

RESOLUTION NO 4414-NS

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 6, 1939 by Commissioner Oliver, 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, Oliver, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4415-NS

A RESOLUTION ALLOWING CLAIMS FOR MONTH OF DECEMBER, 1938

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WHEREAS, the claims against the City of Modesto for the month of December, 1938, 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-----	\$31,006.59
WATER FUND-----	11,400.63
LIBRARY FUND-----	1,738.41
BOND RED. INT. FUND-----	3,250.40
STREET BOND FUND-----	465.75
SPECIAL GAS TAX FUND-----	19.62
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	\$47,881.40

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of January, 1939, 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, Oliver, Stanley and Mayor King

Noes: Councilmen: None

Absent; Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4416-NS

A RESOLUTION REFUSING PETITION OF J. S. CHRISWELL TO RENT LOT OWNED BY CITY AT LALOMA STREET, 19th STREET and H STREETS

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WHEREAS, J. S. Criswell has petitioned the Council to rent the triangle lot at LaLoma Street, 19th Street and H Street, owned by the City to use it for commercial purposes.

BE IT HEREBY RESOLVED that request be denied.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of January, 1939 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, Neece, Oliver, Stanley and Mayor King

Noes: Councilmen: None

Absent; Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4417-NS

A RESOLUTION PROVIDING FOR TWO HOUR PARKING ON THE SOUTHERLY SIDE OF I STREET BETWEEN THIRTEENTH STREET AND THE ALLEY CONNECTING H AND I STREETS IN THE CITY OF MODESTO

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WHEREAS, under and by virtue of the power vested in the City Council by reason of the adoption of Ordinance No. 544-N.S. (Parking Ordinance), amending Section 32 of Ordinance No. 345-NS, the City Council of the City of Modesto has determined that the best interests of the citizens of the said City of Modesto require a time limit to be placed on parking on the southerly side of I Street in the said City of Modesto between Thirteenth Street where it intersects said I Street, and that certain alley connecting I and H Streets;

NOW, THEREFORE, said City Council does by this resolution, order and empower the City Engineer of the said City of Modesto to erect appropriate signs in the area heretofore set forth, and does hereby invoke the provisions of said Ordinance No. 544-N.S., amending Section 32 of Ordinance No. 345-N.S., declaring it unlawful to park in said area between the hours of nine A.M. and six P.M. for a period of longer than two (2) consecutive hours.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of January, 1939 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, Neece, Oliver, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4418-N.S.

A RESOLUTION AUTHORIZING THE CITY CLERK TO CALL FOR BIDS ON THE FIRE STATION

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BE IT HEREBY RESOLVED that the City Clerk be authorized to call for bids on building fire station on Block 81, lots 21 to 23 inc. in the City of Modesto when the City Engineer furnishes necessary data.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of January, 1939 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, Oliver, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4419-N.S.

A RESOLUTION RECOMMENDING THAT THE JUNIOR CHAMBER OF COMMERCE BE ASKED TO WORK WITH THE MAYOR IN ARRANGING CARAVAN OF CITIZENS TO REPRESENT THE CITY OF MODESTO ON OPENING DAY AT WORLD'S FAIR, FEBRUARY 18, 1939, IN SAN FRANCISCO.

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WHEREAS, the City of Modesto has been requested to send a caravan of citizens to represent the city on the opening day of the World's Fair, February 18, 1939, in San Francisco.

BE IT HEREBY RESOLVED that the Junior Chamber of Commerce be asked to work with the Mayor in arranging this caravan.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of January, 1939 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, Neece, Oliver, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4420-NS

A RESOLUTION APPOINTING PERSONNEL BOARD FOR CIVIL SERVICE SYSTEM

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PURSUANT to provisions of Ordinance No. 599-N.S.

BE IT HEREBY RESOLVED that E. T. Taylor, J. R. Pearson and Fred Condit be appointed as members of the Personnel Board of the Civil Service System.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of January, 1939 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, Oliver, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4421-N.S.

A RESOLUTION APPOINTING ELMER BLUM CLERK OF THE PERSONNEL BOARD OF THE CIVIL SERVICE SYSTEM AS PROVIDED IN ORDINANCE NO. 599-N.S. AT A SALARY OF \$25.00 PER MONTH

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BE IT HEREBY RESOLVED that Elmer Blum be appointed Clerk of the Personnel Board of the Civil Service System, as provided in Ordinance No. 599-N.S. at a salary of \$25.00 per month.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of January, 1939 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, Oliver, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4422-N.S.

ADJOURNMENT

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

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of January, 1939 by Commissioner Oliver, 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, Oliver, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4423-N.S.

A RESOLUTION RESCINDING ACTION OF CITY COUNCIL OF THE CITY OF MODESTO IN PASSING ORDINANCE NO. 599-N.S. TO PRINT

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WHEREAS, at a regular meeting of the Council of the City of Modesto held on the 11th day of January, 1939, Ordinance No. 599-N.S. of said City was passed to print; and,

WHEREAS, said ordinance sets up a civil service system in the

City of Modesto, creates a Personnel Board, and seeks to legislate upon the status of present and future employees of said City; and,

WHEREAS, an error was found to exist in said ordinance, and additional errors were thereafter committed by the newspaper printing the same; and

WHEREAS, the City Council has determined that said ordinance should in some respects be amended;

NOW THEREFORE, said City Council does hereby rescind its action in passing said Ordinance No. 599-N.S. to print, and does hereby declare that it has no intention of finally passing and adopting said ordinance at its next regular meeting, or at any time thereafter, and further determines that it will allow said ordinance to become a nullity and of no force or effect whatsoever.

The foregoing Resolution was introduced at a special meeting of the Council of the City of Modesto held on the 18th day of January, 1939, by Councilman Oliver, who moved its adoption, which motion being duly seconded, it was upon roll call carried and adopted by the following vote:

Ayes: Councilmen: Barnell, Neece, Oliver, Stanley and Mayor King
Noes: Councilmen: None
Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4424-N.S.

A RESOLUTION AUTHORIZING THE CITY CLERK TO ANSWER LETTER FROM STANISLAUS COUNTY CENTRAL LABOR COUNCIL REGARDING CIVIL SERVICE ORDINANCE

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BE IT HEREBY RESOLVED that the City Clerk be authorized to answer letter received from the Stanislaus County Central Labor Council regarding adopted Civil Service Ordinance giving them information as to how ordinance was formulated.

The foregoing resolution was introduced at a special Council meeting of the City of Modesto held on January 18, 1939 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, Neece, Oliver, Stanley and Mayor King
Noes: Councilmen: None
Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4425-N.S.

A RESOLUTION RECOMMENDING THE INSTALLATION OF PERMANENT "NO PARKING" SIGN IN FRONT OF "TAZA'S", 820 12th STREET IN THE CITY OF MODESTO

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WHEREAS, a moveable "No Parking" sign in front of "TAZA'S," 820 12th Street in the City of Modesto is being stolen constantly

BE IT HEREBY RESOLVED that a permanent "No Parking" sign be installed under the supervision of the City Engineer and

BE IT FURTHER RESOLVED that all expenses for installation of

sign be assumed by the owner, Taza Grollman.

The foregoing resolution was introduced at a special Council meeting of the City of Modesto held on January 18, 1939 by Commissioner Stanley, 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, Neece, Oliver, Stanley and Mayor King
Noes: Councilmen: None
Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4426-N.S.

A RESOLUTION GRANTING PERMIT TO C. L. CLEMENT AND J. VOGEL TO OPERATE JUNK YARD AT 616 7TH STREET, LOTS 23 and 24, BLOCK 45, IN THE CITY OF MODESTO

---cCo---

WHEREAS, C. L. Clement and J. Vogel have made application to the Council to be permitted to operate a junk yard at 616 7th Street in the City of Modesto, lots 23 and 24, Block 45.

BE IT HEREBY RESOLVED that permit be granted C. L. Clement and J. Vogel to operate a junk yard, providing they abide by all regulations pertaining to operation of junk yards in the City of Modesto.

The foregoing resolution was introduced at a special Council meeting of the City of Modesto held on January 18, 1939 by Commissioner Oliver, 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, Neece, Oliver, Stanley and Mayor King
Noes: Councilmen: None
Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4427-N.S.

A RESOLUTION RECOMMENDING THAT THE SEWER BUDGET FOR THE YEAR 1938-1939 BE INCREASED \$1500.00

---cCo---

WHEREAS, the budget for the year 1938-1939 of the City of Modesto for the Department of Sewers is not sufficient to meet expenditures required under the Works Progress Administration project granted the City of Modesto

BE IT HEREBY RESOLVED that the Department of Sewers budget for the year 1938-1939 be increased \$1500.00 and the City Auditor and Treasurer be directed to make the necessary entries in his records.

The foregoing resolution was introduced at a special Council meeting of the City of Modesto held on January 18, 1939 by Commissioner Oliver, 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, Neece, Oliver, Stanley and Mayor King
Noes: Councilmen: None
Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4428-N.S.

A RESOLUTION RECOMMENDING THAT A PARKING SPACE IN FRONT OF THE JUSTICE COURT BE RESERVED FOR THE POLICE DEPARTMENT AND THE CITY ENGINEER BE AUTHORIZED TO INSTALL NECESSARY SIGNS

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BE IT HEREBY RESOLVED that a parking space in front of the Justice Court, 819 11th Street in the City of Modesto be reserved for the use of the Police Department and the City Engineer be instructed to procure and establish the necessary and proper signs.

The foregoing resolution was introduced at a special meeting of the Council held on January 18, 1939 by Commissioner 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, Oliver, Neece, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4429-N.S.

ADJOURNMENT

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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 18, 1939 by Commissioner 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, Oliver, Neece, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4430-N.S.

A RESOLUTION SETTING FORTH FINDINGS UPON ORDER TO SHOW CAUSE OF J. SAMUEL LINDSEY

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WHEREAS, J. Samuel Lindsey was on the 5th day of January, 1939, convicted of reckless driving, a misdemeanor, in the Police Court of the City of Modesto, California, and was thereafter cited to appear before said Council to show cause why his license to drive a taxicab in said City should not be revoked; and,

WHEREAS, on the 25th day of January, 1939, the said J. Samuel Lindsey did appear before said Council and after considering all of the facts of the case, and by reason of authority vested in said Council;

NOW THEREFORE, BE IT RESOLVED that the license of the said J. Samuel Lindsey to drive a taxicab in the City of Modesto should not in the present case be revoked, and shall remain in full force and effect, conditioned upon the future good behavior of the said J. Samuel Lindsey.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 25th day of January, 1939, 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, Neece, Oliver, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4431-N.S.

A RESOLUTION PROVIDING FOR TEN MINUTE PARKING ON TENTH STREET BETWEEN G AND H STREETS IN THE CITY OF MODESTO

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WHEREAS, under and by virtue of the power vested in the City Council of the City of Modesto, it is deemed necessary and desirable for the benefit of the citizens of the City of Modesto that ten minute vehicular parking spaces be established in front of the office of the City Clerk on Tenth Street in the City of Modesto; and,

WHEREAS, under and by virtue of the powers vested in said Council by Ordinance No. 544-N.S. of said City, said Council may by resolution establish said parking spaces;

NOW, THEREFORE SAID CITY COUNCIL HEREBY DECREES that there should be established in front of said City Clerk's office on Tenth Street in the City of Modesto two (2) ten (10) minute parking spaces, and said City Council does hereby establish two (2) oblique ten (10) minute parking spaces, located as follows:

Said parking spaces shall be located on the southwesterly side of Tenth Street, the southerly line of said parking spaces to be 205.8 feet northwesterly from the northwesterly property line of G Street in said City.

BE IT FURTHER RESOLVED, and it is hereby declared to be unlawful, after said parking spaces are properly designated by the City Engineer of the City of Modesto, for the driver of any vehicle to park a vehicle longer than ten (10) consecutive minutes in said parking spaces between the hours of 9 o'clock A.M. and 6 o'clock P.M. on any day, except Sunday.

BE IT FURTHER RESOLVED that the City Engineer of the City of Modesto is hereby empowered and ordered to erect or procure the erection of appropriate signs, calling to the attention of the public the fact that vehicles may be lawfully parked in said spaces for a period of no more than ten (10) consecutive minutes between the hours of 9 o'clock A.M. and 6 o'clock P.M. on any day, except Sunday.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 25th day of January, 1939, 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, Neece, Oliver, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4432-N.S.

A RESOLUTION AUTHORIZING THE CITY TREASURER OF THE CITY OF MODESTO TO ACCEPT DIFFERENT SECURITIES TO GUARANTEE SAFETY OF CITY DEPOSITS

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WHEREAS, there is now on deposit in the Modesto Branch Bank of the American Trust Company funds belonging to the City of Modesto; and

WHEREAS, said City of Modesto has in its possession certain bonds issued by the Oakland High School District as security for said moneys so deposited by said City; and,

WHEREAS, said American Trust Company desires to substitute new and different bonds as security for said moneys belonging to said City;

NOW, THEREFORE, the City Treasurer of the City of Modesto and the City Attorney of said City are hereby authorized to accept new and different bonds as security for said moneys belonging to said City, if in the opinion of said Treasurer and said City Attorney said bonds sought to be substituted by said Bank in the place and stead of said Oakland High School District Bonds are adequate to properly protect said moneys belonging to the City of Modesto, and if said bonds will constitute proper security therefor.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 25th day of January, 1939 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, Neece, Oliver, Stanley and Mayor King
Noes: Councilmen: None
Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4434-N.S.

A RESOLUTION REAPPOINTING W. H. MURRAY AND APPOINTING A. E. PUCCINELLI MEMBERS OF THE BOARD OF LIBRARY TRUSTEES OF MCHENRY PUBLIC LIBRARY

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WHEREAS, the terms of W. H. Murray and Fred Condit, members of the Board of Library Trustees of McHenry Public Library, do expire February 1, 1939; and

WHEREAS, it is the desire of the City Council to reappoint W.H.Murray to said Board for another term; and to appoint A.E. Puccinelli for a term of four years:

BE IT THEREFORE RESOLVED that W.H.Murray be reappointed for a term of four years beginning February 1, 1939 and ending February 1st, 1943, as member of the Board of Library Trustees of McHenry Public Library and A. E. Puccinelli be appointed member of the Board of Library Trustees of McHenry Public Library for term beginning February 1st, 1939 and ending February 1st, 1943.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 25th day of January, 1939 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, Neece, Oliver, Stanley and Mayor King

Noes: Councilmen: None

Absent; Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

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RESOLUTION NO. 4435-N.S.

A RESOLUTION APPROVING AND ACCEPTING LEASE BETWEEN CITY OF MODESTO AND STANLEY SANDERS, MANAGER OF THE MODESTO REDS BASEBALL TEAM FOR MUNICIPAL BASEBALL FIELD FOR STATE LEAGUE SEASON OF 1939

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WHEREAS, Stanley Sanders, Manager of the Modesto Reds Baseball Team has petitioned the Council of the City of Modesto to lease the Municipal Baseball Field for the State League Season of 1939 on the same terms and conditions as last season

BE IT HEREBY RESOLVED that the Modesto Reds Baseball Team be permitted to lease the Municipal Baseball Field for the 1939 season from April 2, 1939 to October 31, 1939 on the same terms as provided for in the lease of the 1938 season and the Commissioner of Finance and Revenue and the City Clerk and Auditor be named as signatory officials.

The foregoing resolution was introduced at a regular Council meeting of the City of Modesto held on January 25, 1939 by Commissioner Neece, who moved its adoption, which motion being duly seconded, it was upon roll call adopted by the following vote:

Ayes: Councilmen: Neece, Stanley, Oliver, Barnell, and Mayor King

Noes: Councilmen: None

Absent; Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4436-N.S.

A RESOLUTION ACCEPTING DEED OF IRIS S. KEWIN, CONVEYING CERTAIN PROPERTY TO THE CITY OF MODESTO

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WHEREAS, certain persons are seeking to annex to the City of Modesto real property contiguous to the City Limits of said City, and which said real property is in the vicinity of La Sombra Street; and,

WHEREAS, to properly affectuate the annexation of said territory it is necessary that certain streets be opened to extend from the present corporate limits of the City of Modesto into the territory sought to be annexed to said City; and,

WHEREAS, certain restrictions have been imposed upon said territory sought to be annexed satisfactory to Iris S. Kewin, a widow; and,

WHEREAS, said Iris S. Kewin, a widow, in consideration of placing restrictions upon said territory has agreed to and has prepared for delivery to the City of Modesto a deed conveying to said City the following described premises:

All of that certain 5' strip of land along the Southerly side of La Sombra from the Westerly line of Las Flores, a street, Westerly to the Westerly Line of El Rio, a street, the said

5' strip being as designated reserved for park, according to the Map of La Loma, recorded in Book 11, of Maps, Page 25, Stanislaus County Records, said property is hereafter to be used by the City of Modesto for street and park purposes.

