mayor Shannon

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 8799-N.S.

ADJOURNMENT

BE IT HEREBY RESOLVED that this Council meeting now in session adjourn.

The foregoing resolution was introduced at a regular meeting of

the Council of the City of Modesto held on the 23rd day of February, 1950 by Commissioner Frad, who moved its adoption which motion being duly seconded by Commissioner Wilson, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Wilson, Acting Mayor Stanley

Noes: Councilmen: None

Absent: Mayor Shannon

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 8800-N.S.

A RESOLUTION RECOMMENDING THE MATTER OF THE CHARTER BE TAKEN UNDER ADVISEMENT BY THE CITY COUNCIL

---oOo---

BE IT HEREBY RESOLVED that the matter of the redrafting of the Charter be taken under advisement by the Council of the City of Modesto.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 1st day of March, 1950 by Commissioner Frad, who moved its adoption, which motion being duly seconded by Commissioner Stanley, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 8801-N.S.

A RESOLUTION AUTHORIZING THE CITY ATTORNEY TO ENTER INTO A STIPULATION WITH ATTORNEY FRANK B. COLLIER

---oOo---

WHEREAS, Mr. John Fairweather, Manager of the Modesto Chamber of Commerce has recommended that the City Council should not take any appeal with reference to the present charter in as much as it appeared to have a fatal legal defect

BE IT HEREBY RESOLVED that the City attorney be and he is hereby authorized to enter into a stipulation with Attorney Frank B. Collier, representing George Merman, waiving the right to answer the plaintiff's complaint and agreeing that judgment could be entered as prayed for in the complaint.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 1st day of March, 1950 by Commissioner Frad, who moved its adoption, which motion being duly seconded by Commissioner Burkner, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GALIFUS, CITY CLERK

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RESOLUTION NO. 8802-N.S.

A RESOLUTION AWARING BID ON TRAFFIC SIGNAL EQUIPMENT TO WILLE ELECTRIC COMPANY

---oOo---

WHEREAS, pursuant to referring bids for traffic signal equipment and materials to the City Engineer for tabulation and investigation, and

WHEREAS, a report has been filed by him recommending that the bid of Wille Electric Company be accepted

BE IT HEREBY RESOLVED that the bid of Wille Electric Company be and it is hereby accepted as it is the lowest and best bid and the City Clerk be directed to return bidding checks to the unsuccessful bidders.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 1st day of March, 1950 by Commissioner Frad, who moved its adoption, which motion being duly seconded by Commissioner Burkner, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Stanley

ATTEST: REX E. GALIFUS, CITY CLERK

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RESOLUTION NO. 8803-N.S.

A RESOLUTION AUTHORIZING PROGRESSIVE PAYMENT TO E. T. HAAS COMPANY

---oOo---

BE IT HEREBY RESOLVED that progressive payment be authorized to E. T. Haas Company of \$1002 64 for the installation of city water mains on Virginia Avenue from Morris Avenue to Needham Avenue, on Twelfth Street to E Street, on E Street to Tenth Street and on Tenth Street to City property in Block 50 in the City of Modesto.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 1st day of March, 1950 by Commissioner Burkner, who moved its adoption, which motion being duly seconded by Commissioner Wilson, it was upon roll call carried and resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Stanley

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 8804-N.S.

A RESOLUTION AUTHORIZING TRANSFER OF FUNDS TO THE GENERAL FUND

---oOo---

BE IT HEREBY RESOLVED that the Auditor of the City of Modesto be and he is hereby authorized to transfer \$100,000 from the Water Fund to the General Fund of the City of Modesto.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 1st day of March, 1950 by Commissioner Wilson, who moved its adoption, which motion being duly seconded by Commissioner Frad, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Stanley

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 8805 N.S.

A RESOLUTION GRANTING PERMIT TO THE STANISLAUS COUNTY HORSEMEN'S ASSOCIATION TO

ERECT BANNER AT TENTH AND J STREETS

---oOo---

BE IT HEREBY RESOLVED that the Fire Department is authorized to erect a banner at the corner of Tenth and J Streets, after the usual fee of \$10 00 has been paid, for the Stanislaus County Horsemen's Association, advertising their rodeo to be held on April 23, 1950, said banner to be on display from April 10th through April 23, 1950.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 1st day of March, 1950 by Commissioner Wilson, who moved its adoption, which motion being duly seconded by Commissioner Frad, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Stanley

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 8806-N.S.

A RESOLUTION AUTHORIZING THE FIRE DEPARTMENT TO ERECT A BANNER AT TENTH AND J STREETS FOR THE MODESTO OPTIMIST CLUB

---oOo---

BE IT HEREBY RESOLVED that the Fire Department be authorized to erect a banner at Tenth and J Streets for the Modesto Optimist Club, advertising the Ice Revue which will be held on March 30, 31 and April 1, 1950, said banner to be erected during the period of March 20 through April 1, 1950.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 1st day of March, 1950 by Commissioner Wilson, who moved its adoption, which motion being duly seconded by Commissioner Frad, it was upon roll call carried and <sup>the</sup> resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Wilson, Mayor Shannon

Noes; Councilmen: None

Absent: Councilmen: Stanley

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 8807-N.S.

A RESOLUTION AUTHORIZING PAYMENT FOR EXTRA WORK FOR INSTALLATION OF WATER MAINS TO E. T. HAAS COMPANY

---oOo---

BE IT HEREBY RESOLVED that payment of \$320 94 be authorized to E. T. Haas Company for extra work, estimate No. 1, for installation of city water mains, as set forth in Resolution No. 8803-N.S.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 1st day of March, 1950 by Commissioner Burkner, who moved its adoption, which motion being duly seconded by Commissioner Wilson, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Stanley

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 8808 N.S.

A RESOLUTION DETERMINING PREVAILING RATE OF PER HOUR WAGES FOR CERTAIN CLASSIFICATIONS OF PUBLIC WORKS PERFORMED UNDER CONTRACT IN THE CITY OF MODESTO AND RESCINDING RESOLUTION NO. 8561 N. S. ADOPTED BY THE COUNCIL OF THE CITY OF MODESTO ON SEPTEMBER 14, 1949.

BE IT RESOLVED that pursuant to the Statutes of the State of California the Council of the City of Modesto has ascertained the following scale of wages to be the prevailing rate per hour, and rates for legal holidays and overtime work on Public Work performed by contract in the City of Modesto and the same is hereby adopted for such work:

<u>CLASSIFICATION</u>	<u>RATE PER HOUR</u>
Asphalt Plant Engineer	\$ 2.29
Box Men or Mixer Box Operator (Concrete or asphalt Plant)	1.99
Compressor	1.94
Compressors (more than one)	2.24
Concrete Mixer (up to one yard)	1.94
Concrete Mixer (over one yard)	2.24
Concrete Pump or Pump Crete Guns	2.24
Derricks (including Chicago Booms)	2.44
Drilling Machinery Engineers (not to apply to water liners, wagon drills, or jackhammers)	2.29
Dual Drum Mixer	2.34
Fireman in Hot Plant	1.94
Fork lift or lumber stacker (on construction job site)	2.19
Handi-Crane (no oiler required)	2.34
Heavy Duty Repairman	2.29
Heavy Duty Repairman Helper	1.84
Highline Cableway	2.59
Material Hoist	2.19
Mechanical Finishers (concrete or asphalt (airports, highway or street work)	2.29
Mixermobile	2.34
Motorman	2.04
Mucking Machine	2.41
Pavement Breakers, Esmco Type	2.34
Portable Crushers	2.29
Power grader, power planer, motor patrol or any type power blade	
Power Shovels and/or other Excavating Equipment with shovel-type controls, up to and including 1 yd.	2.44
Power Shovels and/or other Excavating Equipment with shovel-type controls (Over one Yard)	2.44
Pugmills (all) Woodsmixer type	2.59
Pumps	2.34
Le Tourneau pulls (Jeeps, Terra Cobras, La Plant Choate, and similar types of equipment)	1.94
Rollers	2.44
Ross Carriers (on construction job site)	2.29
Scoopmobile (when used as a hoist)	2.04
Scoopmobile (when used as a loader)	2.19
Screed Man	2.34
	1.94

<u>CLASSIFICATION</u>	<u>RATE PER HOUR</u>
Self-propelled elevating grade plane	\$ 2.34
Spreader Machines (Barber Green, Jaeger, etc.) (Engineer and Screed Man used in operation)	2.29
Surface Heaters	2.29
Towermobile	2.19
Tractors	2.29
Tractors (boom)	2.44
Tractor (Tandem)	2.59
Tractor type shovel loader (scale not to apply when used as blade or bulldozer)	2.44
Trenching Machine	2.34
Truck Type Loader	2.44
Truck Crane	2.44
<b>DUMP TRUCKS</b>	
Under 4 yds. (water level)	1.58
4 yds. and under 8 yds. (water level)	1.67
8 yds. and under 14 yds. (water level)	1.85
14 yds. and under 18 yds.	1.92
18 yds. and/or over (water level)	2.04
<b>TRANSIT MIX</b>	
2 YDS. (manufacturers measurement rating)	1.60
3 YDS. (manufacturers measurement rating)	1.68
4 YDS. (manufacturers measurement rating)	1.75
5 YDS. (manufacturers measurement rating)	1.78
Pick ups carrying under 1,000 lbs.	1.58
Flat racks carrying under 18000 lbs .	1.60
Flat racks carrying over 18,000 lbs.	1.73
Heavy Duty Low Bed Transports with goose-neck tractor-trailer	1.85
Helpers, Warehousemen, and Teamsters	1.58
Teamsters on Winch Trucks, including "A" frame	1.73
Dumpster	1.67
Buggymobile	1.73
Water Wagons under 2,500 gals.	1.70
Water Wagons over 2,500 gals.	1.73
Road Oiler	1.60
Bootman	1.60
Truck Oiler - Greaser	1.60
Ross Carrier - other type carrier	1.85
Euclid Type (trac) trucks	USE DUMP TRUCK SCALE
Truck Repairman	2.28
Truck Repairman Helpers	1.83
Air Tool Operator (jack Vib.)	1.67½
Asphalt Rakers & Ironers	1.67½
Boilermakers (Field)	2.35
Boilermakers Helper (Field)	2.05
Field Foreman	\$ 2.60
Field Asst. Pusher	\$ 2.45
Boilermaker (Shop)	1.77

CLASSIFICATION	RATE PER HOUR
Boilermaker's Helper (Shop)	\$ 1.39
Bricklayers	2.56½
Brick Mason's Helper	2.20
Carpenter (Journeyman)	2.17½
Cement Finishers	2.20
Electrical Workers	2.32½
Iron Workers, Structural	2.50
Iron Workers, Ornamental	2.35
Iron Workers, Reinforcing	2.25
Iron Worker Sheeter	2.50
Laborers, Building	1.45
Laborers, Concrete	1.45
Hod-Carriers * Plasterers	2.12½ plus
Hod Carriers Brick \$ 2.00 plus	\$1.00 starting time
Lathers	2.50
Machinists	2.35
Painters, Brush	2.15
Painters, Spray	2.15
Painters, Sign	2.40
Painters, Structural Steel (Brush)	2.00
Piledriver	2.12½
Piledriver, foreman	2.42½
Plasterer	2.50
Plumber	2.50
Powderman	1.80
Roofers, Comp.	2.25
Roofers, Tile & Slate	2.25
Sheet Metal Workers	2.25
Shovels, dragline 1 yd. or less	2.25
Steamfitters	2.50
Pipe Layers, Caulkers, banders	1.80

Overtime at one and one-half (1½) times the above rates.

Sundays and holidays one and one-half (1½) times the above rates, also.

Any classification omitted herein not less than \$ 1.45 per hour.

The foregoing Resolution was introduced at a Special meeting of the Council of the City of Modesto held on the first day of March, 1950, by Commissioner Burkner, who moved its adoption, which motion was duly seconded by Commissioner Wilson and upon roll call adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Stanley

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 8809-N.S.

A RESOLUTION AUTHORIZING THE CITY CLERK TO CALL FOR BIDS ON THE CONSTRUCTION OF VACUATOR TANK AND APPURTENANCES

BE IT HEREBY RESOLVED that the City Clerk be authorized to call for bids on the construction of one vacuator tank and appurtenances, said bids to be opened on March 22, 1950.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 1st day of March, 1950 by Commissioner Burkner, who moved its adoption, which motion being duly seconded by Commissioner Wilson, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Stanley

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 8810-N.S.

A RESOLUTION ACCEPTING DEED FROM THE MODESTO JUNIOR COLLEGE DISTRICT ON A PORTION OF LOT 2 OF THE MISSION GROVE TRACT TO BE USED FOR PUBLIC STREET PURPOSES

---oOo---

BE IT HEREBY RESOLVED that a deed of dedication from the Modesto Junior College District of Stanislaus County, State of California, on a portion of lot 2 of the Mission Grove Tract to be used for public street purposes, be accepted

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 1st day of March, 1950 by Commissioner Burkner, who moved its adoption, which motion being duly seconded by Commissioner Wilson, it was upon roll call carried the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Stanley

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 8811-N.S.

ADJOURNMENT

BE IT HEREBY RESOLVED that this Council meeting now in session adjourn.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 1st day of March, 1950 by Commissioner Burkner, who moved its adoption, which motion being duly seconded by Commissioner Wilson, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Stanley

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 8812-N.S.

A RESOLUTION APPROVING MINUTES OF COUNCIL MEETINGS

---oOo---

BE IT HEREBY RESOLVED that the minutes of the regular meeting of February 23, 1950 and the special meeting of March 1, 1950 were approved as mailed to the Council members.

The foregoing resolution was introduced at a regular meeting of March 8, 1950 by Commissioner Frad, who moved its adoption, which motion being duly seconded by Commissioner Burkner, it was upon roll call carried and the resolution adopted by the

following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 8813 N.S.

A RESOLUTION AUTHORIZING THE CITY COUNCIL TO FRAME OR CAUSE TO BE FRAMED A PROPOSED CHARTER FOR THE CITY OF MODESTO AND APPOINTING

A COMMITTEE TO FRAME SAID CHARTER

WHEREAS, there has been submitted to and adopted by the electors of the City of Modesto a proposed new charter for said City, and

WHEREAS, said charter has been held unconstitutional and invalid by the Superior Court of the State of California, in and for the County of Stanislaus, and

WHEREAS, the City Council of the City of Modesto desires to resubmit said charter to the electors after making such changes as may be recommended by the citizens committee hereinafter designated,

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

1. That pursuant to the authority granted by subsection (f) of Section 8 of Article XI of the Constitution of the State of California the City Council shall frame or cause to be framed a proposed charter for the City of Modesto and submit the proposal for the adoption thereof to the electors at either a special election called for that purpose or at any general or special election.

2. The following committee is appointed to draft said charter:

Robert Fowler

Melville D. Harris

W. W. Giddings, Sr.

Charles Wherry

Richard Vander Wall

Maurice Pilleo

David Wilson

Harry Windus

Norman West

Henry Anderson

Earl Damin

Frank Damrell

THE FOREGOING RESOLUTION was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of March, 1950, by Councilman Wilson, who moved its adoption, which motion being duly seconded by Councilmen Burkner was upon roll call duly carried, and the Resolution adopted by the following vote:

AYES: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 8814-N.S.

A RESOLUTION ALLOWING CLAIMS FOR THE MONTH OF FEBRUARY, 1950

---oOo---

WHEREAS, the claims against the City of Modesto for the month of February, 1950, for the various sums in the aggregate hereinafter stated having been audited by the Council and found to be correct:

NOW THEREFORE, BE IT RESOLVED that all of said claims so audited and approved be and they are hereby ordered allowed, with reference being made to the Auditor's Cash Records for further details relative to amounts of withdrawals from the various fund as follows:

GENERAL FUND-----	\$83,940 53
WATER FUND-----	8,037 31
BOND REDEMPTION-----	160 00
LIBRARY FUND-----	2,753 76
PARKING METER FUND-----	1,535 91
WATER BOND-----	<u>14,045 77</u>
TOTAL	\$110,473.28

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of March, 1950 by Commissioner Wilson, who moved its adoption, which motion being duly seconded by Commissioner Frad, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon  
Noes: Councilmen: None  
Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 8815 N .S.

A RESOLUTION ACCEPTING PETITION FOR ANNEXATION OF A PORTION OF THE BROUGHTON COLONY TO THE CITY OF MODESTO.

WHEREAS, there has been presented to the City Council of the City of Modesto at a regular meeting thereof held on the 8th day of March, 1950, a petition requesting that the City Council give such notice, hold such hearings and pass such Resolutions as may be necessary to annex certain real property to the City of Modesto and incorporate said real property within the limits of the City of Modesto, said real property being described as follows, to-wit:

All that certain lot, piece or parcel of land situated in the County of Stanislaus, State of California and bounded and described as follows:

All that portion of Lot 44 of Broughton Colony, as per map filed March 17, 1904, in Volume 1 of Maps, at page 78, Stanislaus County Records, and more particularly described as follows:

Commencing at the Northwest corner of said Lot 44, running thence South along said West line a distance of 30 feet to the intersection thereof, with the South line of Morris Avenue, and being the true point of beginning of this description;

thence Easterly along the South line of said Morris Avenue, a distance of 1008.20 feet more or less to the West line of the land conveyed to Chris U. Stevens, and wife, by deed recorded December 14, 1942, as Instrument No. 17122; thence South along the West line of said Stevens land and the extension thereof, a distance of 144 feet to the Southwest corner of the land conveyed to Benjamin P. McCumsey and wife by Deed recorded November 19, 1943, as Instrument No. 17757; thence running in a Southerly direction a distance of 65 feet, more or less to the Northwest corner of the land conveyed to C. E. Scarlott and wife by Deed recorded June 20, 1942, as Instrument No. 8277; thence South along the West line of said Scarlott land, a distance of 198 feet to the Southwest corner thereof, and in the centerline of an irrigation ditch; thence South 73° 56' West along centerline of said irrigation ditch, a distance of 59.73 feet to an angle point thereon; thence North 89° 10' West along centerline of said irrigation ditch, a distance of 803.88 feet to end of said irrigation ditch, the line being prolonged to 943.80 feet where it intersects the West line of said Lot 44; thence North along said West line, a distance of 418.80 feet to the true point of beginning.

WHEREAS, it appears to the City Council of said City that said petition is in order and the real property described therein and hereinabove described is contiguous to the City of Modesto and less than twelve (12) registered voters reside therein and such real property is uninhabited territory.

NOW, THEREFORE, said petition is hereby accepted by said City Council of said City and it is hereby resolved and the City Attorney is hereby ordered to prepare the necessary documents, resolutions and notices for the purpose of determining whether or not the owners of property within the territory proposed to be annexed desire said territory to be annexed to and to become a part 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 8th day of March, 1950, by Councilman Wilson who moved its adoption, which motion being duly seconded by Councilman Stanley was upon roll call carried and adopted by the following vote:

AYES: Councilmen: Frad, Burkner, Wilson, Stanley and Mayor Shannon

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 8816 N. S.

RESOLUTION GIVING NOTICE OF PROPOSED ANNEXATION OF A PORTION OF THE BROUGHTON COLONY TO THE CITY OF MODESTO AND FIXING TIME AND PLACE FOR HEARING OBJECTIONS TO THE PROPOSED ANNEXATION.

WHEREAS, application for annexation to the City of Modesto has been filed by Wilbur E. Grant and Vivian D. Grant to annex to the City of Modesto under the provisions of the Annexation of Uninhabited Territory Act of 1939 as amended that said area or territor known and designated as A Portion of the Broughton Colony in the County of Stanislaus, State of California, and contiguous to the City of Modesto described as follows:

All that certain lot, piece or parcel of land situated in the County of Stanislaus, State of California and bounded and described as follows:

All that portion of Lot 44 of Broughton Colony as per map filed March 17, 1904 in Volume 1 of Maps, at page 78, Stanislaus County Records, and more particularly described as follows:

Commencing at the Northwest corner of said Lot 44, running thence South along said West line a distance of 30 feet to the intersection thereof, with the South line of Morris Avenue, and being the true point of beginning of this description; thence Easterly along the South line of said Morris Avenue, a distance of 1008.20 feet more or less to the West line of the land conveyed to Chris U. Stevens, and wife, by deed recorded December 14, 1942, as Instrument No. 17122; thence South along the West line of said Stevens land and the extension thereof, a distance of 144 feet to the Southwest corner of the land conveyed to Benjamin P. McCumsey and wife by Deed recorded November 19, 1943, as Instrument No. 17757; thence running in a Southerly direction, a distance of 65 feet, more or less to the Northwest corner of the land conveyed to C. E. Scarlott and wife by Deed recorded June 20, 1942, as Instrument No. 8277; thence South along the West line of said Scarlott land, a distance of 198 feet to the Southwest corner thereof, and in the centerline of an irrigation ditch; thence South 73° 56' West along centerline of said irrigation ditch, a distance of 59.73 feet to an angle point thereon; thence North 89° 10' West along centerline of said irrigation ditch, a distance of 803.88 feet to end of said irrigation ditch, the line being prolonged to 943.80 feet where it intersects the West line of said Lot 44; thence North along said West line, a distance of 418.80 feet to the true point of beginning.

NOW, THEREFORE, be it hereby resolved by the City Council of the City of Modesto and notice is hereby given that the 12th day of April, 1949, at the hour of 7:30 o'clock P. M. of said day in the Council Chambers of the City Hall located at 717 10th 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 City Council of the City of Modesto and show cause why such territory should not be so annexed.

BE IT FURTHER RESOLVED that the City Clerk shall cause a copy of this Resolution to be published at least once a week for two successive weeks prior to the time set for said hearing in the Modesto Bee, a newspaper of general circulation published in the City of Modesto and being 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 8th day of March, 1950, by Councilman Wilson who moved its adoption, which motion being duly seconded by Councilman Stanley was upon roll call duly carried and the Resolution adopted by the following vote:

AYES: Councilmen: Frad, Burkner, Wilson, Stanley and Mayor Shannon

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 8817-N. S.

A RESOLUTION AUTHORIZING THE CITY CLERK TO ADVERTISE FOR BIDS FOR PAVING MATERIAL

---oOo---

WHEREAS, pursuant to advertising for bids for paving material,  
and

WHEREAS the City Clerk has reported two bids on file

BE IT HEREBY RESOLVED that the bid of Standard Materials  
Company be accepted as it was the lowest and best bid.

The foregoing resolution was introduced at a regular meeting  
of the Council of the City of Modesto held on the 8th day of March, 1950 by  
Commissioner Frad, who moved its adoption, which motion being duly seconded by  
Commissioner Burkner, it was upon roll call carried and the resolution adopted  
by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 8818-N. S.

A RESOLUTION AUTHORIZING PAYMENT TO BYRON JACKSON COMPANY ON THE INSTALLATION OF  
DEEP WELL TURBINE PUMP

---oOo---

BE IT HEREBY RESOLVED that progressive payment of \$10, 551 69  
be authorized to the Byron Jackson Company on the installation of deep well  
turbine pump at pump station No. 14 and the City Clerk is directed to record 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 8th day of March, 1950 by  
Commissioner Burkner, who moved its adoption, which motion being duly seconded by  
Commissioner Wilson, it was upon roll call carried and the resolution adopted by  
the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 8819-N. S.

A RESOLUTION GRANTING EXTENSION OF NINETY DAYS TO PITTSBURG DESMOINE STEEL COMPANY  
ON THEIR CONTRACT FOR THE ERECTION OF AN ELEVATED TANK AND TOWER

---oOo---

BE IT HEREBY RESOLVED that an extension of ninety days be granted  
to the Pittsburg Desmoine Steel Company for the completion of their contract for  
the erection of an elevated tank and tower for the City of Modesto in Block 50.

The foregoing resolution was introduced at a regular meeting of  
the Council of the City of Modesto held on the 8th day of March, 1950 by  
Commissioner Burkner, who moved its adoption, which motion being duly seconded by  
Commissioner Stanley, it was upon roll call carried and the resolution adopted by  
the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 8820-N.S.

A RESOLUTION ACCEPTING DEED FROM NELLIE PICKETT AND AUTHORIZING THE RECORDING OF SAID DEED WITH THE STANISLAUS COUNTY RECORDER

---oOo---

WHEREAS, deeds have been accepted from property owners previously on certain real property to be used for street purposes by the City of Modesto, said street to be known as Blair Avenue, and

WHEREAS, DEED has been presented by Nellie Pickett on a portion of lot 3 of Apricot Colony to be used for street purposes also by the City of Modesto, said street to be known as Blair Avenue.

THEREFORE BE IT RESOLVED that deed be accepted by the City of Modesto from Nellie Pickett and the City Clerk is directed to record said 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 8th day of March, 1950 by Commissioner Wilson, who moved its adoption, which motion being duly seconded by Commissioner Burkner, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 8821-N.S.

A RESOLUTION ACCEPTING DEED FROM LEE ROGERS AND KATHLEEN ROGERS, HUSBAND AND WIFE AND JAMES A GONZALES AND ESTELLE GONZALES, HUSBAND AND WIFE

---oOo--

BE IT HEREBY RESOLVED that the City of Modesto accept deed from Lee Rogers and Kathleen Rogers, husband and wife and James A. Gonzales and Estelle Gonzales, husband and wife, on a portion of lot 7 of Rice Colony, said real property to be used for street purposes by the City of Modesto, and

BE IT FURTHER RESOLVED that the City Clerk be authorized to record said 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 8th day of March, 1950 by Commissioner Frad, who moved its adoption, which motion being duly seconded by Commissioner Wilson, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 8822-N.S.

A RESOLUTION ACCEPTING DEED FROM REID C. COCHRAN AND CAROL V. COCHRAN, HUSBAND AND WIFE

---oOo---

BE IT HEREBY RESOLVED that deed be accepted by the City of Modesto from Reid C. Cochran and Carol V. Cochran, husband and wife on a portion of lot 5 of the Bodem Colony, to be used for street purposes, and

BE IT FURTHER RESOLVED that the City Clerk be authorized to record said 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 8th day of March, 1950 by Commissioner Burkner, who moved its adoption, which motion being duly seconded by Commissioner Frad, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 8823-N.S.

A RESOLUTION ACCEPTING DEED FROM CLARA B. BURKE AND DANIEL BURKE HUSBAND AND WIFE

---oOo---

BE IT HEREBY RESOLVED that deed be accepted by the City of Modesto from Clara B. Burke and Daniel Burke, husband and wife, on a portion of lots 3 and 4 of the Bodem Colony, to be used for street purposes, and

BE IT HEREBY RESOLVED that the City Clerk be directed to record 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 8th day of March, 1950 by Commissioner Wilson, who moved its adoption, which motion being duly seconded by Commissioner Stanley, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 8824-N.S.

A RESOLUTION ACCEPTING DEED FROM CLYDE E. MILLER AND D. MARIAN MILLER

---oOo---

BE IT HEREBY RESOLVED that deed be accepted by the City of Modesto from Clyde E. Miller and D. Marian Miller, husband and wife, on a portion of lots 1 and 2 of the Bodem Colony, to be used for street purposes, and

BE IT FURTHER RESOLVED that the City Clerk be directed to record said 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 8th day of March, 1950 by Commissioner Burkner, who moved its adoption, which motion being duly seconded by Commissioner Wilson, it was upon roll call carried and resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 8825-N.S.

A RESOLUTION GRANTING PERMIT TO THE DE-MOLAYS TO DISPLAY BANNER ACROSS TENTH AND J STREETS

---oOo---

BE IT HEREBY RESOLVED that permit be granted to the De-Molays to display banner across Tenth and J Streets from March 10th to 18th, to advertise their central California Basketball Tournament and the Fire Chief is hereby directed to erect the banner for the said De-Molays, after the usual fee of \$10 00 has been paid.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of March, 1950 by Commissioner Wilson, who moved its adoption, which motion being duly seconded by Commissioner Stanley, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 8826-N.S.

A RESOLUTION GRANTING PERMIT TO THE STANISLAUS COUNTY TUBERCULOSIS AND HEALTH ASSOCIATION TO DISPLAY BANNER

---oOo---

BE IT HEREBY RESOLVED that permit be granted to the Stanislaus County Tuberculosis and Health Association to display banner across I Street between Ninth and Tenth Streets, to advertise a mass X-ray Drive to be put on in Modesto during the period of April 11, 1950 through April 29, 1950 and waiving the usual fee of \$10 00 and directing the Fire Department to install banner.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of March, 1950 by Commissioner Frad, who moved its adoption, which motion being duly seconded by Commissioner Wilson, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 8827-N.S.

ADJOURNMENT

BE IT HEREBY RESOLVED that this Council meeting now in session adjourn.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of March, 1950 by Commissioner Frad, who moved its adoption, which motion being duly seconded by Commissioner Wilson, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 8828-N.S.

A RESOLUTION AUTHORIZING THE CITY AUDITOR TO CANCEL CERTAIN TAX ASSESSMENTS

---oOo---

BE IT HEREBY RESOLVED that the Auditor of the City of Modesto

cancel the following assessments on the 1949-50 Tax Roll:

Tax Bill No.	Segregation No.	Name	Location	Amount	Penalty
526	5550	Maude Bridge	Block 72, Lots 17-19	\$20 72	\$1 04
3533	5553	Paul Robertson	" 319 Per " 8-9	2 11	.21
4958		Frank A. Freitas	" 628 lot 10	6 70	.34
Tax Sale No. 8546		"	" " " "	7.54	

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 15th day of March, 1950 by Commissioner Wilson, who moved its adoption, which motion being duly seconded by Commissioner Frad, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 8829-N.S.

A RESOLUTION ACCEPTING FUND FOR THE L. J. MADDUX YOUTH RECREATION CENTER IN THE WEST SIDE PARK AND DIRECTING THE CITY AUDITOR TO SET UP SPECIAL ACCOUNT

---oOo---

WHEREAS the City Recreation Commission has requested that the City of Modesto proceed with the construction of the L. J. Maddux Youth Recreation Center in the West Side Park, and

WHEREAS, the City Recreation Commission has turned over to the City of Modesto the sum of \$18,277 52 which they had collected for the construction of the said Youth Center

NOW THEREFORE BE IT RESOLVED that the said sum of \$18,277 52 be and it is hereby accepted from the Modesto Recreation Commission and the City Auditor is authorized to set up a special account to be known as the "Special Account L. J. Maddux Youth Center Building" <sup>Fund</sup> for these funds.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 15th day of March, 1950 by Commissioner Wilson, who moved its adoption, and which motion being duly seconded by Commissioner Stanley, it was upon roll call carried and the resolution was adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 8830-N.S.

A RESOLUTION EXPRESSING APPRECIATION OF THE CITIZENS OF THE CITY OF MODESTO FOR DONATIONS GIVEN BY THE BUILDING TRADES COUNCIL TO THE CITY RECREATION COMMISSION FOR THE CONSTRUCTION OF THE L. J. MADDUX RECREATION CENTER IN WEST SIDE PARK

---oOo---

BE IT HEREBY RESOLVED that the Council of the City of Modesto adopt a resolution expressing the appreciation of the citizens of the City of Modesto for the donations given by the Building Trades Council, composed of the following unions, for the construction of the L. J. Maddux Recreation Center in West Side

Park:

Plasterers & Cement Finishers, Local 429  
Operating Engineers, Local 734  
Carpenters, Local 1306  
Postal Clerks, Local 635  
Chemical Workers, Local 190  
Laundry Workers, Local 177  
Barbers Local 787  
Painters Local 317

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 15th day of March, 1950 by Commissioner Burkner, who moved its adoption, which motion being duly seconded by Commissioner Frad, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 8831 N. S.

A RESOLUTION ESTABLISHING POLICY FOR THE USE OF MANCINI BOWL IN GRACEADA PARK.

---oOo---

WHEREAS, there is situated in Graceada Park in the City of Modesto an open air bowl known as Mancini Music Bowl, and

WHEREAS, this structure was built with funds left by the late Margheurita Monotti, and

WHEREAS, the Superior Court of the State of California, in and for the County of Stanislaus, did in November, 1947, decree that the funds left by the late Margheurita Monotti could be used for the construction of a children's out door theatre in Graceada Park, said theatre to be used for community musical events by juvenile musicians, for grammar school graduation exercises, for children's games, for presentation of out door pageants and theatricals by juveniles, for use by boy scouts, girl scouts, 4 H Clubs, and for group activities of juvenile organizations, for band concerts and for school festivals of all types, and

WHEREAS, the Recreation Commission of the City of Modesto passed a Resolution that the Mancini Music Bowl should not be used for political or religious purposes, and

WHEREAS, the Council of the City of Modesto desires to establish a policy for the use of said Mancini Music Bowl,

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

1. That said Mancini Music Bowl shall not be permitted to be used for commercial, political or religious purposes.
2. That the use of Mancini Music Bowl shall be confined to those purposes set forth in the decree of the Superior Court and enumerated hereinabove.

THE FOREGOING RESOLUTION was introduced at a special meeting of the Council of the City of Modesto held on the 15th day of March, 1950, by Councilman Wilson, who moved its adoption, which motion being duly seconded by Councilman Stanley was upon roll call duly carried, and the Resolution adopted by the following vote:

AYES: Councilmen: Burkner, Stanley, Frad, Wilson, Mayor Shannon

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 8832-N.S.

A RESOLUTION APPOINTING COMMITTEE TO STUDY REPORT ON RENT CONTROL

---oOo---

BE IT HEREBY RESOLVED that a committee composed of City Clerk, Rex E. Gailfus, City Engineer, Frank J. Rossi and Planning Technician, Cyril McC Henderson, be appointed to study the report filed by the Rental Property Owners and Operators Association of Stanislaus County, on the lifting of rent control in the City of Modesto, and to report their findings and recommendations at the regular meeting of the Council on April 12, 1950.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 15th day of March, 1950 by Commissioner Stanley, who moved its adoption, which motion being duly seconded by Commissioner Wilson, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 8833A-N.S.

A RESOLUTION AUTHORIZING FRANK J. ROSSI TO ATTEND MEETING OF THE WESTERN PUBLIC WORKS CONGRESS

---oOo---

BE IT HEREBY RESOLVED that City Engineer Frank J. Rossi be authorized to attend the meeting of the Western Public Works Congress, April 2, 3 and 4, 1950 in Oakland with all expenses paid.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 15th day of March, 1950 by Commissioner Burkner, who moved its adoption, which motion being duly seconded by Commissioner Wilson, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 8834A-N.S.

A RESOLUTION ADJOURNING THIS COUNCIL MEETING IN SESSION

---oOo---

BE IT HEREBY RESOLVED that this Council meeting now in session adjourn.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 15th day of March, 1950 by Commissioner Burkner, who moved its adoption, which motion being duly seconded by Commissioner Wilson, it was upon roll call carried and the resolution adopted by

the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 8833-N.S.

A RESOLUTION AWARDDING BID ON ITEM ONE OF NOTICE TO BIDDERS FOR VACUATOR TANK AND APPURTENANCES TO THE SPEARS CONSTRUCTION COMPANY

---oOo---

WHEREAS, pursuant to advertising for bids for the construction of one vacuator tank and appurtenances, and

WHEREAS the City Clerk has reported seven bids on file and said bids being opened and compared by the Council

BE IT HEREBY RESOLVED that the bid of the Spears Construction Company for \$39,400 00 on item one of said bid be and it is hereby accepted as this was the lowest and best bid and the Mayor and City Clerk are hereby appointed signatory officials on contract agreement for the completion of the work.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of March, 1950 by Commissioner Frad, who moved its adoption, which motion being duly seconded by Commissioner Burkner, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 8834-N.S.

A RESOLUTION REJECTING ALL BIDS ON ITEM TWO OF BID FOR THE FURNISHING AND INSTALLING VALVES AND PIPING IN VACUATOR TANK AND CONTROL STRUCTURE

---oOo---

BE IT HEREBY RESOLVED that all bids on item two of bid for the furnishing and installing valves and piping in Vacuator Tank and Control Structure be rejected.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of March, 1950 by Commissioner Frad, who moved its adoption, which motion being duly seconded by Commissioner Wilson, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 8835-N.S.

A RESOLUTION AWARDDING BID ON SWITCHBOARD FOR VACUATOR TANK TO THE INDUSTRIAL ELECTRICAL COMPANY

---oOo---

BE IT HEREBY RESOLVED that bid of the Industrial Electrical Company on item three for furnishing and installing electric switchboard in the construction of Vacuator tank be and it is hereby accepted and the Mayor and City Clerk are hereby appointed

signatory officials on contract agreement for the completion of the work.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of March, 1950 by Commissioner Frad, who moved its adoption, which motion being duly seconded by Commissioner Burkner, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 8836-N.S.

A RESOLUTION AUTHORIZING PROGRESSIVE PAYMENT TO E. T. HAAS COMPANY ON INSTALLATION OF WATER MAINS AND ACCEPT WORK AS COMPLETED AND AUTHORIZE RECORDING OF NOTICE OF COMPLETION

---oOo---

WHEREAS the City Engineer has filed a report with the City Council on the completion of the installation of city water mains on Virginia Avenue from Morris Avenue to Needham Avenue on Twelfth Street to E Street on E Street to Tenth Street and on Tenth Street to city property in Block 50, by the E. T. Haas Company.

BE IT HEREBY RESOLVED that the contract as completed by the E. T. Haas Company be and it is hereby accepted by the Council of the City of Modesto and progressive payment of \$1146 02 be authorized and the City Clerk be authorized to record 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 22nd day of March, 1950 by Commissioner Burkner, who moved its adoption, which motion being duly seconded by Commissioner Frad, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 8837-N.S.

A RESOLUTION APPROVING MAP OF THE MASONIC CEMETERY AND APPOINTING SIGNATORY OFFICIALS

---oOo---

BE IT HEREBY RESOLVED that the map of the Masonic Cemetery, as filed with the Council, be and it is hereby approved and the Mayor and City Clerk are appointed signatory officials.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of March, 1950 by Commissioner Wilson, who moved its adoption, which motion being duly seconded by Commissioner Stanley, it was upon roll call carried and the resolution was adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 8838-N.S.

RESOLUTION AUTHORIZING THE CITY CLERK TO CALL FOR BIDS ON TRAFFIC SIGNAL EQUIPMENT

---oOo---

BE IT HEREBY RESOLVED that the City Clerk be authorized to call for bids on traffic signal ~~signal~~ equipment, said bids to be opened on April 12, 1950.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of March, 1950 by Commissioner Burkner, who moved its adoption, which motion being duly seconded by Commissioner Stanley, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 8839-N.S.

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

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 1951, 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 22 day of March, 1950.

CARL W. SHANNON  
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 March 22, 1950.

Rex E. Gailfus  
Clerk of the City of Modesto

RESOLUTION NO. 8840-N.S.

A RESOLUTION ACCEPTING DEED FROM ELIZABETH ZIMMERMAN ON A PORTION OF LOTS 16, 17, and 18 OF TATUM TRACT TO BE USED FOR STREET PURPOSES

---oOo---

BE IT HEREBY RESOLVED THAT deed from Elizabeth Zimmerman, a widow, be accepted by the Council of the City of Modesto on a portion of lots 16, 17 and 18 of the Tatum Tract, to be used for street purposes, and

BE IT FURTHER RESOLVED that the City Clerk be directed to record said 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 22nd day of March, 1950 by Commissioner Stanley, who moved its adoption, which motion being duly seconded by Commissioner Wilson, it was upon roll call carried and the resolution adopted by the following vote:  
Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon  
Noes: Councilmen: None  
Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 8841-N.S.

A RESOLUTION ACCEPTING DEED FROM HENRY GRUBE AND JANET GRUBE JACK ANDREWS AND EDWIN BURT AND MAY SWAN BURT

---oOo---

BE IT HEREBY RESOLVED that deed be accepted from Henry Grube and Janet Grube, husband and wife, Jack Andrews, a single man and Edwin Burt and May Swan Burt, husband and wife, on a portion of lots 11, 12, 13, 14, and 15 of the Tatum Tract, to be used for street purposes, and

BE IT FURTHER RESOLVED that the City Clerk be directed to record said 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 22nd day of March, 1950 by Commissioner Stanley, who moved its adoption, which motion being duly seconded by Commissioner Wilson, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 8842-N.S.

A RESOLUTION AUTHORIZING THE MOVING OF TAXICAB STAND FROM THE CORNER OF TENTH AND I STREET TO THE SOUTHEAST CORNER OF NINTH AND I STREET TO SAM SECRETO, OPERATING THE ACME TAXICAB COMPANY

---oOo---

WHEREAS, pursuant to referring request of Sam Secreto, operating the Acme Taxicab Company, for transfer of one taxicab stand from the Southeast corner of Tenth and I Streets to the Southeast corner of Ninth and I Streets to Captain Coulson of the Police Department for investigation and recommendation, and

WHEREAS, he has recommended that this request be granted.

NOW THEREFORE BE IT HEREBY RESOLVED, that said Sam Secreto, operating the Acme Taxicab Company be authorized to transfer one taxicab stand as requested to the Southeast corner of Ninth and I Street with the understanding that Mr. Secreto would pay any costs involved in transferring this taxicab stand to the new location.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of March, 1950 by Commissioner Stanley, who moved its adoption, which motion being duly seconded by Commissioner Frad, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 8843-N.S.

ADJOURNMENT

BE IT HEREBY RESOLVED that this Council meeting now in session adjourn.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of March, 1950 by Commissioner Wilson, who moved its adoption, which motion being duly seconded by Commissioner Frad, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 8844-N.S.

A RESOLUTION AUTHORIZING PROGRESSIVE PAYMENT TO THE PITTSBURGH-DESMOINES STEEL COMPANY

---oOo---

BE IT HEREBY RESOLVED that progressive payment of \$4899 52 be authorized to the Pittsburgh-Des Moines Steel Company on the furnishing and installing of a 600,000 gallon elevated steel water tank.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 5th day of April, 1950 by Commissioner Burkner, who moved its adoption, which motion being duly seconded by Commissioner Stanley, it was upon roll call carried and the resolution was adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 8845-N.S.

A RESOLUTION AUTHORIZING PAYMENT TO E. T. HAAS COMPANY FOR EXTRA WORK

---oOo---

BE IT HEREBY RESOLVED that payment of \$1071 32 be authorized to the E. T. Haas Company for extra work on the installation of city water mains in accordance with contract awarded on November 16, 1949.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 5th day of April, 1950 by Commissioner Burkner, who moved its adoption, which motion being duly seconded by Commissioner Stanley, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 8846-N.S.

A RESOLUTION AUTHORIZING MURRAY MCKINNIE TO ATTEND CONVENTION

---oOo---

BE IT HEREBY RESOLVED that M. B. McKinnie, Sewage Plant Superintendent, be

authorized to attend the meeting of the California Sewage Works Association in Long Beach, May 3 to 6, 1950, with all expenses paid.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 5th day of April, 1950 by Commissioner Burkner, who moved its adoption, which motion was duly seconded by Commissioner Frad, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

\*\*\*\*\*

RESOLUTION NO. 8847-N.S.

A RESOLUTION AUTHORIZING THE CITY CLERK TO CALL FOR BIDS ON THE L. J. MADDUX YOUTH RECREATION CENTER

---oOo---

BE IT HEREBY RESOLVED that the City Clerk be authorized to call for bids for furnishing labor, equipment and materials for the construction of Unit I of the L. J. Maddux Youth Recreation Center, said bids to be opened at the regular meeting of the Council on Wednesday, April 26, 1950.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 5th day of April, 1950 by Commissioner Wilson, who moved its adoption, which motion being duly seconded by Commissioner Frad, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

\*\*\*\*\*

RESOLUTION NO. 8848-N.S.

A RESOLUTION REFUSING TO ACCEPT THE RESIGNATION OF FRANK C. DAMRELL FROM THE CITIZENS ADVISORY COMMITTEE FOR THE DRAFTING OF A CHARTER

---oOo---

WHEREAS, Frank C. Damrell has been appointed as a member of the Citizens Advisory Committee to draft a charter at the request of the City Council, and

WHEREAS, Frank C. Damrell has tendered his resignation as a member of said committee, and

WHEREAS the City Council have the utmost confidence in Mr. Damrell's judgment and do not desire to accept his resignation

NOW THEREFORE BE IT RESOLVED that the City Council is of the opinion that Mr. Damrell should remain a member of the Advisory Committee and that the City Council has confidence in his judgment and ability to serve as a member of this committee, and

BE IT FURTHER RESOLVED that Mr. Damrell's offer of resigning is respectfully refused.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 5th day of April, 1950 by

Commissioner Stanley, who moved its adoption, which motion being duly seconded by Commissioner Frad, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 8849-N.S.

A RESOLUTION AUTHORIZING PAYMENT TO HARRY NEVILLE JENKS

---oOo---

BE IT HEREBY RESOLVED that payment of \$3000 00 be authorized to Harry Neville Jenks for consulting engineering services as per agreement, said payment to be charged to the general fund pending receipt of funds from the State of California, as provided under Chapter 47.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 5th day of April, 1950 by Commissioner Frad, who moved its adoption, which motion being duly seconded by Commissioner Burkner, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

\*\*\*\*\*

RESOLUTION NO. 8850-N.S.

A RESOLUTION GRANTING PERMIT TO THE MODERN OIL COMPANY TO OPERATE SELF SERVICE GASOLINE & OIL STATION

---oOo---

BE IT HEREBY RESOLVED that permit be granted to Raymond C. Brown, Jess A. Hall and Walter E. Barbour, doing business as the Modern Oil Company to operate a self service station at 1402 Ninth Street, as provided by Ordinance No. 921-N.S.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 5th day of April, 1950 by Commissioner Frad, who moved its adoption, which motion being duly seconded by Commissioner Burkner, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 8851-N.S.

A RESOLUTION ACCEPTING DEED FROM CHARLES J. HALL ET UX

---oOo---

BE IT HEREBY RESOLVED that partial reconveyance deed be accepted from Charles J. Hall and Viola L. Hall, husband and wife on the westerly 10 feet of the southerly 64.3 feet of the Northerly 126.3 feet of lot 1 of the Mission Grove Tract and the City Clerk be directed to record said deed with the Recorder of Stanislaus County and to pay statement of \$3.50 to the Modesto Title Company for the preparing of the deed.

The foregoing resolution was introduced at a special meeting of the Council

of the City of Modesto held on the 5th day of April, 1950 by Commissioner Burkner, who moved its adoption, which motion being duly seconded by Commissioner Frad, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 8852-N.S.

A RESOLUTION SETTING DATE FOR HEARING ON REZONING CERTAIN PROPERTY

---oOo---

WHEREAS the Modesto City Planning Commission have notified the Council that they had held the necessary hearings for the rezoning of Block 446, lots 1 and 2, Block 447, lots 6 to 11 incl. from R-1 Single Family Residence District to R-3 Multiple Family Residence District and the rezoning of the entire block 452 from R-1 Single Family Residence District to the R-2 Two Family Residence District of Bl.

NOW THEREFORE BE IT RESOLVED that the date of April 26, 1950 at 7:30 P.M. at the City Hall be set as the time and place for the hearing of protests to the rezoning of this property as set forth heretofore.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 5th day of April, 1950 by Commissioner Wilson, who moved its adoption, which motion being duly seconded by Commissioner Stanley, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 8853-N.S.

ADJOURNMENT

BE IT HEREBY RESOLVED that his Council meeting now in session adjourn.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 5th day of April, 1950 by Commissioner Wilson, who moved its adoption, which motion being duly seconded by Commissioner Stanley, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 8854-N.S.

A RESOLUTION ALLOWING CLAIMS FOR MONTH OF MARCH, 1950

---oOo---

WHEREAS, the claims against the City of Modesto for the month of March, 1950, for the various sums in the aggregate hereinafter stated having been audited by the Council and found to be correct:

NOW THEREFORE, BE IT RESOLVED that all of said claims so audited and approved be and they are hereby ordered allowed with reference being made to the Auditor's Cash Records for further details relative to amounts of withdrawals from the various funds as follows:

GENERAL FUND-----	\$109,703 04
WATER FUND-----	8,717 08
LIBRARY FUND-----	3,062 62
PARKING METER FUND-----	32 50
FIRE BOND FUND-----	214 41
WATER BOND FUND-----	7,325 07
SEWER BOND-----	464 21
	<hr/>
	\$129,518 93

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of April, 1950 by Commissioner Wilson, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 8855-N.S.

A RESOLUTION GRANTING PERMIT TO THE MODESTO AIRMEN'S ASSOCIATION INC. TO HOLD THEIR ANNUAL DANCE IN THE MODESTO MUNICIPAL AIRPORT HANGAR

---oOo---

WHEREAS the Modesto Airmen's Association, Inc. have petitioned the Council for permission to hold their annual dance in the hangar at the Modesto Municipal Airport, on June 17, 1950.

BE IT HEREBY RESOLVED that permit be granted to the said Modesto Airmen's Association, Inc. to hold said dance at the Modesto Municipal Airport hangar on June 17, 1950, providing they file an insurance policy with the City Clerk, with limits of \$50/100,000 public liability and \$5000 property damage before the dance is held.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of April, 1950 by Commissioner Frad, who moved its adoption, which motion being duly seconded by Commissioner Wilson, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 8856-N.S.

A RESOLUTION AUTHORIZING FINAL PAYMENT TO BYRON JACKSON COMPANY

---oOo---

BE IT HEREBY RESOLVED that final payment of \$3 517 23 be authorized to Byron Jackson Company for the installation of one deep well turbine pump in accordance with contract, as the thirty five day lien period required by the contract has expired and no claims have been filed against the contractors,

The foregoing resolution was introduced at a regular meeting of the Council

of the City of Modesto held on the 12th day of April, 1950 by Commissioner Burkner, who moved its adoption, which motion being duly seconded by Commissioner Frad, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 8857-N.S.

A RESOLUTION AUTHORIZING TREASURER TO EXCHANGE UNITED STATES OF AMERICA TREASURY NOTES

---oOo---

BE IT HEREBY RESOLVED that Rex E. Gailfus, Treasurer of the City of Modesto be authorized to exchange the United States of America Treasury Notes, 1 3/8%, due April 1, 1950, in amount \$400,000 00 owned by the City of Modesto for United States of America Treasury Notes, 1 1/2% due March 15, 1955, and

BE IT FURTHER RESOLVED that Rex E. Gailfus, Treasurer of the City of Modesto be directed to pay the accrued interest due from March 15 to April 1, 1950, in the amount of \$277 17 on the Treasury notes exchanged.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of April, 1950 by Commissioner Wilson, who moved its adoption, which motion being duly seconded by Commissioner Frad, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 8858-N.S.

A RESOLUTION AUTHORIZING J. E. DON CARLOS, ASSISTANT SUPERINTENDENT OF PARKS TO ATTEND THE NATIONAL SHADE TREE CONFERENCE IN LONG BEACH

---oOo---

BE IT HEREBY RESOLVED that J. E. Don Carlos, Assistant Superintendent of Parks, be authorized to attend the National Shade Tree Conference in Long Beach, May 24-27, 1950 with expenses paid.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of April, 1950 by Commissioner Burkner, who moved its adoption, which motion being duly seconded by Commissioner Wilson, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 8859-N.S.

ADJOURNMENT

BE IT HEREBY RESOLVED that this Council meeting now in session

adjourn.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of April, 1950 by Commissioner Burkner, who moved its adoption, which motion being duly seconded by Commissioner Wilson, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 8860 N.S.

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.

Whereas, the Council of the City of Modesto has heretofore created and established the City of Modesto Parking Authority, hereinafter referred to as the "Parking Authority", for the purpose of exercising those junctions and powers provided by law, and

Whereas, by Ordinance No. 778-N.S. the Council of the City of Modesto has further provided as follows:

"SECTION 15. The coins deposited in parking meters as provided herein are hereby levied and assessed as fees to provide for the cost of supervising, regulating, and inspecting the parking of vehicles in the parking meter zones created thereby and to cover the cost of the purchase, supervision, protection, inspection, installation, operation, maintenance, control, and use of the parking meters installed therein, and the fund created thereby shall be devoted exclusively to those purposes, except that any surplus funds shall be used for the purpose of acquiring off street parking areas for the use of the public within the City of Modesto." and,

Whereas, past experience has indicated that the costs of purchase, installation, operation, maintenance, supervision, inspection, and control of said parking meters amount to approximately fifty per cent (50%) of the total revenue from said meters, and

Whereas it is the desire and intent of the Council of the City of Modesto to carry out the provisions of said Ordinance No. 778-N.S., with respect to the use of said parking meter revenue, now therefore,

BE IT HEREBY RESOLVED BY THE COUNCIL OF THE CITY OF MODESTO AS FOLLOWS:

1. That all revenue from parking meters of and in the City of Modesto shall be, until otherwise designated by this Council, allocated for use as follows, to-wit: fifty per cent (50%) of said revenue to be used in the purchase, installation, operation, maintenance, supervision, inspection, and control of said parking meters; fifty per cent (50%) of said revenue to be devoted to the use by said Parking Authority for the procurement, operation, and maintenance of off-street parking facilities in the City of Modesto. That the City Clerk be directed to set up a special account designated as the Parking Authority account, into which all such monies, to be used by the Parking Authority, shall be deposited subject to the provisions set forth.

2. That the said Parking Authority shall be authorized to draw against said

account for the uses and purposes herein set forth, by means of vouchers duly authenticated by the Chairman of the Parking Authority, and presented for payment to the said City Clerk.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 19th day of April, 1950 by Commissioner Stanley, who moved its adoption, which motion being duly seconded by Commissioner Wilson, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 8861 N.S.

A RESOLUTION PLACING THE JURISDICTION AND CONTROL OF LOTS 17 TO 32 IN BLOCK 121 IN THE CITY OF MODESTO UNDER THE CITY OF MODESTO PARKING AUTHORITY FOR THE PURPOSE OF THE ESTABLISHMENT AND OPERATION OF AN OFF-STREET PARKING LOT THEREON.

Whereas, the City of Modesto is the owner of certain real property situated in the said city and more particularly described as Lots 17 to 32 inclusive, in Block 121 of the City of Modesto, and

Whereas it is beneficial and desirable that said property be devoted to use by the general public as an off-street parking facility, and

Whereas the Council of the City of Modesto, by Resolution No. 8698-N.S., has authorized that said property be improved for use as such off-street parking facilities.

