

RESOLUTION NO. 4791-N.S.

A RESOLUTION ALLOWING CLAIMS FOR MONTH OF DECEMBER, 1939

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WHEREAS, the claims against the City of Modesto for the month of December, 1939, 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 ~~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-----	\$26,097.01
WATER FUND-----	3,587.91
LIBRARY FUND-----	1,790.04
BOND RED. INT. FUND-----	3,187.50
SPECIAL GAS TAX-----	<u>837.33</u>
TOTAL-----	\$35,499.79

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of January, 1940, by Commissioner Bates, 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: Barnell, Bates, Neece, Stanley, Mayor Shannon  
Noes: Councilmen: None  
Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

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RESOLUTION NO. 4792-N.S.

A RESOLUTION GRANTING REQUEST OF THE JUNIOR CHAMBER OF COMMERCE TO ESTABLISH WISHING WELL AT TENTH AND I STREETS FOR THE PURPOSE OF COLLECTING FUNDS FOR THE NATIONAL FOUNDATION FOR INFANTILE PARALYSIS

---oOo---

WHEREAS, the Junior Chamber of Commerce has communicated with the Council of the City of Modesto requesting that they be permitted to install a "Wishing Well" at the corner of Tenth and I Streets, beginning January 15th, through January 30, 1940 for the purpose of collecting funds for the National Foundation for Infantile Paralysis.

BE IT HEREBY RESOLVED, that request be granted to applicant and installation be under the Supervision of Engineer Rossi and Chief of Police Arington.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of January, 1940, by Commissioner Bates, 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: Barnell, Bates, Neece, Stanley, Mayor Shannon  
Noes: Councilmen: None  
Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4793-N.S.

A RESOLUTION REFERRING ALL BIDS ON VEHICLE DETECTORS AND SEMI-VEHICLE ACTUATED TRAFFIC SIGNAL CONTROLLER WITH TRAFFIC SIGNAL UNITS TO THE CITY ENGINEER FOR TABULATION AND RECOMMENDATION

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WHEREAS, pursuant to advertising for bids on Vehicle Detectors; and semi-vehicle actuated traffic signal controller with traffic signal units, and

WHEREAS, this being the time set forth for the opening of bids and the City Clerk reports two bids on file.

BE IT HEREBY RESOLVED that all bids be referred to the City Engineer for tabulation and recommendation.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of January, 1940, by Commissioner Bates, 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: Barnell, Bates, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent; Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

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RESOLUTION NO. 4794-N.S.

A RESOLUTION AWARING BID ON IMPROVEMENT OF H STREET FROM HIGH STREET TO EAST CITY LIMITS TO S. M. MCGAW COMPANY AT A TOTAL PRICE OF \$9998.40

---oOo---

PURSUANT to referring of bids on improving H Street from High Street to east city limits to the City Engineer for tabulation and recommendations.

BE IT HEREBY RESOLVED that bid be awarded to S. M. McGaw Company at a total price of \$9998.40 and authorizing the entering into contract with the successful bidder and

BE IT FURTHER RESOLVED that checks be returned to unsuccessful bidders.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of January, 1940, by Commissioner Barnell, 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: Barnell, Bates, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

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RESOLUTION NO. 4795-N.S.

RESOLUTION AWARING BID ON CAST IRON PIPE TO AMERICAN CAST IRON PIPE COMPANY FOR \$2240.81 AND TO THE JOHNS-MANVILLE SALE CORPORATION OF \$1472.37

---oOo---

BE IT HEREBY RESOLVED, that bids on cast iron pipe which had been referred to the City Engineer for tabulation be awarded as follows:

Item 1	American Cast Iron Pipe Co.	\$2240.81
Item 2	Johns-Manville Sales Corporation	1472.37, less 2%

BE IT FURTHER RESOLVED that the City Clerk be authorized to return checks to unsuccessful bidders and to pay for equipment as soon as received and approved by the engineer.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of January, 1940, by Commissioner Barnell, 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: Barnell, Bates, Neece, Stanley, Mayor Shannon  
 Noes: Councilmen: None  
 Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

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RESOLUTION NO. 4796-N.S.

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MODESTO APPROVING THIRD SUPPLEMENTAL MEMORANDUM OF AGREEMENT FOR EXPENDITURE OF ¼ CENT GAS TAX ALLOCATED FOR STATE HIGHWAYS

WHEREAS, the State of California, through its Department of Public Works, Division of Highways, has presented a third supplemental memorandum of agreement in accordance with a project statement submitted by the City for expenditure of the ¼ cent gas tax for the 1939-41 biennium allocated for State Highways in the City of Modesto; 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 agreement for expenditure of the ¼ cent gas tax allocated for State Highways 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.

ADOPTED this 10th day of January, 1940.

CARL W. SHANNON, MAYOR OF THE CITY OF MODESTO

Attest: H. E. GRAGG, 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 January 10th, 1940.

H. E. GRAGG, CLERK OF THE CITY OF MODESTO

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RESOLUTION NO. 4797-N.S.

A RESOLUTION APPROVING TERMS OF CONTRACT WITH STATE RELIEF ADMINISTRATION, AND AUTHORIZING MAYOR AND CLERK OF THE CITY OF MODESTO TO EXECUTE THE SAME

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WHEREAS, the City of Modesto requires that certain repair and improvement work be done in connection with City owned and operated utilities and services including the following:

- Excavating for and installing of water mains and sewers;
- Cleaning and repairing sanitary, storm, and industrial sewers and catch basins;
- installing street light extensions; repairing curbs, gutters, sidewalks and pavements;
- and trimming trees and removing brush and rubbish.

WHEREAS, said work will be for the direct benefit and interest of all of the citizens of said City, and said work is necessary, and

WHEREAS, be entering into a contract with the State Relief Administration, an agency of the State of California, such work may be done expediently and at low cost to said City:

NOW, THEREFORE, the City Council of the City of Modesto by this resolution approves the terms of the contract with State Relief Administration, attached hereto, and does authorize the City Clerk and the Mayor of said City to sign said contract on behalf of said City, and by said action bind said City by the terms therein stated.

The foregoing resolution was introduced at a meeting of the City Council of the City of Modesto held on the 10th day of January, 1940, by Councilman Barnell, who moved its adoption, which motion being duly seconded, it was upon roll call carried and adopted by the following vote:

Ayes: Councilmen: Barnell, Bates, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

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RESOLUTION NO. 4798-N.S.

A RESOLUTION AUTHORIZING CLERK TO ADVERTISE FOR BIDS ON USELESS PERSONAL PROPERTY BELONGING TO THE CITY OF MODESTO

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BE IT HEREBY RESOLVED that the City Clerk is hereby authorized to advertise for bids on useless personal property belonging to the City of Modesto, sale to be held on Friday, January 26, 1940 at 9:00 o'clock A.M.

The foregoing resolution was introduced at a meeting of the City Council of the City of Modesto held on the 10th day of January, 1940, by Councilman Barnell, who moved its adoption, which motion being duly seconded, it was upon roll call carried and adopted by the following vote:

Ayes: Councilmen: Barnell, Bates, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

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RESOLUTION NO. 4799-N.S.

A RESOLUTION AUTHORIZING PURCHASE OF COUNTY'S INTEREST IN CERTAIN REAL PROPERTY

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WHEREAS, heretofore a resolution was duly adopted by the City council of the City of Modesto authorizing the making of an offer of the sum of Twenty-Five (\$25.00) Dollars to the Board of Supervisors of Stanislaus County, California, for the purchase of the County's interest in and to certain real property described as follows, to-wit:

Lots 9 and 10 in Block 587 of the City of Modesto, County of Stanislaus, State of California, as recorded in Volume 13 of Maps at page 587 on July 15, 1938, in the office of the County Recorder of the County of Stanislaus, State of California: and, WHEREAS, said offer is acceptable to said Board of Supervisors:

NOW, THEREFORE, BE IT RESOLVED that the City of Modesto enter into a written contract for the purchase of the within described real property for the sum of Twenty-Five (\$25.00) Dollars, and that the Mayor and City Clerk of said City be authorized and empowered to sign such instruments as will be necessary to carry out the effect and purpose herein set forth.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of January, 1940, by Councilman Bates who moved its adoption, which motion being duly seconded was upon roll call carried, and the resolution adopted by the following vote:

Ayes: Councilmen: Barnell, Bates, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

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RESOLUTION NO. 4800-N.S.

A RESOLUTION REQUESTING PERSONNEL BOARD TO INVESTIGATE SALARIES OF CITY EMPLOYEES

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WHEREAS, changing conditions may necessitate certain changes in the salaries and/or wages of certain City employees of the City of Modesto:

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF the City of Modesto that the Personnel Board of said City is hereby ordered and directed to investigate salaries and wages paid by the City of Modesto to all of the employees of said City, to determine the work and types of work done by said City employees, and to report to the City Council on or before April 1, 1940 its findings.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of January, 1940, by Councilman Stanley, who moved its adoption, which motion being duly seconded was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Barnell, Bates, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

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RESOLUTION NO. 4801-N.S.

A RESOLUTION AUTHORIZING THE PUBLIC WORKS DEPARTMENT TO DISMANTLE THE WHISTLE AT THE OLD FIRE STATION NUMBER ONE

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BE IT HEREBY RESOLVED that the Public Works Department of the City of Modesto be authorized to dismantle the whistle of the old fire station #1.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of January, 1940 by Councilman Stanley, who moved its adoption, which motion being duly seconded was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Barnell, Bates, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent:Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

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RESOLUTION NO. 4802-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 10th day of January, 1940 by Councilman Bates, who moved its adoption, which motion being duly seconded was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Barnell, Bates, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent:Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

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RESOLUTION NO. 4803-N.S.

A RESOLUTION INCREASING THE BUDGET OF THE FIRE DEPARTMENT OF THE CITY OF MODESTO

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WHEREAS, a contingency has arisen in regard to the Fire Department of the City of Modesto, requiring that certain fire alarm equipment be improved and reconstructed; and,

WHEREAS, said improvement and reconstruction of said fire alarm equipment is essential to the preservation of the public peace, health and safety of the citizens of the City of Modesto:

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that Two Thousand (\$2,000.00) Dollars be added to the budget of the Fire Department of the City of Modesto, to the end that said fire alarm equipment may be improved and reconstructed for the reasons heretofore stated.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 22nd day of January, 1940, by Councilman Stanley, who moved its adoption, which motion being duly seconded was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Barnell, Bates, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent:Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

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 22nd day of January, 1940, by Councilman Bates, who moved its adoption, which motion being duly seconded was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Barnell, Bates, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

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RESOLUTION NO. 4805-N.S.

A RESOLUTION PROVIDING FOR TEN MINUTE PARKING ON THE SOUTHEASTERLY SIDE OF J STREET AT ELEVENTH STREET IN THE CITY OF MODESTO

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WHEREAS, it appears to the City Council of the City of Modesto that the general welfare and safety of the citizens of said City of Modesto require that the time for parking vehicles in the hereinafter designated space be set at ten (10) minutes: and,

WHEREAS, under and by virtue of the provisions of Ordinance No. 544-N.S., duly and regularly adopted by the City Council of the City of Modesto, said City Council has the power when and if the general welfare and safety of the citizens of the City of Modesto so require it, to increase or diminish the time for which vehicles may be parked on the public streets of the business district of the City of Modesto:

NOW THEREFORE, BE IT RESOLVED AND ORDERED by said City Council that in the space hereinafter set forth, the parking time of all vehicles parked in said space shall be, between the hours of 9:00 A.M. and 6:00 P.M. for ten (10) consecutive minutes, and no longer.

Said ten (10) minute parking space hereby created shall be located and established as follows, to-wit: The first parking space at the intersection of J and Eleventh Streets in the City of Modesto, County of Stanislaus, State of California, on the southeasterly side of J Street, northeasterly from the easterly property corner of the intersection of Eleventh and J Streets.

BE IT FURTHER RESOLVED that that portion of Resolution No. 3820, N S., of the City of Modesto, which has heretofore created a ten (10) minute parking area at the intersection of Eleventh and J Streets in the City of Modesto, and more particularly upon Eleventh Street at the southeasterly corner of the intersection formed by Eleventh and J Streets, be annulled, set aside and is hereby declared of no force or effect whatsoever.

BE IT FURTHER RESOLVED that the City Engineer of the City of Modesto shall procure proper markings and/or signs conveying to the public notice of the fact that the space herein designated shall be used by the operators of vehicles for the period herein set forth.

This resolution shall be effective as soon as the parking space herein designated is properly marked and designated by the said City Engineer 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 January, 1940 by Councilman Stanley, who moved its adoption, which motion being duly seconded, it was upon roll call carried and adopted by the following vote:

Ayes: Councilmen: Barnell, Bates, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

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RESOLUTION NO. 4806-N.S.

A RESOLUTION AUTHORIZING THE CITY CLERK TO ADVERTISE FOR BIDS ON FIRE ALARM EQUIPMENT AND AUTO FOR POLICE DEPARTMENT

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BE IT HEREBY RESOLVED that the City Clerk be authorized to advertise for bids on fire alarm equipment and a car for the Police Department, said bids to be opened as of February 14, 1940.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on January 24, 1940 by Commissioner Bates, 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: Barnell, Bates, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

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RESOLUTION NO. 4807-N.S.

A RESOLUTION RESCINDING RESOLUTION NO. 4729-N.S. ENTITLED "A RESOLUTION APPOINTING GEO. E. ENGEL SPECIAL POLICE OF THE POLICE DEPARTMENT OF THE CITY OF MODESTO FOR A PERIOD OF SIX MONTHS AT A SALARY OF \$50.00" AND APPOINTING MARY E. SMITH AS SPECIAL OFFICER UNTIL JUNE 1, 1940

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BE IT HEREBY RESOLVED that resolution No. 4729-N.S. be hereby rescinded and Mary E. Smith be appointed as special police officer to fill the unexpired term of Captain Geo. E. Engel,

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on January 24, 1940 by Commissioner Stanley, 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: Barnell, Bates, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

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RESOLUTION NO. 4808-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 24th day of January, 1940 by Commissioner Neece, 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: Barnell, Bates, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

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RESOLUTION NO. 4809-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 January 29, 1940 by Commissioner Neece, 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: Barnell, Bates, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

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RESOLUTION NO. 4810-N.S.

A RESOLUTION ALLOWING CLAIM OF ATTORNEY FOWLER OF \$5.00 FOR TRIP TO SACRAMENTO

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BE IT HEREBY RESOLVED that claim of \$5.00 of Attorney Robert B. Fowler for trip to Sacramento be authorized and the City Clerk and Auditor is hereby directed to draw warrant in payment.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 8th day of February, 1940 by Commissioner Stanley, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution was adopted by the following vote:

Ayes: Councilmen: Barnell, Bates, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

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RESOLUTION NO. 4811-N.S.

ADJOURNMENT

---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 8th day of February, 1940 by Commissioner Stanley, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution was adopted by the following vote:

Ayes: Councilmen: Barnell, Bates, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

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RESOLUTION NO. 4812-N.S.

A RESOLUTION ALLOWING CLAIMS FOR MONTH OF JANUARY, 1940

---oOo---

WHEREAS, the claims against the City of Modesto for the month of January, 1940 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-----	\$33,634.95
WATER FUND-----	6,087.82
LIBRARY FUND-----	1,667.68
BOND RED. INT. FUND-----	23,231.25
ST. BOND. RED. INT. FUND-----	1,251.06
UNAPPORTIONED FUND-----	
GASOLINE TAX FUND-----	2,732.01
TOTAL-----	\$68,604.77

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of February, 1940, by Commissioner Bates, 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: Barnell, Bates, Neece, Stanley, Mayor Shannon  
Noes: Councilmen: None  
Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

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RESOLUTION NO. 4813-N.S.

A RESOLUTION DENYING CLAIM OF E. D. DAHLBERG FOR INJURIES SUSTAINED IN ACCIDENT ON THE 19th DAY OF NOVEMBER, 1939 AT INTERSECTION OF MORRIS AVENUE AND VIRGINIA AVENUE

---oOo---

WHEREAS, claim has been filed with the Council by Edward C. Dahlberg for \$2279.65 for injuries sustained in accident on the 19th day of November, 1939 at the intersection of Virginia and Morris Avenues.

BE IT HEREBY RESOLVED that the City of Modesto deny claim as presented and the City Attorney be instructed to notify claimant of the decision of the Council.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of February, 1940 by Commissioner Bates, 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: Barnell, Bates, Neece, Stanley, Mayor Shannon  
Noes: Councilmen: None  
Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

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RESOLUTION NO. 4814-N.S.

A RESOLUTION GRANTING PERMIT TO THE FIRST CHURCH OF CHRIST SCIENTIST TO INSTALL MOVEABLE "NO PARKING" SIGNS IN FRONT OF THEIR CHURCH DURING SERVICES ON SUNDAY MORNING AND WEDNESDAY EVENINGS

---oOo---

WHEREAS, a request has been filed with the Council by the First of Christ Church/Scientist for permission to install moveable "No Parking" signs in front of their church located at the corner of 14th and H Streets during the Sunday morning and Wednesday Evening services.

BE IT HEREBY RESOLVED that request be granted with the understanding that if traffic control did not work out satisfactory, permit would be withdrawn.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of February, 1940 by Commissioner Stanley, 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: Barnell, Bates, Neece, Stanley, Mayor Shannon  
Noes: Councilmen: None  
Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

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RESOLUTION NO. 4815-N.S.

A RESOLUTION REFERRING ALL BIDS ON THE AUTO FOR THE POLICE DEPARTMENT AND FIRE ALARM EQUIPMENT TO THE CITY ENGINEER FOR COMPILATION AND RECOMMENDATION

---oOo---

WHEREAS, the City Clerk has been authorized to advertise for bids on fire alarm equipment and for one four door sedan, 1940 model for the Police Department, and

WHEREAS, money has been appropriated for the purchase of this equipment, and

WHEREAS, the City Clerk reports eight bids for the automobile and two bids for the fire alarm equipment have been received and they have been opened in due form.

BE IT HEREBY RESOLVED that all bids be referred to the City Engineer for tabulation and recommendation.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of February, 1940 by Commissioner Bates, who moved its adoption, which resolution was duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Barnell, Bates, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

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RESOLUTION NO. 4816-N.S.

A RESOLUTION AUTHORIZING THE RENEWING OF LEASE WITH THE MODESTO TRAP CLUB FOR A PERIOD OF ONE YEAR FROM MARCH 1, 1940

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BE IT HEREBY RESOLVED that the lease with the Modesto Trap Club for a portion of the airport be renewed for a term of one year from March 1, 1940 under the same arrangements as previously made.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of February, 1940 by Commissioner Barnell, who moved its adoption, which resolution was duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Barnell, Bates, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG; CITY CLERK

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RESOLUTION NO. 4817-N.S.

A RESOLUTION GRANTING FIRE PROTECTION TO THE BARIUM PRODUCTS ON THEIR BUILDINGS LOCATED JUST OUTSIDE THE WEST CITY LIMITS

---oOo---

BE IT HEREBY RESOLVED that the City of Modesto furnish fire protection to the Barium Products buildings located near the westerly city limits for a term of one year for the consideration of \$125.00 standby fee and a charge of \$50.00 for each piece of equipment and the personnel appurtenant thereto for the first hour or fraction thereof

and \$25.00 per hour for each piece of equipment and the personnel appurtenant thereto for each succeeding hour or fraction thereof.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of February, 1940 by Commissioner Stanley, who moved its adoption, which resolution was duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Barnell, Bates, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

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RESOLUTION NO. 4818-N.S.

A RESOLUTION AUTHORIZING THE CITY OF MODESTO TO ENTER INTO AN AGREEMENT WITH THE UNITED STATES DEPARTMENT OF AGRICULTURE TO ERECT AND MAINTAIN A CEILING LIGHT AT THE MODESTO MUNICIPAL AIRPORT

---oOo---

BE IT HEREBY RESOLVED that the City of Modesto enter into an agreement with the United States Department of Agriculture to erect and maintain a ceiling light at the Modesto Municipal Airport, and

BE IT FURTHER RESOLVED that the Mayor be appointed signatory official.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of February, 1940 by Councilman Barnell, 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: Barnell, Bates, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

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RESOLUTION NO. 4819-N.S.

A RESOLUTION AUTHORIZING THE CITY CLERK TO ADVERTISE FOR BIDS ON GASOLINE

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BE IT HEREBY RESOLVED that the City Clerk be authorized to advertise for bids on gasoline, said bids to be opened at the City Hall at 7:30 P.M. on Wednesday, February 28, 1940.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of February, 1940 by Councilman Bates, 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: Barnell, Bates, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

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RESOLUTION NO. 4820-N.S.

A RESOLUTION AUTHORIZING CERTIFICATE OF SECRETARY OF STATE TO BE RECORDED

WHEREAS, on January 22, 1940, the Board of Supervisors of the County of Stanislaus, State of California, by resolution duly adopted, granted consent to a request of the City of Modesto, a municipal corporation, to have annexed to said City of Modesto certain real property hereinafter described; and,

WHEREAS, on January 26, 1940, said resolution was duly filed in the office of the Secretary of State of California, at Sacramento, California; and

WHEREAS, thereafter said Secretary of State issued his certificate evidencing the fact that said resolution had been recorded in the office of said Secretary of State according to the provisions of Act 5159B, Deering's Code of the State of California; and,

WHEREAS, said certificate and all the proceedings had in said annexation appeared to the City Council of said City of Modesto to be regular and in order:

NOW THEREFORE, the City Clerk of said City of Modesto is hereby ordered to record with the Recorder of Stanislaus County, California, said certificate of said Secretary of State evidencing the annexation of the following described real property:

Beginning at the intersection of the City of Modesto South Corporate City Limits with the center line of Tuolumne River; thence Westerly along the said South Corporate City Limits, a portion of the same being the Northerly property lines of Lots, 74, 73, 66 and 65, of First Addition to Sunset Acres, to the Northwesterly property corner of the said Lot 65; thence Southerly along the Westerly property lines of Lots 65, 67, 68, 69, 70, 71 and 72, of the said First Addition to Sunset Acres, to the Southwesterly property corner of the said Lot 72; thence Easterly along the Southerly property line of the said Lot 72, to the Southeasterly property corner of the said Lot 72; thence Northerly along the Easterly property line of the said Lot 72, a distance of 311.19 feet; thence due East to the center line of the said Tuolumne River; thence meandering Northerly along the said center line of the Tuolumne River, to the beginning.

The said City of Modesto South Corporate City Limits being as shown on Pages 308 and 308A of Maps, Volume 13, in the Records of Stanislaus County, California, and the said Lots 65 to 74, inclusive, of First Addition to Sunset Acres, being as shown on the Map of First Addition to Sunset Acres, on Page 27 of Maps, Volume 5, in the Records of Stanislaus County, California.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of February, 1940, by Councilman Neece, who moved its adoption, which motion being duly seconded, was upon roll call carried, and the resolution adopted by the following vote:

Ayes: Councilmen: Barnell, Bates, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

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RESOLUTION NO. 4821-N.S.

A RESOLUTION PLACING CERTAIN CITY EMPLOYEES OF THE CITY OF MODESTO ON MONTHLY SALARY RATHER THAN PER DIEM BASIS

---oOo---

WHEREAS, it appears to the City Council of the City of Modesto that certain employees of said City, now forming a part of the classified employees of said City, should be on a monthly salary rather than paid by a day wage:

NOW, THEREFORE, the following employees shall hereafter be paid on a monthly basis during the period of time they are employed by and working for the City of Modesto, and shall be paid for each month of work the amount set opposite their names:

WATSON, C. C.	\$133.00
WHITE, C. E.	108.00
FAIRFIELD, B. C.	108.00
BITHER, E. A.	102.00
BROWN, FRED	102.00
DIONIZIO, A. F.	108.00
MAXWELL, M. T.	126.00
HANNER, B.	126.00
NELCH, J. H.	114.00
PLAG, LEO	108.00
BROWN, W. S.	108.00
BIRBECK, R. W.	102.00
WADE, E. S.	108.00
BRIDGMAN, O.	108.00
CLARK, A. B.	114.00
BROWN, F. E.	114.00
SCHAAL, L. L.	108.00
HARRINGTON, N. E.	102.00
ADAMS, F. L.	108.00
WATSON, J. L.	108.00
WITT, G. E.	108.00
SCOTT, A. J.	102.00
BARBER, M. D.	102.00
MCALPINE, A.	117.00
CLOWARD, R. L.	111.00

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of February, 1940, by Councilman Neece, who moved its adoption, which motion being duly seconded, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Barnell, Bates, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

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RESOLUTION NO. 4822-N.S.

ADJOURNMENT

BE IT HEREBY RESOLVED that the 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 February, 1940 by Commissioner Neece, 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: Barnell, Bates, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

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RESOLUTION NO. 4823-N.S.

A RESOLUTION AWARDED BID ON AUTOMOBILE FOR THE POLICE DEPARTMENT TO STEPHENS PONTIAC COMPANY AND AUTHORIZING THE CITY CLERK TO RETURN BIDDING CHECKS TO UNSUCCESSFUL BIDDERS

---oOo---

BE IT HEREBY RESOLVED that the Stephens Pontiac Company be awarded bid on automobile for the Police Department at a net price of \$518.00, as being the lowest and best bid, and

BE IT FURTHER RESOLVED that the City Clerk be authorized to return checks to unsuccessful bidders and to issue warrant in payment for automobile upon delivery by the Stephens Pontiac Company.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 15th day of February, 1940 by Councilman Bates, 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: Barnell, Bates, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

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RESOLUTION NO. 4824-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, 1940 by Councilman Stanley, 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: Barnell, Bates, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

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RESOLUTION NO. 4825-N.S.

A RESOLUTION APPOINTING COMMITTEE TO CONFER WITH THE MODESTO SCHOOL BOARD REGARDING SECURING OPTION ON THE MODESTO CITY SCHOOL PROPERTY AT FOURTEENTH AND I STREET

---oOo---

BE IT HEREBY RESOLVED that a committee of Commissioner Barnell, City Engineer Rossi and City Attorney Fowler be appointed to confer with the Modesto School Board regarding the granting of an option to the City of Modesto on the Modesto city school property on Fourteenth Street between H and I Streets, Block 105 lots 1 to 16, to be used as a site for a City Hall.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 21st day of February, 1940 by Councilman Stanley, 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: Barnell, Bates, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent:Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

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RESOLUTION NO. 4826-N.S.

A RESOLUTION AUTHORIZING DEPARTMENT OF PUBLIC WORKS OF THE CITY OF MODESTO TO PROCEED WITH CERTAIN WORK BY FORCE ACCOUNT

---oOo---

WHEREAS, heretofore the City Council of the City of Modesto has asked for bids on certain personal property consisting of a metal switchboard cabinet, metal fire alarm repeater with base complete, angle irons, electrical wiring and other equipment to be used by the City of Modesto for the improvement of its present fire alarm system; and,

WHEREAS, said request for bids was published in the "THE MODESTO BEE" in the City of Modesto for five days, commencing January 29, 1940; and,

WHEREAS, said bids were tendered by certain persons and firms and opened by the City Council at its regular meeting on February 14, 1940; and,

WHEREAS, none of said bids are acceptable to said City Council and said City Council believes that the purchase of said materials and the work of installing the improvements to said fire alarm system may be done more cheaply by the Department of Public Works of said City of Modesto:

NOW, THEREFORE, SAID CITY COUNCIL DOES HEREBY RESOLVE to reject all of the bids heretofore tendered, and the City Engineer and Department of Public Works of the said City of Modesto are hereby instructed and ordered to proceed with the work of purchasing the equipment described in the notice to bidders, published as aforesaid, and to install the same and to do all of the work set forth in said notice to bidders.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto, held on the 21st day of February, 1940 by Councilman Bates, who moved its adoption, which motion being duly seconded, was upon roll call carried, and the resolution adopted by the following vote:

Ayes: Councilmen: Barnell, Bates, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent:Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4827-N.S.

A RESOLUTION AMENDING RESOLUTION NO. 4785-N.S. OF THE CITY OF MODESTO

---oOo---

WHEREAS, it appears advisable and proper to the City Council of the City of Modesto to clarify Article 5 of Resolution No. 4785-N.S., entitled: "A RESOLUTION CREATING A CITY RECREATION COMMISSION, PRESCRIBING THE TERMS OF THE MEMBERS THEREOF, ORGANIZATION AND POWERS AND DUTIES OF SAID COMMISSION," which resolution was duly adopted by the Council of the City of Modesto on the 27th day of December, 1939:

NOW, THEREFORE, BE IT HEREBY RESOLVED that Article 5 of said resolution be amended to read as follows:

"No employees of the said City of Modesto paid by said City shall be appointed or designated by the City Recreation Commission."

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 21st day of February, 1940, by Councilman Neece, who moved its adoption, which motion being duly seconded, was upon roll call carried, and the resolution adopted by the following vote:

Ayes: Councilmen: Barnell, Bates, Neece, Stanley, Mayor Shannon  
Noes: Councilmen: None  
Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

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RESOLUTION NO. 4828-N.S.

ADJOURNMENT

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

The foregoing resolution was introduced at a special Council meeting of the Council of the City of Modesto held on the 21st day of February, 1940 by Councilman Bates, 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: Barnell, Bates, Neece, Stanley, Mayor Shannon  
Noes: Councilmen: None  
Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

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RESOLUTION NO. 4829-N.S.

A RESOLUTION GRANTING CITY WATER SERVICE TO RESIDENTS OF NORTH MODESTO TRACT PENDING OUTCOME OF ANNEXATION ELECTION

---oOo---

WHEREAS, a committee of citizens of the North Modesto Tract adjacent to the city limits (bounded by McHenry Ave. on the east; Griswold Avenue on the north; Southern Campus Tract on the west and Coldwell Avenue, present city limits, on the south) appeared before the Council of the City of Modesto requesting that they be granted city water service, pending the outcome of annexation election;

BE IT HEREBY RESOLVED that city water service be granted residents of the aforesaid tract with the provisions that each property owner make application to the City Engineer for water service and enter into an agreement with the City of Modesto that they will agree to the discontinuance of water service by the City of Modesto if the aforesaid tract is not a part of the City of Modesto one year from the date of the

first publication of the Notice of Intention to Circulate Petition for Annexation to the City of Modesto, and

BE IT FURTHER RESOLVED that each agreement signed by applicants for water service be approved by the Council of the City of Modesto.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on February 28, 1940 by Commissioner Bates, who moved its adoption which resolution being duly seconded, it was upon roll call adopted by the following vote:

Ayes: Councilmen: Barnell, Bates, Neece, Mayor pro tem Stanley  
Noes: Councilmen: None  
Absent: Councilmen: Mayor Shannon

ATTEST H. E. GRAGG, CITY CLERK

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RESOLUTION NO. 4830-N.S.

A RESOLUTION GRANTING PERMISSION TO ESTELLE RATHJEN TO OPERATE BEAUTY PARLOR IN RESIDENCE ZONE

---oOo---

WHEREAS, pursuant to the filing of petition with the Council by Estelle Rathjen for permit to operate and maintain a beauty shop on property known as 523 McHenry Avenue, being lots 1, Block 556 of the City of Modesto and it appearing from affidavits on file that a notice setting forth a time for hearing any and all protests to the granting of the petition as prayed for, and this being the time set forth, and

WHEREAS, the City Clerk reports that no protests either oral or written have been officially filed.

BE IT HEREBY RESOLVED that permission be granted to above named applicant with the understanding that all provisions relative to building permit fees will be complied with,

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 28th day of February, 1940 by Commissioner Neece, 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: Barnell, Bates, Neece, Mayor pro tem Stanley  
Noes: Councilmen: None  
Absent: Councilmen: Mayor Shannon

ATTEST H. E. GRAGG, CITY CLERK

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RESOLUTION NO. 4831-N.S.

A RESOLUTION REFERRING ALL BIDS ON GASOLINE TO THE CITY ENGINEER FOR TABULATION AND RECOMMENDATION

---oOo---

BE IT HEREBY RESOLVED that all bids submitted on gasoline be referred to the City Engineer for tabulation and recommendation.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 28th day of February, 1940 by Commissioner Bates, who moved its adoption which motion was duly seconded, and upon roll call carried by the following vote:

Ayes; Councilmen: Barnell, Bates, Neece, Mayor pro tem Stanley

Noes: Councilmen: None

Absent: Councilmen: Mayor Shannon

ATTEST H. E. GRAGG, CITY CLERK

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RESOLUTION NO. 4832-N.S.

A RESOLUTION GRANTING PERMISSION TO C. M. ANNAN AND J. S. WEST & CO. TO OPERATE A PLANT HANDLING BUTANE AND HOLDING UP APPLICATION OF W. M. AMERINE UNTIL SUCH TIME AS HE HAS BUILT A FENCE TO MEET REQUIREMENTS OF ORDINANCE NO. 608-N.S.

---oOo---

WHEREAS, pursuant to requirements of Ordinance No. 608-N.S. there were submitted to the Council the following applications for permission to store and/or install plant and/or automobile filling station handling Butane and other liquified petroleum gases:

C. M. ANNAN	717 B. Street
J. S. WEST & COMPANY	9th & D Streets
W. M. AMERINE	12th St. & Morton Blfd.,

and

WHEREAS applications have been approved by the Fire Marshall with the exception of the application of W. M. Amerine because of the fact a fence had not been constructed to meet the requirements of the ordinance;

BE IT HEREBY RESOLVED that permission be granted to C. M. Annan and J. S. West & Co. to operate a plant and/or automobile filling station handling Butane and other liquified gasses at locations listed above and that the approval of application of W. M. Amerine be held over until he has built a fence to meet the ordinance requirements.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 28th day of February, 1940 by Councilman Neece, 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: Barnell, Bates, Neece, Mayor pro tem Stanley

Noes: Councilmen: None

Absent: Mayor Shannon

ATTEST H. E. GRAGG, CITY CLERK

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RESOLUTION NO. 4833-N.S.

A RESOLUTION RESCINDING RESOLUTION NO. 2654-N.S. OF THE CITY OF MODESTO, AND CHANGING DATE OF PAYMENT BY SAID CITY TO ITS EMPLOYEES FOR SERVICES RENDERED

---oOo---

WHEREAS, heretofore employees of the City of Modesto have been paid for services rendered on the 31st and 15th of each month: and,

WHEREAS, great difficulty is experienced by some of the departments of said City in preparing their payroll sheets on or before the 31st of the month:

NOW, THEREFORE, BE IT RESOLVED that commencing on the 20th day of March, 1940, the employees of said City of Modesto shall be paid on the 20th of the month and on the 5th of the month, following, and on the 20th and 5th day of each and every month thereafter while employed by said City.

BE IT FURTHER RESOLVED that in the event either the 20th or the 5th day of any month shall fall upon a holiday or Sunday said employees shall be paid the day prior thereto.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 28th day of February, 1940, by Councilman Neece, who moved its adoption, which motion being duly seconded was upon roll call carried, and the resolution adopted by the following vote:

Ayes: Councilmen: Barnell, Bates, Neece, Mayor pro tem Stanley

Noes: Councilmen: None

Absent: Mayor Shannon

ATTEST H. E. GRAGG, CITY CLERK

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RESOLUTION NO. 4834-N.S.

A RESOLUTION RESCINDING RESOLUTIONS NO. 4770-N.S. and NO. 4772-N.S. AUTHORIZING AGREEMENTS WITH THE POSTAL TELEGRAPH COMPANY AND WESTERN UNION FOR PARKING OF BICYCLES

---oOo---

BE IT HEREBY RESOLVED that resolutions No. 4772-N.S. entitled "A RESOLUTION AUTHORIZING THE CITY ATTORNEY TO PREPARE AGREEMENT TO BE ENTERED INTO BY THE CITY OF MODESTO AND THE WESTERN UNION" and No. 4770-N.S. entitled "A RESOLUTION GRANTING PERMISSION TO THE POSTAL TELEGRAPH COMPANY TO INSTALL A BICYCLE RACK AND PROVIDING THEY ENTER INTO AN AGREEMENT WITH THE CITY" because it would be impractical to carry out agreements.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 28th day of February, 1940 by Councilman Neece, 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: Barnell, Bates, Neece, Mayor pro tem Stanley

Noes: Councilmen: None

Absent: Councilmen: Mayor Shannon

ATTEST H. E. GRAGG, CITY CLERK

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RESOLUTION NO. 4835-N.S.

A RESOLUTION EMPOWERING THE CITY AUDITOR OF THE CITY OF MODESTO TO PAY SALARY TO EMPLOYEE OF SAID CITY

---oOo---

WHEREAS, certain individuals have heretofore successfully passed a civil service examination and have been certified to various positions in the Police and Fire Departments of the City of Modesto by the Personnel Board, and

WHEREAS, said individuals hereinafter listed were appointed by the Chief of Police and Fire Chief of the City of Modesto in the positions as hereinafter stated, and

WHEREAS, said individuals began said employment with the City of Modesto on dates as hereinafter set forth and are still employed by said City as probationers for the period of six months from the dates of employments:

NOW, THEREFORE, the City Auditor of said City of Modesto is empowered to pay unto the following the sums set forth after each name as and for salary for services rendered during their probationary period of employment with said City of Modesto:

<u>NAME</u>	<u>DATE OF EMPLOYMENT</u>	<u>POSITION</u>	<u>SALARY</u>
Dorothea R. Maloney	January 2, 1940	Clerk Police Department	\$75.00
Jack D. Hughes	January 1, 1940	Patrolman	110.00
Elwood B. Gregg	February 1, 1940	Patrolman	110.00
Steve Johnson	January 1, 1940	Driver Fire Department	110.00
Leo J. Crismon	January 15, 1940	Driver Fire Department	110.00

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of February, 1940 by Councilman Bates, who moved its adoption, which motion being duly seconded was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Barnell, Bates, Neece, Mayor pro tem Stanley

Noes: Councilmen: None

Absent: Councilmen: Mayor Shannon

ATTEST H. E. GRAGG, CITY CLERK

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RESOLUTION NO. 4836-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 February, 1940 by Councilman Bates, 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: Barnell, Bates, Neece, Mayor pro tem Stanley

Noes: Councilmen: None

Absent: Councilmen: Mayor Shannon

ATTEST H. E. GRAGG, CITY CLERK

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RESOLUTION NO. 4837-N.S.

A RESOLUTION APPROVING OF THE RECREATION COMMISSION'S REQUEST TO OPERATE A SUMMER CAMP

---oOo---

WHEREAS, the City Recreation Commission has contacted members in charge of the 4 H Camp near Pine Crest for the purpose of using said Camp from July 1, 1940 to September 15, 1940, to provide outdoor recreation at a reasonable cost; and

WHEREAS, suitable arrangements have been made with the 4 H Club officers to use said camp; and

WHEREAS, the camp shall be carried on at no expense to the City of Modesto:

NOW THEREFORE, be it resolved that the Recreation Commission be allowed to operate a recreation camp near Pine Crest, Tuolumne County, California, to provide outdoor activities;

BE IT FURTHER RESOLVED that the City of Modesto shall bear

no expense of the operation of said camp.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 6th day of March, 1940 by Councilman Neece, 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: Barnell, Bates, Neece, Mayor Shannon  
Noes: Councilmen: None  
Absent: Councilmen: Stanley

ATTEST H. E. GRAGG, CITY CLERK

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RESOLUTION NO. 4838-N.S.

A RESOLUTION AWARDING BIDS ON GASOLINE TO VARIOUS BIDDERS

---oOo---

BE IT HEREBY RESOLVED that bids on gasoline, as advertised on February 28, 1940, be awarded as follows:

<u>BIDDERS</u>	<u>AMOUNT</u>		<u>PRICE</u>
Tidewater Associated	5000 gallons	Premium Ethyl	\$.1437
	9000 "	1st Structure	.1137
Gilmore Oil Co.	2000 "	" "	.1137
General Petroleum Co.	2000 "	" "	.1137
Seaside Oil Co.	2000 "	" "	.1137
Standard Oil Co.	14000 "	" "	.1137
Signal Oil Co.	2000 "	" "	.1137
Shell Oil Co.	14000 "	" "	.1137

Dates and location of delivery to be at option of buyer.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 6th day of March, 1940 by Commissioner Bates, 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: Barnell, Bates, Neece, Mayor Shannon  
Noes: Councilmen: None  
Absent: Councilmen: Stanley

ATTEST H. E. GRAGG, CITY CLERK

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RESOLUTION NO. 4839-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 March, 1940 by Commissioner Neece, 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: Barnell, Bates, Neece, Mayor Shannon  
Noes: Councilmen: None  
Absent: Councilmen: Stanley

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4840-N.S.

A RESOLUTION ALLOWING CLAIMS FOR MONTH OF FEBRUARY, 1940

---oOo---

WHEREAS, the claims against the City of Modesto for the month of February, 1940, 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-----	\$19,974.58
WATER FUND-----	5,973.31
LIBRARY FUND-----	1,729.88
BOND RED. INT. FUND-----	
ST. BOND RED. INT. FUND-----	17.50
UNAPPORTIONED FUND-----	
GASOLINE TAX FUND-----	
TOTAL-----	\$27,695.27

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of March, 1940 by Commissioner Bates, 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: Barnell, Bates, Neece, Stanley, Mayor Shannon  
Noes: Councilmen: None  
Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

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RESOLUTION NO. 4841-N.S.

A RESOLUTION AUTHORIZING PAYMENT TO S. M. MCGAW OF \$578.89 AS PROGRESSIVE PAYMENT ON IMPROVEMENT OF H STREET AS PROVIDED BY CONTRACT

---OOO---

WHEREAS, pursuant to filing of statement with the City Auditor by Frank J. Rossi, City Engineer, of work completed by S. M. McGaw on the improvement of H Street from High Street to east city limits, showing amount due on contract of \$578.89; and

WHEREAS, progressive payments are provided for in the contract for improving H Street,

BE IT HEREBY RESOLVED, that the City Auditor and Clerk be authorized to draw warrant in amount \$578.89 payable to S. M. McGaw as progressive payment.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of March, 1940 by Commissioner Barnell, 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: Barnell, Bates, Neece, Stanley, Mayor Shannon  
Noes: Councilmen: None  
Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4842-N.S.

A RESOLUTION AUTHORIZING THE RENEWAL OF LEASE WITH THE PATHFINDER FLYING SERVICE, A CORPORATION FOR AN ADDITIONAL YEAR COMMENCING ON APRIL 1, 1940

---oOo---

WHEREAS, the Pathfinder Flying Service, a Corporation, as lessee under that certain lease dated March 30th, 1936, by and between the said corporation and the City of Modesto, has filed with the City Clerk its notice electing to continue as the lessee of the premises described in said lease for an additional year commencing on April 1, 1940, and ending on March 31, 1941.

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

That the Mayor of the City of Modesto be, and he is hereby authorized on behalf of the said City, to accept said notice of election on behalf of the City of Modesto, and to endorse on said original notice the acceptance of the City thereof.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of March, 1940 by Commissioner Barnell, 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: Barnell, Bates, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

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RESOLUTION NO. 4843-N.S.

A RESOLUTION HIRING HERBERT PAUL FOR THE PURPOSE OF EXAMINING THE ORDINANCES OF THE CITY OF MODESTO AND CLASSIFYING THE SAME

---oOo---

WHEREAS, there are in the City of Modesto at present approximately nine hundred ordinances, together with certain resolutions making some of said ordinances effective; and,

WHEREAS, considerable confusion has resulted by reason of the fact that some of said ordinances conflict with others; and,

WHEREAS, a number of said ordinances are no longer necessary by reason of changed conditions in said City; and

WHEREAS, it is deemed to the best interest of the citizens of said City of Modesto that there be eliminated from the laws of the City out-modeled and useless ordinances:

NOW, THEREFORE, BE IT RESOLVED that Herbert Paul, attorney at law, of Modesto, California, be hereby retained for the sum of Two Hundred (\$200.00) Dollars for the purpose of examining said ordinances, classifying the same, calling to the attention of the Council of the City of Modesto ordinances that should be amended, changed and/or eliminated entirely.

BE IT FURTHER RESOLVED that after said work is completed, if it be deemed necessary and proper so to do, said Herbert Paul may be further retained for the sum of Three Hundred (\$300.00) Dollars in addition to the sum of Two Hundred (\$200.00) Dollars heretofore mentioned, for the purpose of codifying all of the ordinances of the City of Modesto, together with such resolutions as may be necessary

to explain and make understandable said ordinances.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of March, 1940 by Councilman Bates, who moved its adoption, which motion being duly seconded was upon roll call carried, and the resolution adopted by the following vote:

Ayes: Councilmen: Barnell, Bates, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

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RESOLUTION NO. 4844-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 March, 1940 by Commissioner Bates, 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: Barnell, Bates, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

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RESOLUTION NO. 4845-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 14th day of March, 1940, by Commissioner Neece, 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: Barnell, Bates, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

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RESOLUTION NO. 4847-N.S.

A RESOLUTION GRANTING LEAVE OF ABSENCE TO MAYOR SHANNON FOR A PERIOD OF 30 days  
BEGINNING MARCH 27, 1940

---oOo---

BE IT HEREBY RESOLVED that the Mayor of the City of Modesto, Carl W. Shannon, be authorized to leave the State of California for a period of 30 days beginning March 27, 1940, and

BE IT FURTHER RESOLVED that Mayor Shannon be authorized to attend the conference of the Mayors in Portland on April 8, and 9, 1940.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto, held on the 27th day of March, 1940 by Commissioner Bates, 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: Barnell, Bates, Neece and Mayor pro tem Stanley

Noes: Councilmen: None

Absent: Mayor Shannon

ATTEST H. E. GRAGG, CITY CLERK

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RESOLUTION NO. 4848-N.S.