NOW, THEREFORE, BE IT RESOLVED, that the said deed of said Iris S. Kewin, a widow, conveying said property to the City of Modesto be, and the same is hereby approved and by these presents is hereby accepted by said City Council of the City of Modest on behalf of said City.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto, held on the 25th day of January, 1939, by Councilman Oliver, 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, Neece, Oliver, Stanley and Mayor King
Noes: Councilmen: None
Absent: Councilmen: None

ATTEST: H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4437-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 January 25, 1939 by Commissioner Oliver, who moved its adoption, which motion being duly seconded, it was upon roll call adopted by the following vote:

Ayes: Councilmen: Barnell, Neece, Oliver, Stanley and Mayor King
Noes: Councilmen: None
Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4438-N.S.

A RESOLUTION ALLOWING CLAIMS FOR MONTH OF JANUARY, 1939

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WHEREAS, the claims against the City of Modesto for the month of January, 1939, for the various sums in the aggregate hereinafter stated having been audited by the Council and found to be correct:

NOW, TPEREFORE, 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-----	\$24,435.00
WATER FUND-----	3,780.10
LIBRARY FUND-----	1,691.22
BOND RED. INT. FUND-----	23,693.75
ST. BOND RED. INT. FUND-----	1,966.52
UNAPPORTIONED FUND-----	

GASOLINE TAX FUND-----\$

TOTAL----- 55,566.59

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of February, 1939 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: Neece, Barnell, Oliver, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4439-N.S.

A RESOLUTION ALLOWING CLAIM OF FOSTER & KLEISER FOR REFUND OF RENT AND STOCKTON FRUIT JUICE COMPANY FOR REFUND OF TRUCK LICENSE

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WHEREAS, Foster & Kleiser have made claim for refund of rent in amount \$16.64 paid on lots 5-12 inc. Block 20, owned by the City of Modesto, as they had removed their billboard at the request of the City and

WHEREAS, Pershing Wetter, dba Stockton Fruit Juice Company has made claim for refund of \$15.00 truck license paid from July 1, 1938 to April 1, 1939, as he had a wholesale license, which permitted him to make delivery of merchandise in this city without a truck license.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of February, 1939 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: Neece, Barnell, Oliver, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4440-N.S.

A RESOLUTION PROVIDING FOR TEN MINUTE PARKING ON H STREET BETWEEN NINTH AND TENTH STS.

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WHEREAS, it is deemed to the best interest of the citizens of the City of Modesto that there be estanlished a ten minute parking space on H Street between Ninth and Tenth Streets in the City of Modesto between the hours of nine o'clock A.M. and six o'clock P.M.; and,

WHEREAS, by virtue of the power vested in the City Council of said City of Modesto, said City Council has the right to increase and diminish the time for which vehicles may be parked in a given area in the business district of the City of Modesto;

NOW, THEREFORE, IT IS HEREBY DECLARED to be unlawful to park a vehicle for longer than ten consecutive minutes between the hours of nine o'clock A.M. and six o'clock P.M. on any day, except Sunday, in the first parallel parking

space on the southeasterly side of H Street four (4) feet easterly of and from the easterly property line of the alley between Ninth and Tenth Streets in said City. The City Engineer of said City is ordered to erect appropriate signs and markings to bring to the attention of the public the rules and regulations regarding said parking space hereinabove set forth.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of February, 1939 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, Neece, Oliver, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4441-N.S.

A RESOLUTION GRANTING PERMIT TO J. D. THOMSEN FOR BUSINESS IN A RESIDENCE ZONE

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WHEREAS, pursuant to the filing of petition with the Council as follows:

J. D. THOMSEN To conduct gift shop at 1015 16th Street, portion lots 8-9-10, Block 123 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;

THEREFORE, BE IT RESOLVED that permission be and the same is hereby granted, with the understanding that all provisions relative to building permit fees will be complied with, to the above named applicant for permit as prayed for in his petition.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of February 1939 by Commissioner Oliver, 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: Neece, Barnell, Oliver, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4442-N.S.

A RESOLUTION AUTHORIZING CITY ATTORNEY TO PREPARE ENDORSEMENT TO MODESTO TRAP CLUB LEASE EXTENDING EXPIRATION DATE TO MARCH 1, 1940

---oOo---

WHEREAS, lease with the Modesto Trap Club expires on March 1, 1939 and WHEREAS, it is the desire of the Council to renew this lease for an

additional year

BE IT HEREBY RESOLVED that the City Attorney be authorized to prepare endorsement to lease extending expiration date to March 1, 1940.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of February, 1939 by Commissioner Oliver, 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: Neece, Barnell, Oliver, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4443-N.S.

A RESOLUTION AUTHORIZING PARTIAL PAYMENT TO CONTRACTOR HARRY BROWN ON CONSTRUCTION OF STODDARD AVENUE BRIDGE, IN AMOUNT \$3836.10

---000---

WHEREAS, City Engineer Rossi has filed with this Council certification of amount due Harry Brown for construction of Stoddard Avenue Bridge, in amount \$3836.10, being 75% of 95% of contract.

BE IT THEREFORE RESOLVED that the City Auditor and City Clerk be authorized to draw warrant in amount \$3836.10 to contractor Harry Brown as provided by contract.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of February, 1939 by Commissioner Oliver, 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: Neece, Barnell, Oliver, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4444-N.S.

A RESOLUTION ACCEPTING AGREEMENTS FROM M. RUSCOE AND E. G. RAEMSCH PERMITTING THE CITY OF MODESTO TO ENTER THEIR PROPERTY WHILE BUILDING FIREHOUSE

---000---

WHEREAS, agreements with Marion Ruscoe, owner of lots 19 and 20 in Block 81 of the City of Modesto and Emily G. Raemsch, owner of lots 24 and southerly one half of lot 25 in Block 81, permitting the City of Modesto to enter their property for the purpose of constructing firehouse on lots 21, 22 and 23 in Block 81 were brought before the Council for approval

BE IT HEREBY RESOLVED that agreements be approved by the Council as written and the City Auditor be authorized to draw warrants in amount \$25.00 each to Marion Ruscoe and E. F. Raemsch and

BE IT FURTHER RESOLVED that the City Clerk be instructed to record agreements with the Stanislaus County Recorder.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of February, 1939 by Commissioner

Oliver, 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: Neece, Barnell, Oliver, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4445-N.S.

A RESOLUTION ACCEPTING DEED FROM D. E. ROWLES AND HELEN ROWLES ON 30 FOOT STRIP OF LAND PARALLEL TO LA SOMBRA STREET

---cCo---

WHEREAS, D. E. Rowles, and Helen Rowles have agreed to deed to the City of Modesto a 30 foot strip of land parallel to La Sombra Street, between Buena Vista Avenue and El Rio Street.

BE IT RESOLVED that deed from D. E. and Helen Rowles be accepted contingent on the approval of deed by the City Attorney, and

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

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of February, 1939 by Commissioner Oliver, 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: Neece, Barnell, Oliver, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4446-N.S.

A RESOLUTION ACCEPTING DEED OF LOUIS MITCHELL, AN INDIVIDUAL, AND BEARD LAND AND INVESTMENT COMPANY, A CORPORATION

---cCo---

WHEREAS, negotiations have been heretofore carried on to procure from Louis Mitchell, an individual, and Beard Land and Investment Co., a corporation, both of Stanislaus County, California, certain real property; and,

WHEREAS, said real property is described as follows, to-wit:

Commencing on the Southerly Property Line of Jennie Street, at a point where the Easterly Property line of Willow Street extended and produced, intersects the same; thence Easterly along the said Southerly Property Line of Jennie Street, a distance of 242.47 feet, to the point of beginning; thence Southeasterly a distance of 340.88 feet, to a point on the Northerly Property Line of Grand Street, the said point being at a distance of 310.20 feet Easterly from the Northeasterly Property Corner of the said Grand and Willow Streets; thence Easterly along the said Northerly Property Line of Grand Street, a distance of 61.28 feet; thence Northwesterly a distance of 340.86 feet, to the

said Southerly Property Line of Jennie Street; thence Westerly along the said Southerly Property Line of Jennie Street, a distance of 61.28 feet, to the point of beginning.

The location of the above described property is in Blocks 218 and 219 and is according to the Official Block Book of the City of Modesto, as Recorded in Maps, Volume 13, Pages 218 and 219, of Stanislaus County Records, Stanislaus County, California

WHEREAS, a deed dated February 7, 1939 properly executed by said parties has been presented to the City Council of the City of Modesto, which said deed is in proper form:

NOW, THEREFORE, BE IT HEREBY RESOLVED that said City Council of the City of Modesto by this resolution accepts said deed and the City Clerk of the City of Modesto is hereby authorized to record said deed, together with a copy of this resolution

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of February 1939, by Councilman Oliver, 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, Neece, Oliver, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4447-N.S.

A RESOLUTION AUTHORIZING THE MAYOR OF THE CITY OF MODESTO TO MAKE CONVEYANCE TO LOUIS MITCHELL

---oOo---

WHEREAS, the City Council of the City of Modesto has by resolution duly adopted, ordered the closing and abandonment of Carlson Street between Willow Street and Grand Street, and the closing and abandonment of a certain alley extending from Carlson Street to Grand Street, all in the City of Modesto; and,

WHEREAS, proper procedure has been followed and said street and alley have been legally abandoned; and,

WHEREAS, Louis Mitchell is entitled to a grant deed to a portion of said abandoned alley and said Carlson Street;

NOW, THEREFORE, BE IT RESOLVED that said conveyance of said premises be made by the said City of Modesto to said Louis Mitchell, and the City Attorney of said City is hereby ordered to prepare a deed to that said portion of said abandoned premises to which the said Louis Mitchell is entitled, and the said Mayor of said City and the Auditor thereof are hereby authorized to sign, seal and deliver a deed to said abandoned premises to which said Louis Mitchell is entitled, to said Louis Mitchell.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of February, 1939 by Councilman Oliver, 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, Neece, Oliver, Stanley and Mayor King

Noes: Councilmen; None

Absent; Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4448-N.S.

A RESOLUTION AUTHORIZING MAYOR OF THE CITY OF MODESTO TO MAKE CONVEYANCE TO BEARD LAND AND INVESTMENT COMPANY

---000---

WHEREAS, the City Council of the City of Modesto has by resolution duly adopted ordered the closing and abandonment of Carlson Street between Willow Street and Grand Street, and the closing and abandonment of a certain alley extending from Carlson Street to Grand Street, all in the City of Modesto; and

WHEREAS, proper procedure has been followed and said street and alley have been legally abandoned; and,

WHEREAS, the Beard Land and Investment Co. is entitled to a grant deed to a portion of said abandoned alley and said Carlson Street;

NOW, THEREFORE, BE IT RESOLVED, that said conveyance of said premises be made by the said City of Modesto to said Beard Land and Investment Co., and the City Attorney of said City is hereby ordered to prepare a deed to that said portion of said abandoned premises to which the said Beard Land and Investment Co. is entitled and the said Mayor of said City and the Auditor thereof are hereby authorized to sign seal and deliver a deed to said abandoned premises to which said Beard Land and Investment Company is entitled to said Company.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of February, 1939 by Councilman Oliver, 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, Neece, Oliver, Stanley and Mayor King

Noes: Councilmen: None

Absent; Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4449-N.S.

A RESOLUTION AUTHORIZING THE FIRE DEPARTMENT OF THE CITY OF MODESTO TO ANSWER EMERGENCY CALLS TO COMBAT FIRE AT SCHOOLS IN MODESTO ELEMENTARY SCHOOL DISTRICT

---000---

WHEREAS, it is deemed proper and necessary that the Fire Department of the City of Modesto shall aid in extinguishing fires arising at and in schools in the Modesto Elementary School District, whether in or outside of the City Limits of the City of Modesto; and,

WHEREAS, the Council of the City of Modesto finds that such action upon the part of the Fire Department is necessary for the preservation of the general health and welfare of said City:

NOW, THEREFORE, BE IT HEREBY RESOLVED, that the Fire Department of the City of Modesto is hereby authorized, empowered and ordered to answer

any and all proper calls and all requests to extinguish fires at any of the schools in Modesto Elementary School District.

BE IT FURTHER RESOLVED that Resolution No. 2226-N.S. entitled "A RESOLUTION AUTHORIZING THE FIRE DEPARTMENT OF THE CITY OF MODESTO TO ANSWER EMERGENCY CALLS OF FIRE IN NEIGHBORING TOWNS AND SCHOOLS", is hereby repealed.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of February, 1939 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, Neece, Oliver, Stanley, and Mayor King
Noes: Councilmen: None
Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4450-N.S.

ADJOURNMENT

BE IT HEREBY RESOLVED that this Council 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 February, 1939 by Commissioner Oliver, 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: Neece, Barnell, Oliver, Stanley and Mayor King
Noes: Councilmen: None
Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4451-N.S.

A RESOLUTION RECOMMENDING THAT THE QUESTION OF CITY MANAGER FORM OF GOVERNMENT FOR THE CITY OF MODESTO BE PLACED ON THE BALLOT AT THE NEXT GENERAL ELECTION TO BE HELD APRIL 11, 1939

---000---

BE IT HEREBY RESOLVED that the question of City Manager form of government for the City of Modesto be placed on the ballot at the next general election to be held on April 11, 1939.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on February 15, 1939, by Commissioner Oliver, which resolution being duly seconded, it was upon roll call duly carried and the resolution adopted by the following vote:
Ayes: Councilmen: Barnell, Neece, Oliver, Stanley and Mayor King
Noes: Councilmen: None
Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4452-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 February 15, 1939 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, Neece, Oliver, Stanley and Mayor King
Noes: Councilmen: None
Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4453-N.S.

A RESOLUTION AUTHORIZING REFUND OF DEPOSIT REQUIRED BY ORDINANCE NO. 487-N.S. TO D. W. HAYDON

---000---

BE IT HEREBY AUTHORIZED, that a refund of \$50.00 be allowed Don W. Haydon, business license deposit required by Ordinance No. 487-N.S. and the City 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 February 23, 1939 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, Oliver, Stanley and Mayor King
Noes: Councilmen: None
Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4454-N.S.

A RESOLUTION DENYING PERMIT TO ANDREW L. LARSEN TO OPERATE A LUNCH WAGON AT EIGHTH AND H STREETS IN THE CITY OF MODESTO

---000---

WHEREAS, Andrew L. Larsen has requested permission to operate a lunch wagon on 8th and H Streets in the City of Modesto and

WHEREAS, it is not the policy of the Council to issue permits to operate lunch wagons in the City of Modesto due to the traffic hazard created by them and due to sanitary conditions,

BE IT HEREBY RESOLVED that request of Andrew L. Larsen to operate a lunch wagon on the corner of 8th and H Streets in the City of Modesto be denied.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on February 23, 1939 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, Oliver, Stanley and Mayor King
Noes: Councilmen: None
Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4455-N.S.

A RESOLUTION ALLOWING CLAIM OF R. W. HOLT FOR \$75.00 FOR 50 CUBIC YARDS OF FERTILIZER

---000---

BE IT HEREBY RESOLVED that R. W. Holt be allowed claim of \$75.00 for 50 cubic yards of fertilizer and the City Auditor is hereby authorized to draw warrant in payment of claim.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on February 23, 1939 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, Oliver, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4456-N.S.

A RESOLUTION GRANTING PERMIT TO F. G. HALL TO OPERATE GROCERY STORE IN RESIDENCE DISTRICT OF THE CITY OF MODESTO

---000---

WHEREAS, pursuant to the filing of petition with the Council by F. G. Hall for permit to erect and operate a grocery store on property known as 519 12th Street, being lots 6 and 7 in Block 80 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 request be granted to F. G. Hall 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 February 23, 1939 by Commissioner Oliver, 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, Oliver, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4457-N.S.

A RESOLUTION GRANTING PERMIT TO DEWEY BOWMAN TO OPERATE PLUMBING SHOP IN BLOCK 24 LOTS 27 and 28 IN THE CITY OF MODESTO

---000---

WHEREAS, pursuant to the filing of petition with the Council by Dewey Bowman for permit to erect and operate a plumbing shop on property known

lots 27 and 28 in Block 24 of the City of Modesto, being 720 5th 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 Dewey Bowman to operate plumbing shop 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 February 23, 1939 by Commissioner Oliver, 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, Oliver, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4458-N.S.

A RESOLUTION REFERRING BIDS ON BUILDING FIREHOUSE TO CITY ENGINEER FOR COMPILATION

---oOo---

Plans and specifications having heretofore been filed by the City Engineer with the Council and approved by them for the construction and completion of firehouse on lots 21, 22 and 23 in Block 81 of the City of Modesto and the money for said construction 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 Thursday, February 23, 1939 and having been then and there opened by the Council in open meeting (C.F. Bid File #166)

BE IT HEREBY RESOLVED that bid of Fraser Furnace Company be rejected due to error in bid and remaining bids be referred to the City Engineer for compilation and report back to the Council.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on February 23, 1939 by Commissioner Oliver, 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, Oliver, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4459-N.S.