BE IT HEREBY RESOLVED BY THE COUNCIL OF THE CITY OF MODESTO AS FOLLOWS:

That the above-described property shall, until otherwise directed by the Council of the City of Modesto, be used as an off-street parking area for the benefit of the general public; that the establishment, maintenance, and operation of off-street parking facilities on said property shall be under the complete and exclusive jurisdiction and control of the City of Modesto Parking Authority, and that said Authority is hereby authorized to establish any and all necessary and desirable rules and regulations respecting the maintenance and operation of said off-street parking facilities on said property; that said Authority is hereby authorized, within its discretion, to operate said facilities either as a free service to the general public, or for profit, and may receive and use any revenue derived from the operation thereof in accordance with the powers granted to said Parking Authority by law. The real property herein referred to having been acquired by the City to be used as a Civic Center and for the construction thereon of City buildings, may at any time be withdrawn as a parking facility and put to such other civic use as the council may in its discretion determine.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of April, 1950, by Councilman Stanley, who moved its adoption, which motion being duly seconded by Councilman Wilson, it was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 8862-N.S.

A RESOLUTION AWARING BID ON TRAFFIC SIGNAL EQUIPMENT TO THE WESTINGHOUSE ELECTRIC SUPPLY COMPANY

---oOo---

WHEREAS, pursuant to referring bids on traffic signal equipment to City Engineer Frank J. Rossi for tabulation, and

WHEREAS, he has filed a report recommending that the bid of the Westinghouse Electric Supply Company be accepted as it was the lowest and best bid.

BE IT HEREBY RESOLVED that the bid of the Westinghouse Electric Supply Company for \$2200 15 for traffic signal equipment be and it is hereby accepted as it is the lowest and best bid and the Mayor and City Clerk are appointed signatory officials on contract agreement and the City Clerk is directed to return the bidding checks to the unsuccessful bidders.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 19th day of April, 1950 by Commissioner Frad, who moved its adoption, which motion being duly seconded by Commissioner Stanley, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 8863 N.S.

A RESOLUTION PLACING JURISDICTION AND CONTROL OF LOTS 19 AND 20, BLOCK 81, IN THE CITY OF MODESTO UNDER THE CITY OF MODESTO PARKING AUTHORITY FOR THE PURPOSE OF THE ESTABLISHMENT OF AN OFF STREET PARKING LOT THEREON.

Whereas, the City of Modesto is the owner of that certain real property situated in the said city and more particularly described as lots 19 and 20, block 81 of the City of Modesto, and

Whereas, it is beneficial and desirable that said property be devoted to use by the general public as an off-street parking facility, and

Whereas, it further appears desirable that a portion of said property be restricted to use for parking facilities for vehicles owned by the City of Modesto, and

Whereas, it is the desire and intention of placing said property under the jurisdiction of the City of Modesto Parking Authority for the purpose of maintaining and operating an off-street parking facility thereon,

BE IT HEREBY RESOLVED BY THE COUNCIL OF THE CITY OF MODESTO AS FOLLOWS:

1. That the above described property shall, until otherwise directed by the Council of the City of Modesto, be used as off-street parking facilities for the benefit of the general public; That one-half of the area of said property shall be restricted for the use of parking certain vehicles owned by the City; that the establishment, maintenance, and operation of said parking facilities on said property shall, subject to the provision herein, and until further action by the City Council, be under the complete and exclusive jurisdiction

and control of the City of Modesto Parking Authority.

2. That said Parking Authority is hereby authorized to establish any and all necessary rules and regulations respecting the maintenance and operation of said off-street parking facilities on said property; that said property may be, at any time, withdrawn as parking facilities and put to such other civic use as the Council may in its discretion determine.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 19th day of April, 1950, by Stanley, who moved its adoption, which motion being duly seconded by Burkner, it was upon roll call carried and the resolution adopted by the following vote:

AYES: COUNCILMEN: Burkner, Frad, Stanley, Wilson, Mayor Shannon

NOES: COUNCILMEN: None

ABSENT: COUNCILMEN: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 8864-N.S.

A RESOLUTION ESTABLISHING ZONE FOR PARKING OF BICYCLES AT THE STATE THEATRE

---oOo---

WHEREAS, pursuant to referring the request of the State Theatre for the establishing of a parking place for bicycles near their theatre to Police Chief Pickering and City Engineer Rossi, and

WHEREAS, they have reported that they recommended that the first parking space off J Street on the northeasterly side of 13th Street to the pedestrian lane be used for the parking of bicycles and that racks be established in this space by the State Theatre.

NOW THEREFORE BE IT RESOLVED that the City Engineer install the proper markings on the street and curb reserving this section for the parking of bicycles as stated above and requiring the State Theatre to install the necessary bicycle racks.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 19th day of April, 1950 by Commissioner Stanley, who moved its adoption, which motion being duly seconded by Commissioner Wilson, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 8865-N.S.

A RESOLUTION AUTHORIZING THE CITY CLERK TO CALL FOR BIDS ON THE LA LOMA BRIDGE OVER BEARD BROOK

---oOo---

BE IT HEREBY RESOLVED that the City Clerk call for bids on furnishing labor, equipment and material necessary for the construction of the La Loma Bridge over Beard Brook, said bids to be opened at the regular meeting of May 24, 1950.

The foregoing resolution was introduced at a special meeting of

the Council of the City of Modesto held on the 19th day of April, 1950 by Commissioner Frad, who moved its adoption, which motion being duly seconded by Commissioner Wilson, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 8866-N.S.

ADJOURNMENT

BE IT HEREBY RESOLVED that this Council meeting now in session adjourn.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 19th day of April, 1950 by Commissioner Frad, who moved its adoption, which motion being duly seconded by Commissioner Wilson, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 8867-N.S.

A RESOLUTION AWARDDING BID TO SAUERWEIN & THOMPSON FOR CONSTRUCTION OF UNIT 1 OF THE L. J. MADDUX YOUTH RECREATION CENTER

---oOo---

WHEREAS, pursuant to calling for bids for the furnishing of labor, equipment and certain material for the construction of Unit 1 of the L. J. Maddux Youth Recreation Center, in accordance with the plans and specifications on file in the office of the City Engineer and whereas the City Clerk has reported two bids on file and after consideration by the Council of said bids

BE IT HEREBY RESOLVED that the bid of Sauerwein & Thompson for \$16,841 00 be accepted as it is the lowest and best bid, and the Mayor and City Clerk are appointed signatory officials on agreement for completion of the contract.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of April, 1950 by Commissioner Wilson, who moved its adoption, which motion being duly seconded by Commissioner Stanley, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 8868-N.S.

A RESOLUTION AUTHORIZING PROGRESSIVE PAYMENT TO PITTSBURG-DES MOINES COMPANY OF \$12,405 15

---oOo---

BE IT HEREBY RESOLVED that progressive payment of \$12,405 15 be authorized to the Pittsburg-Des Moines Steel Company for the furnishing and installing of elevated steel water tank including tower.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of April, 1950 by Commissioner Burkner, who moved

its adoption, which motion being duly seconded by Commissioner Frad, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 8869-N.S.

A RESOLUTION AUTHORIZING PROGRESSIVE PAYMENT TO THE SPEARS CONSTRUCTION COMPANY FOR THE CONSTRUCTION OF A VACUATOR TANK

---oOo---

BE IT HEREBY RESOLVED that progressive payment of \$1,477 50 be authorized to the Spears Construction Company for the construction of a Vacuator Tank in accordance with contract awarded.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of April, 1950 by Commissioner Burkner, who moved its adoption, which motion being duly seconded by Commissioner Wilson, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 8870-N.S.

A RESOLUTION AUTHORIZING PAYMENT FOR EXTRA WORK ESTIMATE NO. 1 ON VACUATOR TANK TO SPEARS CONSTRUCTION COMPANY

---oOo---

BE IT HEREBY RESOLVED that payment of \$641 25 be authorized on extra work estimate No. 1 to Spears Construction Company for extra work done under the contract for the construction of a vacuator tank, as provided in contract, part I, Section 9, paragraph (c) of the specifications.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of April, 1950 by Commissioner Burkner, who moved its adoption, which motion being duly seconded by Commissioner Frad, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 8871-N.S.

A RESOLUTION AUTHORIZING FINAL PAYMENT TO E. T. HAAS COMPANY FOR INSTALLING WATER MAINS

---oOo---

BE IT HEREBY RESOLVED that payment of \$5399 48 be authorized to E. T. Haas Company, Contractors on the installation of city water mains on Virginia Avenue, from Morris to Needham, on Twelfth Street to E Street on E Street to Tenth

Street and on Tenth Street to city property in Block 50, as the 35 days lien period required by the contract has expired and no claims have been filed against the contractor.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of April, 1950 by Commissioner Burkner, who moved its adoption, which motion being duly seconded by Commissioner Wilson, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 8872-N.S.

A RESOLUTION GRANTING PERMIT TO A. A. FIELDS TO CUT THE CURB ON HIS PROPERTY IN BLOCK 63, lots 23 and 24

---oOo---

BE IT HEREBY RESOLVED that A. A. Fields be permitted to cut the curb on his property in Block 63, lots 23 and 24, sixteen feet, under the supervision of the City Engineer.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of April, 1950 by Commissioner Burkner, who moved its adoption, which motion being duly seconded by Commissioner Frad, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 8873-N.S.

A RESOLUTION GRANTING PERMIT TO THE WARDCO DRUG & CHEMICAL COMPANY TO CUT THE CURB AND TO REMOVE ONE TREE

---oOo---

BE IT HEREBY RESOLVED that permit be granted to the Wardco Drug & Chemical Company to cut the curb 20 feet in Block 15, lots 29 and 30 under the supervision of the City Engineer and to remove one tree on Fourth Street in front of new driveway to be constructed.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of April, 1950 by Commissioner Frad, who moved its adoption, which motion being duly seconded by Commissioner Burkner, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 8874-N.S.

A RESOLUTION APPOINTING SIGNATORY OFFICIALS TO AGREEMENT BETWEEN CITY OF MODESTO AND THE MODESTO CITY SCHOOL DISTRICT OF STANISLAUS COUNTY

---oOo---

BE IT HEREBY RESOLVED that the Mayor and City Auditor be appointed

signatory officials for agreement for the laying of pipe lines and furnishing sewerage facilities to the following schools located outside the city limits:  
Mark Twain School at the intersection of California and Emerald Avenue  
New Franklin School at the intersection of Maze and Emerald Avenues  
New Roosevelt School at the intersection of College and Roseburg Avenue  
New John Muir School at the intersection of Lucern and Coffee Roads between the City of Modesto and the Modesto City School District 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 April, 1950 by Commissioner Stanley, who moved its adoption, which motion being duly seconded by Commissioner Burkner, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent:Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 8875-N.S.

A RESOLUTION APPOINTING SIGNATORY OFFICIALS TO SEWERAGE SERVICE AGREEMENT BETWEEN THE CITY OF MODESTO AND THE MODESTO HIGH SCHOOL DISTRICT

---oOo---

BE IT HEREBY RESOLVED that the Mayor and City Auditor be appointed signatory officials on agreement between the City of Modesto and the Modesto High School District for the laying of pipe lines and furnishing of sewerage facilities to the Downey High School, located outside the city limits on Coffee Road.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of April, 1950 by Commissioner Stanley, who moved its adoption, which motion being duly seconded by Commissioner Burkner, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent:Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 8876-N.S.

A RESOLUTION AUTHORIZING THE RECORDING OF DEEDS ON PROPERTY TO BE USED FOR STREET AND ALLEY PURPOSES

---oOo---

BE IT HEREBY RESOLVED that deed from Karl and Wilhelmina Ross on the westerly 10 feet of lots 9 and 10 and the westerly 7.52 feet of lots 11 and 12, Block 823 be accepted by the City of Modesto to be used for street and alley purposes, and

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

BE IT FURTHER RESOLVED that grant deed given by the City of Modesto to said Karl and Wilhelmina Ross on the Westerly 7.51 feet of the alley in Block 823 between the Southerly boundary of College Manor Tract No. 2 and the Southerly boundary of Carla Avenue as said alley and said Carla Avenue are shown on Map of

College Manor Tract No. 2 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 26th day of April, 1950 by Commissioner Burkner, who moved its adoption, which motion being duly seconded by Commissioner Stanley it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 8877-N.S.

A RESOLUTION ACCEPTING DEED FROM RUTH A HAMMOND AND MARGARET C. ANDREWS AND AUTHORIZING RECORDING OF DEEDS

---oOo---

BE IT HEREBY RESOLVED that deed be accepted from Ruth A. Hammond and Margaret C. Andrews on portion of lot 9 of Block 822 in the City of Modesto to the City of Modesto to be used for street and alley purposes and the City Clerk be authorized to record said deed with the Recorder of Stanislaus County.

BE IT FURTHER RESOLVED that deed from the City of Modesto to the said Ruth A. Hammond and Margaret C. Andrews on portion of lot 8 of Block 822 and portion of lot 4 of Block 823 in the City of Modesto 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 26th day of April, 1950 by Commissioner Burkner, who moved its adoption, which motion being duly seconded by Commissioner Stanley, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 8878-N.S.

A RESOLUTION ADJOURNING COUNCIL MEETING

---oOo---

BE IT HEREBY RESOLVED that this Council meeting now in session adjourn.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of April, 1950 by Commissioner Burkner, who moved its adoption, which motion being duly seconded by Commissioner Frad, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

\*\*\*\*\*

RESOLUTION NO. 8879 N.S.

A RESOLUTION ACCEPTING THE RESIGNATION OF COUNCILMAN JAMES P. WILSON AND EXPRESSING GRATITUDE AND APPRECIATION FOR PERFORMANCE OF HIS CIVIC DUTY.

WHEREAS, James P. Wilson has acted as a City Councilman for the City of Modesto for six years and whereas, he has now moved his place of business from Modesto and

has therefore proffered his resignation, and

WHEREAS, Mr. Wilson has been an active participant in the civic affairs of this community for many years prior to his becoming a member of the City Council, 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 as brought to the government of the City of Modesto a calm, thoughtful and intelligent attitude in the solution of civic problems and whereas his resignation is a distinct loss to his fellow councilmen and to the City of Modesto.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. That the resignation of James P. Wilson as councilman of the City of Modesto be accepted effective as of April 29, 1950.

2. That the City Council through this resolution hereby expresses to James P. Wilson 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 James P. Wilson 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 special meeting of the Council of the City of Modesto held on the 3rd day of May, 1950, by Councilman Stanley, who moved its adoption, which motion being duly seconded by Councilman Frad, was upon roll call, duly carried, and the Resolution adopted by the following vote:

AYES: COUNCILMEN: Frad, Burkner, Stanley and Mayor Shannon

NOES: COUNCILMEN: None

ABSENT: COUNCILMEN: None

ATTEST: REX E. GAILFUS, CITY CLERK

\*\*\*\*\*

RESOLUTION NO. 8880-N.S.

A RESOLUTION DENYING PERMIT TO LAND HELICOPTER ON I STREET TO CAMPAIGN MANAGER FOR HELEN GAHAGAN DOUGLAS FOR UNITED STATE SENATOR, NATHAN B. MCVAY

---oOo---

WHEREAS, petition has been filed with the Council by Nathan B. McVay, campaign manager for Helen Gahagan Douglas for United States Senator, for permission to land a helicopter on I Street, between Eleventh and Twelfth Streets on May 24th at 3:15 P.M. and he also requested that I Street, between Eleventh and Twelfth Streets be closed during the period Mrs. Douglas would be in the City.

NOW THEREFORE BE RESOLVED that petition be rejected as this was considered too dangerous to the public safety.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 3rd day of May, 1950 by Commissioner Stanley, who moved its adoption, which motion being duly seconded by Commissioner Burkner, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley and Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

\*\*\*\*\*

RESOLUTION NO. 8881-N.S.

A RESOLUTION SETTING DATE FOR HEARING OF RENT DECONTROL IN THE CITY OF MODESTO

---oOo---

BE IT HEREBY RESOLVED that June 2, 1950 at 7:30 P.M. at the north hall of the Modesto Junior College be set as the date, time and place for the public hearing on the decontrolling of rentals in the City of Modesto.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 3rd day of May, 1950 by Commissioner Frad, who moved its adoption, which motion being duly seconded by Commissioner Burkner, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

\*\*\*\*\*

RESOLUTION NO. 8882-N.S.

A RESOLUTION GRANTING PERMIT TO THE MODESTO AIRMEN'S ASSOCIATION TO DISPLAY BANNER ON THE STREETS OF THE CITY OF MODESTO

---oOo---

BE IT HEREBY RESOLVED that permit be granted to the Modesto Airmen's Association to display a banner at Tenth and J Streets in the City of Modesto for the period from June 5 through June 17, advertising their dance to be held at the Modesto Municipal Hangar, after the usual fee of \$10 00 has been paid.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 3rd day of May, 1950 by Commissioner Frad, who moved its adoption, which motion being duly seconded by Commissioner Stanley, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

\*\*\*\*\*

RESOLUTION NO. 8883-N.S.

A RESOLUTION SETTING DATE FOR HEARING ON DISTRICTING OF NEWLY ANNEXED EVERGREEN ACRES TRACT

---oOo---

BE IT HEREBY RESOLVED that the date of June 7, 1950 at 4:00 P.M. in the City Hall be set as the time and place for the hearing of protests to the districting of the newly annexed Evergreen Acres Tract as follows:

Lots 12, 13, 14, 15 and the northerly 105 feet of lots 17 and 18 of the Evergreen Acres Tract, be classified in the R-A Residence Agricultural District and that Lot 16 and the southerly 150 feet of lots 17 and 18 of said Evergreen Acres Tract be classified in the C-1 Neighborhood Business District

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 3rd day of May, 1950 by Commissioner Stanley, who moved its adoption, which motion being duly seconded by Commissioner Frad, it was upon roll call

carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

\*\*\*\*\*

RESOLUTION NO. 8884-N.S.

ADJOURNMENT

BE IT HEREBY RESOLVED that this Council meeting now in session adjourn.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 3rd day of May, 1950 by Commissioner Burkner, who moved its adoption, which motion being duly seconded by Commissioner Stanley, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

\*\*\*\*\*

RESOLUTION NO. 8885-N.S.

A RESOLUTION ALLOWING CLAIMS FOR MONTH OF APRIL, 1950

---oOo---

WHEREAS, the claims against the City of Modesto for the month of April, 1950, for the various sums in the aggregate hereinafter stated having been audited by the Council and found to be correct:

NOW THEREFORE, BE IT RESOLVED that all of said claims so audited and approved be and they are hereby ordered allowed, with reference being made to the Auditor's Cash Records for further details relative to amounts of withdrawals from the various funds as follows:

GENERAL FUND-----	\$88,531 65
WATER FUND-----	8,080 28
LIBRARY FUND-----	2,822 81
BOND REDEMPTION FUND-----	13 75
PARKING METER FUND-----	205 55
FIRE BOND FUND-----	106 40
WATER BOND FUND-----	21,646 12
SEWER BOND FUND-----	<u>2,118 75</u>
	\$123,525 31

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of May, 1950 by Commissioner Frad, who moved its adoption, which motion being duly seconded by Commissioner Burkner, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Stanley

ATTEST: REX E. GAILFUS, CITY CLERK

\*\*\*\*\*

RESOLUTION NO. 8886-N.S.

A RESOLUTION GRANTING REQUEST OF JOE'S TAXICAB COMPANY TO CANCEL PERMITS FOR FIVE TAXICABS

---oOo---

WHEREAS Joe Sequeira, Operating Joe's Taxicab Company has requested cancellation of five permits issued to them for the operation of taxicabs in the City of Modesto

BE IT HEREBY RESOLVED that permits be cancelled as requested by Joe's Taxicab Company.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of May, 1950 by Commissioner Frad, who moved its adoption, which motion being duly seconded by Commissioner Burkner, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Stanley

ATTEST: REX E. GAILFUS, CITY CLERK

\*\*\*\*\*

RESOLUTION NO. 8887-N.S.

A RESOLUTION AUTHORIZING PAYMENT FOR EXTRA WORK ON INSTALLATION OF WATER MAINS TO E. T. HAAS COMPANY

---oOo---

WHEREAS, the City Engineer has filed a report calling for payment of \$464 09 to the E. T. Haas Company, Contractors for extra work done on the installation of City Water mains on Virginia Avenue from Morris Avenue to Needham Avenue on Twelfth Street to E Street on E Street to Tenth Street and on Tenth Street to City Property in Block 50,

BE IT HEREBY RESOLVED that this claim be allowed and the Auditor is hereby directed to draw warrant for \$464 09 in payment of claim.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of May, 1950 by Commissioner Burkner, who moved its adoption, which motion being duly seconded by Commissioner Frad, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Stanley

ATTEST: REX E. GAILFUS, CITY CLERK

\*\*\*\*\*

RESOLUTION NO. 8888-N.S.

A RESOLUTION GRANTING PERMIT TO SUZUKI & LEMINGS TO SELL USED CARS

---oOo---

BE IT HEREBY RESOLVED that Suzuki and Lemings be permitted to sell used cars at 711 I Street, as their bond and application meet the license requirements and the sanitary facilities meet the requirements of the building code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of May, 1950 by Commissioner Frad, who moved its adoption, which motion being duly seconded by Commissioner Burkner, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Stanley

ATTEST: REX E. GAILFUS, CITY CLERK

\*\*\*\*\*

RESOLUTION NO. 8889-N.S.

A RESOLUTION GRANTING PERMIT TO AMERICAN AUTO SALES TO CUT CURB IN BLOCK 61, lots 13 and 14

---oOo---

BE IT HEREBY RESOLVED that permit be granted to the American Auto Sales Company to cut the curb at 1405 Tenth Street Block 61, lots 13 and 14 under the supervision of the City Engineer.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of May, 1950 by Commissioner Burkner, who moved its adoption, which motion being duly seconded by Commissioner Frad, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Stanley

ATTEST: REX E. GAILFUS, CITY CLERK

\*\*\*\*\*

RESOLUTION NO. 8890-N.S.

A RESOLUTION AUTHORIZING THE CITY ATTORNEY TO PROCEED WITH THE LEGAL STEPS TO PURCHASE PROPERTY OWNED BY DR. DONALD L. ROBERTSON

---oOo---

BE IT HEREBY RESOLVED that the City Attorney be authorized to proceed with the necessary legal steps to purchase the 7.68 acres of land owned by Dr. Donald L. Robertson, adjoining the sewer farm on the north.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of May, 1950 by Commissioner Frad, who moved its adoption, which motion being duly seconded by Commissioner Burkner, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Stanley

ATTEST: REX E. GAILFUS, CITY CLERK

\*\*\*\*\*

RESOLUTION NO. 8891-N.S.

A RESOLUTION OPPOSING PROPOSED INITIATIVE CONSTITUTIONAL AMENDMENT EXEMPTING PERSONAL PROPERTY FROM TAXATION

---oOo---

WHEREAS, certain special interest groups in this state have proposed an initiative constitutional amendment which would exempt all personal property from taxation, and

WHEREAS, members of the Senate Interim Committee on State and Local Taxation, after thorough study of this problem, have stated that it would, if submitted to the voters and passed, result in the removal of an estimated 3 billion dollars of assessed value from local tax rolls, and

WHEREAS, such a measure would result in the creation of a serious financial problem in this state and its cities, and would be contrary to the best

interests of the majority of the people,

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Modesto does hereby go on record as opposing the placing of this proposed initiative constitutional amendment on the ballot, and does hereby further resolve that opposition to such a proposal should be voted by all citizens of this and other communities.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of May, 1950 by Commissioner Stanley, who moved its adoption, which motion being duly seconded by Commissioner Frad, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

\*\*\*\*\*

RESOLUTION NO. 8892

RESOLUTION FAVORING PROPOSITION NO. 3 RELATING TO PLEDGING OF PARKING METER RECEIPTS IN PAYMENT OF REVENUE BONDS TO FINANCE OFF-STREET PARKING FACILITIES, AND URGING ITS ADOPTION BY THE VOTERS AT THE FORTHCOMING ELECTION.

WHEREAS, a serious problem now exists in the City of Modesto, as well as in other cities throughout this state, concerning the lack of adequate parking facilities, which problem has resulted in the increase of traffic hazards, impairment of business, and impeding of the effective functioning of such public agencies as the fire department and the police force, and

WHEREAS, by the passage of Proposition No. 3 on the ballot in the forthcoming election, the citizens of each city would by constitutional amendment be empowered to remedy this condition through the establishment and maintenance of public off-street parking facilities, financed by revenue bonds issued on pledge of parking meter revenue;

NOW THEREFORE, be it resolved that the City Council of the City of Modesto does hereby go on record as favoring the adoption by the voters in the forthcoming election of Proposition No. 3 on the ballot.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10 day of May, 1950, by Commissioner Frad, who moved its adoption, which motion being duly seconded by Commissioner Stanley, it was upon roll call carried and the resolution adopted by the following vote:

AYES: COUNCILMEN: Burkner, Frad, Stanley, Mayor Shannon

NOES: COUNCILMEN: None

ABSENT: COUNCILMEN: None

ATTEST: REX E. GAILFUS, CITY CLERK

\*\*\*\*\*

RESOLUTION NO. 8893-N.S.

A RESOLUTION APPOINTING COUNCILMAN A. M. FRAD COMMISSIONER OF FINANCE, REVENUE AND PARKS

---oOo---

WHEREAS, pursuant to resignation of Commissioner of Finance, Revenue and Parks, J. P. Wilson.

BE IT HEREBY RESOLVED that Councilman A. M. Frad be transferred from the Commission of Public Supplies to the Commission of Finance, Revenue and Parks, 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 May, 1950 by Commissioner Stanley, who moved its adoption, which motion being duly seconded by Commissioner Burkner, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 8894-N.S.

A RESOLUTION ADJOURNING COUNCIL MEETING

---oOo---

BE IT HEREBY RESOLVED that this Council meeting now in session adjourn.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of May, 1950, by Commissioner Stanley, who moved its adoption, which motion being duly seconded by Commissioner Burkner, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 8895-N.S.

A RESOLUTION GRANTING PERMIT TO THE MODESTO JUNIOR CHAMBER OF COMMERCE TO ADVERTISE RODEO

---oOo---

Whereas, pursuant to referring the request of the Modesto Junior Chamber of Commerce for permission to parade a bull through the streets to advertise a rodeo to be held on June 2 and 3 for the March of Dimes, to the City Attorney to determine if this would be legal, and

Whereas, Assistant City Attorney Elmer L. Winger has filed a report that ordinances in force do not prohibit this method of advertising.

BE IT HEREBY RESOLVED that permission be granted to parade a tame bull through the business district, providing that the Modesto Junior Chamber of Commerce furnish proper evidence that they had a policy in force with limits of \$100/300,000 public liability and also property damage insurance.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 17th day of May, 1950 by Commissioner Stanley, who moved its adoption, which motion being duly seconded by Commissioner Burkner, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

\*\*\*\*\*

RESOLUTION NO. 8896-N.S.

A RESOLUTION APPROVING SEWERAGE SERVICE CONTRACT BETWEEN THE CITY OF MODESTO AND THE CENTRAL VALLEY GROCERS AND APPOINTING SIGNATORY OFFICIALS

---oOo---

BE IT HEREBY RESOLVED that sewerage service agreement between the City of Modesto and the Central Valley Grocers on their plant located on Coldwell Avenue be approved and the Mayor and City Clerk are hereby appointed signatory officials.

BE IT FURTHER RESOLVED that check for \$141.20 which covers charges until May 1, 1951 be and it is hereby accepted from the said Central Valley Grocers.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 17th day of May, 1950 by Commissioner Stanley, who moved its adoption, which motion being duly seconded by Commissioner Frad, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent:Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 8897-N.S.

A RESOLUTION ESTABLISHING STOP SIGN AT THE INTERSECTION OF KIMBLE STREET AND MORRIS AVENUE

---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 intersection all of the provisions of Ordinance No. 558-N.S. of the 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/<sup>and</sup>said stop signs shall be erected prohibiting drivers of vehicles from passing said boulevard stop signs without first stopping vehicle so operated by said operator.

NOW THEREFORE BE IT RESOLVED and ordered by said City Council that at the places hereinafter designated, the City 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 intersection:

Southeast corner of Kimble Street at Morris Avenue, stopping traffic entering Morris Avenue

Northwest corner of Kimble Street at Morris Avenue, stopping traffic entering Morris Avenue

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 17th day of May, 1950 by Commissioner Stanley, who moved its adoption, which resolution being duly seconded by Commissioner Burkner, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent:Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 8898-N.S.

A RESOLUTION ESTABLISHING STOP SIGNS AT THE INTERSECTION OF STODDARD AVENUE AND SYCAMORE AVENUE

---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 intersection all of the provisions of Ordinance No. 558-N.S. of the 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 vehicle so operated by said operator.

NOW THEREFORE BE IT RESOLVED and ordered by said City Council that at the places hereinafter designated, the City 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 intersection:

Northeast corner of Stoddard Avenue at Sycamore Avenue, stopping traffic entering Sycamore Avenue

Southwest corner of Stoddard Avenue at Sycamore Avenue, stopping traffic entering Sycamore Avenue

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 17th day of May, 1950 by Commissioner Stanley, who moved its adoption, which resolution being duly seconded by Commissioner Burkner, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 8899-N.S.

A RESOLUTION CANCELLING TAXICAB PERMITS ISSUED SAM SECRETO

---oOo---

BE IT HEREBY RESOLVED that the request of Sam Secreto, operating the Acme Taxicab Company, Hart Taxicab Company and the Yellow Cab Company, to cancel four taxicab permits allowed him be granted and the Council does hereby cancel four of the taxicab permits issued to the said Sam Secreto.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 17th day of May, 1950 by Commissioner Frad, who moved its adoption, which motion being duly seconded by Commissioner Burkner, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 8900-N.S.

A RESOLUTION ACCEPTING RESIGNATION OF FRED D. CONDIT FROM THE CITY OF MODESTO PERSONNEL BOARD

---oOo---

BE IT HEREBY RESOLVED that the resignation of Fred D. Condit from the City of Modesto Personnel Board be and it is hereby accepted as of this date.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 17th day of May, 1950 by Commissioner Frad, who moved its adoption, which motion being duly seconded by Commissioner Stanley, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 8901-N.S.

A RESOLUTION APPOINTING FRED D. CONDIT MEMBER OF THE COUNCIL OF THE CITY OF MODESTO

---oOo---

BE IT HEREBY RESOLVED that Fred D. Condit be and he is hereby appointed a member of the Council of the City of Modesto as provided by Section 11 of Article V-"Elective Officer" of the City Charter, which provides "If a vacancy shall occur in the office of Councilman, the Council shall forthwith appoint a person to fill such vacancy".

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 17th day of May, 1950 by Commissioner Frad, who moved its adoption, which motion being duly seconded by Commissioner Stanley, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

\*\*\*\*\*

RESOLUTION NO. 8902-N.S.

A RESOLUTION APPOINTING COUNCILMAN FRED D. CONDIT COMMISSIONER OF PUBLIC SUPPLIES

---oOo---

BE IT HEREBY RESOLVED that Fred D. Condit be and he is hereby appointed Commissioner of Public Supplies.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 17th day of May, 1950 by Commissioner Frad, who moved its adoption, which motion being duly seconded by Commissioner Stanley, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

\*\*\*\*\*

RESOLUTION NO. 8903-N.S.

ADJOURNMENT

BE IT HEREBY RESOLVED that this Council meeting now in session adjourn.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 17th day of May, 1950 by Commissioner Frad, who moved its adoption, which motion being duly seconded by Commissioner Stanley, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 8904-N.S.

A RESOLUTION GRANTING PERMIT TO THE SHRINE CLUB TO HOLD CIRCUS LICENSE FREE AND TO DISPLAY A BANNER ADVERTISING CIRCUS

---oOo---

WHEREAS, request was filed by the Modesto Shrine Club to hold the Shrine Circus on June 23rd and 24th at the Modesto Junior College Stadium and also to display a banner advertising the circus at Tenth and J Streets

BE IT HEREBY RESOLVED that permit be granted to the Modesto Shrine Club to hold the Shrine Circus, license free as requested and to display the banner from June 17th to June 24th, after the usual fee of \$10 00 has been paid.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of May, 1950 by Commissioner Frad, who moved its adoption, which motion being duly seconded by Commissioner Stanley, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Burkner

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 8905-N.S.

A RESOLUTION APPOINTING COMMITTEE TO INVESTIGATE MOVING OF SOUTHERN PACIFIC COMPANY DEPOT FROM THE CENTER OF THE BUSINESS SECTION OF THE CITY OF MODESTO

BE IT HEREBY RESOLVED that a committee of Commissioner Frad and Commissioner Condit be appointed to investigate the possibility of having the Southern Pacific Company move their depot from the center of the business section of the City to the northern city limits or beyond and to open J Street.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of May, 1950 by Commissioner Stanley, who moved its adoption, which motion being duly seconded by Commissioner Frad, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Burkner

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 8906-N.S.

A RESOLUTION GRANTING PERMIT TO CARL CHENAULT TO MOVE USED CAR LOT

---oOo---

BE IT HEREBY RESOLVED that permit be granted to Carl Chenault to move his used car lot from 911 G Street to 1202 H Street providing the proper sanitary facilities as required by the building code are available at this location and the necessary removal fee of \$5.00 is paid.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of May, 1950 by Commissioner Stanley, who moved its adoption, which motion being duly seconded by Commissioner Frad, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Burkner

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 8907-N.S.

A RESOLUTION APPROVING MAP OF PORTION OF BROUGHTON COLONY MAP (GRANT TRACT)

---oOo---

BE IT HEREBY RESOLVED that the map as presented to the Council of the portion of Broughton Colony (Grant Tract) recently annexed to the City of Modesto be approved and the City Clerk is appointed signatory official of said map.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of May, 1950 by Commissioner Frad, who moved its adoption, which motion being duly seconded by Commissioner Condit, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Burkner

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 8908-N.S.

A RESOLUTION GRANTING PERMIT DISPLAY BANNER ADVERTISING RODEO TO MODESTO JUNIOR CHAMBER OF COMMERCE AND REFUSING REQUEST TO REDUCE LIMITS OF LIABILITY INSURANCE REQUESTED BY THE COUNCIL TO PERMIT BULL TO PARADE THROUGH BUSINESS SECTION ADVERTISING RODEO

---oOo---

BE IT HEREBY RESOLVED that permit be granted to the Modesto Junior Chamber of Commerce to display banner advertising Rodeo to be held for the March of Dimes, June 2-3 from this date to June 3rd on I Street between Ninth and Tenth Streets after the usual \$10.00 fee has been paid, and

BE IT FURTHER RESOLVED that request for the reduction of liability insurance from \$100,000/300,000 limits to \$25,000/50,000 limits be denied to the Modesto Junior Chamber of Commerce for permission to parade a bull advertising this rodeo through the business section of the City, June 2 and 3rd.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of May, 1950 by Commissioner Stanley, who moved its adoption, which motion being duly seconded by Commissioner Frad, it was upon roll call

carried and the resolution adopted by the following vote:

Ayes: Councilmen: Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Burkner

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 8909 N.S.

A RESOLUTION ACCEPTING PETITION FOR ANNEXATION OF A PORTION OF THE SOUTHWEST QUARTER OF SECTION 20, TOWNSHIP 3, SOUTH, RANGE 9 EAST, M. D. B. & M. TO THE CITY OF MODESTO.

WHEREAS, there has been presented to the City Council of the City of Modesto at a regular meeting thereof held on the 24th day of May, 1950, a petition requesting that the City Council give such notice, hold such hearings and pass such resolutions and ordinances as may be necessary to annex certain real property to the City of Modesto and incorporate said real property within the limits of the City of Modesto, said real property being described as follows, to-wit:

All that certain real property situated in the County of Stanislaus, State of California, and bounded and described as follows:

The Southwest quarter of the Southwest quarter, and the South 10.00 feet of the Northwest quarter of the Southwest quarter of Section 20, Township 3 South, Range 9 East, Mount Diablo Base & Meridian, particularly described as follows:

Beginning on the existing city limits 509.78 feet North of the Southwest corner of the aforesaid Section 20 and the West line of said Section 20; thence North 0° 01' 30" East along the section line and along the centerline of Tully Road 818.30 feet; thence South 87° 54' 05" East along the North line of the South 10 feet of the Northwest 1/4 of the Southwest 1/4 of said Section 20, 1320.98 feet to the existing city limits; thence along the existing city limit line the following courses and distances: South 0° 01' West along the 1/4-1/4 Section line along the centerline of College Avenue 1329.02 feet; thence North 88° 28' West along the South line of said Section 20 and along the centerline of Coldwell Avenue 1321.05 feet; thence North 0° 27' West along the West line of said Section 20 and along the centerline of Tully Road to the point of beginning.

WHEREAS, it appears to the City Council of said City that said petition is in order and 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, and the real property described therein and hereinabove described is contiguous to the City of Modesto, that the territory described does not form a part of any other municipal corporation, that less than 12 registered voters reside therein and that such real property is uninhabited territory.

NOW, THEREFORE, said petition is hereby accepted by said City Council of said City and it is hereby resolved and the City Attorney is hereby ordered to prepare the necessary documents, resolutions and notices for the purpose of determining whether or not the owners of property within the territory proposed to be annexed desire said territory to be annexed to and to become a part 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 24th day of May, 1950, by Councilman Stanley who moved its adoption, which motion being duly seconded by Councilman Condit was upon roll call carried and adopted by the following vote:

AYES: COUNCILMEN: Condit, Frad, Stanley, Mayor Shannon

NOES: Councilmen: None

ABSENT: Councilmen: Burkner

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 8910 N.S.

A RESOLUTION GIVING NOTICE OF PROPOSED ANNEXATION OF A PORTION OF THE SOUTHWEST QUARTER OF SECTION 20, TOWNSHIP 3, SOUTH, RANGE 9 EAST, M.D.B. & M. (PROPOSED CAMPUS TRACT NO. 2) TO THE CITY OF MODESTO, AND FIXING TIME AND PLACE FOR HEARING OBJECTIONS TO THE PROPOSED ANNEXATION

WHEREAS, application for annexation to the City of Modesto has been filed by Mary A. Sanders to annex to the City of Modesto under the provisions of the Annexation of Uninhabited Territory Act of 1939 as amended, that said area or territory being a portion of the Southwest quarter of Section 20, Township 3 South, Range 9 East, M.D.B. and M. to be known and designated as Campus Tract No. 2 located in the County of Stanislaus, State of California, and contiguous to the City of Modesto described as follows:

All that certain real property situated in the County of Stanislaus, State of California, and bounded and described as follows:

The Southwest quarter of the Southwest quarter, and the South 10.00 feet of the Northwest quarter of the Southwest quarter of Section 20, Township 3 South, Range 9 East, Mount Diablo Base & Meridian, particularly described as follows:

Beginning on the existing city limits 509.78 feet North of the Southwest corner of the aforesaid Section 20 and the West line of said Section 20; thence North 0° 01' 30" East along the section line and along the centerline of Tully Road 818.30 feet; thence South 87° 54' 05" East along the North line of the South 10 feet of the Northwest 1/4 of the Southwest 1/4 of said Section 20, 1320.98 feet to the existing city limits; thence along the existing city limit line the following courses and distances: South 0° 01' West along the 1/4-1/4 section line along the centerline of College Avenue 1329.02 feet; thence North 88° 28' West along the South line of said Section 20 and along the centerline of Coldwell Avenue 1321.05 feet; thence North 0° 27' West along the West line of said Section 20 and along the centerline of Tully Road to the point of beginning.

NOW, THEREFORE, be it hereby resolved by the City Council of the City of Modesto and notice is hereby given that the 28th day of June, 1950, at the hour of 7:30 o'clock P. M. of said day in the Council Chambers of the City Hall located at 717 10th 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 City Council of the City of Modesto and show cause why such territory should not be so annexed.

BE IT FURTHER RESOLVED that the City Clerk shall cause a copy of this Resolution to be published at least once a week for two successive weeks prior to the time set for said hearing in the Modesto Bee, a newspaper of general circulation published in the City of Modesto and being 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 24th day of May, 1950, by Councilman Stanley who moved its adoption, which motion being duly seconded by Councilman Condit was upon roll call duly carried and the Resolution adopted by the following vote:

AYES: Councilmen: Condit, Frad, Stanley, Mayor Shannon

NOES: Councilmen: None

ABSENT: Councilmen: Burkner

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 8911 N.S.

A RESOLUTION ACCEPTING PETITION FOR ANNEXATION OF A PORTION OF THE LAS PALMAS TRACT TO THE CITY OF MODESTO.

WHEREAS, there has been presented to the City Council of the City of Modesto, at a regular meeting thereof held on the 24th day of May, 1950, a petition requesting that the City Council give such notice, hold such hearings and pass such resolutions and ordinances as may be necessary to annex certain real property to the City of Modesto and incorporate said real property within the limits of the City of Modesto, said real property being described as follows, to-wit:

All that certain real property situated in the County of Stanislaus, State of California, and bounded and described as follows:

Lots 14 and 15 and a portion of lots 16 and 17 of the Las Palmas Tract, as filed for record on February 20, 1930, Volume 11 of Maps, Page 16, Stanislaus County Records, which property is more precisely described as follows: Beginning on the existing city limits line on the center line of North Santa Rosa Avenue and the Northeast corner of Lot 1 of the Las Flores Tract, as filed for record on December 13, 1920, Volume 9 of Maps, Page 47, Stanislaus County Records; thence North 89° 59' East 174.30 feet; thence North 0° 53' West to a point on the South line of La Loma and the West boundary of lot 11 of said Las Palmas Tract; thence Northwesterly along the South line of La Loma to a point on the existing city limits line, which point is also on the center line of North Santa Rosa Avenue; thence South 0° 53' West along the existing city limits to the point of beginning.

WHEREAS, it appears to the City Council of said City that said petition is in order and 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, and the real property described therein and hereinabove described is contiguous to the City of Modesto, that the territory described does not form a part of any other municipal corporation, that less than 12 registered voters reside therein and that such real property is uninhabited territory.

NOW, THEREFORE, said petition is hereby accepted by said City Council of said City and it is hereby resolved and the City Attorney is hereby ordered to prepare the necessary documents, resolutions and notices for the purpose of determining whether or not the owners of property within the territory proposed to be annexed desire said territory to be annexed to and to become a part 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 24th day of May, 1950, by Councilman Condit who moved its adoption, which motion being duly seconded by Councilman Frad was upon roll call carried and adopted by the following vote:

AYES: Councilmen: Condit, Frad, Stanley, Mayor Shannon

NOES: Councilmen: None

ABSENT: Councilmen: Burkner

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 8912 N.S.

A RESOLUTION GIVING NOTICE OF PROPOSED ANNEXATION OF A PORTION OF THE LAS PALMAS TRACT TO THE CITY OF MODESTO, AND FIXING TIME AND PLACE FOR HEARING OBJECTIONS TO THE PROPOSED ANNEXATION.

WHEREAS, application for annexation to the City of Modesto has been filed by HALSEY WEST, ARVILLA WEST, WARD SNOWDEN and MARIAN SNOWDEN to annex to the City of Modesto under the provisions of the Annexation of Uninhabited Territory Act of 1939 as amended, that said area or territory being a portion of the Las Palmas Tract located in the County of Stanislaus, State of California, and contiguous to the City of Modesto described as follows:

All that certain real property situated in the County of Stanislaus, State of California, and bounded and described as follows:

Lots 14 and 15 and a portion of lots 16 and 17 of the Las Palmas Tract, as filed for record on February 20, 1930, Volume 11 of Maps, Page 16, Stanislaus County Records, which property is more precisely described as follows:

Beginning on the existing city limits line on the center line of North Santa Rosa Avenue and the Northeast corner of Lot 1 of the Las Flores Tract, as filed for record on December 13, 1920, Volume 9 of Maps, Page 47, Stanislaus County Records; thence North 89° 59' East 174.30 feet; thence North 0° 53' West to a point on the South line of La Loma and the West boundary of lot 11 of said Las Palmas Tract; thence Northwesterly along the South line of La Loma to a point on the existing city limits line, which point is also on the center line of North Santa Rosa Avenue; thence South 0° 53' West along the existing city limits to

the point of beginning.

NOW, THEREFORE, be it hereby resolved by the City Council of the City of Modesto and notice is hereby given that the 28th day of June, 1950, at the hour of 7:30 o'clock P. M. of said day in the Council Chambers of the City Hall located at 717 10th 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 City Council of the City of Modesto and show cause why such territory should not be so annexed.

BE IT FURTHER RESOLVED that the City Clerk shall cause a copy of this Resolution to be published at least once a week for two successive weeks prior to the time set for said hearing in the Modesto Bee, a newspaper of general circulation published in the City of Modesto and being 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 24th day of May, 1950, by Councilman Condit who moved its adoption, which motion being duly seconded by Councilman Frad was upon roll call duly carried and the Resolution adopted by the following vote:

AYES: Councilmen: Condit, Frad, Stanley, Mayor Shannon

NOES: Councilmen: None

Absent: Councilmen: Burkner

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 8913-N.S.

A RESOLUTION RECOMMENDING THAT MATTER OF RENT DECONTROL BE TAKEN UNDER ADVISEMENT BY THE CITY COUNCIL

---oOo---

BE IT HEREBY RESOLVED that the matter of rent decontrol be taken under advisement by the City Council.

The foregoing resolution was introduced at an adjourned meeting of the Council of the City of Modesto held on the 2nd day of June, 1950 by Commissioner Frad, who moved its adoption, which motion being duly seconded by Commissioner Stanley, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Burkner

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 8914-N.S.

ADJOURNMENT

BE IT HEREBY RESOLVED that this Council meeting now in session adjourn.

The foregoing resolution was introduced at an adjourned meeting of the Council of the City of Modesto held on the 2nd day of June, 1950 by Commissioner Frad, who moved its adoption, which motion being duly seconded by Commissioner Stanley, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Burkner

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 8915 N. S.

A RESOLUTION ACCEPTING PETITION FOR ANNEXATION OF A PORTION OF THE WEIL COLONY TO THE CITY OF MODESTO.

WHEREAS, there has been presented to the City Council of the City of Modesto at a special meeting thereof held on the 7th day of June, 1950, a petition requesting that the City Council give such notice, hold such hearings and pass such resolutions and ordinances as may be necessary to annex certain real property ~~to annex certain real property~~ to the City of Modesto and incorporate said real property within the limits of the City of Modesto, said real property being described as follows, to-wit:

All that certain real property situated in the County of Stanislaus, State of California, and bounded and described as follows:

A portion of the Northwest quarter of Section 20, Township 3 South, Range 9 East, Mount Diablo Base & Meridian, being also Lots 4, 5 and 6 of WEIL COLONY, excluding the north 20 feet thereof, and Lots 15 and 16 of said Weil Colony, all according to the map thereof filed in the office of the Recorder of Stanislaus County, California, in Volume 3 of Maps, at Page 37, and that portion of the south half of the 40 foot Avenue adjoining Lots 15 and 16 of said WEIL COLONY, described as follows:

Beginning at the northwest corner of Block 6008 of the CITY OF MODESTO, said corner being at the intersection of the south line of Orangeburg Avenue with the east line of College Avenue; thence Easterly along the north line of said Block 6008 a distance of 629.67 feet; thence Northerly along the line common to Lots 16 and 17 of said WEIL COLONY, and its extension thereof 679.22 feet to the corner common to Lots 4, 5, 16 and 17 of WEIL COLONY; thence Easterly along the south line of Lot 4 of WEIL COLONY 330.00 feet to the southeasterly corner thereof; thence Northerly along the easterly line of Lot 4 of WEIL COLONY 639.30 feet to the south line of 40 foot County Road known as Granger Avenue; thence Westerly along the south line of Granger Avenue 990.43 feet to a point on the west line of Lot 6 of WEIL COLONY; thence Southerly along the west line of Lots 6 and 15 of WEIL COLONY and along the center line of College Avenue 1298.06 feet to the southwest corner of said Lot 15; thence continuing Southerly along the center line of College Avenue 20.00 feet; thence Easterly along the extension of the north line of Block 6008 of the CITY OF MODESTO a distance of 30.00 feet to the point of beginning.

WHEREAS, it appears to the City Council of said City that said petition is in order and 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, and the real property described therein and hereinabove described is contiguous to the City of Modesto, that the territory described does not form a part of any other municipal corporation, that less than 12 registered voters reside therein and that such real property is uninhabited territory.

NOW, THEREFORE, said petition is hereby accepted by said City Council of said City and it is hereby resolved and the City Attorney is hereby ordered to prepare the necessary documents, resolutions and notices for the purpose of determining whether or not the owners of property within the territory proposed to be annexed desire said territory to be annexed to and to become a part of the City of Modesto.

The foregoing Resolution was introduced at a special meeting of the Council of the City of Modesto held on the 7th day of June, 1950, by Councilman Frad who moved its adoption, which motion being duly seconded by Councilman Condit was upon roll call carried and adopted by the following vote:

AYES: Councilmen: Condit, Frad, Acting Mayor Stanley

NOES: Councilmen: None

ABSENT: Councilmen: Burkner and Mayor Shannon

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 8916 N.S.

A RESOLUTION GIVING NOTICE OF PROPOSED ANNEXATION OF A PORTION OF THE WEIL COLONY TO THE CITY OF MODESTO, AND FIXING TIME AND PLACE FOR HEARING OBJECTIONS TO THE PROPOSED ANNEXATION.

WHEREAS, application for annexation to the City of Modesto has been filed by R. J. Giddings, W. W. Giddings, Jr., and Herbert Wilson to annex to the City of Modesto under the provisions of the Annexation of Uninhabited Territory Act of 1939, as amended, that said area or territory being a portion of the Weil Colony located in the County of Stanislaus, State of California, and contiguous to the City of Modesto described as follows:

All that certain real property situated in the County of Stanislaus, State of California, and bounded and described as follows:

A portion of the Northwest quarter of Section 20, Township 3 South, Range 9 East, Mount Diablo Base & Meridian, being also Lots 4, 5 and 6 of WEIL COLONY, excluding the north 20 feet thereof, and Lots 15 and 16 of said WEIL COLONY, all according to the map thereof filed in the office of the Recorder of Stanislaus County, California in Volume 3 of Maps, at Page 37, and that portion of the south half of the 40 foot Avenue adjoining Lots 15 and 16 of said WEIL COLONY, described as follows:

Beginning at the northwest corner of Block 6008 of the CITY OF MODESTO, said corner being at the intersection of the south line of Orangeburg Avenue with the east line of College Avenue; thence Easterly along the north

line of said Block 6008 a distance of 629.67 feet; thence Northerly along the line common to Lots 16 and 17 of said WEIL COLONY, and its extension thereof 679.22 feet to the corner common to Lots 4, 5, 16 and 17 of WEIL COLONY; thence Easterly along the south line of Lot 4 of WEIL COLONY 330.00 feet to the southeasterly corner thereof; thence Northerly along the easterly line of Lot 4 of WEIL COLONY 639.30 feet to the south line of 40 foot County Road known as Granger Avenue; thence Westerly along the south line of Granger Avenue 990.43 feet to a point on the west line of Lot 6 of WEIL COLONY; thence Southerly along the west line of Lots 6 and 15 of WEIL COLONY and along the center line of College Avenue 1298.06 feet to the southwest corner of said Lot 15; thence continuing Southerly along the center line of College Avenue 20.00 feet; thence Easterly along the extension of the north line of Block 6008 of the CITY OF MODESTO a distance of 30.00 feet to the point of beginning.

NOW, THEREFORE, be it hereby resolved by the City Council of the City of Modesto and notice is hereby given that the 12th day of July, 1950, at the hour of 7:30 o'clock P. M. of said day in the Council Chambers of the City Hall located at 717 10th 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 City Council of the City of Modesto and show cause why such territory should not be so annexed.

BE IT FURTHER RESOLVED that the City Clerk shall cause a copy of this Resolution to be published at least once a week for two successive weeks prior to the time set for said hearing in the Modesto Bee, a newspaper of general circulation published in the City of Modesto and being the official newspaper of the City of Modesto.

The foregoing Resolution was introduced at a special meeting of the Council of the City of Modesto held on the 7th day of June, 1950, by Councilman Frad who moved its adoption, which motion being duly seconded by Councilman Condit was upon roll call duly carried and the Resolution adopted by the following vote:

AYES: Councilmen: Condit, Frad, Acting Mayor Stanley

NOES: Councilmen: None

ABSENT: Councilmen: Burkner and Mayor Shannon

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 8917-N.S.

A RESOLUTION ACCEPTING GRANT DEED FROM WILBUR E. GRANT ET UX

---oOo---

BE IT HEREBY RESOLVED that grant deed from Wilbur E. Grant and Vivian D. Grant, husband and wife on a portion of lot 44 of the Broughton Colony Tract be accepted and the property be used for street and/or alley purposes by the City of Modesto and the City Clerk be directed to record said deed with the Recorder of Stanislaus County.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 7th day of June, 1950 by Commissioner Condit, who moved its adoption, which motion being duly seconded by Commissioner Frad, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Condit, Frad, Acting Mayor Stanley

Noes: Councilmen: None

Absent: Councilmen: Burkner and Mayor Shannon

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 8918-N.S.

A RESOLUTION AWARDING BID ON LALOMA BRIDGE TO CARR AND ROCCA

---oOo---

WHEREAS, pursuant to referring all bids on the construction of the LaLoma Bridge over Beard Brook, to the City Engineer for tabulation and recommendation, and

WHEREAS, he has filed a report at this time recommending that the bid of G. M. Carr and Bati Rocca, 2333 Burbank Avenue, Santa Rosa be accepted.

BE IT HEREBY RESOLVED that the bid of \$58,106 00 be accepted from G. M. Carr and Bati Rocca, as it is the lowest and best bid and the Mayor, City Clerk and Auditor are hereby appointed signatory officials on contract agreement for completion of the work.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 7th day of June, 1950 by Commissioner Frad, who moved its adoption, which motion being duly seconded by Commissioner Condit, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Condit, Frad, Acting Mayor Stanley

Noes: Councilmen: None

Absent: Councilmen: Burkner and Mayor Shannon

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 8919-N.S.

A RESOLUTION GRANTING PERMIT TO THE WARDCO COMPANY TO CUT CURB IN BLOCK 563, Lot 56

---oOo---

WHEREAS, John W. Bomberger, Architect for the Wardco Company has filed a petition for permission to cut the curb for a building being built in Block 563, lot 56,

BE IT HEREBY RESOLVED that permit be granted for a curb cut in this block, under the supervision of the City Engineer.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 7th day of June, 1950 by Commissioner Condit, who moved its adoption, which motion being duly seconded by Commissioner Frad, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Condit, Frad, Acting Mayor Stanley

Noes: Councilmen: None

Absent: Councilmen: Burkner and Mayor Shannon

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 8920-N.S.