A RESOLUTION AUTHORIZING THE CITY ATTORNEY TO WRITE TO R. E. PIERCE DISTRICT ENGINEER OF THE DEPARTMENT OF PUBLIC WORKS, DIVISION OF HIGHWAYS AND SENATOR J. C. GARRISON AND ASSEMBLYMAN HUGH F. DONNELLY

---OoO---

BE IT HEREBY RESOLVED that the City Attorney be authorized to write to R. E. Pierce, District Engineer of the Department of Public Works, Division of Highways of the State of California, Senator J. C. Garrison and Assemblyman Hugh P. Donnelly regarding the speed limit on Ninth Street.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto, held on the 27th day of March, 1940 by Commissioner Barnell, 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: Barnell, Bates, Neece and Mayor pro tem Stanley

Noes: Councilmen: None

Absent: Mayor Shannon

ATTEST H. E. GRAGG, CITY CLERK

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RESOLUTION NO. 4849-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 27th day of March, 1940 by Commissioner Bates, 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: Barnell, Bates, Neece and Mayor pro tem Stanley

Noes: Councilmen: None

Absent: Mayor Shannon

ATTEST: H. E. GRAGG, CITY CLERK

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RESOLUTION NO. 4850-N.S.

A RESOLUTION ESTABLISHING LOADING ZONE.

---oOo---

WHEREAS, under and by virtue of the terms of Ordinance No. 544-N.S. of the City of Modesto, the Council of said City is empowered by resolution to enforce the provisions of said ordinance as to parking limits, creating of loading zones, etc., by placing appropriate signs calling to the attention of the public that said ordinance is to be enforced in the area where said signs appear; and,

WHEREAS, it appears to said City Council that a loading zone should be established in the following described area:

Beginning on the Southwesterly curb of Tenth Street, at a point 4.00 feet Northwesterly from its intersection with the Southeasterly property line of Block 52, extended and produced; thence Northwesterly along the said curb, a distance of 36.50 feet.

NOW, THEREFORE, BE IT RESOLVED AND DECLARED that the hereinabove described area shall be and it is hereby designated as a loading zone.

BE IT FURTHER RESOLVED, that vehicles may park in said area for a period of twenty (20) consecutive minutes and no longer, for the purpose of loading and unloading materials, merchandise, equipment and goods.

This resolution shall not be effective until the City Engineer of the City of Modesto has established proper signs, symbols or markers in said area, calling to the attention of the public the fact that the hereinabove described area is a loading zone.

The foregoing Resolution was introduced at a special meeting of the Council of the City of Modesto held on the 4th day of April, 1940, by Councilman Stanley, who moved its adoption, which motion being duly seconded, it was upon roll call carried and adopted by the following vote:

Ayes: Councilmen: Barnell, Bates, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: ELMER J. BLUM, ASSISTANT CITY CLERK

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RESOLUTION NO. 4851-N.S.

A RESOLUTION ACCEPTING AMENDED MAP ON ESGAR TRACT

---oOo---

BE IT HEREBY RESOLVED that the amended map of the Esgar Tract, as presented by Reese Esgar, be accepted with the provision that a certain house on Esgar Avenue be removed within 30 days.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 4th day of April 1940 by Commissioner Barnell, 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: Barnell, Bates, Neece, Stanley, Mayor Shannon  
Noes: Councilmen: None  
Absent: Councilmen: None

ATTEST: ELMER J. BLUM, ASSISTANT CITY CLERK

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RESOLUTION NO. 4852-N.S.

ADJOURNMENT

---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 4th day of April, 1940 by Councilman Bates, 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: Barnell, Bates, Neece, Stanley, Mayor Shannon  
Noes: Councilmen: None  
Absent: Councilmen: None

ATTEST: ELMER J. BLUM, ASSISTANT CITY CLERK

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RESOLUTION NO. 4853-N.S.

A RESOLUTION AUTHORIZING THE CITY ATTORNEY TO PROCEED WITH THE CLOSING OF A PORTION OF PATRICIA LANE TO CONFORM WITH NEW STREET AND TO PREPARE DOCUMENTS FOR DEEDING A PORTION OF LOT 1, BLOCK 627 FROM J. D. HIGH TO THE CITY OF MODESTO

---oOo---

WHEREAS, James D. High has petition<sup>ed</sup> the Council to close a portion of Patricia Lane to conform with the new street, and

WHEREAS, he has agreed to deed to the City of Modesto, a portion of Lot 1, Block 627, to be used by the City.

BE IT HEREBY RESOLVED that the City Attorney be given instructions to proceed with the closing of the street as requested and preparing deed.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of April, 1940 by Commissioner Barnell, who moved its adoption, which motion being duly seconded, it was upon roll call carried by the following vote:

Ayes: Councilmen: Barnell, Bates, Neece, Stanley, Mayor Shannon  
Noes: Councilmen: None  
Absent: Councilmen: None

ATTEST: ELMER J. BLUM, ASSISTANT CITY CLERK

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RESOLUTION NO. 4854-N.S.

A RESOLUTION ALLOWING CLAIMS FOR MONTH OF MARCH, 1940

---oOo---

Whereas, the claims against the City of Modesto for the month of March, 1940, 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-----	\$23,768.91
WATER FUND-----	3,432.38
LIBRARY FUND-----	1,746.46
SPECIAL GAS TAX-----	578.89
 TOTAL TAX-----	 \$29,526.64

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of April 1940, by Commissioner Bates, 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: Barnell, Bates, Neece, Stanley, Mayor Shannon  
 Noes: Councilmen: None  
 Absent: Councilmen: None

ATTEST: ELMER J. BLUM, ASST. CITY CLERK

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RESOLUTION NO. 4855-N.S.

A RESOLUTION AUTHORIZING THE CITY CLERK AND AUDITOR TO DRAW WARRANTS IN PAYMENT OF JUROR FEES FOR THE ALFRED POTTER CASE AS PRESENTED BY JUDGE FLOYD

---oOo---

BE IT HEREBY RESOLVED that the City Clerk and Auditor be authorized to draw warrants in amount \$2.15 to each juror on the Alfred Potter case in the Police Court, as presented by Judge Floyd.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of April, 1940 by Commissioner Bates, 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: Barnell, Bates, Neece, Stanley, Mayor Shannon  
 Noes: Councilmen: None  
 Absent: Councilmen: None

ATTEST: ELMER J. BLUM, ASSISTANT CITY CLERK

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RESOLUTION NO. 4856-N.S.

A RESOLUTION GRANTING PERMIT TO NEVA HULS TO OPERATE A BEAUTY PARLOR IN THE RESIDENCE ZONE, 512 12TH STREET

---oOo---

WHEREAS, pursuant to the filing of petition with the Council by Neva Huls for permit to erect and maintain a beauty parlor at 512 12th Street, being lots 23 and 24, in Block 97, and it appearing from affidavits on file that a notice setting forth a time for hearing any and all protests to the granting of the petition as prayed for and this being the time set forth, and

WHEREAS the City Clerk reports that no protests either oral or written have been officially filed.

BE IT HEREBY RESOLVED that permission be granted to Neva Huls with the understanding that all provisions relative to building permit fees will be complied with.

The foregoing resolution was introduced at a regular meeting of the

Council of the City of Modesto held on the 10th day of April, 1940, by Commissioner Barnell, 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: Barnell, Bates, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: ELMER J. BLUM, ASSISTANT CITY CLERK

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RESOLUTION 4857-N.S.

A RESOLUTION APPROVING AGREEMENT WITH W. R. MENSINGER, ET UX AND THE CITY OF MODESTO

---oOo---

WHEREAS, the City Attorney has prepared agreement with W. R. Mensinger et ux and the City of Modesto for water service to be granted by the City to the M. & G. Olivewood Tract, Mensinger Tract No. 1 and Mensinger Tract No. 2, in exchange for the right, title and interest in all of the westerly 50 feet of the southerly 75 feet of Lot 16, Lot 743 of Mensinger Tract No. 1,

BE IT HEREBY RESOLVED that agreement be accepted as prepared and the Mayor and Assistant City Clerk be named as signatory officials.

BE IT FURTHER RESOLVED that the City Clerk be directed to record agreement 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 10th day of April, 1940 by Commissioner Barnell, 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: Barnell, Bates, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: ELMER J. BLUM, ASSISTANT CITY CLERK

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RESOLUTION 4858-N.S.

A RESOLUTION RECOMMENDING THAT ALL CONTRACTS WITH PERSONS OUTSIDE OF CITY PROVIDING FOR PAYMENT TO THE CITY FOR WATER SERVICE SHALL CONTAIN CLAUSE THAT MONIES SHALL NOT THEREAFTER BE REFUNDED

---oOo---

BE IT HEREBY RESOLVED that all contracts with persons outside the City of Modesto, providing for payment by said persons to the City of Modesto for water service, shall contain a clause to the effect that monies paid by said persons for said water service shall not thereafter be refunded.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of April, 1940 by Commissioner Barnell, 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: Barnell, Bates, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: ELMER J. BLUM, ASSISTANT CITY CLERK

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RESOLUTION NO. 4859-N.S.

A RESOLUTION AMENDING RESOLUTION NO. 4851-N.S. ENTITLED "A RESOLUTION ACCEPTING MAP AS AMENDED ON THE ESGAR TRACT"

---oOo---

BE IT HEREBY RESOLVED that resolution No. 4851-N.S. adopted by the Council at their special meeting held on April 4, 1940 entitled "A RESOLUTION ACCEPTING MAP AS AMENDED ON THE ESGAR TRACT", be hereby amended to accept map of the Esgar Tract as presented, subject to removal from the street property of a certain house on Esgar Avenue within 90 days instead of 30 days.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of April, 1940 by Commissioner Barnell, 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: Barnell, Bates, Neece, Stanley, Mayor Shannon  
Noes: Councilmen: None  
Absent: Councilmen: None

ATTEST: ELMER J. BLUM, ASSISTANT CITY CLERK

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RESOLUTION NO. 4860-N.S.

A RESOLUTION PROVIDING A TEN MINUTE PARKING SPACE ON THE NORTH-WESTERLY SIDE OF EYE STREET NEAR TENTH STREET, IN THE CITY OF MODESTO.

---oOo---

WHEREAS, under and by virtue of the provisions of Ordinance No. 544-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 increase or diminish the time for which vehicles may be parked on the public streets of the business district of the City of Modesto; and

WHEREAS, it appears to said City Council in regular session that the general welfare and safety of the citizens of the City of Modesto require that the time for parking vehicles in the hereinafter designated space be set at ten minutes:

NOW, THEREFORE, BE IT RESOLVED AND ORDERED by said City Council that in the space hereinafter set forth the parking time of all vehicles parked in said space shall be, between the hours of 9 o'clock A. M. and 6 o'clock P. M. for ten (10) consecutive minutes and no longer.

Said space is described as follows, to wit:

The first diagonal parking space on the Northwesterly side of Eye Street beginning at the Southwesterly property line of Tenth Street and extending Southwesterly to a point 36.30 feet.

BE IT FURTHER RESOLVED that the City Engineer of the City of Modesto shall procure proper markings and/or signs conveying to the public notice of the fact that the space herein designated shall be used by the operators of vehicles for the period herein set forth.

This resolution shall be effective as soon as the parking space herein designated is properly marked and designated by the said City Engineer of the City of Modesto.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on th 10th day of April, 1940, by Councilman Stanley, who moved its adoption, which motion being duly seconded, it was upon roll call carried and adopted by the following vote:

Ayes: Councilmen: Barnell, Bates, Neece, Stanley, Mayor Shannon  
Noes: Councilmen: None  
Absent: Councilmen: None

ATTEST: ELMER J. BLUM, ASSISTANT CITY CLERK

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RESOLUTION NO. 4861-N.S.

A RESOLUTION AUTHORIZING PROGRESSIVE PAYMENT TO S. M. MCGAW OF \$883.75 ON IMPROVING H STREET FROM HIGH STREET TO EAST CITY LIMITS.

---oOo---

BE IT HEREBY RESOLVED that the City Clerk and Auditor be authorized to draw warrant in amount \$883.75 to S. M. McGaw, contractor, for the improving of H Street from High Street to east city limits, progressive payment due as of April 10, 1940.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of April, 1940, by Councilman Barnell, 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: Barnell, Bates, Neece, Stanley, Mayor Shannon  
Noes: Councilmen: None  
Absent: Councilmen: None

ATTEST: ELMER J. BLUM, ASSISTANT CITY CLERK

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RESOLUTION 4862-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 10th day of April, 1940 by Commissioner Bates, 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: Barnell, Bates, Neece, Stanley, Mayor Shannon  
Noes: Councilmen: None  
Absent: Councilmen: None

ATTEST: ELMER J. BLUM, ASSISTANT CITY CLERK

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RESOLUTION NO. 4863-N.S.

A RESOLUTION ACKNOWLEDGING REQUEST OF JUNIOR CHAMBER OF COMMERCE AND EXCHANGE CLUB TO HOLD MODEL AIRPLANE SHOW AND GRANTING PERMISSION FOR HOLDING THE SAME UNDER CERTAIN CONDITIONS.

---oOo---

WHEREAS, a request has been made to the City Council of the City of Modesto requesting permission of the City Council of said City to allow the Junior Chamber of Commerce and Exchange Club of said City to hold a model airplane air show in the Modesto Municipal airport; and,

WHEREAS, it is the understanding of the City Council that no expense of said air show shall be borne by the said City of Modesto:

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MODESTO does hereby grant permission for the holding of said air show on May 26, 1940, at and upon said airport under the following conditions:

1. That there be presented to said City Council a resolution of the

Board of Directors of said Modesto Chamber of Commerce and Exchange Club, evidencing the fact that said Clubs are sponsoring said show.

2. That before said air show is held there shall be presented to the City Attorney of the City of Modesto for his examination satisfactory evidence that insurance in the sum of \$10,000.00 property damage and \$100,000.00 public liability damage has been secured.

3. That evidence be given to said City Council of City Attorney of said City that permission has been secured from the Civil Aeronautics Authority granting permission for the holding of said model airplane show.

4. That said City of Modesto shall incur no expense either in money or labor in connection with said air show.

5. That permission be secured by said Junior Chamber of Commerce and Exchange Club from Arthur Jenks, Manager of said airport, and employee of Pathfinder Flying Service, the present lessee of said airport, for the holding of said air show.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of April, 1940, by Councilman Bates, who moved its adoption, which motion being duly seconded, it was upon roll call carried and adopted by the following vote:

Ayes: Councilmen: Barnell, Bates, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG, CITY CLERK

BY: ELMER J. BLUM, ASSISTANT CITY CLERK

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RESOLUTION NO. 4864-N.S.

A RESOLUTION ACCEPTING MAP OF SCOON SUBDIVISION OF BLOCK 617 IN THE LESLIE-HUGH TRACT AND DESIGNATING THE MAYOR AND ASSISTANT CITY CLERK AS SIGNATORY OFFICIALS

----oOo----

BE IT HEREBY RESOLVED THAT THE map of the Scoon subdivision of Block 617 of the Leslie-Hugh Tract in the City of Modesto be hereby accepted by the Council and the Mayor and Assistant City Clerk are Hereby appointed as signatory officials.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of April, 1940 by Commissioner Barnell, 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: Barnell, Bates, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG, CITY CLERK

BY: ELMER J. BLUM, ASSISTANT CITY CLERK

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RESOLUTION NO. 4865-N.S.

A RESOLUTION ACCEPTING REPORTS FROM THE POLICE AND PUBLIC WORKS DEPARTMENTS ON EXPENDITURES FOR FISCAL YEAR 1939-1940 OF ALCOHOLIC BEVERAGE FUND

----oOo----

BE IT HEREBY RESOLVED that the reports from the Police and Public Works Departments on expenditures for fiscal year 1939-1940 of Alcoholic Beverage Fund be

accepted by the Council 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 April, 1940 by Commissioner Barnell, 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: Barnell, Bates, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG, CITY CLERK

BY: ELMER J. BLUM, ASSISTANT CITY CLERK

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RESOLUTION NO. 4866-N.S.

A RESOLUTION GRANTING LEAVE OF ABSENCE TO H. E. GRAGG.

---oOo---

WHEREAS, H. E. GRAGG, City Clerk, Auditor, Treasurer, Tax Collector, License Collector, and Assessor, by reason of illness finds it necessary to absent himself from his duties; and,

WHEREAS, the City Council of the City of Modesto is willing that the said H. E. Gragg may absent himself from his positions with said City for a limited period of time:

NOW, THEREFORE, BE IT RESOLVED that the said H. E. Gragg is hereby granted a leave of absence from his duties as City Clerk, Auditor, Treasurer, Tax Collector, License Collector, and Assessor of the City of Modesto for the period of 60 days.

BE IT FURTHER RESOLVED that all resolution and ordinances appertaining to suspension of pay, sick leave, etc., governing the employees of said City of Modesto are hereby made applicable to the said H. E. Gragg.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of April, 1940, by Councilman Neece, who moved its adoption, which motion being duly seconded, it was upon roll call carried and adopted by the following vote:

Ayes: Councilmen: Barnell, Bates, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: ELMER J. BLUM, ASSISTANT CITY CLERK

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RESOLUTION NO. 4867-N.S.

A RESOLUTION APPOINTING ELMER J. BLUM ASSISTANT AUDITOR, ASSESSOR TAX COLLECTOR AND TREASURER OF THE CITY OF MODESTO

---oOo---

WHEREAS, H. E. Gragg, City Auditor, Assessor, Tax Collector and Treasurer has been given a leave of absence by the Council of the City of Modesto, and

WHEREAS, it becomes necessary for someone to fulfill the duties of the said H. E. Gragg and perform the functions of the various offices held by him.

NOW, THEREFORE BE IT RESOLVED that Elmer J. Blum, Assistant City Clerk of the City of Modesto be and he is hereby appointed Assistant Auditor, Assessor, Tax Collector and Treasurer with all of the rights, powers and functions which said

H. E. Gragg might exercise and perform in the duties of said office.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of April, 1940 by Councilman Bates, who moved its adoption which resolution being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Barnell, Bates, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: ELMER J. BLUM, ASSISTANT CITY CLERK

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RESOLUTION NO. 4868-N.S.

A RESOLUTION ACCEPTING REPORTS FROM THE POLICE AND PUBLIC WORKS DEPARTMENTS ON EXPENDITURES FOR FISCAL YEAR 1939-1940 OF "IN LIEU TAX FUND"

---oOo---

BE IT HEREBY RESOLVED that the reports from the Police and Public Works Departments on expenditures for fiscal year 1939-1940 of "In Lieu Tax Fund", be accepted by the Council 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 April, 1940 by Commissioner Barnell, 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: Barnell, Bates, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG, CITY CLERK

BY: ELMER J. BLUM, ASSISTANT CITY CLERK

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RESOLUTION NO. 4869-N.S.

ADJOURNMENT

BE IT HEREBY RESOLVED that the 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 24th day of April, 1940 by Commissioner Bates, 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: Barnell, Bates, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG, CITY CLERK

BY: ELMER J. BLUM, ASSISTANT CITY CLERK

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RESOLUTION NO. 4870-N.S.

A RESOLUTION APPOINTING A COMMITTEE TO INVESTIGATE THE PURCHASING OF PROPERTY FOR A CITY HALL

---oOo---

BE IT HEREBY RESOLVED that a committee composed of City Attorney Fowler, City Engineer Rossi and Commissioner Barnell be hereby appointed to investigate the purchasing of property for a City Hall.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 26th Day of April, 1940 by Commissioner Stanley, 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: Barnell, Bates, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG, CITY CLERK

BY: ELMER J. BLUM, ASSISTANT CITY CLERK

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RESOLUTION NO. 4871-N.S.

A RESOLUTION ACCEPTING REPORT OF COMMITTEE ON THE PURCHASING OF PROPERTY FOR A CITY HALL

---oOo---

BE IT HEREBY RESOLVED that the report of the committee appointed by Resolution No. 4870-N.S. to investigate the purchasing of property to be used by the City of Modesto for a City Hall be hereby accepted and placed on file in the office of the City Clerk.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 26th day of April, 1940 by Commissioner Stanley, 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: Barnell, Bates, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG, CITY CLERK

BY: ELMER J. BLUM, ASSISTANT CITY CLERK

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RESOLUTION NO. 4872-N.S.

A RESOLUTION TO PURCHASE THE ELKS BUILDING IN THE CITY OF MODESTO UNDER CONDITIONS SET FORTH IN SAID RESOLUTION.

---oOo---

WHEREAS, the Committee appointed by the Mayor and the City Council of the City of Modesto has on this date rendered its report relative to the feasibility of the purchase of said Elks Building, situate at Thirteenth and I Streets in said City; and,

WHEREAS, from the matters set forth in said report the City Council has concluded that said Elks Building should be procured by the City for use as a City Hall; and,

WHEREAS, said Council likewise has concluded that the lot at the rear of said building, facing on Thirteenth Street, should be purchased; and,

WHEREAS, the Council is aware of the fact that it will cost approximately \$16,000.00 to remodel the present City Hall on Tenth Street in the City of Modesto, and that after said moneys are expended in remodeling is still little more than a temporary makeshift:

NOW, THEREFORE, and after due consideration of all the matters set forth in the report of said Committee, said CITY COUNCIL DOES HEREBY RESOLVE that

said Elks Building should be purchased by said City, and does by this resolution recommend that negotiations be opened for the purchase of said Elks Building, upon the following conditions, to-wit:

1. That the owners of said Elks Building shall accept as a partial payment on the purchase price of said building the present City Hall of this City, at a valuation of \$31,560.40. That said owners of said Elks Building shall accept from said City of Modesto two houses and six lots located at Seventeenth and I Streets in said City, at a valuation of \$8,025.00, making a total valuation of the two properties of \$39,585.40.

2. That in addition to the amount hereinabove immediately set forth, the sum of \$6,000.00 be offered to the owners of said Elks Building as the purchase price thereof.

BE IT FURTHER RESOLVED, that an option be obtained on that certain lot and house situate thereon, located in the rear of said Elks Building and facing on Thirteenth Street in the City of Modesto.

The report of the Committee filed this date, which has heretofore been referred to, is hereby further referred to in this resolution for further particulars.

The foregoing Resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of April, 1940, by Councilman Stanley, who moved its adoption, which motion being duly seconded, it was upon roll call carried and adopted by the following vote:

Ayes: Councilmen: Barnell, Bates, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG, CITY CLERK

BY: ELMER J. BLUM, ASSISTANT CITY CLERK

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RESOLUTION NO. 4873-N.S.

A RESOLUTION AUTHORIZING THE REAL ESTATE BROKERS, KING AND GIDDINGS TO NEGOTIATE PURCHASE OF ELKS BUILDING FOR THE CITY OF MODESTO AND TO OBTAIN 60 DAYS OPTION ON THAT CERTAIN PARCEL OF LAND ADJOINING THE ELKS BUILDING ON THIRTEENTH STREET

---oOo---

WHEREAS, it appears proper and to the interest of the citizens of the City of Modesto that the City should purchase the Elks Building in the said city for use as a City Hall, and

WHEREAS, the firm of King & Giddings, Real Estate Brokers of the City of Modesto has offered its services to negotiate the purchase of said building by the City,

NOW, THEREFORE, the said firm of King and Giddings is hereby appointed and authorized to negotiate with the owners of said building for the sale thereof to the City of Modesto, on the basis set forth in Resolution No. 4872-N.S.

BE IT FURTHER RESOLVED that the purchase of said Elks Building be made contingent upon the fact that the City shall obtain that certain parcel or lot of land in the rear of certain Elks Building facing Thirteenth Street and on the further contingency that option for 60 days shall be obtained on said lot or parcel of land in the rear of said Elks Building. The authority herein conferred on the said firm of King and Giddings shall end 60 days from date.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 26th day of April, 1940 by Councilman Stanley, 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: Barnell, Bates, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: ELMER J. BLUM, ASSISTANT CITY CLERK

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RESOLUTION NO. 4874-N.S.

A RESOLUTION ACCEPTING DEEDS FROM THE TURLOCK GUARANTEE BUILDING-LOAN ASSOCIATION AND LEO BONNEY ET UX IN BLOCK 213 FOR THE EXTENSION OF MORTON BOULEVARD

---oOo---

BE IT HEREBY RESOLVED that the deeds from the Turlock Guarantee Building-Loan Association on a portion of lots 23 and 24 in Block 213 and from Leo Bonney et ux on portion of lots 25 and 26 in Block 213 to be used in extension of Morton Boulevard be hereby accepted by the Council of the City of Modesto, and

BE IT FURTHER RESOLVED that the City Clerk be and he is hereby authorized 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 26th day of April, 1940 by Commissioner Barnell 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: Barnell, Bates, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG, CITY CLERK

BY: ELMER J. BLUM, ASSISTANT CITY CLERK

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RESOLUTION NO. 4875-N.S.

A RESOLUTION AUTHORIZING THE CITY ENGINEER TO MAKE APPLICATION TO THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA FOR PERMISSION TO INSTALL A MECHANICAL TRAFFIC SIGNAL AT THE INTERSECTION OF NINTH AND B STREETS

---oOo---

BE IT HEREBY RESOLVED that the City Engineer be authorized to make application to the Railroad Commission of the State of California for permission to install a mechanical traffic signal at the intersection of 9th and B Streets.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 26th day of April, 1940 by Commissioner Barnell, 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: Barnell, Bates, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG, CITY CLERK

BY: ELMER J. BLUM, ASSISTANT CITY CLERK

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RESOLUTION NO. 4876-N.S.

A RESOLUTION APPROVING BOND AND APPLICATION OF BROWN AND SINCLAIR TO OPERATE A USED CAR LOT AT 911 G STREET

---oOo---

BE IT HEREBY RESOLVED that bond and application of Brown and Sinclair to operate a used car lot at 911 G Street be approved.

The foregoing resolution was introduced at a special Council meeting of the City of Modesto held on the 26th day of April, 1940 by Commissioner Bates, 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: Barnell, Bates, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG, CITY CLERK

BY: ELMER J. BLUM, ASSISTANT CITY CLERK

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RESOLUTION NO. 4877-N.S.

A RESOLUTION PROVIDING FOR FULL PAY TO GEORGE DENNISON DURING INCAPACITATION.

---oOo---

WHEREAS, under and by virtue of the provisions of Section 9 of Ordinance No. 559-N.S. (Pension Ordinance) of the City of Modesto, it lies within the discretion of the Pension Board to award to a physically disabled member of the Police or Fire Department of said City of Modesto full pay of said member for not more than one year; and,

WHEREAS, George Dennison, member of the Police Department of said City has become physically unable to carry on his duties as a member of said Department; and,

WHEREAS, from evidence adduced, said Pension Board has found that the disability now suffered by said George Dennison resulted from injuries received by him in the course of his employment as member of said Department; and,

WHEREAS, by reason of the splendid record of said George Dennison as a member of said Department, it is deemed by said Pension Board to be proper to recommend to the City Council of the City of Modesto that the said George Dennison shall during the period of his disability and for a period not longer than one year from the date of his incapacitation be paid his full salary, minus any amounts or sums that the said George Dennison may receive by reason of insurance carried by the City of Modesto under the Workman's Compensation Act:

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MODESTO DOES HEREBY RESOLVE that under and by virtue of the provisions of Section 9 of Ordinance No. 559-N.S. of said City of Modesto, the said George Dennison should be paid, and it is hereby directed that the Pension Board of the City of Modesto shall pay out of the Pension Fund unto the said George Dennison during his incapacitation and for a period not longer than one year from the date of said incapacitation the full salary that the said George Dennison has been earning as a member of the Police Department of the City of Modesto, minus any amounts that he may receive under the City's Workman's Compensation policy of insurance.

The foregoing Resolution was introduced at a special meeting of the Council of the City of Modesto held on the 26th day of April, 1940, by Councilman

Bates, who moved its adoption, which motion being duly seconded was upon roll call carried, and the Resolution adopted by the following vote:

Ayes: Councilmen: Barnell, Bates, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: ELMER J. BLUM, ASSISTANT CITY CLERK

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RESOLUTION NO. 4878-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 26th day of April, 1940 by Commissioner Neece, 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: Barnell, Bates, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG, CITY CLERK

BY: ELMER J. BLUM, ASSISTANT CITY CLERK

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RESOLUTION NO. 4879-N.S.

A. RESOLUTION ACCEPTING AGREEMENT BETWEEN HAROLD H. HERRON, DELMA HIGH HERRON, MALIN T. LANGSTROTH AND VERA LANGSTROTH AND THE CITY OF MODESTO FOR ANNEXATION OF JOHN MUIR PARK TRACT TO THE CITY OF MODESTO

---oOo---

BE IT HEREBY RESOLVED that agreement between Harold H. Herron, Delma High Herron, Malin T. Langstroth and Vera Langstroth and the City of Modesto for annexation of the John Muir Park Tract to the City of Modesto be hereby approved.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of May, 1940 by Commissioner Barnell, 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: Barnell, Bates, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

H. E. GRAGG, CITY CLERK

ATTEST: ELMER J. BLUM, ASSISTANT CITY CLERK

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RESOLUTION NO. 4880-N.S.

A RESOLUTION ALLOWING CLAIMS FOR MONTH OF APRIL, 1940.

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WHEREAS, the claims against the City of Modesto for the month of April, 1940, 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	\$24,773.96
WATER FUND	5,427.74
LIBRARY FUND	2,059.91
BOND RED. INT. FUND	87.50
SPECIAL GAS TAX	1,121.52
	<u>\$33,470.63</u>

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of May, 1940 by Commissioner Bates, 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: Barnell, Bates, Neece, Stanley, Mayor Shannon  
 Noes: Councilmen: None  
 Absent: Councilmen: None

H. E. GRAGG, CITY CLERK

ATTEST: ELMER J. BLUM, ASSISTANT CITY CLERK

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RESOLUTION NO. 4881-N.S.

A RESOLUTION GRANTING PERMIT TO CLIFFORD D. BARNES AND JOHN E. GRIFFIN TO ERECT AND MAINTAIN A SUPER SERVICE STATION ON THE E 90' OF LOTS 14, 15, 16, BLOCK 86 OF THE CITY OF MODESTO

---oOo---

WHEREAS, pursuant to the filing of petition with the Council by Clifford D. Barnes and John E. Griffin for permit to erect and maintain a Super Service station on the E 90' of lots 14, 15, 16, Block 86 of the City of Modesto and it appearing from affidavits on file that a notice setting forth a time for hearing any and all protests to the granting of the petition as prayed for and this being the time set forth, and

WHEREAS, the City Clerk reports that no protests either oral or written have been officially filed.

BE IT HEREBY RESOLVED that permission be granted to applicants with the understanding that all provisions relative to building permit fees and provisions of Section 1 of Ordinance No. 344-N.S. relating to construction of gasoline service stations will be complied with.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of May, 1940 by Commissioner Barnell, 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: Barnell, Bates, Neece, Stanley, Mayor Shannon  
 Noes: Councilmen: None  
 Absent: Councilmen: None

H. E. GRAGG, CITY CLERK

ATTEST: ELMER J. BLUM, ASSISTANT CITY CLERK

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RESOLUTION NO. 4882-N.S.

A RESOLUTION ACCEPTING PAVING OF H STREET FROM CONTRACTOR S. M. MCGAW AND AUTHORIZING PROGRESSIVE PAYMENT OF \$6339.26

---oOo---

WHEREAS, City Engineer Rossi has filed notice with the City Clerk of

completion of the improvement of H Street from High Street to the east city limits by contractor S. M. McGaw, and

WHEREAS there is due and payable to contractor, S. M. McGaw at this time a progressive payment of \$6339.26,

BE IT HEREBY RESOLVED, that the work be accepted by the Council as completed by the contractor and the City Clerk and Auditor be and he is hereby directed to draw a warrant in the amount of \$6339.26 payable to S. M. McGaw, and

BE IT FURTHER RESOLVED that the City Clerk be authorized to record notice of completion with the County Recorder of the paving of H Street.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of May, 1940 by Commissioner Barnell, 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: Barnell, Bates, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

H. E. GRAGG, CITY CLERK

ATTEST: ELMER J. BLUM, ASSISTANT CITY CLERK

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RESOLUTION NO. 4883-N.S.

A RESOLUTION ESTABLISHING A MINIMUM RENTAL FEE OF \$5.00 FOR THE USE OF THE MUNICIPAL BASEBALL PARK

---oOo---

BE IT HEREBY RESOLVED that a rental fee of five cents per grandstand seat, with a minimum of \$5.00, be charged each team using the Modesto Municipal Baseball Park.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of May, 1940 by Commissioner Neece, 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: Barnell, Bates, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

H. E. GRAGG, CITY CLERK

ATTEST: ELMER J. BLUM, ASSISTANT CITY CLERK

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RESOLUTION NO. 4884-N.S.

A RESOLUTION REAPPOINTING HOWARD KEELEY PARK COMMISSIONER FOR A TERM OF THREE YEARS FROM MAY 10, 1940

---oOo---

BE IT HEREBY RESOLVED that Howard Keeley be reappointed Park Commissioner for a term of three years from May 10, 1940.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of May, 1940 by Commissioner Neece, 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: Barnell, Bates, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

H. E. GRAGG, CITY CLERK

ATTEST: ELMER J. BLUM, ASSISTANT CITY CLERK

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RESOLUTION NO. 4885-N.S.

A RESOLUTION CANCELLING THE OPTION OBTAINED BY KING AND GIDDINGS FOR THE CITY OF MODESTO ON THE DAVIS HOUSE BLOCK 94, LOTS 3 AND 4.

---o0o---

WHEREAS, pursuant to provisions of Resolution No. 4873-N.S. adopted at a special meeting of the Council on April 26, 1940, appointing the firm of King and Giddings as brokers to negotiate with the owners of the Elks building to purchase said building for the City of Modesto and to obtain an option on the Edw. C. Davis property located in Block 94, lots 3 and 4, and

WHEREAS King and Giddings have been unable to negotiate the purchase of the Elks building in accordance with conditions set forth in above mentioned resolution but have obtained an option from Edw. C. Davis.

BE IT HEREBY RESOLVED that option obtained by King and Giddings for the City of Modesto on the Edw. C. Davis house in Block 94, lots 3 and 4 be and it is hereby cancelled.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of May, 1940 by Commissioner Neece, 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: Barnell, Bates, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

H. E. GRAGG, CITY CLERK

ATTEST: ELMER J. BLUM, ASSISTANT CITY CLERK

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RESOLUTION NO. 4886-N.S.

A RESOLUTION DISCHARGING COMMITTEE APPOINTED BY RESOLUTION NO. 4870-N.S. TO INVESTIGATE THE PURCHASING OF PROPERTY FOR A CITY HALL

---o0o---

BE IT HEREBY RESOLVED that the Committee appointed by Resolution No. 4870-N.S. composed of City Attorney Fowler, City Engineer Rossi and Commissioner Barnell to investigate the purchasing of property for a City Hall be hereby discharged.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of May, 1940 by Commissioner Neece, 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: Barnell, Bates, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG, CITY CLERK

BY: ELMER J. BLUM, ASSISTANT CITY CLERK

RESOLUTION NO. 4887-N.S.

A RESOLUTION AUTHORIZING BOND ON NEW CLERK OF THE POLICE COURT

---oOo---

BE IT HEREBY RESOLVED that bond be secured on the new clerk of the Police Court, Marie Rohrer in the amount of \$2000.00.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of May, 1940 by Commissioner Bates, 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: Barnell, Bates, Neece, Stanley, Mayor Shannon  
Noes: Councilmen: None  
Absent: Councilmen: None

H. E. GRAGG, CITY CLERK

ATTEST: ELMER J. BLUM, ASSISTANT CITY CLERK

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RESOLUTION NO. 4888-N.S.

ADJOURNMENT

BE IT HEREBY RESOLVED that the 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 May, 1940 by Commissioner Stanley, 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: Barnell, Bates, Neece, Stanley, Mayor Shannon  
Noes: Councilmen: None  
Absent: Councilmen: None

ATTEST: H. E. GRAGG, CITY CLERK

BY: ELMER J. BLUM, ASSISTANT CITY CLERK

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RESOLUTION NO. 4889-N.S.

A RESOLUTION APPROVING CHANGE OF LOCATION OF CAMP OF THE RECREATION COMMISSION

---oOo---

WHEREAS, Resolution No. 4837-N.S. adopted by the Council on the 6th day of March, 1940 approving of the Recreation Commission's request to operate a summer camp near Pinecrest, owned by the 4H Club, and

WHEREAS, Mr. E. C. Peckham of the Recreation Commission has appeared before the Council notifying them that the location of the summer camp is to be changed to Hardin Flat on Oak Flat Road.

THEREFORE BE IT RESOLVED that change of location of camp by the Recreation Commission be approved by the Council 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 22nd day of May, 1940 by Commissioner Neece, 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: Barnell, Bates, Neece, Stanley, Mayor Shannon  
Noes: Councilmen: None  
Absent: Councilmen: None

ATTEST: H. E. GRAGG, CITY CLERK

BY: ELMER J. BLUM, ASSISTANT CITY CLERK

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RESOLUTION NO. 4890-N.S.

A RESOLUTION ACCEPTING OPTIONS ON PROPERTY FOR CITY HALL SITE

---oOo---

WHEREAS, pursuant to the presentation to the Council of option on the northerly half of lot 24, all of lots 25, 26, 27, 28, 29, 30, 31, 32 in Block 121, Fifteenth and I Streets by Bomberger Brothers, until August 1, 1940 for \$14,300 and option on lots 13 to 16 inc. in Block 93 by Lillian F. DeYoe for \$20,000 for thirty days, to be used as a site for the City Hall.

BE IT HEREBY RESOLVED that options be accepted and placed on file.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of May, 1940 by Commissioner Barnell, 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: Barnell, Bates, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG, CITY CLERK

BY: ELMER J. BLUM, ASSISTANT CITY CLERK

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RESOLUTION NO. 4891-N.S.

CITY OF MODESTO

---oOo---

RESOLVED, that the following streets 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 "Streets of Major Importance."

<u>NAME</u>	<u>TERMINI</u>
EIGHTH STREET	from H Street to Arch Street
MORRIS AVENUE	from College Avenue to the East City Limits.

BE IT FURTHER RESOLVED, that the City Council of the City of Modesto does recommend to the Department of Public Works of the State of California that the above listed streets be likewise approved and designated by the Director of said Department as Streets of Major Importance in the City of Modesto.

The foregoing Resolution was introduced at a regular meeting of the Council of the City of Modesto held on May 22, 1940 by Commissioner Barnell, who issued its adoption, which motion being duly seconded it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Barnell, Bates, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG, CITY CLERK

BY: ELMER J. BLUM, ASSISTANT CITY CLERK

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RESOLUTION NO. 4892-N.S.

A RESOLUTION APPROVING MAP OF MELROSE SUBDIVISION AND DESIGNATING THE MAYOR AND CITY CLERK AS SIGNATORY OFFICIALS

---o0o---

BE IT HEREBY RESOLVED that the map of the Melrose Subdivision (part of Esgar Tract annexed to the City of Modesto on September 5, 1939) be accepted as presented and the Mayor and City Clerk be and they are hereby 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 May, 1940 by Commissioner Barnell, 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: Barnell, Bates, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG, CITY CLERK

BY: ELMER J. BLUM, ASSISTANT CITY CLERK

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RESOLUTION NO. 4893-N.S.

A RESOLUTION GRANTING PERMIT TO FRANK LEO TO ESTABLISH BEAUTY PARLOR IN RESIDENCE ZONE AT 602 FOURTH STREET IN THE CITY OF MODESTO

---o0o---

WHEREAS, pursuant to the filing of petition with the Council by Frank Leo to conduct a beauty parlor on property known as 602 Fourth Street, being lots 17, 18, 19, Block 14 of the City of Modesto and it appearing from affidavits on file that a notice setting forth a time for hearing any and all protests to the granting of the petition as prayed for and this being the time set forth, and

WHEREAS, the City Clerk reports that no protests either oral or written have been officially filed.

BE IT HEREBY RESOLVED that permission be granted to the applicant as requested with the understanding that all provisions relative to building permit fees will be complied with.

The foregoing resolution was introduced at a regular session of the Council of the City of Modesto held on the 22nd day of May, 1940 by Commissioner Barnell, 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: Barnell, Bates, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG, CITY CLERK

BY: ELMER J. BLUM, ASSISTANT CITY CLERK

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RESOLUTION NO. 4894-N.S.

A RESOLUTION DESIGNATING MAYOR SHANNON AS SIGNATORY OFFICIAL ON APPLICATION TO BUILD THE CHURCH OF NAZARENES IN BLOCK 340, LOTS 13 AND 14

---o0o---

BE IT HEREBY RESOLVED that Mayor Shannon be designated as signatory

official on application to build the church of Nazarenes in Block 340, lots 13 and 14, as the City of Modesto has taken tax deed on certain adjacent lots, namely Block 341, lots 1, 2, and 3 and Block 337, lots 51, 52, 53.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of May, 1940 by Commissioner Bates, 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: Barnell, Bates, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG, CITY CLERK

BY: ELMER J. BLUM, ASSISTANT CITY CLERK

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RESOLUTION NO. 4895-N.S.

A RESOLUTION APPROVING APPLICATION AND BOND OF J. P. SCHLESSER TO OPERATE A USED CAR LOT AT 11TH & H STREETS

---oOo---

BE IT HEREBY RESOLVED that application and bond of J. P. Schlessler to operate a used car lot at 11th & H Streets 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 22nd day of May, 1940 by Commissioner Stanley, who moved its adoption, which motion being duly seconded, it was upon roll call adopted by the following vote:

Ayes: Councilmen: Barnell, Bates, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG, CITY CLERK

BY: ELMER J. BLUM, ASSISTANT CITY CLERK

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RESOLUTION NO. 4896-N.S.

A RESOLUTION RECOMMENDING THAT THE CITY OF MODESTO SPONSOR TWO CAMPERSHIPS FOR THE SUMMER OF 1940 AND AUTHORIZING THE CITY CLERK TO DRAW WARRANT PAYABLE TO THE MODESTO GIRL SCOUT COUNCIL IN AMOUNT \$15.00

---oOo---

WHEREAS, pursuant to request from the Modesto Girl Scout Council for the City of Modesto to contribute \$15.00 to be used for the attendance of two girls to the Girl Scout Camp at Pinecrest this summer.

BE IT HEREBY RESOLVED that the City of Modesto sponsor two camperships for the summer of 1940 and the City Clerk and Auditor is hereby authorized to draw warrant payable to the Modesto Girl Scout Council in amount \$15.00.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of May, 1940 by Commissioner Neece, 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: Barnell, Bates, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG, CITY CLERK

BY: ELMER J. BLUM, ASSISTANT CITY CLERK

RESOLUTION NO. 4897-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 May, 1940 by Commissioner Stanley, 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: Barnell, Bates, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG, CITY CLERK

BY: ELMER J. BLUM, ASSISTANT CITY CLERK

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RESOLUTION NO. 4898-N.S.

A RESOLUTION ACCEPTING PETITION FOR ANNEXATION OF JOHN MUIR PARK TO THE CITY OF MODESTO

---oOo---

WHEREAS, there has been presented to the City Council of the City of Modesto at a special meeting thereof held on the 27th day of May, 1940, a petition requesting that an election be called in the JOHN MUIR PARK, which tract is described as follows, to-wit:

All that certain real property and territory located in the southwest quarter of Section 21, Township 3 South, Range 9 East, M. D. B. & M. in the County of Stanislaus, State of California, and particularly bounded and described as follows, to-wit:

Commencing at the  $\frac{1}{4}$  corner on the Section line between Sections 21 and 28, Township 3 South, Range 9 East, M. D. B. & M.; thence Westerly along the said Section Line, a distance of 20.00 feet to the point of beginning; thence Northerly along a line 20.00 feet Westerly from, and parallel to the  $\frac{1}{2}$  Section Line in the said Section 21, to the Southeasterly property line of the Modesto Irrigation District Lateral No. 4 Right of Way; thence Northwesterly at an angle of  $90^{\circ} 00'$  with the said line 20.00 feet Westerly from, and parallel to the said  $\frac{1}{4}$  Section Line, to the Northwesterly property line of the said Modesto Irrigation District Lateral No. 4 Right of Way; thence Southwesterly along the said Northwesterly property line of the said Modesto Irrigation District Lateral No. 4 Right of Way, to a line 10.00 feet Northerly from and parallel to the Northerly boundary line of the Lesliehugh Tract; thence Westerly along the said line 10.00 feet Northerly from and parallel to the said Northerly boundary line of the said Lesliehugh Tract, to the center line of Kimble Street, extended and produced; thence Southerly along the said center line of the said Kimble Street extended and produced, and the said center line of the said Kimble Street, to the center line of Hintze Avenue; thence Easterly along the said center line of the said Hintze Avenue, to the center line of Patricia Lane; thence Northeasterly along the said center line of the said Patricia Lane, to the said Northerly boundary line of the said Lesliehugh Tract; thence Easterly along the said Northerly boundary line of the said Lesliehugh Tract, to the said Northwesterly property line of the said Modesto Irrigation District Lateral No. 4 Right of Way; thence Southwesterly along the said Northwesterly property line of the said Modesto Irrigation District Lateral No. 4 Right of Way, and the said Northwesterly property line of the said Modesto Irrigation District Lateral No. 4 Right of Way, extended and produced, to the said Section Line between Sections 21 and 28; thence Easterly along the said Section Line between Sections 21 and 28, to the point of beginning.