A RESOLUTION ACCEPTING DEED OF LOUIS MITCHELL, AN INDIVIDUAL

---oOo---

WHEREAS, negotiations have been heretofore carried on to procure

from Louis Mitchell, an individual, of Stanislaus County, California, certain real property; and,

WHEREAS, said real property is described as follows, to-wit: Beginning on the Northeasterly Property Line of Carlson Street, at a point where the Easterly Property Line of Willow Street extended and produced, intersects the same; thence continuing along the said easterly Property Line of Willow Street extended and produced to a point at its intersection with the Southerly Property Line of Jennie Street; thence Westerly along the said Southerly Property Line of Jennie Street, to a point at its intersection with the said Northeasterly Property Line of Carlson Street; thence Southeasterly along the said Northeasterly Property Line of Carlson Street to the point of beginning. The location of the above described property is in Block 219 and is according to the Official Block Book of the City of Modesto, as recorded in Maps, Volume 13, page 219, of Stanislaus County Records, Stanislaus County, California.

WHEREAS, a deed dated February 8, 1939 properly executed by said party has been presented to the City Council of the City of Modesto, which said deed is in proper form;

NOW, THEREFORE, BE IT HEREBY RESOLVED that said City Council of the City of Modesto by this resolution accepts said deed and the City Clerk of the City of Modesto is hereby authorized to record said deed, together with a copy of this resolution.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of February, 1939, by Councilman Oliver, 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, Neece, Oliver, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4460-N.S.

A RESOLUTION FINDING AND DETERMINING WHAT EMPLOYEES OF THE CITY OF MODESTO FALL WITHIN THE PROVISIONS OF THE CIVIL SERVICE ORDINANCE

---000---

WHEREAS, under and by virtue of the terms of Ordinance No. 602-N.S. of the City of Modesto (Civil Service Ordinance) it becomes necessary to set forth the names of those persons now in the employ of said City who have served in their respective positions in said City for more than six (6) months, and to thus create a record of the names and positions and/or titles of persons employed by said City who come within the provisions of said Civil Service Ordinance:

NOW, THEREFORE, the City Council of the City of Modesto does hereby find and determine that the following named persons now occupy the positions and/or employments set opposite their respective names, that all of said persons have been in the employ of said City for more than six(6) months last past, and that all

of said persons have held the position opposite their respective names for more than six (6) months last past.

DEPARTMENT OF PUBLIC WORKS

NAME

J. L. MASON	Assistant City Engineer
M. Wallis	Secretary
T. Erickson	Stenographer
F. L. Olcott	Engineer of Surveys
C. A. Waldo	Assistant Engineer of Surveys
Warren Brown	Engineering Aid
Richard Birbeck	" "
A. O. Carley	Chief Draftsman
N. Hansen	Asst. Supt. of Streets
C. D. Reedy	Equipment Operator Grade (1)
H. A. Lollich	" " " "
V. H. Hanner	" " " "
A. C. Walts	" " " (2)
A. Plag	" " " (2)
A. B. Clark	" " " "
B. Hanner	" " " "
J. H. Nelch	" " " "
H. O. Kline	" " " "
F. E. Brown	" " " "
L. L. Schaal	" " " "
N. E. Harrington	" " " "
S. Sivils	Street Repair Foreman
H. C. Moore	Asst. Supt. of Electricity
I. F. Walker	Electrician
C. Viss	Lineman
H. J. Hall	Fire Alarm Technician
C. L. Baker	Ast. Building Inspector
E. S. Shotwell	Water Service Foreman
A. L. Walsh	Asst. Water Service Foreman
K. W. Graham	Pipe Fitter
E. S. Wade	" "
W. Worsham	Pump Operator Grade (1)
W. V. Voice	" " " (2)
A. C. Worthen	" " " "
J. H. Speaker	" " " "
O. Bridgman	" " " "
C. E. Baker	Supt. of Construction
C. C. Watson	Asst. Supt. of Construction
C. M. Edison	Sewage Disposal Plant Operator
J. E. Hanshaw	Asst. Sewage Disposal Plant Operator
J. E. Don Carlos	Asst. Superintendent of Parks
L. L. Brooks	Horticulturist
E. Hanshaw	Nurseryman
H. Hand	Tree Climber

M. E. Bowen	Tree Climber
B. H. Ryan	Park Supervisor
F. L. Adams	" "
J. L. Watson	" "
G. E. Witt	" "
M. D. Barber	" "
A. J. Scott	" "
I. Macdonald	Golf Professional
E. Silva	Greens Keeper
B. DeArmond	Assistant Greens Keeper
K. Bauman	" " "
A. McAlpine	" " "
R. L. Cloward	" " "
J. Mitchell	Asst. Supt. Corp. Yard
Wm. Rifenburg	Machinist
H. M. Ripley	Auto Mechanic
N. King	Service Man & Store Keeper
M. T. Maxwell-	Traffic Line Painter
C. E. White	Construction Laborer
B. C. Fairfield	" "
E. A. Bither	" "
Alfred Dionizio	" "
Fred Brown	" "
Leo Plag	" "

CITY CLERK'S OFFICE

Elmer Blum	Assistant City Clerk, Auditor, Assessor, License Collector, Tax Collector, Treasurer
Wm. B. Devlin	Deputy License Collector and Auditor
Anne M. Collins	Secretary to Clerk, Auditor, Assessor, License Collector, Tax Collector, Treasurer
Louise Casazza	Clerk Tax and License Departments
Cecil Davis	Asst. Clerk and Cashier of Water Dept.
Lillian Loving	Chief Clerk and Cashier of Water Dept.
Helen Kiernan	Clerk Tax and License Departments
Marie McCumber	Clerk Tax and License Departments

POLICE DEPARTMENT

D. C. Cole	Captain of Police
R. H. Morton	Sergeant of Police
U. H. Pickering	Sergeant of Police
Viola G. Ramsey	Secretary to Chief
George Denison	Traffic Officer
H. A. Dunn	Traffic Officer
Elmer F. Horan	Traffic Officer
Edw. Russell	Traffic Officer
Clayton N. Gran	Traffic Officer
W. F. Wocley	Patrolman

Emil Schmit	Patrolman
Thos. H. McCumber	Patrolman
Ray Burge	Patrolman
Jess Ayers	Patrolman
J. H. Armstrong	Patrolman
Norris M. Mott	Patrolman
Elmer Crismon	Patrolman
Hollis R. Harper	Patrolman
Oscar Orvis	Patrolman

FIRE DEPARTMENT

E. H. Stockwell	Assistant Chief
Carl Payne	Assistant Chief
Harry Graham	Operator
Jack Wemyss	Operator
Kenneth Wallace	Driver
Arthur Taylor	Driver
Chet. Wayland	Driver
Roy Gray	Driver
Leonard Medina	Driver
T. A. Stedman	Driver
O. A. Boyd	Driver
C. C. Hensley	Driver
C. Y. Green	Driver
Ezra Woodall	Relief Driver

DEPARTMENT OF PUBLIC HEALTH

Lawrence Nielson	Food and Drink Inspector
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The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of February 1939, 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, Neece, Oliver, Stanley and Mayor King
 Noes: Councilmen: None
 Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4461-N.S.

A RESOLUTION AUTHORIZING CITY ASSESSOR TO ASSESS PROPERTY IN BLOCKS 136, 224 AS PER MAPS PRESENTED AND TO BE KNOWN AS ASSESSOR'S MAPS

---000---

BE IT HEREBY RESOLVED that Assessor of the City of Modesto be authorized to assess property in Blocks 136, and 224 as per maps presented by him to be known as Assessor's maps.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on February 23, 1939 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, Oliver, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4462-N.S.

A RESOLUTION APPOINTING PERSONNEL BOARD OF THE CIVIL SERVICE SYSTEM AND RESCINDING RESOLUTION NO. 4420-N.S. ENTITLED "A RESOLUTION APPOINTING PERSONNEL BOARD FOR CIVIL SERVICE SYSTEM"

---000---

BE IT HEREBY RESOLVED that J. R. Pearson, Fred D. Condit and E.T. Taylor be appointed members of the Personnel Board of Civil Service System, as provided by Ordinance No. 602-N.S., and

BE IT FURTHER RESOLVED that Resolution No. 4420-N.S. entitled "A RESOLUTION APPOINTING PERSONNEL BOARD FOR CIVIL SERVICE SYSTEM" be hereby rescinded.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on February 23, 1939 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, Oliver, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4463-N.S.

A RESOLUTION APPOINTING ELMER J. BLUM SECRETARY OF PERSONNEL BOARD AS PROVIDED BY ORDINANCE NO. 602-N.S. AND RESCINDING RESOLUTION NO. 4421-N.S. ENTITLED "A RESOLUTION APPOINTING ELMER J. BLUM CLERK OF THE PERSONNEL BOARD OF THE CIVIL SERVICE SYSTEM AS PROVIDED IN ORDINANCE NO. 599-N.S. AT A SALARY OF \$25.00 PER MONTH"

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BE IT HEREBY RESOLVED that Elmer J. Blum be appointed Secretary of Personnel Board of the Civil Service System of the City of Modesto as provided by Ordinance No. 602-N.S. at a salary of \$25.00 per month from this date and

BE IT FURTHER RESOLVED that Resolution No. 4421-N.S. entitled "A RESOLUTION APPOINTING ELMER J. BLUM CLERK OF THE PERSONNEL BOARD OF THE CIVIL SERVICE SYSTEM AS PROVIDED IN ORDINANCE NO. 599-N.S. AT A SALARY OF \$25.00 PER MONTH" be rescinded and be declared null and void.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on February 23, 1939 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, Oliver, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4464- N.S.

A RESOLUTION OF THE COUNCIL OF THE CITY OF MODESTO PROVIDING FOR A GENERAL MUNICIPAL ELECTION IN AND FOR THE CITY OF MODESTO AND A GENERAL ELECTION IN AND FOR THE MODESTO CITY SCHOOL DISTRICT

---000---

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MODESTO AS FOLLOWS;

That under and pursuant to the Charter of the City of Modesto, a general municipal election in and for the City of Modesto be and the same is hereby called to be held on Tuesday, the 11th day of April, 1939, which said general municipal election is for the purpose of electing four officers for the City of Modesto, to-wit, three councilmen and a Mayor; two of said three councilmen, together with the Mayor, to be elected for full terms of four years, and one of said councilmen to be elected for the short term of two years. There shall also be presented at said election for the vote of the people of said City of Modesto the question whether Ordinance No. 139A -- N.S. -- Initiative Ordinance No. 3 entitled "An ordinance fixing the compensation of certain public officers of the City of Modesto " shall be amended to read as follows:

"ORDINANCE NO. _____ N.S.

AN ORDINANCE AMENDING ORDINANCE NO. 139A -- N.S. -- INITIATIVE ORDINANCE NO. 3 -- ENTITLED "AN ORDINANCE FIXING THE COMPENSATION OF CERTAIN PUBLIC OFFICERS OF THE CITY OF MODESTO."

----000---

"The Council of the City of Modesto do ordain as follows:

"SECTION 1. Ordinance No. 139A -- N.S. -- Initiative Ordinance No. 3 -- entitled; 'AN ORDINANCE FIXING THE COMPENSATION OF CERTAIN PUBLIC OFFICERS OF THE CITY OF MODESTO', is hereby amended to read as follows:

"From and after the first day of June, 1939, the Councilmen of the City of Modesto shall each be paid for their services as such the sum of Ten (\$10.00) Dollars for each meeting of the city Council which they shall attend, to be paid in the same manner as other claims against the City are paid; provided, however, that no pay or per diem as aforesaid shall be allowed or paid for any number of meetings exceeding four in any one calendar month. They shall also be reimbursed for any expenses they may actually incur, or any of their personal funds they may actually expend in and about the business of the City, not to exceed, however, the sum of Ten (\$10.00) Dollars in any one calendar month.

"The Mayor of the City of Modesto, from and after the first day of June, 1939, shall be paid for his services as such the sum of Seventy-Five (\$75.00) Dollars per month, which said amount shall be paid in the same manner as other claims against the City are paid; said Mayor shall also be reimbursed for any expenses he may actually incur, or any of his personal funds he may actually expend in and about the business of the City, not to exceed, however, the sum of Ten (\$10.00) Dollars in any one calendar month.

"SECTION 2. This ordinance as herein amended shall take effect and be in full force from and after the 1st day of June, 1939.

"SECTION 3. All ordinances and parts of ordinances in conflict herewith are hereby repealed."

A general election in and for the Modesto City School District is

likewise called to be held on the same date, to-wit, Tuesday, the 11th day of April, 1939, for electing certain officers for the said Modesto City School District, to-wit, three members of the Board of Education of the said Modesto City School District, for full terms.

For the purpose of holding said election, the said City of Modesto and that portion of the Modesto City School District lying within the corporate limits of the City of Modesto shall be and the same is hereby precincted and established into ten election precincts, to be known and designated as follows:

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

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

Said General Election Precincts so designated by the said Board of Supervisors as Modesto Nos. 1 and 2 have been consolidated and established into "Consolidated Election Precinct No. 1."

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

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

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

Said General Election Precincts so designated by the said Board of Supervisors as Modesto Nos. 12, 13 and 15 have been consolidated and established into "Consolidated Election Precinct No. 5"

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

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

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

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

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

For the purpose of holding said election (in so far as the election of members of the Board of Education of the Modesto City School District is concerned) the boundaries of the Modesto City School District are as follows, to-wit: The boundaries of the Modesto City School District shall embrace all of the territory included and embraced within the exterior boundaries of the following elementary school districts of Stanislaus County, California, as established by the orders of the Board of Supervisors of said Stanislaus County and as the same appear upon the minutes of said Board of Supervisors, to-wit, Jackson, Salida, Stoddard, Stanislaus, McHenry, Prescott, Bellpassi, Cole, Hart, Ransom, Garner, New Hope, Shiloh, Paradise and Fairview, as well as all the territory heretofore embraced with the exterior boundaries of the Modesto Grammar School District and the Modesto High School District.

The territory included within said Modesto City School District, but outside of the corporate limits of the City of Modesto, has been, for the purpose of said election, divided and established into seven special election precincts, the designation and boundaries of which and the territory within each of which have been established and defined as follows:

SPECIAL ELECTION PRECINCT NO. 11

which comprises all of the territory within the said Modesto City School District heretofore described outside of the corporate limits of the City of Modesto which is embraced within the exterior boundaries of Paradise School District and of Shiloh School District, and of the Modesto Grammar or Elementary School District outside of said City lying north of the Tuolumne River and west of the Central Pacific Railroad.

SPECIAL ELECTION PRECINCT NO. 12

which comprises all of the territory within the Modesto City School District hereinbefore described and embraced within the exterior boundaries of the following elementary school districts, to-wit; Hart and Ransom.

SPECIAL ELECTION PRECINCT NO. 13

which comprises all of the territory within said Modesto City School District hereinbefore described and embraced within the exterior boundaries of the following elementary school districts, to-wit: Jackson and Salida.

SPECIAL ELECTION PRECINCT NO. 14

which comprises all of the territory within said Modesto City School District hereinbefore described and embraced within the exterior boundaries of the

following elementary school districts, to-wit: Stoddard, Stanislaus, McHenry, Prescott and Bellpassi, as well as all of the territory within the boundaries of the Modesto Grammar or Elementary School District outside of the corporate limits of the City of Modesto which lies north of Dry Creek and east of the Central Pacific Railroad.

SPECIAL ELECTION PRECINCT NO. 15

which comprises all of the territory within the said Modesto City School District hereinbefore described and embraced within the exterior boundary lines of the following elementary school districts, to-wit: Cole, Garner and New Hope.

SPECIAL ELECTION PRECINCT NO. 16

which comprises all of the territory within the Modesto Grammar School District and outside of the corporate limits of the City of Modesto which lies south of Dry Creek and north of the Tuolumne River.

SPECIAL ELECTION PRECINCT NO. 17

which comprises all of the territory within said Modesto City School District hereinbefore described and embraced within the exterior boundaries of Fairview Elementary School District, and also that portion of the Modesto Elementary or Grammar School District lying south of the Tuolumne River.