A RESOLUTION AUTHORIZING PROGRESSIVE PAYMENT TO THE SPEARS CONSTRUCTION COMPANY ON THE CONSTRUCTION OF A VACUATOR TANK

---oOo---

BE IT HEREBY RESOLVED that progressive payment of \$13,297 50 be authorized to the Spears Construction Company, on the construction of a Vacuator

Tank and Control Structure and installing city furnished equipment at the Industrial Wastes Treatment Plant in accordance with the contract awarded by the Council.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 7th day of June, 1950 by Commissioner Frad, who moved its adoption, which motion being duly seconded by Commissioner Condit, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Condit, Frad, Acting Mayor Stanley

Noes: Councilmen: None

Absent: Councilmen: Burkner and Mayor Shannon

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 8921-N.S.

A RESOLUTION AUTHORIZING PAYMENT FOR EXTRA WORK TO THE SPEARS CONSTRUCTION COMPANY

---oOo---

BE IT HEREBY RESOLVED that payment for extra work of \$513 00 be authorized to the Spears Construction Company for the construction of a vacuator tank, as per contract agreement.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 7th day of June, 1950 by Commissioner Frad, who moved its adoption, which motion being duly seconded by Commissioner Condit, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Condit, Frad, Acting Mayor Stanley

Noes: Councilmen: None

Absent: Councilmen: Burkner, Mayor Shannon

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 8922-N.S.

A RESOLUTION AUTHORIZING PROGRESSIVE PAYMENT TO SAUERWEIN & THOMPSON ON THE CONSTRUCTION OF UNIT 1 OF THE L. J. MADDUX YOUTH RECREATION CENTER

---oOo---

BE IT HEREBY RESOLVED that progressive payment of \$4,420 76 be authorized to Sauerwein & Thompson on the construction of Unit 1 of the L. J. Maddux Youth Recreation Center in accordance with the contract which was awarded by the City Council.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 7th day of June, 1950 by Commissioner Frad, who moved its adoption, which motion being duly seconded by Commissioner Condit, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Condit, Frad, Acting Mayor Stanley

Noes: Councilmen: None

Absent: Councilmen: Burkner, Mayor Shannon

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 8923-N.S.

A RESOLUTION AUTHORIZING PROGRESSIVE PAYMENT TO THE INDUSTRIAL ELECTRIC COMPANY ON THE INSTALLING OF ELECTRIC SWITCHBOARD

---oOo---

BE IT HEREBY RESOLVED that payment of \$231 75 be authorized to the Industrial Electrical Company on the installing of electric switchboard, conduit and wiring for vacuator tank and controls at the Industrial Wastes Treatment Plant in accordance with

the contract awarded.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 7th day of June, 1950 by Commissioner Frad, who moved its adoption, which motion being duly seconded by Commissioner Condit, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Condit, Frad, Acting Mayor Stanley

Noes: Councilmen: None

Absent:Councilmen: Burkner and Mayor Shannon

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 8924-N.S.

A RESOLUTION AUTHORIZING PROGRESSIVE PAYMENT TO THE PITTSBURGH-DESMOINES STEEL COMPANY

---oOo---

BE IT HEREBY RESOLVED that progressive payment of \$34,458.75 be authorized to the Pittsburgh-Des Moines Steel Company on the installation of 600,000 Gallon Elevated Steel Water Tank, including tower, foundations and appurtenances in accordance with contract.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 7th day of June, 1950 by Commissioner Frad, who moved its adoption, which motion being duly seconded by Commissioner Condit, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Condit, Frad, Acting Mayor Stanley

Noes: Councilmen: None

Absent:Councilmen: Burkner and Mayor Shannon

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 8925-N.S.

A RESOLUTION GRANTING PERMIT TO THE BROWN MOTOR CO. INC. TO OPERATE USED CAR LOT AT 911 G STREET

---oOo---

BE IT HEREBY RESOLVED that permit be granted to the Brown Motor Co. Inc. to operate an additional used car lot at 911 G Street.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 7th day of June, 1950 by Commissioner Condit, who moved its adoption, which motion being duly seconded by Commissioner Frad, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Condit, Frad, Acting Mayor Stanley

Noes: Councilmen: None

Absent:Councilmen: Burkner and Mayor Shannon

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 8926-N.S.

A RESOLUTION GRANTING PERMIT TO MARK J. LANDQUIST, HEALTH OFFICER TO ATTEND STATE MEETING IN LOS ANGELES

---oOo---

BE IT HEREBY RESOLVED that Mark J. Landquist, Health Officer, be authorized to attend a State Health Officer's Study Committee on Environmental Sanitation in Los Angeles on June 13, 14 and 15, 1950, with all expenses paid by the State of California.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 7th day of June, 1950 by Commissioner Condit, who moved its adoption, which motion being duly seconded by Commissioner Frad, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Condit, Frad, Acting Mayor Stanley

Noes: Councilmen: None

Absent: Councilmen: Burkner and Mayor Shannon

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 8927-N.S.

A RESOLUTION APPROVING THE STARTING OF AUTOMATIC TRAFFIC SIGNAL AT TENTH AND K STREETS

---oOo---

BE IT HEREBY RESOLVED that the starting of the automatic traffic signal at Tenth and K Streets on June 5th by the City Engineer be approved.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 7th day of June, 1950 by Commissioner Condit, who moved its adoption, which motion being duly seconded by Commissioner Frad, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Condit, Frad, Acting Mayor Stanley

Noes: Councilmen: None

Absent: Councilmen: Burkner and Mayor Shannon

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 8928-N.S.

A RESOLUTION ADJOURNING COUNCIL MEETING

---oOo---

BE IT HEREBY RESOLVED that this Council meeting now in session adjourn.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 7th day of June, 1950 by Commissioner Condit, who moved its adoption, which motion being duly seconded by Commissioner Frad, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Condit, Frad, Acting Mayor Stanley

Noes: Councilmen: None

Absent: Councilmen: Burkner and Mayor Shannon

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 8929-N.S.

A RESOLUTION GRANTING PERMIT TO CARL W. SAHL TO OPERATE USED CAR LOT

---oOo---

WHEREAS, pursuant to referring the request of Carl W. Sahl to operate a used car lot at 1416 Tenth Street to the City Engineer for investigation, and

WHEREAS, he has filed a report recommending that application and bond be approved since Mr. Sahl had made arrangements with Harry Rose, operator of a used car lot at 1418 Tenth Street, to use the sanitary facilities at this location,

NOW THEREFORE BE IT RESOLVED that permit be granted to Carl W. Sahl to

operate a used car lot at 1416 Tenth Street, providing the necessary license fee is paid and providing that if Mr. Rose should cease operating used car lot at 1418 Tenth Street and sanitary facilities are not longer available to Mr. Sahl that unless he provides the necessary sanitary facilities, license should automatically be cancelled.

The foregoing resolution was introduced at a regular meeting of the Council held on the 14th day of June, 1950 by Commissioner Frad, which motion being duly seconded by Commissioner Condit, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Burkner

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 8930-N.S.

A RESOLUTION ALLOWING CLAIMS FOR THE MONTH OF MAY, 1950

---oOo---

WHEREAS, the claims against the City of Modesto for the month of May, 1950, for the various sums in the aggregate hereinafter stated having been audited by the Council and found to be correct;

NOW THEREFORE, BE IT RESOLVED that all of said claims so audited and approved be and they are hereby ordered allowed with reference being made to the Auditor's Cash Records for further details relative to amounts of withdrawals from the various funds as follows:

GENERAL FUND-----	\$85,905 92
BOND REDUCTION-----	187 50
WATER FUND-----	12,344 49
LIBRARY FUND-----	2,814 32
MADDOX YOUTH CENTER-----	4,420 76
PARKING METER-----	528 68
FIRE BOND FUND-----	87 36
WATER BOND-----	34,922 84
STATE SHARE STATE	
TREATMENT PLANT-----	14,627 24
	<hr/>
	\$155,839 11

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of June, 1950 by Commissioner Condit, who moved its adoption, which motion being duly seconded, by Commissioner Stanley it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Burkner

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 8931-N.S.

A RESOLUTION DENYING CLAIM FOR DAMAGES TO AUTOMOBILE TO FREDERICK W. REYLAND, JR.

---oOo---

WHEREAS, claim of \$25 00 for repairs to his automobile was filed

by Frederick W. Reyland, Jr. caused by aluminum paint being used on a city light by a city employee flecking the entire usrface of Mr. Rayland's car, which was parked on 12th Street near H Street on May 8, 1950.

BE IT HEREBY RESOLVED that the City of Modesto deny the claim and the City Clerk is hereby ordered to refer the claim to the insurance carrier 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 14th day of June, 1950 by Commissioner Frad, who moved its adoption, which motion being duly seconded by Commissioner Stanley, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent:Councilmen: Burkner

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 8932-N.S.

A RESOLUTION APPOINTING SIGNATORY OFFICIALS ON PETITION FOR ANNEXATION OF CERTAIN REAL PROPERTY TO THE CITY OF MODESTO

---oOo---

BE IT HEREBY RESOLVED that the Mayor and City Clerk be appointed signatory officials on "Petition of the City of Modesto a Municipal Corporation, for Annexation of Certain Real Property to the City of Modesto" (James Marshall, Downey High School and John Muir Elementary School District), and

BE IT FURTHER RESOLVED that the City Clerk is directed to deliver petition to the Board of Superivsors 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 June, 1950 by Commissioner Condit, who moved its adoption, which motion being duly seconded by Commissioner Frad, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent:Councilmen: Burkner

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 8933-N.S.

A RESOLUTION AUTHORIZING THE CITY CLERK TO CALL FOR BIDS FOR THE OFFICIAL PRINTING AND ADVERTISING FOR THE FISCAL YEAR ENDING JUNE 30, 1951

---oOo---

BE IT HEREBY RESOLVED that the City Clerk be authorized to call for bids for the official printing and advertising for the fiscal year ending June 30, 1951, said bids to be opened June 28, 1950.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of June, 1950 by Commissioner Frad, who moved its adoption, which motion being duly seconded by Commissioner Condit, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent:Councilmen: Burkner

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 8934-N.S.

A RESOLUTION APPOINTING SIGNATORY OFFICIALS ON PROJECT APPLICATION FOR FEDERAL AID FOR THE DEVELOPING OF PUBLIC AIRPORTS

---oOo---

BE IT HEREBY RESOLVED that the Mayor, City Clerk and Auditor be appointed signatory officials on project Application for Federal Aid for the Developing of Public Airports.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of June, 1950 by Commissioner Frad, who moved its adoption, which motion being duly seconded by Commissioner Stanley, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent:Councilmen: Burkner

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 8935-N.S.

A RESOLUTION GRANTING PERMIT TO WIELAND BROS. BUILDERS TO CUT CURB IN BLOCK 39, LOTS 27 and 28

---oOo---

BE IT HEREBY RESOLVED that permit be granted to Wieland Bros., Builder, to cut the curb in Block 39, lots 27 and 28 for a building being constructed by the Modesto Paper Company, under the supervision of the City Engineer.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of June, 1950 by Commissioner Condit, who moved its adoption, which motion being duly seconded by Commissioner Stanley, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent:Councilmen: Burkner

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 8936-N.S.

A RESOLUTION APPOINTING SIGNATORY OFFICIALS ON AGREEMENT WITH THE SOUTHERN PACIFIC COMPANY

---oOo---

BE IT HEREBY RESOLVED that the Mayor and City Clerk be appointed signatory officials on agreement with the Southern Pacific Company for the synchronizing of traffic signals at Seventh and B Streets and Tuolumne Blvd., with the Railroad's existing wigwag crossing signals.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of June, 1950 by Commissioner Stanley, who moved its adoption, which motion being duly seconded by Commissioner Frad, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent:Councilmen: Burkner

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 8937-N.S.

A RESOLUTION OPPOSING THE APPLICATION OF THE PACIFIC GAS AND ELECTRIC COMPANY FOR AN INCREASE IN NATURAL GAS RATES

---oOo---

WHEREAS, the City of Modesto has received a copy of the application filed by the Pacific Gas and Electric Company before the Public Utilities Commission of the State of California for an increase in natural gas rates, and

WHEREAS, the Council of the City of Modesto is opposed to the granting of such application and desires to make its opposition a matter of record.

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

1. That the Council hereby states and declares that it is opposed to the granting of said application and believes that the increase as requested in natural gas rates will work to the detriment of the people of this community and of other communities. That the Council urges that the Public Utilities Commission deny said request.

2. That a certified copy of this Resolution be sent to the Public Utilities Commission 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 14th day of June, 1950 by Councilman Frad, who moved its adoption, which motion being duly seconded by Councilman Stanley, it was upon roll call carried, and the resolution adopted by the following vote:

Ayes: Councilmen: Condit, Frad, Stanley and Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Burkner

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 8938-N.S.

A RESOLUTION APPOINTING SIGNATORY OFFICIALS ON RENEWAL OF LEASE WITH THE STANDARD OIL COMPANY FOR SITES FOR AIRPLANE FUELING FACILITIES AT THE MODESTO MUNICIPAL AIRPORT

---oOo---

BE IT HEREBY RESOLVED that the renewal of lease be approved with the Standard Oil Company for sites for airplane fueling facilities at Modesto Municipal Airport for a term of one year commencing June 1, 1950, and

BE IT FURTHER RESOLVED that the Mayor, City Clerk and Auditor be appointed signatory officials.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of June, 1950 by Commissioner Condit, who moved its adoption, which motion being duly seconded by Commissioner Frad, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Condit, Frad, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Stanley and Burkner

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 8939-N.S.

A RESOLUTION APPOINTING SIGNATORY OFFICIALS ON AGREEMENT BETWEEN THE MODESTO HIGH SCHOOL DISTRICT AND THE CITY OF MODESTO

---oOo---

BE IT HEREBY RESOLVED that agreement be approved between the Modesto High School District and the City of Modesto for the operation of the swimming pool during the summer vacation months of 1950 and the Mayor and City Clerk be appointed signatory officials.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of June, 1950 by Commissioner Frad, who moved its adoption, which motion being duly seconded by Commissioner Condit, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Condit, Frad, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Burkner and Stanley

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 8940-N.S.

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND STANISLAUS COUNTY ON PURCHASE, OPERATING AND MAINTENANCE OF A BOOKMOBILE FOR THE McHENRY PUBLIC LIBRARY

---oOo---

BE IT HEREBY RESOLVED that agreement be approved between the City of Modesto and Stanislaus County for the purchase, operation and maintenance of a Bookmobile for the McHenry Public Library, and the Mayor, City Clerk and Auditor be appointed signatory officials.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of June, 1950 by Commissioner Frad, who moved its adoption, which motion being duly seconded by Commissioner Condit, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Condit, Frad, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Burkner and Stanley

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 8941-N.S.

A RESOLUTION AUTHORIZING THE CITY CLERK TO ADVERTISE FOR BIDS FOR CHEMICALS

---oOo---

BE IT HEREBY RESOLVED that the City Clerk be authorized to advertise for bids for the following equipment:

20 tons of Chlorine in 1 ton containers

20 tons of Chloramine-T Compound with Industrial Grade Chemicals

500 Gallons of a surface active product for odor control of sewage and industrial wastes

said bids to be opened on June 28, 1950.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of June, 1950 by Commissioner Condit, who moved its adoption, which motion being duly seconded by Commissioner Frad, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Condit, Frad, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Stanley and Burkner

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 8942-N.S.

A RESOLUTION AUTHORIZING THE CITY CLERK TO CALL FOR BIDS FOR FURNISHING BOOKMOBILE FOR THE McHENRY PUBLIC LIBRARY

---oOo---

BE IT HEREBY RESOLVED that the City Clerk be authorized to call for bids for furnishing Bookmobile for the McHenry Public Library, in accordance with specifications on file at the office of the City Clerk, said bids to be opened on July 12, 1950.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of June, 1950 by Commissioner Condit, who moved its adoption, which motion being duly seconded by Commissioner Frad, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Condit, Frad, Mayor Shannon

Noes: Councilmen: None

Absent:Councilmen: Stanley, Burkner

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 8943-N.S.

A RESOLUTION GRANTING LEAVE OF ABSENCE TO CYRIL Mc.C HENDERSON

---oOo---

BE IT HEREBY RESOLVED that leave of absence be granted Cyril McC. Henderson, Planning Technician, for the period June 28th to 30th inc. 1950.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of June, 1950 by Commissioner Frad, who moved its adoption, which motion being duly seconded by Commissioner Condit, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Condit, Frad, Mayor Shannon

Noes: Councilmen: None

Absent:Councilmen: Stanley and Burkner

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 8944-N.S.

ADJOURNMENT

BE IT HEREBY RESOLVED that this Council meeting now in session adjourn.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of June, 1950 by Commissioner Frad, who moved its adoption, which motion being duly seconded by Commissioner Condit, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Condit, Frad, Mayor Shannon

Noes: Councilmen: None

Absent:Councilmen: Stanley and Burkner

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 8945-N.S.

A RESOLUTION ALLOWING CLAIMS OF RECREATION DEPARTMENT PERSONNEL

---oOo---

BE IT HEREBY RESOLVED that the following claims for expenses by Recreation Department Personnel while attending the Second Annual Recreation Conference, held in San

Jose, February 14-18, 1950, be allowed:

Serena E. Arnold-----\$66 10

Lee Brooks----- 57 70

Marian McCollum----- 49 89

and the City Auditor is directed to draw warrants in payment of claims.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 21st day of June, 1950 by Commissioner Frad, who moved its adoption, which motion being duly seconded by Commissioner Stanley, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Burkner

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 8946-N.S.

A RESOLUTION ESTABLISHING TWO HOUR PARKING ON CERTAIN STREETS IN THE CITY OF MODESTO

---oOo---

WHEREAS, the City Council of the City of Modesto by ordinance heretofore passed, is empowered by resolution to increase and/or diminish parking time limits for vehicles on the streets of said City; and,

WHEREAS, by ordinance heretofore passed by said City Council by the erection of proper signs in the business district of said City and by resolution may enforce the provisions of all ordinances relating to the parking of vehicles in said City; and

WHEREAS, the best interest of the citizens of said City require that the length of time for which a vehicle may be parked in the following described areas shall be for the period of two hours between the hours of nine o'clock A.M. and six o'clock P.M.

NOW THEREFORE, said City Council by this resolution does hereby decree that vehicles shall not be parked between the hours of nine o'clock A.M. and six o'clock P.M. for a period longer than one hundred twenty minutes consecutively in the following described areas:

Both sides of 13th Streets between K and L Streets

BE IT FURTHER RESOLVED that said parking restrictions shall not be applicable on Sunday.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 21st day of June, 1950 by Commissioner Stanley, who moved its adoption, which motion being duly seconded by Commissioner Frad, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Frad, Condit, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Burkner

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 8947-N.S.

A RESOLUTION DENYING CLAIM OF MRS. DELLA M. MEYER FOR PERSONAL INJURIES

---oOo---

WHEREAS, claim for \$50,000 was filed by Mrs. Della M. Meyer for personal injuries when claimant tripped and fell on a raised portion of a sidewalk

at the corner of McHenry Avenue and Francis Street, April 29, 1950 at approximately 5:30 o'clock P.M.

BE IT HEREBY RESOLVED that claim of Mrs. Della M. Meyer be denied and the City Clerk is hereby directed to turn claim over to the insurance carrier of the City of Modesto.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 21st day of June, 1950 by Commissioner Frad, who moved its adoption, which motion being duly seconded by Commissioner Condit, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Burkner

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 8948-N.S.

A RESOLUTION AUTHORIZING THE AUDITOR TO DRAW WARRANTS TO CERTAIN INDIVIDUALS AND TO DELIVER SAID CHECKS TO THE CITY ATTORNEY

---oOo---

WHEREAS, the City Attorney has reported that the Superior Court had condemned 7.68 acres of land owned by Donald L. Robertson, Marjorie B. Robertson, Nita Bell LeHane, Kenneth A. Robertson and had set the value at \$15,000 and had set the value of an interest of Joseph Chania at \$25 00,

BE IT HEREBY RESOLVED that the City Auditor is hereby instructed to draw a warrant for \$15,000 00 payable to Donald L. Robertson for Donald L. Robertson, Marjorie B. Robertson, Nita Belle LeHane and Kenneth A. Robertson and a check payable to C. C. Eastin, Clerk of the Superior Court in the sum of \$25 00 to be deposited for Joseph Chania with the Clerk of the Superior Court, and

BE IT FURTHER RESOLVED that the City Auditor deliver both of the aforementioned checks to the City Attorney, Francis W. Halley.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 21st day of June, 1950 by Commissioner Stanley, who moved its adoption, which motion being duly seconded by Commissioner Frad, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Burkner

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 8949-N.S.

A RESOLUTION APPOINTING FRANK C. DAMRELL MEMBER OF PERSONNEL BOARD OF THE CITY OF MODESTO

---oOo---

BE IT HEREBY RESOLVED that Frank C. Damrell be appointed a member of the City of Modesto Personnel Board to serve the unexpired term of Fred D. Condit, until January 15, 1951.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 21st day of June, 1950 by Commissioner Condit, who moved its adoption, which motion being duly seconded by Commissioner Stanley, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Burkner

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 8950-N.S.

ADJOURNMENT

BE IT HEREBY RESOLVED that this Council meeting now in session adjourn.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 21st day of June, 1950 by Commissioner Condit, who moved its adoption, which motion being duly seconded by Commissioner Stanley, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Burkner

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 8951-N.S.

A RESOLUTION ALLOWING CLAIM FOR OVERTIME WORK TO R. E. RICHARDSON

---oOo---

BE IT HEREBY RESOLVED that claim for \$710 00 for overtime work filed by R. E. Richardson, Surveyor, former employee of the City of Modesto, be allowed and the City Auditor is hereby directed to draw warrant in payment.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 28th day of June, 1950 by Commissioner Stanley, who moved its adoption, which motion being duly seconded by Commissioner Frad, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Burkner

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 8952-N.S.

A RESOLUTION EXPRESSING APPRECIATION OF THE COUNCIL FOR THE OFFER OF THE MODESTO IRRIGATION DISTRICT FOR FREE ELECTRICAL ENERGY TO THE VARIOUS FIRE STATIONS IN THE CITY, NOT TO EXCEED \$72.00 PER YEAR AT EACH STATION.

---oOo---

WHEREAS the Modesto Irrigation District have communicated with the Council stating that they recognized the services rendered by the City and rural Fire Departments in the protection of their property and that they were granting to each fire station, free electrical energy, not to exceed \$72 00 per year,

NOW THEREFORE BE IT RESOLVED that the City Clerk is directed to acknowledge receipt of the communication and to express the appreciation of the Council on behalf of the City of Modesto for the free electrical energy to be furnished to the various fire stations in the city by the Modesto Irrigation District.

The foregoing resolution was introduced at a regular meeting of

the Council of the City of Modesto held on the 28th day of June, 1950 by Commissioner Stanley, who moved its adoption, which motion being duly seconded by Commissioner Condit, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Burkner

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 8953-N. S.

A RESOLUTION ACCEPTING PETITION FOR ANNEXATION FROM JOHN QUARESMA ET AL ON PORTION OF THE NORTHWEST QUARTER, SECTION 20, T3S R9E TO THE CITY OF MODESTO

---c0o---

WHEREAS, a petition has been filed by John and Bernice Quaresma, Robert B. and Jessie M. Sanders, W. S. Sanders, Della Sanders, Everett M. and Rena F. Odell and the College Avenue Congregational Church for the annexation of a portion of the Northwest Quarter, Section 20, T3S R9E to the City of Modesto.

BE IT HEREBY RESOLVED that petition be accepted from said applicants for the annexation of the above described property 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 28th day of June, 1950, by Commissioner Frad, who moved its adoption, which motion being duly seconded by Commissioner Stanley, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Burkner

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 8954-N. S.

A RESOLUTION SETTING THE DATE FOR THE HEARING OF PROTESTS TO THE PROPOSED ANNEXATION OF A PORTION OF THE NORTHWEST QUARTER, SECTION 20, T3S R9E TO THE CITY OF MODESTO

---oOo---

BE IT HEREBY RESOLVED that the date of July 26, 1950, at 7:30 P. M. at the City Hall be set as the time and place for the hearing of protests to the proposed annexation of a portion of the Northwest Quarter, Section 20, T3S R9E 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 28th day of June, 1950, by Commissioner Frad, who moved its adoption, which motion being duly seconded by Commissioner Stanley, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Burkner

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 8954A-N.S.

A RESOLUTION ACCEPTING THE BID OF THE MODESTO BEE FOR THE OFFICIAL ADVERTISING AND PRINTING FOR YEAR ENDING JUNE 30, 1951.

---oOo---

BE IT HEREBY RESOLVED that the bid of the Modesto Bee for the official advertising and printing for year ending June 30, 1951 be accepted as the bidder is a responsible bidder, and the Mayor and City Clerk are hereby appointed signatory official on agreement.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 28th day of June, 1950 by Commissioner Frad, who moved its adoption, which motion being duly seconded by Commissioner Stanley, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Frad, Condit, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Burkner

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 8955-N.S.

A RESOLUTION REFERRING BIDS ON CHEMICALS FOR THE SEWER PLANT TO THE CITY ENGINEER FOR TABULATION AND RECOMMENDATION AND REJECTING BID FROM DOW CHEMICAL COMPANY DUE TO FACT BIDDING BOND WAS NOT FURNISHED

---oOo---

WHEREAS, pursuant to advertising for bids for chemicals for the sewer plant, and whereas the City Clerk reported three bids on file

NOW THEREFORE BE IT RESOLVED that the bids be referred to the City Engineer for tabulation and recommendation, except the bid of the Dow Chemical Company, which was rejected due to the fact bidding bond as required in the Notice to Bidders, was not furnished with their bid.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 28th day of June, 1950 by Commissioner Stanley, who moved its adoption, which motion being duly seconded by Commissioner Frad, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Burkner

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 8956-N.S.

A RESOLUTION APPOINTING SIGNATORY OFFICIALS ON AGREEMENT WITH THE MODESTO TERMINAL COMPANY

---oOo---

BE IT HEREBY RESOLVED that the Mayor and City Clerk be and they are hereby appointed signatory officials on agreement between the City of Modesto and the Modesto Terminal Company for the purchase of 44.97 acres of land adjoining the Municipal Airport.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 28th day of June, 1950 by Commissioner Frad, who moved its adoption, which motion being duly seconded by Commissioner Stanley, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Burkner

ATTEST: REX E. GAILFUS, CITY CLERK

\*\*\*\*\*

RESOLUTION NO. 8957-N.S.

A RESOLUTION AUTHORIZING THE CITY CLERK TO CALL FOR BIDS ON TRUCK FOR THE PUBLIC WORKS DEPARTMENT

---oOo---

BE IT HEREBY RESOLVED that the City Clerk be authorized to call for bids on truck for the Public Works Department, said bids to be opened on July 12, 1950.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 28th day of June, 1950 by Commissioner Condit, who moved its adoption, which motion being duly seconded by Commissioner Stanley, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Condit, Frad, Stanley, Mayor Shannon  
Noes: Councilmen: None  
Absent: Councilmen: Burkner

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 8958-N.S.

A RESOLUTION AUTHORIZING THE FIRE CHIEF TO ENTER TWO FIRE TRUCKS FROM FIRE STATION NO. 1 IN THE FOURTH OF JULY PARADE

---oOo---

BE IT HEREBY RESOLVED that the Chief of the Fire Department, Jack Wemyss, be authorized to enter two fire trucks from Fire Station No. 1 in the Fourth of July parade.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 28th day of June, 1950 by Commissioner Stanley, who moved its adoption, which motion being duly seconded by Commissioner Condit, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Condit, Frad, Stanley, Mayor Shannon  
Noes: Councilmen: None  
Absent: Councilmen: Burkner

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 8959-N.S.

ADJOURNMENT

BE IT HEREBY RESOLVED that this Council meeting now in session adjourn.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 28th day of June, 1950 by Commissioner Stanley, who moved its adoption, which motion being duly seconded by Commissioner Condit, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Condit, Frad, Stanley, Mayor Shannon  
Noes: Councilmen: None  
Absent: Councilmen: Burkner

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 8960 N.S.

RESOLUTION ACCEPTING GRANT OFFER OF THE UNITED STATES OF AMERICA AND AUTHORIZING SIGNATORY OFFICIALS ON GRANT AGREEMENT.

Be it resolved by the City Council of the City of Modesto as follows:

Section 1. That the City of Modesto hereby accepts the Grant Offer of the United States of America as set forth in the Grant Agreement herein below, for the purpose of obtaining Federal aid in the development of the Modesto Municipal Airport.

Section 2. That the Mayor of the City of Modesto, Carl W. Shannon, and the City Clerk of the City of Modesto, Rex E. Gailfus, are hereby authorized and directed to execute said Grant Agreement in quadruplicate on behalf of the City of Modesto, and the City Clerk is hereby authorized and directed to impress the official seal of the City of Modesto and to attest said execution.

Section 3. That the Grant Agreement referred to hereinabove shall be as follows:

GRANT AGREEMENT

Part I - Offer

Date of Offer June 27, 1950

Modesto Municipal Airport

Project No. 9-04-027-002

TO: The City of Modesto, California  
(herein referred to as the "Sponsor")

FROM: The United States of America (acting through the Administrator of Civil Aeronautics, herein referred to as the "Administrator")

WHEREAS, the Sponsor has submitted to the Administrator a Project Application dated June 14, 1950 for a grant of Federal funds for a project for development of the Modesto Municipal Airport (herein called the "Airport"), together with plans and specifications for such project, which Project Application, as approved by the Administrator, is hereby incorporated herein and made a part hereof; and

WHEREAS, the Administrator has approved a project for development of the Airport (herein called the "Project") consisting of the following described airport development:

Land acquisition. (The airport development to be accomplished, herein described, is in addition to that contemplated under the Grant Agreement between the sponsor and the United States under Project No. 9-04-027-701.)

all as more particularly described in the property map and plans and specifications incorporated in the said Project Application;

NOW THEREFORE, pursuant to and for the purposes of carrying out the provisions of the Federal Airport Act (60 Stat. 170; <sup>Pub.</sup> Law 377, 79th Congress), and in consideration of (a) the Sponsor's adoption and ratification of the representations and assurances contained in said Project Application, and its acceptance of this Offer, as hereinafter provided, and (b) the benefits to accrue to the United States and the public from the accomplishment of the Project and the operation and maintenance of the Airport, as herein provided,

THE ADMINISTRATOR, FOR AND ON BEHALF OF THE UNITED STATES, HEREBY OFFERS AND AGREES TO pay, as the United States' share of the costs incurred in accomplishing the project, 25 per centum of the allowable land acquisition costs and 54.14 per centum of all allowable project costs, subject to the following terms and conditions:

1. The maximum obligation of the United States payable under this offer

shall be \$11,243.00

2. The Sponsor shall

- (a) begin accomplishment of the Project within a reasonable time after acceptance of this Offer, and
- (b) carry out and complete the Project in accordance with the terms of this Offer, and the Federal Airport Act and the Regulations promulgated thereunder by the Administrator in effect on the date of this Offer, which Act and Regulations are incorporated herein and made a part hereof, and
- (c) carry out and complete the Project in accordance with the plans and specifications and property map incorporated herein as they may be revised or modified with the approval of the Administrator or his duly authorized representatives.

3. The Sponsor shall operate and maintain the Airport as provided in the Project Application incorporated herein.

4. The Administrator having determined that no space in airport buildings will be required by any civil agency of the United States for the purposes set forth in paragraph 9 of Part III of the Project Application, the provisions of the said paragraph shall be deemed to be of no force or effect.

5. Any misrepresentation or omission of a material fact by the Sponsor concerning the Project or the Sponsor's authority or ability to carry out the obligations assumed by the Sponsor in accepting this Offer shall terminate the obligation of the United States, and it is understood and agreed by the Sponsor accepting this Offer that if a material fact has been misrepresented or omitted by the Sponsor, the Administrator on behalf of the United States may recover all grant payments made.

6. The Administrator reserves the right to amend or withdraw this Offer at any time prior to its acceptance by the Sponsor.

7. This Offer shall expire and the United States shall not be obligated to pay any of the allowable costs of the Project unless this Offer has been accepted by the Sponsor within 60 days from the above date of Offer or such longer time as may be prescribed by the Administrator in writing.

8.(a) It is hereby mutually understood and agreed that paragraph 7 of Part III of the Project Application, attached to and incorporated herein, is hereby amended by deleting the last sentence and substituting in lieu thereof the following:

"The airport approach standards to be followed in performing the covenants contained in this paragraph shall be those established by the Administrator if Office of Airports Drawing

No. 814 dated April 26, 1950, unless otherwise authorized by the Administrator."

8(b). It is hereby understood and agreed that the Sponsor's Assurance Agreement, executed pursuant to a resolution adopted by the City Council of the City of Modesto, California, at a meeting on February 25, 1948, incorporated in and made a part of the Grant Agreement between the United States and the sponsor relating to Project No. 9-04-027-701 accepted by the sponsor on October 8, 1948, is hereby amended by deleting therefrom subsections (b) through (o) of Section 1 and inserting in lieu thereof, as subsections (b) through (l), provisions identical with those of Paragraphs 2 through 12, respectively, and as subsections (m) and (n) provisions identical with those of paragraphs 14 and 15, respectively, of Part III of the Project Application incorporated in this Grant Agreement.

8(c). It is understood and agreed between the parties that the United States shall not make nor be obligated to make any payment under this Grant Agreement until the sponsor has furnished evidence satisfactory to the Administrator that the sponsor holds title in fee simple to that parcel of land designated as Area 2 on Exhibit "A" to the Project Application attached to and incorporated herein, subject to no liens, easements, reservations, or encumbrances, which, in the opinion of the Administrator, could interfere with the accomplishment of the project and the operation of the airport.

The Sponsor's acceptance of this Offer and ratification and adoption of the Project Application incorporated herein shall be evidenced by execution of this instrument by the Sponsor, as hereinafter provided, and said Offer and acceptance shall comprise a Grant Agreement, as provided by the Federal Airport Act, constituting the obligations and rights of the United States and the Sponsor with respect to the accomplishment of the Project and the operation and maintenance of the Airport.

Such Grant Agreement shall become effective upon the Sponsor's acceptance of this Offer and shall remain in full force and effect throughout the useful life of the facilities developed under the Project but in any event not to exceed twenty years from the date of said acceptance.

UNITED STATES OF AMERICA

THE ADMINISTRATOR OF CIVIL AERONAUTICS

By J. S. MARRIOTT  
Regional Administrator, Region VI

The foregoing Resolution was introduced at a special meeting of the Council of the City of Modesto held on the 30th day of June, 1950, by Councilman Stanley, who moved its adoption, which motion being duly seconded by Councilman Condit was upon roll call duly carried, and the Resolution adopted by the following vote:

AYES: Councilmen: Frad, Condit, Stanley, Mayor Shannon

NOES: Councilmen: None

ABSENT: Councilmen: Burkner

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 8961-N.S.

A RESOLUTION AUTHORIZING CITY CLERK TO ISSUE CHECK TO THE STANISLAUS COUNTY TITLE COMPANY TO BE HELD IN ESCROW FOR THE PURCHASE OF PROPERTY FROM THE MODESTO TERMINAL COMPANY

---oOo---

BE IT HEREBY RESOLVED that the City Clerk be authorized to draw a warrant for \$44,970 00 to the Stanislaus County Title Company and to deliver said check to the City Attorney who was directed to place this check in escrow with the Stanislaus County Title Company with instructions to pay the check to the Modesto Terminal Company when the Title Company could execute a policy of title insurance for the sum of \$44,970 00.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 30th day of June, 1950 by Commissioner Frad, who moved its adoption, which motion being duly seconded by Commissioner Stanley, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Burkner

ATTEST: REX E. GAILFUS, CITY CLERK

\*\*\*\*\*

RESOLUTION NO. 8962-N.S.

A RESOLUTION ACCEPTING DEED FROM THE MODESTO TERMINAL COMPANY AND AUTHORIZING THE RECORDING OF SAID DEED

---oOo---

BE IT HEREBY RESOLVED that the deed from the Modesto Terminal Company to the City of Modesto, dated June 23, 1950 on real property containing approximately 44.97 acres of land, adjoining the Modesto Municipal Airport be and it is hereby accepted, and

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

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 30th day of June, 1950 by Commissioner Frad, who moved its adoption, which motion being duly seconded by Commissioner Stanley, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Burkner

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 8963-N.S.

A RESOLUTION ADJOURNING COUNCIL MEETING

---oOo---

BE IT HEREBY RESOLVED that this Council meeting now in session adjourn.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 30th day of June, 1950 by Commissioner Frad, who moved its adoption, which motion being duly seconded by Commissioner Stanley, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Burkner

ATTEST: REX E. GAILFUS, CITY CLERK

\*\*\*\*\*

RESOLUTION NO. 8964-N.S.

A RESOLUTION GRANTING EXTENSION TO THE MODESTO AMBULANCE COMPANY TO OPERATE AT 317 LALOMA STREET IN THE CITY OF MODESTO .

---oOo---

WHEREAS, pursuant to request of the Modesto Ambulance Company to continue operating at 317 LaLoma until they could obtain a new location, and

WHEREAS Attorney A. A. Cardoza has filed a letter with the Council requesting permit be granted to the Modesto Ambulance Company to operate at 317 LaLoma until October 15, 1950

NOW THEREFORE BE IT RESOLVED that extension be granted to the said Modesto Ambulance Company to operate at 317 LaLoma Street until October 15, 1950 with the understanding that permit be revoked at any time during the intervening period should some objections as to their operations in this district be filed with the Council.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 5th day of July, 1950 by Commissioner Frad, who moved its adoption, which motion being duly seconded by Commissioner Burkner, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 8965-N.S.

A RESOLUTION AWARING BID ON DIAROME TO THE RITCHEY PRODUCTS COMPANY

---oOo---

BE IT HEREBY RESOLVED that the bid of the Ritchey Products Company on 500 gallons of Diarome at \$2.50 per gallon be and it is hereby accepted.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 5th day of July, 1950 by Commissioner Condit, who moved its adoption, which motion being duly seconded by Commissioner Frad, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 8966-N.S.

A RESOLUTION AWARING BID ON CHLORAMINE-T COMPOUND TO THE MODESTO PAPER COMPANY

---oOo---

BE IT HEREBY RESOLVED that the bid of the Modesto Paper Company on 20 tons of Chloramine-T Compound at a price of \$15 25 per cwt in 10 ton lots and \$17 25 per cwt. in less than 5 ton lots be and it is hereby accepted.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 5th day of July, 1950 by Commissioner Condit, who moved its adoption, which motion being duly seconded by Commissioner Frad, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 8967-N.S.

A RESOLUTION AUTHORIZING THE CITY ENGINEER TO PURCHASE CHLORINE ON THE OPEN MARKET

---oOo---

WHEREAS, pursuant to advertising for bids for 20 tons of Chlorine in 1 ton containers, and

WHEREAS, no bids were received by the Council on said material NOW THEREFORE BE IT RESOLVED that the City Engineer is hereby authorized to purchase said material on the open market.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 5th day of July, 1950 by Commissioner Condit, who moved its adoption, which motion being duly seconded by Commissioner Frad, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Condit, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 8968-N.S.

A RESOLUTION AUTHORIZING PROGRESSIVE PAYMENT TO SAUERWEIN & THOMPSON

---oOo---

BE IT HEREBY RESOLVED that progressive payment of \$4420 76 be authorized to Sauerwein & Thompson for the construction of the L. J. Maddux Youth Recreation Center in the Westside Park.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 5th day of July, 1950 by Commissioner Frad, who moved its adoption, which motion being duly seconded by Commissioner Condit, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Condit, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GILFUS, CITY CLERK

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RESOLUTION NO. 8969-N.S.

A RESOLUTION AUTHORIZING PROGRESSIVE PAYMENT TO SPEARS CONSTRUCTION COMPANY

---oOo---

BE IT HEREBY RESOLVED that progressive payment of \$5910 00 be authorized to the Spears Construction Company on the construction of a Vacuator Tank and Control Structures.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 5th day of July, <sup>1950</sup> by Commissioner Frad, who moved its adoption, which motion being duly seconded by Commissioner Condit, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Condit, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 8970-N.S.

A RESOLUTION AUTHORIZING PROGRESSIVE PAYMENT TO PITTSBURGH-DESMOINES COMPANY ON THE CONSTRUCTION OF ELEVATED STEEL WATER TANK

---oOo---

BE IT HEREBY RESOLVED that progressive payment of \$10,337 63 be authorized to the Pittsburgh-DesMoines Steel Company on the furnishing and installing of a 600,000 gallon elevated steel water tank, including tower, foundations and appurtenances.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 5th day of July, 1950 by Commissioner Frad, who moved its adoption, which motion being duly seconded by Commissioner Condit, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 8971-N.S.

A RESOLUTION GRANTING PERMIT TO THE MODESTO JUNIOR CHAMBER OF COMMERCE TO DISPLAY BANNER ADVERTISING THE MODESTO COMMUNITY FAIR

---oOo---

BE IT HEREBY RESOLVED that the Modesto Junior Chamber of Commerce be granted permit to display banner in the business district to advertise the Modesto Community Fair to be held July 12, 13, 14 and 15th, providing the usual fee of \$10 00 is paid.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 5th day of July, 1950 by Commissioner Burkner, who moved its adoption, which motion being duly seconded by Commissioner Condit, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 8972-N.S.

A RESOLUTION GRANTING PERMIT TO TAXICAB COMPANIES TO PAINT THEIR CABS THE SAME COLOR

---oOo---

WHEREAS, petition was filed by the Modesto Cab Company, operated by J. F. French, Smitty's Taxi, operated by Leonard Smith Cliff's Taxi, operated by C. C. Caruthers and the Veterans Taxi, operated by Dean D. Erwin, to operate their taxicabs as one company and to paint all their taxicabs the same color.

NOW THEREFORE BE IT RESOLVED that permit be granted to the said taxicab companies to operate their cabs as one company from either of the two authorized stands on the city streets and upon the recommendation of the Chief of Police, each cab was authorized to use the same color with the proper identification on each cab.

The foregoing resolution was introduced at a special meeting of the Council

of the City of Modesto held on the 5th day of July, 1950 by Commissioner Stanley, who moved its adoption, which motion being duly seconded by Commissioner Burkner, it was upon roll call carried and the resolution adopted by the following vote:  
Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon  
Noes: Councilmen: None  
Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 8973-N.S.

ADJOURNMENT

BE IT HEREBY RESOLVED that this Council meeting now in session adjourn.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 5th day of July, 1950 by Commissioner Stanley, who moved its adoption, which motion being duly seconded by Commissioner Burkner, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 8974-N.S.

A RESOLUTION INCLUDING THE CHAPIN TRACT IN THE WATER DISTRICT OF THE CITY OF MODESTO

---oOo---

WHEREAS, John Quaresma has requested that the Chapin Tract bounded on the north by Ulrich Avenue, East by Mills Avenue, South by Roseburg Avenue and West by College Avenue, located outside the city limits, be included in the district to be furnished water by the City of Modesto.

NOW THEREFORE BE IT HEREBY RESOLVED that the water district be extended to include the above described Chapin Tract and the City Attorney be directed to prepare contract for execution between the City of Modesto and John Quaresma providing for the furnishing of water to the said Chapin Tract.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of July, 1950 by Commissioner Frad, who moved its adoption, which motion being duly seconded by Commissioner Burkner, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 8975-N.S.

A RESOLUTION ALLOWING CLAIMS FOR MONTH OF JUNE, 1950

---oOo---

WHEREAS, the claims against the City of Modesto for the month of June, 1950, for the various sums in the aggregate hereinafter stated having been

audited by the Council and found to be correct;

NOW THEREFORE, BE IT RESOLVED that all of said claims so audited and approved be and they are hereby ordered allowed with reference being made to the Auditor's Cash Records for further details relative to amounts of withdrawals from the various funds as follows:

GENERAL FUND-----	\$163,031 03
BOND REDEMPTION FUND-----	34,811 25
WATER FUND-----	14,348 20
LIBRARY FUND-----	2,554 00
MADDUX YOUTH CENTER-----	4,420 76
PARKING METER-----	238 68
FIRE BOND FUND-----	986 33
WATER BOND FUND-----	10,337 63
WASTE TREATMENT FUND-----	<u>6,359 98</u>
	\$237,087 86

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of July, 1950, by Commissioner Frad, who moved its adoption, which motion being duly seconded by Commissioner Condit, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon  
Noes: Councilmen: None  
Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 8976-N.S.

A RESOLUTION REJECTING BIDS ON THE BOOKMOBILE FOR THE MCHENRY PUBLIC LIBRARY

---oOo---

WHEREAS, pursuant to advertising for bids for the purchase of a Bookmobile for the McHenry Public Library, and

WHEREAS, the City Clerk reported three bids had been filed in his office and

WHEREAS after consideration of the bids it was determined that two of the bids were over the amount appropriated for the purchase of this equipment and one of the bids did not meet the requirements set forth in the specifications,

NOW THEREFORE BE IT RESOLVED that all bids be rejected for the purchase of a Bookmobile.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of July, 1950 by Commissioner Frad, who moved its adoption, which motion being duly seconded by Commissioner Condit, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon  
Noes: Councilmen: None  
Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 8977-N.S.

A RESOLUTION RESCINDING RESOLUTIONS NO. 8953-N.S. AND RESOLUTION NO. 8954-N.S. ANNEXATION OF QUARESMA TRACT

---oOo---

BE IT HEREBY RESOLVED that Resolution No. 8953-N.S. accepting petition for annexation of a portion of the northwest one-quarter, Section 20 T3S R9E, M.D.B & M. (Quaresma Tract) and Resolution No. 8954-N.S. setting the date for the hearing of the above named tract be rescinded due to the fact that it has been determined after investigation that more than 12 persons reside in this territory.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of July, 1950 by Commissioner Stanley, who moved its adoption, which motion being duly seconded by Commissioner Condit, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Stanley, Mayor Shannon  
Noes: Councilmen: None  
Absent: Councilmen: Frad

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 8978-N.S.

A RESOLUTION SETTING THE DATE FOR THE HEARING OF PROTESTS TO THE PROPOSED ZONING OF ANNEXED TERRITORY (PORTIONS OF BODEM TRACT TATUM TRACT AND RICE COLONY

---oOo---

WHEREAS the Modesto City Planning Commission has notified the Council that they had held the necessary public hearings for the zoning of those portions of the Bodem Tract, Tatum Tract and Rice Colony annexed to the City on April 10, 1950 by Ordinances Nos. 929-N.S. and 930-N.S. into the R-1 and R-2 Zones as follows:

The northerly 154.66 feet of lots 16, 17 and the Easterly 74 feet of lot 18 of the Tatum Tract, as filed for record on February 17, 1913, Page 29, Vol 7 of Maps of Stanislaus County Records, be classified in the R-1, Single Family Residential District and that

The Northwest quarter of Lot 7 of the Rice Colony, as filed for record on February 19, 1904, Vol 1, Page 54 of Maps of Stanislaus County Records, and Lots 3, 4 and 5 of the Bodem Colony, as filed for record on February 17, 1913, Page 29, Vol 7 of Maps of Stanislaus County Records, and the Southerly 174.65 feet of Lots 11, 12, 13, 14, 15, 16, 17 and the Easterly 74 feet of lot 18 of said Tatum Tract, be classified in the R-2, Two Family Residential District.

NOW THEREFORE BE IT RESOLVED that the date of August 9, 1950 at 7:30 P.M. at the City Hall be set as the time and place for the hearing of protests to the proposed zoning of this annexed property.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of July, 1950 by Commissioner Burkner, who moved its adoption, which motion being duly seconded by Commissioner Condit, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Stanley, Mayor Shannon  
Noes: Councilmen: None  
Absent: Councilmen: Frad

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 8979-N.S.

A RESOLUTION CHANGING THE NAME OF SOUTH FRANKLIN STREET (SOUTH OF PARADISE ROAD) TO SUTTER AVENUE IN THE CITY OF MODESTO

---oOo---

BE IT HEREBY RESOLVED that the name of the present South Franklin Street (South of Paradise Road) be changed to Sutter Avenue to avoid conflict in the number changing program as soon as similar action has been taken by 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 12th day of July, 1950 by Commissioner Stanley, who moved its adoption, which motion being duly seconded by Commissioner Burkner, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Stanley, Mayor Shannon  
Noes: Councilmen: None  
Absent: Councilmen: Frad

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 8980-N.S.

A RESOLUTION APPROVING COLEMAN PARK TRACT MAP SUBJECT TO CERTAIN CONDITIONS

---oOo---

WHEREAS the Modesto City Planning Commission have approved the final map of the Coleman Park Tract, filed by Charles T. Coleman with the recommendation that suitable provisions be included in the deed restrictions to insure that the homes built on lots 13, 14, 15 and 16 face south and the home built on lot 17 face east (block 521)

NOW THEREFORE BE IT RESOLVED that the map of the Coleman Park Tract be accepted and approved as recommended by the Modesto City Planning Commission subject to the further condition that Mr. Coleman file a bond for \$3000 00 to meet the provisions of Ordinance No. 720-N.S. to cover costs required for improvements in this subdivision and the City Clerk is hereby appointed signatory official on said map.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of July, 1950 by Commissioner Stanley, who moved its adoption, which motion being duly seconded by Commissioner Condit, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Stanley, Mayor Shannon  
Noes: Councilmen: None  
Absent: Councilmen: Frad

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 8981-N.S.

A RESOLUTION NAMING ALLEY BETWEEN BLOCKS 564 and 565 FLOTO WAY

---oOo---

BE IT HEREBY RESOLVED that the alley between blocks 564 and 565 be designated as Floto Way as it was found in the number changing program in the city that several apartments faced onto the alley and the alley is virtually a continuation of Floto Street.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of July, 1950 by Commissioner Burkner, who moved

its adoption, which motion being duly seconded by Commissioner Condit, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Frad

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 8982-N.S.

A RESOLUTION APPROVING MAP OF THE SUNRISE PARK TRACT SUBJECT TO THE FILING OF A BOND BY HENRY GRUBE TO COVER COSTS FOR IMPROVEMENTS

---oOo---

BE IT HEREBY RESOLVED that the final map of the Sunrise Park Tract be approved by the Council subject to the filing of a \$500.00 bond with the City Clerk by Henry Grube to cover costs required for improvements in this subdivision and the City Clerk is hereby appointed signatory official on said map.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of July, 1950 by Commissioner Burkner, who moved its adoption, which motion being duly seconded by Commissioner Stanley, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Frad

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 8983-N.S.

ADJOURNMENT

BE IT HEREBY RESOLVED that this Council meeting now in session adjourn.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of July, 1950 by Commissioner Stanley, who moved its adoption, which motion being duly seconded by Commissioner Burkner, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Frad

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 8984 N. S.

A RESOLUTION ACCEPTING PETITION FOR ANNEXATION OF A PORTION OF THE BODEM COLONY, TATUM TRACT AND RICE COLONY, TO THE CITY OF MODESTO.

WHEREAS, there has been presented to the City Council of the City of Modesto at a special meeting thereof held on the 19th day of July, 1950, a

petition requesting that the City Council give such notice, hold such hearings and pass such resolutions and ordinances as may be necessary to annex certain real property to the City of Modesto and incorporate said real property within the limits of the City of Modesto, said real property being described as follows, to wit:

All that certain real property situated in the County of Stanislaus, State of California, and bounded and described as follows:

Lots 1 and 2 of the Bodem Colony, as per map filed March 20, 1912 in Vol. 6 of Maps at Page 32, Stanislaus County Records; The Northwest 1/4 of Lot 7 of the Rice Colony as per map filed February 19, 1904, in Vol. 1 of Maps at Page 54, Stanislaus County Records; All of Lots 14, 15, 16 and 17, and a portion of Lots 11, 12, 13, and 18 of the Tatum Tract, as per map filed February 17, 1913 in Vol. 7 of Maps at Page 29, Stanislaus County Records; and portions of Sunrise Avenue and Fairmont Avenue; which property is more particularly described as follows:

Beginning at the point of intersection of the existing city limits line and the prolongation Southerly of the dividing line between lots 2 and 3 of the said Bodem Colony, which point is also on the center line of Burke Avenue (as said avenue is shown on the map of the Bodem Colony, hereinabove referred to); running thence South  $89^{\circ} 51'$  East along the existing city limits line, being the center line of said Burke Avenue, a distance of 256.70 feet to the East boundary line of said Bodem Colony, said East boundary line being also the West boundary line of lot 7 of the Rice Colony hereinabove referred to; thence South  $89^{\circ} 48' 30''$  East along the South boundary line of the Northwest quarter of lot 7 of the Rice Colony, which line is also the existing city limits line, a distance of 330.37 feet, more or less, to the Southeast corner of the Northwest quarter of said lot 7; thence North along the East boundary line of the Northwest quarter of said lot 7, a distance of 328.6 feet more or less to the Northeast corner of the Northwest quarter of said Lot 7; thence continuing Northerly along the extension of the East line of the Northwest quarter of said lot 7 of the Rice Colony, a distance of 329.37 feet, more or less, to the center line of a 40 foot Avenue (Fairmont Avenue) as shown on said map of the Tatum Tract; thence Westerly along said center line and the Westerly projection thereof, which center line is parallel to and 20 feet North of the North boundary line of lots 18, 17, 16, 15, 14, 13, 12 and 11 of said Tatum Tract, a distance of 1009.03 feet, more or less, to a point on the West line of Sunrise Avenue, being the existing city limits line; thence South  $0^{\circ} 50'$  East along the West line of Sunrise Avenue and the existing city limits line, a distance of 154.5 feet, more or less, to a point, which is 174.65 feet North of the South boundary line of lot 11 of said Tatum Tract extended Westerly to its intersection with the West line of Sunrise Avenue; thence South  $89^{\circ} 34'$  East parallel to and 174.65 feet North of the South boundary line of lots 11, 12 and 13 of said Tatum Tract, a distance of 423.80 feet, more or less, to the East boundary line of said lot 13; thence along the East line of said lot 13, South  $0^{\circ} 29' 30''$  East 174.65 feet to the Southeast corner thereof and the Northeast corner of said lot 3 of the Bodem Colony; thence along the East line of said lot 3, 329.3 feet, more or less, to the point of beginning.

WHEREAS, it appears to the City Council of said City that said petition is in

order and 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, and the real property described therein and hereinabove described is contiguous to the City of Modesto, that the territory described does not form a part of any other municipal corporation, that less than 12 registered voters reside therein and that such real property is uninhabited territory.