The said Section Line between Sections 21 and 28 being common with the Northerly City Limits, as shown on the Official Map of the City of Modesto as officially adopted March 23, 1938, and other data as mentioned in this description is as shown on the Map of the High Homes Tract, as recorded in Maps, Volume 9, Page 24, on the Amended Map of Leslie hugh Tract, as recorded in Volume 11, Page 20, and on the Map of the Bussinger Tract, as recorded in Maps, Volume 9, Page 48, in the Stanislaus County Records, Stanislaus County, California.

WHEREAS, it appears to the City Council of said City that said petition is in order:

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 and notices for the holding of an election in said territory sought to be annexed to the City of Modesto, for the purpose of determining whether or not the voters living in said territory desire said territory to be annexed to, and to become a part of the City Limits 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 27th day of May, 1940, by Councilman Barnell who moved its adoption, which motion being duly seconded, was upon roll call carried and adopted by the following vote:

Ayes: Councilmen: Barnell, Bates, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG, CITY CLERK

BY: ELMER J. BLUM, ASSISTANT CITY CLERK

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RESOLUTION NO. 4899-N.S.

A RESOLUTION OF INTENTION TO HOLD AN ELECTION FOR ANNEXATION OF "JOHN MUIR PARK" TO THE CITY OF MODESTO, AND PROVIDING A TIME FOR HEARING PROTESTS AGAINST THE HOLDING OF SAID ELECTION

---oOo---

WHEREAS, there has been presented to the City Council of the City of Modesto at a special meeting thereof held on the 27th day of May, 1940, a petition requesting that an election be called in the "JOHN MUIR PARK", which tract is described as follows, to wit:

All that certain real property and territory located in the southwest quarter of Section 21, Township 3 South, Range 9 East, M. D. B. & M. in the County of Stanislaus, State of California, and particularly bounded and described as follows, to-wit:

Commencing at the  $\frac{1}{4}$  Section line between Sections 21 and 28, Township 3 South, Range 9 East, M. D. B. & M.; thence Westerly along the said Section Line, a distance of 20.00 feet, to the point of beginning; thence Northerly along a line 20.00 feet Westerly from, and parallel to the  $\frac{1}{4}$  Section Line in the said Section 21, to the Southeasterly property line of the Modesto Irrigation District Lateral No. 4 Right of Way; thence Northwesterly at an angle of 90° 00' with the said line 20.00 feet Westerly from, and parallel to the said  $\frac{1}{4}$  Section Line, to the Northwesterly property line of the said Modesto Irrigation District Lateral No. 4 Right of Way; thence Southwesterly along the said Northwesterly property line of the said Modesto Irrigation District Lateral No. 4 Right of Way, to a line 10.00 feet Northerly from and parallel to the Northerly boundary line of the Lesliehugh Tract; thence Westerly along the said line 10.00 feet northerly from and parallel to the said Northerly boundary line of the said Lesliehugh Tract, to the center line of Kimble Street, extended and produced; thence Southerly along the said center line of the said Kimble Street extended and produced, and the said center line of the said Kimble Street, to the center line of Hintze Avenue; thence Easterly along the said center line of the said Hintze Avenue, to the center line of Patricia Lane; thence Northeasterly along the said center line of the said Patricia Lane, to the said Northerly boundary line of the said Lesliehugh Tract; thence Easterly along the said Northerly boundary line of the said Lesliehugh Tract, to the said Northwesterly property line of the said Modesto Irrigation District Lateral No. 4 Right of Way; thence Southwesterly along the said Northwesterly property line of the said Modesto Irrigation District Lateral No. 4 Right of Way, and the said Northwesterly property line of the said Modesto Irrigation District Lateral No. 4 Right of Way, extended and produced, to the said Section Line between Sections 21 and 28; thence Easterly along the said Section Line between Sections 21 and 28, to the point of beginning.

The said Section Line between Sections 21 and 28 being common with the Northerly City Limits, as shown on the Official Map of the City of Modesto as officially adopted March 23, 1938, and other data as mentioned in this description is as shown on the Map of the High Homes Tract, as recorded in Maps, Volume 9, Page 24, on the Amended Map of Lesliehugh Tract, as recorded in Volume 11, Page 20, and on the Map of the Bussinger Tract, as recorded in Maps, Volume 9, Page 48, in the Stanislaus County Records, Stanislaus County, California.

WHEREAS, it appears to the City Council of said City that said petition is in order; and,

WHEREAS, by the provisions of Act 5159 (Annexation Act of 1913) Deering's General Laws, 1937, at page 2210, it is provided that a time and place be set for hearing written protests to the holding of an election for the annexation of said Tract:

NOW, THEREFORE, said petition for annexation of said JOHN MUIR PARK as herein described is hereby accepted by said City Council of said City, and said City Council does hereby declare that it is the intention of said City Council to hold an election in said JOHN MUIR PARK for the purpose of submitting to the voters of said JOHN MUIR PARK the question whether or not the voters residing in said JOHN MUIR PARK desire to have said described territory annexed to and made a part of the corporate limits of the City of Modesto, County of Stanislaus, State of California.

Said election shall be held in said JOHN MUIR PARK on the 19th day of July, 1940.

The time for hearing protests by persons owning property in the within described JOHN MUIR PARK is hereby set for the 14th day of June, 1940, in the Council room in the rear of the City Clerk's office at No. 717 Tenth Street, in the City of Modesto, County of Stanislaus, State of California, at the hour of 4:00 o'clock P.M. At said time and place the said City Council will hear all protests of persons owning property in the said JOHN MUIR PARK, as described herein. All protests must be in writing and shall state the name or names of the owner or owners of the property to be affected by said election, and the location and area of such property in general terms.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 27th day of May, 1940, by Councilman Barnell, who moved its adoption, which motion being duly seconded was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Barnell, Bates, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG, CITY CLERK

BY: ELMER J. BLUM, ASSISTANT CITY CLERK

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RESOLUTION NO. 4900-N.S.

A RESOLUTION GRANTING FRANCHISE TO HERBERT G. NORVELL AND WILLARD NEVILLE TO OPERATE A PASSENGER SERVICE BETWEEN ELEVENTH STREET AND I STREET AND THE MODESTO MUNICIPAL AIRPORT AND INTERMEDIATE POINTS

---oOo---

WHEREAS, herbert G. Norvell and Willard Neville, co-partners doing business as the Airport Transit have petitioned the Council for a franchise to operate a passenger service between Eleventh and I Street and the Modesto Municipal Airport outside the city limits and intermediate points.

BE IT HEREBY RESOLVED that franchise be granted to applicants subject

to approval of the Railroad Commission and to the provisions of all of the local ordinances and resolutions now existing or hereinafter enacted.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 27th day of May, 1940 by Commissioner Bates, 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: Barnell, Bates, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG, CITY CLERK

BY: ELMER J. BLUM, ASSISTANT CITY CLERK

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RESOLUTION NO. 4901-N.S.

A RESOLUTION ACCEPTING SPECIFICATIONS FOR FURNISHING LABOR AND MATERIALS FOR THE INSTALLATION OF ONE DEEP WELL TURBINE PUMP WITH VERTICAL HOLLOW SHAFT MOTOR AND CONTROL PANEL COMPLETE

---oOo---

WHEREAS, the City Engineer has filed with the Council specifications for furnishing all labor and materials for the installation of one deep well turbine pump with vertical hollow shaft motor and control panel complete,

BE IT HEREBY RESOLVED that specifications be accepted as filed by the City Engineer and placed on file with the City Clerk.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 27th day of May, 1940 by Commissioner Barnell, 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: Barnell, Bates, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG, CITY CLERK

BY: ELMER J. BLUM, ASSISTANT CITY CLERK

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RESOLUTION NO. 4902-N.S.

A RESOLUTION AUTHORIZING THE CITY CLERK TO ADVERTISE FOR BIDS ON INSTALLATION OF A DEEP WELL TURBINE PUMP WITH MOTOR AND CONTROL PANEL

---oOo---

BE IT HEREBY RESOLVED that the City Clerk be authorized to call for bids for the furnishing and installing of a deep well turbine pump with motor and control panel, said bids to be received at the office of the City Clerk not later than 7:30 P.M. on Wednesday, June 12, 1940.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 27th day of May, 1940 by Commissioner Barnell, 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: Barnell, Bates, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG, CITY CLERK

BY: ELMER J. BLUM, ASSISTANT CITY CLERK

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RESOLUTION NO. 4903-N.S.

A RESOLUTION APPOINTING MAYOR OF THE CITY OF MODESTO SIGNATORY OFFICIAL ON RELEASE OF THE EDWARD C. DAHLBERG SUIT

---oOo---

WHEREAS, it appears to the City Council in special session that it is to the interest of the City of Modesto that release be given to Edward C. Dahlberg et al releasing all claims of said city against said Edward C. Dahlberg et al in consideration of the release by the said Edward C. Dahlberg et al of any and all claims made by said Edward C. Dahlberg et al against the City of Modesto arising out of an accident that occurred November 19, 1939 by reason of a collision between the car driven by said Edward C. Dahlberg with the Virginia Street bridge owned by the City of Modesto:

NOW THEREFORE, the Mayor of the City of Modesto is hereby authorized to sign releases of all claims of the City of Modesto against said Edward C. Dahlberg et al arising out of said collision, and it is hereby resolved that the release of said Edward C. Dahlberg et al shall be and the same is hereby accepted and the City Attorney is authorized to dismiss any and all suits now pending against Edward C. Dahlberg in the Justice Court of the Modesto Township and in the Superior Court of the State of California in and for the County of Stanislaus.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 27th day of May, 1940 by Councilman Bates, 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: Barnell, Bates, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG, CITY CLERK

BY: ELMER J. BLUM, ASSISTANT CITY CLERK

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RESOLUTION NO. 4904-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 27th day of May, 1940 by Commissioner Bates, 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: Barnell, Bates, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG, CITY CLERK

BY: ELMER J. BLUM, ASSISTANT CITY CLERK

RESOLUTION NO. 4905-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 28th day of May, 1940 by Commissioner Neece, 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: Barnell, Bates, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

H. E. GRAGG, CITY CLERK

ATTEST: ELMER J. BLUM, ASSISTANT CITY CLERK

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RESOLUTION NO. 4906-N.S.

A RESOLUTION GRANTING REQUEST OF THE CITIZEN'S COMMITTEE FOR JULY FOURTH CELEBRATION FOR DONATION OF \$250 AND AUTHORIZING THE CITY CLERK AND AUDITOR TO DRAW WARRANT IN PAYMENT TO HENRY E. ZILBERMAN, FINANCIAL CHAIRMAN OF CITIZENS COMMITTEE

---oOo---

BE IT HEREBY RESOLVED that the City of Modesto donate to the Citizen's Committee for July Fourth Celebration \$250.00, and

BE IT FURTHER RESOLVED that the City Clerk and Auditor be authorized to draw warrant in amount \$250.00 payable to Henry E. Zimmerman, Financial Chairman of Citizen's Committee.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of June, 1940 by Commissioner Neece, 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: Barnell, Bates, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG, CITY CLERK

BY: ELMER J. BLUM, ASSISTANT CITY CLERK

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RESOLUTION NO. 4907-N.S.

A RESOLUTION ALLOWING CLAIMS FOR MONTH OF MAY, 1940

---oOo---

WHEREAS, the claims against the City of Modesto for the month of May, 1940, 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-----	\$22,425.32
WATER FUND-----	5,059.53
LIBRARY FUND-----	1,435.12
BOND RED. INT. FUND-----	18.75
ST. BOND RED. INT. FUND-----	69.48
GASOLINE TAX FUND-----	6,947.29
MONOTTI #2 FUND-----	15.00
	<u>\$35,970.49</u>

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of June, 1940 by Commissioner Bates, 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: Barnell, Bates, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG, CITY CLERK

BY: ELMER J. BLUM, ASSISTANT CITY CLERK

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RESOLUTION NO. 4908-N. S.

A RESOLUTION GRANTING PERMIT TO CHAS. H. DAYTON FOR SEWER SERVICE OUTSIDE THE CITY OF MODESTO IN LOT 5, BLOCK 241 IN THE LA LINDA TRACT AS PURSUANT TO REGULATIONS OF ORDINANCE NO. 624-N.S.

---oOo---

Whereas, pursuant to request of Chas. H. Dayton for sewer service at his house located outside the City of Modesto in Lot 5, Block 241 in the La Linda Tract,

BE IT HEREBY RESOLVED that request be granted with the understanding that the \$50.00 fee required for this service as set forth in Ordinance No. 624-N.S. be paid by applicant and an agreement be prepared by the City Attorney and to be executed by Chas. H. Dayton and the City of Modesto setting forth the provisions that if the La Linda Tract is not a part of the City of Modesto within a period of eight months, sewer service will be discontinued and agreement cancelled.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of June, 1940 by Commissioner Barnell, 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: Barnell, Bates, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG, CITY CLERK

BY: ELMER J. BLUM, ASSISTANT CITY CLERK

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RESOLUTION NO. 4909-N.S.

A RESOLUTION AUTHORIZING RENEWAL OF LEASES WITH THE CIVIL AERONAUTICS AUTHORITY FOR THE YEAR ENDING JUNE 30, 1941

---oOo---

BE IT HEREBY RESOLVED the leases with the Civil Aeronautics Authority for the remote control quarters site and the right to set 6 poles and to install and

maintain lights thereon at the Airways Radio Range Station located at the Modesto Municipal Airport be renewed for the year ending June 30, 1941.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of June, 1940 by Commissioner Bates, 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: Barnell, Bates, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG, CITY CLERK

BY: ELMER J. BLUM, ASSISTANT CITY CLERK

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RESOLUTION NO. 4910-N.S.

A RESOLUTION GRANTING PERMISSION TO H. S. FRANCE FOR INSTALLATION OF SERVICE STATION AT FIRST AND H STREETS

---o0o---

WHEREAS, pursuant to filing of petition with the Council by H. S. France for permit to erect and maintain a service station at first and H Streets, being lots 17 and 18, Block 1 of the City of Modesto, and

WHEREAS, it appearing from affidavits on file that a notice setting forth a time for hearing any and all protests to the granting of the petition as prayed for, and this being the time set forth and whereas the City Clerk reports that no protests either oral or written have been officially filed.

BE IT HEREBY RESOLVED that permission be granted to the applicant to erect and maintain a service station at above described location with the understanding that all provisions relative to building permit fees and provisions of section 1 of Ordinance No. 344-N.S. relating to construction of gasoline service stations will be complied with.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of June, 1940 by Commissioner Bates, 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: Barnell, Bates, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG, CITY CLERK

BY: ELMER J. BLUM, ASSISTANT CITY CLERK

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RESOLUTION NO. 4911-N.S.

A RESOLUTION AWARD BID ON TRAFFIC SIGNAL FOR NINTH AND B STREETS TO THE AUTOMATIC SIGNAL CORPORATION AT A PURCHASE PRICE OF \$1219.12

---o0o---

BE IT HEREBY RESOLVED, that bid be awarded on vehicle detectors and semi-vehicle actuated traffic signal controller with traffic signal units to be

installed at 9th & B Street to the Automatic Signal Corporation at a purchase price of \$1219.12, and

BE IT FURTHER RESOLVED that the City Auditor and Clerk be authorized to draw warrant in payment upon certification by the City Engineer and to return bidding checks to unsuccessful bidders.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of June, 1940 by Commissioner Bates, 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: Barnell, Bates, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG, CITY CLERK

BY: ELMER J. BLUM, ASSISTANT CITY CLERK

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RESOLUTION NO. 4912-N.S.

A RESOLUTION REFERRING ALL BIDS ON DEEP WELL TURBINE PUMP WITH MOTOR AND CONTROL PANEL TO THE CITY ENGINEER AND THE COMMISSIONER OF PUBLIC SUPPLIES

---oOo---

PURSUANT to advertising for bids on the furnishing and installing of a deep well turbine pump with motor and control panel, and

WHEREAS the City Clerk reported seven bids on file (see file # 311)

BE IT HEREBY RESOLVED that all bids be referred to the City Engineer and the Commissioner of Public Supplies for compilation and recommendation.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of June, 1940 by Commissioner Bates, 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: Barnell, Bates, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG, CITY CLERK

BY: ELMER J. BLUM, ASSISTANT CITY CLERK

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RESOLUTION NO. 4913-N.S.

A RESOLUTION AUTHORIZING FINAL PAYMENT TO S. M. MCGAW ON PAVING EAST END OF HIGH STREET

---oOo---

WHEREAS, completion of the contract of improvement of H Street from High Street to east city limits has been accepted by the City of Modesto from contractor S. M. McGaw, as of May 8, 1940, and

WHEREAS the contract for this improvement provides that final payment is to be made 35 days after acceptance of work by the Council, and

WHEREAS the 35 day period will have elapsed on June 13, 1940

BE IT HEREBY RESOLVED that payment of balance due of \$2600.64 be authorized and the City Clerk and Auditor be authorized to draw warrant in payment of

on that date, as final payment on the contract for improving H Street from High Street to the east city limits.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto, held on the 12th day of June, 1940 by Commissioner Barnell, 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: Barnell, Bates, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG, CITY CLERK

BY: ELMER J. BLUM, ASSISTANT CITY CLERK

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RESOLUTION NO. 4914-N.S.

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MODESTO ADOPTING BUDGET AND APPROVING MEMORANDUM OF AGREEMENT FOR EXPENDITURE OF 1/4 CENT GAS TAX ALLOCATED FOR STREETS OF MAJOR IMPORTANCE

---oOo---

WHEREAS, a memorandum of agreement has been presented to be entered into with the State of California in accordance with a project statement for expenditure of the 1/4 cent gas tax for the fiscal year 1941 allocated for streets of major importance other than State highways in the City of Modesto; 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 1/4 cent gas tax allocated for streets of major importance other than State highways, 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 12th day of June, 1940

CARL W. SHANNON, MAYOR OF THE CITY OF MODESTO

H. E. GRAGG, CITY CLERK OF THE CITY OF MODESTO

By: ELMER J. BLUM, ASSISTANT CITY CLERK

I hereby certify that the foregoing resolution was duly and regularly passed by the city council of the City of Modesto at a regular meeting thereof held June 12, 1940.

ELMER J. BLUM, ASSISTANT CLERK OF THE CITY OF MODESTO

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RESOLUTION NO. 4915-N.S.

A RESOLUTION AUTHORIZING THE CITY CLERK TO ADVERTISE FOR BIDS ON PRINTING AND ADVERTISING FOR YEAR 1940-1941

---oOo---

BE IT HEREBY RESOLVED that the City Clerk be authorized to advertise for bids on official printing and advertising for the fiscal year ending June 30, 1941, said bids to be opened at the regular meeting of the Council on June 26, 1940 at the City Hall.

The foregoing resolution was introduced at the regular meeting of the Council of the City of Modesto, held on the 12th day of June, 1940 by Commissioner Bates, 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: Barnell, Bates, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG, CITY CLERK

BY: ELMER J. BLUM, ASSISTANT CITY CLERK

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RESOLUTION NO. 4916-N.S.

A RESOLUTION AUTHORIZING THE CITY CLERK TO ADVERTISE FOR BIDS ON ROAD OIL

---oOo---

BE IT HEREBY RESOLVED that the City Clerk be authorized to advertise for bids on 400 tons of road oil, said bids to be opened at the regular meeting of the Council on June 26, 1940 at the City Hall.

The foregoing resolution was introduced at the regular meeting of the Council of the City of Modesto held on the 12th day of June, 1940 by Commissioner Bates, 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: Barnell, Bates, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG, CITY CLERK

BY: ELMER J. BLUM, ASSISTANT CITY CLERK

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RESOLUTION NO. 4917-N.S.

A RESOLUTION AUTHORIZING THE CITY CLERK TO ADVERTISE FOR BIDS FOR PATCHING MATERIALS ON STREETS

---oOo---

BE IT HEREBY RESOLVED that the City Clerk be authorized to advertise for bids for furnishing approximately 50 tons of cut back A. C. and for furnishing and placing plant mix hot A. C. in trench cuts and patches as requested by the City Engineer for the fiscal year beginning July 1, 1940, said bids to be received by the City Clerk on or before 7:30 P.M. June 26, 1940.

The foregoing resolution was introduced at the regular meeting of the Council of the City of Modesto held on the 12th day of June, 1940 by Commissioner Bates, 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: Barnell, Bates, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG, CITY CLERK

BY: ELMER J. BLUM, ASSISTANT CITY CLERK

RESOLUTION NO. 4918-N.S.

A RESOLUTION AUTHORIZING THE CITY CLERK TO ADVERTISE FOR BIDS ON INCANDESCENT LAMPS FOR MUNICIPAL LIGHTING FOR YEAR ENDING JUNE 30, 1941

---o0o---

BE IT HEREBY RESOLVED that the City Clerk be authorized to advertise for bids on incandescent lamps for Municipal lighting for the period July 1, 1940 to June 30, 1941 inclusive, said bids to be filed at the office of the City Clerk, 717 10th Street, not later than 7:30 P.M. on Wednesday, June 26, 1940.

The foregoing resolution was introduced at the regular meeting of the Council of the City of Modesto held on the 12th day of June, 1940 by Commissioner Bates, 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: Barnell, Bates, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG, CITY CLERK

BY: ELMER J. BLUM, ASSISTANT CITY CLERK

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RESOLUTION NO. 4919-N.S.

A RESOLUTION EMPowering THE CITY AUDITOR OF THE CITY OF MCDесто TO PAY SALARY TO EMPLOYEE OF SAID CITY

---o0o---

WHEREAS, certain individuals have heretofore successfully passed a civil service examination and have been certified to various positions in the Police Department of the City of Modesto by the Personnel Board, and

WHEREAS, said individuals hereinafter listed were appointed by the Chief of Police of the City of Modesto in the positions as hereinafter stated, and

WHEREAS, said individuals began said employment with the City of Modesto on dates hereinafter set forth and are still employed by said City.

NOW, THEREFORE, the City Auditor of said City of Modesto is empowered to pay unto the following the sums set forth after each name as and for salary for services rendered during their probationary period of employment with said City of Modesto:

<u>NAME</u>	<u>DATE OF EMPLOYMENT</u>	<u>POSITION</u>	<u>SALARY</u>
William J. Coulson	May 6, 1940	Patrolman	\$110.00
Orin C. Adams	May 16, 1940	Special Police	110.00

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of June, 1940 by Councilman Stanley, who moved its adoption, which motion being duly seconded was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Barnell, Bates, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG, CITY CLERK

BY: ELMER J. BLUM, ASSISTANT CITY CLERK

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RESOLUTION NO. 4920-N.S.

A RESOLUTION AUTHORIZING THE EXECUTION OF CONTRACT WITH THE UNITED STATES AND THE CITY OF MODESTO FOR THE FURNISHING OF WATER TO THE GARAGE OF THE BUREAU OF RECLAMATION LOCATED AT 809 13TH STREET

---oOo---

BE IT HEREBY RESOLVED that the execution of contract between the United States and the City of Modesto for the furnishing of water to the garage of the Bureau of Reclamation located at 809 13th Street in the City of Modesto, County of Stanislaus, State of California be authorized, and

BE IT FURTHER RESOLVED that contract is to be in effect until further notice, but in no event shall it extend beyond June 30, 1943, and

BE IT FURTHER RESOLVED that certified copy of resolution authorizing execution of contract by the Mayor shall accompany contract.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of June, 1940 by Commissioner Barnell, 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: Barnell, Bates, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG, CITY CLERK

BY: ELMER J. BLUM, ASSISTANT CITY CLERK

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RESOLUTION NO. 4921-N.S.

A RESOLUTION APPOINTING CITY ENGINEER, FRANK J. ROSSI AS THE COSPONSOR'S AGENT ON THE NATIONAL YOUTH ADMINISTRATION PROJECT FOR THE YEAR ENDING JUNE 30, 1941

---oOo---

WHEREAS, the City has been operating a National Youth Administration project for the past year, and

WHEREAS, it is the opinion of the Council that this is a worth while project,

THEREFORE BE IT RESOLVED, that the City Engineer be appointed as the co-sponsor's agent for the renewal of said project for the year ending June 30, 1941.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of June, 1940 by Commissioner Barnell, 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: Barnell, Bates, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG, CITY CLERK

BY: ELMER J. BLUM, ASSISTANT CITY CLERK

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RESOLUTION NO. 4922-N.S.

A RESOLUTION PROVIDING FOR THE REGULATION OF COOLING SYSTEMS

---oOo---

WHEREAS, a large number of air conditioning systems and cooling systems

are being installed, and

WHEREAS, a large number of air conditioning and cooling systems are installed without recirculating pumps and automatic shutoff valves, and

WHEREAS, every effort should be made to prevent excessive use of water.

THEREFORE BE IT RESOLVED that any air conditioning and cooling systems using more than ten gallons of water per hour from the City system shall be metered. Therefore be it further resolved that any cooling system regardless of size shall have installed thereon an automatic shutoff water valve on each cooling system, and that a permit for each air conditioning or cooling system either on the City water system or on a private system shall be procured as required in Section 7 of Plumbing Ordinance No. 569-N.S.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of June, 1940 by Commissioner Barnell, 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: Barnell, Bates, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG, CITY CLERK

BY: ELMER J. BLUM, ASSISTANT CITY CLERK

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RESOLUTION NO. 4923-N.S.

A RESOLUTION PROVIDING FOR THE REGULATION OF WASTE WATER FROM COOLING SYSTEMS

---oOo---

WHEREAS, the installation of cooling systems and other conditioning systems discharge a large quantity of waste water, and

WHEREAS, all water and waste water including sewage reaching the Sewage Treatment Plant must be repumped through the Plant, and

WHEREAS, said waste water from cooling systems is not considered sewage, and

WHEREAS, the cost of pumping adds an additional and unwarranted expense to the City, and

WHEREAS, the sanitary sewer system is already taxed to its capacity.

THEREFORE BE IT RESOLVED that all waste water from cooling systems and other conditioning systems using water in excess of 50 gallons of water per minute be connected to the storm sewer system, and all systems using less than 50 gallons of water per minute must be piped to the street gutter.

BE IT FURTHER RESOLVED that cooling systems using water from other sources other than the Municipal Water System but discharging its waste water into the gutters or storm sewer shall be required to pay a fee of .01 per 1000 gallons of water discharged from said system which funds shall be used to help defray the expense of maintaining said gutters and storm sewer system.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of June, 1940 by Commissioner Barnell, 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: Barnell, Bates, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG, CITY CLERK

BY: ELMER J. BLUM, ASSISTANT CITY CLERK

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RESOLUTION NO. 4924-N.S.

A RESOLUTION GRANTING PERMISSION TO THE CITY ENGINEER TO ISSUE PERMIT TO GEORGE CHRISMAN TO ESTABLISH DRIVEWAY TWO FEET OVER THE STANDARD REQUIREMENT IN BLOCK 82, EAST 50' LOTS 1 TO 4 INC.

---oOo---

WHEREAS, George Chrisman has petitioned the Council to remodel the gasoline service station located in Block 82, east 50' lots 1 to 4 inc. establishing the driveway closer to the corner than is regularly permitted, and

WHEREAS, a committee composed of Commissioners Stanley and Barnell and City Engineer Rossi appointed by the Mayor to investigate have reported favorably on the proposition

THEREFORE BE IT RESOLVED that permission be granted to the City Engineer to issue permit to George Chrisman to establish driveway two feet over the standard requirements.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of June, 1940 by Commissioner Stanley, 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: Barnell, Bates, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG, CITY CLERK

BY: ELMER J. BLUM, ASSISTANT CITY CLERK

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RESOLUTION NO. 4925-N.S.

ADJOURNMENT

BE IT HEREBY RESOLVED that the 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 June, 1940 by Commissioner Bates, 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: Barnell, Bates, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG, CITY CLERK

BY: ELMER J. BLUM, ASSISTANT CITY CLERK

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RESOLUTION NO. 4926-N.S.

A RESOLUTION GRANTING DONATION OF \$100.00 TO THE NATIONAL GUARDS FROM THE MUSIC AND PROMOTION BUDGET FOR YEAR 1939-1940

---oOo---

BE IT HEREBY RESOLVED that a donation be granted the National Guards

from the Music and Promotion budget for year 1939-1940 of \$100.00 to be used for trip to their summer camp at Centralia, Washington, during the week of August 4th to 25th inc., 1940.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 14th day of June, 1940 by Commissioner Neece, 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: Barnell, Bates, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG, CITY CLERK

BY: ELMER J. BLUM, ASSISTANT CITY CLERK

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RESOLUTION NO. 4927-N.S.

WHEREAS, heretofore, to wit, on the 27th day of May, 1940, there was received by the City Council of the City of Modesto, which said City Council is the legislative body of said City of Modesto, a municipal corporation, situate in the County of Stanislaus, State of California, a written petition signed by not less than one-fourth in number of all the qualified electors residing within the territory described therein, as shown by the registration of voters in the County in which such territory is situate, asking that such territory, which is in said petition and hereinafter described, be annexed to the City of Modesto; and,

WHEREAS, said petition so presented contained a request that said described territory be annexed to the said City of Modesto without said territory and the inhabitants thereof being subjected to the liability for payment of any bonded indebtedness or other indebtedness incurred by or owing by the said City of Modesto at the time of the filing of said petition, and that said property in the event of its annexation to the City of Modesto shall be liable only for such debts of the City as the said City may incur after the incorporation of such territory and for the taxes and assessments levied by said City only after said incorporation; and,

WHEREAS, the said City by resolution of its City Council duly passed and adopted on the 27th day of May, 1940, received and accepted said petition; and,

WHEREAS, said City Council by resolution duly passed and adopted on said 27th day of May, 1940, declared its intention to hold a special election in the said territory on the 19th day of July, 1940, and that said Council would meet on June 14, 1940, in the Councilroom in the rear of the City Clerk's office at No. 717 Tenth Street in the City of Modesto, County of Stanislaus, State of California, at the hour of 4:00 o'clock P. M. of said day, and that at said time and place said City Council would hear all protests of persons owning property in the said territory hereinafter mentioned and described as JOHN MUIR PARK against the holding of said election or the annexation of said territory to said City of Modesto, and requiring such protests to be in writing, stating the name or names of the owner or owners of the property to be affected and the location and area of such property in general

terms, all in accordance with the admission act under which said proceedings are being held and hereinafter referred to; and,

WHEREAS, a copy of said resolution was duly published in the Modesto Bee, a newspaper of general circulation, printed and published in the said City of Modesto, and being the official newspaper of said City, at least once a week for two consecutive weeks prior to the time set for said protests, said publications being on the 28th day of May, 1940, the 4th day of June, 1940, and the 11th day of June, 1940, as particularly shown by the affidavit of the publication thereof on file with the City Clerk of said City, to which reference is hereby made; and,

WHEREAS, at the time and place specified in said notice as hereinbefore set forth, the City Council of said City duly met for the purpose of hearing said protests as stated in said notice; and

WHEREAS, at said meeting no protests, either written or otherwise, were filed, presented to, or made to the City Council of said City against the holding of said election or the annexation of the said territory to the said City of Modesto;

NOW, THEREFORE, BE IT RESOLVED, that a special election be, and the same is hereby called to submit to the electors residing in the territory proposed by such petition to be annexed to the said City of Modesto, the question as to whether or not such new territory which is hereinafter described, shall be annexed to, incorporated in, and made a part of said municipal corporation, to wit the City of Modesto, without thereby being subjected to the payment of any bonded indebtedness or moneys owed by said City at the time of said incorporation, and that said territory shall be subject to taxation equally with the property within such municipal corporation, less any taxes levied for indebtedness owed by said City at the time of said incorporation; said election to be held on the 19th day of July, 1940; the polls to be opened at six o'clock in the morning of said day, and to remain open until seven o'clock in the evening of said day, when the polls shall be closed; that the territory so proposed to be annexed and in which said special election shall be held as aforesaid is situate, lying and being in the County of Stanislaus, State of California and is contiguous to the City of Modesto, and is particularly described as follows, to-wit:

All that certain real property and territory located in the southwest quarter of Section 21, Township 3 South, Range 9 East, M. D. B & M., in the County of Stanislaus, State of California, and particularly bounded and described as follows, to-wit:

Commencing at the  $\frac{1}{4}$  corner on the Section line between Sections 21 and 28, Township 3 South, Range 9 East, M. D. B. & M.; thence Westerly along the said Section Line, a distance of 20.00 feet, to the point of beginning; thence Northerly along a line 20.00 feet Westerly from, and parallel to the  $\frac{1}{4}$  Section Line in the said Section 21, to the Southeasterly property line of the Modesto Irrigation District Lateral No. 4 Right of Way; thence Northwesterly at an angle of  $90^{\circ} 00'$  with the said line 20.00 feet Westerly from, and parallel to the said  $\frac{1}{4}$  Section Line, to the Northwesterly property line of the said Modesto Irrigation District Lateral No. 4 Right of Way; thence Southwesterly along the said Northwesterly property line of the said Modesto Irrigation District Lateral No. 4 Right of Way, to a line 10.00 feet Northerly from and parallel to the Northerly boundary line of the Lesliehugh Tract; thence Westerly along the said line 10.00 feet Northerly from and parallel to the said Northerly boundary line of the said Lesliehugh Tract, to the center line of Kimble Street, extended and produced; thence Southerly along the said center line of the said Kimble Street, extended and produced, and the said center line of the said Kimble Street, to the center line of Hintze Avenue; thence Easterly along the said center line of the said Hintze Avenue, to the center line of Patricia Lane; thence Northeasterly along the said center line of the said Patricia Lane, to the said Northerly boundary line of the Lesliehugh Tract; thence Easterly along the said Northerly boundary line of the said

Lesliehugh Tract, to the said Northwesterly property line of the said Modesto Irrigation District Lateral No. 4 Right of Way; thence Southwesterly along the said Northwesterly property line of the said Modesto Irrigation District Lateral No. 4 Right of Way, and the said Northwesterly property line of the said Modesto Irrigation District Lateral No. 4 Right of Way, extended and produced, to the said Section Line between Sections 21 and 28; thence Easterly along the said Section Line between Sections 21 and 28 to the point of beginning.

The said Section Line between Sections 21 and 28 being common with the Northerly City Limits, as shown on the Official Map of the City of Modesto as officially adopted March 23, 1938, and other data as mentioned in this description is as shown on the Map of the High Homes Tract, as recorded in Maps, Volume 9, Page 24, on the Amended Map of Lesliehugh Tract, as recorded in Volume 11, Page 20, and on the Map of the Bussinger Tract, as recorded in Maps, Volume 9, Page 48, in the Stanislaus County Records, Stanislaus County, California.

IT IS FURTHER ORDERED that for the purpose of holding said special election all of the territory mentioned in said petition and hereinabove described is consolidated and established into one election precinct, and the following is hereby designated as the place at which the polls shall be opened for such election in such territory so proposed to be annexed, to-wit:

The garage at the Malin T. Langstroth residence, No. 1921 Hintze Ave.

The following, who are qualified electors of the voting precinct in which they are appointed to act, are hereby appointed officers of said election, to-wit:

Judges: Vera B. Langstroth and Barbara Herron

Inspector: Malin T. Langstroth

IT IS FURTHER ORDERED that for the purpose of said election the territory hereinabove described and proposed to be annexed to said municipal corporation is hereby designated as "JOHN MUIR PARK."

IT IS FURTHER ORDERED that upon the ballots to be used at said election there shall be printed the words

"Shall the JOHN MUIR PARK be annexed to the City of Modesto?"	:	:	:
	:	Yes	:
	:	:	:
"Shall the JOHN MUIR PARK be annexed to the City of Modesto?"	:	:	:
	:	No	:
	:	:	:

IT IS FURTHER ORDERED that said election shall be held and conducted in accordance with an act of the Legislature of the State of California entitled "An Act to Provide for the Alteration of the Boundaries of and for the Annexation of Territory to Municipal Corporations, for the incorporation of such Annexed Territory in and as a Part Thereof, and for the Districting, Government and Municipal Control of such Annexed Territory", approved June 11th, 1913, and the acts amendatory of and supplemental thereto.

IT IS FURTHER ORDERED that a notice be given by the Clerk of this Council of said election by the publication thereof in a newspaper of general circulation, printed and published outside of the municipal corporation of the City of Modesto, but within Stanislaus County, at least once a week for a period of four successive weeks next preceding the date of such election, and that said notice shall be in substantially the following form:

NOTICE OF ELECTION FOR THE ANNEXATION OF TERRITORY.

Notice is hereby given by order of the City Council of the City of Modesto, in accordance with the statutes of the State of California in such case made and

provided, that pursuant to a proper petition filed therefor with said City Council, a special election has been called by said Council to be held, and the same will be held, in the territory hereinafter described, on Friday the 19th day of July, 1940.

The proposition to be voted on at such election is as follows:

That it is proposed to annex to, incorporate in and make a part of the municipal corporation, to-wit, the City of Modesto, the following territory, lying, being and situate in the County of Stanislaus, State of California, and contiguous to the City of Modesto, and particularly described as follows:

All that certain real property and territory located in the southwest quarter of Section 21, Township 3 South, Range 9 East, M. D. B. & M., in the County of Stanislaus, State of California, and particularly bounded and described as follows, to-wit:

Commencing at the  $\frac{1}{4}$  corner on the Section line between Sections 21 and 28, Township 3 South, Range 9 East, M. D. B. & M.; thence Westerly along the said Section Line, a distance of 20.00 feet, to the point of beginning; thence Northerly along a line 20.00 feet Westerly from, and parallel to the  $\frac{1}{4}$  Section Line in the said Section 21, to the Southeasterly property line of the Modesto Irrigation District Lateral No. 4 Right of Way; thence Northwesterly at an angle of 90° 00' with the said line 20.00 feet Westerly from, and parallel to the said  $\frac{1}{4}$  Section Line, to the Northwesterly property line of the said Modesto Irrigation District Lateral No. 4 Right of Way; thence Southwesterly along the said Northwesterly property line of the said Modesto Irrigation District Lateral No. 4 Right of Way, to a line 10.00 feet Northerly from and parallel to the Northerly boundary line of the Lesliehugh Tract; thence Westerly along the said line 10.00 feet Northerly from and parallel to the said Northerly boundary line of the said Lesliehugh Tract, to the center line of Kimble Street, extended and produced; thence Southerly along the said center line of the said Kimble Street, extended and produced, and the said center line of the said Kimble Street, to the center line of Hintze Avenue; thence Easterly along the said center line of the said Hintze Avenue, to the center line of Patricia Lane; thence Northeasterly along the said center line of the said Patricia Lane, to the said Northerly boundary line of the said Lesliehugh Tract; thence Easterly along the said Northerly boundary line of the said Lesliehugh Tract, to the said Northwesterly property line of the said Modesto Irrigation District Lateral No. 4 Right of Way; thence Southwesterly along the said Northwesterly property line of the said Modesto Irrigation District Lateral No. 4 Right of Way, and the said Northwesterly property line of the said Modesto Irrigation District Lateral No. 4 Right of Way, extended and produced, to the said Section Line between Sections 21 and 28; thence Easterly along the said Section Line between Sections 21 and 28, to the point of beginning.

The said Section Line between Sections 21 and 28 being common with the Northerly City Limits, as shown on the Official Map of the City of Modesto as officially adopted March 23, 1938, and other data as mentioned in this description is as shown on the Map of the High Homes Tract, as recorded in Maps, Volume 9, Page 24, on the Amended Map of Lesliehugh Tract, as recorded in Volume 11, Page 20, and on the Map of the Bussinger Tract, as recorded in Maps, Volume 9, Page 48, in the Stanislaus County Records, Stanislaus County, California,

and that said property shall not after such annexation, be subject to taxation for the purpose of payment of any indebtedness owed or owing by the City of Modesto prior to the date of said annexation.

The territory within which said election shall be held is that territory hereinabove designated and particularly described, and it shall be further designated for the purpose of identification by the name, to-wit, JOHN MUIR PARK, by which name such territory shall be referred to and indicated upon the ballots to be used at said election.

The electors in said territory are directed to vote upon said question in the manner set forth in "Instructions to Voters" on the ballots to be used at said election.

The ballots to be used at such election shall be in substantially the following form:

TICKET FOR ANNEXATION ELECTION.

Special Election, JOHN MUIR PARK, Friday, July 19, 1940.

Instructions to Voters: Each voter desiring to vote in favor of annexing

the territory herein referred to as the JOHN MUIR PARK to the City of Modesto shall stamp a cross (X) in the voting square after the word "Yes" after the words "Shall the JOHN MUIR PARK be annexed to the City of Modesto?"

If an elector desires to vote against the annexation of said territory to the City of Modesto, he shall stamp a cross (X) in the voting square after the word "No" after the words "Shall the JOHN MUIR PARK be annexed to the City of Modesto?"

The mark shall be made with the rubber stamp and ink pad which will be found in each booth, and the ballots shall not be marked in any other manner.

All marks except the cross (X) are forbidden; all distinguishing marks or erasures are forbidden and make the ballot void. If you wrongly stamp, tear or deface this ballot, return it to the inspector of election and obtain another.

"Shall the JOHN MUIR PARK be annexed to the City of Modesto?"	:	:	:
	:	Yes	:
	:		:
	:		:
	:		:
	:		:
	:		:
	:		:
	:		:
	:		:

Said election shall be held as aforesaid on the 19th day of June, 1940. The polls shall be opened at six o'clock in the morning of said day and shall remain open until seven o'clock in the evening of said day, when the polls shall be closed.

For the purpose of holding said special election all of the territory in said petition and hereinabove mentioned and described, and herein also referred to and designated as the JOHN MUIR PARK, is consolidated and established into one election precinct, and the following place is hereby designated as the place at which the polls shall be open for such election in such territory so proposed to be annexed, to-wit, The garage at the Malin T. Langstroth Residence, No. 1921 Hintze Avenue.

The following, who are qualified electors of the said voting precinct in which they are appointed to act, are hereby appointed officers of said election, to-wit:

Judges: Vera B. Langstroth and Barbara Herron

Inspector: Malin T. Langstroth

Except as herein otherwise specified, said election shall be held in accordance with the laws of the State of California concerning general elections.

Dated: June 14, 1940

H. E. GRAGG, CITY CLERK, CITY OF MODESTO

ELMER J. BLUM, ASSISTANT CITY CLERK

(SEAL)

Date of first publication: June 20, 1940

It is further ordered that said notice be published in the OAKDALE LEADER, a newspaper of general circulation printed and published outside of the municipal corporation of the City of Modesto, but in the County of Stanislaus, at least once a week for a period of four successive weeks next preceding the date of such election.

The foregoing resolution was introduced by Councilman Neece, who moved its adoption, which motion, being duly seconded, was carried by the following vote:  
Ayes: Councilmen: Barnell, Bates, Neece, Stanley, Mayor Shannon  
Noes: Councilmen: None  
Absent: Councilmen: None

ATTEST: H. E. GRAGG, CITY CLERK

BY: ELMER J. BLUM, ASSISTANT CITY CLERK

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RESOLUTION NO. 4928-N.S.

ADJOURNMENT

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

The foregoing resolution was introduced at a special Council meeting of the City of Modesto held on the 14th day of June, 1940 by Commissioner Bates, 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: Barnell, Bates, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG, CITY CLERK

BY: ELMER J. BLUM, ASSISTANT CITY CLERK

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RESOLUTION NO. 4929-N.S.

A RESOLUTION AUTHORIZING THE CITY ATTORNEY TO SECURE FOR ATTORNEY J. W. HAWKINS COURT TRANSCRIPT OF THE CHARLES J. SUMNER CASE

---o0o---

BE IT HEREBY RESOLVED that the City Attorney be authorized to secure for Attorney J. W. Hawkins court transcript of the Charles J. Sumner case, who was arrested while picketing in the City of Modesto and is being tried in the Police Court on June 28, 1940, under provisions of Ordinance No. 623-N.S.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 18th day of June, 1940 by Commissioner Bates, 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: Barnell, Bates, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG, CITY CLERK

BY: ELMER J. BLUM, ASSISTANT CITY CLERK

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RESOLUTION NO. 4930-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 June, 1940 by Commissioner

Bates, 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: Barnell, Bates, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilman: None

ATTEST: H. E. GRAGG, CITY CLERK

BY: ELMER J. BLUM, ASSISTANT CITY CLERK

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RESOLUTION NO. 4931-N.S.

A RESOLUTION ALLOWING CLAIM OF THE CHAMBER OF COMMERCE FOR \$200.00

---oOo---

BE IT HEREBY RESOLVED that claim of the Chamber of Commerce for \$200.00 (balance of donation allowed in the 1939-40 budget of Music and Promotion) be and it is hereby allowed and the Clerk and Auditor be authorized to draw check in payment.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of June, 1940 by Commissioner Bates, 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: Barnell, Bates, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG, CITY CLERK

BY: ELMER J. BLUM, ASSISTANT CITY CLERK

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RESOLUTION NO. 4932-N.S.