The following places have been by said City Council fixed and designated as and for the places of holding said election within the said City of Modesto, and the following named persons have been designated and appointed to act as officers of election for said election, both for said City of Modesto and said Modesto City School District, and will conduct the same, to-wit:

SPECIAL ELECTION OR CONSOLIDATED PRECINCT NO. 1

Polling Place: Davis Garage, 102 Olive Avenue
Inspector: Mrs. Verna M. Menzies, 221 Poplar Ave.
Judges: Mrs. Jessie E. Russell, 210 College Ave.,
Mrs. Marguerite Coughlin, 121 Orange Ave.
Clerks: Mrs. Ellen B. Williams, 125 Orange Ave.,
Mrs. Agnes N. Frost, 525 No. Olive Ave.,
Mrs. Ludora E. Wilbur, 112 Hackberry Ave.,

SPECIAL ELECTION OR CONSOLIDATED PRECINCT NO. 2

Polling Place: Field Garage, 102 Sycamore Ave.,
Inspector: Wm. G. Proper, 115 Park Ave.,
Judges: Roger W. Bishoff, 523 $\frac{1}{2}$ McHenry Ave.,
Mrs. Aura I. Rader, 415 Hackberry Ave.,
Clerks: John C. Cuneo, 427 Sycamore Ave.,
Edith C. Kephart, 218 Magnolia Avenue
Frank W. McCarton, 231 Elmwood Avenue

SPECIAL ELECTION OR CONSOLIDATED PRECINCT NO. 3

Polling Place: Broughton Garage, 1715 Downey Avenue
Inspector: Mrs. Ora R. Bates, 1705 Downey Avenue
Judges: Mrs. Nancy A. Ivy, 1748 Maynell Avenue
Mrs. Alma M. Wallace, 1921 Downey
Clerks: Mrs. Harriett Corson, 343 Semple St.
Mrs. Harriett F. Hooten, 1733 Jones
Mrs. Bly Willis, 1724 Modesto Avenue

SPECIAL ELECTION OR CONSOLIDATED PRECINCT NO. 4

Polling Place: Ripley Garage, 233 High St.,
Inspector: Mrs. Virginia C. Morey, 15 Bodem St.
Judges: Mrs. Edith M. Rogers, 120 Redwood Ave.,
Garroll Fulkerth, 206 Castle St.

Clerks: Mrs. Marie H. Weisner, 315 Melrose Ave.,
Mrs. Lucile Coleman, 234 High St.
Mrs. Rhoda Rolefson, 178 Kimble St.

SPECIAL ELECTION OR CONSOLIDATED PRECINCT NO. 5

Polling Place: Covell Garage, 1030 K Street
Inspector: Sidney W. Elliott, 1217 12th St.
Judges: Mrs. Nellie Oviatt, 1210 13th St.
Myrtle Wootten, 1026 14th St.
Clerks: Mrs. Emilie Z. Severin, 1014 M St.
Mrs. Myrtle F. Hanke, 1422 10th St.
Wm. H. Durham, 1309 11th St.

SPECIAL ELECTION OR CONSOLIDATED PRECINCT NO. 6

Polling Place: Fire Station #3-Downey Avenue
Inspector: Mrs. Pearl Gordon, 726 14th St.
Judges: Mrs. Mildred E. Lumsden, 623 16th St.
Mrs. Dorothy M. Todd, 115 Ross St.
Clerks: Mrs. Gertrude W. Meader, 701 18th St.
Ernest W. Vine, 2214 Downey Ave.,
Mrs. Anna S. Williams, 102 Howard St.

SPECIAL ELECTION OR CONSOLIDATED PRECINCT NO. 7

Polling Place: City Hall, 717 10th St.
Inspector: Mrs. Elsie E. Ring, 609 12th St.
Judges: Mrs. Mabel C. Love, 419 13th St.
Corda Stone, 821½ 11th St.
Clerks: Mrs. Lottie Severcool, 714 13th St.
Mrs. Violet E. Plummer, 526 14th St.
Mrs. Caroline Utterback, 632 12th St.

SPECIAL ELECTION OR CONSOLIDATED PRECINCT NO. 8

Polling Place: Harrington Grocery Store, 228 Maze Blvd.
Inspector: Mrs. Matilda M. Condit, 201 Locust
Judges: Mrs. Leonie R. Smith, 1127 Jefferson St.
Mrs. Mable E. Rais, 312 Oak St.
Clerks: Mrs. Irma Karker, 126 Maple St.
Mrs. Alice F. Handley, 214 Laurel St.
Elmer A. Ingham, 1106 5th St.

SPECIAL ELECTION OR CONSOLIDATED PRECINCT NO. 9

Polling Place: Damrell Residence, 822 6th St.
Inspector: Mrs. Minna H. Damrell, 822 6th St.
Judges: Mrs. Gertrude J. Epperson, 702 4th St.
Mrs. Ramona W. Fairchilds, 715 3rd St.
Clerks: Mrs. Jessie M. Shotwell, 117 Pine St.
Mrs. Ellen M. Harris, 302 H St.
Mrs. Ruby Ribera, 917 5th St.

SPECIAL ELECTION OR CONSOLIDATED PRECINCT NO. 10

Polling Place: Fire Station #2-Second St.
Inspector: Mrs. Mary J. Blaine, 253 Sierra Drive
Judges: Mrs. Margaret L. O'Leary, 214 Tuolumne Blvd
William A. Paxton, 234 Leon Ave.,
Clerks: Mrs. Elma M. Ducker, 138 Sunset Blvd.,
Max L. Suiter, 131 Sierra Drive
Mrs. Olive C. Rasmussen, 125 Fresno. Ave.,

The following places have been by said City Council fixed and designated as and for the holding of said general school election in that portion of the Mod-

esto City School District which lies outside of the corporate limits of the City of Modesto, and the following named persons have been so designated to act as officers of election for said election within said territory, to-wit:

SPECIAL PRECINCT NO. 11

Polling Place: Paradise Schoolhouse
Inspector: O.H.Deforest, Rt 3 Box 849
Judges: J.T.Townson, Rt 3 Box 1072
Willis D. Sharp, Rt 3 Box 851
Clerks: Mrs. Jessie M. Lampley, Rt 3 Box 831
Mrs. Sue H. Robbins, Rt 3 Box 820
Mrs. Lena B. Chumlea, Rt 3 Box 861

SPECIAL PRECINCT NO. 12

Polling Place: Ransom School
Inspector: Mrs. Alma Montgomery Rt 5 Box 693
Judges: Mrs. Cora B. Hanson, Rt 5, Box 859
Mrs. Beulah B. Bowman, Rt 3 Box 628
Clerks: Mrs. Ethel L. Woolsey, Rt 5, Box 763
Mrs. Helen I. Davis, Rt 5 Box 855
Mrs. Mabel K. Schulte, Rt 5 Box 861

SPECIAL PRECINCT NO. 13:

Polling Place: Maple Hall, Salida
Inspector: James Lee Curtis, Box 115, Salida
Judges: Thos W. McGinn, Box 44, Salida
Mrs. Flossie L. Jolliff, Rt 3 Box 622
Clerks: Mrs. Edna Craig, Box 34, Salida
Maurice P. Belisle, Box 234, Salida
Mrs. Marie Brown, Box 224, Salida

SPECIAL PRECINCT NO. 14

Polling Place: Sylvan Club House, McHenry Road
Inspector: Omer C. Glass, Rt 2 Box 839
Judges: Mrs. Darthula A. Hummer, Rt 1 Box 1194
Mrs. Alma G. Drake, Rt 1 Box 1207
Clerks: Mrs. Alma A. Guy, Rt 1 Box 1542
Homer C. Walker, Rt 2 Box 811
Henry R. Briggs, Rt 2 Box 680

SPECIAL PRECINCT NO. 15

Polling Place: Empire School Auditorium
Inspector: Hubert W. Little, Rt 1 Box 740
Judges: Mrs. Fanny W. Secrest, Rt 1 Box 1950
Mrs. Elizabeth Davison, Rt 1 Box 759
Clerks: J. Frank Ferguson, Rt 1 Box 1842A
Fred E. Little, Rt 1 Box 1845
Glen O. Hollingsworth, Rt 1 Box 680

SPECIAL PRECINCT NO. 16

Polling Place: Glassford Garage, 105 Santa Rita
Inspector: Mrs. Lois J. Amerine, 200 Santa Rosa
Judges: Mrs. Dorothy J. Johnson, 405 Santa Rita
Mrs. Marian Miller, 407 Santa Rita
Clerks: Mrs. Lucille M. Amerine, 230 Santa Rita
Mrs. Irene M. Ensley, 426 Santa Rita
Mrs. Erma Hansbrough, 260 Santa Rosa

SPECIAL PRECINCT NO. 17

Polling Place: Fairview School

Inspector: Mrs. Ila M. Rutherford, Rt 4 Box 2060
Judges: Mrs. Rilla K. Hoatson, Rt 4 Box 2200
Mrs. Nora A. Hamer, Rt 4 Box 2442
Clerks: Mrs. Mary E. Pegden, Rt 4 Box 2455
Mrs. Verla O. Stalker, Rt 4 Box 2436
Mrs. Adelia B. Hopkins, Rt 4 Box 2430

The duties of said officers in the conduct of said election shall be the same as the duties prescribed by the Political Code of the State of California for officers of general elections. If the officers appointed hereby do not attend at the opening of the polls on the morning of the election, the electors of the precinct who are present at that time may appoint a Board of Election or supply the place of any absent member thereof. Said election shall be held in all respects in conformity with the general election laws of the State of California so far as the same may be applicable to and in conformity with the Charter of the City of Modesto. On the day the election is held, the polls shall be opened at 6 o'clock A.M. and must be kept open until 7 o'clock in the afternoon of said day when the polls shall be closed.

The City Clerk is hereby ordered to publish an election proclamation as required by law, containing a certified list of names and the offices to be filled designating whether for a full term or unexpired term (which said certified list of names of candidates and the offices to be filled has heretofore been certified to this Council by the City Clerk as being the list of candidates nominated as required by the Charter of the City of Modesto) said publication of said election proclamation to be for the time and in the manner required by law.

The foregoing resolution was introduced and ordered adopted by the Council of the City of Modesto at a regular meeting thereof duly convened and held on the 23rd day of February, 1939, by the following vote:

Ayes: Councilmen: Barnell, Neece, Oliver, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

APPROVED: March 15, 1939

J. H. KING, MAYOR

H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4465-N.S.

A RESOLUTION PROVIDING FOR TEN MINUTE PARKING ON ELEVENTH STREET BETWEEN H AND I STREETS IN THE CITY OF MODESTO

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WHEREAS, it is deemed to be to the best interest of the citizens of the City of Modesto that there be established a ten minute parking space on Eleventh Street between H and I Streets in the City of Modesto between the hours of 9 o'clock A.M. and 6 o'clock P.M; and,

WHEREAS, by virtue of the power vested in the City Council of said City of Modesto, said Council has the right to increase and diminish the time for which vehicles may be parked in a given area in the business district of the City of Modesto:

NOW, THEREFORE, IT IS HEREBY DECLARED TO BE UNLAWFUL to park a vehicle for longer than ten (10) consecutive minutes between the hours of 9 o'clock

A.M. and 6 o'clock P.M. on any day, except Sunday, in that certain oblique parking space on the southwesterly side of Eleventh Street in the City of Modesto, between H and I Streets, in that certain spot to be properly designated by the City Engineer of the City of Modesto 80.7 feet southerly from the southeasterly property line of I Street;

The City Engineer of said City is hereby ordered to erect appropriate signs and markings to bring to the attention of the public the rules and regulations regarding said parking space hereinabove set forth.

This resolution is passed by the City Council of the City of Modesto under and by virtue of the power vested in said City Council by the terms of Ordinance No. 544-N.S.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of February, 1939 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: Bernell, Neece, Oliver, Stanley and Mayor King
Noes: Councilmen: None
Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4466-N.S.

A RESOLUTION APPROVING AGREEMENT WITH CIVIL AERONAUTICS AUTHORITY FOR ELECTRIC SERVICE AT MUNICIPAL AIRPORT AND THE CITY OF MODESTO

---oOo---

BE IT HEREBY RESOLVED that agreement for electric service at the Modesto Municipal Airport, between the City of Modesto and the Civil Aeronautics Authority, to be furnished the United States Airway Communication Station, Remote Control Quarters be approved.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on February 23rd, 1939 by Commissioner Oliver, 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, Oliver, Stanley and Mayor King
Noes: Councilmen: None
Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4467-N.S.

A RESOLUTION GRANTING PERMISSION TO FOSTER AND KLEISER TO ERECT TWO OUTDOOR ADVERTISING SIGNS

---oOo---

Pursuant to provisions of Ordinance No. 302-N.S. Foster & Kleiser petitioned the Council to be permitted to place outdoor advertising sign on portion of Block 146, lying opposite N Street and outdoor advertising sign on portion Block 147, 9th Street opposite Needham Street.

BE IT HEREBY RESOLVED that permission be granted to Foster and Kleiser to erect two outdoor advertising signs at locations designated above.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on February 23, 1939 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, Oliver, Stanley and Mayor King

Noes: Councilmen: Neece

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4468-N.S.

A RESOLUTION AUTHORIZING THE RENEWAL OF AGREEMENT WITH THE MODESTO GARBAGE COMPANY FOR A TERM OF THREE YEARS, ENDING JULY 1, 1942

---oOo---

BE IT HEREBY RESOLVED that agreement with the Modesto Garbage Company be renewed for term of three years beginning July 1, 1939, with the provision that agreement may be terminated by the city upon 30 days written notice at any time before three years from the date hereof if and when the City of Modesto install and maintain a municipal garbage collection service.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on February 23, 1939 by Commissioner Oliver 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, Oliver, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4469-N.S.

A RESOLUTION SETTING DATE OF NEXT REGULAR MEETING OF THE COUNCIL OF THE CITY OF MODESTO

---oOo---

WHEREAS, the next regular meeting of the Council of the City of Modesto comes on March 8th, 1939 and

WHEREAS, "GEORGE WALLACE" day is to be celebrated by the City of Modesto on that date

BE IT HEREBY RESOLVED that the date of the regular meeting of the Council be set as March 9, 1939, Thursday.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of February, 1939 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, Neece, Oliver, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4470-N.S.

ADJOURNMENT

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

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of February, 1939 by Commissioner Oliver, 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, Oliver, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4471-N.S.

A RESOLUTION AWARDDING BID ON BUILDING FIREHOUSE TO J. C. MEYERS

---c0o---

BE IT HEREBY RESOLVED that bid on construction of reinforced concrete firehouse on lots 21, 22, 23 in Block 81 for the City of Modesto be awarded to J.C. Meyers, 305 East Weber Avenue, Stockton, California for \$44,836.00, as being the lowest and best bid and the Mayor and City Clerk be appointed as signatory officials on contract and authorizing the City Clerk to return bidding bonds and checks to unsuccessful bidders.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on February 27, 1939 by Commissioner Oliver, 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, Oliver, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4472-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 February 27, 1939 by Commissioner Oliver, who moved its adoption, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Barnell, Neece, Oliver, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4473-N.S.

A RESOLUTION ALLOWING CLAIMS FOR MONTH OF FEBRUARY, 1939

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WHEREAS, the claims against the City of Modesto for the month of February, 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 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-----	\$25,653.94
WATER FUND-----	6,212.70
LIBRARY FUND-----	1,699.88
BOND RED. INT. FUND-----	6.62
ST. BOND RED. INT. FUND-----	127.35
SPECIAL GAS TAX FUND-----	<u>3,836.10</u>
	\$37,536.59

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of March, 1939 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, Oliver, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4474-N.S.

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

---000---

BE IT HEREBY RESOLVED that claim of \$200.00 be allowed the Modesto Chamber of Commerce as provided by Ordinance No. 581-N.S. For Civic Promotion Fund.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on March 9, 1939 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, Oliver, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4475-N.S.

A RESOLUTION ALLOWING REFUND OF TAXES TO MARY A. SANDERS

---000---

WHEREAS, Block 802, lots 1 to 7 inc. Block 812 lots 1 to 17 inc. and Block 813, lots 1 to 9 S 23.17 feet in the City of Modesto belonging to Mary A. Sanders were erroneously assessed at a tax rate of \$1.10 instead of 90¢, as provided by Ordinance No. 566-N.S. approving annexation of Southern Campus Tract to the City of Modesto

BE IT HEREBY RESOLVED that a refund of \$6.62 be authorized to Mary A Sanders and the City Tax Collector is hereby authorized to draw warrant payable to claimant.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on March 9, 1939 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, Oliver, Stanley and Mayor King
Noes: Councilmen: None
Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4476-N.S.

A RESOLUTION REFUSING OFFER OF MCKINLEY THOMPSON FOR BLOCK 512, LOTS 20 and 21 IN THE CITY OF MODESTO

---oOo---

WHEREAS, McKinley H. Thompson has offered to purchase Block 512, lots 20 and 21 of the City of Modesto for \$100.00 free and clear of all taxes prior to first Monday in March, 1939

BE IT HEREBY RESOLVED that offer be rejected.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on March 9, 1939 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, Oliver, Stanley and Mayor King
Noes: Councilmen: None
Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4477-N.S.