NOW, THEREFORE, said petition is hereby accepted by said City Council of said City and it is hereby resolved and the City Attorney is hereby ordered to prepare the necessary documents, resolutions and notices for the purpose of determining whether or not the owners of property within the territory proposed to be annexed desire said territory to be annexed to and to become a part of the City of Modesto.

The foregoing Resolution was introduced at a special meeting of the Council of the City of Modesto, held on the 19th day of July, 1950, by Councilman Frad who moved its adoption, which motion being duly seconded by Councilman Condit was upon roll call carried and adopted by the following vote:

AYES: Councilmen: Burkner, Condit, Frad, Mayor Shannon  
NOES: Councilmen: None  
ABSENT: Councilmen: Stanley

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 8985 N. S.

A RESOLUTION GIVING NOTICE OR PROPOSED ANNEXATION OF A PORTION OF THE BODEM COLONY, TATUM TRACT, AND RICE COLONY TO THE CITY OF MODESTO, AND FIXING TIME AND PLACE FOR HEARING OBJECTIONS TO THE PROPOSED ANNEXATION

WHEREAS, application for annexation to the City of Modesto has been filed by, Henry Grube, Elizabeth Zimmerman, Roy H. Lippert, C. E. Miller, Edwin Burt, Janet Grube, May Swan Burt, D. Marian Miller, Lee A. Rogers, Katherine D. Rogers, and Bernice S. Lippert, to annex to the City of Modesto under the provisions of the Annexation of Uninhabited Territory Act of 1939, as amended, that said area or territory being a portion of the Bodem Colony, Tatum Tract, and Rice Colony, located in the County of Stanislaus, State of California, and contiguous to the City of Modesto described as follows:

All that certain real property situated in the County of Stanislaus, State of California, and bounded and described as follows:

Lots 1 and 2 of Bodem Colony, as per map filed March 20, 1912 in Vol. 6 of Maps at Page 32, Stanislaus County Records; The Northwest 1/4 of Lot 7 of the Rice Colony as per map filed February 19, 1904, in Vol. 1 of Maps at Page 54, Stanislaus County Records; All of Lots 14, 15, 16 and 17, and a portion of Lots 11, 12, 13 and 18 of the Tatum Tract, as per map filed February 17, 1913 in Vol. 7 of Maps at Page 29, Stanislaus County Records; and portions of Sunrise Avenue and Fairmont Avenue; which property is more particularly described as follows:

Beginning at the point of intersection of the existing city limits line and the prolongation Southerly of the dividing line between lots 2 and 3 of the said Bodem Colony, which point is also on the

center line of Burke Avenue (as said avenue is shown on the map of the Bodem Colony, hereinabove referred to); running thence South 89° 51' East along the existing city limits line, being the center line of said Burke Avenue, a distance of 256.70 feet to the East boundary line of said Bodem Colony, said East boundary line being also the West boundary line of Lot 7 of the Rice Colony hereinabove referred to; thence South 89° 48' 30" East along the South boundary line of the Northwest quarter of lot 7 of the Rice Colony, which line is also the existing city limits line, a distance of 330.37 feet, more or less, to the Southeast corner of the Northwest quarter of said lot 7; thence North along the East boundary line of the Northwest quarter of said lot 7, a distance of 328.6 feet more or less to the Northeast corner of the Northwest quarter of said Lot 7; thence continuing Northerly along the extension of the East line of the Northwest quarter of said lot 7 of the Rice Colony, a distance of 329.37 feet, more or less, to the center line of a 40 foot Avenue (Fairmont Avenue) as shown on said map of the Tatum Tract; thence Westerly along said center line and the Westerly projection thereof, which center line is parallel to and 20 feet North of the North boundary line of lots 18, 17, 16, 15, 14, 13, 12 and 11 of said Tatum Tract, a distance of 1009.03 feet, more or less, to a point on the West line of Sunrise Avenue, being the existing city limits line; thence South 0° 50' East along the West line of Sunrise Avenue and the existing city limits line, a distance of 154.5 feet, more or less, to a point, which is 174.65 feet North of the South boundary line of lot 11 of said Tatum Tract extended Westerly to its intersection with the West line of Sunrise Avenue; thence South 89° 34' East parallel to and 174.65 feet North of the South boundary line of lots 11, 12 and 13 of said Tatum Tract, a distance of 423.80 feet, more or less, to the East boundary line of said lot 13; thence along the East line of said lot 13, South 0° 29' 30" East 174.65 feet to the Southeast corner thereof and the Northeast corner of said Lot 3 of the Bodem Colony; thence along the East line of said lot 3, 329.3 feet, more or less, to the point of beginning.

NOW, THEREFORE, be it hereby resolved by the City Council of the City of Modesto and notice is hereby given that the 23rd day of August, 1950, at the hour of 7:30 p. m. of said day in the Council Chambers of the City Hall, located at 717 - 10th 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 City Council of the City of Modesto and show cause why such territory should not be so annexed.

BE IT FURTHER RESOLVED that the City Clerk Shall cause a copy of this Resolution to be published at least once a week for two successive weeks prior to the time set for said hearing in the Modesto Bee, a newspaper of general circulation published in the City of Modesto and being the official newspaper of the City of Modesto.

The foregoing Resolution was introduced at a special meeting of the Council of the City of Modesto held on the 19th day of July, 1950, by Councilman Frad who moved its adoption, which motion being duly seconded by Councilman Burkner was upon roll call duly carried and the Resolution adopted by the following vote:

AYES: Councilmen: Burkner, Condit, Frad, Mayor Shannon

NOES: Councilmen: None

ABSENT: Councilmen: Stanley

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 8986-N.S.

A RESOLUTION REQUESTING THE GOVERNOR OF THE STATE OF CALIFORNIA TO CONSIDER PLACING THE MODESTO STATE HOSPITAL ON A PERMANENT BASIS

---oOo---

WHEREAS there is now situated near the City of Modesto, Stanislaus County, California, the Modesto State Hospital, and

WHEREAS the Council of the City of Modesto believes that such hospital should be permanently situated in this vicinity because of various factors including geographical, availability of buildings and other factors.

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

- (1) That it be recommended to the Governor of the State of California and to such other state departments which might be concerned, that the Modesto State Hospital be placed upon a permanent basis at its present location north of the city limits of the City of Modesto.
- (2) That a certified copy of this resolution be sent to the office of the Governor of the State of California.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 19th day of July, 1950 by Commissioner Burkner, who moved its adoption, which motion being duly seconded by Commissioner Condit, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Stanley

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 8987-N.S.

A RESOLUTION ESTABLISHING TWO HOUR PARKING ON J STREET BOTH SIDES BETWEEN FOURTEENTH STREET AND SEVENTEETH STREET IN THE CITY OF MODESTO

---oOo---

WHEREAS, the City Council of the City of Modesto by ordinance heretofore passed is empowered by resolution to increase and/or diminish parking time limits for vehicles on the streets of said City; and,

WHEREAS, by Ordinance heretofore passed by said City Council by the erection of proper signs in the business district of said City and by resolution may enforce the provisions of all ordinances relating to the parking of vehicles in said City; and,

WHEREAS the best interest of the citizens of said City require that the length of time for which a vehicle may be parked in the following described areas shall be for the period of two hours between the hours of nine o'clock A.M. and

six o'clock P.M;

NOW THEREFORE, SAID CITY COUNCIL by this resolution does hereby decree that vehicles shall not be parked between the hours of nine o'clock A.M. and six o'clock P.M. for a period longer than One Hundred Twenty (120) consecutive minutes in the following described areas:

J Street, both sides between Fourteenth Street and Seventeenth Street

BE IT FURTHER RESOLVED that said parking restrictions shall not be applicable on Sunday.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 19th day of July, 1950 by Commissioner Frad, who moved its adoption, which motion being duly seconded by Commissioner Burkner, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 8988-N.S.

A RESOLUTION GRANTING PERMIT TO WIELAND BROTHERS TO CUT CURB IN BLOCK 106, Lot 31 ON PROPERTY OWNED BY DAVID ARATA ET AL

---oOo---

BE IT HEREBY RESOLVED that permit be granted to Wieland Brothers, Builders, to cut the curb in Block 106, lot 31, on property owned by David Arata, et al, under the supervision of the City Engineer.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 19th day of July, 1950 by Commissioner Burkner, who moved its adoption, which motion being duly seconded by Commissioner Condit, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 8989-N.S.

A RESOLUTION GRANTING PERMIT TO LOOMIS & TSCHANTZ TO MOVE THEIR USED CAR LOT AND TO CUT THE CURB AT 1324 10th Street

---oOo---

WHEREAS Loomis and Tschantz have requested permission to move their used car lot from 1501 10th Street to 1324 10th Street and have also requested permission to cut the curb at the new location.

NOW THEREFORE BE IT RESOLVED that permit be granted to said applicants to move their used car business to 1324 10th Street, providing the removal fee of \$5.00 is paid and permit be granted to cut the curb at the new location under the supervision of the City Engineer.

BE IT FURTHER PROVIDED that permit to operate at the new location is granted with the understanding that sanitary facilities be provided as required by the building code.

The foregoing resolution was introduced at a special meeting of the Council

of the City of Modesto held on the 19th day of July, 1950 by Commissioner Frad, who moved its adoption, which motion being duly seconded by Commissioner Burkner, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent:Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 8990-N.S.

A RESOLUTION AWARDING BID ON TRUCK FOR THE PUBLIC WORKS DEPARTMENT TO FRANK PARADIS

---oOo---

BE IT HEREBY RESOLVED that bid of Frank Paradis for \$3310 42 for 1950 Model Mack Chassis with deluxe cab be accepted as their bid was the lowest and best bid and the City Clerk is directed to return the bidding checks to the unsuccessful bidders.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 19th day of July, 1950 by Commissioner Stanley, who moved its adoption, which motion being duly seconded by Commissioner Burkner, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent:Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

\*\*\*\*\*

RESOLUTION NO. 8991-N.S.

A RESOLUTION CONSENTING TO THE INSTITUTING OF PROCEEDINGS TO ANNEX AN AREA OF LAND TO THE CITY OF MODESTO

---oOo---

WHEREAS, W. W. Giddings Jr. has notified the Council by letter that he desires to institute proceedings to annex an area of land to the City of Modesto.

NOW THEREFORE BE IT RESOLVED that pursuant to the annexation act of 1913, the City Council hereby consents to the instituting of proceedings under said act.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 19th day of July, 1950 by Commissioner Stanley, who moved its adoption, which motion being duly seconded by Commissioner Burkner, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent:Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 8992-N.S.

A RESOLUTION ADOPTING THE BUDGET OF THE CITY OF MODESTO FOR THE FISCAL YEAR ENDING

JUNE 30, 1951

---oOo---

WHEREAS, pursuant to provisions of section 48 of the Charter, budget of estimated expenditures of the various departments of the City of Modesto for the fiscal year beginning July 1, 1950 and ending June 30, 1951, having been submitted to the Council for approval and adoption, and

WHEREAS, the Council has heretofore audited the said proposed budgets and made such corrections and revisions as were deemed advisable

BE IT HEREBY RESOLVED that budgets of the various departments be adopted as so corrected and revised, said revision to be effective as of August 1, 1950, (reference being made to the original copies now on file in the City Clerk's office for greater detail)

BE IT FURTHER RESOLVED that the budget for the Recreation Commission shall consist of the sum of \$19,227 00, plus such additional sums if any, as may be received by the City for the Recreation Department from the Modesto City Board of Education, the County of Stanislaus and fees received from the operation of the Modesto High School swimming pool by the Recreation Department.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 19th day of July, 1950 by Commissioner Frad, who moved its adoption, which motion being duly seconded by Commissioner Stanley, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 8993-N.S.

A RESOLUTION APPOINTING SIGNATORY OFFICIALS TO STATE EMPLOYEES' RETIREMENT FORM

---oOo---

BE IT HEREBY RESOLVED that the Mayor and City Clerk be and they are hereby appointed signatory officials on request to the Board of Administration of the State Employees' Retirement System expressing the desire of the City of Modesto to proceed with the steps necessary for the participation of the miscellaneous employees of the City in the State Employees' Retirement System.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 19th day of July, 1950 by Commissioner Stanley, who moved its adoption, which motion being duly seconded by Commissioner Frad, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 8994-N.S.

A RESOLUTION APPROVING MAP OF THE RAMONA PARK TRACT AND APPOINTING THE CITY CLERK AS SIGNATORY OFFICIAL

---oOo---

BE IT HEREBY RESOLVED that the map of the Ramona Park Tract, as amended be

approved and the City Clerk is appointed signatory official on said map after the required improvements have been made by the owner or after bond of \$2000 00 has been posted by Mrs. Elizabeth Zimmerman to cover costs of all required improvements as provided by Ordinance No. 720-N.S.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 19th day of July, 1950 by Commissioner Frad, who moved its adoption, which motion being duly seconded by Commissioner Burkner, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon  
Noes: Councilmen: None  
Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 8995-N.S.

ADJOURNMENT

BE IT HEREBY RESOLVED that this Council meeting now in session adjourn.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 19th day of July, 1950 by Commissioner Frad, who moved its adoption, which motion being duly seconded by Commissioner Stanley, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon  
Noes: Councilmen: None  
Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 8996-N.S.

A RESOLUTION GRANTING PERMIT AND APPROVING BOND TO OPERATE USED CAR LOT AT 1107 L STREET BY ROGER ALDEN WILLIAMS AND EDGAR R. WILLIAMS IN THE CITY OF MODESTO

---oOo---

BE IT HEREBY RESOLVED that application and bond of Roger Alden Williams and Edgar R. Williams to operate a used car lot at 1107 L Street, be approved providing they pay the required license fee and maintain the necessary sanitary facilities at this location.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of July, 1950 by Commissioner Frad, who moved its adoption, which motion being duly seconded by Commissioner Burkner, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon  
Noes: Councilmen: None  
Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 8997-N.S.

A RESOLUTION AUTHORIZING THE CITY CLERK TO CALL FOR BIDS FOR AUTOMOBILES FOR THE POLICE DEPARTMENT

---oOo---

BE IT HEREBY RESOLVED that the City Clerk be authorized to call for bids for the purchase of five new automobiles for the Police Department, said bids to be opened on August 9, 1950.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of July, 1950 by Commissioner Condit, who moved its adoption, which motion being duly seconded by Commissioner Frad, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon  
Noes: Councilmen: None  
Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 8998-N.S.

A RESOLUTION AUTHORIZING THE CITY CLERK TO CALL FOR BIDS FOR FIRE TRUCK

---oOo---

BE IT HEREBY RESOLVED that the City Clerk be authorized to call for bids for the purchase of one triple combination fire truck in accordance with specifications on file at the office of the Chief of the Fire Department, said bids to be opened on August 9, 1950.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of July, 1950 by Commissioner Condit, who moved its adoption, which motion being duly seconded by Commissioner Stanley, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon  
Noes: Councilmen: None  
Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 8999A-N.S.

ADJOURNMENT

BE IT HEREBY RESOLVED that this Council meeting now in session adjourn.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of July, 1950 by Commissioner Stanley, who moved its adoption, which motion being duly seconded by Commissioner Frad, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon  
Noes: Councilmen: None  
Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

\*\*\*\*\*

RESOLUTION NO. 8999-N.S.

A RESOLUTION AUTHORIZING PROGRESSIVE PAYMENT TO THE SPEARS CONSTRUCTION COMPANY

---oOo---

BE IT HEREBY RESOLVED that progressive payment of \$4432.50 be authorized to the Spears Construction Company on the construction of a Vacuator Tank and Control Structure and the installing of city furnished equipment at the Industrial Wastes Treatment Plant in accordance with the contract which was awarded by the Council on March 22, 1950.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 2nd day of August, 1950 by Commissioner Burkner, who moved its adoption, which motion being duly seconded by Commissioner Frad, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Condit, Stanley, Mayor Shannon  
Noes: Councilmen: None  
Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9000-N.S.

A RESOLUTION AUTHORIZING PROGRESSIVE PAYMENT TO CARR AND BATI-ROCCA CONTRACTORS FOR CONSTRUCTION OF REINFORCED CONCRETE BRIDGE ON LALOMA ACROSS BEARD BROOK

---oOo---

BE IT HEREBY RESOLVED that progressive payment of \$1576 91 be authorized to Carr and Bati-Rocca, Contractors for construction of a reinforced concrete bridge on LaLoma Across Beard Brook in accordance with the contract which was awarded by the Council on June 7, 1950.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 2nd day of August, 1950 by Commissioner Burkner, who moved its adoption, which motion being duly seconded by Commissioner Frad, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Condit, Stanley, Mayor Shannon  
Noes: Councilmen: None  
Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9001-N.S.

A RESOLUTION AUTHORIZING PAYMENT FOR EXTRA WORK DONE ON THE CONSTRUCTION OF A TEMPORARY BRIDGE AT LALOMA ACROSS BEARD BROOK TO CARR AND BATI-ROCCA

---oOo---

BE IT HEREBY RESOLVED that payment of \$1597 13 be authorized to Bati-Rocca and Carr for extra work done on the construction of a temporary bridge at LaLoma across Beard Brook by force account as provided for in section 9 (c) of the specifications for the construction of bridge at said location.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 2nd day of August, 1950 by Commissioner Burkner, who moved its adoption, which motion being duly seconded by Commissioner Stanley, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent:Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9002-N.S.

A RESOLUTION AUTHORIZING PROGRESSIVE PAYMENT TO SAUERWEIN & THOMPSON COMPANY FOR THE CONSTRUCTION OF UNIT 1 OF THE L. J. MADDUX YOUTH RECREATION CENTER

---oOo---

BE IT HEREBY RESOLVED that progressive payment of \$1894 62 be authorized to Sauerwein & Thompson Company for the construction of Unit 1 of the L. J. Maddux Youth Recreation Center in accordance with the contract awarded by the Council on April 26, 1950.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 2nd day of August, 1950 by Commissioner Frad, who moved its adoption, which motion being duly seconded by Commissioner Burkner, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent:Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9003-N.S.

A RESOLUTION AUTHORIZING PROGRESSIVE PAYMENT TO PITTSBURGH-DESMOINE STEEL COMPANY ON ELEVATED STEEL WATER TANK

---oOo---

BE IT HEREBY RESOLVED that progressive payment of \$5513 40 be authorized to Pittsburgh-DesMoines Steel Company for the furnishing and installing 600,000 gallon elevated steel water tank, including tower, foundations and appurtenances in accordance with the contract which was awarded by the Council on May 18, 1949.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 2nd day of August, 1950 by Commissioner Burkner, who moved its adoption, which motion being duly seconded by Commissioner Condit, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent:Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9004-N.S.

A RESOLUTION APPOINTING SIGNATORY OFFICIALS ON AGREEMENT FOR FURNISHING WATER TO THE CHAPIN TRACTS

---oOo---

BE IT HEREBY RESOLVED that the City Clerk is hereby appointed signatory official on agreement with John and Bernice Quaresma for the furnishing of water to the Chapin Tracts as designated in our Resolution No. 8974-N.S. adopted by the Council on July 12, 1950.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 2nd day of August, 1950 by Commissioner Burkner, who moved

its adoption, which motion being duly seconded by Commissioner Condit, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent:Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9005-N.S.

A RESOLUTION CALLING FOR BIDS FOR TRUCK CHASSIS FOR BOOKMOBILE FOR THE MCHENRY PUBLIC LIBRARY

---oOo---

BE IT HEREBY RESOLVED that the City Clerk be authorized to call for bids for furnishing one new truck chassis on which a bookmobile, 20 feet in length, from rear of driver's seat to rear panel will be constructed for the McHenry Public Library, said bids to be opened on August 23, 1950.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 2nd day of August, 1950 by Commissioner Stanley, who moved its adoption, which motion being duly seconded by Commissioner Condit, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent:Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9006-N.S.

A RESOLUTION AUTHORIZING THE CITY CLERK TO CALL FOR BIDS FOR CONSTRUCTING BOOKMOBILE BODY ON A STANDARD TWO TON CHASSIS

---oOo---

BE IT HEREBY RESOLVED that the City Clerk be authorized to call for bids for constructing bookmobile body on a standard two ton chassis as furnished by the City of Modesto, said bids to be opened on August 23, 1950.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 2nd day of August, 1950 by Commissioner Stanley, who moved its adoption, which motion being duly seconded by Commissioner Condit, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent:Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9007-N.S.

A RESOLUTION AUTHORIZING THE CLERK TO CALL FOR BIDS FOR THE IMPROVEMENT OF JOHNSON STREET BETWEEN MORRIS AVENUE AND MAYNELL AVENUE

---oOo---

BE IT HEREBY RESOLVED that the City Clerk be authorized to call for bids for furnishing all labor, equipment and materials necessary for the improvement of Johnson Street between Morris Avenue and Maynell Avenue, said bids to be opened on August 23, 1950.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 2nd day of August, 1950 by Commissioner Stanley, who moved its adoption, which motion being duly seconded by Commissioner Burkner, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9008-N.S.

A RESOLUTION AUTHORIZING THE CITY CLERK TO CALL FOR BIDS FOR IMPROVEMENT OF EIGHTH STREET BETWEEN L STREET AND I STREET

---oOo---

BE IT HEREBY RESOLVED that the City Clerk be authorized to call for bids for furnishing all labor, equipment and materials necessary for the improvement of Eighth Street, between L Street and I Street, said bids to be opened on August 23, 1950.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 2nd day of August, 1950 by Commissioner Condit, who moved its adoption, which motion being duly seconded by Commissioner Frad, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9009-N.S.

A RESOLUTION AUTHORIZING THE CITY CLERK TO CALL FOR BIDS FOR AUTOMOBILE FOR THE HEALTH DEPARTMENT

---oOo---

BE IT HEREBY RESOLVED that the City Clerk be authorized to call for bids for the purchase of automobile for the Health Department, said bids to be opened on August 23, 1950.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 2nd day of August, 1950 by Commissioner Stanley, who moved its adoption, which motion being duly seconded by Commissioner Condit, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9010-N.S.

A RESOLUTION AUTHORIZING THE CITY CLERK TO CALL FOR BIDS FOR PHOTOGRAPHIC COPYING MACHINE FOR

---oOo---

BE IT HEREBY RESOLVED that the City Clerk be authorized to call for bids for photographic copying machine for the Health Department, said bids to be opened on August 23, 1950.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 2nd day of August, 1950 by Commissioner Burkner, who moved its adoption, which motion being duly seconded by Commissioner Stanley, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon  
Noes: Councilmen: None  
Absent:Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9011-N.S.

A RESOLUTION AUTHORIZING THE TRANSFER OF USED CAR LOT OF ALFRED MATTHEWS FROM 1108 11th Street to 1415 TENTH STREET

---oOo---

BE IT HEREBY RESOLVED that the transfer of the used car lot of Alfred Matthews from 1108 11th Street to 1415 Tenth Street be authorized as the new location meets the requirement of the building code for the sanitary facilities.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 2nd day of August, 1950 by Commissioner Stanley, who moved its adoption, which motion being duly seconded by Commissioner Condit, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon  
Noes: Councilmen: None  
Absent:Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9012-N.S.

A RESOLUTION GRANTING PERMIT TO THE STANDARD MATERIALS INC. TO CUT CURB IN BLOCK 33, NE 105' LOTS 14-16 inc. (7th & H Streets)

---oOo---

BE IT HEREBY RESOLVED that permit be granted to the Standard Materials, Inc. to cut the curb in Block 33, NE 105' lots 14, 15, 16 (7th & H Streets) under the supervision of the City Engineer.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 2nd day of August, 1950 by Commissioner Condit, who moved its adoption, which motion being duly seconded by Commissioner Frad, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon  
Noes: Councilmen: None  
Absent:Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 9013-N.S.

A RESOLUTION GRANTING PERMIT TO CYRIL McC HENDERSON TO ATTEND NATIONAL PLANNING CONFERENCE OF THE AMERICAN SOCIETY OF PLANNING OFFICIALS

---oOo---

BE IT HEREBY RESOLVED that Cyril McC Henderson, Planning Technician, be authorized to attend the National Planning Conference of the American Society of Planning Officials being held in Los Angeles on August 13<sup>th</sup> through 17<sup>th</sup>, with all expenses paid.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 2nd day of August, 1950 by Commissioner Frad, who moved its adoption, which motion being duly seconded by Commissioner Condit, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9014 N. S.

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MODESTO RELATING TO RENT CONTROL.

WHEREAS, a petition to decontrol rents in the City of Modesto, was filed with the City Council of this City on the 27th day of February, 1950, which petition is set forth in full in the transcript hereinafter referred to, and

WHEREAS, such petition, on its face, recited facts sufficient to require the City Council of the City of Modesto to call a public hearing to consider decontrolling rents; and,

WHEREAS, the attached notice of the date, time, place and purpose of such public hearing was published once in the Modesto Bee Newspaper, a newspaper of general circulation published and circulated in the City of Modesto, on the 15th day of May, 1950, and an affidavit of publication being attached hereto; and,

WHEREAS, Notice of Hearing was given by mail to certain persons and organizations all as set forth in the attached Affidavit of mailing signed by the City Clerk; and,

WHEREAS, the City of Modesto held a public hearing at the time, date and place for the purpose set forth in such notice of publication; and,

WHEREAS, at such public hearing, all interested persons were given a reasonable opportunity to be heard, with the right to be represented by counsel; and,

WHEREAS, a transcript of the record of such public hearing and the exhibits attached thereto, comprise the entire record upon which this finding and resolution are based and a certified copy of such record is attached hereto; and,

WHEREAS, the City Council of the City of Modesto, having duly considered all of the evidence presented at such hearing, and having taken the same under advisement; now, therefore,

THE CITY COUNCIL OF THE CITY OF MODESTO, does hereby find and resolve, as follows:

1. That there no longer exists, in the City of Modesto, such a shortage of rental housing accommodations, as to require rent control in such City.
2. That rent control should be terminated in the City of Modesto.
3. That the City Council, hereby terminates rent control in the City of

Modesto, subject to approval of the Office of The Housing Expediter.

Be it further resolved that the City Clerk send a certified copy of this Resolution to the Office of The Housing Expediter.

The foregoing Resolution was introduced at a special meeting of the Council of the City of Modesto held on the 2nd day of August, 1950, by Councilman Frad, who moved its adoption, which motion being duly seconded by Councilman Burkner, was upon roll call duly carried, and the Resolution adopted by the following vote:

AYES: Frad, Burkner, Condit, Stanley, and Mayor Shannon

NOES: None

ABSENT: None

APPROVED: CARL W. SHANNON, MAYOR

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9015-N.S.

ADJOURNMENT

BE IT HEREBY RESOLVED that this Council meeting now in session adjourn.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 2nd day of August, 1950 by Commissioner Frad, who moved its adoption, which motion being duly seconded by Commissioner Burkner, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9016-N.S.

A RESOLUTION ALLOWING CLAIMS FOR MONTH OF JULY, 1950

---oOo---

WHEREAS, the claims against the City of Modesto for the month of July, 1950, for the various sums in the aggregate hereinafter stated having been audited by the Council and found to be correct;

NOW THEREFORE, BE IT RESOLVED that all of said claims so audited and approved be and they are hereby ordered allowed, with reference being made to the Auditor's Cash Records for further details relative to amounts of withdrawals from the various funds as follows:

GENERAL FUND-----	\$117,029.04
WATER FUND-----	13,114 27
LIBRARY FUND-----	3,133.19
PARKING METER FUND-----	30,181.17
SPECIAL GAS TAX FUND-----	3,174 04
BOND REDEMPTION FUND 1-2-----	230 00
MsdduxYOUTH CENTER FUND-----	2,122 62
BOND REDEMPTION FUND-----	33,328 80

\$202,313 13

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of August, 1950 by

Commissioner Frad, who moved its adoption, which motion being duly seconded by Commissioner Stanley, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Condit, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9017-N.S.

A RESOLUTION GRANTING PERMIT TO THE COMMUNITY CHEST TO DISPLAY BANNERS IN THE BUSINESS DISTRICT

---oOo---

BE IT HEREBY RESOLVED that the Community Chest be permitted to display banners in the business district during the first part of September to advertise the drive for funds of the Community Chest.

BE IT FURTHER RESOLVED that the Fire Chief be directed to assist in the erecting of the said banners and that the usual fee of \$10 00 be waived.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of August, 1950 by Commissioner Frad, who moved its adoption, which motion being duly seconded by Commissioner Burkner, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9018-N.S.

A RESOLUTION DENYING APPLICATION OF THE UNION GARBAGE SERVICE FOR LICENSE TO OPERATE IN THE CITY OF MODESTO

---oOo---

WHEREAS, pursuant to delaying action on the petition of the Union Garbage Service for a license to operate in the City of Modesto.

BE IT HEREBY RESOLVED that license be denied the said applicants for the reason that at this time the public health and safety would be jeopardized by the granting of a license.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of August, 1950 by Commissioner Stanley, who moved its adoption, which motion being duly seconded by Commissioner Frad, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Stanley, Frad, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9019-N.S.

A RESOLUTION CALLING FOR BIDS ON PIPE-VALVES-FITTINGS

---oOo---

BE IT HEREBY RESOLVED that the City Clerk be authorized to call for bids on

pipe, valves and fittings, said bids to be opened on August 23, 1950.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of August, 1950 by Commissioner Burkner, who moved its adoption, which motion being duly seconded by Commissioner Condit, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9020-N.S.

A RESOLUTION CALLING FOR BIDS ON ASPHALT PAVING MATERIAL

---oOo---

BE IT HEREBY RESOLVED that the City Clerk be authorized to call for bids on furnishing and delivering asphalt paving materials to any street in the city limits, said bids to be opened on August 23, 1950.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of August, 1950 by Commissioner Burkner, who moved its adoption, which motion being duly seconded by Commissioner Frad, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Condit, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9021-N.S.

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 July 1, 1950, 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 9th day of August, 1950,

CARL W. SHANNON  
MAYOR OF THE CITY OF MODESTO

ATTEST: REX E. GAILFUS, CITY CLERK

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of August, 1950 by Commissioner Burkner, who moved its adoption, which motion being duly seconded by Commissioner Condit, it was upon roll call carried and the resolution adopted by the following

vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

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RESOLUTION NO. 9022-N.S.

A RESOLUTION AUTHORIZING THE ATTENDANCE OF FIRE CHIEF WEMYSS TO MEETINGS IN SAN FRANCISCO

---oOo---

BE IT HEREBY RESOLVED that Fire Chief Jack Wemyss, be authorized to attend the International Fire Chiefs' Convention and the Pacific Coast Convention of Fire Chiefs being held jointly in San Francisco on September 1-6, 1950, with all expenses paid.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of August, 1950 by Commissioner Stanley, who moved its adoption, which motion being duly seconded by Commissioner Condit, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9023-N.S.

A RESOLUTION DELAYING FINAL ADOPTION OF ORDINANCE NO. 947-N.S. (SEWER SERVICE CHARGE)

---oOo---

BE IT HEREBY RESOLVED that final adoption of Ordinance No. 947-N.S. (Sewer Service Charge) be delayed for a two weeks period.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of August, 1950 by Commissioner Condit, who moved its adoption, which motion being duly seconded by Commissioner Burkner, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9024-N.S.

ADJOURNMENT

BE IT HEREBY RESOLVED that this Council meeting now in session adjourn.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of August, 1950 by Commissioner Stanley, who moved its adoption, which motion being duly seconded by Commissioner Frad, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9025-N.S.

A RESOLUTION APPROVING THE GRANTING OF APPLICATION OF MODESTO TRANSIT COMPANY FOR THE ABANDONMENT OF CERTAIN ROUTES BY THE PUBLIC UTILITIES COMMISSION

---oOo---

WHEREAS, Frank C. Damrell, Attorney, representing the Modesto Transit Bus Company appeared before the Council and petitioned that they be allowed to abandon certain routes outside the city.

NOW THEREFORE BE IT RESOLVED that the Council does hereby go on record as offering no objections to the granting of application by the Public Utilities Commission for abandonment of certain routes as outlined by Attorney Damrell.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 16th day of August, 1950 by Commissioner Frad, who moved its adoption, which motion being duly seconded by Commissioner Stanley, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9026-N.S.

A RESOLUTION AUTHORIZING PROGRESSIVE PAYMENT TO PITTSBURGH-DES MOINE STEEL COMPANY

---oOo---

BE IT HEREBY RESOLVED that progressive payment of \$1378 35 be authorized to Pittsburgh-Des Moine Steel Company for the construction of elevated water tank in Block 50, and

BE IT FURTHER RESOLVED that the contract as completed by the said Pittsburgh-Des Moine Steel Company be accepted and the City Clerk be directed to record "Notice of Completion" with the Recorder of Stanislaus County.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 16th day of August, 1950 by Commissioner Burkner, who moved its adoption, which motion being duly seconded by Commissioner Condit, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9027-N.S.

A RESOLUTION ACCEPTING CONSTRUCTION OF UNIT NO I OF THE L. J. MADDUX YOUTH RECREATION CENTER FROM THE SAUERWEIN & THOMPSON COMPANY AND AUTHORIZING PROGRESSIVE PAYMENT

---oOo---

BE IT HEREBY RESOLVED that work as completed by Sauerwein & Thompson on the construction of Unit No. I of the L. J. Maddux Youth Recreation Center be accepted and the City Clerk be directed to record "Notice of Completion" with the County Recorder and

BE IT FURTHER RESOLVED that progressive payment of \$1894 62 be authorized to the said Sauerwein & Thompson Company.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 16th day of August, 1950 by Commissioner Burkner, who moved its adoption, which motion being duly seconded by Commissioner Frad, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9028-N.S.

A RESOLUTION AUTHORIZING T. J. HERMIDA ATTEND BUILDING CONFERENCE

---oOo---

BE IT HEREBY RESOLVED that T. J. Hermida, Assistant Building Inspector of the City of Modesto be authorized to attend the conference of the Pacific Coast Building Officials being held in San Diego on October 3-6, 1950, with all expenses paid.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 16th day of August, 1950 by Commissioner Burkner, who moved its adoption, which motion being duly seconded by Commissioner Condit, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9029-N.S.

A RESOLUTION AUTHORIZING THE CITY CLERK TO CALL FOR BIDS FOR THE RESURFACING OF A TENNIS COURT IN GRACEADA PARK

---oOo---

BE IT HEREBY RESOLVED that the City Clerk be authorized to call for bids for the resurfacing of a tennis court in Graceada Park, said bids to be opened on September 13, 1950.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 16th day of August, 1950 by Commissioner Frad, who moved its adoption, which motion being duly seconded by Commissioner Burkner, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9030-N.S.

A RESOLUTION AUTHORIZING THE CITY CLERK TO CALL FOR BIDS FOR THE PURCHASE OF ONE MOTOR GRADER FOR THE PUBLIC WORKS DEPARTMENT

---oOo---

BE IT HEREBY RESOLVED that the City Clerk be authorized to call for bids for

the purchase of one motor grader for the Public Works Department, said bids to be opened on August 23, 1950.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 16th day of August 1950 by Commissioner Burkner, who moved its adoption, which motion being duly seconded by Commissioner Frad, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent; Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9031-N.S.

A RESOLUTION GRANTING PERMIT TO WILLIAM FONTANA TO OPERATE A USED CAR LOT AT  
1305 TENTH STREET

---oOo---

BE IT HEREBY RESOLVED that bond and application of William Fontana to operate a used car lot at 1305 10th Street be approved.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 16th day of August, 1950 by Commissioner Frad, who moved its adoption, which motion being duly seconded by Commissioner Burkner, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9032-N.S.

A RESOLUTION GRANTING PERMIT TO THE MODESTO CITY SCHOOLS TO DISPLAY BANNERS  
ADVERTISING THE MODESTO HIGH SCHOOL DISTRICT BOND ELECTION

---oOo---

BE IT HEREBY RESOLVED that permit be granted to the Modesto City Schools to display banners in the business district advertising the Modesto High School District Bond Election, beginning Monday, September 25, through Tuesday, October 10 and waiving the usual fee.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 16th day of August, 1950 by Commissioner Frad, who moved its adoption, which motion being duly seconded by Commissioner Burkner, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent; Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9033-N.S.

A RESOLUTION DENYING CLAIM OF CHARLES BALLEW FOR \$10,000 00 FOR PERSONAL INJURIES

---oOo---

WHEREAS, a claim for \$10,000 00 was filed against the City of Modesto by Charles Ballew, for personal injuries sustained on June 27, 1950 due to a city owned truck operated near Seventh and K Streets striking him causing personal injuries.

BE IT HEREBY RESOLVED that claim of the said Charles Ballew be denied and the City Clerk was directed to refer said claim to the insurance carriers of the City of Modesto.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 16th day of August, 1950 by Commissioner Frad, who moved its adoption, which motion being duly seconded by Commissioner Stanley, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9034-N.S.

A RESOLUTION GRANTING PERMIT TO THE CHURCH OF CHRIST TO ERECT A TENT AT WASHINGTON AND L STREETS TO CONDUCT GOSPEL MEETINGS

---oOo---

BE IT HEREBY RESOLVED that permit be granted to the Church of Christ to erect a tent at Washington and L Streets for the purpose of conducting a two weeks gospel meeting, providing tent erected is a fire proof tent and all laws are complied with.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 16th day of August, 1950 by Commissioner Frad who moved its adoption, which motion being duly seconded by Commissioner Condit, it was upon roll call carried and the resolution was adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9035-N.S.

ADJOURNMENT

BE IT HEREBY RESOLVED that this Council meeting now in session adjourn.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 16th day of August, 1950 by Commissioner Burkner, who moved its adoption, which motion being duly seconded by Commissioner Frad, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9036-N.S.

A RESOLUTION DENYING PERMIT TO RICHARD SHAW TO OPERATE AN OPEN AIR THEATRE IN BLOCK 204 TO SHOW MOTION PICTURES WEEKLY

---oOo---

HEREAS, pursuant to referring the request of Richard Shaw to operate an open air theatre in Block 204 to show moving pictures weekly the Chief of Police, and

WHEREAS, a report has been filed by the Police Department recommending this request be denied, due to traffic conditions and location of the property near a residential district

NOW THEREFORE BE IT RESOLVED that request of Richard Shaw to operate an open air theatre in Block 204 be denied.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of August, 1950 by Commissioner Stanley, who moved its adoption, which motion being duly seconded by Commissioner Burkner, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9037-N.S.

A RESOLUTION GRANTING PERMIT TO THE STANDARD MATERIALS COMPANY TO CUT CURB IN BLOCK 123, PORTION LOTS 13-16 inc. CORNER 16th & J STREETS IN THE CITY OF MODESTO

---oOo---

BE IT HEREBY RESOLVED that permit be granted to the Standard Materials Company to cut the curb in Block 123, portion lots 13-16 inc., corner 16th & J Streets for a distance of 16 feet under the supervision of the City Engineer.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of August, 1950 by Commissioner Burkner, who moved its adoption, which motion being duly seconded by Commissioner Stanley, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9038-N.S.

A RESOLUTION AUTHORIZING THE CITY CLERK TO CALL FOR BIDS FOR THE RE-ROOFING OF FIRE STATION NO. 1

---oOo---

BE IT HEREBY RESOLVED that the City Clerk be authorized to call for bids for the re-roofing of Fire Station No. 1, said bids to be opened on September 13, 1950.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of August, 1950 by Commissioner Frad, who moved its adoption, which motion being duly seconded by Commissioner Burkner, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9039-N.S.

A RESOLUTION AUTHORIZING THE CITY CLERK TO CALL FOR BIDS FOR FURNISHING AND INSTALLING EQUIPMENT FOR CONVERSION OF ELECTRIC MOTOR DRIVEN TURBINE PUMP TO A COMBINATION GAS ENGINE AND ELECTRIC MOTOR DRIVEN UNIT WITH AUTOMATIC CONTROLS

---oOo---

BE IT HEREBY RESOLVED that the City Clerk be authorized to call for bids for furnishing and installing necessary equipment for conversion of an existing motor driven turbine pump to a combination gas engine and electric motor driven unit with automatic controls, said bids to be opened on September 13, 1950.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of August, 1950 by Commissioner Burkner, who moved its adoption, which motion being duly seconded by Commissioner Condit, it was upon roll call carried and resolution was adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9040-N.S.

A RESOLUTION AUTHORIZING THE CITY CLERK TO CALL FOR BIDS FOR CONSTRUCTION OF SANITARY SEWER LINE FROM FRANKLIN STREET AT H STREET TO THE MARK TWAIN SCHOOL ON EMERALD AVENUE

---oOo---

BE IT HEREBY RESOLVED that the City Clerk be authorized to call for bids for furnishing all labor, equipment and materiel necessary for the construction of Sanitary Sewer Line from Franklin and H Streets to the Mark Twain School on Emerald Avenue, said bids to be opened on September 13, 1950.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of August, 1950 by Commissioner Stanley, who moved its adoption, which motion being duly seconded by Commissioner Burkner, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9041-N.S.

A RESOLUTION AUTHORIZING THE CITY CLERK TO CALL FOR BIDS FOR GAS FIRED BOILER FOR THE McHENRY PUBLIC LIBRARY

---oOo---

BE IT HEREBY RESOLVED that the City Clerk be authorized to call for bids for furnishing and installing gas fired boiler for the McHenry Public Library, said bids to be opened on September 13, 1950.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of August, 1950 by Commissioner Condit, who moved its adoption, which motion being duly seconded by Commissioner Frad, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9042-N.S.

A RESOLUTION AUTHORIZING HARRY MOORE TO ATTEND CONVENTION

---oOo---

BE IT HEREBY RESOLVED that Harry Moore, Assistant Electrical Superintendent be authorized to attend the International Association of Electrical Inspectors Convention to be held, September 18-20, 1950 at San Jose, with all expenses paid by 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 August, 1950 by Commissioner Frad, who moved its adoption, which motion being duly seconded by Commissioner Condit, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9043-N.S.

A RESOLUTION CALLING ELECTION FOR THE MISCELLANEOUS EMPLOYEES OF THE CITY OF MODESTO TO SUBMIT THE QUESTION OF INCLUDING SAID EMPLOYEES UNDER THE CALIFORNIA STATE EMPLOYEES' RETIREMENT SYSTEM

---oOo---

WHEREAS, an election was held in the City of Modesto on November 8, 1949 and the proposition

SHALL AN ORDINANCE ENTITLED

"AN ORDINANCE AUTHORIZING A CONTRACT BETWEEN THE CITY OF MODESTO AND THE BOARD OF ADMINISTRATION, CALIFORNIA STATE EMPLOYEES' RETIREMENT SYSTEM PROVIDING FOR THE PARTICIPATION OF SAID CITY OF MODESTO IN SAID STATE EMPLOYEES' RETIREMENT SYSTEM MAKING THE EMPLOYEES OF SAID CITY OF MODESTO MEMBERS OF SAID SYSTEM"

BE APPROVED?

received the following votes:

YES-----3864

NO-----1734

WHEREAS, heretofore, to-wit on the 23rd day of August, 1950, the said City, by resolution of the City Council, passed a Resolution of Intention to approve a contract providing for participation in the State Employees' Retirement System for the miscellaneous employees of the City of Modesto, and

WHEREAS, one step in the participation of public agencies in said system is the submission of said matter to members of the miscellaneous departments by means of an election.

NOW THEREFORE, it is hereby resolved by said City Council of said City of Modesto and said City Council does hereby declare that it is the intention of said City Council to submit to the miscellaneous employees of the City of Modesto the question whether or not said miscellaneous employees approve or disapprove of the proposal of the City Council of the City of Modesto to enter into a contract with the Board of Administration of the State Employees' Retirement System to include said employees in said retirement system,

Said election shall be held on Wednesday, August 30, 1950 and the following are hereby designated as the places at which the polls shall be opened for said election to-wit:

ENGINEER'S OFFICE-----715½ TENTH STREET

CITY MACHINE SHOP-----1107 EIGHTH STREET

in the City of Modesto, County of Stanislaus, State of California

The following who are qualified members of the miscellaneous departments of the City of Modesto are hereby appointed officers of said election to-wit:

JUDGES: Ross Alexander, E. F. Coleman, H. Sivils, W. McNutt

INSPECTORS: W. F. Stambaugh, A. R. Hawkins

It is further ordered that the ballots to be used at said election shall be ballots as furnished by the State Employees' Retirement System.

It is further resolved that employees of the miscellaneous departments to be included under the retirement system be granted the privilege to vote by proxy in this election.

It is further ordered that the Clerk of this Council give notice of said election by notice posted in the McHenry Public Library, City Clerk's office, Engineer's Office, Sewer Plant Machine Shop, and Corporation Yard and by notice in writing to each active member of the miscellaneous departments of the City of Modesto.

The polls shall be opened at 8:00 o'clock on the morning of the 30th day of August, 1950, and shall remain open until 6:00 o'clock in the evening of said day, when the polls shall be closed.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of August, 1950 by Commissioner Stanley, who moved its adoption, which motion being duly seconded by Commissioner Burkner, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Stanley, Frad, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9044-N.S.

RESOLUTION OF INTENTION TO APPROVE AMENDMENT TO CONTRACT PROVIDING FOR PARTICIPATION IN  
STATE EMPLOYEES' RETIREMENT SYSTEM

---oOo---

WHEREAS, the State Employees' Retirement Law permits the participation of public agencies in the State Employees' Retirement System, by the execution of a contract making their employees members of said system, and sets forth the procedure by which said public agencies may elect to subject themselves and their employees to amendments to said law, providing for a guaranteed percentage of final compensation for each year of service

as "Member", and providing for the portion of compensation to be included in computations under said law; and

WHEREAS, one step in said procedure is the adoption by the legislative body of the public agency, of a resolution giving notice of its intention to approve an amendment to a contract between said governing board and the Board of Administration of said Retirement System, providing for said participation, which said resolution shall contain a summary of the major provisions of the proposed Retirement System; and

WHEREAS, the following is a summary of the major provisions of the proposed Retirement System:

1. The System is administered by a board of eight members, composed of three members of the System, an official of a bank, an official of a life insurance company, the Director of Finance, a member of the State Personnel Board, and an official of the University of California.
2. Retirement for service is optional upon attainment of age 55 by local firemen and local policemen, and age 60 or age 55 at the election of the Public Agency, by other employees, and completion of twenty years of service for the Public Agency, and is compulsory at age 65 for local firemen and local policemen, and at age 70 for other employees.
3. The monthly retirement allowance payable upon retirement for service is dependent upon such factors as age, sex, salary and years of service. For local firemen and local policemen, retiring at age 55 in paragraph 2, or at a higher age with 20 years of service, the monthly allowance is approximately one-half the average monthly salary during the five years immediately preceding retirement, unless the Public Agency elects to provide prior service benefits at less than the full amount. For other Agency employees, the monthly allowance, upon retirement at age 65 if the Agency elects 60 as the lowest optional service retirement age, is approximately 1/70th of the average monthly salary during the five years immediately preceding retirement for each year of service after the effective date of participation, plus approximately 1/70th, or less as of "Final Compensation" or may be provided in said contract by the Public Agency for its employees, of the average monthly salary during the three years immediately preceding the effective date of participation, for each year of service prior to that date. Upon retirement at age 60, if the agency elects 55 as the lowest optional service retirement age, the fraction is approximately 1/60th instead of 1/70th.
4. A minimum service retirement allowance of \$40 per month is guaranteed upon retirement at age 70 with credit for service rendered prior to said effective date, if the Public Agency elects age 60 as the lowest optional service retirement age, or a minimum allowance of \$60 per month upon retirement at age 65 or over with twenty years of service, or upon retirement at age 70 with credit for prior service, if the Public Agency elects age 55 as the lowest optional service retirement age.
5. Retirement for disability, except in the case of local firemen and local policemen disabled from injury arising out of and in the course of employment, is permitted only after ten years of service and upon

- proof of incapacity for the performance of duty.
6. The monthly retirement allowance payable upon disability retirement, described in preceding item 5, is dependent upon such factors as age, salary and years of service, but generally is equal to 90% of 1/70th, or 1/60th as the case may be, of the average monthly salary during the five years immediately preceding retirement, for each year of service, with a guarantee of 25% of said salary, subject to certain restrictions and modifications.
  7. Disability retirement of local firemen and local policemen, in the event of disability arising out of and in the course of employment, is permitted regardless of age and service, the monthly retirement allowance being one-half the average monthly salary during the five years immediately preceding retirement.
  8. The benefit payable at death before retirement, except in the case of local firemen and local policemen dying from injury arising out of and in the course of employment, consists of the contributions of the member plus interest, and plus 1/12th of the member's annual salary during the year immediately preceding death, for each year, not exceeding six years, of service as a member of the System. Upon death after retirement, and at the election of the Public Agency, a benefit of \$300 is payable.
  9. The monthly allowance payable to the widow and children, at the death of local firemen and local policemen arising out of and in the course of employment, is one-half the average monthly salary during the five years immediately preceding death.
  10. The benefit upon separation from service by other cause than death or retirement, is the refund of the member's contributions, with interest. Members having accumulated contributions of at least \$500 upon resignation or discharge, may elect irrevocably, within ninety days, to leave contributions in the Retirement Fund, and then upon reaching the lowest optional service retirement age or becoming disable, to be entitled to receive such retirement allowance as will be provided by their and the Agency's contributions and their credited service, regardless of service rendered.
  11. Contributions required of local firemen and local policemen, without credit for prior service, depend upon salary and upon age of entry into the Retirement System, the contributions per \$100 of salary varying from \$7.63 at entry age 21, to \$14.35 at entry age 35. Contributions of firemen and policemen having credit for prior service depend on salary, entry age, and amount of prior service, the amount of contributions per \$100 being \$16.33 for example, at entry age 54, with 19 years of prior service.
  12. For other Agency employees, the contributions depend upon salary, sex and age of entry into the Retirement System, the contributions per \$100 varying from 4.83 at age 20, to \$7.45 at age 64, for men, and from 5.83 at age 20, to \$8.50 at age 64, for women, all based on the Public Agency's election of age 60 as the lowest optional service retirement age. If the Public Agency elects age 55 as the lowest optional service retirement age, the contributions per \$100 of salary vary from \$7.22 at age 20, to \$10.26 at age 59, for men, and from \$8.51 at age 20, to 11.61 at age 59, for women.
  13. The agency is required to contribute the balance of the funds necessary to meet the cost of the benefits provided under the Retirement System for the Agency employees. The Agency also is required to pay its proportionate share of the

administrative costs of the System.

- 14. Ability of the Retirement System to pay benefits is safeguarded by a provision authorizing the Board of Administration to revise contributions of both employees and the Agency, in the light of experience under the System.

BE IT RESOLVED, that the Council of City of Modesto, give, and it hereby gives notice of intention to approve an amendment to the contract between said Council and the Board of Administration of the State Employees' Retirement System, providing for the participation of said City of Modesto in said Retirement System, a copy of said amendment being attached hereto, marked "Exhibit A", and by reference made a part hereof.

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9045-N.S.

A RESOLUTION AUTHORIZING THE CITY CLERK TO CALL FOR BIDS FOR AN AUTOMOBILE FOR THE CLERK'S OFFICE

---oOo---

BE IT HEREBY RESOLVED that the City Clerk be authorized to call for bids for automobile for the Clerk's office, said bids to be opened on September 13, 1950.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of August, 1950 by Commissioner Frad, who moved its adoption, which motion being duly seconded by Commissioner Condit, it was upon roll call carried and the resolution adopted by the following vote:

- Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon
- Noes: Councilmen: None
- Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9046-N.S.

A RESOLUTION AUTHORIZING THE INCREASING OF THE GENERAL ADMINISTRATIVE BUDGET \$1100 00 FOR THE FISCAL YEAR ENDING JUNE 30, 1951

---oOo---

BE IT HEREBY RESOLVED that the budget of the General Administrative Department be increased \$1100 00 for the fiscal year ending June 30, 1951, to cover the cost of hiring legal counsel to check the legality of the Charter filed with the Council by the Citizen's Advisory Committee.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of August, 1950 by Commissioner Frad, who moved its adoption, which motion being duly seconded by Commissioner Stanley, it was upon roll call carried and the resolution adopted by the following vote:

- Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon
- Noes: Councilmen: None
- Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9047-N.S.

A RESOLUTION DELAYING ACTION ON THE FINAL ADOPTION OF ORDINANCE NO. 947-N.S. (SEWER SERVICE CHARGE FOR INSIDE CITY)

---oOo---

BE IT HEREBY RESOLVED that action be delayed on the final adoption of Ordinance No. 947-N.S. (Sewer Service Charge for inside city) for a period of two weeks.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of August, 1950 by Commissioner Frad, who moved its adoption, which motion being duly seconded by Commissioner Stanley, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9048-N.S.

A RESOLUTION REJECTING BIDS ON TRIPLE COMBINATION FIRE TRUCK AND AUTHORIZING THE CHIEF OF THE FIRE DEPARTMENT TO PURCHASE THIS EQUIPMENT ON THE OPEN MARKET

---oOo---

BE IT HEREBY RESOLVED that all bids received on the triple combination fire truck be rejected and the Fire Chief be authorized to purchase this equipment on the open market.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of August, 1950 by Commissioner Stanley, who moved its adoption, which motion being duly seconded by Commissioner Condit, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9049-N.S.

A RESOLUTION AWARING BID ON POLICE AUTOS TO THE HELM CHEVROLET COMPANY

---oOo---

BE IT HEREBY RESOLVED that the bid of Helm Chevrolet Company of \$5042 95 and the City's three 1949 Chevrolet Sedans and one 1947 Chevrolet Sedan for five new four door six cylinder Chevrolet 1950 Sedans, be and it is hereby accepted.

The foregoing resolution was introduced at an adjourned meeting of the Council of the City of Modesto held on the 25th day of August, 1950 by Commissioner Frad, who moved its adoption, which motion being duly seconded by Commissioner Stanley, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Burkner

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9050-N.S.

A RESOLUTION AWARING BID ON IMPROVING EIGHTH STREET BETWEEN I AND L STREETS TO  
MUNN AND PERKINS

---oOo---

BE IT HEREBY RESOLVED that the bid of Munn and Perkins of \$9710 00 for the improvement of Eighth Street between L Street and I Street, be accepted subject to the approval of the State Department of Public Works, Division of Highways and the Mayor and City Clerk be appointed signatory officials on contract.

The foregoing resolution was introduced at an adjourned meeting of the Council of the City of Modesto held on the 25th day of August, 1950 by Commissioner Condit, who moved its adoption, which motion being duly seconded by Commissioner Frad, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Burkner

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9051-N.S.