A RESOLUTION ALLOWING CLAIM OF \$12.50 TO McNEIL AND SAUNDERS FOR REPORTING THE CASE OF CITY OF MODESTO VERSUS GOREE

---oOo---

BE IT HEREBY RESOLVED that claim of \$12.50 be allowed to McNeil and Saunders for reporting the case of the City of Modesto versus Goree (public nuisance at service station McHenry and Downey Streets, Bates Property) and the Auditor and City Clerk be authorized 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 26th day of June, 1940 by Commissioner Bates, 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: Barnell, Bates, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG, CITY CLERK

BY: ELMER J. BLUM, ASSISTANT CITY CLERK

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RESOLUTION NO. 4933-N.S.

A RESOLUTION GRANTING PERMIT TO MRS. E. D. PETERSON TO TRANSFER POP-CORN WAGON FROM

THE SOUTH CORNER OF 10TH STREET NEAR I STREET TO THE NORTH CORNER OF TENTH STREET  
NEAR I STREET DURING THE CONSTRUCTION OF THE NEW ANGLO CALIFORNIA NATIONAL BANK  
BUILDING

---oOo---

WHEREAS, pursuant to request of Mrs. E. D. Peterson to transfer pop-corn wagon from the south corner of 10th and I Streets to the north corner, in front of the Bank of America on 10th Street, during the building of the Anglo National Bank building, and

WHEREAS, permit has been granted by the Bank of America for the transfer

BE IT HEREBY RESOLVED that permit be granted to Mrs. E. D. Peterson to transfer pop-corn wagon as requested.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of June, 1940 by Commissioner Stanley, 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: Barnell, Bates, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG, CITY CLERK

BY: ELMER J. BLUM, ASSISTANT CITY CLERK

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RESOLUTION NO. 4934-N.S.

A RESOLUTION AWARDED BID ON ADVERTISING AND PRINTING FOR THE CITY OF MODESTO FOR  
YEAR ENDING JUNE 30, 1941 TO THE MODESTO BEE

---oOo---

BE IT HEREBY RESOLVED that bid on advertising and printing for the City of Modesto for year ending June 30, 1941 be awarded to the Modesto Bee.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of June, 1940 by Commissioner Bates, 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: Barnell, Bates, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG, CITY CLERK

BY: ELMER J. BLUM, ASSISTANT CITY CLERK

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RESOLUTION NO. 4935-N.S.

A RESOLUTION REFERRING BIDS TO THE CITY ENGINEER FOR TABULATION

---oOo---

WHEREAS, pursuant to advertising for incandescent lamps for year ending June 30, 1941 for the city buildings and streets and paving material and 400 tons of Road Oil, and

WHEREAS the City Clerk reports one bid on file for paving material,

five bids for road oil and five bids for incandescent lamps

BE IT HEREBY RESOLVED that all bids be referred to the City Engineer and the Commissioner of Public Supplies for tabulation and recommendation to the Council

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of June, 1940 by Commissioner Bates, 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: Barnell, Bates, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG, CITY CLERK

BY: ELMER J. BLUM, ASSISTANT CITY CLERK

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RESOLUTION NO. 4936-N.S.

A RESOLUTION AUTHORIZING FINAL PAYMENT ON PROPERTY PURCHASED FROM D. E. ROWLES ET UX

---oOo---

BE IT HEREBY RESOLVED that final payment on lot 4 of the La Rio Park Tract, purchased from D. E. and Helen H. Rowles in amount \$3822.30, plus interest at 6% from July 14, 1939 to June 28, 1940 (\$222.33) making a total of \$4044.63 be authorized, and

BE IT FURTHER RESOLVED that the City Clerk and Auditor be authorized to draw warrant for \$4044.63 on June 28, 1940 and deliver same to the Stanislaus Abstract and Escrow Company, as per agreement of July 14, 1939 by the City of Modesto and D. E. And Helen H. Rowles, upon delivery to the City of Modesto of good and sufficient deed to said Property.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of June, 1940 by Commissioner Bates, 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: Barnell, Bates, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

H. E. GRAGG, CITY CLERK

ATTEST: ELMER J. BLUM, ASSISTANT CITY CLERK

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RESOLUTION NO. 4937-N.S.

A RESOLUTION AUTHORIZING PAYMENT OF THE MODESTO BEE OF \$5.85 FOR THE PUBLICATION OF NOTICE OF INTENTION TO CIRCULATE PETITION FOR ANNEXATION OF THE LA LINDA TRACT TO THE CITY OF MODESTO

---oOo---

BE IT HEREBY RESOLVED, that payment be authorized to the Modesto Bee of \$5.85 for the publication of Notice of Intention to circulate Petition for Annexation of the La Linda Tract to the City of Modesto and

BE IT HEREBY RESOLVED that the City Clerk and Auditor be directed to draw warrant in payment of \$5.85.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of June, 1940 by Commissioner Bates, 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: Barnell, Bates, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

H. E. GRAGG, CITY CLERK

ATTEST: ELMER J. BLUM, ASSISTANT CITY CLERK

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RESOLUTION NO. 4938-N.S.

A RESOLUTION GRANTING LEAVE OF ABSENCE TO H. E. GRAGG, CITY CLERK, AUDITOR, TREASURER, TAX COLLECTOR, LICENSE COLLECTOR AND ASSESSOR FOR AN ADDITIONAL SIXTY DAYS FROM JUNE 26, 1940

---oOo---

WHEREAS, therefore, to-wit on April 24, 1940, sixty days leave of absence was granted H. E. Gragg, City Clerk, Auditor, Treasurer, Tax Collector, License Collector and Assessor, during which time by said resolution said H. E. Gragg was permitted to absent himself from his duties in the performance of said office.

WHEREAS, said period has now expired and it is deemed satisfactory and proper under all the circumstances to extend said leave of absence from the date of the passage of this resolution to an additional 60 days, and

BE IT HEREBY RESOLVED that said leave of absence of 60 days to said H. E. Gragg be and the same is hereby extended to and including the 24th day of August, 1940, during which time he may absent himself from the duties of his various offices.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of June, 1940 by Commissioner Neece, who moved its adoption which motion being duly seconded, it was upon roll call adopted by the following vote:

Ayes: Councilmen: Barnell, Bates, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG, CITY CLERK

BY: ELMER J. BLUM, ASSISTANT CITY CLERK

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RESOLUTION NO. 4939-N.S.

A RESOLUTION REAPPOINTING ELMER J. BLUM ASSISTANT ASSESSOR, AUDITOR, TREASURER AND TAX COLLECTOR

---oOo---

WHEREAS, heretofore, to-wit, on April 24, 1940, upon the granting of leave of absence for 60 days to H. E. Gragg, City Clerk, Auditor, Assessor, Treasurer, Tax Collector, and

WHEREAS, upon the granting of said leave of absence to H. E. Gragg from said offices in pursuance of said leave, it became and was necessary to appoint Elmer J. Blum, as Assistant Auditor, Assessor, Treasurer and Tax Collector, and

WHEREAS, said leave of absence granted to said H. E. Gragg ended on June 24, 1940 and an additional leave of 60 days was on said 26th day of June, 1940 granted to said H. E. Gragg, as evidenced by Resolution No. 4938-N.S., and

WHEREAS, some question has arisen as to whether the appointment of said Elmer J. Blum to the various assistant-ships heretofore mentioned has ended and to clarify the position of the said Elmer J. Blum in that regard,

THEREFORE, BE IT RESOLVED that for 60 days following the said 24th day of June, 1940, the said Elmer J. Blum is hereby appointed as assistant Assessor, Auditor, Treasurer and Tax Collector with all the rights, powers and duties of the said H. E. Gragg in the performance of said offices.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of June, 1940 by Commissioner Neece, 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: Barnell, Bates, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG, CITY CLERK

BY: ELMER J. BLUM, ASSISTANT CITY CLERK

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RESOLUTION NO. 4940-N.S.

A RESOLUTION RECOMMENDING THAT THE SALARY OF ELMER J. BLUM BE INCREASED \$85.00 MONTHLY AS OF APRIL 24, 1940

---oOo---

WHEREAS, to-wit, on April 24, 1940, due to the absence of H. E. Gragg from his duties of City Clerk, Auditor, Assessor, Tax Collector and Treasurer of the City of Modesto, Elmer J. Blum was appointed to the office of Assistant Auditor, Assessor, Tax Collector and Treasurer, and

WHEREAS, in the performance of the duties devolving upon the said Elmer J. Blum in acting as Assistants in such offices have been increased and additional work and labor and responsibility have had to be assumed by the said Elmer J. Blum, and

WHEREAS as a result of the assumption of said additional duties and responsibilities it is deemed by the City Council to be proper and fitting that the compensation of the said Elmer J. Blum should be increased,

BE IT HEREBY RESOLVED that the salary of the said Elmer J. Blum be and it is hereby increased by paying to the said Elmer J. Blum the sum of \$85.00 monthly in addition to the salary heretofore received by Elmer J. Blum, said additional salary to begin on the 24th day of April, 1940.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of June, 1940 by Commissioner Neece, who moved its adoption which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Barnell, Bates, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG, CITY CLERK

BY: ELMER J. BLUM, ASSISTANT CITY CLERK

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RESOLUTION NO. 4941-N.S.

ADJOURNMENT

BE IT HEREBY RESOLVED that the 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 June, 1940 by Commissioner Bates, 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: Barnell, Bates, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG, CITY CLERK

BY: ELMER J. BLUM, ASSISTANT CITY CLERK

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RESOLUTION NO. 4942-N. S.

A RESOLUTION ADOPTING CIVIL SERVICE SALARY SCHEDULE FOR THE CITY OF MODESTO

---oOo---

BE IT HEREBY RESOLVED that the following wage schedule be adopted for the employees of the City of Modesto under Civil Service:

Salary Range No.	Starting Rate	First Adj.	Second Adj.	Third Adj.	Max.	Included in Classification
1	\$85	\$90	\$95	\$100	\$105	Typist Clerk Stenographer Clerk
2	105	110	115	120	125	Construction Laborers Groundsman Park Supervisor Storekeeper & Serviceman Asst. Sewage Plant Operator
3	115	120	125	130	135	Asst. Cashier (Clerks) Engineering Aid Traffic Line Painter
4	100	110	120	130	140	Food & Drink Inspector (Clerks) Secretary (police (Public Works)
5	120	125	130	135	140	Equip. Oper. Grade 2 Pump Oper. Grade 2 Nurseryman Tree Trimmer
6	125	130	135	140	145	Pipe Fitter Auto Mechanic Street Repair Foreman
7	130	135	140	145	150	Greenskeeper Asst. Water Service Foreman Sewage Disposal Plant Operator
8	140	145	150	155	160	Cashier Clerk Equip. Operator Grade 1 Pump Operator Grade 1 Machinist Asst. Supt. of Construction
9	125	145	155	160	165	Patrolmen Traffic Officer Fire Dept. Driver

10	155	160	165	170	175	Deputy Lic. Coll. & Auditor Draftsman Senior Engineering Aid Assistant Surveyor Horticulturist Water Service Foreman Lineman Electrician Fire Dept. Operator
11	165	170	175	180	185	Police Sergeant 2nd Asst. Fire Chief Plumbing Inspector Electrical Inspector Fire Alarm Technician
12	160	170	180	190	200	Asst. Supt. of Corp. Yard Asst. Supt. of Streets Asst. Supt. of Parks Supt. of Construction
13	170	180	190	200	210	Surveyor Chief Draftsman
14	190	195	200	205	210	1st Asst. Fire Chief
15	180	190	200	210	220	Police Captain Planning Engineer Asst. Bldg. Inspector Asst. Supt. of Electricity Asst. City Clerk
16	275	290	305	320	335	Asst. 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 July, 1940 by Commissioner Bates 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: Barnell, Bates, Neece, Stanley, Mayor Shannon

Noes: Councilman: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG, CITY CLERK

BY: ELMER J. BLUM, ASSISTANT CITY CLERK

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RESOLUTION NO. 4943-N.S.

A RESOLUTION ADOPTING BUDGET FOR FISCAL YEAR 1940-1941.

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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, 1940 and ending June 30, 1941, 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, reference being made to the original copies now on file in the City Clerk's office for greater detail.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 2nd day of July, 1940 by Commissioner Neece, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the motion adopted by the following vote:

Ayes: Councilmen: Barnell, Bates, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG, CITY CLERK  
BY: ELMER J. BLUM, ASSISTANT CITY CLERK

RESOLUTION NO. 4944-N.S.

A RESOLUTION AUTHORIZING THE TRANSFER OF \$40,000 FROM THE WATER FUND TO THE GENERAL FUND OF THE CITY OF MODESTO

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BE IT HEREBY RESOLVED that the transfer of \$40,000 from the Water Fund of the City of Modesto to the General Fund be authorized and the Auditor and Treasurer be directed to make the necessary entries on their records.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 2nd day of July, 1940 by Commissioner Bates, 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: Bannell, Bates, Neece, Stanley, Mayor Shannon  
Noes: Councilmen: None  
Absent: Councilmen: None

ATTEST: H. E. GRAGG, CITY CLERK

BY: ELMER J. BLUM, ASSISTANT CITY CLERK

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RESOLUTION NO. 4945-N.S.

A RESOLUTION AWARDED BID ON ROAD OIL TO TIDEWATER ASSOCIATED OIL CO.

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BE IT HEREBY RESOLVED that bid on road oil be awarded to the Tidewater Associated Oil Company and the City Clerk is hereby directed to return all bidding checks to unsuccessful bidders.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 2nd day of July, 1940 by Commissioner Bates, 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: Barnell, Bates, Neece, Stanley, Mayor Shannon  
Noes: Councilmen: None  
Absent: Councilmen: None

ATTEST: H. E. GRAGG, CITY CLERK

BY: ELMER J. BLUM, ASSISTANT CITY CLERK

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RESOLUTION NO. 4946-N.S.

A RESOLUTION REJECTING ALL BIDS ON DEEP WELL TURBINE PUMP AND AUTHORIZING THE PURCHASE OF EQUIPMENT ON OPEN MARKET FROM FORCE ACCOUNT

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BE IT HEREBY RESOLVED that all bids on deep well turbine pump be rejected and the purchase of equipment on open market be authorized, under force account, and

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

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 2nd day of July, 1940 by Commissioner Bates, 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: Barnell, Bates, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG, CITY CLERK

BY: ELMER J. BLUM, ASSISTANT CITY CLERK

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RESOLUTION NO. 4947-N.S.

A RESOLUTION AWARDDING BID ON PAVING MATERIAL FOR STREETS TO S. M. MCGAW

---oOo---

BE IT HEREBY RESOLVED that bid on paving material for streets of the City of Modesto be awarded to S. M. McGaw with the exception of item calling for furnishing and placing plant mix hot A.C. in trench cuts and patches over 500 square feet.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 2nd day of July, 1940 by Commissioner Bates, 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: Barnell, Bates, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG, CITY CLERK

BY: ELMER J. BLUM, ASSISTANT CITY CLERK

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RESOLUTION NO. 4948-N.S.

ADJOURNMENT

BE IT HEREBY RESOLVED that the 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 July, 1940 by Commissioner Neece, 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: Barnell, Bates, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG, CITY CLERK

BY: ELMER J. BLUM, ASSISTANT CITY CLERK

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RESOLUTION NO. 4949-N.S.

A RESOLUTION TO PURCHASE CERTAIN REAL PROPERTY IN THE CITY OF MODESTO, AND AUTHORIZING THE CITY ATTORNEY TO PREPARE THE PAPERS NECESSARY TO EFFECT SAID PURCHASE.

---oOo---

WHEREAS, the City of Modesto is in need of additional room and better facilities to house the various offices in the City government, and by so doing to render greater and more efficient service to the citizens of the City of Modesto; and,

WHEREAS, an offer has been made to said City to sell to said City certain real property hereinafter set forth upon which can hereafter be erected a City Hall to house the various City offices; and,

WHEREAS, after an investigation of the property in question as to price,

location and accessibility to the citizens of the City of Modesto, the Council of said City feels that the purchase of said property will work to the benefit of said City and the citizens thereof:

NOW, THEREFORE, BE IT RESOLVED, by said City Council at a regular meeting of said Council held on the 10th day of July, 1940, that the purchase of the real property hereinafter described should be effected and that the sum of \$13,775.00 is a proper amount to pay for the same.

Said property is described as follows, to-wit:

1. Lots 29, 30, 31 and 32 in Block 121, City of Modesto;
2. Lots 25 and 26 and the northwesterly 12 feet of Lot 24 in Block 121, City of Modesto;
3. Lots 27 and 28 in Block 121, City of Modesto.

All of the above described property is situate in Stanislaus County, California, and is all according to the official Map of said City of Modesto filed in the office of the County Recorder of Stanislaus County, California on July 15, 1938 in Vol. 13 of Maps.

BE IT FURTHER RESOLVED, that the terms of said purchase shall be as follows:

The sum of \$3,150.00, lawful money of the United States as the full purchase price of Lots 27, and 28 in Block 121 as hereinabove described, payable on or before August 15, 1940.

The sum of \$2,750.00 lawful money as aforesaid as and for the full purchase price of Lots 25 and 26 and the northwesterly 12 feet of Lot 24 in Block 121, as hereinabove described, payable on or before August 15, 1940;

The sum of \$7,875.00 as and for the full purchase price of Lots 29, 30, 31 and 32 in Block 121 of the City of Modesto, as hereinabove described, \$2,875.00 of which is to be paid on or before August 15, 1940, and the payment of \$5,000.00 now due and owing as a debt against said property to the Modesto Building and Loan Association, of Modesto, California, said sum of \$5,000.00 to be paid on or before a year from August 15, 1940, without penalty for the payment thereof before the expiration of one year from said August 15, 1940.

BE IT FURTHER RESOLVED that the moneys provided by this resolution to be paid on or before August 15, 1940 shall be deposited with the Stanislaus Abstract and Escrow Company, of Modesto, California, to be by said Company delivered to the various owners of said properties upon receipt by said Company from said owners of good and sufficient deeds conveying title thereto to said City of Modesto. All costs of title search, title insurance and revenue stamps and commissions of real estate agents bring<sup>ing</sup> about said sale are to be paid by the sellers of said property. all taxes are to be prorated, together with rent now being paid at the rate of \$50.00 per month for the use and occupancy of a certain house situate on Lots 29, 30, 31 and 32 of Block 121. There shall be obtained from the Modesto Building and Loan Association a written commitment to the effect that said Building and Loan Association shall not charge any penalty to the City of Modesto in the event that said City of Modesto chooses to pay the balance due said Building and Loan Association on or before one year from August 15, 1940

The foregoing Resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of July, 1940, by Councilman Barnell, who moved its adoption, which motion being duly seconded, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Barnell, Bates, Stanley and Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Neece

ATTEST: H. E. GRAGG, CITY CLERK

BY: ELMER J. BLUM, ASSISTANT CITY CLERK

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RESOLUTION NO. 4950-N.S.

A RESOLUTION AUTHORIZING THE CITY CLERK TO DRAW WARRANT IN AMOUNT \$450.00 AS A DEPOSIT ON THE PURCHASE OF PROPERTY FOR CITY HALL

---oOo---

BE IT HEREBY RESOLVED that the City Clerk and Auditor be authorized to draw a warrant in amount \$450.00 as a deposit on the purchase of property for the City Hall, payable to the Stanislaus Abstract and Escrow Company, as provided in Resolution No. 4949-N.S.

BE IT FURTHER RESOLVED that warrant is to be drawn from the Water Fund and distributed as follows:

- \$150.00 as deposit on 12' of lot 24, all lot 25 and 26 in Block 121 of the City of Modesto
- \$150.00 as deposit on lots 27 and 28 in Block 121 of the City of Modesto
- \$150.00 as deposit on Lots 29, 30, 31, 32 in Block 121 of the City of Modesto

BE IT FURTHER RESOLVED that said deposits are to be returned by the Stanislaus Abstract and Escrow Company to the City of Modesto when sale is consummated and final payment made.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of July, 1940 by Commissioner Barnell, 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: Barnell, Bates, Stanley and Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Neece

ATTEST: H. E. GRAGG, CITY CLERK

BY: ELMER J. BLUM, ASSISTANT CITY CLERK

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RESOLUTION NO. 4951-N.S.

A RESOLUTION ALLOWING CLAIMS FOR MONTH OF JUNE, 1940

---oOo---

WHEREAS, the claims against the City of Modesto for the month of June, 1940, 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-----	\$27,731.05
WATER FUND-----	5,296.98
LIBRARY FUND-----	1,801.21
BOND RED. INT. FUND-----	625.00
SPECIAL GAS TAX FUND-----	2,600.64
TOTAL-----	\$38,054.88

The foregoing resolution was introduced at a regular meeting of the

Council of the City of Modesto held on the 10th day of July, 1940 by Commissioner Bates 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: Barnell, Bates, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Neece

ATTEST: H. E. GRAGG, CITY CLERK

BY: ELMER J. BLUM, ASSISTANT CITY CLERK

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RESOLUTION NO. 4951A-N.S.

A RESOLUTION ALLOWING CLAIM OF \$3,533.98 TO STATE COMPENSATION INSURANCE FUND

---oOo---

BE IT HEREBY RESOLVED that claims of \$3,533.98 for premium on compensation policy for year ending June 30, 1941 be allowed to the State Compensation Insurance Fund.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of July, 1940 by Commissioner Bates, 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: Barnell, Bates, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Neece

ATTEST: H. E. GRAGG, CITY CLERK

BY: ELMER J. BLUM, ASSISTANT CITY CLERK

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RESOLUTION NO. 4952-N.S.

A RESOLUTION OF INTENTION TO HOLD AN ELECTION FOR ANNEXATION OF "LA LINDA TRACT" TO THE CITY OF MODESTO, AND PROVIDING A TIME FOR PROTESTING THE HOLDING OF SAID ELECTION.

---oOo---

WHEREAS, there has been presented to the City Council of the City of Modesto at a regular meeting thereof held on the 10th day of July, 1940, a petition requesting that an election be called in the "LA LINDA TRACT", which tract is described as follows, to-wit:

Beginning at the southeast corner of the northwest  $\frac{1}{4}$  of the southeast  $\frac{1}{4}$  of Section 28, T. 3 S., R. 9 E., M. D. B. & M.; thence southerly along the  $\frac{1}{4}$ - $\frac{1}{4}$  section line, to an easterly and westerly line equally dividing Lot 3, the said Lot 3 being as shown on the map of Las Flores Tract, recorded in Maps, Volume 9, page 47, Stanislaus County Records; thence westerly along the said dividing line through the center of said Lot 3, to the center line of Las Flores, a County Road; thence southerly along the said center line of Las Flores to the Southerly boundary line of La Linda, extended and produced, according to the map of La Linda, recorded in Maps, Volume 11, Page 40, Stanislaus County Records; thence westerly along the said southerly boundary line of La Linda and the said Southerly Boundary Line of La Linda, extended and produced to the city limit line in Beard Brook; thence northerly along the said city limit line in Beard Brook, to the  $\frac{1}{4}$ - $\frac{1}{4}$  section line; thence easterly along the said  $\frac{1}{4}$ - $\frac{1}{4}$  section line to the beginning.

WHEREAS, it appears to the City Council of said City that said petition is in order; and,

WHEREAS, by the provisions of Act 5159 (Annexation Act of 1913) Deering's General Laws, 1937, at page 2210, it is provided that a time and place be set

for hearing written protests to the holding of an election for the annexation of said Tract;

NOW, THEREFORE, SAID petition for annexation of said La Linda Tract as herein described is hereby accepted by said City Council of said City, and said City Council does hereby declare that it is the intention of said City Council to hold an election in said La Linda Tract for the purpose of submitting to the voters of said Tract the question whether or not the voters, residing in said Tract desire to have said described territory annexed to and made a part of the corporate limits of the City of Modesto, County of Stanislaus, State of California.

Said election shall be held in said Tract on the 20th day of September, 1940.

The time for hearing protests by persons owning property in the within described La Linda Tract is hereby set for the 30th day of July, 1940, in the Council Room in the rear of the City Clerk's office at No. 717 Tenth Street, in the City of Modesto, County of Stanislaus, State of California, at the hour of 4:30 o'clock P.M. At said time and place the said City Council will hear all protests of persons owning property in the said La Linda Tract, as described herein. All protests must be in writing and shall state the name or names of the owner or owners of the property to be affected by said election, and the location and area of such property in general terms.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of July, 1940, by Councilman Barnell, who moved its adoption, which motion being duly seconded was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Barnell, Bates, Neece, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Neece

ATTEST: H. E. GRAGG, CITY CLERK

BY: ELMER J. BLUM, ASSISTANT CITY CLERK

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RESOLUTION NO. 4953-N.S.

A RESOLUTION GRANTING PERMISSION TO DR. A. A. MEYER TO ESTABLISH DENTAL OFFICE IN THE RESIDENCE ZONE

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WHEREAS, pursuant to the filing of petition with the Council by Dr. A. A. Meyer for permit to erect and maintain a dental office on property known as E 70' of lots 31, 32 and N½ of lot 30, Block 92 in the City of Modesto and it appearing from affidavits on file that a notice setting forth a time for hearing any and all protests to the granting of the petition as prayed for and this being the time set forth, and

WHEREAS, the City Clerk reports that no protests either oral or written have been officially filed,

BE IT HEREBY RESOLVED that permission be granted to Dr. A. A. Meyer to establish dental office with the understanding that all provisions relative to building permit fees will be complied with.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of July, 1940 by Commissioner Barnell, 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: Barnell, Bates, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Neece

ATTEST: H. E. GRAGG, CITY CLERK

BY: ELMER J. BLUM, ASSISTANT CITY CLERK

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RESOLUTION NO. 4954-N.S.

A RESOLUTION AWARDED BID ON INCANDESCENT LAMPS FOR MUNICIPAL LIGHTING FOR PERIOD JULY 1, 1940 to JUNE 30, 1941 INC. TO WILLE ELECTRIC COMPANY

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BE IT HEREBY RESOLVED that bid for incandescent lamps for municipal lighting for the period July 1, 1940 to June 30, 1941 inc. be awarded to the Wille Electric Company, and

BE IT FURTHER RESOLVED that the City of Modesto enter into an agreement with Wille Electric Company and the City Clerk return all bidding checks to unsuccessful bidders.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of July, 1940 by Commissioner Bates, 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: Barnell, Bates, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Neece

ATTEST: H. E. GRAGG, CITY CLERK

BY: ELMER J. BLUM, ASSISTANT CITY CLERK

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RESOLUTION NO. 4955-N.S.

A RESOLUTION AUTHORIZING THE CITY CLERK TO ADVERTISE FOR BIDS ON AUTOMOBILE FOR THE HEALTH DEPARTMENT

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BE IT HEREBY RESOLVED that the City Clerk be authorized to advertise for bids on 1940 model two door coupe for the Health Department, the cost of the automobile delivered f.o.b. Modesto including sales tax shall not exceed \$900.00; Bids to be opened at the City Hall on July 24, 1940.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of July, 1940 by Commissioner Stanley, 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: Barnell, Bates, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Neece

ATTEST: H. E. GRAGG, CITY CLERK

BY: ELMER J. BLUM, ASSISTANT CITY CLERK

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RESOLUTION NO. 4956-N.S.

A RESOLUTION REAPPOINTING ROBERT B. FOWLER ON PLUMBING BOARD FOR A PERIOD OF THREE YEARS FROM MAY 2, 1940

BE IT HEREBY RESOLVED that Robert B. Fowler be reappointed on the Plumbing Board of the City of Modesto for a period of three years from May 2, 1940, as provided by Ordinance No. 569-N.S.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of July, 1940 by Commissioner Stanley, 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: Barnell, Bates, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Neece

ATTEST: H. E. GRAGG, CITY CLERK

BY: ELMER J. BLUM, ASSISTANT CITY CLERK

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RESOLUTION NO. 4957-N.S.

A RESOLUTION ACCEPTING DEED FROM D. E. ROWLES ET UX ON LOT 4 OF LA RIO PARK TRACT AND AUTHORIZING THE CITY CLERK TO RECORD DEED WITH THE STANISLAUS COUNTY RECORDER

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BE IT HEREBY RESOLVED that deed be accepted by the Council of the City of Modesto as presented by D. E. Rowles et ux on lot 4 of the La Rio Park Tract, and

BE IT FURTHER RESOLVED that the City Clerk be authorized to record 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 10th day of July, 1940 by Commissioner Barnell, 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: Barnell, Bates, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Neece

ATTEST: H. E. GRAGG, CITY CLERK

BY: ELMER J. BLUM, ASSISTANT CITY CLERK

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RESOLUTION NO. 4958-N.S.

ADJOURNMENT

BE IT HEREBY RESOLVED that the 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 July, 1940 by Commissioner Stanley, 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: Barnell, Bates, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Neece

ATTEST: H. E. GRAGG, CITY CLERK

BY: ELMER J. BLUM, ASSISTANT CITY CLERK

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RESOLUTION NO. 4959-N.S.

A RESOLUTION PROVIDING FOR THE LOCATION OF A LOADING ZONE ON NINTH STREET IN THE CITY OF MODESTO

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WHEREAS, traffic conditions at and near the place hereinafter designated on Ninth Street in the City of Modesto are becoming hazardous, due to increased automobile travel at and in the region of said described area:

NOW, THEREFORE, IT IS HEREBY RESOLVED and there is hereby created a loading zone on the northwesterly side of Ninth Street for a distance of 225 feet from a point opposite the southeasterly property line of Block 50, extended and produced. In said designated area trucks and other vehicles discharging baggage, goods, wares and merchandise shall stop for a period of time no longer than twenty (20) consecutive minutes.

BE IT FURTHER RESOLVED that the City Engineer of the City of Modesto shall procure proper markings and/or signs conveying to the public notice of the fact that the area herein designated shall be used only for the purpose of loading and unloading trucks and other vehicles.

This resolution shall be effective as soon as the spaces herein designated are properly marked and designated by said City Engineer 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 July, 1940, by Councilman Stanley, who moved its adoption, which motion being duly seconded, it was upon roll call carried and adopted by the following vote:

Ayes: Councilmen: Barnell, Bates, Neece, Stanley, Mayor Shannon  
Noes: Councilmen: None  
Absent: Councilmen: None

ATTEST: H. E. GRAGG, CITY CLERK

BY: ELMER J. BLUM, ASSISTANT CITY CLERK

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RESOLUTION NO. 4960-N.S.

A RESOLUTION EXTENDING PERMIT TO WILLIS KLEINENBROICH TO OPERATE THE MODESTO MOTOR BUS FOR A PERIOD OF 90 DAYS FROM JUNE 27, 1940.

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WHEREAS, pursuant to petition made by Willis Kleinenbroich for renewal of franchise for bus route, known as the Modesto Motor Bus,

BE IT HEREBY RESOLVED that permit be granted Willis Kleinenbroich to operate the Modesto Motor Bus for a period of 90 days from June 27, 1940 until the City Attorney can make a thorough investigation into the matter of granting bus franchises 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 24th day of July, 1940 by Commissioner Stanley, 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: Barnell, Bates, Neece, Stanley, Mayor Shannon  
Noes: Councilmen: None  
Absent: Councilmen: None

ATTEST: H. E. GRAGG, CITY CLERK

BY: ELMER J. BLUM, ASSISTANT CITY CLERK

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RESOLUTION NO. 4961-N.S.

A RESOLUTION RECOMMENDING THAT ALL BIDS ON AUTOMOBILE FOR THE HEALTH DEPARTMENT BE REFERRED TO THE CITY ENGINEER AND COMMISSIONER OF PUBLIC SUPPLIES FOR TABULATION

---oOo---

WHEREAS notice to bidders on automobile for the Health Department having heretofore been given and published as required by law and bids in accordance with said notice having been received not later than 7:30 P. M. on Wednesday, July 24, 1940 and having been then and there opened by the Council in open meeting,

BE IT HEREBY RESOLVED that all bids on the automobile for the Health Department be referred to the City Engineer and the Commissioner of Public Supplies for tabulation and recommendation.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of July, 1940 by Commissioner Bates, 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: Barnell, Bates, Neece, Stanley, Mayor Shannon  
Noes: Councilmen: None  
Absent: Councilmen: None

ATTEST: H. E. GRAGG, CITY CLERK

BY: ELMER J. BLUM, ASSISTANT CITY CLERK

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RESOLUTION NO. 4962-N.S.

A RESOLUTION AUTHORIZING THE CITY CLERK TO ADVERTISE FOR BIDS ON POWER LAWN MOWER AND ROTO-TILLER TYPE ROAD OIL MIXER

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BE IT HEREBY RESOLVED that the City Clerk be authorized to advertise for bids on power lawn mower and Roto-Tiller type road oil mixer; said bids to be received on or before Wednesday August 14, 1940 at 7:30 P.M. at the City Hall.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of July, 1940 by Commissioner Bates, who moved its adoption, which motion was duly seconded and it was upon roll call carried by the following vote:

Ayes: Councilmen: Barnell, Bates, Neece, Stanley, Mayor Shannon  
Noes: Councilmen: None  
Absent: Councilmen: None

ATTEST: H. E. GRAGG, CITY CLERK

BY: ELMER J. BLUM, ASSISTANT CITY CLERK

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RESOLUTION NO. 4963-N.S.

A RESOLUTION EXPRESSING REGRET AT THE PASSING OF SOLOMON P. ELIAS AND COMMEMORATING THE VALUABLE SERVICE HE RENDERED TO HIS CITY

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WHEREAS, God in His infinite wisdom has seen fit to remove from our midst, Solomon P. Elias, known affectionately to his townspeople as Sol P. Elias; and,

WHEREAS, the said late Sol P. Elias was the Mayor of the City of Modesto from 1922 to 1931 and during his term of office did much for the citizens of the City of Modesto, making said City a better place in which to live; and

WHEREAS, the said Sol P. Elias was the President of the Board of Freeholders,

which board in the year 1910, framed the Charter of the City of Modesto, constituting the fundamental law of the City of Modesto, and by his efforts in that regard rendered invaluable service to said City and its Citizens; and,

WHEREAS, by reason of the recent death of the said Sol P. Elias, the City of Modesto and its citizens have suffered an irreparable loss,

NOW THEREFORE, the City Council of the City of Modesto, does by this resolution express its regret at the passing of the late Sol P. Elias. Be it further resolved that a copy of this resolution be spread upon the official minutes of the City of Modesto and that another copy thereof be mailed to the family of the deceased.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of July, 1940 by Councilman Neece, who moved its adoption, which motion being duly seconded, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Barnell, Bates, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG, CITY CLERK

BY: ELMER J. BLUM, ASSISTANT CITY CLERK

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RESOLUTION NO; 4964-N.S.

IN THE MATTER OF THE ELECTION FOR THE ANNEXATION OF THE JOHN MUIR PARK TRACT TO THE CITY OF MODESTO

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This being the time provided for the first regular meeting of the Council of the City of Modesto, next after the expiration of three (3) days from and after the date of an election held in the territory known as and named JOHN MUIR PARK, in which election it was proposed that said JOHN MUIR PARK be annexed to the City of Modesto, and which JOHN MUIR PARK is contiguous to the City of Modesto, County of Stanislaus, State of California, and is particularly described as follows, to-wit:

All that certain real property and territory located in the southwest quarter of Section 21, Township 3 South, Range 9 East, M. D. B. & M., in the County of Stanislaus, State of California, and particularly bounded and described as follows, to-wit:

Commencing at the  $\frac{1}{4}$  corner on the Section line between Sections 21 and 28, Township 3 South, Range 9 East, M. D. B. & M.; thence Westerly along the said Section Line, a distance of 20.00 feet to the point of beginning; thence Northerly along a line 20.00 feet Westerly from, and parallel to the  $\frac{1}{4}$  Section Line in the said Section 21, to the Southeasterly property line of the Modesto Irrigation District Lateral No. 4 Right of Way; thence Northwesterly at an angle of 90° 00' with the said line 20.00 feet Westerly from, and parallel to the said  $\frac{1}{4}$  Section Line, to the Northwesterly property line of the said Modesto Irrigation District Lateral No. 4 Right of Way; thence Southwesterly along the said Northwesterly property line of the said Modesto Irrigation District Lateral No. 4 Right of Way, to a line 10.00 feet Northerly from and parallel to the Northerly boundary line of the Lesliehugh Tract; thence Westerly along the said line 10.00 feet North-erly from and parallel to the said Northerly boundary line of the said Lesliehugh Tract, to the center line of Kimble Street, extended and produced; thence Southerly along the said center line of the said Kimble Street, ex-tended and produced, and the said center line of the said Kimble Street, to the center line of Hintze Avenue; thence Easterly along the said center line of the said Hintze Avenue, to the center line of Patricia Lane; thence Northeasterly along the said center line of the said Patricia Lane, to the said Northerly boundary line of the said Lesliehugh Tract; thence Easterly along the said Northerly boundary line of the said Lesliehugh Tract, to the said Northwesterly property line of the said Modesto Irrigation District Lateral No. 4 Right of Way; thence Southwesterly along the said Northwesterly property line of the said Modesto Irrigation District Lateral No. 4 Right of Way, and the said Northwesterly property line of the said Modesto Irrigation District Lateral No. 4 Right of Way, extended and produced, to the said Section Line between Sections 21 and 28; thence Easterly along the said Section Line between Sections 21 and 28, to the point of beginning.

The said Section Line between Sections 21 and 28 being common with the Northerly City Limits, as shown on the official Map of the City of Modesto as officially adopted March 23, 1938, and other data as mentioned in this description is as shown on the Map of the High Homes Tract, as recorded in Maps, Volume 9, Page 24, on the Amended Map of Lesliehugh Tract, as recorded in Volume 11, Page 20, and on the Map of the Bussinger Tract, as recorded in Maps, Volume 9, Page 48, in the Stanislaus County Records, Stanislaus County, California.

And it appearing that said election was held within the territory sought to be annexed on the 19th day of July, 1940, in accordance with the resolution of this Council heretofore passed and adopted, and it further appearing that prior to the holding of said election proper notice of said election was published in the The Oakdale Leader, a newspaper of general Circulation published in the City of Oakdale, County of Stanislaus, State of California, and which notice was published in said newspaper on June 20, June 27, July 4, July 11, and July 18, all in the year 1940, and that after the holding of said election in said JOHN MUIR PARK the election officers thereof delivered to and deposited with the Clerk of this Council the ballots, tally sheets and returns of said election; and it appearing and the Council so finding that the proposition submitted at said election was whether or not such new territory herein described, and described in said resolution of election, shall be annexed to, incorporated in, and made a part of the municipal corporation of the City of Modesto, and the property therein described be not, after such annexation, subject to taxation equally with the property within such municipal corporation, to pay the bonded indebtedness of such municipal corporation outstanding at the time of the filing of the petition asking that such election be called, or theretofore authorized.

The City Council of the City of Modesto thereupon proceeded to canvass the said returns and upon such canvass finds that the total number of votes cast in said territory proposed to be annexed was and is 5; that the number of votes cast therein in favor of annexation was and is 5; and that the number of votes cast therein against said annexation was and is 0.

The said Council of the City of Modesto further finds that the total number of absentee ballots or votes cast at said election was and is none. That the total number of votes cast by the voters at said polls in said election, none of which was absentee ballots or votes, was and is 5; that the total number of votes cast at said election in favor of annexation was and is 5; and that the total number of votes cast therein against said annexation was and is 0.

Thereupon, motion of Councilman Barnell, seconded by Councilman Stanley, and adopted by the unanimous vote of the City Council of said City of Modesto, it was ordered that the foregoing record of said canvass be made and entered upon the minutes of said Council at this meeting.

ATTEST: H. E. GRAGG, CITY CLERK

BY: ELMER J. BLUM, ASSISTANT CITY CLERK

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STATE OF CALIFORNIA, )  
COUNTY OF STANISLAUS, ( SS.  
CITY OF MODESTO. )

I, H. E. GRAGG, CITY CLERK of the City of Modesto, do hereby certify and declare that I now am and at all times hereinafter mentioned was the duly appointed,

qualified and acting City Clerk of the City of Modesto, and the Clerk of the Council of said City.

That the foregoing and attached record of the canvass of the returns of the election therein referred to and entitled: "In the Matter of the Election for the Annexation of the John Muir Park Tract to the City of Modesto, " is a full, true and correct copy of the record of the canvass of the returns of the election within the territory therein described, which election was held on the 19th day of July, 1940, upon the question of the annexation of the territory therein described to the City of Modesto; that said record was and is entered upon the minutes of said City Council and is the record of the returns of said election; that said election was held on the 19th day of July, 1940, and the result thereof was canvassed at a regular meeting of the Council of the City of Modesto held on the 24th day of July, 1940; that the result of said canvass and of said election, as shown by said election, is as follows: That the total number of votes cast in the territory proposed to be annexed was and is 5; that the total number of votes cast in said territory in favor of annexation was and is 5; and that the total number of votes cast thereat against said annexation was and is 0.

I further certify that the following is a full, true and correct description of the territory proposed to be annexed, and which was annexed to said City of Modesto pursuant to the proceedings hereinabove stated, to-wit:

All that certain real property and territory located in the southwest quarter of Section 21, Township 3 South, Range 9 East, M. D. B. & M., in the County of Stanislaus, State of California, and particularly bounded and described as follows, to-wit:

Commencing at the  $\frac{1}{4}$  corner on the Section line between Sections 21 and 28, Township 3 South, Range 9 East, M. D. B. & M; thence Westerly along the said Section Line, a distance of 20.00 feet to the point of beginning; thence Northerly along a line 20.00 feet Westerly from, and parallel to the  $\frac{1}{4}$  Section Line in the said Section 21, to the Southeasterly property line of the Modesto Irrigation District Lateral No. 4 Right of Way; thence Northwesterly at an angle of  $90^{\circ} 00'$  with the said line 20.00 feet Westerly from, and parallel to the said  $\frac{1}{4}$  Section Line, to the Northwesterly property line of the said Modesto Irrigation District Lateral No. 4 Right of Way; thence Southwesterly along the said Northwesterly property line of the said Modesto Irrigation District Lateral No. 4 Right of Way, to a line 10.00 feet Northerly from and parallel to the Northerly boundary line of the Lesliehugh Tract; thence Westerly along the said line 10.00 feet Northerly from and parallel to the said Northerly boundary line of the said Lesliehugh Tract, to the center line of Kimble Street, extended and produced; thence Southerly along the said center line of the said Kimble Street, extended and produced, and the said center line of the said Kimble Street, to the center line of Hintze Avenue; thence Easterly along the said center line of the said Hintze Avenue, to the center line of Patricia Lane; thence Northeasterly along the said center line of the said Patricia Lane, to the said Northerly boundary line of the said Lesliehugh Tract; thence Easterly along the said Northerly boundary line of the said Lesliehugh Tract, to the

said Northwesterly property line of the said Modesto Irrigation District Lateral No. 4 Right of Way; thence Southwesterly along the said Northwesterly property line of the said Modesto Irrigation District Lateral No. 4 Right of Way, and the said Northwesterly property line of the said Modesto Irrigation District Lateral No. 4 Right of Way, extended and produced, to the said Section Line between Sections 21 and 28; thence Easterly along the said Section Line between Sections 21 and 28, to the point of beginning.

The said Section Line between Sections 21 and 28 being common with the Northerly City Limits, as shown on the official Map of the City of Modesto as officially adopted March 23, 1938, and other data as mentioned in this description is as shown on the Map of the High Homes Tract, as recorded in Maps, Volume 9, Page 24, on the Amended Map of Lesliehugh Tract, as recorded in Volume 11, Page 20, and on the Map of the Bussinger Tract, as recorded in Maps, Volume 9, Page 48, in the Stanislaus County Records, Stanislaus County, California.

IN WITNESS WHEREOF, I have hereunto set my hand as City Clerk and affixed the official seal of said City of Modesto this 24th day of July, 1940.

H. E. Gragg; City Clerk of said City of Modesto

By: Elmer J. Blum, Assistant City Clerk

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RESOLUTION NO. 4965-N.S.

A RESOLUTION AUTHORIZING THE CITY CLERK TO DRAW WARRANTS IN PAYMENT OF SERVICES TO THE ELECTION OFFICIALS OF JOHN MUIR PARK ANNEXATION AND RENTAL OF POLLING PLACE.

---oOo---

BE IT HEREBY RESOLVED that the City Clerk be hereby authorized to draw warrants payable to officials who served at the John Muir Park annexation election of \$5.00 each and also to draw warrant of \$5.00 for rental of polling place to Malin T. Langstroth.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of July, 1940 by Commissioner Bates, who moved its adoption, which motion being duly seconded, it was upon roll call carried by the following vote:

Ayes: Councilmen: Barnell, Bates, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG, CITY CLERK

BY: ELMER J. BLUM, ASSISTANT CITY CLERK

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RESOLUTION NO. 4965-A N. S.