A RESOLUTION ACCEPTING REPORT FROM THE MODESTO IRRIGATION DISTRICT PERMITTING THE CITY OF MODESTO INSTALL PIPES ACROSS LATERAL NO. 4 AT JOHNSON STREET TO HELEN AVENUE IN THE CITY OF MODESTO

---oOo---

BE IT HEREBY RESOLVED that report be accepted from the Modesto Irrigation District permitting the City to install water pipe line across Lateral No. 4 at Johnson Street to Helen Avenue and also sewer line across Lateral #4 at McHenry Avenue to portion of LeslieHugh Tract recently annexed to the City of Modesto.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on March 9, 1939 by Commissioner Oliver, 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, Oliver, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4478-N.S.

A RESOLUTION DENYING RESPONSIBILITY AND/OR LIABILITY BY THE CITY OF MODESTO FOR SAND BEING PUMPED INTO WATER SYSTEM AT HOTEL MODESTO

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WHEREAS, H. T. Crow has requested that the Council investigate the matter of sand being pumped into Hotel Modesto water system

BE IT HEREBY RESOLVED that the City Attorney answer complaint with the approval of the City Engineer, denying responsibility and/or liability by the City of Modesto for sand being pumped into water system at Hotel Modesto due to the faulty construction of the recent pump installed by H. T. Crow, which was not functioning properly before water service was resumed at the Hotel Modesto.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on March 9, 1939 by Commissioner Stanley, 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, Neece, Oliver, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4479-N.S.

A RESOLUTION DENYING PERMIT TO GILMORE OIL COMPANY TO ESTABLISH SERVICE STATION AT 14th AND H STREETS IN THE CITY OF MODESTO UNTIL ZONING PETITION WAS CIRCULATED

---000---

WHEREAS, Gilmore Oil Company have petitioned the Council to establish a service station at 14th and H Streets in the City of Modesto and

WHEREAS, Ordinance No. 364-N.S. provides that all permits to operate a business in residence district be granted only after zoning petition has been circulated among property owners.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on March 9, 1939 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, Neece, Oliver, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4480-N.S.

A RESOLUTION REFERRING "NOTICE TO CIRCULATE PETITION" ON ANNEXATION OF LA LINDA TRACT TO CITY CLERK FOR CHECKING

---000---

WHEREAS, "Notice to Circulate Petition" has been presented to the Council for acceptance by residents of the La Linda District.

BE IT HEREBY RESOLVED that "Notice to Circulate Petition" for annexation of La Linda District to the City of Modesto be accepted by the Council if and when the City Clerk determines whether or not persons signing petition are qualified electors of the County of Stanislaus, State of California.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of March, 1939 by Commissioner Oliver, 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, Neece, Oliver, Stanley and Mayor King
Noes: Councilmen: None
Absent;Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4481-N.S.

A RESOLUTION GRANTING PERMIT TO CARL LEWIS TO BUILD STORE BUILDING IN RESIDENCE DISTRICT, 1118 11th STREET IN THE CITY OF MODESTO

---000---

WHEREAS, pursuant to the filing of petition with the Council by Carl Lewis to build store building at 1118 11th Street, being lots 25 and 26 in Block 86 of the City of Modesto, and

WHEREAS, affidavits on file set forth notice for time of hearing any and all protests to the granting of the petition as prayed for and

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

BE IT HEREBY RESOLVED that request be granted to Carl Lewis to build store building at 1118 11th 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 March 9, 1939, by Commissioner Oliver 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, Oliver, Stanley and Mayor King
Noes: Councilmen: None
Absent;Councilmen: None

ATTEST H. E. GRAGG-CITY CLERK

RESOLUTION NO. 4482-N.S.

A RESOLUTION GRANTING PERMIT TO ED BLAKER TO BUILD DWELLING AND GARAGE IN RESIDENCE DISTRICT AT FIFTH AND G STREETS

---000---

WHEREAS, pursuant to the filing of petition with the Council by Ed Blaker to build dwelling and garage at 5th and G Streets, lots 31 and 32 in Block 25 of the City of Modesto, and

WHEREAS, affidavits on file set forth notice for time of hearing any and all protests to the granting of the petition as prayed for and

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

BE IT HEREBY RESOLVED that request be granted to Ed Blaker to build dwelling and garage at 5th & G Streets, lots 31 and 32 in Block 25 of the City of Modesto, 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 March 9, 1939, by Commissioner Oliver, 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, Oliver, Stanley and Mayor King
Noes: Councilmen: None
Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4483-N.S.

A RESOLUTION CANCELLING TAXES FOR 1938-39 ON LOTS 11 and 12, BLOCK 467 IN THE CITY OF MODESTO, BEING PROPERTY ACQUIRED BY VETERANS WELFARE BOARD

---000---

WHEREAS, the Veterans Welfare Board have acquired title from Charles Elbert Frost to lots 11 and 12, Block 467 in the City of Modesto and

WHEREAS the Veterans Welfare Board have requested that 1938-39 taxes assessed against this property be cancelled.

BE IT THEREFORE RESOLVED that the City Auditor and Assessor be directed to make such entries on his records, cancelling taxes for the year 1938-39 (both installments)

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on March 9, 1939 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, Oliver, Stanley and Mayor King
Noes: Councilmen: None
Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4484-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 March, 1939 by Commissioner Oliver, 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: Neece, Barnell, Oliver, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4485-N.S.

A RESOLUTION APPOINTING NEIL SULLIVAN DEPUTY SANITARY INSPECTOR DURING THE ILLNESS OF FRANK E. HOLTHAM, SANITARY INSPECTOR AT A SALARY OF \$50.00 PER MONTH BEGINNING MARCH 15, 1939

---000---

BE IT HEREBY RESOLVED that Neil Sullivan be appointed deputy Inspector during the illness of Frank E. Holtham, Sanitary Inspector, to take care of the milk inspection, beginning March 15, 1939 at a salary of \$50.00 per month, payable on the last day of each month.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on March 14, 1939 by Commissioner Oliver, 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, Oliver, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4486-N.S.

A RESOLUTION AMENDING RESOLUTION NO. 4464-N.S. PROVIDING FOR A GENERAL MUNICIPAL ELECTION IN THE CITY OF MODESTO, ETC.

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WHEREAS, further consideration by the Council of the City of Modesto has lead said Council to believe that it would be improper to submit to the voters of the City of Modesto at the general election to be held on April 11, 1939 in said City the question whether or not the Mayor of said City should receive a salary in the sum of \$75.00 per month and also whether the Councilmen of said City should have their pay increased from \$5.00 to \$10.00 per meeting:

NOW, THEREFORE, SAID CITY COUNCIL DOES HEREBY RESOLVE to amend Resolution No. 4464-N.S. of the City of Modesto entitled "A RESOLUTION OF THE COUNCIL OF THE CITY OF MODESTO PROVIDING FOR A GENERAL MUNICIPAL ELECTION IN AND FOR THE CITY OF MODESTO AND A GENERAL ELECTION IN AND FOR THE MODESTO CITY SCHOOL DISTRICT", and the same is hereby amended by striking therefrom that portion of said resolution which provides that there be submitted to the people of

Modesto at the next general municipal election now set for April 11, 1939, an ordinance amending Ordinance No. 139A N.S. Initiative Ordinance No. 3-- to provide a salary for the Mayor of said City in the sum of \$75.00 and to increase the salary of the members of the Council from \$5.00 to \$10.00 per meeting, and said question as herein set forth shall not be presented to the people of the City of Modesto for their vote at said election.

The foregoing resolution was introduced and ordered adopted by the Council of the City of Modesto at a meeting thereof duly convened and held on the 9th day of March, 1939 by the following vote:

Ayes: Councilmen: Barnell, Neece, Oliver, Stanley and Mayor King
Noes: Councilmen: None
Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4487-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, 1939 by Commissioner Oliver, 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: Neece, Barnell, Oliver, Stanley and Mayor King
Noes: Councilmen: None
Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4488-N.S.

A RESOLUTION DENYING CLAIM OF MORGAN D. BOYLES OF \$11.50 FOR DAMAGE TO TIRES ON HIS AUTOMOBILE CAUSED BY RUNNING OVER LARGE SPIKE IN STREET

---OO---

WHEREAS, Morgan D. Boyles has filed a claim of \$11.50 for damage to automobile tires caused by running over large spike in street at Washington and Locust Streets

BE IT HEREBY RESOLVED that claim be denied as the spike had been left by the City in such a position no damage would have resulted and it had been pulled above the surface of the ground by other agency than the City of Modesto.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on March 22, 1939 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, Oliver, Stanley and Mayor King
Noes: Councilmen: None
Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4489-N.S.

A RESOLUTION ALLOWING CLAIM OF MRS. H. M. WELLS FOR REFUND OF PERSONAL PROPERTY TAXES IN AMOUNT \$2.20

---oOo---

WHEREAS, Mrs. H. M. Wells has made claim for refund of personal property tax of \$2.20 erroneously assessed for year 1938-39

BE IT HEREBY RESOLVED that claim be allowed and the City Auditor is hereby directed to draw check in payment of claim of \$2.20.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on March 22, 1939 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, Oliver, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4490-N.S.

A RESOLUTION ACCEPTING OFFER OF MCKINLEY H. THOMPSON OF \$100.00 FOR BLOCK 512, Lots 20 and 21 IN THE CITY OF MODESTO IN ACCORDANCE WITH SECTION 35 OF ORDINANCE NO. 396-N.S. AS AMENDED BY ORDINANCE NO. 568-N.S. AUTHORIZING THE TAX COLLECTOR TO PREPARE DEED FOR DELIVERY AND AUTHORIZING CITY AUDITOR AND TAX COLLECTOR TO CANCEL ALL TAXES LEVIED AND ASSESSED PRIOR TO MARCH 6, 1939

---oOo---

*Revised
4710-N.S. Wells
3/22/39*

WHEREAS, in accordance with section 35 of Ordinance No. 396-NS as amended by Ordinance No. 568-N.S., it appears to the Council of the City of Modesto that it would be for the best interest and welfare of the City that Block 512, lots 20 and 21 of the City of Modesto acquired by tax deed as provided by Ordinance No. 396-N.S. be sold at private sale and

WHEREAS, McKinley H. Thompson, has offered to purchase said property for the sum of \$100.00, same to be free and clear of all city taxes and assessments levied or assessed prior to the first Monday in March, 1939

BE IT HEREBY RESOLVED that offer of \$100.00 be accepted for said property and the City Tax Collector be authorized to prepare a deed for delivery to aforesaid petitioner.

BE IT FURTHER RESOLVED that the property be and the same is hereby ordered sold, subject only to unpaid County and Irrigation taxes and the city taxes and special assessments on the first Monday in March, 1939 and subsequent thereto. The Mayor and Tax Collector of said City are hereby authorized and empowered to execute deeds and such other instruments conveying said property from the said City of Modesto to McKinley H. Thompson.

BE IT FURTHER RESOLVED that the Auditor and Tax Collector be authorized to cancel all taxes levied and/or assessed prior to March 6, 1939 against this property.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on 22nd day of March, 1939 by Commissioner

Barnell, who moved its adoption, which motion being duly seconded was carried by the following vote:

Ayes: Councilmen: Neece, Barnell, Oliver, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4491-N.S.

A RESOLUTION GRANTING PERMISSION TO GILMORE OIL COMPANY TO OPERATE AND ERECT SERVICE STATION AT 14th AND H STREETS IN THE CITY OF MODESTO

---000---

WHEREAS, pursuant to the filing of petition with the Council by Gilmore Oil Company to operate and erect service station at 14th and H Streets 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 and the same is hereby granted, to the Gilmore Oil Company to erect and operate service station at 14th and H Streets, 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 to the above named applicant for permit as prayed for in his petition.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on 22nd day of March, 1939 by Commissioner Oliver, who moved its adoption, which motion being duly seconded was carried by the following vote:

Ayes: Councilmen: Neece, Barnell, Oliver, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4492-N.S.

A RESOLUTION ACCEPTING STODDARD AVENUE BRIDGE FROM CONTRACTOR HARRY BROWN AND AUTHORIZING BALANCE OF 75% PAYMENT IN AMOUNT \$201.90

---000---

WHEREAS, the construction of reinforced concrete bridge on Stoddard Avenue, across Modesto Irrigation District Lateral No. 4 in the City of Modesto has been completed by the Contractor Harry Brown and

WHEREAS at the present time there is due contractor Harry Brown an amount of \$201.90, being balance of 75% of contract payment,

BE IT HEREBY RESOLVED, that bridge be accepted from Contractor Harry Brown and the City Auditor be authorized to draw warrant in amount \$201.90 in payment.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on 22nd day of March, 1939 by Commissioner Oliver, 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, Oliver, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4493-N.S.

A RESOLUTION AUTHORIZING RENEWAL OF LEASE WITH PATHFINDER FLYING SERVICE ON MUNICIPAL AIRPORT FOR A PERIOD OF ONE YEAR

---oOo---

WHEREAS, lease with the Pathfinder Flying Service and the City of Modesto on the Municipal Airport expires on March 31, 1939 and

WHEREAS, the Pathfinder Flying Service have expressed their desire to renew lease for an additional year

BE IT HEREBY RESOLVED that the City Attorney be authorized to prepare extension of agreement, renewing lease for period of one year from April 1, 1939 and be it further resolved that the first paragraph on page four of agreement shall be changed to require lessor to pay 7% on gross income derived from Aeronautical business, except sale of gasoline, upon which they pay 7% of sum equal to difference between amount paid by lessor for gasoline sold by it and the amount for which said party of the first part sells said gasoline.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on 22nd day of March, 1939 by Commissioner Oliver, 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, Oliver, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4494-N.S.

A RESOLUTION AUTHORIZING PROGRESS PAYMENT TO J. C. MEYERS CONTRACTOR OF FIREHOUSE IN BLOCK 81, Lots 21, 22, 23 IN THE CITY OF MODESTO AS PROVIDED BY CONTRACT

---oOo---

BE IT HEREBY RESOLVED that the City Auditor is hereby directed to draw warrant in payment of statement presented by the City Engineer for progress payment to Contractor J. C. Meyers on construction of firehouse for the City of Modesto now being constructed in Block 81, lots 21, 22 and 23 on March 30, 1939 as provided by contract.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on 22nd day of March, 1939 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, Oliver, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4495-N.S.

A RESOLUTION APPROVING ACTION OF CITY AUDITOR IN ALLOWING BANK OF AMERICA TO WITHDRAW CERTAIN SECURITIES AND SUBSTITUTING OTHERS IN THEIR STEAD.

---000---

WHEREAS, the Modesto Branch, Bank of America, National Trust and Savings Association has placed in the custody of the Auditor of the City of Modesto, certain bonds as security for the repayment to the City of Modesto of certain deposits made by said City in Said Bank, and

WHEREAS, heretofore, to-wit, March 7th, 1939 the City Auditor, the City Attorney concurring therein, permitted the officials of said bank to withdraw two East Bay Municipal Utility District Bonds, numbered 14101 and 14102, both of the face value of \$1000.00 and to substitute in their place and stead two State of California Veteran Bonds, numbered 9803 and 9804, both of the face value of \$1000.00, and

WHEREAS, it appears to the City Council that the substitution as aforesaid in no wise constitutes any depletion of the security deposited with the City Auditor by said Bank to guarantee repayment of City Deposits to said City,

NOW THEREFORE, the said City Council of City of Modesto, hereby confirms the acts and ratifies the same, performed by said City Auditor in allowing said substitution as aforesaid.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of March, 1939, 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, Neece, Oliver, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4496-N.S.

A RESOLUTION GRANTING TEMPORARY WATER SERVICE TO APRICOT COLONY FOR A PERIOD OF SIX MONTHS AND AUTHORIZING CITY ATTORNEY TO DRAW CONTRACT

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WHEREAS, S. G. and Anne Adams have petitioned the Council to be granted temporary water service in Apricot Colony on the north side of Lucerne Avenue at El Cajon, just outside of the City Limits.

BE IT HEREBY RESOLVED that temporary water service be granted S. G. and Anne Adams in Apricot Colony for a period of six months and the City Attorney is hereby directed to draw up contract.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on March 22, 1939 by Commissioner Oliver,

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, Oliver, Stanley and Mayor King
Noes: Councilmen: None
Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4497-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 22nd day of March, 1939 by Commissioner Oliver, 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, Oliver, Stanley and Mayor King
Noes: Councilmen: None
Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4498-N.S.