A RESOLUTION AWARING BID ON IMPROVEMENT JOHNSON STREET BETWEEN MORRIS AVENUE AND MAYNELL AVENUE IN THE CITY OF MODESTO TO STANDARD MATERIALS COMPANY

---oOo---

BE IT HEREBY RESOLVED that the bid of Standard Materials Company for \$3402 00 for the improvement of Johnson Street, between Morris Avenue and Maynell Avenue be accepted pending the approval of the State Department of Public Works, Division of Highways and the Mayor and City Clerk be appointed signatory officials on contract.

The foregoing resolution was introduced at an adjourned meeting of the Council of the City of Modesto held on the 25th day of August, 1950 by Commissioner Condit, who moved its adoption, which motion being duly seconded by Commissioner Stanley, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Burkner

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9052-N.S.

A RESOLUTION AWARING BIDS ON CAST IRON PIPE TO THE PACIFIC STATES CAST IRON PIPE COMPANY

---oOo---

BE IT HEREBY RESOLVED that the bid of the Pacific States Cast Iron Pipe Company of \$7596 80 on items 1 through two on cast iron pipe of the notice to bidders for pipe, valves and fittings be accepted and the City Clerk is hereby directed to return bidding checks to the unsuccessful bidders.

The foregoing resolution was introduced at an adjourned meeting of the Council of the City of Modesto held on the 25th day of August, 1950 by Commissioner Condit, who moved its adoption, which motion being duly seconded by

Commissioner Frad, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Burkner

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9053-N.S.

A RESOLUTION AWARDDING BID ON ASBESTOS PIPE TO THE JOHNS MANVILLE COMPANY

---oOo---

BE IT HEREBY RESOLVED that the bid of the Johns Manville Company on items three through five of notice to bidders for valves-pipe and fittings, being asbestos pipe, be accepted and the City Clerk and Mayor are hereby appointed signator officials on contract agreement and the City Clerk is authorized to return bidding checks to the unsuccessful bidders.

8 The foregoing resolution was introduced at an adjourned meeting of the Council of the City of Modesto held on the 25th day of August, 1950 by Commissioner Condit, who moved its adoption, which motion being duly seconded by Commissioner Stanley, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Burkner

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9054-N.S.

A RESOLUTION ACCEPTING BID OF THE GRINNELL COMPANY ON FITTINGS AND VALVES, ITEMS SIX THROUGH THIRTY TWO OF OUR NOTICE TO BIDDERS

---oOo---

BE IT HEREBY RESOLVED that the bid of the Grinnell Company on fittings and valves, items six through thirty two of our notice to bidders for valves, pipe and fittings be accepted and the City Clerk be directed to return bidding checks to the unsuccessful bidders.

The foregoing resolution was introduced at an adjourned meeting of the Council of the City of Modesto held on the 25th day of August, 1950 by Commissioner Condit, who moved its adoption, which motion being duly seconded by Commissioner Stanley, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Burkner

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9055-N.S.

A RESOLUTION AWARDDING BID ON ASPHALTIC PAVING MATERIAL TO THE STANDARD MATERIALS COMPANY

---oOo---

BE IT HEREBY RESOLVED that the bid of the Standard Materials Company on furnishing and delivering Asphalt Paving Materials to any street within the city limits of Modesto for the year ending June 30, 1951 be accepted and the Mayor and City Clerk are hereby appointed signatory officials on contract.

The foregoing resolution was introduced at an adjourned meeting of the Council of the City of Modesto held on the 25th day of August, 1950 by Commissioner Condit, who moved its adoption, which motion being duly seconded by Commissioner Stanley, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Burkner

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9056-N.S.

A RESOLUTION AWARING BID ON AUTOMOBILE FOR THE HEALTH DEPARTMENT

---oOo---

BE IT HEREBY RESOLVED that the bid of Griswold & Wight of \$1587 00 for a 1950 model 6 cylinder Ford Coupe for the Health Department be accepted and the City Clerk be directed to return bidding checks to the unsuccessful bidders.

The foregoing resolution was introduced at an adjourned meeting of the Council of the City of Modesto by Commissioner Frad, who moved its adoption, which motion being duly seconded by Commissioner Stanley, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Burkner

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9057-N.S.

ADJOURNMENT

BE IT HEREBY RESOLVED that this Council meeting now in session adjourn.

The foregoing resolution was introduced at an adjourned meeting of the Council of the City of Modesto held on the 25th day of August, 1950 by Commissioner Frad, who moved its adoption, which motion being duly seconded by Commissioner Stanley, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Burkner

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9058-N.S.

A RESOLUTION ACCEPTING THE BID OF R. B. MACBRIDE FOR BOOKMOBILE CHASSIS

---oOo---

BE IT HEREBY RESOLVED that the Bid of R. B. MacBride of \$2009 55 for a bookmobile chassis, delivered to Gerstenslager Company at the Dodge Factory at Detroit be accepted, and

BE IT FURTHER RESOLVED that all other other bids be rejected and the City Clerk is hereby directed to return bidding checks to the unsuccessful bidders.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 6th day of September, 1950 by Commissioner Frad, who moved its adoption, which motion being duly seconded by Commissioner Burkner, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9059-N.S.

A RESOLUTION ACCEPTING THE BID OF GERSTENSLAGER COMPANY FOR CONSTRUCTING BOOKMOBILE BODY ON DODGE CHASSIS

---oOo---

BE IT HEREBY RESOLVED that the bid of Gerstenslager Company for constructing bookmobile body of \$6199 91, plus \$100 00 for lengthening chassis and \$189 00 sales tax (to be paid directly to the State of California by the City of Modesto) was accepted with the understanding that they were to take delivery of Dodge Chassis at the Dodge factory in Detroit, Michigan.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 6th day of September, 1950 by Commissioner Frad, who moved its adoption, which motion being duly seconded by Commissioner Condit, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9060-N.S.

A RESOLUTION APPROVING AGREEMENT FOR IMPROVEMENT OF THE ROOSEVELT CENTER TRACT AND APPOINTING SIGNATORY OFFICIALS

---oOo---

BE IT HEREBY RESOLVED that agreement between the City of Modesto and W. W. Giddings, Jr., R. J. Giddings and H. B. Wilson for the improvement of the Roosevelt Center Tract, which was recently annexed to the city be and it is hereby approved and the Mayor and Auditor be appointed signatory officials, and

BE IT FURTHER RESOLVED that the cashier's check for \$10,000 00 from said individuals be accepted in lieu of bond required by Ordinance No. 720-N.S. for the improvement of annexed tracts to the city.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 6th day of September, 1950 by Commissioner Stanley, who moved its adoption, which motion being duly seconded by Commissioner Burkner, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9061-N.S.

A RESOLUTION APPROVING MAP OF ROOSEVELT CENTER TRACT AND APPOINTING SIGNATORY OFFICIALS

---oOo---

BE IT HEREBY RESOLVED that the map of the Roosevelt Center Tract (Weil Colony portion) recently annexed to the City of Modesto be approved and the Mayor and City Clerk are appointed signatory officials.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 6th day of September, 1950 by Commissioner Stanley, who moved its adoption, which motion being duly seconded by Commissioner Condit, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Stanley, Frad, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9062-N.S.

A RESOLUTION ALLOWING CLAIM OF CHAMBER OF COMMERCE FOR FOURTH OF JULY CELEBRATION

---oOo---

BE IT HEREBY RESOLVED that claim of the Chamber of Commerce for \$500 00 for the Fourth of July celebration held this year be allowed.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 6th day of September, 1950 by Commissioner Frad, who moved its adoption, which motion being duly seconded by Commissioner Stanley, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen; None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9063-N.S.

A RESOLUTION ALLOWING CLAIM OF THE STANISLAUS COUNTY BOYS' BAND FOR SUMMER CONCERTS

---oOo---

BE IT HEREBY RESOLVED that claim of the Stanislaus County Boys' Band for summer concerts for 1950 in the amount of \$600 00 be and it is hereby allowed.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 6th day of September, 1950 by Commissioner Condit, who moved its adoption, which motion being duly seconded by Commissioner Burkner, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Condit, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9064-N.S.

A RESOLUTION AUTHORIZING THE INCREASING OF THE 1950-1951 BUDGET FOR THE McHENRY PUBLIC LIBRARY

---oOo---

BE IT HEREBY RESOLVED that the budget for the McHenry Public Library be increased \$2000 00 for the fiscal year ending June 30, 1951.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 6th day of September, 1950 by Commissioner Stanley, who moved its adoption, which motion being duly seconded by Commissioner Burkner, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon  
Noes: Councilmen: None  
Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9065-N.S.

A RESOLUTION GRANTING PERMIT TO FOSTER & KLEISER TO ERECT BILLBOARDS

---oOo---

BE IT HEREBY RESOLVED that permit be granted to Foster & Kleiser Company to erect two 12½' x 25' poster panels in Block 98, Lots 17-18.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 6th day of September, 1950 by Commissioner Burkner, who moved its adoption, which motion being duly seconded by Commissioner Condit, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon  
Noes: Councilmen: None  
Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9066-N.S.

A RESOLUTION REJECTING BIDS ON PHOTOGRAPHIC COPY MACHINE

---oOo---

BE IT HEREBY RESOLVED that all bids on a photographic copying machine for the Health Department be rejected, and

BE IT FURTHER RESOLVED that Health Officer Landquist be authorized to purchase this equipment on the open market.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 6th day of September, 1950 by Commissioner Frad, who moved its adoption, which motion being duly seconded by Commissioner Stanley, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon  
Noes: Councilmen: None  
Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9067-N.S.

A RESOLUTION AUTHORIZING PROGRESSIVE PAYMENT TO SPEARS CONSTRUCTION COMPANY ON THE  
CONSTRUCTION OF VACUATOR TANK

---oOo---

BE IT HEREBY RESOLVED that progressive payment of \$2955 00 be authorized to Spears Construction Company on the construction of a vacuator tank and control structures and installing city furnished equipment at the Industrial Wastes Treatment Plant in accordance with the contract which was awarded by the City Council on March 22, 1950.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 6th day of September, 1950 by Commissioner Burkner, who moved its adoption, which motion being duly seconded by Commissioner Condit, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9068-N.S.

A RESOLUTION AUTHORIZING PROGRESSIVE PAYMENT TO THE INDUSTRIAL ELECTRICAL COMPANY  
FOR THE INSTALLATION ELECTRIC SWITCHBOARD AT VACUATOR

---oOo---

BE IT HEREBY RESOLVED that progressive payment of \$869 06 be authorized to the Industrial Electrical Company for the furnishing and installing of electric switchboard, conduit, wiring for vacuator tank and controls at the Industrial Wastes Treatment Plant in accordance with the contract which was awarded to the said concern by the City Council on March 22, 1950.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 6th day of September, 1950 by Commissioner Burkner, who moved its adoption, which motion being duly seconded by Commissioner Frad, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9069-N.S.

A RESOLUTION AUTHORIZING PROGRESSIVE PAYMENT TO CARR AND ROCCA ON THE CONSTRUCTION  
OF REINFORCED CONCRETE BRIDGE ON LALOMA ACROSS BEARD BROOK

---oOo---

BE IT HEREBY RESOLVED that progressive payment of \$14,195 33 be authorized to Carr and Rocca on the construction of a reinforced concrete bridge on Laloma across Beard Brook

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 6th day of September, 1950 by Commissioner Burkner, who moved its adoption, which motion being duly seconded by

Commissioner Frad, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9070-N.S.

A RESOLUTION ACCEPTING THE RESIGNATION OF SERENA E. ARNOLD AS SUPERINTENDENT OF RECREATION

---oOo---

BE IT HEREBY RESOLVED that the resignation of Serena E. Arnold be accepted as Superintendent of Recreation, effective September 11, 1950.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 6th day of September, 1950 by Commissioner Frad, who moved its adoption, which motion being duly seconded by Commissioner Burkner, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen; Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9071-N.S.

ADJOURNMENT

BE IT HEREBY RESOLVED that this Council meeting now in session adjourn.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 6th day of September, 1950 by Commissioner Frad, who moved its adoption, which motion being duly seconded by Commissioner Burkner, it was upon roll call carried and the resolution was adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9072-N.S.

A RESOLUTION APPROVING MINUTES OF THE COUNCIL MEETING

---oOo---

BE IT HEREBY RESOLVED that the minutes of the regular council meeting of August 23, 1950 and special meeting of September 6, 1950 be and they are hereby approved.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of September, 1950 by Commissioner Burkner who moved its adoption, which motion being duly seconded by Commissioner Condit, it was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Burkner, Condit, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Frad

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9073-N.S.

A RESOLUTION DENYING REQUEST OF THE VETERANS HOUSING AUTHORITY TO GRANT SEWER SERVICE TO LOW INCOME RENTAL HOUSING UNITS

---oOo---

WHEREAS, Jack Sinclair, representing the Veterans Housing Authority has requested that the City of Modesto go on record as being willing to furnish sewer service to a new unit of low income rental housing to be built outside the city limits,

NOW THEREFORE BE IT RESOLVED that after consideration by the Council request of Jack Sinclair, representing the Veterans Housing Authority for sewer service to proposed low income housing units be denied under the conditions set forth.

The forgoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of September, 1950 by Commissioner Stanley, who moved its adoption, which motion being duly seconded by Commissioner Burkner, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9075-N.S.

A RESOLUTION ACCEPTING PETITION FOR ANNEXATION OF LOTS 23, 24 and 25, AND A PORTION OF LOT 22 BLOCK 1 OF THE LAS PALMAS TRACT TO THE CITY OF MODESTO

---oOo---

WHEREAS, there has been presented to the City Council of the City of Modesto at a regular meeting thereof held on the 13th day of September, 1950, a petition requesting that the City Council give such notice, hold such hearings and pass such resolutions and ordinances as may be necessary to annex certain real property to the City of Modesto and incorporate said real property within the limits of the City of Modesto, said real property being described as follows, to wit:

All that certain real property situated in the County of Stanislaus, State of California, and bounded and described as follows:

Lots 23, 24 and 25 and a portion of lot 22 of Block 1 of the Las Palmas Tract as filed for record on February 20, 1930 in Vol. 11 of Maps at Page 16, Stanislaus County Records and certain adjacent streets and alleys, which property is more precisely described as follows:

Beginning at a point on the existing city limit line being the intersection of the center line of North Santa Rosa Avenue, and the North line of Roble Avenue, as deeded to the County of Stanislaus by deed recorded June 28, 1938, Instrument No. 4680, projected to the West; thence East along the North line of Roble Avenue

RESOLUTION NO. 9074-N.S.

A RESOLUTION ALLOWING CLAIMS FOR MONTH OF SEPTEMBER, 1950

---oOo---

WHEREAS, the claims against the City of Modesto for the month of September, 1950, for the various sums in the aggregate hereinafter stated having been audited by the Council and found to be correct;

NOW THEREFORE, BE IT RESOLVED that all of said claims so audited and approved be and they are hereby ordered allowed with reference being made to the Auditor's Cash Records for further details relative to amounts of withdrawals from the various funds as follows:

GENERAL FUND-----	\$109,182 26
WATER FUND-----	12,289 03
LIBRARY FUND-----	2,847 90
1-10 J-----	22,972 50
1-10 L-----	4,007 79
1-2-----	50 00
1-9 J-----	575 00
1-9 A-----	7,992 32
1-9 F-----	4,304 42

\$164,221 22

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of September, 1950 by Commissioner Burkner, who moved its adoption, which motion being duly seconded by Commissioner Stanley, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST REXE. GAILFUS, CITY CLERK

175 feet, more or less, to the East line of the alley in Block 1 of Las Palmas Tract, as filed for record on February 20, 1930 in Vol. 11 of Maps at Page 16, Stanislaus County Records; thence North along the East line of said alley 310 feet, more or less, to the South line of Encina Avenue, which point is the Northwest corner of Lot 1 of Block 1 of said Las Palmas Tract; thence Northwesterly and perpendicular to the center line of Encina Avenue 60 feet, more or less to the existing city limit line, being the North line of Encina Avenue; thence along the existing City line southwesterly along the north line of Encina Avenue to the center line of North Santa Rosa Avenue projected to the North; thence South along the center line of said North Santa Rosa Avenue to the point of beginning.

WHEREAS, it appears to the City Council of said City that said petition is in order and 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, and the real property described therein and hereinabove described is contiguous to the City of Modesto, that the territory described does not form a part of any other municipal corporation, that less than 12 registered voters reside therein and that such real property is uninhabited territory.

NOW, THEREFORE, said petition is hereby accepted by said City Council of said City and it is hereby resolved and the City Attorney is hereby ordered to prepare the necessary documents, resolutions and notices for the purpose of determining whether or not the owners of property within the territory proposed to be annexed, desire said territory to be annexed to, and to become a part 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 13th day of September, 1950, by Councilman Burkner who moved its adoption, which motion being duly seconded by Councilman Frad was upon roll call carried and adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Condit, Mayor Shannon  
Noes: Councilmen: None  
Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9076-N.S.

A RESOLUTION GIVING NOTICE OF PROPOSED ANNEXATION OF LOTS 23, 24, and 25, AND A PORTION OF LOT 22 OF BLOCK 1 OF THE LAS PALMAS TRACT TO THE CITY OF MODESTO

---oOo---

WHEREAS, application for annexation to the City of Modesto, has been filed by, Robert H. Henderson, Mary Elizabeth Henderson, Gemma Bartoni, Americo L. Bartoni, F. M. Brack and Esther Beard Brack, to annex to the City of Modesto under the provisions of the Annexation of Uninhabited Territory Act of 1939, as amended, that said area or territory known and designated as Lots 23, 24, and 25, and a portion of Lot 22 of Block 1 of the Las Palmas Tract located in the County of Stanislaus, State of California, and contiguous to the City of Modesto described as follows:

All that certain real property situated in the County of Stanislaus, State of California, and bounded and described as follows:

Lots 23, 24, and 25 and a portion of lot 22 of Block 1 of the Las Palmas Tract as filed for record on February 20, 1930 in Vol. 11 of Maps at Page 16, Stanislaus County Records and certain adjacent streets and alleys, which property is more precisely described as follows:

Beginning at a point on the existing city limit line being the intersection of the center line of North Santa Rosa Avenue, and the North line of Roble Avenue, as deeded to the County of Stanislaus by deed recorded June 28, 1938, Instrument No. 7680, projected to the West; thence East along the North line of Roble Avenue 175 feet, more or less, to the East line of the alley in Block 1 of Las Palmas Tract, as filed for record on February 20, 1930 in Vol. 11 of Maps at Page 16, Stanislaus County Records; thence North along the East line of said alley 310 feet, more or less, to the South line of Encina Avenue, which point is the Northwest corner of Lot 1 of Block 1 of said Las Palmas Tract; thence Northwesterly and perpendicular to the center line of Encina Avenue 60 feet, more or less to the existing city limit line, being the North line of Encina Avenue; thence along the existing city limit line Southwesterly along the North line of Encina Avenue to the center line of North Santa Rosa Avenue projected to the North; thence South along the center line of said North Santa Rosa Avenue to the point of beginning.

NOW, THEREFORE, be it hereby resolved by the City Council of the City of Modesto and notice is hereby given that the 11th day of October, 1950, at the hour of 7:30 p.m. of said day in the Council Chambers of the City Hall located at 717 - 10th 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 objections to the proposed annexation may appear before the City Council of the City of Modesto and show cause why such territory should not be so annexed.

BE IT FURTHER RESOLVED that the City Clerk shall cause a copy of this Resolution to be published at least once a week for two successive weeks prior to the time set for said hearing in the Modesto Bee, a newspaper of general circulation published in the City of Modesto and being 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 13th day of September, 1950, by Councilman Burkner who moved its adoption, which motion being duly seconded by Councilman Condit, was upon roll call duly carried and the Resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Stanley, Frad, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9077-N.S.

A RESOLUTION SETTING THE DATE FOR HEARING ON AMENDING ZONING ORDINANCE TO ZONE PORTION OF LOT 44 OF THE BROUGHTON COLONY (GRANT TRACT)

---oOo---

WHEREAS THE MODESTO City Planning Commission have notified the Council that they have held the necessary public hearings for the classifying of a portion of Lot 44 of the Broughton Colony (Grant Tract) into the R-1 Single Family Residence District,

NOW THEREFORE BE IT RESOLVED that the Council set the date of October 11, 1950 at 7:30 P.M. at the City Hall as the time and place for the hearing of protests to the zoning of the aforesaid property into the R-1 Single Family Residence District.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of September, 1950 by Commissioner Condit, who moved its adoption, which motion being duly seconded by Commissioner Burkner, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9078-N.S.

A RESOLUTION ACCEPTING THE BID OF ORLANDER AND WILLIAMS FOR RE-ROOFING OF FIRE STATION NO. 1 AT 610 11th STREET

---oOo---

BE IT HEREBY RESOLVED that the bid of Orlander and Williams for \$967 00 for the re-roofing of Fire Station No. 1 at 610 11th Street, be accepted.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of September, 1950 by Commissioner Condit, who moved its adoption which motion being duly seconded by Commissioner Frad, it was upon roll call carried and the resolution was adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9079-N.S.

A RESOLUTION AUTHORIZING THE CITY CLERK TO CALL FOR BIDS ON 3/4 TON PICKUP FOR THE PUBLIC WORKS DEPARTMENT

---oOo---

BE IT HEREBY RESOLVED that the City Clerk be authorized to call for bids for one new 1950 3/4 ton pickup with metal cab and all metal pickup body, trade-in allowance shall be made on one 1938 model A Roadster with Pickup body, said bids to be opened on Wednesday, September 27, 1950.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of September, 1950 by Commissioner Burkner, who moved its adoption, which motion being duly seconded by Commissioner Stanley, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9080-N.S.

A RESOLUTION AUTHORIZING THE CITY CLERK TO CALL FOR BIDS ON FURNISHING INCANDESCENT, FLUORESCENT AND MERCURY VAPOR LAMPS FOR MUNICIPAL LIGHTING FOR A PERIOD OF ONE YEAR BEGINNING JULY 1, 1950

---oOo---

BE IT HEREBY RESOLVED that the City Clerk be authorized to call for bids on furnishing f.o.b. Modesto, Incandescent, Fluorescent and Mercury Vapor Lamps for municipal lighting for a period of one year, beginning July 1, 1950, said bids to be opened on Wednesday, September 27, 1950.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of September, 1950 by Commissioner Burkner, who moved its adoption, which motion being duly seconded by Commissioner Condit, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9081-N.S.

A RESOLUTION AUTHORIZING THE CITY CLERK TO CALL FOR BIDS FOR FURNISHING LABOR EQUIPMENT AND MATERIALS NECESSARY FOR THE RE-ROOFING OF MCHENRY PUBLIC LIBRARY

---oOo---

BE IT HEREBY RESOLVED that the City Clerk be authorized to call for bids for furnishing all labor, equipment and materials necessary for the re-roofing of McHenry Public Library, said bids to be opened on Wednesday, September 27, 1950.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of September, 1950 by Commissioner Burkner, who moved its adoption, which motion being duly seconded by Commissioner Frad, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9082-N.S.

A RESOLUTION DECLARING RESULTS OF ELECTION OF THE MISCELLANEOUS EMPLOYEES HELD ON AUGUST 30, 1950, ON THE RETIREMENT SYSTEM

---oOo---

BE IT HEREBY RESOLVED that at an election held on August 30, 1950 in and for the miscellaneous employees of the City of Modesto the question

Shall the miscellaneous employees of the City of Modesto be included  
in the State Employees' Retirement System?

received 170 votes, 137 for the proposition and 33 against the proposition and

BE IT FURTHER RESOLVED that this election was regularly called, held and  
conducted and that the proper and complete returns thereof have been made and filed with the  
City Clerk.

The foregoing resolution was introduced at a regular meeting of the Council of  
the City of Modesto held on the 13th day of September, 1950 by Commissioner Stanley, who  
moved its adoption, which motion being duly seconded by Commissioner Condit, it was upon roll  
call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Fred, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9083-N.S.

ADJOURNMENT

BE IT HEREBY RESOLVED that this Council meeting now in session adjourn.

The foregoing resolution was introduced at a regular meeting of the Council  
of the City of Modesto held on the 13th day of September, 1950 by Commissioner Stanley, who  
moved its adoption, which motion being duly seconded by Commissioner Condit, it was upon  
roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Fred, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9084-N.S.

A RESOLUTION AUTHORIZING THE EMPLOYMENT OF SPECIAL LEGAL COUNSEL TO ASSIST IN THE SUBMISSION  
OF A REVISED CHARTER FOR THE CITY OF MODESTO, AUTHORIZING SIGNATORY OFFICIALS ON CONTRACT  
WITH SPECIAL LEGAL COUNSEL

---oOo---

WHEREAS, the City Council of the City of Modesto, pursuant to the provisions  
of Article XI, Section 8 (f) of the Constitution of the State of California, has caused to  
be framed a proposed Charter for the City of Modesto, to be submitted to the electors of  
said City, and

WHEREAS, the City Council deems it advisable to enlist the services of special  
legal counsel to assist in the submission of such proposed Charter.

NOW, THEREFORE, it is resolved as follows:

1. That Attorney Allen Grimes be employed by the City of Modesto, to review  
the proposed revised Charter of the City of Modesto, for legality, and render an opinion  
thereupon, together with drafts of recommended changes, review the substantive features of  
the Charter, and submit recommendations thereupon, with drafts of proposed suggestions, and  
prepare such documents as may be required to present the proposed Charter to the electors  
of the City of Modesto for adoption or rejection.

2. For the above services, Allen Grimes is to receive the sum of One  
thousand and no/100 (\$1,000 00) Dollars, payable upon the completion of employment, and  
after two round trips to the City of Modesto, he shall be reimbursed for the cost of further

transportation from Oakland to Modesto and return, arising out of, or necessitated by the performance of his employment, at the rate of Five cents (5¢) per mile, together with out-of-pocket expenses incurred therewith. After said Allen Grimes, has rendered his opinion together with drafts of recommended changes, if it should be necessary for him to make further trips to Modesto, he shall receive additional compensation to be computed at the rate of Fifteen and no/100 (\$15.00) per hour.

3. The Mayor of the City of Modesto, and the Auditor are hereby authorized to execute an Agreement between the City of Modesto, and Allen Grimes, embodying the above proposal.

The foregoing Resolution was adopted at a regular meeting of the Council of the City of Modesto held on the 20th day of September, 1950, by Councilman Frad, who moved its adoption, which motion being duly seconded by Councilman Burkner was upon roll call duly carried, and the Resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Condit, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9085-N.S.

A RESOLUTION APPROVING AGREEMENT WITH THE MODESTO CITY SCHOOLS FOR NURSING SERVICES FOR THE SCHOOLS SITUATED WITHIN THE MODESTO ELEMENTARY SCHOOL DISTRICT

---oOo---

BE IT HEREBY RESOLVED that an agreement with the Modesto City Board of Education and the City of Modesto be approved for the providing of nursing services to the schools situated within the Modesto Elementary School District by the City of Modesto for the school session ending June 15, 1951, and

BE IT FURTHER RESOLVED that the Mayor and Auditor be appointed signatory officials.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 20th day of September, 1950 by Commissioner Stanley who moved its adoption, which motion being duly seconded by Commissioner Burkner, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

\*\*\*\*\*

RESOLUTION NO. 9086-N.S.

A RESOLUTION GRANTING MILITARY LEAVE OF ABSENCE TO CITY EMPLOYEES

---oOo---

BE IT HEREBY RESOLVED that military leave of absence be granted to the following employees of the City of Modesto for an indefinite period of time:

Francis M. McRae, Construction Laborer in the Public Works Dept.

George T. Bruton, Patrolman in the Police Department

Ross Alexander, Sanitarian in the Health Department

The foregoing resolution was introduced at a special meeting of the

Council of the City of Modesto held on the 20th day of September, 1950 by Commissioner Stanley, who moved its adoption, which motion being duly seconded by Commissioner Condit, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9087-N.S.

A RESOLUTION ACCEPTING BID OF THE STANISLAUS IMPLEMENT AND HARDWARE COMPANY FOR MOTOR GRADER

---oCo---

BE IT HEREBY RESOLVED that the bid of \$8240 00 of the Stanislaus Implement and Hardware Company on a motor grader for the Public Works Department be and it is hereby accepted and the City Clerk is authorized to return bidding checks to the unsuccessful bidders.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 20th day of September, 1950 by Commissioner Condit, who moved its adoption, which motion being duly seconded by Commissioner Frad, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Stanley, Frad, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9088-N.S.

A RESOLUTION ACCEPTING THE BID OF PISANO BROTHERS FOR CONSTRUCTION OF SEWER LINE FROM FRANKLIN AND H STREETS TO THE MARK TWAIN SCHOOL ON EMERALD AVENUE

---oCo---

BE IT HEREBY RESOLVED that the bid of Pisano Brothers of \$29,400 00 for the furnishing and installing of sanitary sewer line from Franklin and H Streets to the Mark Twain School on Emerald Avenue for the City of Modesto be accepted and the Mayor and City Clerk be and they are hereby appointed signatory officials on contract agreement for completion of the work.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 20th day of September, 1950 by Commissioner Condit, who moved its adoption, which motion being duly seconded by Commissioner Burkner, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9089-N.S.

A RESOLUTION ACCEPTING THE BID OF KING-KNIGHT COMPANY FOR THE CONVERSION OF ELECTRIC MOTOR-DRIVEN TURBINE PUMP TO A COMBINATION GAS AND ELECTRIC MOTOR DRIVEN UNIT WITH AUTOMATIC

CONTROLS

---oCo---

BE IT HEREBY RESOLVED that the bid of King-Knight Company of \$7972 00 for the furnishing and installing of necessary equipment for conversion of an existing electric motor driven turbine pump to a combination gas engine and electric motor ~~driven turbine pump to a combination gas engine and electric motor~~, driven unit with automatic controls and directing the City Clerk to return all bidding checks to the unsuccessful bidders, and

BE IT FURTHER RESOLVED that the Mayor and City Clerk are hereby appointed signatory officials on contract agreement for delivery of equipment.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 20th day of September, 1950 by Commissioner Condit, who moved its adoption, which motion being duly seconded by Commissioner Burkner, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9090-N.S.

A RESOLUTION ACCEPTING THE BID OF BAKER-NEWMAN FOR INSTALLING GAS FIRED BOILER AT THE McHENRY PUBLIC LIBRARY

---oOo---

BE IT HEREBY RESOLVED that the bid of Baker-Newman of \$2489 00 for the furnishing and installing one American Standard #4 GS-10 or equal, Gas Fired boiler (for natural gas, 1000 BTU) complete with jacket and equipment as supplied by manufacturer at the McHenry Public Library be accepted.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 20th day of September, 1950 by Commissioner Condit, who moved its adoption, which motion being duly seconded by Commissioner Frad, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9091-N.S.

A RESOLUTION ACCEPTING THE BID OF MALOTT & PETERSON-GRUNDY OF \$2982 00 FOR THE RESURFACING OF THE TENNIS COURTS IN GRACEADA PARK

---oOo---

BE IT HEREBY RESOLVED that the bid of Malott & Peterson-Grundy of \$2982 00 for the resurfacing of the tennis courts in Graceada Park be accepted, and the Mayor and City Clerk be appointed signatory officials.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 20th day of September, 1950 by Commissioner Condit, who moved its adoption, which motion being duly seconded by Commissioner Frad, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon  
Noes: Councilmen: None  
Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9092-N.S.

A RESOLUTION ACCEPTING BID OF R. B. MacBRIDE ON COUPE FOR THE CITY CLERK'S OFFICE

---oOo---

BE IT HEREBY RESOLVED that the bid of R. B. MacBride of \$1537 08 be accepted for 1950 model six cylinder coupe for the City Clerk's office and the City Clerk is hereby directed to return bidding checks to the unsuccessful bidders.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 20th day of September, 1950 by Commissioner Condit, who moved its adoption, which motion being duly seconded by Commissioner Burkner, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon  
Noes: Councilmen: None  
Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9093-N.S.

A RESOLUTION GRANTING REQUEST OF DUKE CRAIG FOR A CURB CUT IN BLOCK 563, LOT 22, McHENRY AND MODESTO AVENUES

---oOo---

WHEREAS, Duke Craig has filed a request with the Council for permission to cut the curb in Block 563, lot 22, McHenry Avenue and Modesto Avenue an additional eight feet, making a total cut of 20 feet,

BE IT HEREBY RESOLVED that permit be granted to said applicant to only cut the curb an additional six feet, making a total cut of 18 feet, under the supervision of the City Engineer.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 20th day of September, 1950 by Commissioner Condit, who moved its adoption, which motion being duly seconded by Commissioner Frad, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon  
Noes: Councilmen: None  
Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9094-N.S.

A RESOLUTION REFERRING MAP OF JAMES GONZALEZ PROPERTY TO THE CITY ENGINEER FOR INVESTIGATION AND RECOMMENDATION

---oOo---

BE IT HEREBY RESOLVED that the survey map of James Gonzalez property referred to the Council for approval by the Modesto City Planning Commission be referred to the City Engineer for investigation and recommendation.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 20th day of September, 1950 by Commissioner Frad, who

moved its adoption, which motion being duly seconded by Commissioner Condit, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9095-N.S.

A RESOLUTION AUTHORIZING FINAL PAYMENTS ON WATER TANK TO PITTSBURGH DES MOINES STEEL COMPANY

---oOo---

BE IT HEREBY RESOLVED that final payment of \$22,972 50 be authorized to Pittsburgh-Des Moines Steel Company for the Installation of 600,000 gallon elevated steel water tank, as the 35 days lien period required by the contract has expired and no claims have been filed against the contractor.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 20th day of September, 1950 by Commissioner Burkner, who moved its adoption, which motion being duly seconded by Commissioner Condit, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9096-N.S.

A RESOLUTION AUTHORIZING FINAL PAYMENT TO SAUERWEIN & THOMPSON COMPANY FOR THE CONSTRUCTION OF UNIT NO. 1 OF THE L. J. MADDUX YOUTH RECREATION CENTER

---oOo---

BE IT HEREBY RESOLVED that final payment of \$4210 25 be authorized to Sauerwein & Thompson Company for the construction of Unit No. 1 of the L. J. Maddux Youth Recreation Center, as the 35 days lien period required by the contract has expired and no claims have been filed against the contractor.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 20th day of September, 1950 by Commissioner Frad, who moved its adoption, which motion being duly seconded by Commissioner Burkner, it was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

\*\*\*\*\*

RESOLUTION NO. 9097-N.S.

A RESOLUTION AUTHORIZING THE CITY CLERK TO COMMUNICATE WITH THE L. J. MADDUX MEMORIAL COMMITTEE

---oOo---

BE IT HEREBY RESOLVED that the City Clerk, Rex E. Gailfus, be

authorized to communicate with the L. J. Maddux Memorial Committee in regard to balance of money needed for completion of the Youth Center as all available funds for this project have been used and the building is only partially completed at this time and the balance of money had been pledged by the committee and it is estimated that approximately \$31,900 00 will be needed to complete the Youth Center.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 20th day of September, 1950 by Commissioner Frad, who moved its adoption, which motion being duly seconded by Commissioner Condit, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9098-N.S.

A RESOLUTION REQUIRING THE PROFESSIONAL AT THE MODESTO MUNICIPAL GOLF COURSE TO SUPERVISE THE MAINTENANCE AND UPKEEP OF THE GREENS AND FAIRWAYS

---oOo---

WHEREAS, the City of Modesto operates and maintains a Municipal Golf Course, and,

WHEREAS, it is believed that the greens and fairways can be kept in a better condition if their maintenance is under the supervision of the professional at the golf course,

NOW, THEREFORE, be it resolved that Andrew Silva be and he is authorized to supervise the maintenance and upkeep of the greens and fairways at the Modesto Municipal Golf Course.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 20th day of September, 1950, by Councilman Frad, who moved its adoption, which motion being duly seconded by Councilman Stanley was upon roll call carried, and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9099-N.S.

A RESOLUTION APPOINTING LEE M. BROOKS RECREATION DIRECTOR

---oOo---

BE IT HEREBY RESOLVED that Lee M. Brooks be appointed Director of the Recreation Department at a salary of \$370 00 per month as of this date.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 20th day of September, 1950 by Commissioner Stanley, who moved its adoption, which motion being duly seconded by Commissioner Frad, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9100-N.S.

A RESOLUTION AUTHORIZING R. C. RHIE PLUMBING INSPECTOR TO ATTEND THE WESTERN PLUMBING OFFICIALS ASSOCIATION INC.

---oOo---

BE IT HEREBY RESOLVED that Robert C. Rhien, Plumbing Inspector of the City of Modesto be authorized to attend the Western Plumbing Officials Association Inc. convention in San Francisco October 19-21, 1950 with all expenses paid.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 20th day of September, 1950 by Commissioner Burkner, who moved its adoption, which motion being duly seconded by Commissioner Frad, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon  
Noes: Councilmen: None  
Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9101-N.S.

A RESOLUTION APPOINTING WILLIARD S. MONTGOMERY, SANITARIAN IN THE HEALTH DEPARTMENT

---oOo---

BE IT HEREBY RESOLVED that Williard S. Montgomery be appointed Sanitarian in the Health Department of the City of Modesto at a salary of \$300 00 per month as of September 25, 1950.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 20th day of September, 1950 by Commissioner Stanley, who moved its adoption, which motion being duly seconded by Commissioner Frad, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon  
Noes: Councilmen: None  
Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9102-N.S.

A RESOLUTION ADJOURNING COUNCIL MEETING NOW IN SESSION

---oOo---

BE IT HEREBY RESOLVED that this Council meeting now in session adjourn.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 20th day of September, 1950 by Commissioner Stanley, who moved its adoption, which motion being duly seconded by Commissioner Frad, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon  
Noes: Councilmen: None  
Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9103-N.S.

A RESOLUTION REQUESTING THE BOARD OF ADMINISTRATION OF THE STATE EMPLOYEES RETIREMENT SYSTEM TO EXCLUDE THE POLICE COURT DEPARTMENT OF THE CITY OF MODESTO FROM MEMBERSHIP IN THE STATE EMPLOYEES RETIREMENT SYSTEM

---oOo---

WHEREAS, the miscellaneous employees of the City of Modesto have voted to become members of the State Employees Retirement System, and

WHEREAS, the Police Court Department has requested the City Council to exclude said Department from membership in said system, and

WHEREAS, it appears that Proposition No. 3 will be approved by the electors in the November, 1950, election, in which event the Police Court Department will no longer be a department of the City of Modesto, and for that reason the City Council is willing to exclude said Department, subject to approval by the State Employees Retirement Board of Administration, as provided by Section 20492 of the Government Code.

NOW, THEREFORE, BE IT RESOLVED, that the City Clerk request the State Employees Retirement Board of Administration, to exclude the Police Court Department from participation in the Retirement System.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of September, 1950, by Councilman Frad, who moved its adoption, which motion being duly seconded by Councilman Burkner was upon roll call duly carried, and the Resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Stanley

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9104-N.S.

A RESOLUTION WITHHOLDING FINAL ADOPTION OF ORDINANCE NO. 961-N.S. RETIREMENT SYSTEM FOR A PERIOD OF ONE WEEK

---oOo---

BE IT HEREBY RESOLVED that the final adoption of Ordinance No. 961-N.S. (Retirement System) be delayed for a period of one week.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of September, 1950 by Commissioner Burkner, who moved its adoption, which motion being duly seconded by Commissioner Condit, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Stanley

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9105-N.S.

A RESOLUTION GRANTING PERMIT TO CRUSADE FOR CHRIST TO ERECT TENT AND DISPLAY BANNER

---oOo---

WHEREAS, a petition was filed by Rev. Ray W. Gersage, General Chairman of the Steering Committee for the Crusade for Christ program requesting permit to erect a tent from October 22 through November 13, 1950 at Burney and LaLoma Streets and permission to display

a banner across Tenth Street at J Street from October 14 to October 30, 1950,

BE IT HEREBY RESOLVED that permit be granted to the said petitioners to erect a banner in the business district from October 14th to October 24th after the usual \$10 00 fee has been paid and

BE IT FURTHER RESOLVED that permit be granted to erect a tent on the corner of LaLoma and Burney Streets from October 22, through November 13th, to hold religious services, under the supervision of the City Engineer and Fire Chief.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of September, 1950 by Commissioner Frad, who moved its adoption, which motion being duly seconded by Commissioner Burkner, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Stanley

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9106-N.S.

A RESOLUTION APPROVING SURVEY MAP OF J. GONZALEZ PROPERTY

---oOo---

BE IT HEREBY RESOLVED that the survey map of the James Gonzalez property be approved as to lot design and street widths as indicated on the record of survey map, and

BE IT FURTHER RESOLVED that the cash deposit of \$150 00 be accepted from James Gonzalez for the installation of an electrolier on this property and bond from Herbert M. Brockett, as surety on the installation of curbs and gutters on this property be approved and the Clerk and Engineer be appointed signatory officials on said map.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of September, 1950 by Commissioner Frad, who moved its adoption, which motion being duly seconded by Commissioner Burkner, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Stanley

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9107-N.S.

A RESOLUTION AWARDED BID ON RE ROOFING OF McHENRY PUBLIC LIBRARY TO OLANDER AND WILLIAMS

---oOo---

BE IT HEREBY RESOLVED that the bid on the re-roofing of McHenry Public Library, at 1402 I Street of Olander and Williams for \$1392 00 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 27th day of September, 1950 by Commissioner Frad, who moved its adoption, which motion being duly seconded by

Commissioner Condit, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Stanley

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9108-N.S.

A RESOLUTION AUTHORIZING THE CITY CLERK TO CALL FOR BIDS ON RADIO EQUIPMENT FOR THE FIRE DEPARTMENT

---oOo---

BE IT HEREBY RESOLVED that the City Clerk be authorized to call for bids for the furnishing of radio equipment for the Fire Department and said bids to be opened on October 11, 1950.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of September, 1950 by Commissioner Frad, who moved its adoption, which motion being duly seconded by Commissioner Burkner, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Stanley

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9109-N.S.

A RESOLUTION AUTHORIZING THE CITY CLERK TO ADVERTISE FOR BIDS FOR FURNISHING TRACTOR FOR THE PUBLIC WORKS DEPARTMENT

---oOo---

BE IT HEREBY RESOLVED that the City Clerk be authorized to advertise for bids for furnishing one new four wheeled rubber tired tractor for the Public Works Department, said bids to be opened on October 11, 1950.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of September, 1950 by Commissioner Frad, who moved its adoption, which motion being duly seconded by Commissioner Burkner, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Stanley

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9110-N.S.

A RESOLUTION REQUESTING RENEWAL OF AGREEMENT FROM THE SOUTHERN PACIFIC COMPANY ON PRIVATE ROADWAY UNDER RAILROAD TRESTLE #113.75

---oOo---

BE IT HEREBY RESOLVED that the agreement between the City of Modesto and the Southern Pacific Company, covering private roadway under railroad trestle #113.75 to permit a roadway to the city sewer plant be renewed.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of September, 1950 by Commissioner Condit, who moved

its adoption, which motion being duly seconded by Commissioner Burkner, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Stanley

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9111-N.S.

A RESOLUTION CREATING NEW CLASSIFICATION UNDER THE CIVIL SERVICE REGULATION

---oOo---

WHEREAS, a resolution was filed with the Council by the Personnel Board requesting the establishment of one new classification under the Civil Service regulation, namely Lieutenant in the Police Department,

BE IT HEREBY RESOLVED that the position of Lieutenant in the Police Department be created as requested by the Modesto City Personnel Board.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of September, 1950 by Commissioner Condit, who moved its adoption, which motion being duly seconded by Commissioner Burkner, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Stanley

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9112-N.S.

A RESOLUTION AUTHORIZING THE CITY ATTORNEY TO PREPARE SEWER SERVICE CHARGE ORDINANCE FOR ADOPTION

---oOo---

BE IT HEREBY RESOLVED that the City Attorney be directed to draw up a new ordinance providing for a flat rate of 85¢ for sewer service charge for residence in the city limits and to amend Ordinance No. 937-N.S. to provide for a flat fee of \$1.10 for sewer service charge for residences in property annexed to the City but the rates on business property to remain as provided in the original ordinance.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of September, 1950 by Commissioner Condit, who moved its adoption, which motion being duly seconded by Commissioner Frad, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Stanley

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9113-N.S.

A RESOLUTION GRANTING PERMIT TO THE SHELL OIL COMPANY TO ERECT A SERVICE STATION IN BLOCK 143

---oOo---

BE IT HEREBY RESOLVED that permit be granted to the Shell Oil Company to erect and maintain a service station in Block 143, W 99 Highway, between I and K Streets and to cut the curb 30 feet under the supervision of the City Engineer.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of September, 1950 by Commissioner Burkner, who moved its adoption, which motion being duly seconded by Commissioner Condit, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Stanley

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9114-N.S.

A RESOLUTION APPROVING APPLICATION OF U. Z. BRANNON FOR USED CAR LOT AT 1230 TENTH STREET

---oOo---

WHEREAS U. Z. Brannon has filed application and \$500 00 in cash for a used car lot license at 1230 Tenth Street and,

WHEREAS he has filed letter to the effect that he has made arrangements for the using of the sanitary facilities of Woodrow M. Elzner, dba Jimmie's Lunch at 1224 10th Street,

BE IT HEREBY RESOLVED that application of the said U. Z. Brannon for a used car lot license at 1230 Tenth Street be approved.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of September, 1950 by Commissioner Frad, who moved its adoption, which motion being duly seconded by Commissioner Burkner, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Stanley

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9115-N.S.

A RESOLUTION APPROVING THE BUDGET FOR THE RECREATION DEPARTMENT FOR THE YEAR ENDING JUNE 30,

1951

---oOo---

BE IT HEREBY RESOLVED that the budget for the Recreation Department for the year ending June 30, 1951 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 27th day of September, 1950 by Commissioner Frad, who moved its adoption, which motion being duly seconded by Commissioner Burkner, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Stanley

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9116-N.S.

ADJOURNMENT

---oOo---

BE IT HEREBY RESOLVED that this Council meeting now in session adjourn.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of September, 1950 by Commissioner Frad, who moved its adoption, which motion being duly seconded by Commissioner Burkner, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Stanley

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9117-N.S.

A RESOLUTION DELAYING FINAL ADOPTION OF ORDINANCE NO. 961-N.S. RETIREMENT SYSTEM FOR MISCELLANEOUS EMPLOYEES

---oOo---

BE IT HEREBY RESOLVED that the final adoption of Ordinance No. 961-N.S. be delayed until the next regular meeting of October 11, 1950.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 4th day of October, 1950 by Commissioner Frad, who moved its adoption, which motion being duly seconded by Commissioner Stanley, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9118-N.S.

A RESOLUTION AUTHORIZING THE ATTENDANCE OF POLICE CHIEF PICKERING TO THE CONVENTION OF THE PEACE OFFICER'S ASSOCIATION

---oOo---

BE IT HEREBY RESOLVED that Police Chief Pickering be authorized to attend the convention of the Peace Officer's Association to be held in Pasadena on October 25-27, 1950 with all expenses paid.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 4th day of October, 1950 by Commissioner Stanley, who moved its adoption, which motion being duly seconded by Commissioner Burkner, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9119-N.S.

A RESOLUTION AUTHORIZING PROGRESSIVE PAYMENT TO CARR & ROCCA

---oOo---

BE IT HEREBY RESOLVED that progressive payment be authorized to Carr & Rocca on the construction of a reinforced concrete bridge on LaLoma across Beard Brook in the amount of \$7992 32.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 4th day of October, 1950 by Commissioner Burkner, who moved its adoption, which motions being duly seconded by Commissioner Stanley, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9120-N.S.

A RESOLUTION ACCEPTING CONTRACT FROM THE INDUSTRIAL ELECTRICAL COMPANY, FILE NOTICE OF COMPLETION WITH COUNTY RECORDER AND AUTHORIZE PROGRESSIVE PAYMENT FOR FURNISHING AND INSTALLING OF ELECTRIC SWITCHBOARD, CONDUIT AND WIRING FOR VACUATOR TANK

---oOo---

BE IT HEREBY RESOLVED that the contract as completed by the Industrial Electrical Company for the furnishing and installing of electric switchboard, conduit and wiring for vacuator tank and controls at the Industrial Waste Treatment Plant be accepted and the City Clerk is hereby directed to file notice of completion with the County Recorder and Progressive payment of \$57 94 is hereby authorized to the said Industrial Electrical Company.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 4th day of October, 1950 by Commissioner Burkner, who moved its adoption, which motion being duly seconded by Commissioner Frad, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9121-N.S.

A RESOLUTION ACCEPTING CONTRACT AS COMPLETED BY THE SPEARS CONSTRUCTION COMPANY

---oOo---

BE IT HEREBY RESOLVED that the contract as completed by the Spears Construction Company for the construction of a Vacuator Tank and Control Structures and installing city furnished equipment at the Industrial Waste Treatment Plant be accepted and

BE IT FURTHER RESOLVED that the City Clerk be authorized to record notice of completion with the County Recorder and progressive payment of \$1222 50 is hereby authorized to the said Spears Construction Company.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 4th day of October, 1950 by Commissioner Burkner, who moved its adoption, which motion being duly seconded by Commissioner Stanley, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9122-N.S.

A RESOLUTION AUTHORIZING PAYMENT FOR EXTRA WORK TO THE SPEARS CONSTRUCTION COMPANY

---oOo---

BE IT HEREBY RESOLVED that payment for extra work be authorized to the Spears Construction Company in the amount of \$129 25 for the construction of a vacuator tank and control structure and installing city furnished equipment at the Industrial Wastes Treatment Plant as provided by Part I, Section 9, Paragraph C of the specifications.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 4th day of October, 1950 by Commissioner Burkner, who moved its adoption, which motion being duly seconded by Commissioner Stanley, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9122-N.S.

A RESOLUTION AUTHORIZING THE CITY CLERK TO CALL FOR BIDS ON TRUCK CHASSIS

---oOo---

BE IT HEREBY RESOLVED that the City Clerk be authorized to call for bids for furnishing one new truck chassis on which a line construction body will be constructed for the Electrical Department, said bids to be opened on October 18, 1950.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 4th day of October, 1950 by Commissioner Condit, who moved its adoption, which motion being duly seconded by Commissioner Frad, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9124-N.S.

A RESOLUTION AWARING BID ON LAMPS TO THE INDUSTRIAL ELECTRICAL COMPANY

---oOo---

BE IT HEREBY RESOLVED that the bid of the Industrial Electrical Company for incandescent, fluorescent and mercury vapor lamps for municipal lighting for year ending June 30, 1951 be and it is hereby accepted and the Mayor and City Clerk be appointed signatory officials on contract agreement for delivery of lamps and the City Clerk be directed to return all bidding checks to the unsuccessful bidders.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 4th day of October, 1950 by Commissioner Condit, who moved its adoption, which motion being duly seconded by Commissioner Frad, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9125-N.S.

A RESOLUTION AWARING BID ON 3/4 TON TRUCK TO GRISWOLD & WIGHT

---oOo---

BE IT HEREBY RESOLVED that the bid of Griswold & Wight on 3/4 ton pickup truck for the Public Works Department be accepted as it was the lowest and best bid and the City Clerk is directed to return bidding checks to the unsuccessful bidders.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 4th day of October, 1950 by Commissioner Condit, who moved its adoption, which motion being duly seconded by Commissioner Stanley, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9126-N.S.

A RESOLUTION AUTHORIZING THE ATTENDANCE OF CYRIL McC HENDERSON TO THE LEAGUE CONFERENCE

---oOo---

BE IT HEREBY RESOLVED that Cyril McC Henderson, Planning Technician, be authorized to attend the League of California Cities convention to be held in Los Angeles, October 23, 24, 25, 1950, with expenses paid.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 4th day of October, 1950 by Commissioner Condit, who moved its adoption, which motion being duly seconded by Commissioner Burkner, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9127-N.S.

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 City 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:

1 stop sign on the Southeast corner of Bodem Street at Morris Avenue, stopping traffic entering Morris Avenue

1 stop sign on the Northwest corner of Bodem Street at Morris Avenue, stopping traffic entering Morris Avenue

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 4th day of October, 1950 by Commissioner Stanley, who moved its adoption, which motion being duly seconded by Commissioner Burkner, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9128-N.S.

A RESOLUTION TERMINATING AND CANCELLING AGREEMENT WITH THE BARIUM PRODUCTS COMPANY

---oOo---

WHEREAS it has been reported to the City Council that the Barium Products Limited has permitted chemicals and industrial waste to enter the sewer system which has been detrimental to the operation thereof and which has caused offensive odors to be created, and

WHEREAS the said Barium Products Limited has permitted such chemicals and industrial waste to enter the sewer system on numerous occasions although such company has been requested not to allow such chemicals to be introduced into the sewer system.

NOW THEREFORE IT IS RESOLVED that the agreement dated July 18, 1945, between the City of Modesto and Barium Products Limited, a corporation, be and the same is hereby terminated and cancelled at the expiration of sixty days from date thereof and

RESOLVED FURTHER that the City Clerk be directed to notify Barium Products Limited of the cancellation of such contract.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 4th day of October, 1950 by Commissioner Stanley, who moved its adoption, and which motion being duly seconded by Commissioner Frad, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent; Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9129-N.S.

A RESOLUTION ALLOWING CLAIM FOR CHRISTMAS PROGRAM TO THE CHAMBER OF COMMERCE

---oOo---

BE IT HEREBY RESOLVED that the claim of the Modesto Retail Merchants Bureau for \$2250 00 for Christmas program and \$1687 50, amount budgeted for the Merchants Association share of the business license registrations for the year ending June 30, 1951, making a total amount of \$3,937 50.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 4th day of October, 1950 by Commissioner Frad, who moved its adoption, which motion being duly seconded by Commissioner Burkner, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9130-N.S.

A RESOLUTION SETTING THE DATE FOR HEARING OF PROTESTS TO THE PROPOSED ZONING OF ANNEXED PROPERTY

---oOo---

City

WHEREAS, the Modesto/Planning Commission has filed notification with the Council that they have had the necessary public hearings required by them for the zoning of the recently annexed portion of the Mission Grove Tract, M & G Olivewood Tract and all of the Falk Tract as follows:

Property facing on McHenry Avenue into the C-1 Neighborhood business District

Nine lots facing on to Douglas Avenue into the R-2 Two Family Residence District

The rest of the area into the R-1, Single-Family Residence District

NOW THEREFORE BE IT RESOLVED that the date of October 25, 1950 at the City Hall at 7:30 P.M. be set as the time and place for the hearing of protests to the proposed zoning of the above mentioned annexed property.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 4th day of October, 1950 by Commissioner Frad, who moved its adoption, which motion being duly seconded by Commissioner Burkner, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9131-N.S.