A RESOLUTION DETERMINING THE RESULT OF AN ELECTION HELD IN THE JOHN MUIR PARK TRACT, FOR ANNEXATION OF SAID TRACT TO THE CITY OF MODESTO

---oOo---

WHEREAS, a special election was held on the 19th day of July, in the JOHN MUIR PARK TRACT, near the City of Modesto, County of Stanislaus, State of California, and contiguous to the City Limits of said City, and which territory is specifically described in a resolution canvassing the vote in said territory of even date herewith; and,

WHEREAS, the said City Council of the City of Modesto finds after due examination that due notice of said election was published in the The Oakdale Leader, a newspaper of general circulation published in the City of Oakdale, County of Stanislaus, State of California, which said notice appeared in said newspaper on June 20, June 27, July 4, July 11 and July 18, all in the year 1940, and that prior to said publication in said newspaper a date was set giving due notice that owners of property in said JOHN MUIR PARK could appear before said City Council on the 14th day of June, 1940 to protest the holding of said election; and it further appearing to said Council that all of the said procedure followed, adopted and employed in the holding of said election is proper and legal; and,

WHEREAS, the City Council of the City of Modesto is now sitting as a canvassing board to canvass the results of said election, and has received all of the returns from said election and finds that the same are now in proper form, and have opened and canvassed the same and ascertained the results of said election as herein-after stated:

NOW, THEREFORE, BE IT RESOLVED, CERTIFIED AND DECLARED by the Council of the City of Modesto that the said special election held in said territory to determine whether or not said territory should be annexed to and become a part of the said City of Modesto, was regularly called, held and conducted as required by law. That the proper and complete returns thereof have been made and received by said Council; that the same have been properly canvassed; that from the returns so canvassed as aforesaid it appears and the Council so finds that at said special election the total number of votes cast at the polls was and is 5; that the number of votes cast at said polls in favor of annexation was and is 5; and that the number of votes cast at said polls opposed to annexation of said territory was and is 0.

Said City Council, sitting as a canvassing board further finds that there were cast at said election no absentee ballots or votes; that the total number of votes cast at the polls at said election was and is 5; that the total number of votes cast at the polls in favor of the annexation of said territory to the City of Modesto was and is 5; and that the total number of votes cast at the polls opposed to said annexation was and is 0.

That said City Council, sitting as such canvassing board further finds that the measure, to-wit, "Shall the John Muir Park Tract be annexed to the City of Modesto?" received the necessary plurality in favor thereof, and that therefore said measure carried.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of July, 1940, by Councilman Barnell, who moved its adoption, which motion being duly seconded, was upon roll call carried, and the resolution adopted by the following vote:

Ayes: Councilmen: Barnell, Bates, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG, CITY CLERK

BY: ELMER J. BLUM, ASSISTANT CITY CLERK

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RESOLUTION NO. 4966-N.S.

A RESOLUTION AUTHORIZING THE CITY CLERK AND AUDITOR TO DRAW A WARRANT IN AMOUNT \$100.00 TO FIRE CHIEF GEO. E. WALLACE FOR EXPENSES WHILE ATTENDING THE PACIFIC COAST FIRE CHIEF'S CONVENTION.

BE IT HEREBY RESOLVED that the City Clerk and Auditor be authorized to draw a warrant in amount \$100.00 to Fire Chief Geo. E. Wallace to be used by him as expenses while attending the Pacific Coast Fire Chiefs' Convention at Tacoma, Washington during the week of August 1-7, 1940.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of July, 1940 by Commissioner Stanley, 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: Barnell, Bates, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG, CITY CLERK

BY: ELMER J. BLUM, ASSISTANT CITY CLERK

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RESOLUTION NO. 4967-NS.

A RESOLUTION RESCINDING RESOLUTION NO. 4600-N.S. ENTITLED "A RESOLUTION AMENDING RULE 3 OF RESOLUTION NO. 4044-N.S. ENTITLED "A RESOLUTION ADOPTING RULES AND REGULATIONS FOR THE USE OF THE MODESTO MUNICIPAL GOLF COURSE" AND AMENDING RULE 3 OF RESOLUTION NO. 4044-N.S. ENTITLED "A RESOLUTION ADOPTING RULES AND REGULATIONS FOR THE USE OF THE MODESTO MUNICIPAL GOLF COURSE"

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BE IT HEREBY RESOLVED that Resolution No. 4600-N.S. entitled "A RESOLUTION AMENDING RULE 3 OF RESOLUTION NO. 4044-N.S. ENTITLED "A RESOLUTION ADOPTING RULES AND REGULATIONS FOR THE USE OF THE MODESTO MUNICIPAL GOLF COURSE" be rescinded and Rule 3 of Resolution No. 4044-N.S. entitled "A RESOLUTION ADOPTING RULES AND REGULATIONS FOR THE USE OF THE MODESTO MUNICIPAL GOLF COURSE" be amended to provide for a greens fee per player of 35¢ for each round of nine holes or 70¢ for all day, which fee is to be paid in advance of playing; the fee for the use of the practice driving range shall be 35¢ per hour; the fee for a monthly ticket shall be \$2.25 per month for students of Modesto Schools and Junior College.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on July 24, 1940 by Commissioner Neece, 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: Barnell, Bates, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG, CITY CLERK

BY: ELMER J. BLUM, ASSISTANT CITY CLERK

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RESOLUTION NO. 4968-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 24th day of July, 1940 by Commissioner Bates, 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: Barnell, Bates, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG, CITY CLERK

BY: ELMER J. BLUM, ASSISTANT CITY CLERK

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RESOLUTION NO. 4969-N. S.

WHEREAS, heretofore, to-wit, on the 10th day of July, 1940, there was received by the City Council of the City of Modesto, which said City Council is the legislative body of said City of Modesto, a municipal corporation, situate in the County of Stanislaus, State of California, a written petition signed by not less than one-fourth in number of all the qualified electors residing within the territory described therein, as shown by the registration of voters in the County in which such territory is situate, asking that such territory, which is in said petition and hereinafter described, be annexed to the City of Modesto; and,

WHEREAS, said petition so presented contained a request that said described territory be annexed to the said City of Modesto without said territory and the inhabitants thereof being subjected to the liability for payment of any bonded indebtedness or other indebtedness incurred by or owing by the said City of Modesto at the time of the filing of said petition, and that said property in the event of its annexation to the City of Modesto shall be liable only for such debts of the City as the said City may incur after the incorporation of such territory and for the taxes and assessments levied by said City only after said incorporation; and,

WHEREAS, the said City by resolution of its City Council duly passed and adopted on the 10th day of July, 1940, received and accepted said petition; and,

WHEREAS, said City Council by resolution duly passed and adopted on the 10th day of July, 1940, received and accepted said petition; and,

WHEREAS, said City Council by resolution duly passed and adopted on said 10th day of July, 1940, declared its intention to hold a special election in the said territory on the 20th day of September, 1940, and that said Council would meet on July 30, 1940, in the Councilroom in the rear of the City Clerk's office at No. 717 Tenth Street in the City of Modesto, County of Stanislaus, State of California, at the hour of 4:30 o'clock P. M. of said day, and that at said time and place said City Council would hear all protests of persons owning property in the said territory hereinafter mentioned and described as THE LA LINDA TRACT against the holding of said election or the annexation of said territory to said City of Modesto, and requiring such protests to be in writing, stating the name or names of the owner or owners of the property to be affected and the location and area of such property in general terms, all in accordance with the admission act under which said proceedings are being held and hereinafter referred to; and,

WHEREAS, a copy of said resolution was duly published in the The Modesto Bee, a newspaper of general circulation, printed and published in the said City of Modesto, and being the official newspaper of said City, at least once a week for two consecutive weeks prior to the time set for said protests, said publications being on the 12th day of July, 1940, the 19th day of July, 1940, and the 26th day of July, 1940, as particularly shown by the affidavit of the publication thereof on file with the City Clerk of said City, to which reference is hereby made; and,

WHEREAS, at the time and place specified in said notice as hereinbefore

set forth, the City Council of said City duly met for the purpose of hearing said protests as stated in said notice; and,

WHEREAS, at said meeting no protests, either written or otherwise, were filed, presented to, or made to the City Council of said City against the holding of said election or the annexation of the said territory to the said City of Modesto:

NOW, THEREFORE, BE IT RESOLVED, that a special election be, and the same is hereby called to submit to the electors residing in the territory proposed by such petition to be annexed to the said City of Modesto, the question as to whether or not such new territory which is hereinafter described, shall be annexed to, incorporated in, and made a part of said municipal corporation, to-wit, the City of Modesto, without thereby being subjected to the payment of any bonded indebtedness or moneys owed by said City at the time of said incorporation, and that said territory shall be subject to taxation equally with the property within such municipal corporation, less any taxes levied for indebtedness owed by said City at the time of said incorporation; said election to be held on the 20th day of September, 1940; the polls to be opened at six o'clock in the morning of said day, and to remain open until seven o'clock in the evening of said day, when the polls shall be closed; that the territory so proposed to be annexed and in which said special election shall be held as aforesaid is situate, lying and being in the County of Stanislaus, State of California, and is contiguous to the City of Modesto, and is particularly described as follows, to-wit:

Beginning at the southeast corner of the northwest  $\frac{1}{4}$  of the southeast  $\frac{1}{4}$  of Section 28, T. 3 S., R. 9 E., M. D. B. & M., thence southerly along the  $\frac{1}{4}$ - $\frac{1}{4}$  section line, to an easterly and westerly line equally dividing Lot 3, the said Lot 3 being as shown on the map of Las Flores Tract, recorded in Maps, Volume 9, page 47, Stanislaus County Records; thence westerly along the said dividing line through the center of said Lot 3, to the center line of Las Flores, a County Road; thence southerly along the said center line of Las Flores to the southerly boundary line of La Linda, extended and produced, according to the map of La Linda, recorded in Maps, Volume 11, page 40, Stanislaus County Records; thence westerly along the said southerly boundary line of La Linda and the said southerly boundary line of La Linda, extended and produced to the city limit line in Beard Brook; thence northerly along the said city limit line in Beard Brook, to the  $\frac{1}{4}$ - $\frac{1}{4}$  section line; thence easterly along the said  $\frac{1}{4}$ - $\frac{1}{4}$  section line to the beginning.

IT IS FURTHER ORDERED that for the purpose of holding said special election all of the territory mentioned in said petition and hereinabove described is consolidated and established into one election precinct, and the following is hereby designated as the place at which the polls shall be opened for such election in such territory so proposed to be annexed, to-wit:

Garage: Dayton residence

The following, who are qualified electors of the voting precinct in which they are appointed to act, are hereby appointed officers of said election, to-wit:

Judges: Florence Dayton and Oscar Harran

Inspector: James McCaffery

IT IS FURTHER ORDERED that for the purpose of said election the territory

hereinabove described and proposed to be annexed to said municipal corporation is hereby designated as "THE LA LINDA TRACT".

IT IS FURTHER ORDERED that upon the ballots to be used at said election there shall be printed the words

"Shall THE LA LINDA TRACT be annexed to the City of Modesto?"	:	:	:
	:	Yes	:
	:	:	:
"Shall THE LA LINDA TRACT be annexed to the City of Modesto?"	:	:	:
	:	No	:
	:	:	:

IT IS FURTHER ORDERED that said election shall be held and conducted in accordance with an act of the Legislature of the State of California entitled "An Act to Provide for the Alteration of the Boundaries of and for the Annexation of Territory to Municipal Corporations, for the Incorporation of such Annexed Territory in and as a Part Thereof, and for the Districting, Government and Municipal Control of such Annexed Territory", approved June 11th, 1913, and the acts amendatory of and supplemental thereto.

IT IS FURTHER ORDERED that a notice be given by the Clerk of this Council of said election by the publication thereof in a newspaper of general circulation, printed and published outside of the municipal corporation of the City of Modesto, but within Stanislaus County, at least once a week for a period of four successive weeks next preceding the date of such election, and that said notice shall be in substantially the following form:

NOTICE OF ELECTION FOR THE ANNEXATION OF TERRITORY.

Notice is hereby given by order of the City Council of the City of Modesto, in accordance with the statutes of the State of California in such case made and provided, that pursuant to a proper petition filed therefor with said City Council, a special election has been called by said Council to be held, and the same will be held, in the territory hereinafter described, on Friday the 20th day of September, 1940.

The proposition to be voted on at such election is as follows:

That it is proposed to annex to, incorporate in and make a part of the municipal corporation, to-wit, the City of Modesto, the following territory, lying, being and situate in the County of Stanislaus, State of California, and contiguous to the City of Modesto, and particularly described as follows:

Beginning at the southeast corner of the northwest  $\frac{1}{4}$  of the southeast  $\frac{1}{4}$  of Section 28, T. 3 S., R. 9 E., M. D. B. & M., thence southerly along the  $\frac{1}{4}$ - $\frac{1}{4}$  section line, to an easterly and westerly line equally dividing Lot 3, the said Lot 3 being as shown on the map of Las Flores Tract, recorded in Maps, Volume 9, page 47, Stanislaus County Records; thence westerly along the said dividing line through the center of said Lot 3, to the center line of Las Flores, a County Road; thence southerly along the said center line of Las Flores to the southerly boundary line of La Linda, extended and produced, according to the map of La Linda, recorded in Maps, Volume 11, page 40, Stanislaus County Records; thence westerly along the said southerly boundary

line of La Linda and the said southerly boundary line of La Linda, extended and produced to the city limit line in Beard Brook; thence northerly along the said city limit line in Beard Brook, to the  $\frac{1}{4}$ - $\frac{1}{4}$  section line; thence easterly along the said  $\frac{1}{4}$ - $\frac{1}{4}$  section line to the beginning,

and that said property shall not after such annexation, be subject to taxation for the purpose of payment of any indebtedness owed or owing by the City of Modesto prior to the date of said annexation.

The territory within which said election shall be held is that territory hereinabove designated and particularly described, ~~and it shall be further designated and particularly described,~~ and it shall be further designated for the purpose of identification by the name, to-wit, THE LA LINDA TRACT, by which name such territory shall be referred to and indicated upon the ballots to be used at said election.

The electors in said territory are directed to vote upon said question in the manner set forth in "Instructions to Voters" on the ballots to be used at said election.

The ballots to be used at such election shall be in substantially the following form:

TICKET FOR ANNEXATION ELECTION.

Special Election, THE LA LINDA TRACT, 20th, September, 1940.

Instructions to Voters: Each voter desiring to vote in favor of annexing the territory herein referred to as THE LA LINDA TRACT to the City of Modesto shall stamp a cross (X) in the voting square after the word "Yes" after the words "Shall THE LA LINDA TRACT be annexed to the City of Modesto?"

If an elector desires to vote against the annexation of said territory to the City of Modesto, he shall stamp a cross (X) in the voting square after the word "No" after the words "Shall THE LA LINDA TRACT be annexed to the City of Modesto?"

The mark shall be made with the rubber stamp and ink pad which will be found in each booth, and the ballots shall not be marked in any other manner.

All marks except the cross (X) are forbidden; all distinguishing marks or erasures are forbidden and make the ballot void. If you wrongly stamp, tear or deface this ballot, return it to the inspector of election and obtain another.

"Shall THE LA LINDA TRACT be annexed to the City of Modesto?"	:	:	:
	:	:	:
	:	:	:
	:	:	:
"Shall THE LA LINDA TRACT be annexed to the City of Modesto?"	:	:	:
	:	:	:
	:	:	:
	:	:	:

Said election shall be held as aforesaid on the 20th day of September, 1940. The polls shall be opened at six o'clock in the morning of said day and shall remain open until seven o'clock in the evening of said day, when the polls shall be closed.

For the purpose of holding said special election all of the territory in said petition and hereinabove mentioned and described, and herein also referred to and designated as THE LA LINDA TRACT, is consolidated and established into one election precinct, and the following place is hereby designated as the place at which the polls shall be open for such election in such territory so proposed to be annexed, to-wit,

Dayton Garage

The following, who are qualified electors of the said voting precinct in which they are appointed to act, ~~are hereby appointed to act~~, are hereby appointed officers of said election, to-wit:

Judges: Florence Dayton and Oscar Harran  
Inspector: James McCaffery

Except as herein otherwise specified, said election shall be held in accordance with the laws of the State of California concerning general elections.

Dated: July 30, 1940.

H. E. Gragg, City Clerk, City of Modesto  
By: Elmer J. Blum, Assistant City Clerk

Date of first publication: August 16, 1940.

It is further ordered that said notice be published in the CERES COURIER, a newspaper of general circulation printed and published outside of the municipal corporation of the City of Modesto, but in the County of Stanislaus, at least once a week for a period of four successive weeks next preceding the date of such election.

The foregoing resolution was introduced by Councilman Barnell, who moved its adoption, which motion, being duly seconded, was carried by the following vote:

Ayes: Councilmen: Barnell, Bates, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG, CITY CLERK

BY: ELMER J. BLUM, ASSISTANT CITY CLERK

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RESOLUTION NO. 4970-N.S.

A RESOLUTION AWARDED BID ON AUTO FOR HEALTH DEPARTMENT TO R. B. MACBRIDE AT A PURCHASE PRICE OF \$812.93

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WHEREAS, specifications having heretofore been approved by the Council for the purchase of an automobile for the Health Department and money having heretofore been duly appropriated and being now available and notice to bidders having heretofore been given and published and bids having been opened by the Council in regular session on July 24, 1940 and referred to the Engineer and Commissioner of Public Supplies for tabulation and recommendation.

BE IT HEREBY RESOLVED that Plymouth Roadking Coupe model be purchased from R. B. MacBride at a purchase price of \$812.93 and the City Clerk be authorized to draw check in payment upon delivery of auto and to return checks to unsuccessful bidders.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 30th day of July, 1940 by Commissioner Bates, who moved its adoption which motion being duly seconded, it was upon roll call carried by the following vote:

Ayes: Councilmen: Barnell, Bates, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG, CITY CLERK

BY: ELMER J. BLUM, ASSISTANT CITY CLERK

RESOLUTION NO. 4971-N.S.

A RESOLUTION RECOMMENDING THAT A DONATION OF \$15.00 BE GRANTED THE TRI THETA SORORITY FROM THE MONOTTI ESTATE TO BE USED TO SEND CHILDREN OF THE CITY OF MODESTO TO SUMMER CAMP

---oOo---

WHEREAS, pursuant to communication from the Tri Theta Sorority requesting a donation from the City of Modesto to be used to send children of poor families from the entire Stanislaus County to a summer camp for one or two weeks.

BE IT HEREBY RESOLVED that a donation of \$15.00 be granted the Tri Theta Sorority from the Monotti Estate bequest to be used to send children of the City of Modesto to summer camp and the City Clerk and Auditor are authorized to draw warrant payable to Pearl Petersen, President of the Tri Theta Sorority in amount \$15.00.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 30th day of July, 1940 by Commissioner Barnell, 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: Barnell, Bates, Neece, Stanley, Mayor Shannon
- Noes: Councilmen: None
- Absent: Councilmen: None

ATTEST: H. E. GRAGG, CITY CLERK

BY: ELMER J. BLUM, ASSISTANT CITY CLERK

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RESOLUTION NO. 4972-N.S.

A RESOLUTION GRANTING SEWER SERVICE TO R. LEWIS ABBEY AS PROVIDED BY ORDINANCE NO. 624-N.S.

---oOo---

WHEREAS, pursuant to request of R. Lewis Abbey for sewer service at lot 3, Block 241, LaLinda Tract on Bonita Avenue, outside the City of Modesto,

BE IT HEREBY RESOLVED that sewer service be granted R. Lewis Abbey as provided by Ordinance No. 624-N.S. and agreement be entered into by R. Lewis Abbey and the City of Modesto for this service.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 30th day of July, 1940 by Commissioner Barnell, 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: Barnell, Bates, Neece, Stanley, Mayor Shannon
- Noes: Councilmen: None
- Absent: Councilmen: None

ATTEST: H. E. GRAGG, CITY CLERK

BY: ELMER J. BLUM, ASSISTANT CITY CLERK

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RESOLUTION NO. 4973-N.S.

A RESOLUTION ACCEPTING OPTION OF LORA LEWIS, AND ORDERING THE CITY CLERK OF THE CITY OF MODESTO TO RECORD THE SAME.

---oOo---

WHEREAS, Lora Lewis did on the 27th day of July, 1940, properly execute before a notary public an option for thirty days to the City of Modesto to purchase certain property for the sum of One Thousand Two Hundred and Fifty (\$1,250.00)

Dollars; and,

WHEREAS, said real property is described as follows, to-wit:

Lot 64 of the FIRST ADDITION TO SUNSET ACRES, according to the Map thereof filed in the office of the County Recorder of Stanislaus County, California, on March 18, 1911, in Volume 5 of Maps at page 27,

NOW, THEREFORE, the City Council of the City of Modesto does hereby accept said option, and does further by this resolution order the City Clerk of said City to record the same in the office of the County Recorder of Stanislaus County, California.

BE IT FURTHER UNDERSTOOD that said City Council is not exercising the option given by the said Lora Lewis, but is merely accepting the same so that said option may within the time set forth be either exercised or not exercised, as said City Council sees fit.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 30th day of July, 1940, by Councilman Neece, who moved its adoption, which motion being duly seconded, was upon roll call carried, and the resolution adopted by the following vote:

Ayes: Councilmen: Barnell, Bates, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG, CITY CLERK

BY: ELMER J. BLUM, ASSISTANT CITY CLERK

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RESOLUTION NO. 4974-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 30th day of July, 1940, by Commissioner Bates, 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: Barnell, Bates, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG, CITY CLERK

BY: ELMER J. BLUM, ASSISTANT CITY CLERK

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RESOLUTION NO. 4975-N.S.

A RESOLUTION AUTHORIZING PAYMENT OF FUNDS TO CONSUMMATE PURCHASE OF PROPERTY FOR CITY HALL

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WHEREAS, heretofore, by resolution duly adopted on July 10, 1940 by the City Council of the City of Modesto, the purchase of the following described property from CLARA, RAYMOND, FRANCES, DAISY AND ANITA WARD was authorized; and,

WHEREAS, a search of the title of said property has been made by the Stanislaus Abstract & Escrow Company, of Modesto, California, showing said property to be free and clear of encumbrances, except as shown in the Certificate of Title issued by said Company; and,

WHEREAS, the purchase of said property, described as follows, to-wit:  
Lots 27 and 28 in Block 121 of the City of Modesto, according to  
the official map of said City of Modesto filed in the office of  
the County Recorder of Stanislaus County, California, on July 15,  
1938 in Vol. 13 of Maps,

is now ready for consummation:

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

That the City Auditor of the City of Modesto draw his check against funds specifically provided for the purchase of said property by said City Council, in the sum of Two Thousand Nine Hundred Ninety Four Dollars and Fifty Eight Cents (\$2994.58) and deliver the same to the said Stanislaus Abstract & Escrow Company for redelivery by said Company, after making certain deductions therefrom as it may be authorized to do, to the seller or sellers of said property, at which time the said Stanislaus Abstract & Escrow Company shall deliver a good and sufficient deed to the City of Modesto, showing title to said property in said City, free and clear of all encumbrances, except as to certain taxes due thereon as shown in that certain document entitled "Escrow Statement," dated August 7, 1940, and signed "Stanislaus Abstract & Escrow Company, by R. W. Boardman."

BE IT FURTHER RESOLVED that said deed be recorded immediately in the office of the County Recorder of Stanislaus County, California.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 8th day of August, 1940, by Councilman Barnell, who moved its adoption, which motion being duly seconded, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Barnell, Bates, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG, CITY CLERK

BY: ELMER J. BLUM, ASSISTANT CITY CLERK

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RESOLUTION NO. 4976-N.S.

A RESOLUTION AUTHORIZING PAYMENT OF FUNDS TO CONSUMMATE PURCHASE OF PROPERTY FOR CITY HALL.

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WHEREAS, heretofore, by resolution duly adopted on July 10, 1940, by the City Council of the City of Modesto, the purchase of the following described property from PALMIRA BERTRAM was authorized; and,

WHEREAS, a search of the title to said property has been made by the Stanislaus Abstract & Escrow Company, of Modesto, California, showing said property to be free and clear of encumbrances, except as shown in the Certificate of Title issued by said Company; and,

WHEREAS, the purchase of said property, described as follows, to-wit:  
Lots 29, 30, 31 and 32 in Block 121 of the City of Modesto, according  
to the official Map of said City of Modesto filed in the office of  
the County Recorder of Stanislaus County, California, on July 15, 1938  
in Vol. 13 of Maps,

is now ready for consummation:

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

That the City Auditor of the City of Modesto draw his check against funds specifically provided for the purchase of said property by said City Council, in the sum of Two Thousand Seven Hundred Sixteen Dollars and Eighty-Six Cents (\$2,716.86), and deliver the same to the said Stanislaus Abstract & Escrow Company for redelivery by said Company, after making certain deductions therefrom as it may be authorized to do, to the seller or sellers of said property, at which time the said Stanislaus Abstract & Escrow Company shall deliver a good and sufficient deed to the City of Modesto, showing title to said property in said City, free and clear of all encumbrances, except as to certain taxes due thereon as shown in that certain document entitled "Escrow Statement," dated August 7, 1940, and signed "Stanislaus Abstract & Escrow Company, by R. W. Boardman."

BE IT FURTHER RESOLVED that said deed be recorded immediately in the office of the County Recorder of Stanislaus County, California.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 8th day of August, 1940, by Councilman Barnell, who moved its adoption, which motion being duly seconded, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Barnell, Bates, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG, CITY CLERK

BY: ELMER J. BLUM, ASSISTANT CITY CLERK

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RESOLUTION NO. 4977-N.S.

A RESOLUTION AUTHORIZING PAYMENT OF FUNDS TO CONSUMMATE PURCHASE OF PROPERTY FOR CITY HALL

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WHEREAS, heretofore, by resolution duly adopted on July 10, 1940, by the City Council of the City of Modesto, the purchase of the following described property from PEARL N. SEGERSTROM was authorized; and,

WHEREAS, a search of the title to said property has been made by the Stanislaus Abstract & Escrow Company, of Modesto, California, showing said property to be free and clear of encumbrances, except as shown in the Certificate of Title issued by said Company; and,

WHEREAS, the purchase of said property, described as follows, to-wit:

The northwesterly 12 feet of Lot 24 and all of lots 25 and 26 in Block 121 of the City of Modesto, according to the official map of said City of Modesto filed in the office of the County Recorder of Stanislaus County, California, on July 15, 1938 in Vol. 13 of Maps,

is now ready for consummation:

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

That the City Auditor of the City of Modesto draw his check against funds specifically provided for the purchase of said property by said City Council, in the sum of Two Thousand Five Hundred Ninety Two Dollars and Ten Cents (\$2592.10), and deliver the same to the said Stanislaus Abstract & Escrow Company for redelivery by said Company, after making certain deductions therefrom as it may be authorized to do, to the seller or sellers of said property, at which time the said Stanislaus

Abstract & Escrow Company shall deliver a good and sufficient deed to the City of Modesto, showing title to said property in said City, free and clear of all encumbrances, except as to certain taxes due thereon as shown in that certain document entitled "Escrow Statement," dated August 7, 1940, and signed "Stanislaus Abstract & Escrow Company, by R. W. Boardman."

BE IT FURTHER RESOLVED that said deed be recorded immediately in the office of the County Recorder of Stanislaus County, California.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 8th day of August, 1940, by Councilman Barnell, who moved its adoption, which motion being duly seconded, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Barnell, Bates, Neece, Stanley, Mayor Shannon

Noes: Councilmen:: None

Absent:Councilmen: None

ATTEST: H. E. GRAGG, CITY CLERK

BY: ELMER J. BLUM, ASSISTANT CITY CLERK

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RESOLUTION NO. 4978-N.S.

A RESOLUTION ESTABLISHING NO PARKING SIGNS ON SOUTH SIDE OF GRAND STREET FROM GROVE STREET EASTERLY 140 FEET, IN THE CITY OF MODESTO

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WHEREAS, pursuant to verbal request by the Pacific Grape Products Company for the installation of "No Parking" signs on south side of Grand Street from Grove Street, easterly 140 feet,

BE IT HEREBY RESOLVED that request be granted and the City Engineer be and he is hereby directed to install appropriate signs prohibiting parking on the south side of Grand Street from Grove Street easterly 140 feet.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 8th day of August, 1940 by Commissioner Stanley, 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: Barnell, Bates, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent:Councilmen: None

H E. GRAGG, CITY CLERK

BY ELMER J. BLUM, ASSISTANT CITY CLERK

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RESOLUTION NO. 4979-N.S.

A RESOLUTION ESTABLISHING LOADING ZONE ON NINTH STREET BETWEEN I AND J STREETS, IN THE CITY OF MODESTO

---oDo---

WHEREAS, pursuant to verbal request by the operators of the Modesto Tent and Awning Company and the Public Market for the combining of two loading zones now in use on Ninth Street near Eye Street, and

WHEREAS under and by virtue of the terms of Ordinance No. 544-N.S. of the City of Modesto, the Council of said City is empowered by resolution to enforce the provisions of said ordinance as to parking limits, creating of loading zones, etc., by placing appropriate signs calling to the attention of the public that said ordinance is to be enforced in the area where said signs appear; and,

WHEREAS, it appears to the City Council that a combining of two loading zones now in use on Ninth Street between I Street and J Street be combined at a point approximately forty four (44) feet north of the southerly property line at Eye Street and extending 40 feet northerly therefrom should be established,

NOW, THEREFORE, BE IT RESOLVED AND DECLARED that the hereinabove described area shall be and it is hereby designated as a loading zone.

BE IT FURTHER RESOLVED, that vehicles may park in said area for a period of twenty (20) consecutive minutes and no longer, for the purpose of loading and unloading materials, merchandise, equipment and goods.

This resolution shall not be effective until the City Engineer of the City of Modesto has established proper signs, symbols or markers in said area, calling to the attention of the public the fact that the hereinabove described area is a loading zone.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 8th day of August, 1940 by Councilman Stanley, who Moved its adoption, which motion being duly seconded, it was upon roll call carried and adopted by the following vote:

Ayes: Councilmen: Barnell, Bates, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG, CITY CLERK

BY: ELMER J. BLUM, ASSISTANT CITY CLERK

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RESOLUTION NO. 4980-N.S.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MODESTO ADOPTING BUDGET AND APPROVING MEMORANDUM (FIRST SUPPLEMENTAL) OF AGREEMENT FOR EXPENDITURE OF 1/4 CENT TAX ALLOCATED FOR STREETS OF MAJOR IMPORTANCE

---oOo---

WHEREAS, a first supplemental memorandum of agreement has been presented to be entered into with the State of California in accordance with a project statement for expenditure of the 1/4 cent gas tax for the fiscal year 1941 allocated for streets of major importance other than State Highways in the City of Modesto, 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 1/4 cent gas tax allocated for streets of major importance other than State highways, 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 8th day of August, 1940.

CARL W. SHANNON, MAYOR OF THE CITY OF MODESTO

ATTEST: H. E. GRAGG, CITY CLERK OF THE CITY OF MODESTO

By: Elmer J. Blum, Assistant City Clerk

I hereby certify that the foregoing resolution was duly and regularly passed by the city council of the City of Modesto at a special meeting thereof held August 8, 1940.

H. E. GRAGG, CLERK OF THE CITY OF MODESTO

By: Elmer J. Blum, Assistant City Clerk

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RESOLUTION NO. 4981-N.S.

A RESOLUTION AUTHORIZING THE CITY ENGINEER TO MAKE ARRANGEMENTS WITH A. T. PATELZICK FOR EXCHANGE OF CERTAIN CITY PROPERTY

---oOo---

BE IT HEREBY RESOLVED that the City Engineer be authorized to make arrangements with A. T. Patelzick for exchange of certain city property for a portion of land belonging to him near the Golf Course.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on 8th day of August, 1940 by Commissioner Barnell, 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: Barnell, Bates, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG, CITY CLERK

BY: ELMER J. BLUM, ASSISTANT CITY CLERK

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RESOLUTION NO. 4982-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 August, 1940 by Commissioner Barnell, 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: Barnell, Bates, Neece, Stanley, Mayor Shannon  
Noes: Councilmen: None  
Absent: Councilmen: None

ATTEST: H. E. GRAGG, CITY CLERK

BY: ELMER J. BLUM, ASSISTANT CITY CLERK

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RESOLUTION NO. 4983-N.S.

A RESOLUTION ALLOWING CLAIMS FOR MONTH OF JULY, 1940

WHEREAS, the claims against the City of Modesto for the month of July, 1940, for the various sums in the aggregate hereinafter stated having been audited by the Council and found to be correct:

GENERAL FUND - - - - -	\$41,010.88
WATER FUND - - - - -	8,161.27
LIBRARY FUND - - - - -	1,852.99
BOND RED. INT. FUND - - - -	5,020.14
ST. BOND RED. INT. FUND - -	11,845.51
MONOTTI BEQUEST #1	<u>15.00</u>
TOTAL	\$67,905.79

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of August, 1940 by Commissioner Bates, 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: Barnell, Bates, Neece, Mayor pro tem Stanley  
Noes: Councilmen: None  
Absent: Mayor Shannon

ATTEST: H. E. GRAGG, CITY CLERK

BY: ELMER J. BLUM, ASSISTANT CITY CLERK

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RESOLUTION NO. 4984-N.S.

A RESOLUTION ALLOWING CLAIM OF THE CHAMBER OF COMMERCE FOR \$555.45

---oOo---

BE IT HEREBY RESOLVED that the claim of the Modesto Chamber of Commerce for \$555.45 be allowed as provided by Ordinance No. 634-N.S.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of August, 1940 by Commissioner Bates, 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: Barnell, Bates, Neece, Mayor pro tem Stanley  
Noes: Councilmen: None  
Absent: Mayor Shannon

ATTEST: H. E. GRAGG, CITY CLERK

BY: ELMER J. BLUM, ASSISTANT CITY CLERK

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RESOLUTION NO. 4985-N. S.

A RESOLUTION AUTHORIZING THE ATTENDANCE OF MAYOR SHANNON, CITY ENGINEER ROSSI, ATTORNEY FOWLER AND SANITARY INSPECTOR LANDQUIST TO THE CONVENTION OF THE LEAGUE OF CALIFORNIA CITIES AND ALLOWING EXPENSES FOR EACH DELEGATE

---o0o---

BE IT HEREBY RESOLVED that Mayor Shannon, City Engineer Rossi, Attorney Fowler and Sanitary Inspector Landquist be appointed delegates to the convention of the League of California Cities to be held in San Diego on September 15 to 19th inc., and

BE IT FURTHER RESOLVED that each delegate be allowed \$50.00 for expenses and alternates be appointed in case one of the delegates could not attend.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of August, 1940 by Commissioner Barnell, 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: Barnell, Bates, Neece, Mayor pro tem Stanley

Noes: Councilmen: None

Absent: Mayor Shannon

ATTEST: H. E. GRAGG, CITY CLERK

BY: ELMER J. BLUM, ASSISTANT CITY CLERK

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RESOLUTION NO. 4986-N.S.

A RESOLUTION AUTHORIZING THE ATTENDANCE OF HARRY MOORE, ASSISTANT SUPERINTENDENT OF ELECTRICITY TO CONVENTION OF THE INTERNATIONAL ASSOCIATION OF ELECTRICAL INSPECTORS

---o0o---

BE IT HEREBY RESOLVED that Harry Moore, Assistant Superintendent of Electricity be appointed as delegate to the convention of the International Association of Electrical Inspectors to be held in Santa Barbara, August 26th to 29th inc, and

BE IT FURTHER RESOLVED that said Harry Moore be allowed \$50.00 for expenses.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of August, 1940 by Commissioner Bates, 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: Barnell, Bates, Neece, Mayor pro tem Stanley

Noes: Councilmen: None

Absent: Mayor Shannon

ATTEST: H. E. GRAGG, CITY CLERK

BY: ELMER J. BLUM, ASSISTANT CITY CLERK

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RESOLUTION NO. 4987-N.S.

A RESOLUTION REFERRING BIDS ON POWER LAWN MOWER TO THE CITY ENGINEER AND COMMISSIONER OF PUBLIC SUPPLIES FOR RECOMMENDATION

---o0o---

WHEREAS, pursuant to advertising for bids on one power lawn mower and whereas the City Clerk reports one bid on file,

BE IT HEREBY RESOLVED that all bids be referred to the City Engineer and Commissioner of Public Supplies for consideration.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of August, 1940 by Commissioner Bates, 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: Barnell, Bates, Neece, Mayor pro tem Stanley

Noes: Councilmen: None

Absent: Mayor Shannon

ATTEST: H. E. GRAGG, CITY CLERK

BY: ELMER J. BLUM, ASSISTANT CITY CLERK

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RESOLUTION NO. 4988-N.S.

A RESOLUTION REFERRING BIDS ON ROTO-TILLER TYPE ROAD OIL MIXER TO THE CITY ENGINEER AND COMMISSIONER OF PUBLIC SUPPLIES FOR RECOMMENDATION

---oOo---

WHEREAS, pursuant to advertisement for bids on Roto-Tiller type road oil mixer and whereas the City Clerk reported two bids received

BE IT HEREBY RESOLVED that all bids on Roto-Tiller type road oil mixer be referred to the City Engineer and the Commissioner of Public Supplies for tabulation and recommendation.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of August, 1940 by Commissioner Bates, 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: Barnell, Bates, Neece, Mayor pro tem Stanley

Noes: Councilmen: None

Absent: Mayor Shannon

ATTEST: H. E. GRAGG, CITY CLERK

BY: ELMER J. BLUM, ASSISTANT CITY CLERK

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RESOLUTION NO. 4989-N.S.

A RESOLUTION ESTABLISHING ONE HOUR PARKING ON THE EAST SIDE OF NINTH STREET BETWEEN J AND K STREETS IN THE CITY OF MODESTO

---oOo---

WHEREAS, the City Council of the City of Modesto by ordinances 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 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 interests 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 one (1) hour 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 sixty (60) consecutive minutes in the following described areas:

- 1- Upon the northeasterly side of Ninth Street, between J and K Streets

BE IT FURTHER RESOLVED that said parking restrictions shall not be applicable on Sundays.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of August, 1940 by Councilman Neece, who moved its adoption, which motion being duly seconded, was upon roll call carried and adopted by the following vote:

Ayes: Councilmen: Barnell, Bates, Neece, Mayor pro tem Stanley

Noes: Councilmen: None

Absent: Mayor Shannon

ATTEST: H. E. GRAGG, CITY CLERK

BY: ELMER J. BLUM, ASSISTANT CITY CLERK

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RESOLUTION NO. 4990-N.S.

A RESOLUTION AMENDING RESOLUTION NO. 4942-N.S. CIVIL SERVICE SALARY SCHEDULE BY ADDING A NEW SECTION NO. 17

---o0o---

BE IT HEREBY RESOLVED that Resolution No. 4942-N.S. entitled "A RESOLUTION ADOPTING CIVIL SERVICE SALARY SCHEDULE FOR THE CITY OF MODESTO" be hereby amended by adding section No 17:

<u>Salary Range No.</u>	<u>Starting Rate</u>	<u>First Adj.</u>	<u>Second Adj.</u>	<u>Third Adj.</u>	<u>Max.</u>	<u>Included in Classification</u>
17	\$55	\$60	\$65	\$70	\$75	Limited Laborer

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of August, 1940 by Commissioner Neece, 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: Barnell, Bates, Neece, Mayor pro tem Stanley

Noes: Councilmen: None

Absent: Mayor Shannon

ATTEST: H. E. GRAGG, CITY CLERK

BY: ELMER J. BLUM, ASSISTANT CITY CLERK

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RESOLUTION NO. 4991-N.S.

A RESOLUTION AUTHORIZING THE CITY CLERK AND AUDITOR TO DRAW WARRANTS TO THE STANISLAUS ABSTRACT & ESCROW COMPANY AND THE MODESTO BUILDING AND LOAN ASSOCIATION

---o0o---

BE IT HEREBY RESOLVED that the City Clerk and Auditor be authorized to draw warrant in amount \$15.00 to the Stanislaus Abstract & Escrow Company, being credit allowed in error for rent in first escrow statement on purchase of lots 29, 30, 31 and 32 in Block 121 from Palmira Bertram by the City of Modesto and

BE IT FURTHER RESOLVED that the City Clerk and Auditor be authorized to draw warrant in amount \$63.06 to the Modesto Building and Loan Association, being monthly payment due on the deed of trust on above described property.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of August, 1940 by Commissioner Barnell, 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: Barnell, Bates, Neece, Mayor pro tem Stanley

Noes: Councilmen: None

Absent: Mayor Shannon

ATTEST: H. E. GRAGG, CITY CLERK

BY: ELMER J. BLUM, ASSISTANT CITY CLERK

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RESOLUTION NO. 4992-N.S.

A RESOLUTION ACCEPTING CERTAIN PROPERTY FROM E. C. MELROSE ET UX AND AUTHORIZING THE CITY ATTORNEY TO DRAW UP AGREEMENT FOR TRANSFER

---oOo---

WHEREAS, E. C. Melrose and Bertha G. Melrose have agreed to deed to the City of Modesto within six months from this date, the westerly 30', which lies easterly of Block 812 of the City of Modesto immediately contiguous to the center line of Mills Avenue to be used for street purposes to provide a 60' street for said Mills Avenue, providing the City will grade and oil the roadway of the street where it will be part of Mills Avenue,

BE IT HEREBY RESOLVED that the above described land be accepted from E. C. Melrose and Bertha G. Melrose, his wife and the City Attorney be authorized to draw up an agreement with them for the transferring of this 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 14th day of August, 1940 by Commissioner Barnell, 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: Barnell, Bates, Neece, Mayor pro tem Stanley

Noes: Councilmen: None

Absent: Mayor Shannon

ATTEST: H. E. GRAGG, CITY CLERK

BY: ELMER J. BLUM, ASSISTANT CITY CLERK

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RESOLUTION NO. 4993-N.S.

A RESOLUTION APPROVING MAP OF COLLEGE PARK TRACT #2 OF BLOCK 501 IN THE CITY OF MODESTO

---oOo---

BE IT HEREBY RESOLVED that the map of College Park Tract #2 of Block 501 in the City of Modesto be approved as presented.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of August, 1940 by Commissioner Barnell, 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: Barnell, Bates, Neece, Mayor pro tem Stanley

Noes: Councilmen: None

Absent: Mayor Shannon

ATTEST: H. E. GRAGG, CITY CLERK

BY: ELMER J. BLUM, ASSISTANT CITY CLERK

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RESOLUTION NO. 4994-N.S.

RESOLUTION NO. 4994-N.S.

A RESOLUTION AUTHORIZING THE CITY CLERK TO PROCURE AN ADDITIONAL SEAL OF THE CITY OF MODESTO TO BE USED BY THE HEALTH DEPARTMENT

---oOo---

BE IT HEREBY RESOLVED that the City Clerk be authorized to secure an additional seal of the City of Modesto to be used by the Health Department.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of August, 1940 by Commissioner Bates, 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: Barnell, Bates, Neece, Mayor pro tem Stanley

Noes: Councilmen: None

Absent: Mayor Shannon

ATTEST H. E. GRAGG, CITY CLERK

BY ELMER J. BLUM, ASSISTANT CITY CLERK

RESOLUTION No. 4995-N.S.

A RESOLUTION AUTHORIZING THE CITY CLERK TO WRITE TO THE CIVIL AERONAUTICS AUTHORITY AND REQUEST THEY SEND AN INSPECTOR TO GO OVER THE MODESTO MUNICIPAL AIRPORT AND MAKE SUGGESTIONS FOR THE IMPROVEMENT OF SAME

---oOo---

WHEREAS, pursuant to report by Commissioner Bates of the receipt of a letter from the Modesto Chamber of Commerce with the suggestion that the Council write a letter to the Civil Aeronautics Authority requesting them to send a representative to go over the local airport and make suggestions for its improvement,

BE IT HEREBY RESOLVED that the City Clerk be authorized to write to Joe Marriott of the Civil Aeronautics Authority at Santa Monica and request him to send a representative to Modesto.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of August, 1940 by Commissioner Bates, 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: Barnell, Bates, Neece, Mayor pro tem Stanley

Noes: Councilmen: None

Absent: Mayor Shannon

ATTEST: H. E. GRAGG, CITY CLERK

BY: ELMER J. BLUM, ASSISTANT CITY CLERK

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RESOLUTION NO. 4996-N.S.

ADJOURNMENT

BE IT HEREBY RESOLVED that the 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 August, 1940 by Commissioner Bates, 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: Barnell, Bates, Neece, Mayor pro tem Stanley

Noes: Councilmen: None

Absent: Mayor Shannon

ATTEST: H. E. GRAGG, CITY CLERK

By: Elmer J. Blum, Assistant City Clerk

RESOLUTION NO. 4997-N.S.

A RESOLUTION ACCEPTING DEED TO CERTAIN PREMISES AND CONVEYING THE SAME TO THE CITY OF MODESTO

---o0o---

WHEREAS, Lora Lewis, a widow, of the City of Modesto, County of Stanislaus, State of California, has had prepared, signed, and properly acknowledged a certain deed dated August 29, 1940, conveying to the City of Modesto, a municipal corporation, the following described real property:

Lot 64 of FIRST ADDITION TO SUNSET ACRES, according to the Map filed March 18, 1911, in Volume 5 of Maps, at page 27, as filed of record in the office of the County Recorder of Stanislaus County, California.