A RESOLUTION RECOMMENDING THAT THE CITY OF MODESTO ENTER INTO AN AGREEMENT WITH THE 20-30 CLUB FOR RENTAL OF PORTION OF MODESTO MUNICIPAL BASEBALL PARK TO BE USED AS SOFT BALL DIAMOND

----000---

BE IT HEREBY RESOLVED that the City of Modesto enter into an agreement with the 20-30 Club for a period of two years, beginning March 27, 1939, with an option of renewal of one year for rental of portion of Modesto Municipal Baseball Park, to be used as soft ball diamond, at a yearly rental of \$1.00.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on March 27, 1939 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, Oliver, Stanley and Mayor King
Noes: Councilmen: None
Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4499-N.S.

A RESOLUTION RECOGNIZING THE FACT THAT THE CITY OF MODESTO HAS NO RIGHT OR TITLE TO ANY ELECTRIC LIGHT POLES OR FIXTURES BEING PLACED BY THE 20-30 CLUB ON PORTION OF MODESTO MUNICIPAL BASEBALL PARK

---000---

BE IT HEREBY RESOLVED that the Council go on record as recognizing the fact that the City of Modesto has no right or title to any electric light poles or fixtures being placed by the 20-30 Club on portion of Modesto Municipal Base-

ball Park, leased by them and furnishing electric energy to the soft ball field and that they may be removed at any time as far as the City of Modesto is concerned, providing the ground is put back in proper condition

The foregoing resolution was introduced at a special Council meeting of the City of Modesto held on March 27, 1939 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, Oliver, Stanley and Mayor King

Noes: Councilmen: None

Absent; Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4500A-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 held on April 10, 1939 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, Neece, Oliver, Stanley and Mayor King

Noes: Councilmen: None

Absent; Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4500-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 March, 1939 by Commissioner Oliver, 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, Oliver, Stanley and Mayor King

Noes: Councilmen: None

Absent; Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4501-N.S.

A RESOLUTION ALLOWING CLAIMS FOR MONTH OF MARCH, 1939

---000---

WHEREAS, the claims against the City of Modesto for the month of March, 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 be and they are hereby ordered allowed, with reference being made to the Auditor's Cash Records for further details relative to amount of withdrawals from the various funds as follows:

GENERAL FUND-----	\$29,336.63
WATER FUND-----	4,216.94
LIBRARY FUND-----	1,419.24
BOND RED. INT. FUND-----	
ST. BOND RED. INT. FUND-----	
UNAPPORTIONED FUND-----	
GASOLINE TAX FUND-----	1,155.38
	<u>\$36,128.19</u>
TOTAL	

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of April, 1939 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, Oliver, Stanley and Mayor King
 Noes: Councilmen: None
 Absent; Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4502-N.S.

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

---000---

WHEREAS, there has been presented to the City Council of the City of Modesto at a regular meeting thereof held on the 12th day of April, 1939 a petition requesting that an election be called in the "COLDWELL OLIVEWOOD TRACT", which tract is described as follows, to-wit:

Beginning on the Northerly City Limits of the City of Modesto, at its intersection with the center line of Enslin Avenue; thence Northerly along the said center line of Enslin Avenue, to its intersection with the center line of Griswold Avenue; thence Easterly along the said center line of Griswold Avenue, to its intersection with the center line of Magnolia Avenue, (formerly Carter Avenue); thence Southerly along the said center line of Magnolia Avenue, to the Northwesterly property corner of Lot 68, as shown on the Map of the Goldwell Olivewood Tract; thence continuing Southerly along the said center line of Magnolia Avenue, or the Westerly property line of said Lot 68, a distance of 46.78 feet; thence Easterly through said Lot 68, to a point that is 46.76 feet Southerly from the Northeasterly property corner of said Lot 68, on the Easterly property line of said Lot 68; thence Southerly along the

said Easterly property line of Lot 68, and the Easterly property line of Lot 69, to the said northerly City Limits; thence Westerly along the said Northerly City Limits, to the beginning.

The Northerly City Limits of the City of Modesto, is as shown on the Official Map of the City of Modesto, Stanislaus County, California, dated March 23, 1938.

The avenues as mentioned are as designated on the said Map of the Coldwell Olivewood Tract, recorded in Maps Volume 5, Page 32, Stanislaus County, California, or otherwise commonly known as named.

The lots as mentioned are as designated on the said Map of the Coldwell Olivewood Tract.

WHEREAS, it appears to the City Council of said City that said petition is in order; and that 28 names properly appear thereon.

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 Coldwell Olivewood 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 Coldwell Olivewood 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 11th day of July, 1939

The time for hearing protests by persons owning property in the within described Coldwell Olivewood Tract is hereby set for the 3rd day of May, 1939, 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 Coldwell Olivewood 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 12th day of April, 1939, by Councilman Oliver, 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, Stanley, Oliver, Neece and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4503-N.S.

A RESOLUTION GRANTING REQUEST OF WIELAND BRCS. TO ERECT SERVICE STATION AT 9th AND J STREETS IN THE CITY OF MCDESTO

WHEREAS, Wieland Bros. have petitioned the Council to be permitted to erect service station on corner of Ninth and J Streets on lots 29, 30, 31, 32 and part of lots 28, Block 56 in the City of Modesto, pursuant to Ordinance No. 344-N.S. and

WHEREAS the plans having been heretofore checked and approved by the City Engineer

BE IT HEREBY RESOLVED that permission be granted to Wieland Bros. 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 regular meeting of the Council of the City of Modesto held on the 12th day of April, 1939 by Commissioner Oliver, 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, Oliver, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

(Res # 4504 on Page 282)

RESOLUTION NO. 4505-N.S.

A RESOLUTION DENYING REQUEST OF GIRL SCOUTS FOR FREE ELECTRIC SERVICE AT GIRL SCOUT CLUBHOUSE IN BEARD BROOK PARK

---000---

WHEREAS, the Girl Scouts have petitioned the Council to be relieved of paying electric bill for Girl Scout Clubhouse located in the Beard Brock Park

BE IT HEREBY RESOLVED that request be denied.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of April, 1939 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, Neece, Oliver, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4506-N.S.

A RESOLUTION REFUSING REQUEST OF TOWNSEND CLUB TO RESERVE LEGION PARK FOR PICNIC WITH A PUBLIC SPEAKER EARLY IN MAY

---000---

WHEREAS, the Townsend Club have petitioned the Council to be permitted to hold a picnic in Legion Park early in May and to have a public speaker.

BE IT HEREBY RESOLVED that the Townsend Club be permitted to hold picnic at Legion Park but reservation could not be made as it has not been the custom to make reservations at this park, and

BE IT FURTHER RESOLVED that request for public speaker to be

allowed to speak at the picnic be denied.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of April, 1939 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, Oliver, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4507-N.S.

A RESOLUTION DENYING REQUEST OF BOY'S BROTHERHOOD REPUBLIC FOR PERMISSION TO LEASE PORTION OF ELK'S PARK FOR BUILDING SITE FOR CLUBHOUSE

---000---

WHEREAS, Frank C. Damrell, Chairman of the Board of Directors of the Boy's Brotherhood Republic has made a request to the Council that the city lease a portion of Elk Park to be used by the Boy's Brotherhood Republic for a building site for their clubhouse, and

WHEREAS, section 4, subdivision 11 of the Charter prohibits leasing of public parks to any corporations or individuals.

BE IT HEREBY RESOLVED that request be denied.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of April, 1939 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, Neece, Oliver, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4508-N.S.

A RESOLUTION AUTHORIZING PROGRESSIVE PAYMENT ON FIREHOUSE OF \$3429.40 TO CONTRACTOR JOHN C. MEYERS

---000---

BE IT HEREBY RESOLVED that progressive payment be allowed contractor John C. Meyers on construction of firehouse for the city of Modesto in amount \$3429.40 as provided by contract and the City Auditor is hereby 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 12th day of April, 1939 by Commissioner Oliver, 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, Oliver, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4509-N.S.

A RESOLUTION GRANTING PERMIT TO NATIVE SONS TO HOLD DEDICATORY SERVICES AT FIREHOUSE UNDER CONSTRUCTION AND APPOINTING A COMMITTEE TO MAKE ARRANGEMENTS

---oOo---

BE IT HEREBY RESOLVED that permission be granted the Native Sons to hold dedicatory services at the firehouse being constructed and a committee of City Engineer Frank Rossi and Fire Chief Wallace be appointed to make arrangements with the Native Sons on the program.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of April, 1939 by Commissioner Oliver, 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, Oliver, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4510-N.S.

A RESOLUTION AUTHORIZING THE MAYOR AND CITY ENGINEER TO SIGN BUDGET FOR 1/4% GAS TAX EXPENDITURE FOR BIENNIUM BEGINNING JULY 1, 1939

---oOo---

BE IT HEREBY RESOLVED that the Mayor and City Engineer be authorized to sign budget for 1/4% gas tax expenditure for biennium beginning July 1, 1939 on Highways.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of April, 1939 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, Oliver, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4511-N.S.

A RESOLUTION AUTHORIZING PAYMENT TO ELECTION OFFICIALS WHO SERVED IN THE GENERAL MUNICIPAL ELECTION HELD APRIL 11, 1939, RENTAL OF POLLING PLACES AND FOR INSTALLING BOOTHS.

---oOo---

BE IT HEREBY RESOLVED, that payment of \$5.00 to each official serving in the General Municipal Election held April 11, 1939 within the City and \$3.00 to each official serving outside the city and \$5.00 for each polling place and \$1.00 each to H. W. Little, O. H. DeForest, James Lee Curtis and Omer C. Glass for installing booths be allowed and the City Auditor is hereby authorized to draw warrants in payment.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of April, 1939 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, Oliver, Stanley and Mayor King

Noes: Councilmen; None

Absent: Councilmen; None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4512-N.S.

A RESOLUTION GRANTING PERMIT TO FOSTER & KLEISER TO INSTALL OUTDOOR ADVERTISING SIGN AT BLOCK 15, LOTS 31 and 32 IN THE CITY OF MODESTO

---000---

BE IT HEREBY RESOLVED, that permission be granted to Foster & Kleiser to install outdoor advertising sign at Block 15, lots 31 and 32 in the City of Modesto as provided by Ordinance No. 302-N.S., as amended by Ordinance No. 528-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 April, 1939 by Commissioner Oliver, 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, Oliver, Stanley and Mayor King

Noes: Councilmen; Neece

Absent: Councilmen; None

ATTEST: H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4513-N.S.

A RESOLUTION PROVIDING A TEN-MINUTE PARKING SPACE ON THE SOUTHWEST SIDE OF H STREET BETWEEN NINTH AND TENTH STREETS IN THE CITY OF MODESTO

---000---

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:

That certain space, beginning at a point on the southeast curb of H Street at a distance of 4 feet northeast from the northeast property line of Ninth Street, extended and produced; thence northeast along said southeast curb of H Street a distance of 17 feet; thence northwest along a line at a 90° angle with

said southeast curb of H Street, a distance of 6.8 feet; thence southwest along a line, at a distance of 6.8 feet from and parallel with said southeast curb of H Street, a distance of 17 feet; thence southeast along a line, a distance of 6.8 feet to the beginning.

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 12th day of April, 1939 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, Neece, Oliver, Stanley and Mayor King
Noes: Councilmen: None
Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4514-N.S.

A RESOLUTION PERMITTING ONE DEPOSIT TO BE POSTED FOR DRIVERS AT MILK PRODUCERS ASSOCIATION

---oOo---

WHEREAS, milk drivers hauling to Milk Producers Association in the City of Modesto are now no longer employed by said Milk Producers Association, but maintain and own routes and trucks; and,

WHEREAS, said drivers are now subject to local license laws of the City of Modesto, and said license law requiring a Fifty (\$50.00) Dollar deposit for each of said drivers would prove a hardship;

NOW, THEREFORE, the City Council of the City of Modesto does hereby grant and permit the Secretary of said drivers, known as Sherman Fetherston to deposit Fifty (\$50.00) Dollars with the City Clerk of the City of Modesto to guarantee to the City all registration fees and mill tax to become due and owing to the City of Modesto under and by virtue of the general business license ordinance of said City of Modesto. In the event any of the drivers in said Association default in paying any of said licenses or registration fees within the next six (6) months, said Fifty (\$50.00) Dollar deposit will be forfeited to said City of Modesto.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of April, 1939 by Councilman Oliver, 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, Neece, Oliver, Stanley and Mayor King
Noes: Councilmen: None
Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4515-N.S.

A RESOLUTION APPROVING AGREEMENTS WITH 20-30 club, Modesto Lumber Company and
MODESTO IRRIGATION DISTRICT

---oOo---

BE IT HEREBY RESOLVED that agreements between the 20-30 Club, City of Modesto and Modesto Lumber Company for materials to be furnished the 20-30 Club by the Modesto Lumber Company to be used for bleachers at the soft ball diamond at the Municipal Baseball Field and agreement between the City of Modesto and the Modesto Irrigation District for equipment furnished the 20-30 Club be approved.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of April, 1939 by Councilman Oliver, 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, Neece, Oliver, Stanley and Mayor King
Noes: Councilmen: None
Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4516-N.S.

A RESOLUTION DETERMINING THE RESULT OF A GENERAL MUNICIPAL ELECTION IN THE CITY OF
MODESTO, AND A GENERAL ELECTION IN THE MODESTO CITY SCHOOL DISTRICT, AND DECLARING
CERTAIN PERSONS ELECTED

---oOo---

WHEREAS, a general municipal election in the City of Modesto, together with a general school election in and for the Modesto City School District, was held on the 11th day of April, 1939, 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, including absentee ballots, 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 general municipal election in and for the City of Modesto and the general election in and for the Modesto City School District were 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 said Council so finds, that at said general municipal election in and for the City of Modesto the total number of votes cast at the regular polling places designated was and is 4465; that the number of votes received by the one and only candidate for the office of Mayor of the City of Modesto was and is as follows:

CARL W. SHANNON-----3071 votes

That the total number of absentee votes received by the one and only candidate for Mayor of the City of Modesto was and is as follows:

CARL W. SHANNON----- 11 absentee votes;

That the total number of votes cast at the regular polls at said election, together with the absentee ballots received by the one and only candidate for Mayor of the City of Modesto, was and is as follows:

CARL W. SHANNON-----3052 total
votes, including absentee ballots.

That the total number of votes cast at the regular polling places designated, received by the respective candidates for the office of Councilman in the City of Modesto was and is as follows:

RONALD E. BATES-----2555 votes;
CARL J. STANLEY-----2367 votes;
A. N. (AD) BROWN-----1667 votes;
Y. G. BARNELL-----2002 votes;
HAROLD L. ROGERS-----1699 votes;

That the total number of absentee ballots received by the respective candidates for the office of Councilman in the City of Modesto was and is as follows:

RONALD E. BATES----- 8 absentee votes;
CARL J. STANLEY----- 8 absentee votes;
A. N. (AD) BROWN----- 6 Absentee votes;
Y. G. BARNELL----- 7 absentee votes;
HAROLD L. ROGERS----- 5 absentee votes;

That the total number of votes received by said candidates for the office of Councilman in the City of Modesto, including votes cast at the regular polling places designated and absentee votes, was and is as follows:

RONALD E. BATES-----2563 total votes,
including absentee ballots;
CARL J. STANLEY-----2375 total votes,
including absentee ballots;
A. N.(AD) BROWN-----1673 total votes,
including absentee ballots;
Y. G. BARNELL-----2009 total votes,
including absentee ballots;
HAROLD L. ROGERS-----1704 total votes,
including absentee ballots;

That the said candidate for the office of Mayor of the City of Modesto, to-wit, Carl W. Shannon, received votes in a number greater than one-half of the ballots cast at said election, and that the said Carl W. Shannon was elected to the office of Mayor of the City of Modesto for the term of four years, and a Certificate of Election be issued to him under the hand and seal of the City Clerk of the City of Modesto.

That three of said candidates for the office of Councilman of the City of Modesto, to-wit, Ronald E. Bates, Carl J. Stanley, and A. N. (Ad) Brown, were candidates for the two offices to be filled in the City Council of the City of Modesto for the full term of four (4) years, and that Y. G. Barnell and Harold L. Rogers were candidates for the office of member of the City Council for the short term of two (2) years.

That the number of votes received by Ronald E. Bates and Carl J. Stanley is greater than one-half of the ballots cast at said election, and that the said Ronald E. Bates and Carl J. Stanley were elected to the office of member of the City Council of the City of Modesto for the period of four (4) years, and that a Certificate of Election be issued to them under the hand and seal of the City Clerk of the City of Modesto.

That the total number of votes received by Y. G. Barnell is greater than one-half of the ballots cast at said election, and that said Y. G. Barnell was elected to the office of member of the Council of the City of Modesto for the short term of two (2) years, and a Certificate of Election be issued to him under the hand and seal of the City Clerk of the City of Modesto.