A RESOLUTION APPROVING THE HIRING OF A NURSE PART TIME FOR THE HEALTH DEPARTMENT

---oOo---

WHEREAS, the City of Modesto has been notified that federal funds in the amount of approximately \$1000 00 will be available to the City for their health program for this fiscal year.

BE IT HEREBY RESOLVED that Mark J. Landquist, Health Officer, be authorized to hire an additional nurse, part time, at a monthly salary not to exceed \$84 00 for a period of ten months.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 4th day of October, 1950 by Commissioner Stanley, who moved its adoption, which motion being duly seconded by Commissioner Burkner, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9132-N.S.

A RESOLUTION AUTHORIZING THE OBTAINING OF OATHS OF ALLEGIANCE FROM ALL CITY EMPLOYEES

---oOo---

BE IT HEREBY RESOLVED that pursuant to the new state law requiring loyalty oaths from all public employees, the City Clerk be authorized to proceed with the obtaining of oaths of allegiance from all city employees by October 31 and hereafter to take oaths of allegiance from all new employees hired by the City of Modesto.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 4th day of October, 1950 by Commissioner Burkner, who moved its adoption, which motion being duly seconded by Commissioner Frad, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9133-N.S.

ADJOURNMENT

---6Oo---

BE IT HEREBY RESOLVED that this Council meeting now in session adjourn.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 4th day of October, 1950 by Commissioner Burkner, who moved its adoption, which motion being duly seconded by Commissioner Frad, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9134-N.S.

A RESOLUTION GRANTING PERMIT TO THE AMERICAN TRUST COMPANY TO CUT THE CURB IN BLOCK 85 AND  
AUTHORIZING THE CITY ENGINEER TO REMOVE TWO PARKING METERS

---oOo---

WHEREAS, pursuant to referring the request of the American Trust Company to the City Engineer and Police Chief for the removal of two parking meters in front of their property in Block 85, lots 4 and 5, South 12½ feet of lot 3 and for permission to cut the curb 10 feet on the north of their property and 18 feet on the south to enable them to build a Drive-to branch of their bank at this location, and

WHEREAS the City Engineer has filed a verbal report that he conferred with the bank officials and gone over their plans with them and he recommended that their request be granted.

NOW THEREFORE BE IT RESOLVED that the City Engineer have two parking meters in front of this property **removed and the curb be cut 10 feet on the North of the property** owned by the American Trust Company and 18 feet on the south of said property under the supervision of the City Engineer.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of October, 1950 by Commissioner Burkner, who moved its adoption, which motion being duly seconded by Commissioner Condit, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Mayor Shannon

Noes: Councilmen: Stanley

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9135-N.S.

A RESOLUTION ALLOWING CLAIMS FOR MONTH OF SEPTEMBER, 1950

---oOo---

WHEREAS, the claims against the City of Modesto for the month of September, 1950, for the various sums in the aggregate hereinafter stated having been audited by the Council and found to be correct;

NOW THEREFORE BE IT RESOLVED that all of said claims so audited and approved be and they are hereby ordered allowed, with reference being made to the Auditor's Cash Records for further details relative to amounts of withdrawals from the various funds as follows:

GENERAL FUND-----	\$109,182 26
WATER FUND-----	12,289 03
LIBRARY FUND-----	2,847 90
1-10J-----	22,972 50
1-10-L-----	4,007 79
1-2-----	50 00
1-9J-----	575 00
1-9A-----	7,992 32
1-9F-----	4,304 42

\$164,221 22

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of October, 1950 by Commissioner Frad, who moved its adoption, which motion being duly seconded by Commissioner Burkner, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9136-N.S.

A RESOLUTION RESCINDING RESOLUTION NO. 9044-N.S. "A RESOLUTION OF INTENTION TO APPROVE AMENDMENT TO CONTRACT PROVIDING FOR PARTICIPATION IN STATE EMPLOYEES' RETIREMENT SYSTEM"

---oOo---

BE IT HEREBY RESOLVED that Resolution No. 9044-N.S. adopted at the regular meeting of August 23, 1950 entitled: "A RESOLUTION OF INTENTION TO APPROVE AMENDMENT TO CONTRACT PROVIDING FOR PARTICIPATION IN STATE EMPLOYEES' RETIREMENT SYSTEM" be and is hereby rescinded.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of October, 1950 by Commissioner Burkner, who moved its adoption, which motion being duly seconded by Commissioner Stanley, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon  
Noes: Councilmen: None  
Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9137-N.S.

RESOLUTION OF INTENTION TO APPROVE AMENDMENT TO CONTRACT PROVIDING FOR PARTICIPATION IN STATE EMPLOYEES' RETIREMENT SYSTEM

---oOo---

WHEREAS, the State Employees' Retirement Law permits the participation of public agencies in the State Employees' Retirement System, by the execution of a contract making their employees members of said System, and sets forth the procedure by which said public agencies may elect to subject themselves and their employees to amendments to said law, providing for a guaranteed percentage of final compensation for each year of service as "Member" <sup>and</sup> providing for the portion of compensation to be included in computations under said law; and

WHEREAS, one step in said procedure is the adoption by the legislative body of the public agency, of a resolution giving notice of its intention to approve an amendment to a contract between said governing board and the Board of Administration of said Retirement System, providing for said participation, which said resolution shall contain a summary of the major provisions of the proposed Retirement System; and

WHEREAS, the following is a summary of the major provisions of the proposed Retirement System:

1. The System is administered by a board of eight members, composed of three members of the System, an official of a bank, an official of a life insurance company, the Director of Finance, a member of the State Personnel Board, and an official of the University of California.
2. Retirement for service is optional upon attainment of age 55 by local firemen and local policemen, and age 60 or age 55 at the election of the Public Agency, by other employees, and completion of twenty years of service for the Public Agency, and is compulsory at age 65 for local firemen and local policemen, and at age 70 for other employees.

3. The monthly retirement allowance payable upon retirement for service is dependent upon such factors as age, sex, salary and years of service. For local firemen and local policemen, retiring at age 55 in paragraph 2, or at a higher age with 20 years of service, the monthly allowance is approximately one-half the average monthly salary during the five years immediately preceding retirement, unless the Public Agency elects to provide prior service benefits at less than the full amount. For other Agency employees, the monthly allowance, upon retirement at age 65 if the Agency elects 60 as the lowest optional service retirement age, is approximately 1/70th of the average monthly salary during the five years immediately preceding retirement, for each year of service after the effective date of participation, plus approximately 1/70th, or less as of "Final Compensation" may be provided in said contract by the Public Agency for its employees, of the average monthly salary during the three years immediately preceding the effective date of participation, for each year of service prior to that date. Upon retirement at age 60, if the agency elects 55 as the lowest optional service retirement age, the fraction is approximately 1/60th instead of 1/70th.
4. A minimum service retirement allowance of \$40 per month is guaranteed upon retirement at age 70 with credit for service rendered prior to said effective date, if the Public Agency elects age 60 as the lowest optional service retirement age, or a minimum allowance of \$60 per month upon retirement at age 65 or over with twenty years of service, or upon retirement at age 70 with credit for prior service, if the Public Agency elects age 55 as the lowest optional service retirement age.
5. Retirement for disability, except in the case of local firemen and local policemen disabled from injury arising out of and in the course of employment, is permitted only after ten years of service and upon proof of incapacity for the performance of duty.
6. The monthly retirement allowance payable upon disability retirement, described in preceding item 5, is dependent upon such factors as age, salary and years of service, but generally is equal to 90% of 1/70th, or 1/60th as the case may be, of the average monthly salary during the five years immediately preceding retirement, for each year of service, with a guarantee of 25% of said salary, subject to certain restrictions and modifications.
7. Disability retirement of local firemen and local policemen, in the event of disability arising out of and in the course of employment, is permitted regardless of age and service, the monthly retirement allowance being one-half the average monthly salary during the five years immediately preceding retirement.
8. The benefit payable at death before retirement, except in the case of local firemen and local policemen dying from injury arising out of and in the course of employment, consists of the contributions of the member plus interest, and plus 1/12th of the member's annual salary during the year immediately preceding death, for each year, not exceeding six years, of service as a member of the System. Upon death after retirement, and at the election of the Public Agency, a benefit of \$300 is payable.
9. The monthly allowance payable to the widow and children, at the death of local firemen and local policemen arising out of and in the course of employment, is one-half the average monthly salary during the five years immediately preceding death.

10. The benefit upon separation from service by other cause than death or retirement, is the refund of the member's contributions, with interest, Members having accumulated contributions of at least \$500 upon resignation or discharge, may elect irrevocably, within ninety days, to leave contributions in the Retirement Fund, and then upon reaching the lowest optional service retirement age or becoming disabled, to be entitled to receive such retirement allowance as will be provided by their and the Agency's contributions and their credited service, regardless of service rendered.
11. Contributions required of local firemen and local policemen, without credit for prior service, depend upon salary and upon age of entry into the Retirement System, the contributions per \$100 of salary varying from \$7.63 at entry age 21, to \$14.35 at entry age 35. Contributions of firemen and policemen having credit for prior service depend on salary, entry age, and amount of prior service, the amount of contributions per \$100 being \$16.33 for example, at entry age 54, with 19 years of prior service.
12. For other Agency employees, the contributions depend upon salary, sex and age of entry into the Retirement System, the contributions per \$100 of salary varying from \$4.83 at age 20, to \$7.45 at age 64, for men, and from \$5.83 at age 20, to \$8.50 at age 64, for women, all based on the Public Agency's election of age 60 as the lowest optional service retirement age. If the Public Agency elects age 55 as the lowest optional service retirement age, the contributions per \$100 of salary vary from \$7.22 at age 20, to \$10.26 at age 59, for men, and from \$8.51 at age 20, to \$11.61 at age 59, for women.
13. The Agency is required to contribute the balance of the funds necessary to meet the cost of the benefits provided under the Retirement System for the Agency employees. The Agency also is required to pay its proportionate share of the administrative costs of the System.
14. Ability of the Retirement System to pay benefits is safeguarded by a provision authorizing the Board of Administration to revise contributions of both employees and the Agency, in the light of experience under the System.

BE IT RESOLVED, that the City Council of the City of Modesto, give, and it hereby gives notice of intention to approve an amendment to the contract between said City Council and the Board of Administration of the State Employees' Retirement System, providing for the participation of said City of Modesto in said Retirement System, a copy of said amendment being attached hereto, marked "Exhibit A", and by reference made a part hereof.

CITY COUNCIL  
 CITY OF MODESTO  
 By, Rex E. Gailfus, City Clerk

October 11, 1950

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AMENDMENT TO CONTRACT BETWEEN THE BOARD OF ADMINISTRATION STATE EMPLOYEES' RETIREMENT SYSTEM AND CITY COUNCIL OF THE CITY OF MODESTO

The Board of Administration, State Employees' Retirement System, and

the City Council of the City of Modesto, hereinafter referred to as Public Agency, having entered into a contract under date of July 27, 1946, effective August 1, 1946, which provides for the participation of said Public Agency in said Retirement System, and said contract having excluded from membership employees of the City other than Local Firemen and Local Policemen, and said contract having been based on the Retirement Law as that Law existed on said effective date, with some exceptions, said Board of Administration and said City Council hereby agree as follows:

1. The words, "Miscellaneous Employees Excluded" appearing in Paragraph 3 shall be and are hereby stricken from said Contract and the words, "Employees in the City Police Court Department Excluded", shall be inserted in place thereof.
2. Paragraphs 4, 5, 6, 7, 8, 9 and 10 shall be and are hereby stricken from said Contract.
3. The following paragraphs shall be and are hereby added to said Contract:
  4. Age 60 shall be the normal minimum age for retirement for service, of Miscellaneous members employed by Public Agency, that is other than Local Safety members, and one-sixtieth shall be the fraction of final compensation as defined in said Retirement Law, to be provided for each year of service as a member, by the members' and Public Agency's normal contributions, upon retirement at said minimum age.
  5. Benefits on account of prior service, that is, service credited hereunder as rendered to Public Agency prior to the effective date of participation, to respective persons who are members because of employment by Public Agency as Local Safety Members, shall be allowed only as a percentage of the average salary specified in said Retirement Law, for each year of such service, and said percentage shall be 100 per cent of the fraction of final compensation, as defined in the State Employees' Retirement Law, for each year of service rendered after said date, as determined for said respective members under said law, for retirement for service at age 55, or upon qualification for service retirement at a higher age. If a member retires for service before attaining age 55, his prior service pension shall be reduced to that amount which the value of the pension as deferred to age 55 will purchase at the actual age of retirement.
  6. Prior service benefits to Miscellaneous members employed by Public Agency, that is, other than Local Safety members, upon retirement for service at age 60, shall be allowed only as a percentage of the average salary specified in Section 21253 of said Retirement Law, for each year of such service, and said percentage shall be 100% of the percentage determined under said section.
  7. The provisions of Section 21258b of the State Employees' Retirement Law, guaranteeing a minimum retirement allowance under certain conditions shall apply to persons who are members because of employment by Public Agency.
  8. The provisions of Section 21367.5 of the State Employees' Retirement Law, providing a \$300 death benefit after retirement shall apply to persons who are members because of employment by Public Agency.

9. The provisions of Section 21251.1 of the State Employees' Retirement Law, providing for a guaranteed percentage of final compensation for each year of current service as a member, shall apply to persons who are Miscellaneous members because of employment by Public Agency.
10. The provisions of Section 20025 of the State Employees' Retirement Law, providing for the portion of compensation to be included in computations under said Law, shall apply to persons who are members because of employment by Public Agency.
11. Public Agency shall contribute to said Retirement System as follows:
  - a. The sum of \$4,717.87 payable annually, or as Board shall require, for the period of 25 years less the time elapsed from the date of participation to the effective date of this amendment, and the sum of \$23,809.15 payable annually or as Board shall require, for the period of 30 years, all on account of the liability for benefits provided in Paragraphs 5 and 6 hereof.
  - b. 6.551 per cent of total salaries paid by Public Agency each month to its employees who are members of said Retirement System, provided that only salary earned as members of said System shall be included in said total salaries, and the employees who are members of said System shall include employees who become members upon the effective date hereof and employees who become members thereafter.
  - c. A reasonable amount per annum, as fixed by the Board, to cover the costs of administering said System as it affects the employees of Public Agency, not including the costs of special valuations or of the periodical investigation and valuation required by law, provided that said amount shall be determined on the basis of the number of employees of Public Agency who are members on July 1st of the respective fiscal years, or with respect to the first year of participation, on the effective date of said participation.
  - d. A reasonable amount as fixed by the Board, payable in one installment from time to time as the occasions arise, to cover the costs of special valuations on account of employees of Public Agency, and the costs of the periodical investigation into the experience under said Retirement System, as it affects said employees, and the valuation of the assets and liabilities of said System on account of said employees.

Contributions required of Public Agency and its employees shall be subject to adjustment by the Board of Administration on account of amendments to the State Employees' Retirement Law, and on account of experience under the Retirement System, as determined by the periodical investigation, valuation and determination provided for by said Retirement Law. Contributions under this paragraph are in addition to any assets of the local system, which are transferred to the State Employees' Retirement System, and are subject to adjustment for variations between the value of such assets as determined by Board and the value assumed in the calculation of such contributions.

12. Contributions required of Public Agency under Paragraph 11 immediately preceding, and contributions required of Public Agency's employees who are members of said system, shall be paid by Public Agency to

the State Employees' Retirement System within thirty days after the end of the month or longer period to which said contributions refer. If more or less than the correct amount of contribution required of Public Agency or its employees is paid for any period, proper adjustment shall be made in connection with subsequent remittances of Public Agency to the Board, to rectify the errors; or such adjustments on account of errors made in contributions required of employees, may be made by direct cash payments between the employee in connection with whom the error was made, and Board. Payments of Public Agency to Board may be made in the form of warrants, bank checks, bank drafts, certified checks, money orders, or cash.

4. Benefits due prior to the effective date of this amendment and retirement allowances due after said effective date to persons who were members because of employment by Public Agency and who retired prior to said effective date, shall not be affected by this amendment.
5. This amendment shall be attached to said contract and shall be effective as of the first day of \_\_\_\_\_, 19\_\_.

Witness our hand this \_\_\_\_\_ day of \_\_\_\_\_, 1950.

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9138-N.S.

A RESOLUTION APPOINTING C. C. SKOOG, ASSISTANT AIRPORT MANAGER

---oOo---

BE IT HEREBY RESOLVED that C. C. Skoog be appointed Assistant Airport Manager as of October 10, 1950 at a salary of \$50.00 per month.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of October, 1950 by Commissioner Burkner, who moved its adoption, which motion being duly seconded by Commissioner Stanley, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilman: Burkner, Condit, Fred, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9139-N.S.

A RESOLUTION CONCURRING WITH THE STATE HIGHWAY DEPARTMENT IN CHANGING THE SPEED LIMIT ON PORTION OF NINTH STREET IN THE CITY OF MODESTO

---oOo---

BE IT HEREBY RESOLVED that the City of Modesto concur with the State Highway Department in changing the speed limit on portion of Ninth Street from a point 111 feet south of E Street to the North end of Tuolumne River Bridge in accordance with the letter from the State Highway Department of October 6, 1950.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of October, 1950 by Commissioner Stanley, who moved its adoption, which motion being duly seconded by Commissioner Burkner, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Fred, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9140-N.S.

A RESOLUTION AUTHORIZING THE CITY CLERK AND CITY ATTORNEY TO BRING SUIT AGAINST  
JERRY DOYLE FOR COST OF INSTALLATION OF WATER TAP

---oOo---

BE IT HEREBY RESOLVED that the City Clerk and City Attorney be authorized to bring suit against Jerry Doyle, 1521 Frederick Street, Walnut Creek, to collect \$143 43 and costs for the installation of 8" and 4" taps in city water main at the Modesto High School after the City Clerk has checked with the Modesto City Schools concerning the claim.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of October, 1950 by Commissioner Stanley, who moved its adoption, which motion being duly seconded by Commissioner Burkner, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9141-N.S.

A RESOLUTION AUTHORIZING THE PURCHASE OF PUMPER FIRE TRUCK FROM P. E. VAN PELT

---oOo---

WHEREAS under date of August 23, 1950 at the regular meeting of the Council of the City of Modesto all bids for a 1950 model triple combination 1250 gallon pump fire truck were rejected and the Fire Chief was authorized to purchase this equipment on the open market as provided by Section 59, Article X of the Charter of the City of Modesto, by Resolution No. 9048-N.S.

NOW THEREFORE BE IT RESOLVED that the purchase of one 1950 model triple combination, 1250 gallon pump fire truck for a purchase price of \$17,868 33 plus sales tax of \$536 05, total cost \$18,404 38, from P. E. Van Pelt 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 October, 1950 by Commissioner Condit, who moved its adoption, which motion being duly seconded by Commissioner Stanley, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9142-N.S.

ADJOURNMENT

---oOo---

BE IT HEREBY RESOLVED that this Council meeting now in session adjourn.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of October, 1950 by

Commissioner Burkner, who moved its adoption, which motion being duly seconded by Commissioner Frad, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9143-N.S.

A RESOLUTION AUTHORIZING THE CITY TREASURER, REX E. GAILFUS, TO SELL UNITED STATES OF AMERICA TREASURY NOTES

---oOo---

BE IT HEREBY RESOLVED THAT Rex E. Gailfus, Treasurer of the City of Modesto be authorized to sell \$200,000 90 United States of America Treasury notes, 1½% Series A, 1955 owned by the City of Modesto, held by the Anglo California National Bank under Trust Receipt No. 84817.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 18th day of October, 1950 by Commissioner Frad, who moved its adoption, which motion being duly seconded by Commissioner Stanley it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Burkner

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9144-N.S.

A RESOLUTION ACCEPTING THE RESIGNATION OF LEONARD R. LOCKHART FROM THE MODESTO CITY PLANNING COMMISSION

---oOo---

WHEREAS Leonard R. Lockhart has tendered his resignation from the Modesto City Planning Commission due to press of work in his business preventing him from devoting the necessary time to the activities of the Planning Commission

BE IT HEREBY RESOLVED that the resignation of Leonard R. Lockhart from the Modesto City Planning Commission be accepted with regrets and Mr. Lockhart be given a vote of appreciation for his excellent work while serving on the said Modesto City Planning Commission.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 18th day of October, 1950 by Commissioner Stanley, who moved its adoption, which motion being duly seconded by Commissioner Frad, it was upon roll call carried and the resolution was adopted by the following vote:

Ayes: Councilmen: Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Burkner

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9145-N.S.

A RESOLUTION GRANTING PERMIT TO THE MODESTO JUNIOR COLLEGE DRAMATICS CLASS TO DISPLAY BANNER IN THE BUSINESS DISTRICT

---oOo---

BE IT HEREBY RESOLVED that permit be granted to the Modesto Junior College Dramatics Class to display a banner in the business district from October 26 to November 4th, 1950 to advertise a play to be given November 2, 3, 4, after the usual fee of \$10 00 has been paid.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 18th day of October 1950 by Commissioner Condit, who moved its adoption, which motion being duly seconded by Commission Frad, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent:Councilmen: Burkner

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9146-N.S.

A RESOLUTION GRANTING PERMIT TO LEE M. BROOKS TO ATTEND LEAGUE MEETING

---oOo---

BE IT HEREBY RESOLVED that Lee M. Brooks Superintendent of Recreation for permission to attend the League of California Cities convention in Los Angeles, October 23-25, 1950 with all expenses paid.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 18th day of October, 1950 by Commissioner Frad, who moved its adoption, which motion being duly seconded by Commissioner Condit, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Mayor Shannon

Noes: Councilmen: None

Absent:Councilmen: Stanley

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9147-N.S.

A RESOLUTION ACCEPTING PETITION FOR ANNEXATION OF FIRST PORTION OF THE

SUNSET ACRES TRACT

---oOo---

WHEREAS, there has been presented to the City Council of the City of Modesto, at a regular meeting thereof, held on the 18th day of October, 1950, a petition requesting that the City Council give such notice, hold such hearings and pass such resolutions and ordinances as may be necessary to annex certain real property to the City of Modesto and incorporate said read property within the limits of the City of Modesto, said real property being described as follows, to wit:

All that certain real property situated in the County of Stanislaus, State of California, and bounded and described as follows:

Lot 5 of the Sunset Acres Tract, as filed for record on January 14, 1911 in Volume 5 of Maps, Page 25 of Stanislaus County Records less the Easterly 30 feet of the North 161 feet of said

Lot 5 and the East 210 feet, more or less, of the

South 103 feet of said Lot 5; the North boundary of said Lot 5 being the township line between Township three (3) and four (4) Range 9 East M. D. B. & M. and being also the center line of South Avenue and the existing corporate boundary line of the City of Modesto.

WHEREAS, it appears to the City Council of said City, that said Petition is in order and is signed by the owners of not less than one quarter (1/4) 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, and the real property described therein and hereinabove described is contiguous to the City of Modesto, that the territory described does not form a part of any other Municipal corporation, that less than 12 registered voters reside therein and that such real property is uninhabited territory.

NOW THEREFORE, said Petition is hereby accepted by said City Council, of said City, and it is hereby resolved that the City Attorney is hereby ordered to prepare the necessary documents, resolutions and notices for the purpose of determining whether or not the owners of property within the territory proposed to be annexed desire said territory to be annexed to and to become a part 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 18th day of October, 1950, by Councilman Burkner who moved its adoption, which motion being duly seconded by Councilman Condit was upon roll call carried and adopted by the following vote:

Ayes: Councilmen: Frad, Burkner, Condit, Mayor Shannon

Nees: Councilmen: None

Absent: Councilmen: Stanley

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9148-N.S.

A RESOLUTION GIVING NOTICE OF PROPOSED ANNEXATION OF A FIRST PORTION OF THE SUNSET ACRES TRACT TO THE CITY OF MODESTO AND FIXING TIME AND PLACE FOR HEARING OBJECTIONS TO THE PROPOSED ANNEXATION

---oOo---

WHEREAS, application for annexation to the City of Modesto has been filed by Eleanor Brunetti, Rose Brunetti, Louie Brunetti, Mario Brunetti, Charles E. Erickson, and Dorothy V. Erickson, to annex to the City of Modesto under the provisions of the Annexation of Uninhabited Territory Act of 1939 as amended, that said area or territory being a first portion of the Sunset Acres Tract located in the County of Stanislaus, State of California, and contiguous to the City of Modesto described as follows:

All that certain real property situated in the County of Stanislaus, State of California, and bounded and described as follows:

Lot 5 of the Sunset Acres Tract, as filed for record on January 14, 1911 in Volume 5 of Maps, Page 25 of Stanislaus County Records less the Easterly 30 feet of the North 161 feet of said lot 5 and the East 210 feet, more or less, of the South 103 feet of said Lot 5; the North boundary of said Lot 5 being the township line

between between Township three (3) and four (4) Range 9 East M. D. B. & M., and being also the center line of South Avenue and the existing corporate boundary line of the City of Modesto.

NOW, THEREFORE, be it hereby resolved by the City Council of the City of Modesto and notice is hereby given that the 15th day of November, 1950, at the hour of 4 P.M. of said day in the Council chambers of the City Hall located at 717 - 10th 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 City Council of the City of Modesto and show cause why such territory should not be so annexed.

BE IT FURTHER RESOLVED that the City Clerk shall cause a copy of this resolution to be published at least once a week for two successive weeks prior to the time set for said hearing in the Modesto Bee, a newspaper of general circulation published in the City of Modesto and being 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 18th day of October, 1950, by Councilman Condit who moved its adoption, which motion being duly seconded by Councilman Burkner was upon roll call duly carried and the resolution adopted by the following vote:

Ayes: Councilmen: Frad, Burkner, Condit, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Stanley

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9149-N.S.

A RESOLUTION ACDEPTING PETITION FOR ANNEXATION OF SECOND PORTION OF THE SUNSET ACRES TRACT

---oOo---

WHEREAS, there has been presented to the City Council of the City of Modesto, at a regular meeting thereof, held on the 18th day of October, 1950, a petition requesting that the City Council give such notice, hold such hearings and pass such resolutions and ordinances as may be necessary to annex certain real property to the City of Modesto, said real property being described as follows, to wit:

All that certain real property situated in the County of Stanislaus, State of California, and bounded and described as follows:

Lots 6 and 7 of the Sunset Acres Tract as filed for record on January 14, 1911, in Volume 5 of Maps at Page 25 of Stanislaus County Records less the Westerly 30 feet of said Lot 7; the North boundary of said lots being the township line between Townships three (3) and four (4) Range 9 East Mount Diablo Base and Meredian and being also the center line of South Avenue and the existing corporate boundary line of the City of Modesto.

WHEREAS, it appears to the City Council of said City, that said petition is in order and is signed by the owners of not less than one quarter (1/4) 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, and the real property described therein and hereinabove described is contiguous to the City of Modesto, that the territory described does not form a part of any other Municipal corporation, that less than 12 registered voters reside therein and that such real property is uninhabited territory.

NOW, THEREFORE, said petition is hereby accepted by said City Council of said City, and it is hereby resolved and the City Attorney is hereby ordered to prepare the necessary documents, resolutions and notices for the purpose of determining whether or not the owners of property within the territory proposed to be annexed desire said territory to be annexed to and to become a part 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 18th day of October, 1950, by Councilman Burkner who moved its adoption, which motion being duly seconded by Councilman Frad, was upon roll call carried and adopted by the following vote:

Ayes: Councilmen: Frad, Burkner, Condit, Mayor Shannon

Noes: Councilmen: none

Absent: Councilmen: Stanley

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9150-N.S.

A RESOLUTION GIVING NOTICE OF PROPOSED ANNEXATION OF A SECOND PORTION OF THE SUNSET ACRES TRACT TO THE CITY OF MODESTO AND FIXING TIME AND PLACE FOR HEARING OBJECTIONS TO THE PROPOSED ANNEXATION

---oOo---

WHEREAS, application for annexation to the City of Modesto has been filed by: Barlow McCleary, Harold L. Banfill, Emma M. Banfill and Margaret McCleary, to annex to the City of Modesto under the provisions of the Annexation of Uninhabited Territory Act of 1939 as amended, that said area or territory being a Second Portion of the Sunset Acres Tract located in the County of Stanislaus, State of California, and contiguous to the City of Modesto described as follows:

All that certain real property situated in the County of Stanislaus, State of California, and bounded and described as follows:

Lots 6 and 7 of the Sunset Acres Tract as filed for record on January 14, 1911 in Volume 5 of Maps at Page 25 of Stanislaus County Records less the Westerly 30 feet of said Lot 7; the North boundary of said lots being the township line between Townships three (3) and four (4) Range 9 East Mount Diablo Base and Meridian and being also the center line of South Avenue and the existing corporate boundary line of the City of Modesto.

NOW, THEREFORE, be it hereby resolved by the City Council of the City of Modesto and notice is hereby given that the 15th day of November, 1950, at the hour of 4 P.M. of said day in the Council chambers of the City Hall, located at 717 - 10th 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 City Council of the City of Modesto and show cause why such territory should not be so annexed.

BE IT FURTHER RESOLVED that the City Clerk shall cause a copy of this Resolution to be published at least once a week for two successive weeks prior to the time set for said hearing in the Modesto Bee, a newspaper of general circulation published in the City of Modesto and being 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 18th day of October, 1950, by Councilman Condit, who moved its adoption, which motion being duly seconded by Councilman Burkner was upon roll call duly carried and the Resolution adopted by the following vote:

Ayes: Councilmen: Frad, Burkner, Condit and Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Stanley

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9151-N.S.

A RESOLUTION AWARING BID ON RADIO EQUIPMENT FOR THE FIRE DEPARTMENT

---oOo---

WHEREAS, pursuant to referring bids on radio equipment for the Fire Department to the Fire Chief and City Engineer for tabulation and whereas they have filed a report at this time recommending that the bid of the General Electric Company be accepted as it was the lowest and best bid.

NOW THEREFORE BE IT RESOLVED that the bid of the General Electric Company of \$2850 00 be accepted for the radio equipment as their bid was the lowest and best bid and the City Clerk be authorized to return bidding checks to the unsuccessful bidders.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 18th day of October, 1950 by Commissioner Condit, who moved its adoption, which motion being duly seconded by Commissioner Burkner, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Stanley

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9152-N.S.

A RESOLUTION ACCEPTING CONTRACT AS COMPLETED BY MUNN AND PERKINS FOR THE IMPROVEMENT OF EIGHTH STREET BETWEEN I AND L STREETS

---oOo---

BE IT HEREBY RESOLVED that the contract as completed by Munn and Perkins for the improvement of Eighth Street between I and L Streets be accepted and the City Clerk be directed to file a Notice of Completion with the County

Recorder, and

BE IT FURTHER RESOLVED that progressive payment of \$7451 06 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 October, 1950 by Commissioner Burkner, who moved its adoption, which motion being duly seconded by Commissioner Condit, it was upon roll call carried and the resolution was adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Stanley

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9153-N.S.

A RESOLUTION GRANTING EXTENSION OF TIME TO MALOTT & PETERSON-GRUNDY TO COMPLETE RESURFACING OF TENNIS COURTS

---oOo---

BE IT HEREBY RESOLVED that a two weeks extension of time be granted Malott & Peterson-Grundy, for the completion of contract on the resurfacing of tennis courts at Graceada Park.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 18th day of October, 1950 by Commissioner Frad, who moved its adoption, which motion being duly seconded by Commissioner Burkner, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Stanley

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9154-N.S.

A RESOLUTION AUTHORIZING THE CITY ATTORNEY TO PREPARE LEASE FOR RENTAL OF AIRPORT PROPERTY TO MERLE GARBER AND APPOINTING SIGNATORY OFFICIALS

---oOo---

BE IT HEREBY RESOLVED that the City Attorney be directed to prepare a lease between Merle Garber and the City of Modesto for the leasing of 35 acres within the airport property with a rental fee of 20% gross for a period of one year and

BE IT FURTHER RESOLVED that the Mayor, City Clerk and Auditor be appointed signatory officials.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 18th day of October, 1950 by Commissioner Burkner, who moved its adoption, which motion being duly seconded by Commissioner Frad, it was upon roll call carried and the resolution was adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Stanley

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9155-N.S.

A RESOLUTION APPOINTING SIGNATORY OFFICIALS ON AGREEMENT WITH THE MODESTO CITY SCHOOLS FOR

THE PROVIDING OF AFTER-SCHOOL RECREATION LEADERSHIP

---oOo---

BE IT HEREBY RESOLVED that contract between the City of Modesto and the Modesto City Schools be approved for the providing of after-school recreation leadership to the youth of the elementary schools for the period September 15, 1950 to June 15, 1951 at an annual charge of \$3000 00 and the Mayor, City Clerk and Auditor be appointed signatory officials.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 18th day of October, 1950 by Commissioner Frad, who moved its adoption, which motion being duly seconded by Commissioner Condit, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Mayor Shannon

Noes: Councilmen: None

Absent:Councilmen: Stanley

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9156-N.S.

ADJOURNMENT

BE IT HEREBY RESOLVED that this Council meeting now in session adjourn.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 18th day of October, 1950 by Commissioner Condit, who moved its adoption, which motion being duly seconded by Commissioner Frad, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Mayor Shannon

Noes: Councilmen: None

Absent:Councilmen: Stanley

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9157-N.S.

A RESOLUTION GRANTING THE PACIFIC GAS & ELECTRIC COMPANY PRELIMINARY APPROVAL FOR EASEMENT IN BLOCK 225

---oOo---

BE IT HEREBY RESOLVED that preliminary approval be granted the Pacific Gas & Electric Company for a 15 foot easement to install and maintain a ten inch high pressure pipe line in Block 225 so that they can proceed with their survey and easement description which will be submitted for formal approval at a later meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 25th day of October, 1950 by Commissioner Stanley, who moved its adoption, which motion being duly seconded by Commissioner Burkner, it was upon roll call carried and the resolution adopted by the following

vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent:Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

\*\*\*\*\*

RESOLUTION NO. 9158-N.S.

A RESOLUTION RECOMMENDING THAT THE COUNCIL OF THE CITY OF MODESTO GO ON RECORD AS OPPOSING THE  
THE ADOPTION OF PROPOSITION NO. 1 ON THE BALLOT FOR THE NOVEMBER 7th, 1950 GENERAL  
ELECTION

---oOo---

BE IT HEREBY RESOLVED that the Council of the City of Modesto go on record as  
opposing the adoption of Proposition No. 1 on the ballot for the November 7, 1950 General  
Election providing for the exemption of personal property from taxation.

The foregoing resolution was introduced at a regular meeting of the Council of  
the City of Modesto held on the 25th day of October, 1950 by Commissioner Condit, who moved  
its adoption, which motion being duly seconded by Commissioner Frad, it was upon roll call  
carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilman: None

ATTEST: REX E. GAILFUS, CITY CLERK

\*\*\*\*\*

RESOLUTION NO. 9159-N.S.

A RESOLUTION AWARING BID ON TRUCK CHASSIS FOR ELECTRICAL DEPARTMENT TO DOW HAMMOND COMPANY

---oOo---

WHEREAS, pursuant to referring the bids for a truck chassis for the electrical  
department to the City Engineer for tabulation, and

WHEREAS, he has filed a report at this time recommending that the bid of Dow  
Hammond Company on International Truck chassis and cab for \$2163 00 be accepted

NOW THEREFORE BE IT RESOLVED that the bid of the said Dow Hammond Company be  
accepted as it is the lowest and best bid and the City Clerk be authorized to return bidding  
checks to the unsuccessful bidders.

The foregoing resolution was introduced at a regular meeting of the Council  
of the City of Modesto held on the 25th day of October, 1950 by Commissioner Condit, who  
moved its adoption, which motion being duly seconded by Commissioner Stanley, it was upon  
roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9160-N.S.

A RESOLUTION AUTHORIZING THE CITY CLERK TO CALL FOR BIDS ON ELECTRICAL EQUIPMENT

---oOo---

BE IT HEREBY RESOLVED that the City Clerk be authorized to call for bids on  
electrical equipment as set forth in the Notice to Bidders on file in the City Clerk's  
office, said bids to be opened on November 8, 1950.

The foregoing resolution was introduced at a regular meeting of the Council of  
the City of Modesto held on the 25th day of October, 1950, by Commissioner Burkner, who  
moved its adoption, which motion being duly seconded by Commissioner Frad it was upon roll  
call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

\*\*\*\*\*

RESOLUTION NO. 9161-N.S.

A RESOLUTION AUTHORIZING THE CITY CLERK TO CALL FOR BIDS ON FAIRWAY-GREENS AERIFIER UNIT.

---oOo---

BE IT HEREBY RESOLVED that the City Clerk be authorized to call for bids on one Fairway-Greens Aerifier Unit complete with trailer for use at the Modesto Municipal Golf Course, said bids to be opened on November 8, 1950.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 25th day of October, 1950 by Commissioner Frad, who moved its adoption, which motion being duly seconded by Commissioner Burkner, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

\*\*\*\*\*

RESOLUTION NO. 9162-N.S.

A RESOLUTION ACCEPTING CONTRACT FROM THE STANDARD MATERIALS ON THE IMPROVEMENT OF JOHNSON STREET BETWEEN MORRIS AVENUE AND MAYNELL AVENUE IN THE CITY OF MODESTO

---oOo---

BE IT HEREBY RESOLVED that the contract as completed by the Standard Materials Company for the improvement of Johnson Street, between Morris Avenue and Maynell Avenue be accepted and the City Clerk be directed to record Notice of Completion with the County Recorder and progressive payment of \$2610 95 be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 25th day of October, 1950 by Commissioner Burkner, who moved its adoption, which motion being duly seconded by Commissioner Stanley, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

\*\*\*\*\*

RESOLUTION NO. 9163-N.S.

ADJOURNMENT

BE IT HEREBY RESOLVED that this Council meeting now in session adjourn.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 25th day of October, 1950, by Commissioner Frad, who moved its adoption, which motion being duly seconded by Commissioner Burkner, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9164-N.S.

A RESOLUTION ALLOWING CLAIMS OF DELEGATES TO LEAGUE CONVENTION

---oOo---

BE IT HEREBY RESOLVED that the claims of Rex E. Gailfus, City Clerk for \$80 00 and F. J. Rossi, City Engineer for \$73 00 for expenses while attending the League of California Cities convention in Los Angeles, October 22-26, 1950 be hereby allowed.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 1st day of November, 1950 by Commissioner Condit, who moved its adoption, which motion being duly seconded by Commissioner Burkner, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: ~~Frad~~ *Frad*

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9165-N.S.

A RESOLUTION ALLOWING CLAIM OF C. D. NATTINGER FOR AUDITING THE ACCOUNTS OF THE CITY OF MODESTO FOR FISCAL YEAR ENDING JUNE 30, 1950

---oOo---

BE IT HEREBY RESOLVED that the claim of C. D. Nattinger be allowed for \$600 00 for auditing the accounts of the City of Modesto for the fiscal year ending June 30, 1950.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 1st day of November, 1950 by Commissioner Stanley who moved its adoption, which motion being duly seconded by Commissioner Condit, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None *Frad*

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9166-N.S.

A RESOLUTION GRANTING PERMIT TO RALPH SANDERS OPERATING THE PASA DEL ORO COMPANY TO ERECT A TEMPORARY RUSTIC RED WOOD FRONT TO STORE AT 934½ TENTH STREET DURING THE CHRISTMAS SEASON

---oOo---

BE IT HEREBY RESOLVED that permit be granted to Ralph Sanders to erect a temporary rustic redwood front to the store building at 934½ Tenth Street during the Christmas season to sell candied fruit and Christmas gifts with the understanding that this structure will be moved before January 1, 1951.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 1st day of November, 1950 by Commissioner Frad, who moved its adoption, which motion being duly seconded by Commissioner Stanley, it was upon roll call

carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

\*\*\*\*\*

RESOLUTION NO. 9167-N.S.

A RESOLUTION SETTING FORTH THE AMOUNT OF CASH DEPOSIT OR BOND TO BE ADVANCED BY  
SUBDIVIDERS BEFORE APPROVAL OF FINAL MAPS

---oOo---

WHEREAS, the subdividers of land within the City of Modesto, are, under the provisions of the Subdivision Ordinance No. 720-N.S., as amended, authorized to make a deposit or file a bond in lieu of installing the required improvements prior to the approval by the City Council of a final map of their subdivision, and,

WHEREAS, the Modesto City Council wishes to establish a policy in regard to the amount of the deposit or bond required for such improvements,

NOW, THEREFORE, BE IT RESOLVED, that the amounts required for such deposit or bond shall be calculated as follows:

Street Lighting: \$250 per unit required by the Subdivision Ordinance. In the case of lights on peripheral streets, the amount required shall be a proportion of the subdivider's share of such light.

Curbs and Gutters: \$1.50 per lineal foot of curb length (front and side of lots).

Street Grading: 50¢ per lineal foot of full street length measured along the center line thereof. (In the case of peripheral streets, 25¢ per lineal foot of  $\frac{1}{2}$  street shall be required).

Drainage: Depends upon topography and existing facilities; therefore, the amount to be required shall be determined by the City Engineer.

The amounts set forth herein may be increased or decreased at any time when in the opinion of the City Engineer such a change in amount is proper.

LET IT BE STATED THAT: The City will install the street lights, paying for the cost of the labor, but not for the cost of materials. In the case of peripheral streets where the City is not in receipt of the full amount of the cost of materials for the number of street lights required under the subdivision ordinance, the City will install only as many lights as it has already received payment therefor.

BE IT FURTHER STATED THAT: Such improvements will be required on streets already dedicated insofar as the improvements thereon do not conform to the improvements required under the subdivision ordinance.

The foregoing Resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 1st day of November, 1950, by Councilman Burkner, who moved its adoption, which motion being duly seconded by Councilman Condit was upon roll call duly carried, and the Resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9168-N.S.

A RESOLUTION AWARING BID ON TRACTOR TO THE BARNES EQUIPMENT COMPANY

---oOo---

BE IT HEREBY RESOLVED that the bid of the Barnes Equipment Company of \$2982 37 be accepted on item two of specifications for bid for four wheeled rubber tired tractor, as this bid was the only bid received which met the specifications on item two and the City Clerk be authorized to return the bidding checks to the unsuccessful bidders.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 1st day of November, 1950, by Commissioner Frad, who moved its adoption, which motion being duly seconded by Commissioner Stanley, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

\*\*\*\*\*

RESOLUTION NO. 9169-N.S.

A RESOLUTION AUTHORIZING THE CITY CLERK TO CALL FOR BIDS ON CATHODIC PROTECTION FOR STEEL

WATER TANK AT TENTH AND C STREETS IN THE

CITY OF MODESTO

---oOo---

BE IT HEREBY RESOLVED that the City Clerk be authorized to call for bids on the furnishing and installing of cathodic protection system for 600,000 gallon elevated steel water storage tank and steel riser located at Tenth and C Streets in the City of Modesto.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 1st day of November, 1950 by Commissioner Frad, who moved its adoption, which motion being duly seconded by Commissioner Stanley, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9170-N.S.

A RESOLUTION AUTHORIZING PROGRESSIVE PAYMENT OF \$14,436 25 TO CARR AND ROCCA FOR THE CONSTRUCTION OF REINFORCED CONCRETE BRIDGE ON LA LOMA ACROSS BEARD BROOK

---oOo---

BE IT HEREBY RESOLVED that progressive payment of \$14,436 25 be authorized to Carr and Rocca for the construction of a reinforced concrete bridge on La Loma across Beard Brook.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 1st day of November, 1950 by Commissioner Burkner, who moved its adoption, which motion being duly seconded by Commissioner Condit, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9171-N.S.

A RESOLUTION ACCEPTING CONTRACT FROM MALOTT & PETERSON-GRUNDY FOR THE RESURFACING OF THE TENNIS COURTS IN GRACEADA PARK

---oOo---

BE IT HEREBY RESOLVED that the contract as completed by Malott & Peterson-Grundy for the resurfacing of the tennis courts in Graceada Park be accepted and progressive payment of \$2236 50 be authorized and the City Clerk be directed to file a Notice of Completion with the Resorder of Stanislaus County.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 1st day of November, 1950 by Commissioner Frad, who moved its adoption, which motion being duly seconded by Commissioner Stanley, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9172-N.S.

A RESOLUTION AUTHORIZING PROGRESSIVE PAYMENT TO PISANO BROTHERS

e--oOo---

BE IT HEREBY RESOLVED that progressive payment of \$2,940 75 be authorized to Pisano Brothers for the construction of sanitary sewer line from Franklin and H Streets to the Mark Twain School on Emerald Avenue for the City of Modesto.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 1st day of November, 1950 by Commissioner Burkner, who moved its adoption, which motion being duly seconded by Commissioner Stanley, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9173-N.S.

A RESOLUTION APPROVING LEASE WITH M. E. GARBER FOR AIRPORT PROPERTY

---oOo---

BE IT HEREBY RESOLVED that the lease with M. E. Garber and the City of Modesto for the rental of land situated in the Municipal Airport be approved for a period of one year beginning November 1, 1950 with a rental fee of 20% of the gross receipts received from the crops raised thereon during the term of this lease to be paid at the time of the sale of the crop.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 1st day of November, 1950 by Commissioner

Stanley, who moved its adoption, which motion being duly seconded by Commissioner Condit, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9174-N.S.

A RESOLUTION AUTHORIZING THE CITY AUDITOR TO TRANSFER FUNDS

---oOo---

BE IT HEREBY RESOLVED that the City Auditor be authorized to transfer \$75,000 00 from the Water Fund to the General Fund and to make the necessary entries on his records.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 1st day of November, 1950 by Commissioner Burkner, who moved its adoption, which motion being duly seconded by Commissioner Stanley, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9175-N.S.

A RESOLUTION APPOINTING DISASTER OFFICIALS AS PROVIDED BY ORDINANCE NO. 950-N.S.

---oOo---

BE IT HEREBY RESOLVED that pursuant to the requirements of Ordinance No. 950-N.S. of the City of Modesto, entitled "AN ORDINANCE RELATING TO DISASTERS" it is necessary to establish a Disaster Council, the appointment of Chief of Police U. H. Pickering as Commander and William J. Coulson, Captain of the Police Department as Vice Commander of the Disaster Council be approved.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 1st day of November, 1950 by Commissioner Frad, who moved its adoption, which motion being duly seconded by Commissioner Condit it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

\*\*\*\*\*

RESOLUTION NO. 9176-N.S.

A RESOLUTION REAPPOINTING REV. J. C. MILLS ON THE RECREATION COMMISSION

---oOo---

BE IT HEREBY RESOLVED that the reappointment of Rev. J. C. Mills on the Recreation Commission be approved for a term of five years beginning September 1, 1950.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 1st day of November, 1950 by Commissioner Frad, who moved its adoption, which motion being duly seconded by Commissioner Condit, it was upon roll call

carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9177-N.S.

A RESOLUTION GRANTING PERMIT TO THE KIWANIS CLUB TO ERECT BANNER

---oOo---

BE IT HEREBY RESOLVED that permit be granted to the Kiwanis Club of Modesto to display a banner at Tenth and J Streets from this day until November 7th to urge people to vote at the General Election of November 7, 1950 after the usual fee of \$10 00 has been paid.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 1st day of November, 1950 by Commissioner Stanley, who moved its adoption, which motion being duly seconded by Commissioner Burkner, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9178-N.S.

ADJOURNMENT

---oOo---

BE IT HEREBY RESOLVED that this Council meeting now in session adjourn.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 1st day of November, 1950 by Commissioner Frad, who moved its adoption, which motion being duly seconded by Commissioner Condit, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9179-N.S.

A RESOLUTION AUTHORIZING THE CITY ATTORNEY AND MAYOR TO ARRANGE MEETING ON CHARTER

---oOo---

BE IT HEREBY RESOLVED that the Mayor and City Attorney be authorized to arrange a meeting with Attorney Allen Grimes. The City Council and the former Freeholder's Committee, as soon as possible to go over the new city charter.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of November, 1950 by Commissioner Stanley, who moved its adoption, which motion being duly seconded by Commissioner Burkner, it was upon roll call carried and the resolution adopted by the following

vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 918C-N.S.

A RESOLUTION ALLOWING CLAIMS FOR MONTH OF OCTOBER, 1950

---oOo---

WHEREAS, the claims against the City of Modesto for the month of October, 1950, for the various sums in the aggregate hereinafter stated having been audited by the Council and found to be correct;

NOW THEREFORE, BE IT RESOLVED that all of said claims so audited and approved be and they are hereby ordered allowed with reference being made to the Auditor's Cash Records for further details relative to amounts of withdrawals from the various funds as follows:

GENERAL FUND-----	\$116,619 14
WATER FUND-----	7,742 08
LIBRARY FUND-----	2,854 45
1-2-----	165 79
1-9-A-----	21,887 31
1-9J-----	175 00
1-1C-----	825 93

\$150,269.70

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of November, 1950 by Commissioner Stanley, who moved its adoption, which motion being duly seconded by Commissioner Frad, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9181-N.S.

A RESOLUTION AUTHORIZING THE CITY CLERK TO REFER COMPLAINT FOR DAMAGES FILED BY CHARLES BALLEW TO THE INSURANCE CARRIER OF THE CITY OF MODESTO

---oOo---

BE IT HEREBY RESOLVED that the City Clerk be directed to refer to the insurance carrier of the City, a complaint for damages filed with him by the Sheriff's office on behalf of Charles Ballew for injuries sustained due to the operation of city owned truck on June 27, 1950.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of November, 1950 by Commissioner Burkner, who moved its adoption, which motion being duly seconded by Commissioner Frad, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9182-N.S.

A RESOLUTION AUTHORIZING THE CITY CLERK TO SUE IN THE SMALL CLAIMS COURT FOR UNCOLLECTED FEES DUE FOR THE USE OF THE FACILITIES AT THE MODESTO MUNICIPAL AIRPORT  
---oOo---

BE IT HEREBY RESOLVED THAT THE CITY CLERK be authorized to sue in the Small Claim Court, the Saturn Air Cargo for \$45.95 and M.L. Nelson for \$85.00, being unpaid bills for fees due for the use of the facilities at the Modesto Municipal Airport.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of November, 1950 by Commissioner Frad, who moved its adoption, which motion being duly seconded by Commissioner Condit, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon  
Noes: Councilmen: None  
Absent: Councilmen: None

ATTEST: REX E. GAILFUS  
CITY CLERK

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RESOLUTION NO. 9183-N.S.

A RESOLUTION APPOINTING V.E. BARTON TO SERVE THE UNEXPIRED TERM OF LEONARD LOCKHART ON THE MODESTO CITY PLANNING COMMISSION  
---oOo---

BE IT HEREBY RESOLVED that V.E. Barton be and he is hereby appointed a member of the Modesto City Planning Commission to serve the unexpired term of Leonard R. Lockhart, resigned, until January 10, 1953.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of November, 1950 by Commissioner Stanley, who moved its adoption, which motion being duly seconded by Commissioner Condit, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon  
Noes: Councilmen: None  
Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9184-N.S.

A RESOLUTION SETTING DATE FOR HEARING OF PROTESTS TO THE PROPOSED ZONING OF THE ROOSEVELT CENTER TRACT  
---oOo---

BE IT HEREBY RESOLVED that the date of November 22, 1950 at 7:30 P.M. at the City Hall be set as the time and place for the hearing of protests to the proposed zoning of the Roosevelt Center Tract (Weil Colony) recently annexed to the city as set forth in Resolution No. 103 adopted by the Modesto City Planning Commission, a copy of which said resolution is now on file 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 November, 1950 by Commissioner Burkner, who moved its adoption, which motion being duly seconded by Commissioner Condit, it was upon roll carried and the resolution

adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent:Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9185-N.S.

A RESOLUTION AUTHORIZING FINAL PAYMENT TO THE SPEARS CONSTRUCTION COMPANY ON VACUATOR TANK AT THE INDUSTRIAL WASTE TREATMENT PLANT

---oOo---

BE IT HEREBY RESOLVED that final payment of \$9765.00 be authorized to the Spears Construction Company on the Construction of a Vacuator tank and control structures and installing city furnished equipment at the Industrial Waste Treatment Plant, as the 35 day lien period required by the contract has expired and no claims have been filed against the contractor.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of November, 1950 by Commissioner Burkner, who moved its adoption, which motion being duly seconded by Commissioner Frad, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent:Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9186-N.S.

A RESOLUTION AUTHORIZING PAYMENT FOR EXTRA WORK TO THE SPEARS CONSTRUCTION COMPANY

---oOo---

BE IT HEREBY RESOLVED that payment be authorized to the Spears Construction Company of \$427.50 for extra work done on the Construction of Vacuator Tank and Control Structures at the Industrial Waste Treatment Plant, as provided by contract.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of November, 1950 by Commissioner Burkner, who moved its adoption, which motion being seconded by Commissioner Frad, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent:Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9187-N.S.

A RESOLUTION AUTHORIZING FINAL PAYMENT TO THE INDUSTRIAL ELECTRICAL COMPANY ON INSTALLATION ELECTRIC SWITCHBOARD FOR VACUATOR TANK

---oOo---

BE IT HEREBY RESOLVED that final payment be authorized of \$386.25 to the Industrial Electrical Company for the furnishing and installing electric switchboard, conduit and wiring for vacuator tank and controls at the Industrial Waste Treatment Plant

as the 35 day lien period required by the contract has expired and no claims have been filed against the contractor.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of November, 1950 by Commissioner Burkner, who moved its adoption, which motion being duly seconded by Commissioner Stanley, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9188-N.S.

A RESOLUTION REFERRING PROPOSED ANNEXATION TO PLANNING COMMISSION

---oOo---

WHEREAS, W.W. Giddings, Jr., and John W. Salter have published Notice of Intention to circulate petition for the purpose of securing sufficient signatures to call an election to determine whether certain territory should be annexed to the City of Modesto, and

WHEREAS, it appears that the real property described in said notice, which notice is on file in the office of the City Clerk, is subdivided territory

NOW THEREFORE BE IT RESOLVED that pursuant to the annexation Act of 1913, the City Council hereby refers the matter of said proposed annexation to the Modesto City Planning Commission for its report and recommendations back to the City Council.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of November, 1950 by Commissioner Burkner, who moved its adoption, which motion being duly seconded by Commissioner Frad, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9189-N.S.