WHEREAS, said deed appears to be in good and sufficient form and conveys to the said City of Modesto by the terms thereof all of the right, title and interest of the said Lora Lewis in and to the above described real property; and,

WHEREAS, by resolution heretofore made by the City Council of the City of Modesto it was determined that the acquisition of said real property as described herein was and is for the best interests of the citizens of said City:

NOW, THEREFORE, the said City Council by this resolution does hereby accept said deed to the property hereinabove described. The City Auditor is authorized and ordered to draw his check against the amount heretofore appropriated for the purchase of said property in the sum of One Thousand Two Hundred Seventy-Seven Dollars and Seventy-Five Cents (\$1,277.75) to cover the cost of said property, to-wit, the sum of One Thousand Two Hundred and Fifty Dollars (\$1,250.00), and the balance of said sum, to-wit, the sum of Twenty-Seven Dollars and Seventy-Five Cents (\$27.75) to pay for title search and revenue stamps in the event that the said Lora Lewis refuses to pay the same.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 29th day of August, 1940, by Councilman Barnell, who moved its adoption, which motion being duly seconded, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Barnell, Bates, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG, CITY CLERK

BY: ELMER J. BLUM, ASSISTANT CITY CLERK

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RESOLUTION NO. 4998-N.S.

A RESOLUTION GRANTING PERMIT TO DR. WALTER E. SOPER TO CONDUCT DOCTOR'S OFFICE AT 121 MCHENRY AVENUE, LOTS 28-29 BLOCK 550 IN THE CITY OF MODESTO

---o0o---

WHEREAS, pursuant to the filing of petition with the Council by Dr. Walter E. Soper to conduct a doctor's office at 121 McHenry Avenue, lots 28 and 29, Block 550 in the City of Modesto, and it appearing from affidavits on file that a notice setting forth a time for hearing any and all protests to the granting of petition as prayed for and this being the time set forth, and

WHEREAS, the City Clerk reports that no protests either oral or written have been officially filed

BE IT HEREBY RESOLVED that permission be granted to Dr. Walter E. Soper

to conduct a doctor's office at 121 McHenry Avenue with the understanding that all provisions relative to building permit fees will be complied with.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 28th day of August, 1940 by Commissioner Bates, 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: Barnell, Bates, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG, CITY CLERK

BY: ELMER J. BLUM, ASSISTANT CITY CLERK

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RESOLUTION NO. 4999-N.S.

A RESOLUTION GRANTING PERMIT TO VELDA MCKENDREE TO OPERATE A BEAUTY PARLOR AT 120 LAUREL STREET, IN THE RESIDENCE DISTRICT

---o0o---

WHEREAS, pursuant to the filing of petition with the Council by Velda McKendree to operate beauty parlor at 120 Laurel Street and it appearing from affidavits on file that a notice setting forth a time for hearing any and all protests to the granting of the petition as prayed for, and this being the time set forth and

WHEREAS, the City Clerk reports that no protests either oral or written have been officially filed

BE IT HEREBY RESOLVED that permission be granted to Velda McKendree to operate a beauty parlor at 120 Laurel Street with the understanding that all provisions relative to building permit fees will be complied with.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 28th day of August, 1940 by Commissioner Bates, 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: Barnell, Bates, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG, CITY CLERK

BY: ELMER J. BLUM, ASSISTANT CITY CLERK

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RESOLUTION NO. 5000-N.S.

A RESOLUTION AWARDED BID ON POWER LAWN MOWER TO CHARLES BERG CO. AND AWARDED BID ON ROAD OIL MIXER TO THE SPEARS WELLS MACHINERY CO.

---o0o---

BE IT HEREBY RESOLVED that bid be awarded to Charles Berg Company at a price of \$640.00 on one power lawn mower, and

BE IT FURTHER RESOLVED that bid on road oil mixer be awarded to the Spears Wells Machinery Company for \$774.75 and the City Clerk be authorized to return bidding checks to unsuccessful bidders and payment to successful bidders upon certification of delivery by the City Engineer.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 28th day of August, 1940 by Commissioner Bates,

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: Barnell, Bates, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG, CITY CLERK

BY: ELMER J. BLUM, ASSISTANT CITY CLERK

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RESOLUTION NO. 5001-N.S.

A RESOLUTION AUTHORIZING THE CITY CLERK AND AUDITOR TO DRAW A WARRANT EACH MONTH PAYABLE TO THE MODESTO BUILDING AND LOAN COMPANY IN AMOUNT \$63.06 AS PAYMENT ON DEED OF TRUST ON CITY HALL SITE

---oOo---

BE IT HEREBY RESOLVED that the City Clerk and Auditor be hereby authorized to draw a warrant each month, payable to the Modesto Building and Loan Company in amount \$63.06 as payment on deed of trust on City Hall site, being lots 27 and 28, Block 121 of the City of Modesto, until payment has been made of the balance due.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 28th day of August, 1940 by Commissioner Barnell, 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: Barnell, Bates, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG, CITY CLERK

BY: ELMER J. BLUM, ASSISTANT CITY CLERK

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RESOLUTION NO. 5002-N.S.

A RESOLUTION APPROVING ALCORN SUBDIVISION MAP (ESGAR TRACT)

---oOo---

BE IT HEREBY RESOLVED that map of the Alcorn Subdivision (being portion of Esgar Tract annexed to the City of Modesto) be approved and accepted.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 28th day of August, 1940 by Commissioner Barnell, 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: Barnell, Bates, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG, CITY CLERK

BY: ELMER J. BLUM, ASSISTANT CITY CLERK

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RESOLUTION NO. 5003-N.S.

A RESOLUTION AUTHORIZING THE CITY CLERK TO ADVERTISE FOR BIDS ON PORTABLE COMPRESSOR, CAST IRON PIPE AND VITRIFIED CLAY SEWER PIPE

---oOo---

BE IT HEREBY RESOLVED that the City Clerk be authorized to advertise for

bids on 85 cu. ft. Portable Compressor complete, 1500 feet of 10 inch and 750 feet of 8 inch class 150 bell and spigot cast iron pipe, 2400 feet of 6 inch and 900 feet of 4 inch class 150 bell and spigot cast iron pipe and 1800 feet of 12 inch vitrified clay sewer pipe, f.o.b. Modesto. Said bids to be opened at the City Hall on Wednesday, September 25, 1940.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 28th day of August, 1940 by Commissioner Barnell, 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: Barnell, Bates, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG, CITY CLERK

BY: ELMER J. BLUM, ASSISTANT CITY CLERK

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RESOLUTION NO. 5004-N.S.

A RESOLUTION PROVIDING A TEN-MINUTE PARKING SPACE ON THE SOUTHEASTERLY SIDE OF I STREET BETWEEN NINTH AND TENTH STREETS IN THE CITY OF MODESTO.

---oOo---

WHEREAS, under and by virtue of the provisions of Ordinance No. 544-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 increase or diminish the time for which vehicles may be parked on the public streets of the business district of the City of Modesto; and,

WHEREAS, it appears to said City Council in regular session that the general welfare and safety of the citizens of the City of Modesto require that the time for parking vehicles in the hereinafter designated space be set at ten minutes:

NOW, THEREFORE, BE IT RESOLVED AND ORDERED by said City Council that in the space hereinafter set forth the parking time of all vehicles parked in said space shall be, between the hours of 9 A.M. and 6 P. M. for ten (10) consecutive minutes, and no longer.

Said space is described as follows:

Beginning at a point on the Southeasterly curb of I Street, at a distance of 35.25 feet Southwesterly from the Southwesterly property line of 10th Street, extended and produced; thence Southwesterly along the said Southeasterly curb of I Street a distance of 9.8 feet.

BE IT FURTHER RESOLVED that the City Engineer of the City of Modesto shall procure proper markings and/or signs conveying to the public notice of the fact that the space herein designated shall be used by the operators of vehicles for the period herein set forth.

This resolution shall be effective as soon as the parking space herein designated is properly marked and designated by the said City Engineer 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 28th day of August, 1940, by Councilman Stanley, who moved its adoption, which motion being duly seconded, it was upon roll call carried and adopted by the following vote:

Ayes: Councilmen: Barnell, Bates, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG, CITY CLERK

BY: ELMER J. BLUM, ASSISTANT CITY CLERK

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RESOLUTION NO. 5005-N.S.

A RESOLUTION GRANTING AN ADDITIONAL LEAVE OF ABSENCE OF 60 DAYS TO H. E. GRAGG, CITY CLERK, AUDITOR, ASSESSOR, TAX COLLECTOR, TREASURER AND LICENSE COLLECTOR FROM AUGUST 24, 1940

---oOo---

BE IT HEREBY RESOLVED that an additional leave of absence of 60 days be granted to H. E. Gragg, City Clerk, Auditor, Assessor, Tax Collector, Treasurer and License Collector, from August 24, 1940 to October 24, 1940.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 28th day of August, 1940 by Commissioner Neece, 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: Barnell, Bates, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG, CITY CLERK

BY: ELMER J. BLUM, ASSISTANT CITY CLERK

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RESOLUTION NO. 5006-N.S.

A RESOLUTION REAPPOINTING ELMER J. BLUM, ASSISTANT AUDITOR, ASSESSOR, TREASURER, AND TAX COLLECTOR FOR AN ADDITIONAL 60 DAYS FROM AUGUST 24, 1940 TO OCTOBER 24, 1940

---oOo---

BE IT HEREBY RESOLVED that Elmer J. Blum, be reappointed Assistant Auditor, Assessor, Treasurer and Tax Collector for an additional 60 days from August 24, 1940 to October 24, 1940 due to the illness of H. E. Gragg.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 28th day of August, 1940 by Commissioner Neece, 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: Barnell, Bates, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG, CITY CLERK

BY: ELMER J. BLUM, ASSISTANT CITY CLERK

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RESOLUTION NO. 5007-N.S.

A RESOLUTION SETTING THE RATE FOR WATER SERVICE AT THE PRESBYTERIAN CHURCH GYMNASIUM AT 1415 EYE STREET AT \$20.00 PER MONTH BEGINNING SEPTEMBER 1, 1940

---oOo---

BE IT HEREBY RESOLVED that the rate for water service be set at \$20.00 per month beginning September 1, 1940 at the Presbyterian Church Gymnasium at 1415 Eye Street.

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

of the City of Modesto held on the 28th day of August, 1940 by Commissioner Barnell, 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: Barnell, Bates, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG, CITY CLERK

BY: ELMER J. BLUM, ASSISTANT CITY CLERK

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RESOLUTION NO. 5008-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 August, 1940 by Commissioner Bates, 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: Barnell, Bates, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG, CITY CLERK

BY: Elmer J. Blum, Assistant City Clerk

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RESOLUTION NO. 5009-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 29th day of August, 1940 by Commissioner Bates, 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: Barnell, Bates, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG, CITY CLERK

BY: ELMER J. BLUM, ASSISTANT CITY CLERK

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RESOLUTION NO. 5010-N.S.

A RESOLUTION ALLOWING CLAIMS FOR MONTH OF AUGUST, 1940

---o0o---

WHEREAS, the claims against the City of Modesto for the month of August, 1940, 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-----\$29,823.98

WATER FUND-----	\$ 7,192.82
LIBRARY FUND-----	2,046.82
BOND RED. INT. FUND-----	18.75
ST. BOND RED. INT. FUND--	1,395.49
UNAPPORTIONED FUND-----	4.40
TOTAL-----	\$ 40,482.26

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of September by Commissioner Bates, 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: Barnell, Bates, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent:Councilmen: None

ATTEST: H. E. GRAGG, CITY CLERK

BY: ELMER J. BLUM, ASSISTANT CITY CLERK

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RESOLUTION NO. 5011-N.S.

A RESOLUTION ALLOWING DONATION OF \$400.00 TO STANISLAUS COUNTY BOYS BAND AS PROVIDED BY PROVISIONS OF ORDINANCE NO. 634-N.S.

---oOo---

BE IT HEREBY RESOLVED that a donation of \$400.00 be allowed to the Stanislaus County Boys' Band, as provided by Ordinance No. 634-N.S. and the City Clerk and Auditor be authorized 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 11th day of September, 1940 by Commissioner Bates 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: Barnell, Bates, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent:Councilmen: None

H. E. GRAGG, CITY CLERK

BY: ELMER J. BLUM, ASSISTANT CITY CLERK

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RESOLUTION NO. 5012-N.S.

A RESOLUTION GRANTING SEWER SERVICE TO OMER R. REES AS PROVIDED BY ORDINANCE NO. 624-N.S.

---oOo---

BE IT HEREBY RESOLVED that sewer service be granted to Omer R. Rees on property located on the north side of Coldwell Avenue, immediately east of the city limits in the Campus Tract providing he enter into the usual agreement for sewer service as provided by Ordinance No. 624-N.S.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of September, 1940 by Commissioner Barnell, 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: Barnell, Bates, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent:Councilmen: None

H. E. GRAGG, CITY CLERK

BY: Elmer J. Blum, Assistant City Clerk

RESOLUTION NO. 5013-N.S.

A RESOLUTION RECOMMENDING THAT ALL BIDS ON PORTABLE COMPRESSOR, CAST IRON PIPE BE REFERRED TO COMMISSIONER OF PUBLIC SUPPLIES AND TO THE CITY ENGINEER FOR TABULATION AND RECOMMENDATION

---o0o---

BE IT HEREBY RESOLVED that all bids on one 85 cu. ft. Portable Compressor, 1500 feet of 10 inch and 750 feet of 8 inch class 150 bell and spigot cast iron pipe, 2400 feet of 6 inch and 900 feet of 4 inch class 150 bell and spigot, seal coated cement lined cast iron pipe be referred to the Commissioner of Public Supplies and to the City Engineer for tabulation and recommendation.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of September, 1940 by Commissioner Bates, 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: Barnell, Bates, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

H. E. GRAGG, CITY CLERK

BY: ELMER J. BLUM, ASSISTANT CITY CLERK

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RESOLUTION NO. 5014-N.S.

A RESOLUTION AUTHORIZING THE CITY CLERK TO RECORD DOCUMENTS ON ANNEXATION OF JOHN MUIR PARK TRACT TO THE CITY OF MODESTO

---o0o---

BE IT HEREBY RESOLVED that the City Clerk be authorized to record document received from the Secretary of State on the annexation of John Muir Park to the City of Modesto, together with a certified copy of Ordinance No. 636-N.S. approving annexation.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of September, 1940 by Commissioner Barnell, 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: Barnell, Bates, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

H. E. GRAGG, CITY CLERK

BY: ELMER J. BLUM, ASSISTANT CITY CLERK

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RESOLUTION NO. 5015-N.S.

A RESOLUTION GRANTING SEWER SERVICE TO OSCAR HARRAN ON LOT 2, BLOCK 242 IN LA LINDA TRACT AS PROVIDED BY ORDINANCE NO. 624-N.S.

---o0o---

Pursuant to verbal request by D. S. Olsen for sewer service for Oscar Harran on lot 2, Block 242 in La Linda Tract, adjacent to the City of Modesto,

BE IT HEREBY RESOLVED that sewer service be granted to Oscar Harran on lot 2, Block 242 in La Linda Tract providing he enter into agreement provided by Ordinance No. 624-N.S.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of September, 1940 by Commissioner Barnell,

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: Barnell, Bates, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

H. E. GRAGG, CITY CLERK

BY: ELMER J. BLUM, ASSISTANT CITY CLERK

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RESOLUTION NO. 5016-N.S.

A RESOLUTION ACCEPTING PETITION FOR ANNEXATION OF NORTHWOOD 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 11th day of September, 1940, a petition re-  
questing that an election be called in the NORTHWOOD TRACT, which tract is described  
as follows, to-wit:

Beginning at the Section Corner common to Sections 20,  
21, 28 and 29, T. 3 S., R. 9 E., M. D. B. & M., the same being  
on a Corporate City Limit Line of the City of Modesto; thence  
Easterly along the Section Line common to Sections 21 and 28,  
the same being a Corporate City Limit Line of the City of  
Modesto, to the Easterly property Line of McHenry Avenue; thence  
Northerly along the said Easterly Property Line of McHenry  
Avenue, to the Southerly Property Line of Griswold Avenue,  
extended and produced; thence Westerly along the said Southerly  
Property Line of Griswold Avenue, extended and produced and the  
said Southerly Property Line of Griswold Avenue, to the Easterly  
Property Line of Virginia Avenue; thence continuing Westerly  
along the said Southerly Property Line of Griswold Avenue,  
extended and produced, to the Easterly Boundary Line of Campus  
Tract Subdivision, as shown on the map of Campus Tract, Recorded  
in Volume 11, of Maps, Page 37, in the Records of Stanislaus  
County, California; thence Southerly along the said Easterly  
Boundary Line of Campus Tract, and the said Easterly Boundary  
Line, extended and produced, to the Section Line common to  
Sections 20 and 29, T. 3 S., R. 9 E., M. D. B. & M., the same  
being common to a Corporate City Limit Line of the City of  
Modesto; thence Easterly along the said Section Line common  
to Sections 20 and 29, and the said Corporate City Limit Line,  
to the beginning.

The property as above described is located in the S.W.¼  
of Section 21, and the S.E.¼ and the S.W.¼ of Section 20,  
T. 3 S., R. 9 E., M. D. B. & M., and the avenues are known to  
be named as noted.

The Corporate City Limits of the City of Modesto, are as  
shown on the Official Map of the City of Modesto, dated March  
23, 1938.

WHEREAS, it appears to the City Council of said City that said petition  
is in order; and

WHEREAS, it satisfactorily appears that notice of intention to circulate said petition was duly published according to law;

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 and notices for the holding of an election in said territory sought to be annexed to the City of Modesto, for the purpose of determining whether or not the voters living in said territory desire said territory to be annexed to, and to become a part of the City Limits 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 11th day of September, 1940, by Councilman Barnell, who moved its adoption, which motion being duly seconded, was upon roll call carried and adopted by the following vote:

Ayes: Councilmen: Barnell, Bates, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG, CITY CLERK

BY: ELMER J. BLUM, ASSISTANT CITY CLERK

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RESOLUTION NO. 5017-N.S.

A RESOLUTION OF INTENTION TO HOLD AN ELECTION FOR ANNEXATION OF NORTHWOOD TRACT TO THE CITY OF MODESTO, AND PROVIDING A TIME FOR HEARING PROTESTS BY PROPERTY OWNERS IN SAID TERRITORY AGAINST THE HOLDING OF SAID ELECTION.

---oOo---

WHEREAS, as stated in Resolution No. 5016-N. S., adopted and passed by the City Council of the City of Modesto at a regular meeting thereof held on the 11th day of September, 1940, a petition was accepted requesting that an election be called in the Northwood Tract, which Tract is described as follows, to-wit:

Beginning at the Section Corner common to Sections 20, 21, 28 and 29 T. 3 S., R. 9 E., M. D. B. & M., the same being on a Corporate City Limit Line of the City of Modesto; thence Easterly along the Section Line common to Sections 21 and 28, the same being a Corporate City Limit Line of the City of Modesto, to the Easterly Property Line of McHenry Avenue; thence Northerly along the said Easterly Property Line of McHenry Avenue, to the Southerly Property Line of Griswold Avenue, extended and produced; thence Westerly along the said Southerly property Line of Griswold Avenue, extended and produced, and the said Southerly Property Line of Griswold Avenue, to the Easterly Property Line of Virginia Avenue; thence continuing Westerly along the said Southerly Property Line of Griswold Avenue, extended and produced, to the Easterly Boundary Line of Campus Tract Subdivision, as shown on the map of Campus Tract, Recorded in Volume 11, of Maps, Page 37, in the Records of Stanislaus County, California; thence Southerly along the said Easterly Boundary Line of Campus Tract, and the said Easterly Boundary Line, extended and produced, to the Section Line common to Sections 20 and 29, T. 3 S., R. 9 E., M. D. B. & M., the same being common to a Corporate City Limit Line of the City of

Modesto; thence Easterly along the said Section Line common to Sections 20 and 29, and the said Corporate City Limit Line, to the beginning.

The property as above described is located in the S.W.¼ of Section 21, and the S.E.¼ and the S.W.¼ of Section 20, T. 3 S., R. 9 E., M. D. B. & M., and the avenues are known to be named as noted.

The Corporate City Limits of the City of Modesto, are as shown on the Official Map of the City of Modesto, dated March 23, 1938.

AND WHEREAS, as stated in said Resolution No. 5016-N.S. of the City of Modesto, said petition is in proper form and all legal procedure attendant to the filing of said petition has been followed by the persons filing said petition;

NOW, THEREFORE, the said City Council does hereby declare that it is the intention of said City Council to hold an election in said Northwood Tract for the purpose of submitting to the voters of said tract the question whether or not the voters residing in said tract desire to have said described territory annexed to and made a part of the corporate limits of the City of Modesto, County of Stanislaus, State of California.

Said election shall be held in said tract on the 26th day of November, 1940.

The time for hearing protests by persons owning property in the within described Northwood Tract is hereby set for the 1st day of October, 1940, in the council room in the rear of the City Clerk's office at No. 717 Tenth Street, in the City of Modesto, County of Stanislaus, State of California, at the hour of 4 o'clock P.M. At said time and place the said City Council will hear all protests of persons owning property in the said Northwood Tract, as described herein. All protests must be in writing and shall state the name or names of the owner or owners of the property to be affected by said election, and the location and area of such property in general terms.

The foregoing Resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of September, 1940, by Councilman Barnell, who moved its adoption, which motion being duly seconded was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Barnell, Bates, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG, CITY CLERK

BY: ELMER J. BLUM, ASSISTANT CITY CLERK

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RESOLUTION NO. 5018-N.S.

A RESOLUTION EXTENDING PERMIT TO OPERATE BUS TO WILLIS KLEINENBROICH DBA MODESTO MOTOR BUS SERVICE FOR AN ADDITIONAL PERIOD OF 90 DAYS

---oOo---

BE IT HEREBY RESOLVED that permit be extended to Willis Kleinenbroich, doing business as the Modesto Motor Bus Service for a period of 90 days from September 27, 1940, as provided by Resolution No. 4960-N.S. and

BE IT FURTHER RESOLVED that request be granted for change of route as shown in application filed with the City Clerk, dated September 6, 1940 of the Modesto Motor Bus Service.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of September, 1940 by Commissioner Neece, 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: Barnell, Bates, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

H. E. GRAGG, CITY CLERK

BY: ELMER J. BLUM, ASSISTANT CITY CLERK

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RESOLUTION NO. 5019-N.S.

A RESOLUTION APPROVING LEASE BY CITY OF MODESTO TO CLARA R. STEELE

---oOo---

WHEREAS a lease for one year covering Lots 29, 30, 31 and 32 in Block 121 of the City of Modesto, has been duly signed by CLARA R. STEELE; and

WHEREAS, by the terms thereof said Clara R. Steele is bound to pay to the City of Modesto the sum of Thirty-Five Dollars (\$35.00) per month during the term of said lease; and

WHEREAS, said City of Modesto has the option to terminate said lease upon sixty (60) days' written notice; and

WHEREAS, the leasing of the property herein described by the City of Modesto is deemed advisable and to the interests of the citizens of said City;

NOW THEREFORE, BE IT RESOLVED that said lease to said Clara R. Steele, dated September 3, 1940, be and the same is hereby approved by said City Council and the Mayor and Assistant City Clerk of said City are hereby authorized to execute the same and to cause performance of the terms thereof required of said City to be carried out according to the purpose and intent of said lease.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 11th day of September, 1940, by Councilman Barnell, who moved its adoption, which motion was duly seconded and upon roll call was carried and the resolution adopted by the following vote:

Ayes: Councilmen: Barnell, Bates, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG, CITY CLERK

BY: ELMER J. BLUM, ASSISTANT CITY CLERK

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RESOLUTION NO. 5020-N.S.

A RESOLUTION ACCEPTING MAP OF LEGION PARK TRACT UNDER CONDITIONS HEREIN STATED.

---oOo---

WHEREAS, on the date hereof there was presented to the City Council of the City of Modesto, a map of a subdivision named LEGION PARK TRACT: and

WHEREAS, said map was in proper form and has been duly passed by the County and City Planning Commissions, and properly authenticated by the respective chairmen of said commissions; and

WHEREAS, by agreement heretofore entered into, said map provided that one of the owners of the said tract, to-wit, CARL B. BENSON is to convey by deed a certain portion of said tract to the City of Modesto;

NOW, THEREFORE, said Map of LEGION PARK TRACT is hereby approved and ordered

filed as of record when and if the said Carl B. Benson gives a good and sufficient deed to said City conveying title to said City of the property depicted on said map, which by the terms of said oral agreement and said map is to be and become property belonging to the City of Modesto. Be it further resolved that said map be placed in escrow with the Stanislaus Abstract and Escrow Company, of Modesto, California, to be by said Company held in escrow until the delivery to said Company of said deed, at which time said escrow company is authorized to file said map of record.

The foregoing resolution was introduced at a regular meeting of the City Council of the City of Modesto, held on the 11th day of September, 1940, by Councilman Barnell who moved its adoption, which motion being duly seconded, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Barnell, Bates, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG, CITY CLERK

BY: ELMER J. BLUM, ASSISTANT CITY CLERK

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RESOLUTION NO. 5021-N.S.

(Number not used)

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RESOLUTION No. 5022-N.S.

A RESOLUTION GRANTING LEAVE OF ABSENCE TO MAYOR CARL SHANNON TO LEAVE THE STATE OF CALIFORNIA FOR A PERIOD OF 30 DAYS

---o0o---

BE IT HEREBY RESOLVED that a leave of absence be granted Mayor Carl Shannon to leave the State of California for a period of 30 days from September 15, 1940.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of September, 1940 by Commissioner Bates, 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: Barnell, Bates, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG, CITY CLERK

BY: ELMER J. BLUM, ASSISTANT CITY CLERK

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RESOLUTION NO. 5023-N.S.

A RESOLUTION EXPRESSING THANKS OF THE CITY COUNCIL OF THE CITY OF MODESTO TO ELMER HANSEN

---o0o---

WHEREAS, ELMER HANSEN, during the period of time which he has been employed by the Modesto Bee has attended the council meetings of the City of Modesto; and

WHEREAS, said Elmer Hansen has accurately reported the proceedings of said meetings for his newspaper, the said Modesto Bee; and

WHEREAS, the said Elmer Hansen, by his courtesy and co-operation has endeared himself to the members of said council; and

WHEREAS, the said Elmer Hansen is leaving the employ of the said newspaper for the purpose of resuming his education;

NOW, THEREFORE, be it resolved that the said City Council of the City of Modesto does, by this resolution, express its regret by reason of the fact that said Elmer Hansen will not in the future be able to attend the meetings of the City Council of the City of Modesto for the purpose of reporting the proceedings of the said council. Be it further resolved that said City Council does, by this resolution, express its thanks and appreciation to the said Elmer Hansen for his courtesy, cooperation, and accurate reports of the proceedings of the City Council.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of September, 1940, by Councilman George Neece, who moved its adoption, which motion being duly seconded, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Barnell, Bates, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG, CITY CLERK

BY: ELMER J. BLUM, ASSISTANT CITY CLERK

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RESOLUTION NO. 5024-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 11th day of September, 1940 by Commissioner Neece, 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: Barnell, Bates, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

H. E. GRAGG, CITY CLERK

BY: ELMER J. BLUM, ASSISTANT CITY CLERK

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RESOLUTION NO. 5025-N.S.

A RESOLUTION RECOMMENDING THAT THE CITY DO NOT WITHDRAW THEIR REQUEST FOR REDUCTION OF RATE ON ELECTRIC ENERGY USED BY THE CITY OF MODESTO AND FURNISHED BY THE MODESTO IRRIGATION DISTRICT

---oOo---

PURSUANT to request of the Modesto Irrigation District that the City of Modesto withdraw their request for a reduction of rate on the electric energy, and

WHEREAS, after conversation with a representative of the Modesto Irrigation District it is the decision of the Council not to withdraw their request.

BE IT HEREBY RESOLVED that the Council meeting adjourn at this time without withdrawing their request for reduction of rate on electric energy.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 16th day of September, 1940 by Commissioner Bates, 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: Barnell, Bates, Neece, Mayor pro tem Stanley

Noes: Councilmen: None

Absent: Mayor Shannon

H. E. Gragg, City Clerk

By: Elmer J. Blum, Assistant City Clerk

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RESOLUTION NO. 5026-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 September, 1940 by Commissioner Neece, 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: Barnell, Bates, Neece, Mayor pro tem Stanley

Noes: Councilmen: None

Absent: Mayor Shannon

ATTEST: H. E. GRAGG, CITY CLERK

BY: ELMER J. BLUM, ASSISTANT CITY CLERK

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RESOLUTION NO. 5027-N.S.

A RESOLUTION AUTHORIZING THE CITY TREASURER AND/OR THE ASSISTANT CITY TREASURER OF THE CITY OF MODESTO TO BORROW FROM THE BANK OF AMERICA THE SUM OF \$10,000

---o0o---

WHEREAS, it has become necessary to have additional funds available to meet current expenses of the City of Modesto, and

WHEREAS said City has a time deposit in BANK OF AMERICA, MODESTO BRANCH, amounting to \$10,000, and

WHEREAS, by new provisions of the laws of the State of California, 30 days notice must be given said Bank in order to withdraw said monies, and

WHEREAS said additional funds are needed and necessary before the expiration of 30 days from date,

NOW THEREFORE, the City Treasurer, and/or the Assistant City Treasurer of the City of Modesto is hereby authorized to borrow from said Bank of America the sum of \$10,000 and to pledge for the repayment of the same, said \$10,000 now on deposit in said bank for or on behalf 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 23rd day of September, 1940 by Commissioner Neece, 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: Barnell, Bates, Neece, Mayor pro tem Stanley

Noes: Councilmen: None

Absent: Mayor Shannon

ATTEST: H. E. GRAGG, CITY CLERK

BY: ELMER J. BLUM, ASSISTANT CITY CLERK

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RESOLUTION NO. 5028-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 23rd day of September, 1940 by Commissioner Bates,

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: Barnell, Bates, Neece, Mayor pro tem Stanley

Noes: Councilmen: None

Absent: Mayor Shannon

H. E. GRAGG, CITY CLERK

BY: ELMER J. BLUM, ASSISTANT CITY CLERK

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RESOLUTION NO. 5029-N.S.

A RESOLUTION ESTABLISHING LOADING ZONE IN FRONT OF THE HOTEL MADDUX ON TWELFTH STREET BETWEEN H AND G STREETS AND AUTHORIZING THE CITY ENGINEER TO MARK OFF ZONE

---oOo---

BE IT HEREBY RESOLVED that a loading zone be established in front of the Hotel Maddux on Twelfth Street between H and G Streets and the City Engineer be directed to mark off loading zone.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 25th day of September, 1940 by Commissioner Neece 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: Barnell, Bates, Neece, Mayor pro tem Stanley

Noes: Councilmen: None

Absent: Mayor Shannon

H. E. GRAGG, CITY CLERK

BY: ELMER J. BLUM, ASSISTANT CITY CLERK

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RESOLUTION NO. 5030-N.S.

A RESOLUTION GRANTING DONATION TO THE SALVATION ARMY OF \$15.00 FROM THE MONOTTI FUND

---oOo---

BE IT HEREBY RESOLVED that a donation of \$15.00 be granted to the Salvation Army from the Monotti Fund No. 1 and the City Clerk and Auditor is hereby authorized to draw a warrant to Mary E. Smith, Captain of the Salvation Army.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 25th day of September, 1940 by Commissioner Neece 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: Barnell, Bates, Neece, Mayor pro tem Stanley

Noes: Councilmen: None

Absent: Mayor Shannon

H. E. GRAGG, CITY CLERK

BY: ELMER J. BLUM, ASSISTANT CITY CLERK

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RESOLUTION NO. 5031-N.S.

A RESOLUTION REAPPOINTING MARGARET GETTYS HALL TO RECREATION COMMISSION FOR A TERM OF FIVE YEARS FROM SEPTEMBER 1, 1940

---oOo---

WHEREAS, pursuant to communication from the Modesto Recreation Commission requesting that Margaret Gettys Hall be reappointed to the Modesto Recreation Commission

as her term expired on September 1, 1940.

BE IT HEREBY RESOLVED that Margaret Gettys Hall be reappointed to the Modesto Recreation Commission for a term of 5 years from September 1, 1940.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 25th day of September, 1940 by Commissioner Neece, 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: Barnell, Bates, Neece, Mayor pro tem Stanley

Noes: Councilmen: None

Absent: Mayor Shannon

H. E. GRAGG, CITY CLERK

BY: ELMER J. BLUM, ASSISTANT CITY CLERK

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RESOLUTION NO. 5032-N.S.

A RESOLUTION AUTHORIZING THE CITY CLERK TO CALL FOR BIDS ON TWO-WAY TRAFFIC CONTROL SIGNAL HEADS WITH CONTROLLER AND APPURTENANCES

---oOo---

BE IT HEREBY RESOLVED that the City Clerk be authorized to call for bids on four two-way traffic control signal heads with controller and appurtenances to be installed at 10th & H Streets, said bids to be opened at 7:30 p. m. on Wednesday, October 9, 1940 at the City Hall.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 25th day of September, 1940 by Commissioner Barnell 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: Barnell, Bates, Neece, Mayor pro tem Stanley

Noes: Councilmen: None

Absent: Mayor Shannon

H. E. Gragg, City Clerk

By: Elmer J. Blum, Assistant City Clerk

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RESOLUTION NO. 5033-NS.

A RESOLUTION AWARDED BID ON CAST IRON PIPE TO THE UNITED STATES PIPE AND FOUNDRY COMPANY

---oOo---

WHEREAS, pursuant to referring all bids on 150 bell and spigot cast iron pipe to the City Engineer and Commissioner of Public Supplies for tabulation and recommendation,

BE IT HEREBY RESOLVED that bid on item 2 of notice to bidders for 1500 feet of 10 inch and 750 feet of 8 inch class 150 bell and spigot cast iron pipe be awarded to the United States Pipe and Foundry Company for \$2730.08, and

BE IT FURTHER RESOLVED that bid on item 3 for 2400 feet of 6 inch and 900 feet of 4 inch class 150 bell and spigot be awarded to the United States Pipe and Foundry Company for \$1988.71, delivery to be made on both items in sixty days and the City Clerk is authorized to return bidding checks to unsuccessful bidders and make payment on pipe when delivery has been made and approved by the City Engineer.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 25th day of September, 1940 by Commissioner Bates,

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: Barnell, Bates, Neece, Mayor pro tem Stanley

Noes: Councilmen: None

Absent: Mayor Shannon

H. E. GRAGG, CITY CLERK

BY: ELMER J. BLUM, ASSISTANT CITY CLERK

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RESOLUTION NO. 5034-N.S.

IN THE MATTER OF THE ELECTION FOR THE ANNEXATION OF THE LA LINDA TRACT.

---oOo---

This being the time provided for the first regular meeting of the Council of the City of Modesto next after the expiration of three days from and after the date of an election held in the territory proposed to be annexed to the City of Modesto, known as the "La Linda Tract", and described particularly as the following described territory lying and being in the County of Stanislaus, State of California, and near to the City of Modesto, and particularly described as follows, to-wit:

Beginning at the southeast corner of the northwest  $\frac{1}{4}$  of the southeast  $\frac{1}{4}$  of Section 28, T. 3 S., R. 9 E., M. D. B. & M., thence southerly along the  $\frac{1}{4}$ - $\frac{1}{4}$  section line, to an easterly and westerly line equally dividing Lot 3, the said Lot 3 being as shown on the map of Las Flores Tract, recorded in Maps, Volume 9, page 47, Stanislaus County Records; thence westerly along the said dividing line through the center of said Lot 3, to the center line of Las Flores, a County Road; thence southerly along the said center line of Las Flores to the southerly boundary line of La Linda, extended and produced, according to the map of La Linda, ~~extended and produced, according to the map of La Linda,~~ recorded in Maps, Volume 11, page 40, Stanislaus County Records; thence westerly along the said southerly boundary line of La Linda and the said southerly boundary line of La Linda, extended and produced to the city limit line in Beard Brook; thence northerly along the said city limit line in Beard Brook, to the  $\frac{1}{4}$ - $\frac{1}{4}$  section line; thence easterly along the said  $\frac{1}{4}$ - $\frac{1}{4}$  section line to the beginning.

And it appearing that said election was held within the territory proposed to be annexed, on the 20th day of September, 1940, in accordance with the resolution of this Council heretofore passed and adopted, and that after the holding of said election the election officers thereof delivered to and deposited with the Clerk of this Council the ballots, tally sheets, and returns of said election, and it appearing, and the Council so finding, that the proposition submitted at said election was whether or not such new territory, in said resolution and hereinabove described, shall be annexed to, incorporated in and made a part of the municipal corporation of the City of Modesto, and that said property shall not be subject to any bonded or other indebtedness owed by said City prior to the date of the filing of the petition asking that such election be called or theretofore authorized. The Council thereupon proceeded to canvass the said returns, and upon such canvass finds that the whole number of votes

cast in said territory proposed to be annexed was 9, that the number of votes cast therein in favor of annexation was 9, and that the number of votes cast therein against annexation was none. That no absentee ballots were cast.

Thereupon, upon motion of Councilman Barnell, seconded by Councilman Bates, and adopted by the vote of the Council, it was ordered that the foregoing record of said canvass be made and entered upon the minutes of the Council at this meeting.

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RESOLUTION NO. 5035-N.S.

A RESOLUTION DETERMINING THE RESULT OF AN ELECTION HELD IN THE LA LINDA TRACT, FOR ANNEXATION OF SAID TRACT TO THE CITY OF MODESTO.

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WHEREAS, a special election was held on the 20th day of September, 1940, in LA LINDA TRACT, near the City of Modesto, County of Stanislaus, State of California, and contiguous to the city limits of said City, and which territory is specifically described in a resolution canvassing the vote in said territory of even date herewith; and,

WHEREAS, the said City Council of the City of Modesto finds after due examination that due notice of said election was published in the The Ceres Courier, a newspaper of general circulation, published in the City of Ceres, County of Stanislaus, State of California, which said notice appeared in said newspaper on August 16, August 23, August 30, September 6, and September 13, all in the year 1940, and that prior to said publication in said newspaper a date was set giving due notice that owners of property in said LA LINDA TRACT could appear before said City Council on the 30th day of July, 1940 to protest the holding of said election; and it further appearing to said Council that all of the said procedure followed, adopted and employed in the holding of said election is proper and legal; and,

WHEREAS, the City Council of the City of Modesto is now sitting as a canvassing board to canvass the results of said election, and has received all of the returns from said election and finds that the same are now in proper form, and have opened and canvassed the same and ascertained the results of said election as hereinafter stated:

NOW, THEREFORE, BE IT RESOLVED, CERTIFIED AND DECLARED by the Council of the City of Modesto that the said special election held in said territory to determine whether or not said territory should be annexed to and become a part of the said City of Modesto, was regularly called, held and conducted as required by law. That the proper and complete returns thereof have been made and received by said Council; that the same have been properly canvassed; that from the returns so canvassed as aforesaid it appears and the Council so finds that at said special election the total number of votes cast at the polls was and is 9; that the number of votes cast at said polls in favor of annexation was and is 9; and that the number of votes cast at said polls opposed to annexation of said territory was and is 0.

Said City Council, sitting as a canvassing board further finds that there were cast at said election no absentee ballots or votes; that the total number of votes cast at the polls at said election was and is 9; that the total number of votes cast at the polls in favor of the annexation of said territory to the City of Modesto was and is 9; and that the total number of votes cast at the polls opposed to said annexation was and is 0.

That said City Council, sitting as such canvassing board further finds that

the measure, to-wit, "Shall the La Linda Tract be annexed to the City of Modesto?" received the necessary plurality in favor thereof, and that therefore said measure carried.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 25th day of September, 1940, by Councilman Barnell, who moved its adoption, which motion being duly seconded, was upon roll call carried, and the resolution adopted by the following vote:

Ayes: Councilmen: Barnell, Bates, Neece, Mayor pro tem Stanley  
Noes: Councilmen: None  
Absent: Councilmen: Mayor Shannon

RESOLUTION NO. 5036-N.S.

A RESOLUTION PLACING MARK J. LANDQUIST, SANITARY INSPECTOR UNDER CIVIL SERVICE AS PROVIDED BY PROVISION OF ORDINANCE NO. 639-N.S.

---oOo---

WHEREAS, under and by virtue of the terms of Ordinance No. 639-N.S. of the City of Modesto (Civil Service Ordinance) the position of Sanitary Inspector has been placed under civil service, and

WHEREAS, Mark J. Landquist has served in this position in said City for more than six (6) months

BE IT HEREBY RESOLVED that Mark J. Landquist be placed under civil service in the City of Modesto as of this date.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 25th day of September, 1940 by Commissioner Bates, 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: Barnell, Bates, Neece, Mayor pro tem Stanley  
Noes: Councilmen: None  
Absent: Mayor Shannon

ATTEST H. E. GRAGG, CITY CLERK  
By Elmer J. Elum, Assistant City Clerk

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RESOLUTION NO. 5037-N.S.

A RESOLUTION AMENDING RESOLUTION NO. 4942-N.S. ENTITLED "A RESOLUTION ADOPTING CIVIL SERVICE SALARY SCHEDULE FOR THE CITY OF MODESTO"

---oOo---

BE IT HEREBY RESOLVED that Resolution No. 4942-N.S. entitled "A RESOLUTION ADOPTING CIVIL SERVICE SALARY SCHEDULE FOR THE CITY OF MODESTO" be amended by adding new section No. 18

Salary Range-Starting No.	Rate	First Adj.	Second Adj.	Third Adj.	Max.	Included in Classification
18	\$205	\$215	\$225	\$235	\$245	Sanitary Inspector

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 25th day of September, 1940 by Commissioner Bates, 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: Barnell, Bates, Neece, Mayor pro tem Stanley

Noes: Councilmen: None

Absent: Mayor Shannon

H. E. GRAGG, CITY CLERK

By Elmer J. Blum, Assistant City Clerk

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RESOLUTION NO. 5037A-N.S.

A RESOLUTION RESCINDING RESOLUTION NO. 5027-N.S. ENTITLED "RESOLUTION AUTHORIZING THE CITY TREASURER AND/OR THE ASSISTANT CITY TREASURER OF THE CITY OF MODESTO TO BORROW FROM THE BANK OF AMERICA THE SUM OF \$10,000

---oOo---

BE IT HEREBY RESOLVED that Resolution No. 5027-N.S. entitled "A RESOLUTION AUTHORIZING THE CITY TREASURER AND/OR THE ASSISTANT CITY TREASURER OF THE CITY OF MODESTO TO BORROW FROM THE BANK OF AMERICA THE SUM OF \$10,00" be hereby rescinded.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 25th day of September, 1940 by Commissioner Neece, 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: Barnell, Bates, Neece, Mayor pro tem Stanley

Noes: Councilmen: None

Absent: Mayor Shannon

ATTEST H. E. GRAGG, CITY CLERK

By ELMER J. BLUM, ASSISTANT CITY CLERK

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RESOLUTION NO. 5038-N.S.

A RESOLUTION AUTHORIZING PAYMENT TO OFFICIALS SERVING ON ELECTION BOARD ON ANNEXATION OF THE LA LINDA TRACT TO THE CITY OF MODESTO AND RENTAL FOR POLLING PLACE

---oOo---

BE IT HEREBY RESOLVED that payment of \$5.00 to each election official serving in the La Linda Tract annexation election on September 20, 1940 be authorized, and

BE IT FURTHER RESOLVED that payment of \$5.00 be authorized for rental of polling place for said election.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 25th day of September, 1940 by Commissioner Bates, 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: Barnell, Bates, Neece, Mayor pro tem Stanley

Noes: Councilmen: None

Absent: Mayor Shannon

ATTEST H. E. GRAGG, CITY CLERK

By Elmer J. Blum, Assistant City Clerk

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RESOLUTION NO. 5039-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 September, 1940 by Commissioner Bates, 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: Barnell, Bates, Neece, Mayor pro tem Stanley

Noes: Councilmen: None

Absent: Mayor Shamon

ATTEST H. E. GRAGG, CITY CLERK

By Elmer J. Blum, Assistant City Clerk

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RESOLUTION NO. 5040-N.S.