The City Council of the City of Modesto sitting as such canvassing board as aforesaid, further finds and declares that at said general election in and for the Modesto City School District the total number of votes cast at the regular polling places designated was and is 4465; that the number of votes received by each of the candidates for the office of member of the Board of Education of said Modesto City School District at the regular polling places designated was and is as follows:

E. F. SODERSTROM-----2952 votes;
HUBERT J. WELLMAN-----2935 votes;
D. POWER BOOTHE-----2867 votes;
DOROTHEA M. McVAY-----2008 votes;
FRANCIS WORSHEN----- 573 votes;

That the total number of absentee votes cast at said general election in and for the Modesto City School District was and is as follows: 2.

That the number of absentee votes received by each of the candidates for the office of member of the Board of Education of said Modesto City School District was and is as follows:

E. F. SODERSTROM----- 0 absentee votes;
HUBERT J. WELLMAN----- 0 absentee votes;
D. POWER BOOTHE----- 0 absentee votes;
Dorothea M. McVay----- 2 absentee votes
FRANCIS WORSHEN----- 0 absentee votes

That the total number of votes cast at the regular polling places designated for said election, together with absentee votes received by candidates for the office of member of the Board of Education of said Modesto City School District was and is as follows:

E. F. SODERSTROM-----2952 total votes
including absentee ballots;
HUBERT J. WELLMAN-----2935 total votes
including absentee ballots
D. POWER BOOTHE-----2867 total votes
including absentee ballots;
DOROTHEA M. MCBAY-----2010 total votes
including absentee ballots;
FRANCIS WORSHEN----- 573 total votes
including absentee ballots;

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of April, 1939, by Councilman Neece, who moved its adoption, which motion was duly seconded, upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Barnell, Neece, Stanley and Mayor King
Noes: Councilmen: None
Absent: Councilmen: Oliver

ATTEST H. E. GRAGG, CITY CLERK

ADJOURNMENT

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

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of April, 1939, 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, Neece, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: Oliver

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4518-N.S.

A RESOLUTION AUTHORIZING MAYOR OF THE CITY OF MODESTO TO SECURE EXTENSION OF OPTION AND TO PURCHASE REAL PROPERTY WHEN AND IF TRANSAIR CORPORATION ASSURES THE CITY OF MODESTO THAT IT WILL BUILD AN AIRPLANE MANUFACTURING PLANT ON SAID REAL PROPERTY

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WHEREAS, the Transair Corporation, a corporation devoted to the manufacture and creation of aircraft, desires to build a factory for the manufacture of aircraft in the City of Modesto, County of Stanislaus, State of California; and,

WHEREAS, the location of such a factory in or near the City of Modesto would benefit the citizens of said City in numerous ways; and,

WHEREAS, the said Transair Corporation desires to be assured of a location where said factory can be built, and which location is close to or adjoins the Modesto Municipal Airport;

NOW, THEREFORE, the City Council of the City of Modesto, assembled in special session on the date hereinafter set forth, by this resolution empowers and orders the Mayor of said City to secure an extension of a certain option now held by the City of Modesto from D. E. Rowles and Helen H. Rowles, his wife, which option is more specifically referred to and which option gives to the City of Modesto the right to purchase approximately twenty-six (26) acres of land adjoining and south of the Modesto Municipal Airport. The Mayor of said City is further ordered and authorized to enter into a contract for the purchase of said real property from the said D. E. Rowles and Helen H. Rowles, his wife, and to thereafter make a lease to the Transair Corporation for a nominal sum, when and if said Transair Corporation can properly assure said City Council of the City of Modesto that when and if said City Council purchases said real property and leases the same to said Transair Corporation, the latter will build and maintain upon said premises so leased a modern airplane manufacturing plant.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 18th day of April, 1939 by Councilman Oliver, who moved its adoption, which motion being duly seconded, was upon roll call carried, and the resolution adopted by the following vote:

Ayes: Councilmen: Stanley, Oliver, Neece, Barnell, and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4519-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 18th day of April, 1939 by Councilman Oliver, who moved its adoption, which motion being duly seconded, was upon roll call carried, and the resolution adopted by the following vote:

Ayes: Councilmen: Stanley, Oliver, Neece, Barnell and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4520-N.S.

A RESOLUTION RECOMMENDING THAT ALL APPLICATIONS FOR SANITARY INSPECTOR BE FILED WITH THE CITY CLERK AND ACTION BE TAKEN ON APPOINTMENT AT A FUTURE DATE BY THE COUNCIL

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BE IT HEREBY RESOLVED that all applications be filed with the City Clerk for the position of City Sanitary Inspector and action be taken on the appointment of a successor to Mr. Holtham by the Council at a future date.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on April 26, 1939 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, Neece, Oliver, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4521-N.S.

A RESOLUTION GRANTING PERMIT TO LLOYD MCNEILLY TO OPERATE WAREHOUSE AT 516 14th Street, BEING LOTS 23 and 24, BLOCK 116

---000---

WHEREAS, pursuant to the filing of petition with the Council by Lloyd McNeilly to conduct a store for wholesale groceries and storage of same on property known as 516 14th Street being lots 23 and 24, Block 116 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 Lloyd McNeilly to erect and operate store 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 April 26, 1939 by Commissioner Oliver, 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, Oliver, Stanley and Mayor King

Noes: Councilmen: None

Absent; Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4522-N.S.

A RESOLUTION GRANTING PERMIT TO HUGO TORNOW TO OPERATE WALL PAPER BUSINESS AT 210 SUNSET BOULEVARD, BEING LOTS 35 and 36 IN BLOCK 325 OF THE CITY OF MODESTO

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WHEREAS, pursuant to the filing of petition with the Council by Hugo Tornow to conduct a wall paper business on property known as 210 Sunset Boulevard, being lots 35 and 36 in Block 325 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 Hugo Turnow to operate a wall paper business 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 April 26, 1939 by Commissioner Oliver, 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, Oliver, Stanley and Mayor King

Noes: Councilmen: None

Absent; Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4523-N.S.

A RESOLUTION RECOMMENDING THAT ONE HOUR PARKING BE ESTABLISHED ON EIGHTH AND H STREETS NEAR B & T MARKET

---000---

BE IT HEREBY RESOLVED that one hour parking be established on 8th and H Streets near the B & T Market in the City of Modesto.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on April 26, 1939 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, Neece, Oliver, Stanley and Mayor King

Noes: Councilmen: None

Absent; Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4524-N.S.

A RESOLUTION AUTHORIZING MAYOR OF THE CITY OF MODESTO TO MAKE APPLICATION TO RAILROAD COMMISSION FOR CROSSING OVER TIDEWATER SOUTHERN RAILROAD TRACKS

---000---

WHEREAS, the City of Modesto and the citizens thereof require that a crossing be maintained over the Tidewater Southern Railway Company's tracks, which crossing constitutes a portion of Campus Way in the said City of Modesto, County of Stanislaus, State of California; and,

WHEREAS, said application is now prepared, fully setting forth a description of the land included in said crossing, and is in proper order for presentation to the Honorable Railroad Commission of the State of California;

NOW, THEREFORE, BE IT RESOLVED that the Mayor of the City of Modesto is hereby empowered to sign said application and forward the same to the said Railroad Commission.

The foregoing Resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of April, 1939, by Councilman Oliver, who moved its adoption, which motion being duly seconded, it was upon roll call carried and adopted by the following vote:

Ayes: Councilmen: Barnell, Neece, Oliver, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4525-N.S.

A RESOLUTION SETTING FORTH POSITION OF PRESENT CITY COUNCIL IN THE MATTER OF RE-EVALUATING PROPERTY IN THE CITY OF MODESTO

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WHEREAS, there has been printed in The Modesto Bee, a newspaper printed in the City of Modesto, under date of April 25, 1939, an article inferring that the City Council is planning a boost in assessments; and

WHEREAS, certain statements by one Walter H. Field in said article are incorrect insofar as they apply to the actions and declarations of the present City Council, it is deemed advisable to place on record the true position of the present City Council so that the citizens of the City of Modesto may by the examination of public records of the City ascertain the true position of said City Council;

NOW, THEREFORE, said City Council desires to go on record as stating that said City Council has never discussed any plan to increase taxes on real property in the City of Modesto; that it has not discussed nor planned to lower the evaluation of residential property for the purpose of transferring the burden of taxes and placing a higher tax on business property; that any evaluation of the real property of the City of Modesto was last made in 1922 as it generally applied to all of the real property in the City. That since said date there have been changes in the values of the City property in this, that certain buildings, both residences and business buildings, have depreciated in value, while others have increased in value. That for said reasons it is only fair and equitable that there be a new evaluation of all of the real property in the City of Modesto, so that each owner of property in said City will be called upon to bear his just share of said taxes. That no greater

the form of income in/taxes is contemplated by this City Council or has ever been discussed by this Council, and that the only point involved has been that the City Council is of the opinion that there should be a re-evaluation of the property of the City of Modesto for the purpose hereinabove stated. That this Council has not the power nor right to change the tax rates for the next year, or to re-evaluate the property in said City of Modesto.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of April, 1939 by Councilman Oliver, 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, Neece, Oliver, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4526-N.S.

A RESOLUTION AUTHORIZING PROGRESSIVE PAYMENT TO J. C. MEYERS ON CONSTRUCTION OF FIREHOUSE OF THE CITY OF MODESTO

---000---

BE IT HEREBY RESOLVED that progressive payment be authorized to J.C. Meyers, contractor on firehouse being constructed on Block 81, lots 21, 22, 23 in the City of Modesto in amount \$1026.50 and the Auditor is hereby directed to draw warrant in payment.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on April 26, 1939 by Commissioner Oliver, 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, Oliver, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4527-N.S.

A RESOLUTION AUTHORIZING FINAL PAYMENT OF \$1346.00 TO CONTRACTOR HARRY BROWN ON STODDARD AVENUE BRIDGE IN THE CITY OF MODESTO

---000---

BE IT HEREBY RESOLVED that final payment of \$1346.00 on construction of Stoddard Avenue Bridge be authorized to contractor Harry Brown and the City Auditor is hereby directed to draw warrant in payment.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on April 26, 1939 by Commissioner Oliver, 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, Oliver, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4528-N.S.

A RESOLUTION APPOINTING THE MAYOR AND CITY ENGINEER AS SIGNATORY OFFICIALS ON BUDGET FOR EXPENDITURE OF $\frac{1}{2}$ GAS TAX FUND FOR STREETS OF MAJOR IMPORTANCE

---oOo---

BE IT HEREBY RESOLVED that the Mayor and City Engineer be appointed as signatory officials on budget for expenditure of $\frac{1}{2}$ Gas Tax Fund for Streets of Major Importance.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on April 26, 1939 by Commissioner Oliver, 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, Oliver, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4529-N.S.

A RESOLUTION AUTHORIZING THE CALLING FOR BIDS ON PETROLEUM PRODUCTS

---oOo---

BE IT HEREBY RESOLVED, that the City Clerk be authorized to advertise for bids on petroleum products for fiscal year beginning July 1, 1939, bids to be opened at City Hall, 717 10th Street on May 24, 1939.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on April 26, 1939 by Commissioner Oliver, 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, Oliver, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4530-N.S.

A RESOLUTION AUTHORIZING THE CITY CLERK TO ADVERTISE FOR BIDS ON INCANDESCENT LAMPS FOR PERIOD OF ONE YEAR BEGINNING JULY 1, 1939.

---oOo---

BE IT HEREBY RESOLVED that the City Clerk be authorized to advertise for bids on incandescent lamps for municipal lighting for a period of one year beginning July 1, 1939, amount to be purchased will be approximately \$1100.00, bids to be opened May 24, 1939 at City Hall, 717 10th Street at 7:30 P.M.,

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on April 26, 1939 by Commissioner Oliver, 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, Oliver, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4531-N.S.

A RESOLUTION CALLING FOR BIDS ON PAVING, FURNISHING ASPHALTIC CONCRETE PAVING MATERIAL FOR TRENCH CUTS AND PATCHES

---000---

BE IT HEREBY RESOLVED that the City Clerk be authorized to call for bids for furnishing asphaltic concrete paving material and for furnishing and placing A. C. pavement for trench cuts and patches as requested by the City Engineer, bids to be opened at 7:30 P.M. on May 24, 1939 at City Hall.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on April 26, 1939 by Commissioner Oliver, 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, Oliver, Stanley and Mayor King
Nones: Councilmen: None
Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4532-N.S.

A RESOLUTION ADOPTING CIVIL SERVICE RULES AND REGULATIONS AS PREPARED BY THE PERSONNEL BOARD APPOINTED BY THE COUNCIL AS PROVIDED BY ORDINANCE NO. 602-N.S.

---000---

BE IT HEREBY RESOLVED that the Rules and Regulations adopted by the Personnel Board of the Civil Service System be approved and adopted by the Council of the City of Modesto as provided by Ordinance No. 602-N.S.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on April 26, 1939 by Commissioner Oliver, 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, Oliver, Stanley and Mayor King
Nones: Councilmen: None
Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4533-N.S.

A RESOLUTION ACCEPTING "CLASSIFIED LIST OF POSITIONS, POSITION DUTIES AND POSITION QUALIFICATION" AS PRESENTED BY THE PERSONNEL BOARD OF THE CIVIL SERVICE SYSTEM

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BE IT HEREBY RESOLVED that the Classified List of Positions, Position Duties and Position qualifications be accepted as presented by the Personnel Board of the Civil Service System by the Council of the City of Modesto as provided by Ordinance No. 602-N.S.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on April 26, 1939 by Commissioner Oliver, 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, Oliver, Stanley and Mayor King
Nones: Councilmen: None
ABSENT: COUNCILMEN: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4534-N.S.

A RESOLUTION GRANTING PERMISSION TO EXCHANGE CLUB AND JUNIOR CHAMBER OF COMMERCE TO HOLD POWER MOTOR AIRPLANE AND AUTO CONTEST AT MUNICIPAL AIRPORT ON SUNDAY, MAY 14, 1939

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WHEREAS, the Exchange Club of Modesto and the Modesto Junior Chamber of Commerce have petitioned the Council of the City of Modesto to use the Modesto Municipal Airport on Sunday, May 14, 1939 for the purpose of holding a Power Motor Airplane and Auto Contest

BE IT HEREBY RESOLVED that permission be granted with the understanding that they would abide by the conditions set forth in Resolution No. 4335-N.S. entitled "A Resolution acknowledging request of Modesto Chamber of Commerce to hold an Air Show at the Modesto Municipal Airport, and granting Permission for holding of said Air show upon certain conditions", adopted by the Council on the 5th day of October, 1938.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of April, 1939 by Commissioner Oliver, 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, Oliver, Stanley and Mayor King
Noes: Councilmen: None
Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4535-N.S.

A RESOLUTION AUTHORIZING CITY ATTORNEY TO PREPARE OPTION TO LEASE ALL OF LOT 4 OF LA RIO PARK TRACT CONTAINING 25.482 ACRES FROM D. E. ROWLES AND HELEN H. ROWLES

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BE IT HEREBY RESOLVED that the City Attorney be authorized to prepare option to lease all of lots 4 of the La Rio Park Tract, Stanislaus County, California, containing 25.482 acres more or less from D. E. Rowles and Helen H. Rowles with the right to purchase over a period of four years from the date of the making of the lease at the price of \$300 per acre.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of April, 1939 by Commissioner Oliver, 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, Oliver, Stanley and Mayor King
Noes: Councilmen: None
Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4536-N.S.

A RESOLUTION RECOMMENDING THAT THE CITY CLERK NOTIFY THE TRANSAIR CORPORATION WHEN OPTION HAS BEEN SECURED FROM D. E. ROWLES AND HELEN H. ROWLES

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BE IT HEREBY RESOLVED that the City Clerk be authorized to notify the

Transair Corporation when option is secured from D. E. Rowles and Helen H. Rowles on property described in Resolution No. 4533-N.S. so that arrangements could be made with them for leasing land for building of airplane factory.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of April, 1939 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, Neece, Oliver, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4537-N.S.

A RESOLUTION EXPRESSING THE APPRECIATION OF A MAJORITY OF THE COUNCIL OF THE CITY OF MODESTO TO MAYOR JAMES H. KING AND COUNCILMAN G. D. OLIVER, JR.