A RESOLUTION APPOINTING COMMITTEE TO INVESTIGATE NUMBERING SYSTEM

---oOo---

BE IT HEREBY RESOLVED that a committee composed of City Engineer Rossi, Fire Chief Wemyss and Police Chief Pickering make a survey of the new numbering system for the City of Modesto and to report to the City Council on how the new system was being received by the general public, whether it was an improvement and whether a great number of complaints were being received.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of November,

1950 by Commissioner Stanley, who moved its adoption, which motion being duly seconded by Commissioner Frad, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent:Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9190-N.S.

A RESOLUTION ACCEPTING THE MAP OF THE CAMPUS TRACT NO. 2 and APPOINTING SIGNATORY OFFICIALS

---oOo---

BE IT HEREBY RESOLVED that the map of the Campus Tract No. 2 which had recently been annexed to the City of Modesto by Mary Sanders be accepted and the Mayor and City Clerk be appointed signatory officials.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of November, 1950 by Commissioner Burkner, who moved its adoption, which motion being duly seconded by Commissioner Frad, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent:Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9191-N.S.

A RESDLUTION GRANTING PERMIT TO THE MODESTO JUNIOR EXCHANGE CLUB TO DISPLAY BANNER ADVERTISING DANCE TO BE HELD BY THEM

---oOo---

BE IT HEREBY RESOLVED that permit be granted to the Junior Exchange Club to display banner in the business district from November 15 to November 24, 1950 inc. to advertise a dance to be held on November 24, 1950 after the usual \$10.00 fee has been paid.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of November, 1950 by Commissioner Stanley, who moved its adoption, which motion being duly seconded by Commissioner Frad, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent:Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9192-N.S.

A RESOLUTION GRANTING PERMIT TO M.A. HIGHTOWER TO CUT CURB IN BLOCK 31

---oOo---

BE IT HEREBY RESOLVED that permit be granted to M.A. Hightower to cut the curb 16 feet in Block 31, lot 16, under the supervision of the City Engineer.

The foregoing resolution was introduced at a regular meeting of the

Council of the City of Modesto held on the 8th day of November, 1950 by Commissioner Burkner, who moved its adoption, which motion being duly seconded by Commissioner Frad, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9193-N.S.

ADJOURNMENT

BE IT HEREBY RESOLVED that this Council meeting now in session adjourn.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of November, 1950 by Commissioner Frad, who moved its adoption, which motion being duly seconded by Commissioner Burkner, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9194-N.S.

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND STANISLAUS COUNTY ON RECREATION IN THE BRET HART AREA AND APPOINTING SIGNATORY OFFICIALS

---oOo---

BE IT HEREBY RESOLVED that an agreement be approved between the County of Stanislaus and the City of Modesto for the "promotion of a program of community recreation" in the Bret Hart Area for the fiscal year 1950-1951, providing for the payment by the County to the City, a sum of \$500.00 and the Mayor, City Auditor and Clerk be directed to sign said agreement.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 15th day of November, 1950 by Commissioner Frad, who moved its adoption, which motion being duly seconded by Commissioner Condit, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9195-N.S.

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND STANISLAUS COUNTY ON RECREATION IN THE MODESTO SCHOOL DISTRICT AND APPOINTING SIGNATORY OFFICIALS

---oOo---

BE IT HEREBY RESOLVED that an agreement be approved between the County of Stanislaus and the City of Modesto for the "promotion of a program of community recreation" in the Modesto School District for the fiscal year 1950-1951, providing for the payment by the County to the City of Modesto, a sum of \$6000.00 and the Mayor, City Auditor and Clerk be directed to sign said agreement.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 15th day of November, 1950 by Commissioner Frad, who moved its adoption, which motion being duly seconded by Commissioner Burkner it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon  
Noes: Councilmen: None  
Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9196-N.S.

A RESOLUTION AWARING BID ON ELECTRICAL EQUIPMENT TO THE GENERAL ELECTRIC COMPANY

---oOo---

WHEREAS, pursuant to referring bids on electrical equipment to the City Engineer for tabulation, and whereas he has filed a report at this time recommending that the bid of \$1714.66 of the General Electric Company was the best bid received and he recommended that their bid be accepted.

NOW THEREFORE BE IT RESOLVED that the bid of the General Electric Company be accepted as their bid was the best bid and the City Clerk be directed to return all bidding checks to the unsuccessful bidders.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 15th day of November, 1950 by Commissioner Condit, who moved its adoption, which motion being duly seconded by Commissioner Frad, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon  
Noes: Councilmen: None  
Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9197-N.S.

A RESOLUTION AUTHORIZING THE CITY CLERK TO CALL FOR BIDS ON SEWER LINE TO THE DOWNEY HIGH SCHOOL ON COFFEE ROAD

---oOo---

BE IT HEREBY RESOLVED that the City Clerk be authorized to call for bids on the construction of Sanitary Sewer System from Morris and Hunter Avenues to Downey High School on Coffee Road in accordance with the plans and specifications therefor on file in the office of the City Engineer, said bids to be opened on December 6, 1950.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 15th day of November, 1950 by Commissioner Burkner, who moved its adoption, which motion being duly seconded by Commissioner Stanley, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon  
Noes: Councilmen: None  
Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 9198-N.S.

A RESOLUTION APPOINTING SIGNATORY OFFICIALS ON AGREEMENT BETWEEN THE SOUTHERN PACIFIC COMPANY AND THE CITY OF MODESTO

---oOo---

BE IT HEREBY RESOLVED that the Mayor, City Clerk and City Auditor be appointed signatory officials on agreement between the Southern Pacific Company and the City of Modesto extending the terms of agreement covering private roadway on property under Southern Pacific Trestle to October 1, 1951.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 15th day of November, 1950 by Commissioner Stanley, who moved its adoption, which motion being duly seconded by Commissioner Condit, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon  
Noes: Councilmen: None  
Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9199-N.S.

A RESOLUTION ACCEPTING DONATION FROM THE STANISLAUS COUNTY BAND MOTHER'S CLUB

---oOo---

BE IT HEREBY RESOLVED that the donation of \$250.00 be accepted from the Stanislaus County Band Mother's Club for the lighting of the Mancini Bowl and the City Clerk is directed to acknowledge receipt of donation and to express the appreciation of the citizens of Modesto for this donation.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 15th day of November, 1950 by Commissioner Burkner, who moved its adoption, which motion being duly seconded by Commissioner Condit, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon  
Noes: Councilmen: None  
Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9200-N.S.

A RESOLUTION ACCEPTING REPORT FROM THE CITY ENGINEER AND POLICE CHIEF AND AUTHORIZING THEM TO PROCEED WITH THE LEGAL STEPS TO ESTABLISH PARKING TIME AT CERTAIN LOCATIONS

---oOo---

WHEREAS, pursuant to appointing the City Engineer and Police Chief as a committee to investigate parking time on various streets in the City and whereas they have filed a report at this time recommending the following changes:

- 1-On 11th Street between G and F Streets - change parking time from two hours to one hour.
- 2-On 15th Street between I and J Streets - provide two hour parking limit
- 3-On 13th Street between I and J Streets - provide 2 hour time and 2 hour parking meters
- 4-On H Street between 5th and 8th Streets- provide one hour time limit and one hour parking meters
- 5-On G street between 9th Street and 12th Street - no change

NOW THEREFORE BE IT RESOLVED that the report be accepted and the City Engineer and Police Chief be authorized to proceed with the necessary legal steps to put the changes in effect.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 15th day of November, 1950 by Commissioner Stanley, who moved its adoption, which motion being duly seconded by Commissioner Frad, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon  
 Noes: Councilmen: None  
 Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9201-N.S.

A RESOLUTION AUTHORIZING THE REPAIR OF THE FENCE AT THE BASEBALL PARK BY THE INSURANCE COMPANY UNDER THE DIRECT SUPERVISION OF THE CITY ENGINEER

---oOo---

BE IT HEREBY RESOLVED that the replacement of the fence at the Municipal Ball Park which was blown down by wind on October 26, 1950 be authorized by the Insurance Company under the direct supervision of the City Engineer.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 15th day of November, 1950 by Commissioner Frad, who moved its adoption, which motion being duly seconded by Commissioner Stanley, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon  
 Noes: Councilmen: None  
 Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9202-N.S.

A RESOLUTION AUTHORIZING THE INCREASE OF \$10.00 in the SALARY OF AILEEN MILLER

---oOo---

BE IT HEREBY RESOLVED that the salary of Aileen Miller, Typist-Clerk in the Public Works Department, be increased from \$195.00 to \$205.00 per month as of November 16, 1950.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 15th day of November, 1950, by Commissioner Burkner, who moved its adoption, which motion being duly seconded by Commissioner Frad, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon  
 Noes: Councilmen: None  
 Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 9203-N.S.

ADJOURNMENT

BE IT HEREBY RESOLVED that this Council meeting now in session adjourn.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 15th day of November, 1950 by Commissioner Burkner, who moved its adoption which motion being duly seconded by Commissioner Frad, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon  
Noes: Councilmen: None  
Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9204-N.S.

A RESOLUTION GRANTING EXTENSION TO THE BARIUM PRODUCTS COMPANY ON SEWER SERVICE UNTIL JANUARY 3, 1951.

---oOo---

WHEREAS, petition has been filed by the Barium Products Limited requesting that Resolution No. 9128-N.S. entitled: "A RESOLUTION TERMINATING AND CANCELLING AGREEMENT WITH THE BARIUM PRODUCTS COMPANY" adopted by the Council on October 4, 1950 be reviewed since they had made modifications and changes in the handling of the effluent from the Barium Plant, and

WHEREAS, City Engineer Rossi reported that some progress has been made at the Barium Plant but that he wished some additional time to study the program,

NOW THEREFORE BE IT RESOLVED that the termination of the agreement between the City of Modesto and the Barium Products Company for the handling of the effluent from the Barium Plant in Modesto be extended until January 3, 1951.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of November, 1950 by Commissioner Frad, who moved its adoption, which motion being duly seconded by Commissioner Condit, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Condit, Frad, Stanley, Mayor Shannon  
Noes: Councilmen: None  
Absent: Councilmen: Burkner

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9205-N.S.

A RESOLUTION ACCEPTING THE BID OF THE H. V. CARTER COMPANY, INC., ON ONE FAIRWAY GREENS AERIFIER

---oOo---

BE IT HEREBY RESOLVED that the bid of the H.V. Carter Company, Inc., of \$787.95 on one Fairway Greens Aerifier be accepted.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of November, 1950 by Commissioner Stanley, who moved its adoption, which motion being duly seconded by Commissioner Frad, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent:Councilmen: Burkner

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9206-N.S.

A RESOLUTION AUTHORIZING HARRY SHAM TO ATTEND MEETING IN CHICO

BE IT HEREBY RESOLVED that Harry Sham, Airport Manager of the City of

Modesto, be authorized to attend the California Association of Airport Executives, Inc. meeting in Chico on December 7, 8, 9, 1950 with all expenses paid.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of November, 1950 by Commissioner Stanley, who moved its adoption, which motion being duly seconded by Commissioner Condit, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent:Councilmen: Burkner

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9207-N.S.

A RESOLUTION AUTHORIZING THE ATTENDANCE OF CITY ENGINEER ROSSI TO MEETING OF THE PUBLIC UTILITIES COMMISSION ON GRADE SEPARATION PROBLEMS

---oOo---

BE IT HEREBY RESOLVED that City Engineer Rossi be authorized to attend a meeting of the Public Utilities Commission on Grade Separation problems at a date to be announced later, with all expenses paid.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of November, 1950 by Commissioner Stanley, who moved its adoption, which motion being duly seconded by Commissioner Frad, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent:Councilmen: Burkner

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9208-N.S.

A RESOLUTION AUTHORIZING FINAL PAYMENT TO MUNN & PERKINS ON THE IMPROVEMENT OF EIGHTH STREET BETWEEN L AND I STREETS IN THE CITY OF MODESTO

---oOo---

BE IT HEREBY RESOLVED that final payment be authorized to Munn & Perkins of \$2483.69 on the improvement of Eighth Street between L and I Streets in the City of Modesto as the 35 day lien period had expired and no claims had been filed.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of November, 1950 by Commissioner Frad, who moved its adoption, which motion being duly seconded by Commissioner Condit, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent:Councilmen: Burkner

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9209-N.S.

A RESOLUTION AUTHORIZING THE ATTENDANCE OF CITY ENGINEER ROSSI TO THE CALIFORNIA TRAFFIC SAFETY CONFERENCE IN SACRAMENTO

---oOo---

BE IT HEREBY RESOLVED that the attendance of City Engineer Rossi to the 1950 California Traffic Safety Conference in Sacramento on December 7-8, 1950 be authorized with all expenses paid.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of November, 1950 by Commissioner Condit, who moved its adoption, which motion being duly seconded by Commissioner Frad, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent:Councilmen: Burkner

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9210-N.S.

A RESOLUTION AUTHORIZING PAYMENT TO SPEARS CONSTRUCTION COMPANY

---oOo---

WHEREAS, the cost of the vacuator and other installations at the sewer farm exceed the amount of money in the bond account, and

WHEREAS, there is still an unpaid balance of \$3533.46 due Spears Construction Company on the installation of the vacuator at the Sewer Farm

NOW THEREFORE BE IT RESOLVED that the payment of the balance due Spears Construction Company be authorized from the General Fund to be charged against the appropriation for a new vacuator in the 1950-51 budget.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of November, 1950 by Commissioner Frad, who moved its adoption, which motion being duly seconded

by Commissioner Condit, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Burkner

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9211-N.S.

A RESOLUTION AUTHORIZING THE ASSESSOR OF THE CITY OF MODESTO TO CANCEL CERTAIN ASSESSMENTS ON THE 1950-1951 TAX ROLL

---oOo---

BE IT HEREBY RESOLVED That the following assessments on the 1950-1951 tax roll be cancelled by the Assessor of the City of Modesto:

Tax Bill #4882-Seg. #5624, Robert Carlson, Block 630, Lot 10 Improvements \$4025.00, constructed after the first Monday in March, tax free 1950-1951, total tax \$50.31.

Tax Bill #4475-Seg. #5631, Charles W. Wherry, Block 91, lot 20, duplicate assessment \$850.00, real estate \$1720.00 improvements also included under tax bill No. 4474, total tax \$33.41.

Tax Bill #133-Seg. #5630 Ollie Arden, Block 34, SW 32' of Lots 17 and 18, Lots assessed at \$535.00 in error, cancell, correct assessment \$225.00, correction \$310.00, total tax \$4.03.

Tax Bill #5578-Seg. #5625, Ella M. Swanson, Block 1038, Beg. at the N.W. cor. E 139.87' S 150' W 139.87' N 150' to Beg. Cancel improvement assessment \$900.00, moved prior to the First Monday in March. Total tax \$9.90.

Tax Bill #5301-Seg. #5621, Margaret L. Sanders, Block 813, lot 10 and the N 32.50' of Lot 9, improvement value \$5025.00 assessed in error not completed on the first Monday in March, total tax \$62.81.

Tax Bill #2628-Seg. #5611, A.A. Morrison, Block 516 W 84' of Lots 16 to 18 inc. Improvement Value \$2400.00 cancel, paid by Neville Bros. Oil Company, May 5, 1950, total tax \$31.20.

Tax Bill #794, Church of Christ, Block 82, Improvements on lots 17 to 20 inc. (Basement of Church), assessed valuation real estate \$330.00, improvements \$1500.00. This property purchased by the City of Modesto "off-street Parking Authority", after the first Monday in March, total tax \$23.79.

Tax Bill #1050, Seg. #5613, R. Margaret Davis, Block 61, lots 17 to 20 inc. Assessed value improvements \$825.00, moved off prior to the first Monday in March, total tax \$10.73.

Tax Bill #3609 J.A. Saletta, Block 67, lots 25 & 26. Lots assessed at \$10,800.00 in error. Correct assessment \$9,570.00. Total tax \$15.99.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of November, 1950 by Commissioner Frad, who moved its adoption, which motion being duly seconded by Commissioner Condit, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Burkner

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9212-N.S.

A RESOLUTION REQUESTING THE MODESTO OFF-STREET PARKING AUTHORITY TO APPEAR BEFORE THE COUNCIL AND DISCUSS PARKING VIOLATION OVER-LOOKED BY THE POLICE DEPARTMENT

---oOo---

WHEREAS, a communication has been filed with the City Council by the City of Modesto Off-Street Parking Authority, protesting to the fact, that in their opinion, too many parking violations were being overlooked by the Police Department, resulting in the loss of a considerable amount of revenue, and

WHEREAS, this is deemed to be a charge against the operation of the Police Department

NOW THEREFORE BE IT RESOLVED that the City Council does hereby request that the Modesto Off-Street Parking Authority appear before the Council and present

their suggestions and recommendations in regard to this matter directly.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of November, 1950 by Commissioner Stanley, who moved its adoption, which motion being duly seconded by Commissioner Frad, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Frad, Condit, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Burkner

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9213-N.S.

ADJOURNMENT

BE IT HEREBY RESOLVED that this Council meeting now in session adjourn.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of November, 1950 by Commissioner Frad, who moved its adoption, which motion being duly seconded by Commissioner Condit, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Burkner

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9214-N.S.

A RESOLUTION AMENDING RESOLUTION NO. 8813-N.S. AUTHORIZING THE CITY COUNCIL TO FRAME OR CAUSE TO BE FRAMED A PROPOSED CHARTER FOR THE CITY OF MODESTO AND APPOINTING A COMMITTEE TO FRAME SAID CHARTER

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

That Resolution No. 8813-N.S., as adopted on the 8th day of March, 1950, be and the same is amended to read as follows, to-wit:

"WHEREAS, there has been submitted to and adopted by the electors of the City of Modesto a proposed new charter for said City, and

"WHEREAS, said charter has been held unconstitutional and invalid by the Superior Court of the State of California, in and for the County of Stanislaus,

"WHEREAS, the City Council of the City of Modesto desires to submit a proposed Charter for the government of the City to the electors of said City for adoption or rejection, and

"WHEREAS, the City Council of the City of Modesto desires to avail itself of the recommendations of a Citizens Committee regarding the contents of the proposed Charter;

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

"1. That pursuant to the authority granted by subsection (f) of Section 8 of Article XI of the Constitution of the State of California, the City Council shall frame or cause to be framed a proposed charter for the City of Modesto and submit the proposal for the adoption thereof to

the electors at either a special election called for that purpose or at any general or special election.

"2. The following committee is appointed to make a preliminary draft of a proposed Charter for the government of the City of Modesto, and submit said proposed draft to the City Council of the City for consideration, revision, and submission to the electorate in such form as the City Council may deem appropriate after consultation with said Citizens Committee:

ROBERT FOWLER

MELVILLE D. HARRIS

W.W. GIDDINGS, SR.

CHARLES WHERRY

RICHARD VANDER WALL

MAURICE PHILLEO

DAVID WILSON

HARRY WINDUS

NORMAN WEST

HENRY G. ANDERSON

EARL DAMIN

FRANK DAMRELL

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of December, 1950, by Councilman Frad, who moved its adoption, which motion being duly seconded by Councilman Burkner, was upon roll call duly carried, and the Resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9215-N.S.

JOINT RESOLUTION OF THE MODESTO CITY COUNCIL AND THE CITIZENS ADVISORY COMMITTEE

---oOo---

WHEREAS joint meetings have been held by the Modesto City Council and the Citizens Advisory Committee for the purpose of eliminating mechanical and legal defects in the Charter proposed by the former Board of Freeholders, and

WHEREAS it is the opinion of both groups that the Charter, as now proposed, does not change in any way the policies and principles set forth in the Charter proposed by the former Board of Freeholders and heretofore adopted by the people,

NOW THEREFORE, be it jointly resolved as follows:

- 1 - That the City Council and the Citizens Advisory Committee are in complete accord with the document as now legally and technically corrected.
- 2 - That it is the opinion and the desire of both groups the Charter as corrected does not change in any manner whatsoever the policies and doctrines embodied in the original charter
- 3 - That it is the opinion of both groups that the Charter should be submitted to the electorate in such form that the people may indicate clearly their choice on two controversial issues, namely, the method of discharge of the City Manager and type of tax rate.

BE IT FURTHER RESOLVED that such Charter be submitted to the electorate at the earliest possible legal date.

The foregoing resolution was introduced at a meeting of the Citizens Advisory Committee held on December 6, 1950 by Norman West, seconded by Mel. Harris and it was upon roll call adopted by the following vote:

Ayes: Henry G. Anderson, Robert B. Fowler, William W. Giddings, Melville D. Harris, Maurice G. Philleo, Richard Vanderwall, Charles W. Wherry, David Arthur Wilson

Noes: None

Absent: Harry R. Windus, Earl E. Damin

CITIZENS ADVISORY COMMITTEE

ROBERT B. FOWLER, CHAIRMAN

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of December, 1950 by Commissioner Stanley, who moved its adoption, which motion being duly seconded by Commissioner Frad, it was upon roll call carried by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

\*\*\*\*\*

RESOLUTION NO. 9216-N.S.

A RESOLUTION EXPRESSING VOTE OF APPRECIATION TO THE MEMBERS OF THE CITIZENS ADVISORY COMMITTEE FOR THEIR ASSISTANCE IN THE PREPARATION OF A NEW CITY CHARTER

---oOo---

WHEREAS, under date of March 8, 1950, the City Council appointed the following persons to act as the "Modesto Citizens Advisory Committee":

HENRY G. ANDERSON  
EARL E. DAMIN  
FRANK C. DAMRELL  
ROBERT B. FOWLER  
WILLIAM W. GIDDINGS  
MELVILLE D. HARRIS  
MAURICE G. PHILLEO  
RICHARD VANDERWALL  
NORMAN W. WEST  
CHARLES W. WHERRY  
DAVID ARTHUR WILSON  
HARRY R. WINDUS

WHEREAS, the said Committee has been of invaluable assistance to the City Council in the preparation of this document,

BE IT HEREBY RESOLVED that the Committee be given a vote of appreciation for their excellent work on this committee.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto by Commissioner Burkner, who moved its adoption, which motion being duly seconded by commissioner condit, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9217-N.S.

A RESOLUTION AWARING BID ON CATHODIC PROTECTION EQUIPMENT FOR WATER STORAGE TANK

---oOo---

BE IT HEREBY RESOLVED that the bid of the Harco Corporation for providing cathodic protection equipment for the 600,000 gallon water storage

tank for \$1935.00 be accepted, with the understanding that they would guarantee their material for at least ten years.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of December, 1950 by Commissioner Burkner, who moved its adoption, which motion being duly seconded by Commissioner Frad, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent:Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9218-N.S.

A RESOLUTION AUTHORIZING PAYMENT TO BAKER-NEWMAN FOR THE FURNISHING AND INSTALLING OF GAS FIRED BOILER AT THE MCHENRY PUBLIC LIBRARY

---oOo---

BE IT HEREBY RESOLVED that payment of \$1773.41 be authorized to Baker-Newman for the furnishing and installing of gas fired boiler at the McHenry Public Library as per contract.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of December, 1950 by Commissioner Frad, it was upon roll call carried by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent:Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9219-N.S.

A RESOLUTION AUTHORIZING PAYMENT TO THE STANDARD MATERIALS COMPANY

---oOo---

BE IT HEREBY RESOLVED that payment of \$870.32 be authorized to the Standard Materials Company, as final payment for improving Johnson Street, between Morris Avenue and Maynell Avenue as the 35 days lien period had expired.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of December, 1950 by Commissioner Burkner, who moved its adoption, which motion being duly seconded by Commissioner Stanley, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent:Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9220-N.S.

A RESOLUTION AUTHORIZING FINAL PAYMENT TO MALLOTT & PETERSON & GRUNDY ON THE RESURFACING OF TENNIS COURTS IN GRACEADA PARK

---oOo---

BE IT HEREBY RESOLVED that final payment of \$745.00 be authorized to Malott & Peterson-Grundy, on the resurfacing of the Tennis Courts in Graceada Park, as the 35 days lien period has expired and no claims have been filed against the contractors.

The foregoing resolution was introduced at a regular meeting of the Council

of the City of Modesto held on the 6th day of December, 1950 by Commissioner Frad, who moved its adoption, which motion being duly seconded by Commissioner Condit, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9221-N.S.

A RESOLUTION AUTHORIZING PROGRESSIVE PAYMENT TO PISANO BROTHERS FOR THE CONSTRUCTION OF SANITARY SEWER LINE TO THE MARK TWAIN SCHOOL

---oOo---

BE IT HEREBY RESOLVED that progressive payment of \$7948.50 be authorized to Pisano Brothers for the construction of Sanitary Sewer line from Franklin and H Streets to the Mark Twain School.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of December, 1950 by Commissioner Burkner, who moved its adoption, which motion being duly seconded, by Commissioner Stanley, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9222-N.S.

A RESOLUTION AUTHORIZING PROGRESSIVE PAYMENT TO CARR & ROCCA FOR BUILDING OF LA LOMA BRIDGE ACROSS BEARD BROOK

---oOo---

BE IT HEREBY RESOLVED, that progressive payment of \$4186.37 be authorized to Carr & Rocca, for the construction of a reinforced concrete bridge on La Loma across Beard Brook.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of December, 1950 by Commissioner Burkner, who moved its adoption, which motion being duly seconded by Commissioner Frad, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9223-N.S.

A RESOLUTION AMENDING SECTION 1 OF RULE X "PROBATIONARY PERIOD" OF RULES AND REGULATIONS OF THE CIVIL SERVICE OF THE CITY OF MODESTO

---oOo---

BE IT HEREBY RESOLVED That Section 1 of the City of Modesto Civil Service Rules and Regulations of Rule X entitled "PROBATIONARY PERIOD"

be and it is hereby amended to read as follows:

Section 1 Regular appointment following Probationary Period: All original and promotional appointments for firemen and policemen shall be for a probationary period of one year. All original and promotional appointments for all other employees shall be for a probationary period of six months. The Personnel Clerk shall notify the appointing authority and the probationer concerned two weeks prior to the termination of any probationary period.

If the service of the probationary employee has been satisfactory to the appointing authority, then the appointing authority shall file with the Personnel Clerk a statement in writing to such effect and stating that the retention of such employee in the service is desired. If such a statement is not filed, the employees will be deemed to be unsatisfactory and his employment terminated at the expiration of the probationary period.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of December, 1950 by Commissioner Stanley, who moved its adoption, which motion being duly seconded by Commissioner Condit, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9224-N.S.

A RESOLUTION APPOINTING SIGNATORY OFFICIALS ON DEED TO ELIZABETH ZIMMERMAN FOR A PORTION OF LOT 14 and 15, BLOCK 635

---oOo---

BE IT HEREBY RESOLVED that the Mayor and City Clerk be appointed as signatory officials on deed to Elizabeth Zimmerman for a portion of lots 14 and 15, Block 635 in 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 December, 1950 by Commissioner Condit, who moved its adoption, which motion being duly seconded by Commissioner Frad, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

\*\*\*\*\*

RESOLUTION NO. 9225-N.S.

A RESOLUTION APPOINTING SIGNATORY OFFICIALS ON ACTUARY CONTRACT WITH COATES, HERFURTH AND ENGLAND, ACTUARIES

---oOo---

BE IT HEREBY RESOLVED that the Mayor and City Clerk be appointed signatory officials on contract with Coates, Herfurth and England, Actuaries, for the completion of a valuation report on the existing contract with the Board of Administration, State Employees' Retirement System.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of December, 1950 by Commissioner Frad, who moved its adoption, which motion being duly seconded by Commissioner Condit, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9226-N.S.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MODESTO  
---oOo---

WHEREAS, Earl Warren, Governor of the State of California, on the 15th day of November, 1950, executed the California Disaster and Civil Defense Master Mutual Aid Agreement on behalf of the State of California and all its Departments and Agencies;

NOW THEREFORE, the City Council of the City of Modesto does, by resolution, hereby approve and agree to abide by said California Civil Defense Master Mutual Aid Agreements; and the Clerk of this Council is hereby authorized and directed to send two certified copies of this resolution to the State Disaster Council for filing with said State Disaster Council.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of December, 1950 by Commissioner Stanley, who moved its adoption, which motion being duly seconded by Commissioner Burkner, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

Carl W. Shannon, Mayor

ATTEST: REX E. GAILFUS, CITY CLERK

I, Rex E. Gailfus, City Clerk of the City of Modesto, do hereby certify that the foregoing is a full, true, and correct copy of a resolution duly adopted by the City Council of the City of Modesto on the 6th day of December, 1950

Rex E. Gailfus, City Clerk

\*\*\*\*\*

RESOLUTION NO. 9227-N.S.

ADJOURNMENT

---oOo---

BE IT HEREBY RESOLVED that this Council meeting now in session adjourn.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of December, 1950 by Commissioner Stanley, who moved its adoption, which motion being duly seconded by Commissioner Frad, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9228-N.S.

A RESOLUTION GRANTING PERMIT TO THE ODD FELLOWS HALL ASSOCIATION TO HOLD PUBLIC

DANCES AT THEIR NEW HALL AT SCENIC DRIVE AND BODEM STREET IN THE CITY OF MODESTO

---oOo---

WHEREAS a petition has been filed by the Odd Fellows Association to hold dances at their new hall at Scenic Drive and Bodem Street, Block 590, lots 26 to 31 inclusive.

BE IT HEREBY RESOLVED that permit be granted to the applicants to hold public dances at this location providing these dances will be properly supervised and operated and they do not become a neighborhood nuisance.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of December, 1950 by Commissioner Burkner, who moved its adoption, which motion being duly seconded by Commissioner Condit, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

\*\*\*\*\*

RESOLUTION NO. 9229-N.S.

A RESOLUTION ALLOWING CLAIMS FOR THE MONTH OF NOVEMBER, 1950

---oOo---

WHEREAS, the claims against the City of Modesto for the month of November, 1950, for the various sums in the aggregate hereinafter stated having been audited by the Council and found to be correct;

NOW THEREFORE, BE IT RESOLVED that all of said claims so audited and approved be and they are hereby ordered allowed, with reference being made to the Auditor's Cash Records for further details relative to amounts of withdrawals from the various funds as follows:

GENERAL FUND-----	\$103,251 10
WATER FUND-----	20,890 79
LIBRARY FUND-----	6,252 11
1-10-L-----	7,045 29
1-2-----	128 61
1-9A-----	7,540 38
1-9J-----	55,250 00
	<u>          </u>
	\$200,348 28

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of December, 1950 by Commissioner Frad, who moved its adoption, which motion being duly seconded by Commissioner Condit, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9230-N.S.

A RESOLUTION GRANTING FREE PLUMBING PERMIT TO THE SALVATION ARMY

---oOo---

WHEREAS, a petition has been filed by R. B. Leshner, Captain of the Salvation

Army requesting that plumbing permit fee for their building being constructed at 610 Sixth Street be waived,

BE IT HEREBY RESOLVED that the plumbing permit required for this building be issued free of charge to the Salvation Army due to the fact that the Salvation Army performs a great deal of charity work in the community.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of December, 1950 by Commissioner Burkner, who moved its adoption, which motion being duly seconded by Commissioner Condit, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon  
Noes: Councilmen: None  
Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9231-N.S.

A RESOLUTION AWARDDING BID ON SEWER LINE TO DOWNEY HIGH SCHOOL TO THE STANDARD MATERIALS COMPANY

---oOo---

WHEREAS, pursuant to referring the bids for furnishing all labor, equipment and material necessary for the construction of sanitary sewer system from Morris and Hunter Avenues to Downey High School on Coffee Road to the City Engineer for tabulation and recommendation, and

WHEREAS, he has filed a report at this time recommending that the bid of the Standard Materials Company of \$15,672 00 be accepted

THEREFORE BE IT RESOLVED that the bid of the Standard Materials Company be accepted as it is the lowest and best bid, and the Mayor and City Clerk be appointed signatory officials on contract agreement for completion of work.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of December, 1950 by Commissioner Burkner, who moved its adoption, which motion being duly seconded by Commissioner Stanley, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon  
Noes: Councilmen: None  
Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9232-N.S.

A RESOLUTION GRANTING PERMIT TO THE MODESTO JUNIOR COLLEGE TO DISPLAY BANNER IN THE BUSINESS DISTRICT

---oOo---

BE IT HEREBY RESOLVED that permit be granted to the Modesto Junior College to display banner in the business district, if a proper location can be found, from December 26th through January 6, 1951, advertising the Basketball Tournament, after the usual \$10 00 fee has been paid.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of December, 1950 by

Commissioner Frad, who moved its adoption, which motion being duly seconded by Commissioner Burkner, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9233-N.S.

A RESOLUTION DENYING CLAIM OF GEORGE B. McBROOM AND EVA M. McBROOM

---oOo---

WHEREAS, claim has been filed on the City of Modesto on behalf of George B. McBroom and Eva M. McBroom for \$30,000 00 for personal injuries due to collision with city owned truck on September 28, 1950 at Tenth and D. Streets.

NOW THEREFORE BE IT RESOLVED that claim be denied of the said George B. McBroom and Eva M. McBroom.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of December, 1950 by Commissioner Burkner, who moved its adoption, which motion being duly seconded by Commissioner Condit, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Stanley, Frad, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9234-N.S.

A RESOLUTION PROVIDING FOR THE SUBMISSION OF A PROPOSED CHARTER FOR THE GOVERNMENT OF THE CITY OF MODESTO TOGETHER WITH ALTERNATIVE PROPOSITIONS RELATING THERETO TO THE VOTE OF THE QUALIFIED ELECTORS OF SAID CITY FOR ADOPTION OR REJECTION

---oOo---

WHEREAS, sub-section (f) of Section 8 of Article XI of the Constitution of the State of California authorizes the legislative body of a City, on its own motion, to frame or cause to be framed, a proposed Charter for the government of any such City and to submit a proposal for the adoption thereof to the electors of said City.

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

1. That the proposed Charter for the government of the City of Modesto together with alternative propositions relating thereto be submitted to the electors of the City for their approval or rejection at a special municipal election to be held therein on the 14th day of February, 1951, said proposed Charter and alternative propositions thereto being as follows, to wit:

PROPOSITION NO. 1. That the proposed Charter for the government of the City of Modesto be adopted, which said Charter reads as follows:

THE CHARTER OF THE CITY OF MODESTO

SUMMARY OF CONTENTS

- ARTICLE I. Incorporation and Succession.  
II. Powers of the City  
III. Elections.  
IV. Form of Government

- V. The Elective Officers.
- VI. The Mayor.
- VII. The Council.
- VIII. The City Manager.
- IX. Officers and Employees.
- X. Executive and Administrative Departments.
- XI. Appointive Boards and Commissions.
- XII. Personnel System.
- XIII. Fiscal Administration.
- XIV. Franchises.
- XV. Judicial System.
- XVI. Department of Education.
- XVII. Miscellaneous.

Article I. Incorporation and Succession.

- Section 100. Name of the City
- 101. Boundaries.
- 102. Rights and Liabilities
- 103. Ordinances.
- 104. Continuance of Contracts and Public Improvements.
- 105. Pending Actions and Proceedings.
- 106. Continuance of Present Officers and Employees.

Article II. Powers of the City.

- Section 200. General Powers.
- 201. Procedures.

Article III. Elections.

- Section 300. General Municipal Elections.
- 301. Special Municipal Elections.
- 302. Procedure for Holding Elections.
- 303. The Initiative, Referendum and Recall.

Article IV. Form of Government.

- Section 400. Council-Manager Form of Government.

Article V. The Elective Officers.

- Section 500. Enumeration.
- 501. Elected at Large.
- 502. When Offices Become Vacant.

Article VI. The Mayor

- Section 600. Term of Office.
- 601. Powers and Duties.
- 602. Additional Duties.
- 603. Mayor Pro Tempore.

Article VII. The Council.

- Section 700. Councilmen. Term of office.
- 701. Eligibility.
- 702. Vacancies.
- 703. Compensation.
- 704. Councilman to Hold no Other Office

- 705. Administering Oaths. Subpoenas.
- 706. The Governing Body.
- 707. Meetings of Council.
- 708. Meetings to be Public.
- 709. Quorum.
- 710. Rules of Proceeding.
- 711. Ordinances and Resolutions. Method of Action.
- 712. Ayes and Noes.
- 713. Majority Vote of Council.
- 714. Title.
- 715. Enacting Clause of Ordinances.
- 716. Requirements of Ordinances. Emergency Ordinances.
- 717. Ordinance Required in Certain Cases.
- 718. Reconsideration.
- 719. Signing and Attesting.
- 720. Revision and Amendment.
- 721. Repeal.
- 722. Ordinances. Effective Date.
- 723. Record of City Ordinances.
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Article VIII. The City Manager.

Section 800. City Manager.

- 801. Powers and Duties.

Article IX. Officers and Employees.

Section 900. Officers and Employees. General.

- 901. Duties of Officers and Employees.
- 902. Compensation of Officers and Employees.
- 903. Oath of Office.
- 904. Official Bonds.
- 905. Illegal Contracts, Financial Interest.
- 906. Nepotism.
- 907. Political and Religious Tests.

Article X. Executive and Administrative Departments.

Section 1000. Assignment of Powers. Organization.

- 1001. Health Department.

Article XI. Appointive Boards and Commissions.

Section 1100. In General.

- 1101. Appropriations.
- 1102. Appointments. Terms.
- 1103. Existing Boards.
- 1104. Meetings, Chairman.
- 1105. Compensation. Vacancies.
- 1106. Oaths. Affirmations.
- 1107. Planning Commission.
- 1108. Personnel Commission.
- 1109. Personnel Commission. Powers and Duties.
- 1110. Board of Library Trustees.

Article XII. Personnel System.

Section 1200. Personnel System. Merit Principle.

- 1201. Unclassified and Classified Service.
- 1202. Rules and Regulations.
- 1203. Political Activities Prohibited.
- 1204. Contract for Performance of Administrative.  
Functions.

Article XIII. Fiscal Administration.

- Section 1300. The Fiscal Year.
  - 1301. Tax System.
  - 1302. Annual Budget.
  - 1303. Public Hearing on Budget.
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Article XV. Judicial System.

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  - 1501. Jurisdiction. Exclusive.
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  - 1504. Pleading and Practice.
  - 1505. Disposition of Fines.
  - 1506. Eligibility of Judge.
  - 1507. Record of Proceedings.
  - 1508. Court Facilities.
  - 1509. Reorganization of Court System.
  - 1510. Law Enforcement.

Article XVI. Department of Education.

- Section 1600. General. School District.
  - 1601. Boundaries.
  - 1602. Board of Education.
  - 1603. Board of Education. Eligibility.
  - 1604. Board of Education. Powers and Duties.

Article XVII. Miscellaneous.

Section 1700. Effective Date of Charter.

1701. First Election Under Charter.

1702. Validity of Charter.

1703. Violation of Charter and Ordinances.

1704. Construction of Charter.

1705. Effect of Failure to Hold Election.

THE CHARTER OF THE CITY OF MODESTO

We, the people of the City of Modesto, State of California, do ordain and establish this Charter as the organic law of said City under the Constitution of said State.

ARTICLE I

INCORPORATION AND SUCCESSION

Section 100. Name of the City. The municipal corporation now existing and known as the City of Modesto shall remain and continue a body politic and corporate in name and in fact, by the name of the City of Modesto.

Section 101. Boundaries. The boundaries of the City of Modesto shall continue as now established until changed in the manner authorized by law.

Section 102. Rights and Liabilities. The City of Modesto shall remain vested with and continue to have, hold, and enjoy, all property, rights of property and rights of action of every nature and description now pertaining to this municipality, and is hereby declared to be the successor of the same. It shall be subject to all the liabilities that now exist against this municipality.

Section 103. Ordinances. All lawful ordinances, resolutions, rules and regulations, or portions thereof, in force at the time this Charter takes effect and not in conflict with or inconsistent herewith, are hereby continued in force until the same have been duly repealed, amended, changed or superseded by proper authority.

Section 104. Continuance of Contracts and Public Improvements. All contracts entered into by the City, or for its benefit prior to the effective date of this Charter, shall continue in full force and effect. Public improvements for which proceedings have been instituted under laws existing at the time this Charter takes effect, in the discretion of the City Council, may be carried to completion as nearly as practicable in accordance with the provisions of such existing laws or may be continued or perfected under this Charter.

Section 105. Pending Actions and Proceedings. No action or proceeding, civil or criminal, pending at the time when this Charter takes effect, brought by or against the City or any officer, office, department or agency thereof, shall be affected or abated by the adoption of this Charter or by anything herein contained, but all such actions or proceedings may be continued notwithstanding that functions, powers and duties of any officer, office, department or agency a party thereto, may be assigned or transferred by or under this Charter to another officer, office, department or agency, but in that event the same may be prosecuted or defended by the head of the office, department or agency to which such functions, powers, and duties have been assigned or transferred by or under this Charter.

Section 106. Continuance of Present Officers and Employees. The members of the City Council and Board of Education in office at the time of the approval of this Charter by the Legislature shall continue to hold office and discharge their duties for the balance of the term for which they were elected, or until their successors are elected and qualified. All appointive officials, officers and employees of the City now in office or employed at the time of the approval of this Charter by the Legislature, shall continue to hold their office or employment until they are reappointed or their successors are appointed in their place.

ARTICLE II.

POWERS OF THE CITY.

Section 200. General Powers. The City shall have the power to make and enforce all laws and regulations in respect to municipal affairs, subject only to such restrictions and limitations as may be provided in this Charter, and in the Constitution of the State of California. It shall also have the power to exercise ~~and~~ and all rights, powers and privileges heretofore or hereafter established, granted or prescribed by any law of the State, by this Charter, or by other lawful authority, or which a municipal corporation might or could exercise under the Constitution of the State of California.

The City shall have the power to expend a sum not to exceed \$1000 00 in any one year for the celebration of the anniversary of the independence of the United States, and to expend such sum as the City Council shall deem proper not to exceed five per centum of the property tax levy in one fiscal year for music, publicity and promotion.

The enumeration in this Charter of any particular power shall not be held to be exclusive of, or any limitation upon this general grant of power.

Section 201. Procedures. The City shall have the power and may act pursuant to any procedure established by any law of the State, unless a different procedure is established by this Charter, or by Ordinance.

ARTICLE III.

ELECTIONS.

Section 300. General Municipal Elections. General Municipal Elections for the election of officers and for such other purposes as the Council may prescribe, shall be held in said City on the second Tuesday in April of each odd numbered year, commencing with the year 1951.

Section 301. Special Municipal Elections. All other municipal elections that may be held by authority of this Charter, or of general law, or by Ordinance, shall be known as special municipal elections.

Section 302. Procedure for Holding Elections. Unless otherwise provided by Ordinances hereafter enacted, all elections shall be held in accordance with the provisions of the Elections Code of the State of California, as the same now exist or may hereafter be amended, for the holding of elections in cities of the sixth class, in so far as the same are not in conflict with this Charter.

Section 303. The Initiative, Referendum and Recall. Except in so far as is otherwise provided by ordinances hereinafter enacted, the provisions of the Elections Code of the State of California, as the same now exist or may hereafter be amended, governing the initiative, the referendum and the recall of municipal officers shall apply to the use thereof in the City in so far as the same are not in conflict with this Charter.

ARTICLE IV.

FORM OF GOVERNMENT.

Section 400. Council-Manager Form of Government. The municipal government provided by this Charter shall be known as the "Council-Manager" form of government.

ARTICLE V.

THE ELECTIVE OFFICERS.

Section 500. Enumeration. The elective officers of the City of Modesto shall be a Mayor and six Councilmen, and five members of the Board of Education.

The Council shall consist of the Mayor and six councilmen, each of whom, including the Mayor, shall have the right to vote on all questions coming before the Council.

Section 501. Elected at Large. The Mayor and Councilmen shall be elected at the general municipal election on a general ticket from the City at large.

Section 502. When Offices Become Vacant. An elective office becomes vacant when the incumbent thereof dies, resigns, is removed from office under recall proceedings, is adjudged insane, convicted of felony, or of an offense involving a violation of his official duties, or ceases to be a resident of the City, or neglects to qualify within the time prescribed by the provisions of this Charter, or shall have been absent from the State without leave for more than sixty consecutive days, or fails to attend the meetings of the body of which he is a member for a like period without being excused therefrom by said body.

ARTICLE VI.

THE MAYOR.

Section 600. Term of Office. The Mayor shall hold office for a term of four (4) years from and after the first Tuesday following his election and until his successor is qualified and elected.

Section 601. Powers and Duties. The Mayor shall be President of the City Council and shall preside at all its meetings and perform such other duties consistent with his office as may be imposed by the Council or by vote of the people. He shall be entitled to, and must vote, but shall possess no veto power. He shall be recognized as the official head of the City for all ceremonial purposes, by the Courts for the purpose of serving civil processes and by the Governor for military purposes. In time of public danger or emergency, he may, with the consent of the Council, take command of the police, maintain order and enforce laws.

Section 602. Additional Duties. The Mayor shall exercise such other powers and perform such other duties as may be prescribed by law or ordinance or by resolution of the Council, except as limited by this Charter.

Section 603. Mayor Pro Tempore. The Council shall elect one of its members to be Vice President. During the temporary absence or disability of the Mayor, the Vice President of the Council shall act as Mayor Pro Tempore. In case of the temporary absence or disability of both the Mayor and the Vice President, the Council shall elect one of its members to be Mayor Pro Tempore. In case of vacancy in the office of Mayor, the Vice President of the Council shall act as Mayor until such vacancy can be filled as provided in this Charter.

ARTICLE VII.

THE COUNCIL.

Section 700. Councilmen. Term of Office. Except as otherwise provided in this Section, the councilmen shall hold office for a term of four (4) years from and after the first Tuesday following their election, and continuing until their successors are elected and qualified.

The vacancies on the Council caused by the increase in number of councilmen (exclusive of the Mayor) from four to six shall be filled at a general or special municipal election which shall be held within three months after the approval of this Charter by the Legislature. Of the two councilmen elected within said three months, the one receiving the

greatest number of votes shall hold office until 1955 and the one receiving the next largest number of votes shall hold office until 1953, or until their successors are elected and qualified.

One additional Councilman shall be elected at the general municipal election in 1951 to succeed the present appointed member of the Council, which elected successor shall serve until 1953, or until his successor is elected and qualified.

Two additional councilmen shall be elected at the general municipal election in 1951. Three councilmen shall be elected at the general municipal election in 1953 and at each general municipal election thereafter.

A Mayor shall be elected at the general municipal election in 1951 and at each alternate general municipal election thereafter.

Ties among candidates for any office shall be settled by the drawing of lots.

Section 701. Eligibility. No person shall be eligible to be nominated for or to hold office as a member of the Council or as Mayor unless he is and shall have been for at least three (3) years preceding his election or appointment, a resident and qualified elector of the City of Modesto or of territory annexed thereto.

Section 702. Vacancies. If a vacancy shall occur in the office of Mayor or Councilmen, the Council shall forthwith appoint a person to fill such vacancy. Said appointee shall possess such qualifications for eligibility as are set forth in Section 701 of this Article and shall hold office until his successor is duly elected and qualified. Such successor shall be chosen at the next general municipal election, <sup>or at the first succeeding special municipal election</sup> called for any other purpose, or as otherwise provided in recall proceedings for the recall of an officer, which election shall not take place less than forty (40) days after such vacancy occurs. Such successor shall hold office for the unexpired term of the former incumbert.

In the event that the Council shall fail to fill a vacancy by appointment within thirty (30) days after such office shall have become vacant, it shall forthwith cause an election to be held to fill such vacancy.

Section 703. Compensation; The Mayor and councilmen shall receive no compensation for their services as such except to the extent heretofore or hereafter approved by the electorate, but the Mayor and members of the Council shall receive reimbursement on order of the Council for Council authorized traveling and other expenses when on official duty.

Section 704. Councilman to Hold No Other Office. No member of the Council shall hold any other municipal office or hold any office or employment the compensation of which is paid out of the municipal moneys; nor be elected or appointed to any office created or the compensation of which is increased by the Council, while he is a member thereof, until one year after the expiration of the term for which he was elected.

Section 705. Administering Oaths. Subpoenas. Each member of the Council shall have the power to administer oaths and affirmations in any investigation or proceeding pending before the Council. The Council shall have the power and authority to compel the attendance of witnesses, to examine them under oath and to compel the production of evidence before it. Subpoenas may be issued in the name of the City and be attested by the City Clerk. Disobedience of such subpoena or the refusal to testify (upon other than constitutional grounds), shall be deemed

contempt and shall be punishable as provided by the general laws of this state.

Section 706. Governing Body. All powers herein granted to and vested in the City of Modesto shall, except as herein otherwise provided, be exercised by a Council to be designated the Council of the City of Modesto. Said Council shall be the governing body of the City and, subject to the express limitations of this Charter, shall be vested with all powers of legislation in municipal affairs adequate to a complete system of local government consistent with the constitution of the state.

Section 707. Meetings of Council. The Council shall, by ordinance, provide for the time and place of holding its meetings and the manner in which its special meetings may be called.

Section 708. Meetings to be Public. All legislative sessions of the Council, whether, regular or special, shall be open to the public.

Section 709. Quorum. A majority of the Council shall constitute a quorum for the transaction of business, but a less number may adjourn from time to time and postpone the consideration of pending business.

Section 710. Rules of Proceeding. The Council shall determine its own rules of procedure, may punish its members for disorderly conduct and compel their attendance at the Council meetings.

Section 711. Ordinances and Resolutions. Method of Action. Legislative action shall be taken by the Council only by means of <sup>an</sup> ordinance or resolution.

Section 712. Ayes and Noes. The ayes and noes shall be taken upon the passage of all ordinances and resolutions and entered upon the journal of the proceedings of the Council. Upon the request of any member, the ayes and noes shall be taken and recorded on any vote. All members, when present, must vote.

Section 713. Majority Vote of Council. No ordinance or resolution shall be passed or become effective without receiving the affirmative votes of at least four members of the Council.

Section 714. Title. Every ordinance shall be preceded by a brief title which shall indicate the subject and purport thereof.

Section 715. Enacting Clause of Ordinances. The ordaining clause of all ordinances adopted by the Council shall be substantially as follows: "The Council of the City of Modesto does ordain as follows," and the ordaining clause of all ordinances adopted by the people shall be, "The People of the City of Modesto do ordain as follows."

Section 716. Requirements of Ordinances. Emergency Ordinances. With the sole exception of ordinances which take effect upon adoption referred to in this article, no ordinance shall be passed by the Council on the day of its introduction nor within five days thereafter nor at any other time than at a regular meeting, nor until its publication at least once in full in the official newspaper of the City of Modesto at least three (3) days before its adoption; and in case of amendment being made thereto before the final adoption of the ordinance, it must in like manner be republished in full as amended at least one day before its adoption as amended. The correction of typographical or clerical errors shall not constitute an amendment within the meaning of the foregoing sentence.

Emergency Ordinances. Any ordinance declared by the Council to be necessary as an emergency measure for preserving the public peace, health or safety, and containing a statement of the reasons for its urgency, may be introduced and adopted at one and the same meeting if passed by at least five affirmative votes.

Section 717. Ordinance Required in Certain Cases. No action providing for any specific improvement or the appropriation or expenditure of any public money, except a sum not exceeding fifteen hundred dollars; for the appropriation, acquisition or sale of public property, except as herein provided, or for a lease for more than one year; for

levying of any tax or assessment for the granting of any franchise; for establishing or changing fire limits; or for the imposing of any penalty, shall be taken except by ordinance, provided, that such exceptions shall be observed as may be provided for in cases when the Council takes action in pursuance of a general law of the state, including among such exceptions the expenditure of money or the acquisition of property as the result of the issuance and sale of municipal bonds.

Section 718. Reconsideration. When any ordinance is put upon its final passage and fails to pass, and a motion is made to reconsider, the vote upon such motion shall not be taken except at a meeting of the Council, held not less than one week after the meeting at which such motion was made.

Section 719. Signing and Attesting. All ordinances shall be signed by the Mayor and attested by the City Clerk.

Section 720. Revision and Amendment. No ordinance shall be revised, re-enacted or amended by reference to its title only; but the ordinance to be revised or re-enacted, or the section or sections thereof to be amended, or the new section or sections to be added thereto, shall be set forth and adopted in the method provided in this section for the adoption of ordinances.

Section 721. Repeal. No ordinance nor section thereof shall be repealed except by an ordinance adopted in the manner provided in this Charter.

Section 722. Ordinances. Effective Date. No ordinance adopted by the Council shall become effective until fifteen days from and after the date of its adoption, except the following, which shall take effect upon adoption:

- (a) An ordinance calling or otherwise relating to an election;
- (b) An improvement proceeding ordinance adopted under some law or procedural ordinance;
- (c) An ordinance declaring the amount of money necessary to be raised by taxation, or fixing the rate of taxation or levying the annual tax upon property;
- (d) An emergency ordinance adopted in the manner provided for in this Article;
- (e) An ordinance annexing areas to the City; or
- (f) An ordinance providing for a tax levy or appropriation for the usual current expenses of the City.

Section 723. Record of City Ordinances. A true and correct copy of all ordinances shall be kept and certified to by the City Clerk in a book marked "City Ordinances." Such record copy, with such certificate, or the original ordinance, shall be prima facie evidence of the contents of the ordinance and of the due passage and publication of the same, and shall be admissible as such in any court or proceeding. Such records shall not be filed in any case, but shall be returned to the custody of the City Clerk. Nothing herein contained shall be construed to prevent the proof of the passage and publication of an ordinance in the usual way.

Section 724. Codification of Ordinances. Any or all ordinances of the City which have been enacted and published in the manner required at the time of their adoption, and which have not been repealed, may be compiled, consolidated, revised, indexed and arranged as a comprehensive ordinance code, and such code may be adopted by reference with the same effect as an ordinance by the passage of an ordinance for such purpose. Such code need not be published in the manner required for other ordinances, but not less than three copies thereof shall be filed for use

and examination by the public in the office of the City Clerk prior to the adoption thereof. Ordinances codified shall be repealed as of the effective date of the code. Subsequent amendments to sections of the code shall be enacted in the same manner as herein required for the amendment of ordinances generally.

Detailed regulations pertaining to any subject such as the construction of buildings, plumbing, wiring or other subjects which require extensive regulations, when arranged as a comprehensive code, may likewise be adopted by reference in the manner provided in this section.

ARTICLE VIII.

THE CITY MANAGER.

Section 800. City Manager. There shall be a City Manager who shall be the chief administrative officer of the City. He shall be appointed for an indefinite term by the Council and serve at the pleasure of the Council except that he may not be removed from office except by the affirmative votes of at least five members of the Council. He shall be chosen on the basis of his executive and administrative qualifications, with special reference to his actual experience in, or his knowledge of accepted practice in respect to the duties of his office as hereinafter set forth. He need not be a resident of the City or State at the time of his appointment, but during his tenure of office, he shall reside within the City.