WHEREAS, heretofore, to-wit, on the 11th day of September, 1940, there was received by the City Council of the City of Modesto, which said City Council is the legislative body of said City of Modesto, a municipal corporation, situate in the County of Stanislaus, State of California, a written petition signed by not less than one-fourth in number of all the qualified electors residing within the territory described therein, as shown by the registration of voters in the County in which such territory is situate, asking that such territory, which is in said petition and hereinafter described, be annexed to the City of Modesto; and,

WHEREAS, said petition so presented contained a request that said described territory be annexed to the said City of Modesto without said territory and the inhabitants thereof being subjected to the liability for payment of any bonded indebtedness or other indebtedness incurred by or owing by the said City of Modesto at the time of the filing of said petition, and that said property in the event of its annexation to the City of Modesto shall be liable only for such debts of the City as the said City may incur after the incorporation of such territory and for the taxes and assessments levied by said City only after said incorporation; and,

WHEREAS, the said City by resolution of its City Council duly passed and adopted on the 11th day of September, 1940, received and accepted said petition; and,

WHEREAS, said City Council by resolution duly passed and adopted on said 11th day of September, 1940, declared its intention to hold a special election in the said territory on the 26th day of November, 1940, and that said Council would meet on the 1st day of October, 1940, in the Councilroom in the rear of the City Clerk's office at No. 717 Tenth Street, in the City of Modesto, County of Stanislaus, State of California, at the hour of 4:00 o'clock P.M. of said day, and that at said time and place said City Council would hear all protests of persons owning property in the said territory hereinafter mentioned and described as NORTHWOOD TRACT against the holding of said election or the annexation of said territory to said City of Modesto, and requiring such protests to be in writing, stating the name or names of the owner or owners of the property to be affected and the location and area of such property in general terms, all in accordance with the admission act under which said proceedings are being held and hereinafter referred to; and,

WHEREAS, a copy of said resolution was duly published in the ~~THE MODESTO BEE~~, a newspaper of general circulation, printed and published in the

The Modesto Bee, a newspaper of general circulation, printed and published in the said City of Modesto, and being the official newspaper of said City, at least once a week for two consecutive weeks prior to the time set for said protests, said publications being on the 13th day of September, 20th day of September, and 27th day of September, all in the year 1940, as particularly shown by the affidavit of the publication thereof on file with the City Clerk of said City, to which reference is hereby made; and,

WHEREAS, at the time and place specified in said notice as hereinbefore set forth, the City Council of said City duly met for the purpose of hearing said protests as stated in said notice; and

WHEREAS, at said meeting no protests, either written or otherwise, were filed, presented to, or made to the City Council of said City against the holding of said election or the annexation of the said territory to the said City of Modesto:

NOW, THEREFORE, BE IT RESOLVED, that a special election be, and the same is hereby called to submit to the electors residing in the territory proposed by such petition to be annexed to the said City of Modesto, the question as to whether or not such new territory which is hereinafter described, shall be annexed to, incorporated in, and made a part of said municipal corporation, to-wit, the City of Modesto, without thereby being subjected to the payment of any bonded indebtedness or moneys owed by said City at the time of said incorporation, and that said territory shall be subject to taxation equally with the property within such municipal corporation, less any taxes levied for indebtedness owed by said City at the time of said incorporation; said election to be held on the 26th day of November, 1940; the polls to be opened at six o'clock in the morning of said day, and to remain open until seven o'clock in the evening of said day, when the polls shall be closed; that the territory so proposed to be annexed and in which said special election shall be held as aforesaid is situate, lying and being in the County of Stanislaus, State of California and is contiguous to the City of Modesto, and is particularly described as follows, to-wit:

Beginning at the Section Corner common to Sections 20, 21, 28 and 29 T 3S. R. 9E., M.D.B & M., the same being on a Corporate City Limit Line of the City of Modesto; thence Easterly along the Section Line common to Sections 21 and 28, the same being a Corporate City Limit Line of the City of Modesto, to the Easterly Property Line of McHenry Avenue; thence Northerly along the said Easterly Property Line of McHenry Avenue, to the Southerly Property Line of Griswold Avenue, extended and produced; thence Westerly along the said Southerly Property Line of Griswold Avenue, extended and produced, and the said Southerly Property Line of Griswold Avenue, to the Easterly Property Line of Virginia Avenue; thence continuing Westerly along the said Southerly Property Line of Griswold Avenue, extended and produced to the Easterly Boundary Line of Campus Tract Subdivision, as shown on the map of Campus Tract, Recorded in Volume 11, of Maps, Page 37, in the Records of Stanislaus County, California; thence Southerly along the said Easterly Boundary line of Campus Tract, and the said Easterly Boundary Line, extended and produced, to the Section Line common to Sections 20 and 29, T 3S R 9E., M.D.B & M., the same being common to a Corporate City Limit Line of the City of Modesto; thence Easterly along the said Section Line common to Sections 20 and 29, and the said Corporate City Limit Line to the beginning.

The property as above described is located in the SW ¼ of Section 21, and the S.E. ¼ and the S.W. ¼ of Section 20, T 3S., R. 9E., M.D.B. & M., and the avenues are known to be named as noted.

The Corporate City Limits of the City of Modesto, are as shown on the Official Map of the City of Modesto, Dated March 23, 1938.

IT IS FURTHER ORDERED that for the purpose of holding said special election all of the territory mentioned in said petition and hereinabove described is consolidated and established into one election precinct, and the following is hereby designated, as the place at which the polls shall be opened for such election in such territory so proposed to be annexed, to-wit: 1413 Coldwell Avenue--Arthur Crabb Garage

The following, who are qualified electors of the voting precinct in which they are appointed to act, are hereby appointed officers of said election, to-wit:

Judges: ALMA F. STONE and ELEANOR M. HALLEY Inspector: AVA KYTE

IT IS FURTHER ORDERED that for the purpose of said election the territory hereinabove described and proposed to be annexed to said municipal corporation is hereby designated as "NORTHWOOD TRACT".

IT IS FURTHER ORDERED THAT upon the ballots to be used at said election there shall be printed the words

"SHALL THE NORTHWOOD TRACT BE ANNEXED TO THE CITY OF MODESTO?"	:	YES	:
	:		:
SHALL THE NORTHWOOD TRACT BE ANNEXED TO THE CITY OF MODESTO?"	:	NO	:
	:		:

IT IS FURTHER ORDERED that said election shall be held and conducted in accordance with an act of the Legislature of the State of California entitled "AN ACT TO PROVIDE FOR THE ALTERATION OF THE BOUNDARIES OF AND FOR THE ANNEXATION OF TERRITORY TO MUNICIPAL CORPORATIONS, FOR THE INCORPORATION OF SUCH ANNEXED TERRITORY IN AND AS A PART THEREOF, AND FOR THE DISTRICTING, GOVERNMENT AND MUNICIPAL CONTROL OF SUCH ANNEXED TERRITORY", approved June 11th, 1913, and the acts amendatory of and supplemental thereto.

IT IS FURTHER ORDERED that a notice be given by the Clerk of this Council of said election by the publication thereof in a newspaper of general circulation, printed and published outside of the municipal corporation of the City of Modesto, but within Stanislaus County, at least once a week for a period of four successive weeks next preceding the date of such election, and that said notice shall be in substantially the following form:

NOTICE OF ELECTION FOR THE ANNEXATION OF TERRITORY

Notice is hereby given by order of the City Council of the City of Modesto, in accordance with the statutes of the State of California in such case made and provided, that pursuant to a proper petition filed therefor with said City Council, a special election has been called by said Council to be held, and the same will be held, in the territory hereinafter described, on Tuesday, the 26th day of November, 1940.

The proposition to be voted on at such election is as follows:

That it is proposed to annex to, incorporate in and made a part of the Municipal corporation, to-wit, the City of Modesto, the following territory, lying, being and situate in the County of Stanislaus, State of California, and contiguous to the City of Modesto, and particularly described as follows, to-wit:

Beginning at the Section Corner common to Sections 20, 21, 28 and 29

T. 3S., R 9E., M.D.B & M., the same being on a Corporate City Limit Line of the City of Modesto; thence Easterly along the Section Line common to Sections 21 and 28, the same being a Corporate City Limit Line of the City of Modesto, to the Easterly Property Line of McHenry Avenue; thence Northerly along the said Easterly Property Line of McHenry Avenue, to the Southerly Property Line of Griswold Avenue, extended and produced; thence Westerly along the said Southerly Property Line of Griswold Avenue, extended and produced, and the said Southerly Property Line of Griswold Avenue, to the Easterly Property Line of Virginia Avenue; thence continuing Westerly along the said Southerly property Line of Griswold Avenue, extended and produced, to the Easterly Boundary Line of Campus Tract Subdivision, as shown on the map of Campus Tract, Recorded in Volume 11, of Maps, Page 37, in the Records of Stanislaus County, California; thence Southerly along the said Easterly Boundary Line of Campus Tract, and the said Easterly Boundary Line, extended and produced, to the Section Line common to Sections 20 and 29, T 3S., R 9E., M.D.B. & M., the same being common to a Corporate City Limit Line of the City of Modesto; thence Easterly along the said Section Line common to Sections 20 and 29, and the said Corporate City Limit Line to the beginning,

The property as above described is located in the S.W.  $\frac{1}{4}$  of Section 21, and the S.E.  $\frac{1}{4}$  and the S.W.  $\frac{1}{4}$  of Section 20, T 3S., R 9E., M.D.B. & M., and the avenues are known to be named as noted.

The Corporate City Limits of the City of Modesto, are as shown on the Official Map of the City of Modesto, dated March 23, 1938

and that said property shall not after such annexation, be subject to taxation for the purpose of payment of any indebtedness owed or owing by the City of Modesto prior to the date of said annexation.

The territory within which said election shall be held is that territory hereinabove designated and particularly described, and it shall be further designated for the purpose of identification by the name, to-wit, NORTHWOOD TRACT, by which name such territory shall be referred to and indicated upon the ballots to be used at said election.

The electors in said territory are directed to vote upon said question in the manner set forth in "Instructions to Voters" on the ballots to be used at said election.

The ballots to be used at such election shall be in substantially the following form.

**TICKET FOR ANNEXATION ELECTION.**

Special Election, NORTHWOOD TRACT, Tuesday, November 26, 1940.

Instructions to Voters: Each voter desiring to vote in favor of annexing the territory herein referred to as the NORTHWOOD TRACT to the City of Modesto shall stamp a cross (X) in the voting square after the word "Yes" after the words "Shall the NORTHWOOD TRACT be annexed to the City of Modesto?"

If an elector desires to vote against the annexation of said territory to the City of Modesto, he shall stamp a cross (X) in the voting square after the

word "No" after the words "Shall the NORTHWOOD TRACT be annexed to the City of Modesto?"

The mark shall be made with the rubber stamp and ink pad which will be found in each booth, and the ballots shall not be marked in any other manner.

All marks except the cross (X) are forbidden; all distinguishing marks or erasures are forbidden and make the ballot void. If you wrongly stamp, tear or deface this ballot, return it to the inspector of election and obtain another.

"SHALL THE NORTHWOOD TRACT BE ANNEXED TO THE CITY OF MODESTO?"	:	YES	:
"SHALL THE NORTHWOOD TRACT BE ANNEXED TO THE CITY OF MODESTO?"	:	NO	:

Said election shall be held as aforesaid on the 26th day of November, 1940. The polls shall be opened at six o'clock in the morning of said day and shall remain open until seven o'clock in the evening of said day, when the polls shall be closed.

For the purpose of holding said special election all of the territory in said petition and hereinabove mentioned and described, and herein also referred to and designated as the NORTHWOOD TRACT, is consolidated and established into one election precinct, and the following place is hereby designated as the place at which the polls shall be open for such election in such territory so proposed to be annexed, to-wit 1413 Coldwell Avenue-Arthur Crabb Garage.

The following, who are qualified electors of the said voting precinct in which they are appointed to act, are hereby appointed officers of said election, to-wit: Judges: Alma F. Stone and Eleanor M. Halley--Inspector Ava Kyte.

Except as herein otherwise specified, said election shall be held in accordance with the laws of the State of California concerning general elections.

Dated: October 1, 1940

H. E. GRAGG, CITY CLERK, CITY OF MODESTO

BY ELMER J. BLUM, ASSISTANT CITY CLERK

Date of first publication: October 25, 1940.

It is further ordered that said notice be published in the Ceres Courier, a newspaper of general circulation printed and published outside of the municipal corporation of the City of Modesto, but in the County of Stanislaus, at least once a week for a period of four successive weeks next preceding the date of such election.

The foregoing Resolution was introduced by Councilman Barnell, who moved its adoption, which motion, being duly seconded, was carried by the following vote:

Ayes: Councilmen: Barnell, Bates, Neece, Mayor pro tem Stanley

Noes: Councilmen: None

Absent: Councilmen: Mayor Shannon

ATTEST H. E. GRAGG, CITY CLERK

BY ELMER J. BLUM, ASSISTANT CITY CLERK

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RESOLUTION NO. 5041-N.S.

A RESOLUTION GRANTING TO HERBERT G. NORVELL AND WILLARD NEVILLE, CO-PARTNERS, DOING BUSINESS UNDER THE FIRM NAME AND STYLE OF "AIRPORT TRANSIT", A PERMIT TO OPERATE MOTOR BUSES WITHIN THE CITY OF MODESTO PURSUANT TO THE PROVISIONS OF ORDINANCE NC. 306-N.S.

---o0o---

WHEREAS, on July 22, 1940, "AIRPORT TRANSIT", a co-partnership consisting of

Herbert G. Norvell and Willard Neville, filed an application with the City Clerk of the City of Modesto for a permit to operate motor busses within the City of Modesto in accordance with the provisions of Ordinance No. 306-N.S., which petition or application was thereafter heard at a regular meeting of the Council of the City of Modesto at the Council Chambers of said City; and,

WHEREAS, said application came on regularly to be heard at a meeting of said City Council held on the 1st day of October, 1940, and a public hearing having been had upon said application and the Council being fully advised in the premises and having jurisdiction to act upon the applications:

NOW, THEREFORE, the City Council of the City of Modesto, County of Stanislaus, State of California, does hereby find and determine that the public convenience and necessity require the granting of the said application, and the issuance of the permit so prayed for;

And the said City Council does hereby grant unto "Airport Transit", a co-partnership composed of Herbert G. Norvell and Willard Neville, as grantee, a permit as prayed for in said application pursuant to the provisions of Ordinance No. 306-N.S. of the City of Modesto, entitled: "AN ORDINANCE PROVIDING FOR THE SUPERVISION AND REGULATION OF MOTOR BUSES OPERATING ON FILED SCHEDULES AND OVER ESTABLISHED ROUTES WITHIN THE CITY OF MODESTO, PROVIDING FOR THE ISSUANCE OF PERMITS AND LICENSES FOR SUCH OPERATION OF MOTOR BUSES, AND PROVIDING FOR PUNISHMENT OF VIOLATIONS OF THIS ORDINANCE."

And in this behalf the City Council specifies the following conditions on which said permit is granted:

(a) The name of the grantee of said permit is Airport Transit, and that said grantee is a co-partnership composed of Herbert G. Norvell and Willard Neville;

(b) The term for which this permit is granted is five (5) years from the date hereof;

(c) The said grantee is entitled by reason of this permit to procure a license to operate a motor bus or motor busses on the streets of the City of Modesto, subject to the provisions of the ordinance above specified;

(d) The validity and continuance in force of the license so to be procured by said grantee and issued to it by the City Clerk pursuant to said ordinance, shall be conditional upon the payment into the City Treasury by the grantee of two per cent (2%) of its gross revenue derived from the operation of such motor bus or motor busses as more specifically provided in the said ordinance.

(e) Said permit is to be issued with the express understanding that it is subject to possible changes in said ordinance No. 306-N.S., the title of which is hereinabove set forth.

(f) Until or unless the same shall be changed as provided by the terms of said ordinance, the said motor busses shall be operated upon the following routes, and upon the following schedules of stops and operating time, to-wit:

ROUTE NO. 1. Starting at the easterly corner of the intersection of Eleventh and I Streets in said City of Modesto, thence on I Street to Fourteenth Street, thence on Fourteenth Street to Grand Street; thence on Grand Street to the Waterford Road, sometimes known as Yosemite Avenue, thence on the Waterford Road, sometimes known as Yosemite Avenue, to the easterly city limits of the City of Modesto.

ROUTE NO. 2. From the easterly limits of the City of Modesto on the Waterford Road, sometimes known as Yosemite Avenue, to Grand Street, thence on Grand Street to Fourteenth Street, thence on Fourteenth Street to H Street, thence on H

Street, thence on H Street to Eleventh Street, thence on Eleventh Street to the intersection of Eleventh and I Streets, the point of beginning.

It is understood that a portion of the route covered by grantee's busses is without the city limits of the City of Modesto, and that the termini of said bus route outside of said City and the point of return outside of said City to said City is one and the same place, to-wit, the Modesto Municipal Airport.

Said busses will start from the starting point within the City of Modesto, to-wit, Eleventh and I Streets, making twenty-five (25) round trips daily except on Sundays and holidays to said Airport and return to said intersection of Eleventh and I Streets between the hours of 6:20 A.M. and 6:30 P.M. of each of said days, with the exceptions hereinabove noted. The schedule for the departure and arrival of said busses at said intersection of Eleventh and I Streets and said Airport without the City of Modesto shall be as set forth in the application of said grantee filed in the office of the City Clerk of the City of Modesto on July 22, 1940, to which reference is hereby made for further particulars and which time schedule as set forth in said application is incorporated herein and is made a part hereof as though the same were fully set forth in this resolution.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 1st day of October, 1940 by Councilman Bates, who moved its adoption, which motion being duly seconded, was carried and the Resolution adopted by the following vote:

Ayes: Councilmen: Barnell, Bates, Neece, Mayor pro tem Stanley

Noes: Councilmen; None

Absent: Councilmen: Mayor Shannon

ATTEST H. E. GRAGG, CITY CLERK

by ELMER J. BLUM, ASSISTANT CITY CLERK

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RESOLUTION NO. 5042-N.S.

A RESOLUTION GRANTING PERMISSION TO N. G. YIALOURIS TO ESTABLISH A CONFECTIONERY AND FOUNTAIN AT 304 McHENRY AVENUE

---oOo---

WHEREAS, pursuant to the filing of petition with the Council by N.G. Yialouris for permit to erect and maintain a confectionery and fountain on property known as 302 McHenry Avenue, being Block 564, lots 21, 22, 23 and 24 in the City of Modesto and it appearing from report of committee appointed by the Mayor pro tem to investigate protest filed by Dr. Preston Byington that protest had been withdrawn.

BE IT HEREBY RESOLVED that permission be granted to N. G. Yialouris to establish a confectionery and fountain at 304 McHenry Avenue with the understanding that all provisions relative to building permit fees will be complied with.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 1st day of October, 1940 by Commissioner Neece, 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: Barnell, Bates, Neece, Mayor pro tem Stanley

Noes: Councilmen: None

Absent: Mayor Shannon

H. E. GRAGG, CITY CLERK

By Elmer J. Blum, Assistant City Clerk

A RESOLUTION REQUESTING CIVIL AERONAUTICS AUTHORITY TO PROCURE "FEEDER" AIR SERVICE FOR THE CITY OF MODESTO AND OTHER CITIES HEREIN ENUMERATED

---oOo---

WHEREAS, it is understood by the City Council of the City of Modesto that the United Air Lines, a corporation engaged in the business of operating airplanes for the transportation of baggage, passengers and mail, is ready, willing and able to establish so-called "feeder" service from Fresno to Red Bluff, in the State of California, servicing the cities of Merced, Modesto, Stockton, Sacramento, Marysville and Chico, thus making connection with transcontinental air service at Fresno and Sacramento, San Francisco and Los Angeles, and points north and south for passenger service, air mail and express; and,

WHEREAS, the Civil Aeronautics Authority has denied the application of said air lines for a franchise enabling said air lines to grant said service; and,

WHEREAS, the City of Modesto is the trade center of an area of seventy-five thousand people engaged in agriculture, manufacturing and commerce, who require in order to facilitate business with their markets in the East the rapid transportation that can be rendered by direct air service in order to compete with areas having such service, and which need is far greater than in more congested areas in the eastern part of the United States which have fast train and bus service; and

WHEREAS, as an example of the use and demand for air service the Modesto Post Office during the year 1939 dispatched a daily average of two hundred twenty-three pieces of air mail and received as a daily average during said year two hundred fifty-one pieces of airmail, which figures have been increased to the extent of forty per cent during the current year of 1940; and,

WHEREAS, the service proposed herein would enable this community to speed up air mail service by twelve hours to and from New York City, which speeding up of air mail service would unquestionably increase the volume of air mail heretofore sent and received in the City of Modesto; and,

WHEREAS, the progressive and expanding area in and about the City of Modesto requires said service and the expansion of commercial aviation should be encouraged rather than restricted, which restrictions will hamper the development of industry, agriculture and manufacturing in and about the City of Modesto:

NOW, THEREFORE, be it resolved by the City Council of the City of Modesto that the Civil Aeronautics Authority be requested to take the necessary steps whereby a "feeder" air service may be provided for the cities embraced in the proposal, and that the Hon. Hiram W. Johnson, Senator from the State of California, and the Hon. B. W. Gearhart, Congressman from the State of California, and the other representatives of the State of California at the National Capitol of the United States be requested to use their best efforts to procure the "feeder" service hereinabove referred to.

The foregoing Resolution was introduced at a special meeting of the Council of the City of Modesto held on the 1st day of October, 1940 by Councilman Bates, who moved its adoption, which motion being duly seconded, it was upon roll call carried and adopted by the following vote:

Ayes: Councilmen: Barnell, Bates, Neece, Mayor pro tem Stanley

Noes: Councilmen: None

Absent: Councilmen: Mayor Shannon

ATTEST H. E. GRAGG, CITY CLERK

BY ELMER J. BLUM, ASSISTANT CITY CLERK

RESOLUTION NO. 5044-N.S.

A RESOLUTION ADJOURNING COUNCIL MEETING OF THE CITY OF MODESTO

---oOo---

BE IT HEREBY RESOLVED that the 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 October, 1940 by Commissioner Bates, who moved its adoption, which motion being duly seconded, the resolution was adopted by the following vote;

Ayes: Councilmen: Barnell, Bates, Neece, Mayor pro tem Stanley

Noes: Councilmen: None

Absent: Mayor Shannon

H. E. GRAGG, CITY CLERK

By Elmer J. Blum, Assistant City Clerk

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RESOLUTION NO. 5045-N.S.

A RESOLUTION ALLOWING CLAIMS FOR MONTH OF SEPTEMBER, 1940.

---oOo---

WHEREAS, the claims against the City of Modesto for the month of September 1940 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-----	\$26,418.10
WATER FUND-----	8,390.65
LIBRARY FUND-----	1,867.43
SPECIAL GAS TAX-----	741.80
MONOTTI BEQUEST #1-----	15.00
TOTAL-----	\$37,432.98

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of October, 1940 by Commissioner Bates, 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: Barnell, Bates, Neece, Mayor pro tem Stanley

Noes: Councilmen: None

Absent: Mayor Shannon

ATTEST H. E. GRAGG, CITY CLERK

BY ELMER J. BLUM, ASSISTANT CITY CLERK

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RESOLUTION NO. 5046-N.S.

A RESOLUTION DENYING CLAIM OF FRANK J. FOGAL FOR REPAIR TO TIRE AND TUBE DAMAGED ON ROCK STRUCK AT CORNER OF THIRD AND J STREETS ON SEPTEMBER 12, 1940

---oOo---

BE IT HEREBY RESOLVED that claim of Frank J. Fogal of \$9.27 be denied for repair to tire and tube damaged on rock struck at corner of Third and J Streets on September 12, 1940 while street was undergoing repairs.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of October, 1940 by Commissioner Bates 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: Barnell, Bates, Neece, Mayor pro tem Stanley

Noes: Councilmen: None

Absent: Mayor Shannon

ATTEST H. E. GRAGG, CITY CLERK

By ELMER J. BLUM, ASSISTANT CITY CLERK

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RESOLUTION NO. 5047-N.S.

A RESOLUTION ALLOWING CLAIM OF ANNA WARTON FOR REFUND OF LICENSE DEPOSIT OF \$50.00 REQUIRED BY ORDINANCE NO. 487-N.S.

---oOo---

BE IT HEREBY RESOLVED that claim of Anna Warton for refund of license deposit of \$50.00 required by Ordinance No. 487-N.S. be allowed and the City Clerk and Auditor be authorized 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 9th day of October, 1940 by Commissioner Bates, 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: Barnell, Bates, Neece, Mayor pro tem Stanley

Noes: Councilmen: None

Absent: Mayor Shannon

ATTEST H. E. GRAGG, CITY CLERK

BY ELMER J. BLUM, ASSISTANT CITY CLERK

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RESOLUTION NO. 5048-N.S.

A RESOLUTION GRANTING PERMISSION TO J. P. CAHN TO OPERATE A TRAVELLING THEATRE IN BLOCK 88, LOTS 8 to 13 INC. IN THE CITY OF MODESTO

---oOo---

WHEREAS, pursuant to the filing of petition with the Council by J. P. Cahn to operate and maintain a travelling theatre in Block 88, lots 8 to 13 inc. and it appearing from affidavits on file that a notice setting forth a time for hearing any and all protests to the granting of the petition as prayed for, and this being the time set forth, and

WHEREAS no protest to the granting of the petition as prayed for have been filed,

BE IT HEREBY RESOLVED that permission be granted to J. P. Cahn to operate

a travelling theatre in Block 88, lots 8 to 13 inc. with the understanding that all provisions relative to building permit fees be complied with.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of October, 1940 by Commissioner Neece, 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: Barnell, Bates, Neece, Mayor pro tem Stanley

Noes: Councilmen: None

Absent: Mayor Shannon

ATTEST H. E. GRAGG, CITY CLERK

By ELMER J. BLUM, ASSISTANT CITY CLERK

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RESOLUTION NO. 5049-N.S.

A RESOLUTION GRANTING REQUEST TO LABELLE CARROLL TO OPERATE A STUDIO ON COLLEGE AVENUE IN BLOCK 447, LOTS 7 and 8 OF THE CITY OF MODESTO

---oOo---

WHEREAS, pursuant to the filing of petition with the Council by LaBelle Carroll to operate a studio on College Avenue, being lots 7 and 8, in Block 447 of the City of Modesto and it appearing from affidavits on file that a notice setting forth a time for hearing any and all protests to the granting of the petition as prayed for and this being the time set forth, and

WHEREAS the City Clerk reports that no protests, either oral or written have been officially filed

BE IT HEREBY RESOLVED that permission be granted to LaBelle Carroll to operate a studio on College Avenue with the understanding that all provisions relative to building permit fees will be complied with.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of October, 1940 by Commissioner Barnell, 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: Barnell, Bates, Neece, Mayor pro tem Stanley

Noes: Councilmen: None

Absent: Mayor Shannon

H. E. GRAGG, CITY CLERK

ATTEST ELMER J. BLUM, ASSISTANT CITY CLERK

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RESOLUTION NO. 5050-N.S.

A RESOLUTION REFERRING ALL BIDS FOR FURNISHING FOUR TWO-WAY TRAFFIC CONTROL SIGNALS TO CITY ENGINEER ROSSI AND COMMISSIONER OF PUBLIC SUPPLIES

---oOo---

BE IT HEREBY RESOLVED that all bids for furnishing four two-way traffic control signals with controllers and appurtenances be referred to the Commissioner of Public Supplies and the City Engineer for tabulation and recommendation.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of October, 1940 by Commissioner

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

Ayes: Councilmen: Barnell, Bates, Neece, Mayor pro tem Stanley

Noes: Councilmen: None

Absent: Mayor Shannon

H. E. GRAGG, CITY CLERK

By ELMER J. BLUM, ASSISTANT CITY CLERK

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RESOLUTION NO. 5051-N.S.

A RESOLUTION NAMING STREETS IN THE COLLEGE PARK TRACT

---oOo---

BE IT HEREBY RESOLVED that the streets in College Park Tract in Block 501 of the City of Modesto be named Coyado and Serano.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of October, 1940 by Commissioner Barnell, 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: Barnell, Bates, Neece, Mayor pro tem Stanley

Noes: Councilmen: None

Absent: Mayor Shannon

H. E. GRAGG, CITY CLERK

BY ELMER J. BLUM, ASSISTANT CITY CLERK

\*\*\*\*\*

RESOLUTION NO. 5052-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 October, 1940 by Commissioner Neece, 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: Barnell, Neece, Bates, Mayor pro tem Stanley

Noes: Councilmen: None

Absent: Mayor Shannon

H. E. GRAGG, CITY CLERK

By Elmer J. Blum, City Clerk

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RESOLUTION NO. 5053-N.S.

A RESOLUTION AUTHORIZING THE CITY ATTORNEY TO WRITE TO THE PACIFIC CAN COMPANY AND OFFER TO FURNISH FIRE PROTECTION FOR THEIR PLANT OUTSIDE THE CITY LIMITS UNDER CERTAIN CONDITIONS

---oOo---

WHEREAS, pursuant to request of C. A. Rodegerdts, representing the Pacific Can Company for fire protection for factory to be constructed by them just east of the corporate limits of the city of Modesto off Waterford Road,

BE IT HEREBY RESOLVED that the City Attorney be authorized to communicate with the Pacific Can Company and notify them that the City of Modesto would furnish fire protection to their factory outside the City of Modesto providing an annual standby fee of \$125.00 be paid, plus a charge of \$50.00 for each piece of equipment and the personnel appurtenant thereto for the first hour or fraction thereof and \$25.00 per hour for each succeeding hour or fraction thereof.

The foregoing resolution was introduced at a special council meeting of the City of Modesto held on the 16th day of October, 1940 by Commissioner Stanley, 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: Barnell, Bates, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

H. E. GRAGG, CITY CLERK

BY ELMER J. BLUM, ASSISTANT CITY CLERK

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RESOLUTION NO. 5054-N.S.

A RESOLUTION AUTHORIZING THE CITY ENGINEER TO NOTIFY THE CIVIL AERONAUTICS ADMINISTRATION THAT THE CITY OF MODESTO WOULD CONTINUE OPERATING THE MODESTO MUNICIPAL AIRPORT FOR A PERIOD OF ONE YEAR

---oOo---

BE IT HEREBY RESOLVED that the City Engineer be authorized to notify the Civil Aeronautics Administration that the City of Modesto will continue to operate the Modesto Municipal Airport and provide hangar space for one more year.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 16th day of October, 1940 by Commissioner Barnell, 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: Barnell, Bates, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

H. E. GRAGG, CITY CLERK

BY ELMER J. BLUM, ASSISTANT CITY CLERK

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RESOLUTION NO. 5055-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 October, 1940 by Commissioner Barnell, 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: Barnell, Bates, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

H. E. GRAGG, CITY CLERK

BY ELMER J. BLUM, ASSISTANT CITY CLERK

RESOLUTION NO. 5056-N.S.

A RESOLUTION ALLOWING CLAIM OF F. W. HALLEY FOR FILING ANSWER IN THE CITY OF MODESTO VS. GOREE ET AL CASE

---oOo---

BE IT HEREBY RESOLVED that the claim of \$2.00 of Attorney F.W. Halley for filing answer in the City of Modesto vs Goree et al case be allowed.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of October, 1940 by Commissioner Bates, 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: Barnell, Bates, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

H. E. GRAGG, CITY CLERK

BY ELMER J. BLUM, ASSISTANT CITY CLERK

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RESOLUTION NO. 5057-N.S.

A RESOLUTION AWARDDING BID TO GLADDING BROS. AT A PRICE OF \$1134.65 ON VITRIFIED CLAY SEWER PIPE

---oOo---

WHEREAS, pursuant to bids on 1800 feet of 12 inch Vitrified clay sewer pipe being referred to the City Engineer and Commissioner of Public Supplies for tabulation and recommendation.

BE IT HEREBY RESOLVED that bid be awarded to Gladding Bros., at a price of \$1134.65 and the City Clerk be authorized to draw check in payment upon delivery of merchandise and approval by the City Engineer and be it further resolved that the City Clerk be authorized to return bidding checks to unsuccessful bidders.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of October, 1940 by Commissioner Bates, 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: Barnell, Bates, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

H. E. GRAGG, CITY CLERK

BY ELMER J. BLUM, ASSISTANT CITY CLERK

RESOLUTION NO. 5058-N.S.

A RESOLUTION AWARDDING BID ON TRAFFIC SIGNALS TO WILLE ELECTRIC COMPANY

---oOo---

WHEREAS, pursuant to bids on four two-way traffic control signal heads with controller and appurtenances according to plans and specifications on file in the office of the City Engineer being referred to City Engineer and Commissioner of Public Supplies for tabulation and recommendation,

BE IT HEREBY RESOLVED that bid be awarded to the Wille Electric Company for \$605.20 and the Clerk and Auditor be authorized to draw warrant in payment upon delivery of equipment and approval by the City Engineer and the City Clerk be directed to return bidding checks to unsuccessful bidders.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of October, 1940 by Commissioner Bates 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: Barnell, Bates, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

H. E. GRAGG, CITY CLERK  
BY ELMER J. BLUM, ASSISTANT CITY CLERK

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RESOLUTION NO. 5059-N.S.

A RESOLUTION APPROVING AGREEMENT AS PREPARED BY CITY ATTORNEY FOR CODIFICATION OF ORDINANCES BETWEEN THE CITY OF MODESTO AND HERBERT PAUL

---oOo---

BE IT HEREBY RESOLVED that agreement as prepared by City Attorney for the codification of ordinances between the City of Modesto and Herbert Paul be approved and Mayor Shannon be appointed as signatory official.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of October, 1940 by Commissioner Bates, who moved its adoption, which motion being duly seconded, it was upon roll call carried by the following vote:

Ayes: Councilmen: Barnell, Bates, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

H. E. GRAGG, CITY CLERK

By Elmer J. Blum, Assistant City Clerk

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RESOLUTION NO. 5060-N.S.

A RESOLUTION AUTHORIZING THE CANCELLATION OF TAXES FOR 1940 ON CITY HALL SITE

---oOo---

BE IT HEREBY RESOLVED that the cancellation of taxes for 1940 on Block 121, lots 25, 26, NW 12' of lot 24, lots 27, 28, 29, 30, 31, 32, purchased by the City of Modesto as City Hall site be cancelled and the City Tax Collector and Assessor are hereby authorized to make the necessary arrangements.

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

of the City of Modesto held on the 23rd day of October, 1940 by Commissioner Barnell, 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: Barnell, Bates, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

H. E. GRAGG, CITY CLERK

BY ELMER J. BLUM, ASSISTANT CITY CLERK

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RESOLUTION NO. 5061-N.S.

A RESOLUTION OFFERING THE SUM OF TWENTY-FIVE (\$25.00) DOLLARS TO THE MODESTO IRRIGATION DISTRICT FOR THE LATTER'S INTEREST IN CERTAIN REAL PROPERTY

---lol---

WHEREAS, certain unpaid taxes are owed to the Modesto Irrigation District on lots 9 and 10 in Block 587 of the City of Modesto; and,

WHEREAS, the said Modesto Irrigation District and the said City of Modesto desire to restore property upon which delinquent taxes are now due and owing to the rolls so that said property may return a revenue to the said Modesto Irrigation District and the City of Modesto in the form of taxes; and,

WHEREAS, it appears to be to the interest of the City of Modesto and its citizens that the said city acquire such rights as the Modesto Irrigation District now has in lots 9 and 10 in Block 587 aforesaid:

NOW THEREFORE, BE IT RESOLVED, that an offer be made by and on behalf of the City of Modesto to the Modesto Irrigation District in the sum of Twenty-Five (\$25.00) Dollars for the purchase of all the right, title and interest of the said Modesto Irrigation District in and to said lots 9 and 10 in Block 587 of the City of Modesto, Stanislaus County, State of California.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of October, 1940 by Councilman Barnell, 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: Barnell, Bates, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

H. E. GRAGG, CITY CLERK

By ELMER J. BLUM, Assistant City Clerk

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RESOLUTION NO. 5062-N.S.

A RESOLUTION APPROVING TERMS OF CONTRACT WITH STATE RELIEF ADMINISTRATION, AND AUTHORIZING MAYOR AND CLERK OF THE CITY OF MODESTO TO EXECUTE THE SAME.

---oOo---

WHEREAS, the City of Modesto requires that certain repair and improvement work be done in connection with City owned and operated utilities and services including the following;

Cleaning and repairing curbs, gutters and sidewalks; removing brush, rubbish, and weeds; and hand grading sidewalk areas and airport runways.

WHEREAS, said work will be for the direct benefit and interest of all of the citizens of said City, and said work is useful but non essential, and

WHEREAS, by entering into a contract with the State Relief Administration, an agency of the State of California, such work may be done expediently and at low cost to said City:

NOW, THEREFORE, the City Council of the City of Modesto by this resolution approves the terms of the contract with State Relief Administration, attached hereto, and does authorize the City Clerk and the Mayor of said City to sign said contract on behalf of said City, and by said action bind said City by the terms therein stated.

The foregoing resolution was introduced at a meeting of the City Council of the City of Modesto held on the 23rd day of October, 1940 by Councilman Barnell, who moved its adoption, which motion being duly seconded, it was upon roll call carried and adopted by the following vote:

Ayes: Councilmen: Barnell, Bates, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

BY ELMER J. BLUM, ASSISTANT CITY CLERK

State of California )  
County of Stanislaus ) ss  
City of Modesto )

I, H. E. Gragg, City Clerk of the City of Modesto, do hereby certify and declare that I now am and at all times hereinafter mentioned have been, the duly appointed, qualified and acting City Clerk of the City of Modesto, and the Clerk of the Council of said City. I hereby certify that there are sufficient funds belonging to the City of Modesto, named as first party in the contract attached hereto, to properly carry out that portion of the contract to be performed by the first party, to-wit, City of Modesto, and that such funds can be paid at any time when required by the terms of said contract to be paid.

IN WITNESS WHEREOF, I have hereunto set my hand as City Clerk and affixed the official seal of said City of Modesto this 24th day of October, 1940.

H. E. GRAGG, CITY CLERK OF SAID CITY OF MODESTO

BY ELMER J. BLUM, ASSISTANT CITY CLERK

State of California )  
County of Stanislaus ) ss  
City of Modesto )

I, Robert B. Fowler, City Attorney of the City of Modesto, do hereby certify and declare that I now am and at all times hereinafter mentioned, have been the duly appointed and acting City Attorney of the said City of Modesto, I hereby certify that by reason of the powers vested in said City by State law, the said City has the legal authority, right and power to accept and perform the terms to be by it performed according to said terms as set forth in the contract hereto attached, and to expend funds of said City for the purposes therein set forth.

IN WITNESS WHEREOF, I have hereunto set my hand as City Attorney this 23rd day of October, 1940.

ROBERT B. FOWLER, CITY ATTORNEY OF SAID CITY OF MODESTO

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RESOLUTION NO. 5063-N.S.

A RESOLUTION GRANTING AN ADDITIONAL LEAVE OF ABSENCE TO H. E. GRAGG, CITY CLERK OF THIRTY DAYS

---oOo---

BE IT HEREBY RESOLVED that an additional leave of absence be granted to H. E. Gragg, City Clerk, City Auditor, Assessor, Tax Collector and Auditor for an additional 30 days from October 24, 1940.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of October, 1940 by Commissioner Neece, 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: Barnell, Bates, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent:Councilmen: None

H. E. GRAGG, CITY CLERK

BY ELMER J. BLUM, ASSISTANT CITY CLERK

\*\*\*\*\*

RESOLUTION NO. 5064-N.S.

A RESOLUTION APPOINTING ELMER J. BLUM, ASSISTANT AUDITOR, ASSESSOR, TAX COLLECTOR AND TREASURER FOR AN ADDITIONAL THIRTY DAYS, DUE TO THE ILLNESS OF H. E. GRAGG

---oOo---

BE IT HEREBY RESOLVED that Elmer J. Blum be reappointed Assistant Auditor, Assessor, Treasurer, Tax Collector for an additional 30 days from October 24, 1940, due to the illness of H. E. Gragg.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of October, 1940 by Commissioner Neece, 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: Barnell, Bates, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent:Councilmen: None

H. E. GRAGG, CITY CLERK

By Elmer J. Blum, Assistant City Clerk

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RESOLUTION NO. 5065-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 October, 1940 by Commissioner Bates, 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: Barnell, Bates, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent:Councilmen: None

H. E. GRAGG, CITY CLERK

By Elmer J. Blum,Assistant City Clerk

RESOLUTION NO. 5066-N.S.

A RESOLUTION ACCEPTING OFFER OF G. B. GHILOTTI OF \$237.50 FOR BLOCK 589 LOTS 9 and 10 IN THE CITY OF MODESTO: AUTHORIZING THE CITY ATTORNEY TO RECORD DEED RECEIVED FROM THE COUNTY OF STANISLAUS AND MODESTO IRRIGATION DISTRICT ON SAID PROPERTY: AUTHORIZING THE CITY ATTORNEY TO DELIVER DEED TO G. B. GHILOTTI ON PAYMENT OF BALANCE DUE OF \$212.50

---oOo---

WHEREAS, in accordance with section 8 of Ordinance No. 396-N.S. of the City of Modesto and section 3897d of the Political Code of the State of California, it appears to the Council that it would be for the best interest and welfare of the City that Block 589, lots 9 and 10 acquired by tax deed as provided by section 3897d of the Political Code of the State of California be sold at private sale, and

WHEREAS, G. B. GHILOTTI has offered to purchase said property for the sum of \$237.50, same to be free and clear of all State and County, City and Irrigation District taxes and assessments levied or assessed prior to the first Monday in March, 1940, and has deposited \$25.00 with the City Clerk.

BE IT HEREBY RESOLVED that offer of \$237.50 be accepted for said property free and clear of all State and County, City and Irrigation District taxes and assessments levied or assessed prior to the first Monday in March, 1940 and the City Tax Collector be authorized to prepare and execute a deed for delivery to aforesaid petitioner.

BE IT FURTHER RESOLVED that the property be and the same is hereby ordered sold and the City Attorney be authorized to record deeds secured by the City of Modesto from the Tax Collector of the County of Stanislaus and the Tax Collector of the Modesto Irrigation District and to deliver deed to G. B. Ghilotti upon payment by him of \$212.50, being balance due on purchase price.

BE IT FURTHER RESOLVED that the Auditor of the City of Modesto be authorized to cancel all taxes levied and/or assessed prior to March 4, 1940 against this property.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 6th day of November, 1940 by Commissioner Barnell, who moved its adoption, which motion being duly seconded, was carried by the following vote:  
Ayes: Councilmen: Barnell, Bates, Neece, Stanley, Mayor Shannon,  
Noes: Councilmen: None  
Absent: Councilmen: None

H. E. GRAGG, CITY CLERK

By Elmer J. Blum, Assistant City Clerk

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RESOLUTION NO. 5067-N.S.

A RESOLUTION DIRECTING THE CITY CLERK TO COMMUNICATE WITH THE BOARD OF SUPERVISORS OF STANISLAUS COUNTY AND THE DIRECTORS OF THE MODESTO IRRIGATION DISTRICT WITH REGARD TO CANCELLATION OF 1940-41 TAXES ON PROPERTY PURCHASED BY THE CITY OF MODESTO FOR A CITY HALL

---oOo---

BE IT HEREBY RESOLVED that the City Clerk be authorized to communicate with the Board of Supervisors of Stanislaus County and the Directors of the Modesto Irrigation District and request the cancellation of 1940-41 taxes on NW 12 feet of lot 24, all lots 25,26,27,28,29,30,31,32 recently purchased by the City of Modesto for a City Hall site, in Block 121.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on November 6th 1940 by Commissioner Barnell, 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: Barnell, Bates, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

H. E. GRAGG, CITY CLERK

By Elmer J. Blum, Assistant City Clerk

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RESOLUTION NO. 5068-N.S.

A RESOLUTION TO PREPARE PETITION REQUESTING STANISLAUS COUNTY BOARD OF SUPERVISORS TO ANNEX TO THE CITY OF MODESTO CERTAIN CITY OWNED PROPERTY CONTIGUOUS TO SAID CITY OF MODESTO

---oOo---

WHEREAS, the City of Modesto owns certain real property contiguous to the southern city limits of said City; and

WHEREAS, the City Council of said City is of the opinion that the annexation of said City-owned property to said City of Modesto will be of benefit to said City and the citizens thereof; and

WHEREAS, to procure the annexation thereof it is necessary that a petition requesting said annexation be presented to the Board of Supervisors of the County of Stanislaus, State of California:

NOW, THEREFORE, BE IT HEREBY RESOLVED that the City Council of the City of Modesto does hereby go on record as advocating the annexation of the hereinafter described premises to the City of Modesto, and does further resolve that a petition properly signed by the Mayor and Clerk of said City be presented to said Board of Supervisors requesting that said annexation of said territory be effected in the manner provided for by the laws of the State of California.

SAID PROPERTY IS DESCRIBED AS FOLLOWS:

All of Lot 64 as shown on the map of First Addition to Sunset Acres in Volume 5 of Maps, Page 27 in the Stanislaus County Records; the northerly and easterly boundary lines of the said lot 64, being contiguous to the Modesto City Limit lines as shown for Block 308A on the official map of the City of Modesto as adopted, March 23, 1938

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 6th day of November, 1940 by Councilman Barnell, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilman; Barnell, Bates, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

H. E. GRAGG, CITY CLERK

By Elmer J. Blum, Assistant City Clerk

State of California )  
County of Stanislaus ) ss  
City of Modesto )

I, H. E. Gragg, City Clerk of the City of Modesto do hereby certify that the foregoing is a full, true and correct copy of a Resolution introduced and adopted at a special meeting of the Council of the City of Modesto held on the 6th day of November, 1940 and that the same is now in full force and effect.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of Modesto this 16th day of November, 1940.

H. E. GRAGG, CITY CLERK

Signed: Elmer J. Blum, Assistant Clerk of the City of Modesto California

TO THE HONORABLE BOARD OF SUPERVISORS OF STANISLAUS COUNTY, CALIFORNIA

WHEREAS, the City of Modesto is a municipal corporation situate in the County of Stanislaus, State of California; and,

WHEREAS, the City Council of said City is the legislative body thereof; and,

WHEREAS, there is located contiguous to the southern corporate city limits of said city certain real property belonging to the said City of Modesto; and,

WHEREAS, it is to the best interests of the citizens of said City that said property be annexed to and made a part of the City of Modesto; and,

WHEREAS, said property as hereinafter described is contiguous to said City of Modesto and not a part of any incorporated city or town;

NOW, THEREFORE, the City Council of the said City of Modesto, County of Stanislaus, State of California, does hereby respectfully request that the following described real property belonging to said City and contiguous to the southern corporate city limits of said city be incorporated in said city, annexed thereto, and be made a part thereof.

SAID PROPERTY IS DESCRIBED AS FOLLOWS, TO-WIT:

All of lot 64, as shown on the map of First Addition to Sunset Acres in Volume 5 of Maps, Page 27 in the Stanislaus County Records; the northerly and easterly boundary lines of the said lot 64, being contiguous to the Modesto City Limit lines as shown for Block 308A on the official map of the City of Modesto as adopted, March 23, 1938

Respectfully submitted

CITY OF MODESTO, a Municipal Corporation  
BY CARL W. SHANNON, MAYOR

ATTEST: H. E. GRAGG, CITY CLERK  
By Elmer J. Blum, Assistant City Clerk

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RESOLUTION NO. 5069-N.S.

A RESOLUTION GRANTING PERMIT TO JAMES A ROACH AND THOMAS C. BOONE TO ERECT AND MAINTAIN A SERVICE STATION ON BLOCK 510 LOTS 19 and 20 IN THE CITY OF MODESTO

---o0o---

WHEREAS, James A. Roach and Thomas C. Boone have petitioned the Council to erect and maintain a service station on Block 510, lots 19 and 20 of the City of Modesto; pursuant to Ordinance No. 344-N.S., and

WHEREAS, the plans have been heretofore checked and approved by the City Engineer

BE IT HEREBY RESOLVED that permission be granted to James A Roach and Thomas C. Boone to erect, operate and maintain a service station when all provisions of city ordinance relative to building permit and the regulations for storage and dispensing of gasoline have been complied with.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 6th day of November, 1940 by Commissioner Barnell 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: Barnell, Bates, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

H. E. GRAGG, CITY CLERK  
By-Elmer J. Blum, Assistant City Clerk

RESOLUTION NO. 5070-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 November, 1940 by Commissioner Bates, 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: Barnell, Bates, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

H. E. GRAGG, CITY CLERK

By Elmer J. Blum, Assistant City Clerk

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RESOLUTION NO. 5071-N.S.

A RESOLUTION ALLOWING CLAIMS FOR MONTH OF OCTOBER, 1940

---oOo---

WHEREAS, the claims against the City of Modesto for the month of October 1940, 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-----	\$32,542.34
WATER FUND-----	5,394.04
LIBRARY FUND-----	1,720.49
BOND RED. INT. FUND-----	1.55
SPECIAL GAS TAX FUND-----	2,511.99
	<u>\$42,170.41</u>

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of November, 1940 by Commissioner Bates, 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: Barnell, Bates, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

BY Elmer J. Blum, Assistant City Clerk

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RESOLUTION NO. 5072-N.S.

A RESOLUTION ALLOWING CLAIM OF McNEIL AND SAUNDERS FOR COURT REPORTING IN THE SUMNER CASE

---oOo---

BE IT HEREBY RESOLVED that claim of \$12.50 be allowed McNeil & Saunders for reporting City of Modesto vs. Sumner case in Police Court and the City Clerk and Auditor are 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 13th day of November, 1940 by Commissioner Bates, 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: Barnell, Bates, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

By Elmer J. Blum, Assistant City Clerk

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RESOLUTION NO. 5073-N.S.

A RESOLUTION AUTHORIZING THE CITY ATTORNEY TO PREPARE CONTRACT WITH THE MODESTO IRRIGATION DISTRICT AND THE COUNTY OF STANISLAUS ON ALL PROPERTY IN THE CITY OF MODESTO SUBJECT TO TAX DEED

---oOo---

BE IT HEREBY RESOLVED that the City Attorney be directed to prepare contracts for the County of Stanislaus and the Modesto Irrigation District on all property subject to tax deed 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 13th day of November, 1940, by Commissioner Neece, 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: Barnell, Bates, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

By Elmer J. Blum, Assistant City Clerk

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RESOLUTION NO. 5074-N.S.

A RESOLUTION CHANGING NAME OF STREET IN JOHN MUIR PARK SUBDIVISION TO THE CITY OF MODESTO

---oOo---

WHEREAS, Bomberger Brothers, representative of the owners of John Muir Park Subdivision recently annexed to the City of Modesto have petitioned that a separate name be given to the U shaped street in this subdivision, which commences at the corner of Duncan Avenue and High Street and goes west around the curve and ends at the corner of Chabot Avenue and High Street,

BE IT HEREBY RESOLVED that this U shaped street be named Chabot Court.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of November, 1940 by Commissioner Neece, 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: Barnell, Bates, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

By Elmer J. Blum, Assistant City Clerk

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RESOLUTION NO. 5075-N.S.

A RESOLUTION GRANTING PERMIT TO J. P. SCHLESSER TO OPERATE A GARAGE IN THE RESIDENCE ZONE OF THE CITY OF MODESTO

---oOo---

WHEREAS, pursuant to the filing of petition with the Council by J.P. Schlessler for permit to operate and maintain a garage at 406 13th Street and it appearing from affidavits on file that a notice setting forth the time for hearing any and all protests to the granting of the petition as prayed for and this being the time set forth, and

WHEREAS the City Clerk reports that no protests either oral or written have been officially filed

BE IT HEREBY RESOLVED that petition be granted to J. P. Schlessler to operate a garage at 406 13th Street with the understanding that all provisions relative to building permit fees will be complied with.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of November, 1940 by Commissioner Barnell, 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: Barnell, Bates, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

BY ELMER J. BLUM, ASSISTANT CITY CLERK

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RESOLUTION NO. 5076-N.S.

A RESOLUTION GRANTING PERMIT TO ALFRED M. ROSE TO OPERATE A PRINTING SHOP IN THE RESIDENCE ZONE OF THE CITY OF MODESTO

---oOo---

WHEREAS, pursuant to the filing of petition with the Council by Alfred M. Rose for permit to operate and maintain a printing shop at 310 Sycamore Street, being lots 6 and 7, Block 536 of the City of Modesto and it appearing from affidavits on file that a notice setting forth a time for hearing any and all protests to the granting of the petition as prayed for, and this being the time set forth, and

WHEREAS, the City Clerk reports that no protests either oral or written have been officially filed.

BE IT HEREBY RESOLVED that petition be granted to Alfred M. Rose to operate a printing shop at 310 Sycamore Street with the understanding that all provisions relative to building permit fees will be complied with.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of November, 1940 by Commissioner Barnell, 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: Barnell, Bates, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

By Elmer J. Blum, Assistant City Clerk

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RESOLUTION NO. 5077-N.S.

A RESOLUTION GRANTING PERMIT TO CHARLOTTE ROSE TO OPERATE A BAKERY IN THE RESIDENCE ZONE

---oOo---

WHEREAS, pursuant to the filing of petition with the Council by Charlotte Rose for permit to operate and maintain a home baking kitchen and the selling of pastry and bread on property known as 217 Auburn Street and it appearing from affidavits on file that a notice setting forth a time for hearing any and all protests to the granting of the petition as prayed for, and this being the time set forth, and

WHEREAS, the City Clerk reports that no protests either oral or written have been officially filed.

BE IT HEREBY RESOLVED that petition be granted to Charlotte Rose to operate a home baking kitchen at 217 Auburn Street with the understanding that all provisions relative to building permit fees will be complied with.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of November, 1940 by Commissioner Barnell, 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: Barnell, Bates, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

By Elmer J. Blum, Assistant City Clerk

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RESOLUTION NO. 5078-N.S.

A RESOLUTION AWARDDING BID ON COMPRESSOR TO THE E . R. BACON COMPANY

---oOo---

BE IT HEREBY RESOLVED that bid on water cooled compressor, 4 cylinder, single stage, electric starter be hereby awarded to the E. R. Bacon Company at a cost price of \$1683.50, and

BE IT FURTHER PROVIDED that the City Clerk notify successful bidder and return bidding checks to unsuccessful bidders and to make payment on delivery of equipment and approval by the City Engineer.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of November, 1940 by Commissioner Bates, 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: Barnell, Bates, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

By Elmer J. Blum, Assistant City Clerk

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RESOLUTION NO. 5079-N.S.

A RESOLUTION AUTHORIZING THE CLERK TO ADVERTISE FOR BIDS ON TWO DUMP TRUCKS FOR THE STREET DEPARTMENT OF THE CITY OF MODESTO

---oOo---

BE IT HEREBY RESOLVED that the City Clerk be authorized to advertise

for bids on two dump trucks, bids to be received not later than 7:30 P.M. on Wednesday, November 27, 1940 at the City Hall.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of November, 1940 by Commissioner Barnell, 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: Barnell, Bates, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

By Elmer J. Blum, Assistant City Clerk

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RESOLUTION NO. 5080-N.S.

A RESOLUTION APPOINTING MAYOR AND CITY AUDITOR AS SIGNATORY OFFICIALS ON LEASE WITH THE "OLD TIMERS" CLUB FOR THE OLD FIREHOUSE AT 715 10th Street

---oOo---

BE IT HEREBY RESOLVED that the Mayor and City Auditor be appointed signatory officials on the lease with the "Old Timers" Club for the old firehouse at 715 Tenth Street.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of November by Commissioner Barnell, who moved its adoption, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Barnell, Bates, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

BY ELMER J. BLUM, ASSISTANT CITY CLERK

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RESOLUTION NO. 5081-N.S.

A RESOLUTION PROVIDING FOR HOUR PARKING ON TENTH STREET AND TWELFTH STREET IN THE CITY OF MODESTO, AS DESIGNATED HEREIN

---oOo---

WHEREAS, the City Council of the City of Modesto by ordinances 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 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 interests 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 one (1) hour 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 sixty (60) consecutive minutes in the following described areas:

- a. Upon the westerly and easterly sides of 10th Street between K and L Streets;
- b. Upon the westerly side of 12th Street between I and J Streets

BE IT FURTHER RESOLVED that said parking restrictions shall not be applicable on Sundays.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of November, 1940 by Councilman Stanley, who moved its adoption, which motion being duly seconded, was upon roll call carried and adopted by the following vote:

Ayes: Councilmen: Barnell, Bates, Neece, Stanley, Mayor Shannon  
 Noes: Councilmen: None  
 Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK  
 BY ELMER J. BLUM, ASSISTANT CITY CLERK

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RESOLUTION NO. 5082-N.S.

A RESOLUTION ACCEPTING REVISED AND AMENDED CLASSIFICATION PLAN OF ALL POSITIONS IN THE COMPETITIVE SERVICE OF THE CITY OF MODESTO UNDER CIVIL SERVICE

---oOo---

BE IT HEREBY RESOLVED that the revised and amended classification plan of all positions in the competitive service of the City of Modesto under Civil Service, prepared and presented by the Personnel Board be and they are hereby accepted by the Council 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 November, 1940 by Commissioner Bates, 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: Barnell, Bates, Neece, Stanley, Mayor Shannon  
 Noes: Councilmen: None  
 Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK  
 By ELMER J. BLUM, ASSISTANT CITY CLERK

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RESOLUTION NO. 5083-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 November, 1940 by Commissioner Bates, 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: Barnell, Bates, Neece, Stanley, Mayor Shannon  
 Noes: Councilmen: None  
 Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK  
 By Elmer J. Blum

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RESOLUTION NO. 5084-N.S.

A RESOLUTION ALLOWING CLAIM OF \$800.00 FROM PROMOTION FUND TO THE RETAIL MERCHANTS BUREAU OF THE CHAMBER OF COMMERCE

BE IT HEREBY RESOLVED, that claim of \$800.00 from the Promotion Fund set up by Ordinance No. 634-N.S. be granted to retail merchants Bureau of the Chamber of Commerce and the Clerk and Auditor are 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 27th day of November, 1940 by Commissioner Bates, 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: Barnell, Bates, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST ELMER J. BLUM, CITY CLERK

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RESOLUTION NO. 5085-N.S.

A RESOLUTION CANCELLING CITY TAXES FOR 1940 ON THAT PORTION OF BLOCK 435 OF THE CITY OF MODESTO PURCHASED BY THE MODESTO CITY BOARD OF EDUCATION

---oOo---

WHEREAS, the Modesto City Board of Education have petitioned the Council of the City of Modesto to cancel all taxes due on the following described property recently purchased by them:

"All that certain real property situate in the City of Modesto, County of Stanislaus, State of California, being a portion of Block 435 of the City of Modesto according to Map thereof filed in the office of the County Recorder of Stanislaus County, California on July 15, 1938, in Volume 13 of Maps, and beginning at the southwest corner of said Block 435, and running thence Northerly along the Westerly line of said Block 180.00 feet; thence Easterly, and parallel to the Southerly line of said Block 350.00 feet to the Easterly line of said Block, thence southerly along the easterly line of said Block, 180.00 feet to the Southeast corner thereof; thence westerly along the South line of said Block 350.00 feet to the place of beginning"

BE IT HEREBY RESOLVED that all city taxes due on above described property be cancelled and the City Assessor and Tax Collector 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 27th day of November, 1940 by Councilman Bates, 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: Barnell, Bates, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST ELMER J. BLUM, CITY CLERK

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RESOLUTION NO. 5086-N.S.

A RESOLUTION GRANTING PERMIT TO DR. E. J. BARE TO OPERATE A DOCTOR'S OFFICE IN RESIDENTIAL ZONE AT 511 McHENRY AVENUE, BLOCK 555

---oOo---

Whereas, pursuant to the filing of petition with the Council by Dr. E. J. Bare for permit to operate and maintain a doctor's office on property known as 511 McHenry Avenue, Block 555 of the City of Modesto and it appearing from affidavits on file that a notice setting forth a time for hearing any and all protests to the granting of the petition as prayed for, and this being the time set forth, and

WHEREAS, the City Clerk reports that no protests either oral or written have been officially filed

BE IT HEREBY RESOLVED that permission be granted to Dr. E. J. Bare to operate and maintain a doctor's office at 511 McHenry Avenue with the understanding that all provisions relative to building permit fees will be complied with.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of November, 1940 by Commissioner Barnell, 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: Barnell, Bates, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST ELMER J. BLUM, CITY CLERK

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RESOLUTION NO. 5087-N.S.

A RESOLUTION GRANTING PERMIT TO CHAS. L. BARNES TO OPERATE A BEAUTY PARLOR IN A RESIDENCE ZONE AT 116 FOY STREET

---oOo---

WHEREAS, pursuant to the filing of petition with the Council by Chas. L. Barnes for permit to operate and maintain a beauty parlor at 116 Foy Street in Block 561, lots 3 and 4 of the City of Modesto and it appearing from affidavits on file that a notice setting forth a time for hearing any and all protests to the granting of petition as prayed for, and this being the time set forth, and

WHEREAS the City Clerk reports that no protests either oral or written have been officially filed.

BE IT HEREBY RESOLVED that permission be granted to Chas L. Barnes to operate a beauty parlor at 116 Foy Street with the understanding that all provisions relative to building permit fees will be complied with.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of November, 1940 by Commissioner Barnell, 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: Barnell, Bates, Neece, Stanley, Mayor Shannon

Noes: Councilmen; None

Absent: Councilmen: None

ATTEST ELMER J. BLUM, CITY CLERK

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RESOLUTION NO. 5088-N.S.

A RESOLUTION REFERRING ALL BIDS ON DUMP TRUCKS TO THE CITY ENGINEER AND COMMISSIONER OF PUBLIC SUPPLIES

---oOo---

BE IT HEREBY RESOLVED that all bids received on two dump trucks for

the Street Department be referred to the City Engineer and Commissioner of Public Supplies.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of November, 1940 by Commissioner Bates, 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: Barnell, Bates, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST ELMER J. BLUM, CITY CLERK

\*\*\*\*\*

RESOLUTION NO. 5089-N.S.

A RESOLUTION AUTHORIZING THE CITY ATTORNEY TO DRAW UP CONTRACT BETWEEN THE CITY OF MODESTO AND STANISLAUS ABSTRACT & ESCROW COMPANY TO SEARCH TITLE ON TAX DEED LANDS

---oOo---

BE IT HEREBY RESOLVED that the City Attorney be and he is hereby authorized to draw up contract between the City of Modesto and Stanislaus Abstract & Escrow Company to search title on tax deed lands and to guarantee title.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of November, 1940 by Commissioner Neece, 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: Barnell, Bates, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST ELMER J. BLUM, CITY CLERK

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RESOLUTION NO. 5090-N.S.

ADJOURNMENT

BE IT HEREBY RESOLVED that this meeting of the Council of the City of Modesto is hereby adjourned.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of November, 1940 by Commissioner Bates, 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: Barnell, Bates, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST ELMER J. BLUM, CITY CLERK

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RESOLUTION NO. 5091-N.S.

A RESOLUTION ACCEPTING RESIGNATION OF H. E. GRAGG, CITY CLERK, AUDITOR, ASSESSOR, TREASURER AND COLLECTOR AND ORDERING AUDIT OF ACCOUNTS OF THE CITY OF MODESTO

---oOo---

WHEREAS, H. E. Gragg, City Clerk, Auditor, Assessor, Treasurer and Collector has tendered his resignation due to illness and has requested that the

Council order and complete an audit of the books in the various offices that he has held to determine the status of his accounts with the City,

BE IT HEREBY RESOLVED that the resignation of H. E. Gragg be accepted and an audit is hereby ordered of the accounts of the City Clerk, Auditor, Assessor, Treasurer and Collector.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 28th day of November, 1940 by Commissioner Neece, 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: Barnell, Bates, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST ELMER J. BLUM, CITY CLERK

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RESOLUTION NO. 5092-N.S.

A RESOLUTION COMMENDING H. E. GRAGG FOR LONG AND FAITHFUL SERVICE TO THE CITY OF MODESTO

---oOo---

WHEREAS, H. E. Gragg, City Clerk, Auditor, Collector, Treasurer and Assessor, did on the 28th day of November, 1940, resign said offices; and,

WHEREAS, said resignation was accepted by the City Council of the City of Modesto; and,

WHEREAS, by such procedure the employment of the said H. E. Gragg by the City of Modesto has been severed; and,

WHEREAS, the said H. E. Gragg for approximately seventeen years, in occupying the offices aforesaid, has rendered to the City of Modesto and the citizens thereof competent and faithful service; and,

WHEREAS, the said H. E. Gragg during all of said period of time has been highly co-operative with the heads of the various other departments in the City government and with the various councils of the City of Modesto with whom he has been called upon to work:

NOW, THEREFORE, THE CITY COUNCIL OF SAID CITY OF MODESTO DOES HEREBY COMMEND the said H. E. Gragg for the splendid service rendered to said City of Modesto in the offices aforesaid, and does further by this resolution express its regret that the relationship of the said H. E. Gragg with said City has been severed.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 28th day of November, 1940 by Councilman Neece, who moved its adoption, which motion being duly seconded, it was upon roll call carried and adopted by the following vote:

Ayes: Councilmen: Barnell, Bates, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

APPROVED CARL W. SHANNON, MAYOR

ATTEST ELMER J. BLUM, CITY CLERK

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RESOLUTION NO. 5093-N.S.

A RESOLUTION DIVIDING CERTAIN CITY OFFICES HERETOFORE HELD BY ONE INDIVIDUAL

---oOo---

WHEREAS, heretofore the offices of City Clerk, Auditor, Assessor, Treasurer and Collector have all been held by one individual duly appointed by the City Council of the City of Modesto; and,

WHEREAS, it is deemed to be to the best interests of said City and the citizens thereof that one individual should not hereafter occupy all of said offices simultaneously;

NOW, THEREFORE, SAID CITY COUNCIL OF THE CITY OF MODESTO does by this resolution declare that hereafter and from and after the effective date of Ordinance No. 645-N.S. of the City of Modesto one person duly appointed by said City Council shall be the Treasurer and Collector of said City and another person duly appointed by said Council shall occupy the offices of City Clerk, Auditor and Assessor.

The foregoing Resolution was introduced at a special meeting of the Council of the City of Modesto held on the 28th day of November, 1940 by Councilman Neece, who moved its adoption, which motion being duly seconded, it was upon roll call carried and adopted by the following vote:

Ayes: Councilmen: Barnell, Bates, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST ELMER J. BLUM, CITY CLERK

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RESOLUTION NO. 5094-N.S.

A RESOLUTION APPOINTING ELMER J. BLUM, CITY CLERK, AUDITOR AND ASSESSOR, AND W.B. DEVLIN, CITY TREASURER AND COLLECTOR OF THE CITY OF MODESTO AND FIXING DATE FOR SAID APPOINTMENT TO BECOME EFFECTIVE

---oOo---

WHEREAS, the resignation of H. E. Gragg, former City Clerk, Auditor, Assessor, Treasurer and Collector of the City of Modesto has been accepted by the City Council of said City; and,

WHEREAS, the acceptance of said resignation makes it necessary to appoint a successor to the said H. E. Gragg; and

WHEREAS, by Resolution No. 5093-N.S. of the City of Modesto said City Council declares it fitting and proper that one individual shall not hold the offices of City Clerk, Auditor, Assessor, Treasurer and Collector simultaneously; and,

WHEREAS, said Resolution No. 5093-N.S. further declares that one individual should hold the offices of City Clerk Auditor and Assessor, and that a different individual should fill the offices of Treasurer and Collector:

NOW THEREFORE, BE IT RESOLVED that Elmer J. Blum is hereby appointed to fill the offices of City Clerk, Auditor and Assessor, and W. B. Devlin is hereby appointed to fill the offices of Treasurer and Collector of the City of Modesto.

BE IT FURTHER RESOLVED that said appointments shall not become effective until the effective date of Ordinance No. 645-N.S., which ordinance fixes the salaries to be paid to the said Elmer J. Blum and the said W. B. Devlin for the performance of their duties in the offices to which they are hereby appointed.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 28th day of November, 1940 by Councilman

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

Ayes: Councilmen: Barnell, Bates, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST ELMER J. BLUM, CITY CLERK

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RESOLUTION NO. 5095-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 28th day of November, 1940 by Commissioner Bates, who moved its adoption, which resolution being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Barnell, Bates, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST ELMER J. BLUM, CITY CLERK

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RESOLUTION NO. 5096-N.S.

A RESOLUTION APPOINTING EIMER J. BLUM, CLERK, AUDITOR, ASSESSOR, COLLECTOR, TREASURER AS OF NOVEMBER 25, 1940 TO EFFECTIVE DATE OF ORDINANCE NO. 645-N.S.

---o00o---

WHEREAS, H. E. Gragg having resigned as City Clerk, Assessor, Treasurer, Collector and Auditor of the City of Modesto, and

WHEREAS by Resolution No. 5093-N.S., the City Council has divided said offices, and

WHEREAS by Ordinance No. 645-N.S. a new salary for said offices as divided has been provided for, and

WHEREAS appointments to said divided offices have been made to become hereafter effective, and

WHEREAS it is necessary that some one act in the various offices herein above mentioned until said salary fixed for said divided offices becomes effective.

BE IT HEREBY RESOLVED that Elmer J. Blum be and he is hereby appointed City Clerk, Treasurer, Auditor, Assessor Collector as of November 25, 1940 to the date when said Ordinance No. 645-N.S. fixing said salary becomes effective and at which time said offices are to be divided as set forth in Resolution No. 5093-N.S. and the acts of said Elmer J. Blum, as Clerk, Auditor, Assessor, Collector and Treasurer during the period from November 25, 1940 to the present date are hereby ratified by said Council.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 2nd day of December, 1940 by Councilman Neece 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: Barnell, Bates, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST ELMER J. BLUM, CITY CLERK

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RESOLUTION NO. 5097-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 December, 1940 by Commissioner Bates, 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: Barnell, Bates, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST ELMER J. BLUM, CITY CLERK

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RESOLUTION NO. 5098-N.S.

A RESOLUTION AWARDED BIDS ON TWO DUMP TRUCKS TO R. B. MacBRIDE AND HELM CHEVROLET COMPANY

---oOo---

WHEREAS, pursuant to advertising for bids on two dump trucks for the Street Department, and

WHEREAS all bids were referred to the Commissioner of Public Supplies and City Engineer for tabulation and recommendation

BE IT HEREBY RESOLVED that bid be awarded on one truck to R. B. MacBride at a price of \$1556.33 and on the other truck to Helm Chevrolet Company at a price of \$1592.33 and authorizing payment when delivery has been made and the Clerk is hereby directed to return bidding checks to unsuccessful bidders.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 10th day of December, 1940 by Commissioner Bates, who moved its adoption, which motion being duly seconded, it was upon roll call carried by the following vote:

Ayes: Councilmen: Barnell, Bates, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST ELMER J. BLUM, CITY CLERK

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RESOLUTION NO. 5099-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 10th day of December, 1940 by Commissioner Neece, 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: Barnell, Bates, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST ELMER J. BLUM, CITY CLERK

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RESOLUTION NO. 5100-N.S.

A RESOLUTION DIRECTING THE CITY ENGINEER TO ESTABLISH A CROSS-WALK ON H STREET BETWEEN ELEVENTH AND TWELFTH STREETS AT THE ALLEY BETWEEN THE SHERIFF'S OFFICE

AND THE COURTHOUSE

---oOo---

BE IT HEREBY RESOLVED that the City Engineer establish a cross-walk on H Street between 11th and 12th Streets at the alley between the Sheriff's office and the Courthouse.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of December, 1940 by Commissioner Stanley, 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: Barnell, Bates, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST ELMER J. BLUM, CITY CLERK

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RESOLUTION NO. 5101 NOT USED

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RESOLUTION NO. 5102-N.S.

A RESOLUTION ALLOWING CLAIMS FOR THE MONTH OF NOVEMBER, 1940

---oOo---

WHEREAS, the claims against the City of Modesto for the month of November, 1940, 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-----	\$30,106.67
WATER FUND-----	4,505.40
LIBRARY FUND-----	1,821.49
BOND RED. INT. FUND-----	
ST. BOND RED. INT. FUND-----	
UNAPPORTIONED FUND-----	
GASOLINE TAX FUND-----	
TOTAL	\$36,433.56

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of December, 1940 by Commissioner Bates, 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: Barnell, Bates, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST ELMER J. BLUM, CITY CLERK

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RESOLUTION NO. 5103-N.S.

A RESOLUTION APPOINTING ADJUTANT SMITH OF THE SALVATION ARMY AS SPECIAL POLICE AS OF DECEMBER 1, 1940 FOR A PERIOD OF 4½ MONTHS AT A SALARY OF \$50.00 PER MONTH.

---oOo---

BE IT HEREBY RESOLVED that Adjutant Smith of the Salvation Army be appointed special officer of the Police Department as of December 1, 1940 for a period of four and one-half months 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 December, 1940 by Commissioner Stanley, 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: Barnell, Bates, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST ELMER J. BLUM, CITY CLERK

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RESOLUTION NO. 5104-N.S.

IN THE MATTER OF THE ELECTION FOR THE ANNEXATION OF THE NORTHWOOD TRACT

---oOo---

This being the time provided for the first regular meeting of the Council of the City of Modesto next after the expiration of three days from and after the date of an election held in the territory proposed to be annexed to the City of Modesto, known as the Northwood Tract, and described particularly as the following described territory lying and being in the County of Stanislaus, State of California, and near to the City of Modesto, and particularly described as follows, to-wit;

Beginning at the Section corner common to Sections 20, 21, 28, and 29, T 3S., R. 9 E., M.D.B. & M., the same being on a Corporate City limit line of the City of Modesto; thence Easterly along the Section Line common to Sections 21 and 28, the same being a Corporate City Limit Line of the City of Modesto, to the Easterly Property Line of McHenry Avenue; thence Northerly along the said Easterly Property Line of McHenry Avenue, to the Southerly Property Line of Griswold Avenue, extended and produced; thence Westerly along the said Southerly Property Line of Griswold Avenue, extended and produced, and the said Southerly Property Line of Griswold Avenue, to the Easterly Property Line of Virginia Avenue; thence continuing Westerly along the said Southerly Property Line of Griswold Avenue, extended and produced, to the Easterly Boundary Line of Campus Tract Subdivision, as shown on the map of Campus Tract, Recorded in Volume 11, of Maps, Page 37, in the Records of Stanislaus County, California; thence Southerly along the said Easterly Boundary Line of Campus Tract, and the said Easterly Boundary Line, extended and produced, to the Section Line common to Sections 20 and 29, T 3S., R 9E., M.D.B. & M., the same being common to a Corporate City Limit Line of the City of Modesto; thence Easterly along the said Section Line common to Sections 20 and 29, and the said Corporate City Limit Line, to the beginning.

The property as above described is located in the S.W.  $\frac{1}{4}$  of Section 21, and the S. E.  $\frac{1}{4}$  and the S. W.  $\frac{1}{4}$  of Section 20, T 3S R. 9E., M.D.B. & M., and the avenues are known to be named as noted.

The Corporate City Limits of the City of Modesto, are as shown on the official map of the City of Modesto, dated March 23, 1938.

And it appearing that said election was held within the territory proposed to be annexed, on the 26th day of November, 1940, in accordance with the resolution of this Council heretofore passed and adopted, and that after the holding of said election the election officers thereof delivered to and deposited with the Clerk of this Council the ballots, tally sheets, and returns of said election, and

it appearing, and the Council so finding, that the proposition submitted at said election was whether or not such new territory, in said resolution and hereinabove described, shall be annexed to, incorporated in and made a part of the municipal corporation of the City of Modesto, and that said property shall not be subject to any bonded or other indebtedness owed by said City prior to the date of the filing of the petition asking that such election be called or theretofore authorized. The Council thereupon proceeded to canvass the said returns, and upon such canvass finds that the whole number of votes cast in said territory proposed to be annexed was 133, that the number of votes cast therein in favor of annexation was 74, and that the number of votes cast therein against annexation was 59. That no absentee ballots were cast.

Thereupon, upon motion of Councilman Stanley, seconded by Councilman Barnell, and adopted by the vote of the Council, it was ordered that the foregoing record of said canvas be made and entered upon the minutes of the Council at this meeting.

Ayes: Councilmen: Barnell, Bates, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST ELMER J. BLUM, CITY CLERK

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RESOLUTION NO. 5105-N.S.

A RESOLUTION DETERMINING THE RESULT OF AN ELECTION HELD IN THE NORTHWOOD TRACT, FOR ANNEXATION OF SAID TRACT TO THE CITY OF MODESTO

----oOo----

WHEREAS, a special election was held on the 26th day of November, 1940, in NORTHWOOD TRACT, near the City of Modesto, County of Stanislaus, State of California, and contiguous to the city limits of said City, and which territory is specifically described in a resolution canvassing the vote in said territory of even date herewith; and,

WHEREAS, the said City Council of the City of Modesto finds after due examination that due notice of said election was published in The Ceres Courier, a newspaper of general circulation, published in the City of Ceres, County of Stanislaus, State of California, which said notice appeared in said newspaper on October 25, November 1, 8, 15 and 25, all in the year 1940, and that prior to said publication in said newspaper a date was set giving due notice that owners of property in said Northwood Tract could appear before said City Council on the 1st day of October, 1940, to protest the holding of said election; and it further appearing to the said Council that all of the said procedure followed, adopted and employed in the holding of said election is proper and legal; and,

WHEREAS, the City Council of the City of Modesto is now sitting as a canvassing board to canvass the results of said election, and has received all of the returns from said election and finds that the same are now in proper form, and have opened and canvassed the same and ascertained the results of said election as herein-after stated:

NOW, THEREFORE, BE IT RESOLVED, CERTIFIED AND DECLARED by the Council of the City of Modesto that the said special election held in said territory to determine whether or not said territory should be annexed to and become a part of the said City of Modesto, was regularly called, held and conducted as required by law. That the proper and complete returns thereof have been made and received by said Council; that the same have been properly canvassed; that from the returns so canvassed as aforesaid, it appears and the Council so finds that at said special election the

total number of votes cast at the polls was and is 133; that the number of votes cast at said polls in favor of annexation was and is 74; and that the number of votes cast at said polls opposed to annexation of said territory was and is 59.

Said City Council, sitting as a canvassing board further finds that there were cast at said election no absentee ballots or votes; that the total number of votes cast at the polls at said election was and is 133; that the total number of votes cast at the polls in favor of the annexation of said territory to the City of Modesto was and is 74; and that the total number of votes cast at the polls opposed to said annexation was and is 59.

That said City Council, sitting as such canvassing board further finds that the measure, to-wit, "Shall the Northwood Tract be annexed to the City of Modesto?" received the necessary plurality in favor thereof, and that therefore said measure carried.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of December, 1940 by Councilman Stanley, who moved its adoption, which motion being duly seconded was upon roll call carried, and the resolution adopted by the following vote:

Ayes: Councilmen: Barnell, Bates, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST ELMER J. BLUM, CITY CLERK

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RESOLUTION NO. 5106-N.S.

A RESOLUTION AUTHORIZING THE CITY CLERK TO ADVERTISE FOR BIDS ON WATER PIPE

---oOo---

BE IT HEREBY RESOLVED that the City Clerk be and he is hereby authorized to advertise for bids on 760 feet of 8 inch, 1800 feet of 6 inch and 2000 feet of 4 inch class 150 water pipe for the Public Works Department of the City of Modesto.

BE IT FURTHER RESOLVED that all bids shall be received not later than 7:30 P.M. on Friday, December 27, 1940 at the City Hall.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of December, 1940 by Commissioner Barnell, who moved its adoption, which motion being duly seconded, it was upon roll call adopted by the following vote:

Ayes: Councilmen: Barnell, Bates, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST ELMER J. BLUM, CITY CLERK

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RESOLUTION NO. 5107-N.S.

A RESOLUTION SETTING DATE OF COUNCIL MEETING, DECEMBER 27, 1940

---oOo---

WHEREAS, pursuant to fact that the date of the next regular meeting comes on Christmas Day, December 25, 1940

BE IT HEREBY RESOLVED that the date of Friday, December 27, 1940 be set for the next regular meeting of the Council.

The foregoing resolution was introduced at a regular meeting of the

Council of the City of Modesto held on the 11th day of December, 1940 by Commissioner Bates, 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: Barnell, Bates, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST ELMER J. BLUM, CITY CLERK

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RESOLUTION NO. 5108-N.S.

A RESOLUTION AUTHORIZING PAYMENT OF \$5.00 TO EACH ELECTION OFFICIAL AND \$5.00 FOR RENTAL OF POLLING PLACE FOR NORTHWOOD TRACT ELECTION

---oOo---

BE IT HEREBY RESOLVED that the City Clerk and Auditor be authorized to draw warrants of \$5.00 for each officials who served at the Northwood Tract Annexation election and \$5.00 for rental of polling place.

The foregoing resolution was introduced at the regular meeting of the Council of the City of Modesto held on the 11th day of December, 1940 by Commissioner Bates, 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: Barnell, Bates, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST ELMER J. BLUM, CITY CLERK

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RESOLUTION NO. 5109-N.S.

ADJOURNMENT

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

The foregoing resolution was introduced at the regular meeting of the Council of the City of Modesto held on the 11th day of December, 1940 by Commissioner Bates, 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: Barnell, Bates, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST ELMER J. BLUM, CITY CLERK

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RESOLUTION NO. 5110-N.S.

A RESOLUTION APPROVING LEASE WITH THE SHELL OIL COMPANY FOR A PERIOD OF FIVE YEARS FROM DECEMBER 14, 1940 FOR SERVICE STATION SITE AT MUNICIPAL AIRPORT

---oOo---

BE IT HEREBY RESOLVED that lease with the Shell Oil Company for service station site at the Municipal Airport for a period of five years from December 14, 1940 be and it is hereby approved.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 20th day of December, 1940 by Commissioner Barnell, 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: Barnell, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Bates

ATTEST ELMER J. BLUM, CITY CLERK

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RESOLUTION NO. 5111-N.S.

ADJOURNMENT

BE IT HEREBY RESOLVED that this Council 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 December, 1940 by Commissioner Neece, 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: Barnell, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Bates

ATTEST ELMER J. BLUM, CITY CLERK

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RESOLUTION NO. 5112-N.S.

A RESOLUTION AUTHORIZING PAYMENT OF \$400.00 TO THE STANISLAUS COUNTY BOYS' BAND AS PROVIDED BY ORDINANCE NO. 634-N.S.

---oOo---

BE IT HEREBY RESOLVED that the City Clerk and Auditor be authorized to draw check in payment of claim of \$400.00 to the Stanislaus County Boys' Band, as provided by Ordinance No. 634-N.S.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of December, 1940 by Commissioner Bates, 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: Barnell, Bates, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST ELMER J. BLUM, CITY CLERK

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RESOLUTION NO. 5113-N.S.

A RESOLUTION REFERRING ALL BIDS ON WATER PIPE TO THE CITY ENGINEER AND COMMISSIONER OF PUBLIC SUPPLIES FOR TABULATION AND RECOMMENDATION

---oOo---

BE IT HEREBY RESOLVED that all bids opened on 760 feet of 8 inch, 1800 feet of 6 inch, and 2000 feet of 4 inch class 150 water pipe to the City Engineer and Commissioner of Public Supplies for tabulation and recommendation.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of December, 1940 by Commissioner Bates, 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: Barnell, Bates, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST ELMER J. BLUM, CITY CLERK

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RESOLUTION NO. 5114-N.S.

A RESOLUTION ACCEPTING DEED FROM EMMA C. BENSON AND CARL B. BENSON WIFE AND HUSBAND ON CERTAIN PROPERTY LOCATED NEAR LEGION PARK AND AUTHORIZING THE CITY CLERK TO RECORD SAID DEED WITH THE STANISLAUS COUNTY RECORDER

---oOo---

BE IT HEREBY RESOLVED that the Council of the City of Modesto accept deed dated December 18, 1940 from Emma C. Benson and Carl B. Benson, wife and husband on the following property;

Commencing at the northeasterly corner of Lot 5, as shown on the map of La Rio Park Tract, according to map filed June 18, 1910, in Vol. 5 of Maps at page 9, in the records of Stanislaus County, California; thence southerly along the easterly boundary line of the said Lot 5, a distance of 1647 45 feet to the point of beginning; thence south 84° 59' 40" west a distance of 647.53 feet; thence north 78° 10' 20" west a distance of 175.10 feet; thence south 0° 38' 20" east to the center line of the Tuolumne River; thence easterly along the said center line of the Tuolumne River to its intersection with the said easterly line of Lot 5, La Rio Park Tract, extended and produced; thence northerly along the said easterly line of Lot 5, extended and produced to the point of beginning.

Reserving right of way over the W 20' thereof for irrigation purposes.

BE IT FURTHER RESOLVED that the City Clerk is hereby 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 27th day of December, 1940 by Commissioner Neece, 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: Barnell, Bates, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST ELMER J. BLUM, CITY CLERK

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RESOLUTION NO. 5115-N.S.

A RESOLUTION ACCEPTING SPECIFICATIONS ON HANGAR TO BE CONSTRUCTED AT MUNICIPAL AIRPORT AS PRESENTED BY THE CITY ENGINEER

---oOo---

BE IT HEREBY RESOLVED that plans and specifications for construction of the new hangar at the Modesto Municipal Airport as presented by the City Engineer be accepted by the Council.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of December, 1940 by Commissioner Barnell, 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: Barnell, Bates, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST ELMER J. BLUM, CITY CLERK

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RESOLUTION NO. 5116-N.S.

A RESOLUTION AUTHORIZING THE CITY CLERK TO ADVERTISE FOR WORK AND MATERIALS FOR THE NEW HANGAR BUILDING AT THE MODESTO MUNICIPAL AIRPORT

---oOo---

BE IT HEREBY RESOLVED that the City Clerk be authorized to advertise for work and materials for the new hangar building at the Modesto Municipal Airport, said bids to be received not later than 7:30 P.M. on January 8, 1941 at the City Hall.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of December, 1940 by Councilman Barnell, 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: Barnell, Bates, Neece, Stanley, Mayor Shannon  
Noes: Councilmen: None  
Absent: Councilmen: None

ELMER J. BLUM, CITY CLERK

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RESOLUTION NO. 5117-N.S.

A RESOLUTION REAPPOINTING AMOS BOMBERGER AND G. N. HILBURN ON THE PLANNING COMMISSION FOR A PERIOD OF FOUR YEARS FROM JANUARY 9, 1941

---oOo---

WHEREAS, the terms of Amos Bomberger and G. N. Hilburn on the Planning Commission expires on January 9, 1941.

BE IT HEREBY RESOLVED that said Amos Bomberger and G. N. Hilburn be reappointed on the Planning Commission for a period of four years from January 9, 1941.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of December, 1940 by Councilman Barnell, 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 Barnell, Bates, Neece, Stanley, Mayor Shannon  
Noes: Councilmen: None  
Absent: Councilmen: None

ATTEST ELMER J. BLUM, CITY CLERK

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RESOLUTION NO. 5118-N.S.

A RESOLUTION AUTHORIZING THE RENEWAL OF A BUS PERMIT FOR A TERM OF THREE YEARS TO WILLIS M. KLEINENBROICH

---oOo---

WHEREAS, Willis M. Kleinenbroich has made application to the Council of the City of Modesto for renewal of a permit to operate a bus line in the City of Modesto in accordance with Ordinance No. 306-N.S.; and,

WHEREAS, in said application said Willis M. Kleinenbroich has requested a change in the route traveled by said bus under the permit now existing; and,

WHEREAS, said existing permit expires as of the 27th day of December, 1940;

BE IT HEREBY RESOLVED that the permit to operate said bus line by the said applicant be, and the same is, hereby renewed for a period of three years, and said request for a change in the route of said bus is hereby granted, as set forth in said application.

The foregoing resolution was introduced at a regular meeting of the

Council of the City of Modesto held on the 27th day of December, 1940 by Councilman Stanley, who moved its adoption, which motion being duly seconded, it was upon roll call carried and adopted by the following vote:

Ayes: Councilmen: Barnell, Bates, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST ELMER J. BLUM, CITY CLERK

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RESOLUTION NO. 5119-N.S.

A RESOLUTION AUTHORIZING THE CITY CLERK TO RECORD DOCUMENTS WITH THE STANISLAUS COUNTY RECORDER ON THE ANNEXATION OF THE LALINDA TRACT TO THE CITY OF MODESTO

---oOo---

BE IT HEREBY RESOLVED that the City Clerk be authorized to record with the Stanislaus County Recorder copy of Ordinance No. 642-N.S. entitled "AN ORDINANCE APPROVING THE ANNEXATION OF CERTAIN TERRITORY TO THE CITY OF MODESTO" and copy of document received from the Secretary of State, approving annexation,

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of December, 1940 by Commissioner Barnell, 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: Barnell, Bates, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

attest ELMER J. BLUM, CITY CLERK

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RESOLUTION NO. 5120-N.S.

A RESOLUTION AUTHORIZING PAYMENT OF SALARY TO DARRELL WHITE AND FRED R. HAWKINS AS PROVIDED BY ORDINANCE NO. 602-N.S. AND RULES AND REGULATIONS OF CIVIL SERVICE

---oOo---

BE IT HEREBY RESOLVED that the City Auditor be authorized to pay the salary of Darrell White and Fred R. Hawkins who were recently appointed to the Police Department.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of December, 1940 by Commissioner Stanley, 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: Barnell, Bates, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST ELMER J. BLUM, CITY CLERK

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RESOLUTION NO. 5121-N.S.

A RESOLUTION AUTHORIZING PAYMENT OF CLAIM OF \$103.99 TO GILBERT HILDEBRAND FOR REPAIRS TO 1941 NASH AMBASSADOR DAMAGED BY FALLING TREE NEAR 12th AND J STREETS ON DECEMBER 19, 1940

---oOo---

BE IT HEREBY RESOLVED that claim of Gilbert Hildebrand in amount \$103.99 for repairs to 1941 Nash Ambassador which was damaged by falling tree

while parked near 12th & J Streets, on December 19, 1940 be allowed and the City Clerk and Auditor be authorized 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 27th day of December, 1940 by Commissioner Bates, 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: Barnell, Bates, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST ELMER J. BLUM, CITY CLERK

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RESOLUTION NO. 5122-N.S.

A RESOLUTION APPROVING TRANSFER OF PACIFIC GAS & ELECTRIC COMPANY PROPERTY TO THE MODESTO IRRIGATION DISTRICT AND AUTHORIZING THE MAYOR TO SIGN DOCUMENT APPROVING TRANSFER

---oOo---

BE IT HEREBY RESOLVED that the transfer of certain properties belonging to the Pacific Gas & Electric Company in the City of Modesto to the Modesto Irrigation District be and it is hereby approved and the Mayor is hereby appointed as signatory official.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of December, 1940 by Commissioner Barnell, 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: Barnell, Bates, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST ELMER J. BLUM, CITY CLERK

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RESOLUTION NO. 5123-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 27th day of December, 1940 by Commissioner Neece, 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: Barnell, Bates, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST ELMER J. BLUM, CITY CLERK

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