No resident of Stanislaus County, at the time this Charter becomes effective shall be appointed City Manager within twelve (12) months thereafter. The City Manager shall be appointed within ninety (90) days after this Charter becomes effective.

Section 801. Powers and Duties. The City Manager shall be head of the Administrative Branch of the City government. He shall be responsible to the Council for the proper administration of all affairs of the City and to that end, subject to the personnel provisions of this Charter, he shall have power and shall be required to:

(1) Appoint and, when necessary for the good of the service, discipline and remove all officers and employees of the City except as otherwise provided by this Charter, and except as he may authorize the head of any department or office to appoint or remove subordinates in such department or office.

(2) Prepare the budget annually and submit it to the Council and be responsible for its administration after its adoption.

(3) Prepare and submit to the Council as of the end of the fiscal year, a complete report on the finances and administrative activities of the City for the preceding year.

(4) Supervise preparation of the assessment roll and to make recommendations regarding the same to the Council.

(5) Establish a centralized purchasing system for all City offices, departments and agencies, and act as Purchasing Agent for the City.

a. Give preference to local merchants, quality and price being equal;

b. Establish and enforce specifications for supplies, materials and equipment required by the City;

c. Inspect all supplies and determine if the same are up to specifications;

d. Transfer equipment and supplies between departments and, with approval of the City Council, sell obsolete or unused personal property of the City.

(6) Prepare rules and regulations governing the contracting for, purchasing, storing, inventory, distribution or disposal of all supplies, materials and equipment

required by any office, department or agency of the City government and recommend them to the Council for its adoption by ordinance.

(7) Enforce the laws of the State pertaining to the City, the provisions of this Charter and the ordinances, franchises and rights of the City.

(8) Keep the Council advised of the financial condition and future needs of the City and make such recommendations on any matter as may to him seem desirable.

(9) To make and execute contracts on behalf of the City involving budgeted or appropriated expenditures of \$1500.00 or less.

(10) To appoint advisory boards, without compensation, to assist him in performance of his duty, if he deems it necessary.

(11) To interchange employees between or among departments if he deems it proper so to do.

(12) To immediately upon taking office, and annually thereafter, inventory and appraise the value of all real estate, buildings, furniture, and fixtures, supplies and moveable property of every kind and nature belonging to the City; and to require each officer or department head to inventory the same or any portion thereof. One copy of such inventory shall be filed with the City Council and one with the auditor.

(13) To act as and be custodian of all City property, custody of which has not been otherwise provided for.

(14) The Council shall have the right to instruct the City Manager in matters of policy and any action, determination or omission of the City Manager shall be subject to review by the Council, but no such action, determination or omission shall be overruled or modified by a vote of less than four-sevenths of the members of said Council.

(15) Perform such other duties as may be prescribed by this Charter or required of him by the Council not inconsistent with this Charter.

The City Manager shall be accorded a seat at the City Council table and shall be entitled to participate in the deliberations of the Council, but shall not have a vote. The City Council shall appoint one of the other officers of the City to serve as Manager Pro Tempore during any absence or disability of the City Manager

#### ARTICLE IX.

##### OFFICERS AND EMPLOYEES.

Section 900. Officers and Employees. General. The officers of the City of Modesto shall consist of a Mayor, the Council, the Board of Education, a City Manager, a City Clerk, a City Attorney, a City Judge, a City Auditor, and such other or subordinate officers, assistants, deputies and employees as the Council may deem necessary to provide by ordinance or resolution. The City Clerk, the City Attorney, the City Auditor, and the City Judge, shall be appointed by and may be removed by the affirmative votes of four members of the Council. The City Manager shall be appointed and removed as provided by Section 800 of this Charter. All others officers and department heads of the City shall be appointed by the City Manager and shall serve at the pleasure of the City Manager.

Section 901. Duties of Officers and Employees. After obtaining and considering the recommendations of the City Manager, the Council shall provide by ordinance or resolution, not inconsistent with this Charter, for the powers and duties of all officers and employees of the City.

Where the positions are not incompatible, the Council may combine in one person the powers and duties of two or more offices created or provided for in the Charter. No office provided herein to be filled by appointment by the City Manager may be combined with an office provided herein to be filled by appointment by the Council.

Notwithstanding the foregoing, the Council may transfer or consolidate functions of the City government to or with appropriate functions of the State or County government, or may make use of such functions of the State or County government, and in case of any such transfer or consolidation the provisions of this Charter providing for the function of the City government so transferred or consolidated, shall be deemed suspended during the continuance of such transfer or consolidation, to the extent that such suspension is made necessary or convenient and is set forth in the ordinance or resolution establishing such transfer or consolidation. Any such transfer or consolidation may be repealed in like manner.

Section 902. Compensation of Officers and Employees. The compensation of all City officers and employees, except as otherwise provided in this Charter, shall be by salary to be fixed by ordinance or resolution. No officer or employee shall be allowed any fees, perquisites, emoluments, rewards or compensation, aside from the salary or compensation as fixed by the Council, but all fees received by him in connection with his official duties shall be paid by him into the City Treasury.

Section 903. Oath of Office. Every officer of the City, before entering upon the duties of his office, shall take the oath of office as provided for in the Constitution of this State, and shall file the same with the City Clerk.

Section 904. Official Bonds. The Council shall fix by ordinance the amounts and terms of the official bonds of all officials or employees who are required by ordinance to give such bonds. All bonds shall be executed by responsible corporate surety, shall be approved as to form by the City Attorney and shall be filed with the City Clerk. Premiums on official bonds shall be paid by the City.

There shall be no personal liability upon, or any right to recover against, a superior officer, or his bond, for any wrongful act or omission of his subordinate, unless such superior officer was a party to, or conspired in such wrongful act or omission.

Section 905. Illegal Contracts. Financial Interest. No officer or employee of the City shall become financially interested except by testate or intestate succession, either directly or indirectly, in any contract, sale, purchase, lease, or transfer of real or personal property, to which the City is a party or be employed by any public service corporation regulated by, or holding franchises in the City; provided, however, that any member of a board or commission serving without compensation may sell or contract to sell personal property to the City to be used by a department of the City, board or commission other than the board or commission on which he serves. No officer or employee shall be deemed to be financially interested by the ownership of less than five (5) percent of the outstanding capital stock of a corporation. A wilful violation of any of the foregoing provisions shall be deemed a misdemeanor. Any contract or agreement made in contravention of this section shall be void.

Section 906. Nepotism. The Council shall not appoint to a salaried position under the City government any person who is a relative by blood or marriage within the second degree of any one or more of the members of such Council and neither shall any department head or other officer having appointive power appoint any relative within such degree to any such position.

Section 907. Political and Religious Tests. Except as otherwise provided by the general laws of this State heretofore or hereafter enacted, no appointment to any position under the City government shall be made or be withheld by reason of any religious or

political opinions or affiliations or political services, and no appointment to or selection for or removal from any office or employment and no transfer, promotion, reduction, reward or punishment shall be in any manner affected by such opinions, affiliations, or service.

#### ARTICLE X.

##### EXECUTIVE AND ADMINISTRATIVE DEPARTMENTS.

Section 1000. Assignment of Powers. Organization. After obtaining and considering the recommendations of the City Manager, the Council shall provide by ordinance, not inconsistent with this Charter, for the organization, functions, conduct and operation of the several offices and departments of the City, and may provide for the creation of additional departments, divisions, offices and agencies, and for their consolidation, alteration or abolition. It may further provide by ordinance or resolution for the assignment and reassignment of divisions, offices and agencies to departments, and for the number, titles, qualifications, powers, duties and compensation of all officers and employees.

Section 1001. Health Department. The Council shall establish by ordinance a City Health Department.

#### ARTICLE XI.

##### APPOINTIVE BOARDS AND COMMISSIONS.

Section 1100. In General. There shall be the boards and commissions enumerated in this Article which shall have the powers and duties herein stated. The number of members to comprise any commission shall be determined by ordinance or resolution of the Council. No member of any board or commission shall hold any paid office or employment in the City government. In order to be eligible for any appointment to any board or commission, a person shall be a qualified elector of the City. In addition, the Council may create by ordinance or resolution such boards or commissions as in its judgment are required and may grant to them such powers and duties as are consistent with the provisions of this Charter.

Section 1101. Appropriations. The Council shall include in the annual budget such appropriations of funds as in its opinion shall be sufficient for the efficient and proper functioning of such boards and commissions.

Section 1102. Appointments. Terms. The members of each of such boards or commissions shall be appointed by the Council. They shall be subject to removal, by motion of the Council adopted by at least four affirmative votes. The members thereof shall serve for a term of four years and until their respective successors are appointed and qualified.

The members first appointed to such boards and commissions shall so classify themselves by lot that each succeeding January 1st the term of one of their number shall expire. If the total number of members of a board or commission to be appointed exceeds four, the classification by the lot shall provide for the grouping of terms to such an extent as is necessary in order that the term of at least one member shall expire on each succeeding January 1st, and that the number of terms expiring in any year does not exceed by more than one the number expiring in any other year.

Section 1103. Existing Boards. The members of the boards and commissions holding office when this Charter takes effect shall continue to hold office thereafter until their respective terms of office shall expire and until their successors shall be appointed and qualified. The successors of such members

shall be appointed for terms of such duration, not exceeding four years, as will carry into effect the plan for staggered terms prescribed in the preceding section.

Section 1104. Meetings. Chairman. As soon as practicable, following the first day of January of every year, each of such boards and commissions shall organize by electing one of its members to serve as presiding officer at the pleasure of such board or commission. Each board or commission shall hold regular meetings as required by ordinance of the Council, and such special meetings as such board or commission may require. All proceedings shall be open to the public.

The affirmative or negative vote of a majority of the entire membership of such board or commission shall be necessary for it to take action.

The City Manager shall designate a secretary for the recording of minutes for each of such boards and commissions, who shall keep a record of its proceedings and transactions. Each board or commission may prescribe its own rules and regulations which shall be consistent with this Charter and copies of which shall be kept on file in the office of the City Clerk where they shall be available for public inspection. Each shall have the same power as the Council to compel the attendance of witnesses, to examine them under oath and to compel the production of evidence before it.

Section 1105. Compensation. Vacancies. The members of boards and commissions shall serve without compensation for their services as such, but may receive reimbursement for necessary traveling and other expenses incurred on official duty when such expenditures have received authorization by the Council.

Any vacancies in any board or commission, from whatever cause arising, shall be filled by appointment by the Council. Upon a vacancy occurring, leaving an unexpired portion of a term, any appointment to fill such vacancy shall be for the unexpired portion of such term. If a member of a board or commission absents himself from three regular meetings of such board or commission, consecutively, unless by permission of such board or commission expressed in its official minutes, or is convicted of a crime involving moral turpitude, or ceases to be a qualified elector of the City, his office shall become vacant and shall be so declared by the Council.

Section 1106. Oaths. Affirmations. Each member of any such board or commission shall have the power to administer oaths and affirmations in any investigation or proceeding pending before such board or commission.

Section 1107. Planning Commission. There shall be a Planning Commission. The Planning Commission shall have the power and duty to:

(a) Recommend to the Council, after a public hearing thereon, the adoption, amendment or repeal of a Master Plan or any part thereof for the physical development of the City; and

(b) Exercise such functions with respect to land subdivisions, planning and zoning as may be prescribed by ordinance or resolution.

Section 1108. Personnel Commission. There shall be a Personnel Commission, none of whom shall hold any salaried City office or employment nor while a member of the Commission nor for a period of one (1) year after he has ceased for any reason to be a member, be eligible for appointment to any salaried office or employment in the services of the City nor to any City elective office.

Section 1109. Personnel Commission, Powers and Duties. The Personnel Commission shall have power and be required to:

(a) Act in an advisory capacity to the Council and the City Manager on Personnel administration;

(b) Recommend to the Council after a public hearing thereon, the adoption, amendment or repeal of personnel rules and regulations;

(c) Hear appeals of any person in the classified service relative to any suspension, demotion or dismissal;

(d) Make any investigation which it may consider desirable concerning the administration of personnel in the municipal service and report its findings to the Council and the City Manager;

(e) Perform such other duties with reference to personnel administration not inconsistent with this Charter as the Council may require by ordinance or resolution.

Section 1110. Board of Library Trustees. There shall be a Board of Library Trustees. The Board of Library Trustees shall have charge of the administration of the McHenry Public Library and shall have the power and duty to:

(a) Make and enforce such bylaws, rules and regulations as it may deem necessary for the administration and protection of the City Library;

(b) Recommend the appointment and removal of the Librarian;

(c) Accept money, personal property or real estate donated to the City for library purposes, subject to the approval of the Council; and

(d) Contract with school, County or other government agencies to render or receive library services or facilities, subject to the approval of the Council.

## ARTICLE XII.

### PERSONNEL SYSTEM.

Section 1200. Personnel System. Merit Principle. Appointments and promotions in the Classified Service of the City shall be made according to merit and fitness and from eligible lists to be established in accordance with personnel rules and regulations adopted in the manner provided in this Charter.

Section 1201. Unclassified and Classified Service. The administrative service of the City shall be divided into Unclassified and Classified Service:

(a) The Unclassified Service shall comprise the following officers and positions:

1. All elected offices.

2. City Manager, City Attorney, City Judge, City Clerk, City Auditor, and 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.

(b) The Classified Service shall comprise all positions not specifically included by this section in the Unclassified service.

Section 1202. Rules and Regulations. 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.

Section 1203. Political Activities Prohibited. No person holding any position in the Classified Service, or on an eligible list, shall take an active part in any municipal political campaign or contribute thereto in behalf of any candidates, nor shall such person seek signatures to any petition seeking to advance the candidacy of any person for any municipal office. Nothing in this section shall be construed to prevent any such persons from seeking election or appointment to public office. Upon becoming a candidate for public office any such person shall request and be granted a leave of absence, without pay, to remain in effect during the period of time such person is a candidate.

Except as otherwise provided by the general laws of this State heretofore or hereafter enacted, no person in the Classified Service, or seeking admission thereto, shall be employed, promoted, demoted or discharged or in any way favored or discriminated against because of political opinions or affiliations or because of race or religious belief.

No officer or employee of the City and no candidate for any City office shall, directly or indirectly, solicit any assessment, subscription or contribution, whether voluntary or involuntary, for any municipal political purpose whatever, from anyone on the eligible lists or holding any position in the Classified Service.

Section 1204. Contract for Performance of Administrative Functions. The Council may contract with the governing body of a city, or county within this state, or with a state department or other public or private agency for the preparation or conducting of competitive examinations for positions in the City service or for the performance of any other personnel administration service.

### ARTICLE XIII.

#### FISCAL ADMINISTRATION.

Section 1300. The Fiscal Year. The fiscal year of the City shall commence upon the first day of July of each year, or at such other time as may be fixed by ordinance.

Section 1301. Tax System. The Council shall by ordinance provide a system for the assessment, levy and collection of City taxes upon property.

Section 1302. Annual Budget. On such date in each year as shall be fixed by the Council, the City Manager shall send to the Council a careful estimate, in writing, of the amounts, specifying in detail the objects thereof required for the business and proper conduct of the various departments, offices, boards and commissions of the City, over which he has control, during the next ensuing year. The City Manager shall also at said time submit to the Council an estimate of the amount of income from fines, licenses, and other sources of revenue, exclusive of taxes upon property, and the probable amount required to be levied and raised by taxation.

Section 1303. Public Hearing on the Budget. After reviewing the proposed budget as submitted by the City Manager and making such revisions as it may deem advisable, the Council shall determine the time for holding of a public hearing upon, and shall cause a notice thereof to be published not less than ten (10) days prior to said hearing by at least one insertion in the official newspaper of the City.

Copies of the proposed budget shall be available for inspection by the public at the office of the City Clerk at least ten (10) days prior to said hearing.

At the time so advertised or at any time to which such public hearing shall from time to time be adjourned, the Council shall hold a public hearing on the proposed budget at which interested persons desiring to be heard shall be given such opportunity.

Section 1304. Adoption of the Budget. After the conclusion of the public hearing the Council shall further consider the proposed budget and make any revisions there-

of that it may deem advisable and thereafter it shall adopt the budget with revisions, if any. Upon final adoption, the budget shall be in effect for the ensuing fiscal year.

From the effective date of the budget, the several amounts stated therein as proposed expenditures shall be and become appropriated to the various departments or activities therein described. All appropriations shall lapse at the end of the fiscal year to the extent that they shall not have been expended or lawfully encumbered.

At any meeting after the adoption of the budget, the Council may amend or supplement the budget by motion adopted by a majority vote of the Council.

Section 1305. Tax Limits. The Council shall have plenary power to levy and collect taxes for municipal purposes, including a tax sufficient to pay the interest and maintain the sinking fund of the bonded indebtedness of the City; and to levy not exceeding twenty (20) cents on each \$100 00 of the assessed value of all real and personal property within the City for the support and maintenance of free public libraries and reading rooms.

Section 1306. Independent Audit. The Council shall employ, at the beginning of each fiscal year, an independent certified public accountant who, at such time or times as may be specified by the Council, at least annually, shall examine the books, records, inventories, and reports of all officers and employees who receive, handle or disburse public funds and all such other officers and employees and departments as the Council may direct.

As soon as practicable after the end of the fiscal year, a final audit and report shall be submitted by such accountant to the Council, one copy thereof to be distributed to each member, one to the City Auditor, one to the City Manager and City Attorney respectively, and three additional copies to be placed on file in the office of the City Clerk where they shall be available for inspection by the general public.

Section 1307. Public Work to be Done by Contract. Every project involving an expenditure of public monies of more than Fifteen hundred (1500) Dollars for the construction or improvement of public buildings, works, drains, sewers, utilities, parks, playgrounds, and streets (exclusive of projects for resurfacing, maintenance and repair of streets) shall be let by contract to the lowest responsible bidder after notice by publication in the official newspaper by one or more insertions, the first of which shall be at least seven days before the time for opening bids.

All bids shall be accompanied by either a certified, or cashier's check, or a bidder's bond executed by a corporate surety authorized to engage in such business in California, made payable to the City. Such security shall be in amount not less than that specified in the notice inviting bids or in the specifications referred to therein, or if no amount be so specified then in an amount not less than ten (10) per cent of the aggregate amount of the bid. If the successful bidder neglects or refuses to enter into the contract, within the time specified in the notice inviting bids or specifications referred to therein, the amount of his bidder's security shall be declared forfeited to the City and shall be collected and paid into its general fund and all bonds so forfeited shall be prosecuted and the amount thereof collected and paid into such fund.

The Council may reject any and all bids presented and may re-advertise in its discretion.

The Council after rejecting bids, or if no bids are received, may declare and determine that, in its opinion, based on estimates approved by the City Manager the work in question may be performed better or more economically by the City with its own employees and after the adoption of a resolution to this effect by at least five affirmative votes of the Council may proceed to have said work done in the manner stated, without further observance of the provisions of this section. Such contracts likewise may be let without advertising for bids, if such work shall be deemed by the City Council to be of urgent necessity for the preservation of life, health or property and shall be authorized by resolution passed by at least five affirmative votes of the Council and containing a declaration of the facts constituting such urgency.

Nothing in this section shall be construed to apply to the acquisition or purchase of ~~electricity~~, electricity, <sup>electric power</sup> /electric energy by the City for any use or purpose.

Section 1308. Collusion with Bidder. Any officer of the City, or of any department thereof, who shall aid or assist a bidder in securing a contract to furnish labor, materials or supplies at a higher price than that proposed by any other bidder, or who shall favor one bidder over another by giving or withholding information, or who shall wilfully mislead any bidder in regard to the character of the materials or supplies called for, or who shall knowingly accept materials or supplies of a quality inferior to those called for by the contract, or who shall knowingly certify to a greater amount of labor performed than has been actually performed, or to the receipt of a greater amount or different kind of materials or supplies than has been actually received shall be deemed guilty of malfeasance and shall be removed from office

Section 1309. Collusion by Bidder. If at any time it shall be found that the person to whom a contract has been awarded has, in presenting any bid or bids, colluded with any other party or parties for the purpose of preventing any other bid being made, then the contract so awarded shall be null and void, and the Council shall advertise for a new contract for said works, or provide for such public work to be done by the City.

Section 1310. Demands Against the City. Moneys shall be drawn from the City Treasury only in the manner prescribed by ordinance of the Council.

Section 1311. Contracts for Official Advertising. The Council shall let annually contracts for the official advertising for the ensuing fiscal year. In the event there is more than one newspaper of general circulation published and circulated in the City, the Council shall advertise for one day, setting forth distinctly and specifically the work contemplated to be done, and asking for sealed proposals therefor. The proposals shall specify the type and spacing to be used at the rate or rates named in the bids. The Council shall let the contracts for such official advertising to the lowest responsible bidder publishing a newspaper in the City which is a newspaper of general circulation and has been in existence at the time of the awarding of the contract at least one year; provided, that the Council may reject any or all bids and advertise for new bids.

Section 1312. Actions Against The City. No suit shall be brought on any claims for money or damages against the City or any board, or officer thereof until a demand for the same has been presented as herein provided and rejected in whole or in part. If rejected in part, suit may be brought to recover the whole. Except in those cases where a shorter time is otherwise provided by law, all claims for damages against the City must be presented to the City Manager within ninety days after the occurrence, event or transaction from which the damages, allegedly arose, and shall set forth in detail the name and address of the claimant, the time, date, place and circumstances of the occurrence and the extent of the injuries or damages received; all other claims or demands shall be presented within ninety

days after the last item of the account or claim accrued.

In all cases such claims shall be approved or rejected in writing and the date thereof given. Failure to complete the action approving or rejecting any claim or demand within sixty days from the day the same is filed with the City Manager shall be deemed a rejection there of.

#### ARTICLE XIV.

##### FRANCHISES.

Section 1400. Franchises to Operate. No person, firm or corporation shall exercise any franchise right or privilege mentioned in this article in the City except in so far as he or it may be entitled to do so by direct authority of the Constitution of the State of California or of the United States, unless he or it shall have obtained a grant therefor in accordance with the provisions of this article of this Charter and in accordance with the procedure prescribed by ordinance. Nothing contained in this article shall be construed to invalidate any lawful franchise heretofore granted nor to necessitate the obtaining of a new franchise for a use for which a franchise holder shall have a valid unexpired franchise.

Section 1401. Authority to Grant Franchises. The Council is empowered to grant by ordinance a franchise to any person, firm or corporation, whether operating under an existing franchise or not, to furnish the City and its inhabitants with transportation, communication, terminal facilities, water, light, heat, power, refrigeration, storage or any other public utility or service, or to use the public streets, ways, alleys and places, as the same may now or may hereafter exist, in connection therewith.

Section 1402. Franchise Terms, Conditions and Procedures. The Council shall, by ordinance, prescribe the terms and conditions under which franchises will be granted, subject to the provisions of this Charter, and the procedure for granting franchises; provided, however, that such procedural ordinance or ordinances shall make provisions for the giving of notice of franchise applications, for protests against the granting of such franchises and for public hearings on such applications.

The Council, in granting franchises, shall prescribe the terms and conditions of such franchises in accordance with the applicable provisions of this Charter and any ordinance adopted pursuant thereto, and may in such franchise impose such other and additional terms and conditions not in conflict with said Charter or ordinances, whether governmental or contractual in character, as in the judgment of said Council are in the public interest or as the people, by initiative, indicate they desire to have so imposed.

Section 1403. Method of Granting Franchise. The Council may grant a franchise without calling for bids or may, in its discretion, advertise for bids for the sale of a franchise upon a basis, not in conflict with the provisions of this article, to be set out in the advertisement for bids and notice of sale.

Section 1404. Term of Franchise. Every franchise shall be either a fixed term not to exceed twenty (20) years, or for an indeterminate period. If for a fixed term, the franchise shall state the term for which it is granted; if indeterminate, it shall set forth the terms and conditions under which it may be terminated.

Section 1405. Purchase or Condemnation by City. No franchise grant shall in any way or to any extent impair or affect the right of the City now or

hereafter conferred upon it by law to acquire the property of the grantee thereof either by purchase or through the exercise of the right of eminent domain, and nothing herein contained shall be construed to contract away or to modify or to abridge either for a term or in perpetuity the City's right of eminent domain with respect to any public utility.

Section 1406. Minimum Compensation. No new franchise or the renewal of an existing franchise shall be granted except upon the condition that a sum equivalent to at least two (2) per cent of the gross annual receipts of the utility derived from the furnishing within the City of the utility service for which the franchise is awarded shall be paid to the City.

Section 1407. Article not Applicable to Certain Cases. Nothing in this article shall be construed as applying to or requiring the operators of refrigeration or storage utilities or the carriers of freight or passengers not operating over a fixed route, or other public utilities or services not specifically described in this article, to obtain a franchise to operate within the City unless required so to do by ordinance of the City of Modesto.

Section 1408. Exercising Right Without Franchise. The exercise by any person, firm or corporation of any privilege for which a franchise is required without procuring such franchise, shall be a misdemeanor, and each such day that such condition continues shall constitute a separate violation.

#### ARTICLE XV.

##### JUDICIAL SYSTEM.

Section 1500. Police Court. There is hereby created in and for the City of Modesto a court which shall be known as the Police Court of the City of Modesto. Said Court shall consist of one judge, who shall be appointed by the Council and who shall serve during its pleasure and who shall receive such compensation as the Council shall determine.

Section 1501. Jurisdiction. Exclusive. Said court shall have exclusive jurisdiction:

- (1) In all prosecutions for violations of the City ordinances.
- (2) In all actions for the recovery of any fine, penalty or forfeiture, and the enforcement of any obligation or liability prescribed or created by the City ordinances and in which the sum sued for does not amount to three hundred dollars.

Section 1502. Jurisdiction. Concurrent. Within the City limits said court shall have concurrent and coordinate jurisdiction with township justice courts in all matters and things in which said justice courts now or may hereafter have jurisdiction; and the judge of said police court shall have as aforesaid like authority, power and jurisdiction as the justices of said justice courts.

Section 1503. Jurisdiction. Appellate. Appeals may be taken to the Superior Court of the State of California, in and for the County of Stanislaus, from the judgments and orders of said police court, in all cases in which appeals now are or may hereafter be provided by law to be taken to said Superior Court from said justice courts and police courts.

Section 1504. Pleading and Practice. In all proceedings in and appeals from said police court, the pleadings, practice, procedure and laws now applicable or that may hereafter be made applicable to said justice or police courts, are hereby adopted and made applicable to said police court.

Section 1505. Disposition of Fines. All fines and other moneys received or collected by the judge of said police court for or on account of the City of Modesto shall immediately be paid into the City Treasury.

Section 1506. Eligibility of Judge. Nothing in this Charter shall be so construed as to prevent a justice of the peace from holding the office of police judge.

Section 1507. Record of Proceedings. The Judge of the Police Court shall keep a record of the proceedings of the Police Court in all matters and cases before said Court. Separate dockets shall be kept for civil and criminal cases.

Section 1508. Court Facilities. The City shall furnish for said court a suitable court room and office ~~room~~ and the necessary dockets and all blanks and other books and stationery necessary in the transaction of its business and the said court shall always be open for the transaction of business, except on Sundays and other non-judicial days.

Section 1509. Reorganization of Court System. In the event the system of Justices Court shall be succeeded by a new system of courts inferior to the Superior Court, then the jurisdiction and rules of practise of the City Court of the City of Modesto shall be the same as shall be prescribed by law for such new system of inferior courts.

Section 1510. Law Enforcement. The City Attorney shall be the prosecuting attorney in behalf of the people in all criminal cases arising from violations of the provisions of this Charter and the ordinances of the City, and shall attend to all suits and proceedings in which the City may <sup>be</sup> legally interested; provided the Council shall have control of all litigation of the City, and may employ other attorneys to take charge of any litigation or to assist the City Attorney therein.

#### ARTICLE XVI.

##### DEPARTMENT OF EDUCATION.

Section 1600. General. School District. The School Department of the City of Modesto shall comprise all the schools within the City of Modesto, the Modesto School District and all territory that is now or may hereafter be annexed thereto for school purposes and shall be known as "Modesto City School District." It shall consist of Kindergarten, Elementary, High Schools and Junior Colleges as now established and may at the discretion of the Board of Education include technical, industrial and adult education classes; provided that no school money shall be used for technical, industrial or adult education classes when such use would prevent the Board of Education from maintaining, Kindergarten, Elementary, High Schools and Junior Colleges for the regular minimum school term as fixed by State law. It is further provided that the Board of Education may, under due process of law and in conformity with the Education Code, change the basic plan of organization of the Modesto City Schools, it being mandatory that at all times provision be made for Kindergarten, Elementary, High Schools and Junior College education.

Section 1601. Boundaries. All territory included within the limits of the Modesto City School District or that may hereafter be included within such limits, but not within the City limits, shall be deemed a part of said City for the purpose of holding general municipal elections and shall constitute one or more separate election precincts, and the qualified electors therein shall vote only for members of the Board of Education and on questions submitted to a vote of the people at special or general elections pertaining to school matters; and said outside territory shall be deemed a part of said City for all matters connected with the school department and with the levying and collection of all taxes for school purposes.

Section 1602. Board of Education. The government of the school department shall be vested in a Board of Education which shall consist of five

members, to be elected from the school district at large, as herein provided, to be called members of the Board of Education, who shall serve without compensation. The members of said board shall be elected at the general municipal elections, and shall hold office for a period of four years, and until their successors are elected and have qualified; at the next general municipal election three members shall be elected and at the second municipal election following the adoption of this Charter, two members shall be elected to said Board, and thereafter, alternating, three and two, as the case may be, shall be elected at the succeeding general municipal elections.

Section 1603. Board of Education. Eligibility. No person shall be eligible to be nominated for or to hold office as a member of the Board of Education unless he is and shall have been for at least three years preceding his election or appointment a resident and qualified elector of the Modesto City School District or of territory annexed thereto.

Section 1604. Board of Education. Powers and Duties. The general government and administration of the Modesto City School District shall be vested in the Board of Education. Except as otherwise provided by legislative action of the Board, the provisions of Chapters 5 and 6 of Division 2 of the Education Code of the State of California, as the same now exist or may hereafter be amended, shall apply to the Modesto City School District in so far as they are not inconsistent with the provisions of this Charter.

#### ARTICLE XVII.

#### MISCELLANEOUS.

Section 1700. Effective Date of Charter. For the purpose of qualification and of the nominating of candidates and electing Mayor, Councilmen and Members of the Board of Education in accordance with this Charter, this Charter shall take effect from the time of the approval of the same by the legislature. For all other purposes, it shall take effect on the first Tuesday following the date of the election held for the purpose of filling the vacancies created by this Charter in the elective offices of the City.

Section 1701. First Election Under Charter. The City Council of the City of Modesto in office at the time this Charter is approved by the legislature shall provide for the holding of the first election of officers under this Charter, shall canvass the votes, and declare the result.

Section 1702. Validity of Charter. If any section, subsection, sentence, clause or phrase of this Charter is for any reason held to be unconstitutional or void, such decision shall not affect the validity of the remaining separable portions of this Charter. The people of the City of Modesto hereby declare that they would have adopted this Charter and each section, subsection, sentence, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional or void.

Section 1703. Violation of Charter and Ordinances. The violation of any provision of this Charter or of any ordinance of the City shall be deemed a misdemeanor, and may be prosecuted by the authorities of the City in the name of the people of the State of California, or may be redressed by civil action, at the option of said authorities. The maximum penalty upon conviction for the violation of any provision of this Charter, or of any ordinance of the City, shall be by a fine of not exceeding \$1000 or by imprisonment for a term of not exceeding one year or by both such fine and imprisonment. Any person sentenced to imprisonment for the violation of a provision of this Charter or of any ordinance may be imprisoned in the city jail, or, if the Council by ordinance shall so prescribed, the county jail of the county in which the City of Modesto is situated, or any road camp established in Stanislaus County, in which case the expense of such imprisonment shall be a charge in favor of such county against the City of Modesto.

Section 1704. Construction of Charter. The word "City" wherever it occurs in this Charter, means the City of Modesto, and every Commissioner, Commission, Department, Board, Officer, Employee, wherever mentioned in this Charter means the Commissioner, Commission, Department, Board, Officer, or Employee, as the case may be, of the City of Modesto. The word "Council" when used in this Charter means the Council of the City of Modesto.

Section 1705. Effect of Failure to Hold Election. If for any reason, the first general municipal election is not held on the day herein provided for, the validity of this Charter and of such election is not affected thereby and the City Council of the City of Modesto then in office must provide for the holding of such election as soon as possible thereafter.

PROPOSITION NO. 2. That as an alternative proposition, Section 800 of the proposed Charter read as follows:

Section 800. City Manager. There shall be a City Manager who shall be the chief administrative officer of the City. He shall be appointed for an indefinite term by the Council and shall serve at the pleasure of the Council, provided that he shall not be removed from office except by the affirmative vote of at least four members of the Council. He shall be chosen on the basis of his executive and administrative qualifications, with special reference to his actual experience in, or his knowledge of, accepted practice in respect to the duties of his office as hereinafter set forth. He need not be a resident of the City or State at the time of his appointment, but during his tenure of office, he shall reside within the City.

No resident of Stanislaus County, at the time this Charter becomes effective shall be appointed City Manager within twelve (12) months thereafter. The City Manager shall be appointed within ninety (90) days after this Charter becomes effective.

PROPOSITION NO. 3. That as an alternative proposition, Section 1305 of the proposed Charter read as follows:

Section 1305. Tax Limit. (a) General. The Council shall not levy a property tax for municipal purposes for any fiscal year in excess of \$1.25 on each \$100 of assessed value of the taxable property in the City, except as otherwise provided in this section, unless authorized by the affirmative votes of the majority of the electorate voting on a proposition to increase such levy at any election at which the question of such additional levy for municipal purposes is submitted to the electors. The number of years that such additional levy is to be made shall be specified in such proposition.

(b) Under County Tax System. In any fiscal year during which the City avails itself of the County system of property tax assessment and collection, the Council shall have the power to levy a property tax for municipal purposes at a rate which will raise an amount of money equal to, but not in excess of the sum which could have been raised by applying a tax rate of \$1.25 per \$100 of assessed value to the total assessed value of the taxable property in the City as last determined by the City Assessor, plus the total assessed value, as determined by the County Assessor, of all property within the City which has been added to the County tax assessment roll after the City tax assessment roll was last determined by the City Assessor.

(c) Additional Taxes. There shall be levied and collected at the time and in the same manner as other property taxes for municipal purposes are levied and collected, as additional taxes, if no other provision for the payment thereof is made:

1. A tax sufficient to meet all obligations of the City for principal and interest of all bonds or judgments due and unpaid or to become due during the ensuing fiscal year which constitute the general obligations of the City;

2. A tax sufficient to meet all obligations of the City to the State Employees' Retirement System for retirement of the City Employees, if any, due and unpaid or to become due during the ensuing fiscal year.

(d) Special Levies. Special levies in addition to the above may be made annually in amounts not to exceed the limits hereinafter enumerated in this section, respectively, on each \$100 of the assessed value of the taxable property in the City:

1. For the support and maintenance of free public libraries and reading rooms, Twenty cents (20¢).

The proceeds of any such special levy shall be used solely for the respective purposes for which it is levied.

2. That notice be given to the electors of the City of Modesto that if both the foregoing proposed Charter and the alternative propositions thereto are approved by a majority of the voters voting on each of said propositions at said election, such alternative propositions will prevail over the provisions relating to the same subject matter contained in the proposed Charter.

3. That a copy of the proposed Charter for the government of the City of Modesto together with alternative propositions relating thereto be filed in the office of the City Clerk of the City of Modesto.

4. That the City Clerk be and he is hereby directed to cause said proposed Charter together with alternative propositions relating thereto to be published once in 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 13th day of December, 1950, by Councilmen Stanley, who moved its adoption, which motion being duly seconded by Councilman Burkner was upon roll call duly carried, and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9235-N.S.

A RESOLUTION APPROVING FORM "CERTIFICATE OF SERVICE" FOR RETIRING EMPLOYEES OF THE CITY OF  
MODESTO

---oOo---

WHEREAS the City Engineer was instructed to prepare a form of "Certificate of Service" to be issued to retiring employees of the City of Modesto, and

WHEREAS, he has presented the following form:

CITY OF MODESTO

CERTIFICATE OF SERVICE

WHEREAS, \_\_\_\_\_ has retired after serving the citizens of the City of Modesto  
Honorably and faithfully in the \_\_\_\_\_ Department from 19\_\_ to 19\_\_.

NOW THEREFORE, this certificate expresses the gratitude and appreciation of the

citizens of the City of Modesto to the above named for efficient, loyal and capable service.

IN WITNESS WHEREOF, our signatures are hereunto affixed at Modesto, California this \_\_\_ day of \_\_\_\_\_ A.D., 19\_\_.

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Clerk

NOW THEREFORE BE IT RESOLVED that the above form for the certificate of service be approved and the City Clerk be directed to have a supply printed.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of December, 1950 by Commissioner Burkner, who moved its adoption, which motion being duly seconded by Commissioner Condit, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon  
Noes: Councilmen: None  
Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9236-N.S.

ADJOURNMENT

---oOo---

BE IT HEREBY RESOLVED that this Council meeting now in session adjourn.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of December, 1950 by Commissioner Burkner, who moved its adoption, which motion being duly seconded by Commissioner Condit, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon  
Noes: Councilmen: None  
Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9237-N.S.

A RESOLUTION DECLARING STANISLAUS COUNTY FARM BUREAU WEEK

---oOo---

BE IT HEREBY RESOLVED that the week beginning January 1, 1951 and ending January 6, 1951 be officially known as "Stanislaus County Farm Bureau Week".

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 20th day of December, 1950 by Commissioner Condit, who moved its adoption, which motion being duly seconded by Commissioner Burkner, it was upon roll call carried and the resolution was adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon  
Noes: Councilmen: None  
Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9238-N.S.

A RESOLUTION AUTHORIZING PAYMENT \$1100 00 TO ATTORNEY ALLEN GRIMES

---oOo---

BE IT HEREBY RESOLVED that payment of \$1100 00 be approved to Attorney Allen Grimes for services rendered in the preparation of the proposed City Charter.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 20th day of December, 1950 by Commissioner Frad, who moved its adoption which motion being duly seconded by Commissioner Stanley, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

\*\*\*\*\*

RESOLUTION NO. 9239-N.S.

A RESOLUTION OF THE COUNCIL OF THE CITY OF MODESTO PROVIDING FOR A SPECIAL MUNICIPAL ELECTION IN AND FOR THE CITY OF MODESTO, CONSOLIDATING ELECTION PRECINCTS, DESCRIBING LOCATION OF POLLING PLACES AND APPOINTING ELECTION OFFICERS

---oOo---

Be it resolved by the Council of the City of Modesto as follows:

That under and pursuant to the Charter of the City of Modesto and the laws of the State of California a special municipal election in and for the City of Modesto be and the same is hereby called to be held on Wednesday the 14th day of February 1951, at which special municipal election the electors shall vote for the approval or rejection of the Charter and Alternative Propositions prepared and proposed for the City of Modesto by the Council of the City of Modesto.

For the purpose of holding said election the said City of Modesto shall be and the same is hereby precincted and established into ten (10) election precincts to be known and designated as follows:

- Special Consolidated Election Precinct No. 1.
- Special Consolidated Election Precinct No. 2.
- Special Consolidated Election Precinct No. 3.
- Special Consolidated Election Precinct No. 4.
- Special Consolidated Election Precinct No. 5.
- Special Consolidated Election Precinct No. 6.
- Special Consolidated Election Precinct No. 7.
- Special Consolidated Election Precinct No. 8.
- Special Consolidated Election Precinct No. 9.
- Special Consolidated Election Precinct No. 10.

Said consolidated election precincts have been established by consolidating the general election precincts within the City of Modesto, as established by the orders or Resolutions of the Board of Supervisors of Stanislaus County, California, now in force for general election purposes within the City, which said orders or Resolutions now on file and of record in the Office of the Clerk of the Board of Supervisors of Stanislaus County, California, are hereby referred to and by such reference made a part hereof for greater certainty and a more particular description of the boundaries thereof, in the following manner (said precincts so established by said Board of Supervisors being herein referred to as

"Special Consolidated Election Precincts"):

Said General Election Precincts so designated by the said Board of Supervisors as Modesto No. 1, 2, 33, 42 and 43 have been consolidated and established into Special Consolidated Election Precinct No. 1.

Said General Election Precincts so designated by the said Board of Supervisors as Modesto No. 3, 4, 5 and 34 have been consolidated and established into Special Consolidated Election Precinct No. 2.

Said General Election Precincts so designated by the said Board of Supervisors as Modesto No. 6, 7 and 8 have been consolidated and established into Special Consolidated Election Precinct No. 3.

Said General Election Precincts so designated by the said Board of Supervisors as Modesto No. 9, 10, 11, 35 and 36 have been consolidated and established into Special Consolidated Election Precinct No. 4.

Said General Election Precincts so designated by the said Board of Supervisors as Modesto No. 12, 13, and 15 have been consolidated and established into Special Consolidated Election Precinct No. 5.

Said General Election Precincts so designated by the said Board of Supervisors as Modesto No. 14, 17, 18 and 37 have been consolidated and established into Special Consolidated Election Precinct No. 6.

Said General Election Precincts so designated by the said Board of Supervisors as Modesto No. 16, 19, 20 and 21, have been consolidated and established into Special Consolidated Election Precinct No. 7.

Said General Election Precincts so designated by the said Board of Supervisors as Modesto No. 22, 23, 24 and 38 have been consolidated and established into Special Consolidated Election Precinct No. 8.

Said General Election Precincts so designated by the said Board of Supervisors as Modesto No. 25, 26, 27, 32, 39 and 41 have been consolidated and established into Special Consolidated Election Precinct No. 9.

Said General Election Precincts so designated by the said Board of Supervisors as Modesto No. 28, 29, 30, 31 and 40 have been consolidated and established into Special Consolidated Election Precinct No. 10.

The following places have been and are hereby fixed and designated by said City Council as and for the places of holding said election within the said City of Modesto and the following named persons have been and are hereby designated and appointed to act as officers of election for said election, to-wit:

Special Consolidated Election Precinct No. 1 (1-2-33-42-43)

Polling Place, 102 Olive Avenue, Utterback Garage

PRECINCT BOARD

Inspector	Irene J. Knudsen	540 Myrtle Avenue
Judge	Marguerite Coughlin	121 Orange Avenue
Clerk	Helen G. DuVall	127 Hackberry Avenue
Clerk	Ada Dallas Carroll	130 College Avenue

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Special Consolidated Election Precinct No. 2 (3-4-5-34)

Polling Place, 305 Elmwood Avenue, Bonner Garage

PRECINCT BOARD

Inspector	Bessie Case	212 Elmwood Court
Judge	Sarah A. Jessen	417 Hackberry Avenue

Clerk	Ada M. Pickett	421 Wright Street
Clerk	Dorothea Holmes	215 Wright Street

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Special Consolidated Election Precinct No. 3 (6-7-8)

Polling Place, 115 Downey Avenue, Broughton Garage

PRECINCT BOARD

Inspector	Hazel C. Pedersen	128 Lee Street
Judge	Eva M. Hagedorn	201 Jones Street
Clerk	Marian E. Sharp	143 Almond Avenue
Clerk	Dora L. Peterson	116 Johnson Street

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Special Consolidated Election Precinct No. 4 (9-10-11-35-36)

Polling Place, 501 Auburn Street, Bell Garage

Inspector	Edith M. Rogers	102 Redwood Street
Judge	Dorothy E. Hosking	541 Auburn Street
Clerk	Nora E. Bell	501 Auburn Street
Clerk	Bessie Cox	126 High Street

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Special Consolidated Election Precinct No. 5 (12-13-15)

Polling Place, 1104 14th Street, Singleton Garage

PRECINCT BOARD

Inspector	Metta B. Mashek	1027 15th Street
Judge	Margaret J. Bacon	1020 12th Street
Clerk	Myrtle Wootten	1026 14th Street
Clerk	Bessie G. Buntain	1217 12th Street

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Special Consolidated Election Precinct No. 6 (14-17-18-37)

Polling Place, 416 Downey Avenue, Fire Station #3

PRECINCT BOARD

Inspector	Helen A. Gunderson	216 Walden Street
Judge	Nona Hardin	123 Pleasant Street
Clerk	Lorraine Brubaker	115 Kelley Street
Clerk	Josephine D. Satterlee	215 Jennie Street

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Special Consolidated Election Precinct No. 7 (16-19-20-21)

Polling Place, Stanislaus Implement & Hardware Company Store, 526 Tenth Street

PRECINCT BOARD

Inspector	Lottie Savercool	714 13th Street
Judge	Violet E. Plummer	526 14th Street
Clerk	Grace E. Darling	606 12th Street
Clerk	Ward C. Rowe	814 12th Street

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Special Consolidated Election Precinct No. 8 (22-23-24-38)

Polling Place, 105 Linden Street, Cummings' Residence

PRECINCT BOARD

Inspector	Alice F. Handley	214 Laurel Street
Judge	Cecelia M. Cummings	105 Linden Street
Clerk	Gertrude F. Boundey	202 Laurel Street
Clerk	Anna L. Starr	304 Maze Blvd.

Special Consolidated Election Precinct No. 9 (25-26-27-32-39-41)

Polling Place, Sturm Garage, 515 Fifth Street

PRECINCT BOARD

Inspector	Ruby C. Sturm	515 Fifth Street
Judge	Emma S. Putnam	105 Pine Street
Clerk	Myrtle M. Julius	521 Fifth Street
Clerk	Erlene L. Johnson	830 6th Street

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Special Consolidated Election Precinct No. 10 (28-29-30-31-40)

Polling Place, Fire Station #2, 629 Second Street

PRECINCT BOARD

Inspector	Marian Glestad	118 Madera Avenue
Judge	Hazel R. Jones	122 Madera Avenue
Clerk	Wilna G. Graham	209 Roselawn Avenue
Clerk	Maggie A. Cooper	223 Roselawn Avenue

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The duties of said Officers in the conduct of said election shall be the same as the duties prescribed by the Elections Code of the State of California for officers of general elections. Said election shall be held in all respects in conformity with the general election laws of the State of California so far as the same may be applicable to and in conformity with the Charter of the City of Modesto. On the day the election is held the polls shall be opened at 7 o'clock AM and must be kept open until 7 o'clock PM of that day when the polls shall be closed.

The City Clerk is hereby ordered to publish an election proclamation as required by law containing a statement of a proposition to be voted upon, said publication of said election proclamation to be for the time and in the manner required by law.

The foregoing Resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 20th day of December 1950 by Councilman Condit, who moved its adoption, which motion being duly seconded by Councilman Stanley, was upon roll call, duly carried and the resolution adopted by the following vote:

Ayes: Councilman: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilman: None

Absent: Councilman: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9240-N.S.

A RESOLUTION AUTHORIZING THE CLERK TO CALL FOR BIDS FOR TRAFFIC SIGNAL EQUIPMENT

---oOo---

BE IT HEREBY RESOLVED that the City Clerk be authorized to call for bids for traffic signal equipment, said bids to be opened on January 10, 1951.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 20th day of December, 1950 by Commissioner Burkner, who moved its adoption, which motion being duly seconded by Commissioner Frad, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent:Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9241-N.S.

A RESOLUTION APPROVAL OF PRESENT ACTIVITY RATES FOR AN ADDITIONAL FIVE YEARS AS PROVIDED BY ARTICLE III, sub-paragraph B OF LEASE BETWEEN THE UNITED AIR LINES AND THE CITY OF MODESTO

---oOo---

WHEREAS the United Air Lines have filed a request that the City of Modesto, in accordance with provisions of Article III, sub-paragraph B of the lease between the City of Modesto and their company, consider the renewal of their present activity fees.

BE IT HEREBY RESOLVED that the City Attorney be directed to investigate the lease to determine the rate schedule and then to notify the United Air Lines of the approval of the Council for the continuance of the present activity rates for an additional five years as provided by Article III, sub-paragraph B of the lease.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 20th day of December, 1950 by Commissioner Burkner, who moved its adoption, which motion being duly seconded by Commissioner Frad, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent:Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9242-N.S.

A RESOLUTION DIRECTING THE CITY CLERK NOT TO CERTIFY RECALL PETITION FOR THE MAYOR AND COUNCILMEN

---oOo---

WHEREAS, there has been presented to the City Clerk for filing, five petitions asking the recall of the Mayor and Councilmen of the City of Modesto, and

WHEREAS it appears that said petitions do not conform to the provisions and requirements of the City Charter of the City of Modesto and there is a serious doubt as to the legal validity and

WHEREAS there is a further doubt of the genuineness of certain signatures appended to the petitions.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Modesto that the City Clerk be and he is hereby directed not to certify said petitions and not to call a recall election.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 20th day of December, 1950, by Commissioner Frad, who moved its adoption, which motion being duly seconded by Commissioner Burkner, it was upon roll call carried and the resolution adopted by the following vote.

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent:Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9243-N.S.

A RESOLUTION GRANTING ADDITIONAL TIME TO COMPLETE CONTRACT TO PISANO BROTHERS

---oOo---

WHEREAS a request has been filed by Pisano Brothers for an extension of time for the completion of their contract for the construction of the sanitary sewer line from Franklin and H Streets to Mark Twain School, due to inclement weather

BE IT HEREBY RESOLVED that an extension be granted to said applicants until January 17, 1951 for the completion of their contract for the construction of sewer line to the Mark Twain School.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 20th day of December, 1950 by Commissioner Burkner, who moved its adoption, which motion being duly seconded by Commissioner Condit, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9244-N.S.

A RESOLUTION AUTHORIZING HARRY N. JENKS TO PROCEED WITH PLANS AND SPECIFICATIONS FOR FUTURE EXPANSION OF THE SEWER PLANT

---oOo---

BE IT HEREBY RESOLVED that Harry N. Jenks, Consulting Engineer, be authorized to proceed with plans and specifications for future expansion of the sewer plant in order that the Council could arrive at a budget figure for the year 1951-52 and

BE IT FURTHER RESOLVED that payment for said plans and specifications be made from the portion of money received from the State of California on a match basis, with the total amount spent for this project.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 20th day of December, 1950 by Commissioner Burkner, who moved its adoption, which motion being duly seconded by Commissioner Condit, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9245-N.S.

ADJOURNMENT

---oOo---

BE IT HEREBY RESOLVED that this Council meeting now in session adjourn.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 20th day of December, 1950 by Commissioner Burkner, who moved its adoption, which motion being duly seconded by Commissioner

Condit it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9246-N.S.

A RESOLUTION AUTHORIZING RENEWAL OF PERMIT TO OPERATE BUS LINE TO WILLIS KLEINERBROICH D.B.A.  
MODESTO MOTOR BUS SERVICE IN THE CITY OF MODESTO

---oOo---

BE IT HEREBY RESOLVED that permit be renewed for Willis Kleinenbroich to operate the Modesto Motor Bus Service for the period beginning December 14, 1950 and ending December 13, 1959.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of December, 1950 by Commissioner Burkner, who moved its adoption, which motion being duly seconded by Commissioner Stanley, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9247-N.S.

A RESOLUTION GRANTING PERMIT TO SAN SECRETO TO CANCEL TWO TAXICAB PERMITS AND TO DISCONTINUE ONE TAXI STAND ON THE CORNER OF NINTH AND EYE STREETS IN THE CITY OF MODESTO

---oOo---

BE IT HEREBY RESOLVED that permit be granted to Sam Secreto, operating the Acme Taxicab Company, Yellow Cab Company and Hart Taxicab Company to cancel two taxicab permits and to discontinue one taxi stand on the corner of Ninth and I Streets.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of December, 1950 by Councilman Frad, who moved its adoption, which motion being duly seconded by Commissioner Condit, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9248-N.S.

A RESOLUTION AUTHORIZING THE CITY ENGINEER AND CITY ATTORNEY TO PREPARE NEW CONTRACT FOR CONSIDERATION BY THE COUNCIL FOR SEWER SERVICE FOR THE BARIUM PRODUCTS COMPANY INC. PLANT IN THE CITY OF MODESTO

---oOo---

WHEREAS, a contract now exists between the City of Modesto and Barium Products Company, Ltd., concerning the disposal of sewerage into the City sewer service, and

WHEREAS, Barium Products Company has permitted sulphide and other noxious chemicals to be placed in the City sewer system, and

WHEREAS, this has caused odors to emanate from the City sewer system, and

WHEREAS, the Barium Products Company has installed certain installations to keep from the City sewer system, sulphide and noxious chemicals,

NOW THEREFORE BE IT RESOLVED that the City Engineer and City Attorney be authorized, in conjunction with Barium Products Company, Inc. to prepare a new contract for consideration by the City Council with certain stipulations so that the same situation will not arise again.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of December, 1950 by Commissioner Stanley, who moved its adoption, which motion being duly seconded by Commissioner Burkner, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9249-N.S.

A RESOLUTION APPOINTING SIGNATORY OFFICIALS ON AGREEMENT BETWEEN MARY A. SANDERS AND THE CITY OF MODESTO FOR THE IMPROVEMENT OF CAMPUS TRACT NO. 2 IN THE CITY OF MODESTO

---oOo---

BE IT HEREBY RESOLVED that the Mayor and City Clerk be appointed signatory officials on agreement between Mary A. Sanders and the City of Modesto for the improvements of Campus Tract No. 2, 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 27th day of December, 1950 by Commissioner Condit, who moved its adoption, which motion being duly seconded by Commissioner Stanley it was upon roll call carried and the resolution was adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9250-N.S.

A RESOLUTION AUTHORIZING THE INCREASE OF THE SALARY OF MARGARET WISSNER, NURSE IN THE HEALTH DEPARTMENT OF THE CITY OF MODESTO

---oOo---

BE IT HEREBY RESOLVED that the salary of Margaret Wissner, nurse in the Health Department of the City of Modesto, be and it is hereby increased from \$250 00 to \$265 00 per month as of January 1, 1951.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of December, 1950 by Commissioner Stanley, who moved its adoption, which motion being duly seconded by Commissioner Burkner, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9251-N.S.

ADJOURNMENT

---oOo---

BE IT HEREBY RESOLVED that this Council meeting now in session adjourn.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of December, 1950 by Commissioner Frad, who moved its adoption, which motion being duly seconded by Commissioner Stanley, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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