---000---

WHEREAS, Mayor James H. King has been the Mayor of the City of Modesto for the four years last past; and,

WHEREAS, G. D. Oliver, Jr, has been a member of the City Council of the City of Modesto likewise for four years last past; and,

WHEREAS, on the date hereof, to-wit, April 26, 1939, the said James H. King and the said G. D. Oliver, Jr. are attending their last regular meeting of the Council of the City of Modesto in their respective capacities as Mayor and Councilman, and are voluntarily retiring from their respective offices on May 1, 1939; and

WHEREAS, the said Mayor James H. King and Councilman G. D. Oliver, Jr, have rendered valuable service to the citizens of the City of Modesto, giving liberally of their time and efforts toward the betterment of said City and working always harmoniously with the other members of said City Council of said City;

NOW, THEREFORE, BE IT RESOLVED that the remaining members of said City Council of the City of Modesto do by this Resolution express their thanks and appreciation, both as individuals and as representatives of the said City of Modesto, to the said Mayor James H. King and Councilman G. D. Oliver, Jr. for the valuable service heretofore rendered by them and each of them to the citizens of the City of Modesto and to the remaining members of this Council.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of April, 1939, 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, Neece, Stanley

Noes: Councilmen: None

Absent: Councilmen: None

Not Voting: Councilmen: Oliver and Mayor King

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4538-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 April, 1939, by Councilman Oliver, 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, Neece, Oliver, Stanley and Mayor King

Noes: Councilmen: None

Absent; Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4539-N.S.

A RESOLUTION AUTHORIZING THE CITY OF MODESTO TO ENTER INTO CONTRACT WITH THE TRANSAIR CORPORATION FOR THE LEASING OF PORTION OF LOT 4 OF THE LA RIO PARK TRACT AND AUTHORIZING MAYOR AND CITY AUDITOR TO EXECUTE CONTRACT

---000---

WHEREAS, the Transair Corporation, a corporation has signified its intention to enter into a lease with the City of Modesto to lease from said City, certain premises described as follows:

The north 1180 ft. of lot 4 of La Rio Park Tract recorded in official records Vol. 5, Page 9 of Maps as recorded in the office of the County Recorder, Stanislaus County, California, containing 17 acres more or less

and

WHEREAS, the contract has been prepared by the said corporation and the City of Modesto binding the City of Modesto to lease to said corporation said described property when and if the option to lease the same from said City is exercised by said corporation on or before the date set forth in said contract,

and

WHEREAS said contract and all the terms thereof are satisfactory to said City

NOW THEREFORE said City Council of the said City of Modesto in Special session hereby resolves that said contract is satisfactory to said City Council and does by this resolution empower and order the Mayor of said City and the City Auditor to duly execute said contract dated the 28th day of April, 1939 binding the said City of Modesto to perform the terms and conditions in said contract.

BE IT FURTHER RESOLVED that a copy of this resolution be mailed to the office of the Transair Corporation.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on April 28, 1939 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: Neece, Barnell, Stanley and Mayor King

Noes: Councilmen: None

Absent; Councilmen: Oliver

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4540-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 April 28, 1939 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, Neece, Stanley and Mayor King
Noes: Councilmen: None
Absent: Councilmen: Oliver

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4541-N.S.

A RESOLUTION AMENDING RESOLUTION NO. 4525-N.S. RE-EVALUATE PROPERTY IN CITY

---000---

BE IT HEREBY RESOLVED that paragraph 2 of Resolution No. 4525-N.S. entitled "A RESOLUTION SETTING FORTH POSITION OF PRESENT CITY COUNCIL IN THE MATTER OF RE-EVALUATING PROPERTY IN THE CITY OF MODESTO" to read as follows:

"Whereas certain statements alleged to have been made by one Walter H. Field"

The foregoing resolution was introduced at a special Council meeting of the City of Modesto held on May 3, 1939 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 and Mayor Shannon
Noes: Councilmen: None
Absent: Councilmen: None

ATTEST H. E. GRAGG-CITY CLERK

RESOLUTION NO. 4542-N.S.

A RESOLUTION REDUCING LIMITS OF PROPERTY DAMAGE INSURANCE REQUIRED IN POLICY TO BE FURNISHED BY EXCHANGE CLUB AND JUNIOR CHAMBER OF COMMERCE ON POWER MOTOR AIRPLANE AND AUTO CONTEST

---000---

WHEREAS, the Exchange Club and Junior Chamber of Commerce have protested to requirements set up by the Council under Resolution No. 4534-N.S. granting them permit to hold Power Motor Airplane and Auto Contest at Municipal Airport on May 14, 1939 and have requested that limits of insurance required in policy to be furnished the City be reduced

BE IT HEREBY RESOLVED that the property damage insurance required be reduced from \$50,000 to \$10,000 but that the liability insurance remain at \$100,000.

The foregoing resolution was introduced at a special meeting of the

Council of the City of Modesto held on May 3, 1939 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 and Mayor Shannon
Noes: Councilmen: None
Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4543-N.S.

A RESOLUTION GRANTING FREE WATER SERVICE TO W. B. SCOTT

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BE IT HEREBY RESOLVED that free water be granted to W. B. Scott, 116 H Street, until such a time as his health has improved sufficiently to enable him to return to work and cancelling account on books at the present time.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on May 3, 1939 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 and Mayor Shannon
Noes: Councilmen: None
Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4544-N.S.

WHEREAS, heretofore, to-wit, on the 3rd day of May, 1939, 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 as the City may incur after the incorporation of such territory and for the taxes and assessments levied by said City only after said incorporation;

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 11th day of July, 1939; 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:

Beginning on the Northerly City Limits of the City of Modesto, at its intersection with the center line of Enslan Avenue; thence Northerly along the said center line of Enslan Avenue, to its intersection with the center line of Griswold Avenue; thence Easterly along the said center line of Griswold Avenue, to its intersection with the Center line of Magnolia Avenue, (formerly Carter Avenue); thence Southerly along the said center line of Magnolia Avenue, to the Northwesterly property corner of Lot 68, as shown on the Map of the Goldwell Olivewood Tract; thence continuing Southerly along the said center line of Magnolia Avenue, or the Westerly property line of said Lot 68, a distance of 46.78 feet; thence Easterly through said Lot 68, to a point that is 46.76 feet Southerly from the northeasterly property corner of said Lot 68, on the Easterly property line of said Lot 68; thence Southerly along the said Easterly property line of Lot 68, and the Easterly property line of Lot 69, to the said Northerly City Limits; thence Westerly along the said Northerly City Limits, to the beginning.

The Northerly City Limits of the City of Modesto, is as shown on the Official Map of the City of Modesto, Stanislaus County, California, dated March 23, 1938.

The avenues as mentioned are as designated on the said Map of the Goldwell Olivewood Tract, recorded in Maps, Volume 5, Page 32, Stanislaus County, California, or otherwise commonly known as named.

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; ENSLEN SCHOOL HOUSE

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: Louise A Crabb and Baxter D. Hagopian

Inspector: Guy F. Donkin

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 "COLDWELL OLIVEWOOD TRACT."

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

"Shall COLDWELL OLIVEWOOD TRACT be annexed to the City of Modesto?" ; Yes ; ;

"Shall COLDWELL OLIVEWOOD 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 Corporation, 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 11, 1913, and the acts amendatory of and supplemental thereto, if any there be.

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

---000---

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 herein-after described on Tuesday, the 11th day of July, 1939.

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, to-wit:

Beginning on the Northerly City Limits of the City of Modesto, at its intersection with the center line of Enslan Avenue; thence Northerly along the said center line of Enslan Avenue, to its intersection with the center line of Griswold Avenue; thence Easterly along the said center line of Griswold Avenue, to its intersection with the center line of Magnolia Avenue, (formerly Carter Avenue); thence southerly along the said center line of Magnolia Avenue, to the Northwesterly property corner of Lot 68, as shown on the Map of the Coldwell Olive-wood tract; thence continuing Southerly along the said center line of Magnolia Avenue, or the Westerly property line of said Lot 68, a distance of 46.78 feet; thence Easterly through said Lot 68, to a point that is 46.76 feet Southerly from the Northeasterly property corner of said Lot 68, on the Easterly property line of said Lot 68; thence Southerly along the said Easterly property line of Lot 68,

and the Easterly property line of Lot 69, to the said Northerly City Limits; thence Westerly along the said Northerly City Limits, to the beginning.

The Northerly City Limits of the City of Modesto, is as shown on the official map of the City of Modesto, Stanislaus County, California, dated March 23, 1938.

The avenues as mentioned are as designated on the said Map of the Coldwell Olivewood Tract, recorded in Maps, Volume 5, Page 32, Stanislaus County, California, or otherwise commonly known as named,

The lots as mentioned are as designated on the said Map of the Coldwell Olivewood Tract,

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, "COLDWELL OLIVEWOOD 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, COLDWELL OLIVEWOOD TRACT, TUESDAY, JULY 11, 1939.

Instructions to Voters: Each voter desiring to vote in favor of annexing the territory herein referred to as COLDWELL OLIVEWOOD TRACT to the City of Modesto shall stamp a cross (X) in the voting square after the word "yes" after the words "Shall Coldwell Olivewood 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 Coldwell Olivewood 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 COLDWELL OLIVEWOOD TRACT be annexed to the City of Modesto?"	:	:
	Yes	:
	:	:
"Shall COLDWELL OLIVEWOOD TRACT be annexed to the City of Modesto?"	:	:
	No	:
	:	:

Said election shall be held as aforesaid on the 11th day of July, 1939. 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 COLDWELL OLIVEWOOD 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;

ENSLEN SCHOOL HOUSE

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: Louise A. Crabb and Baxter D. Hagopian

Inspector: Guy F. Donkin

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

Dated May 3, 1939.

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

Date of first publication, June 8, 1939.

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 four successive weeks next preceding the date of such election.

The foregoing resolution was introduced by Councilman Stanley, who moved its adoption, which motion, being duly seconded, was carried by the following vote:

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

Noes: Councilmen: None

Absent; Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4545-N.S.

A RESOLUTION APPROVING AND ACCEPTING EASEMENT FOR STORM SEWER FROM SOUTHERN PACIFIC COMPANY IN L STREET, IN THE CITY OF MODESTO

---000---

BE IT HEREBY RESOLVED that easement for storm sewer in L Street, be approved and accepted from the Southern Pacific Company.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 3rd day of May, 1939 by Commissioner Bates, who moved its adoption, which resolution was duly seconded and upon roll call carried by the following vote:

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

Noes: Councilmen: None

Absent; Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4546-N.S.

A RESOLUTION GRANTING LEAVE OF ABSENCE TO MAYOR SHANNON FOR A PERIOD OF 30 DAYS

BE IT HEREBY RESOLVED that Mayor Shannon be granted permission to leave the state for a period of 30 days beginning May 9, 1939.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 3rd day of May 1939 by Commissioner Barnell, who moved its adoption, which motion being duly seconded, it was upon roll call duly carried, and the resolution adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4547-N.S.

ADJOURNMENT

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

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 3rd day of May, 1939 by Commissioner Bates, who moved its adoption, which motion being duly seconded, it was upon roll call duly carried, and the resolution adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4548-N.S.

A RESOLUTION APPOINTING A VICE PRESIDENT OF THE COUNCIL OF THE CITY OF MODESTO, AND EMPOWERING HIM TO PERFORM THE MAYOR'S DUTIES IN THE ABSENCE OF THE LATTER.

---000---

WHEREAS, it is deemed proper as provided for by Section 19 of Article VI of the Charter of the City of Modesto that there be appointed a Vice President of the Council of the City of Modesto, who shall act in the capacity of Mayor pro tempore in cases when the Mayor of said City, through absence or disability, is unable to carry on the duties of his office; and,

WHEREAS, during times when the Mayor of said City, due to absence or disability, is unable to carry on said duties, it becomes necessary that some official of said City be vested with power to sign checks drawn against City funds for the purpose of paying debts owed by said City, and to sign agreements and contracts on behalf of said City;

NOW, THEREFORE, the City Council of the City of Modesto does by this resolution hereby appoint Carl J. Stanley Vice President of the Council of the City of Modesto, and does further empower said Carl J. Stanley to sign any and all checks on behalf of said City, warrants, or evidences of debt, to sign all agreements on behalf of said City and to carry on all of the functions and acts belonging to the Mayor of said City during the absence of said Mayor from the duties prescribed for him by the Charter, ordinances and resolutions of the City of Modesto.

The foregoing resolution was introduced at a regular meeting of the City Council of the City of Modesto held on the 10th day of May, 1939 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; Bates, Barnell, Neece, Mayor pro tem Stanley

Noes: Councilmen; None

Absent: Councilmen; Mayor Shannon

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4549-N.S.

A RESOLUTION DESIGNATING THE ASSIGNMENT OF THE MEMBERS OF THE CITY COUNCIL OF THE CITY OF MODESTO TO VARIOUS COMMISSIONERSHIPS

---000---

WHEREAS, this is the first regular meeting following the general municipal election of April 11, 1939, at which election there was elected a new Mayor of the said City of Modesto, to-wit, Carl W. Shamon, and three Councilmen, to-wit, Ronald E. Bates and Carl J. Stanley, incumbent, and Y. G. Barnell, incumbent; and,

WHEREAS, by the terms of Section 35 of the Charter of the City of Modesto, at the first regular meeting of said Council after the election of its members said Council by a majority vote shall appoint various members thereof to various commissionerships;

NOW, THEREFORE, BE IT RESOLVED, that Y. G. Barnell be, and he is hereby, designated Commissioner of Public Works; Councilman Ronald E. Bates is hereby made and appointed Commissioner of Public Supplies; Councilman Carl J. Stanley is hereby appointed Commissioner of Public Health and Safety and Councilman George F. Neece is hereby appointed Commissioner of Finance and Revenue.

BE IT FURTHER RESOLVED that the City Council of the City of Modesto does hereby determine and assign the duties of the several commissioners and departments as the same are determined and assigned by the Charter and by the ordinances and resolutions of the City Council. Reference is hereby particularly made to Resolution No. 2655-N. S., which is continued in full force and effect, and reference is also made to Ordinance No. 377-N.S. as amended by Ordinance No. 439-N.S., which includes, in the duties of the Commissioner of Finance and Revenue, the supervision of the parks of the City of Modesto; provided, however, that in addition to having jurisdiction over the parks the Commissioner of Finance and Revenue, as a part of the Park Department of said City, shall also have jurisdiction and control over the trees growing along and upon the streets of the City of Modesto, with power to assign and delegate to the City Engineer the immediate control and supervision thereof, including the power to employ and discharge the necessary assistance and labor in carrying out the duties and functions pertaining to the parks and the street trees.

BE IT FURTHER RESOLVED that Resolution No. 3832-N.S. of the City of Modesto entitled: "A RESOLUTION DESIGNATING THE ASSIGNMENT OF THE MEMBERS OF THE CITY COUNCIL OF THE CITY OF MODESTO TO VARIOUS COMMISSIONERSHIPS", is hereby rescinded, annulled and set aside, insofar as the same conflicts herewith.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of May, 1939 by Councilman Neece, who moved its adoption, which motion being duly seconded was upon roll carried, and the

Resolution adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: Mayor Shannon

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4550-N.S.

A RESOLUTION ACCEPTING INVITATION OF CITY OF TURLOCK AT DEDICATION CEREMONIES OF THE NEW MUNICIPAL SEWAGE DISPOSAL PLANT

---c00---

WHEREAS, the City of Turlock has invited the officials of the City of Modesto to be present at dedication ceremonies of the new Municipal Sewage Disposal Plant to be held in Turlock on May 25th, 1939.

BE IT HEREBY RESOLVED, that invitation be accepted from the City of Turlock and the Mayor pro tem appoint a committee to make arrangements for trip.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on May 10, 1939 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

RESOLUTION NO. 4551-N.S.

A RESOLUTION ALLOWING CLAIMS FOR MONTH OF APRIL, 1939

---c00---

WHEREAS, the claims against the City of Modesto for the month of April, 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 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-----	\$29,336.63
WATER FUND-----	4,216.94
LIBRARY FUND-----	1,419.24
BOND RED. INT. FUND-----	
ST. BOND RED. INT. FUND-----	
UNAPPORTIONED FUND-----	
GASOLINE TAX FUND-----	1,155.38
TOTAL-----	\$36,128.19

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of May, 1939, 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 and Mayor pro tem Stanley

Noes: Councilmen: None

Absent: Mayor Shannon

attest H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4552-N.S.

A RESOLUTION AUTHORIZING PROGRESSIVE PAYMENT TO CONTRACT J. C. MEYERS ON CONSTRUCTION OF NEW FIREHOUSE AS PROVIDED BY CONTRACT

---c00---

BE IT HEREBY RESOLVED, that progressive payment of \$1189.15 to J. C. Meyers, contractor of new firehouse be authorized as proved by contract.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of May, 1939 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: Bates, Barnell, Neece and Mayor pro tem Stanley

Noes: Councilmen: None

Absent: Councilmen: Mayor Shannon

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4553-N.S.

A RESOLUTION DIRECTING THE CITY ATTORNEY TO COMMUNICATE WITH SENATOR AND ASSEMBLYMAN PROTESTING THE ADOPTION OF CERTAIN LEGISLATION

---c00---

BE IT HEREBY RESOLVED that the City Attorney communicate with State Senator Garrison and Assemblyman Donnelly protesting the adoption of Bill AB1709, which requires City to pay prevailing wages on maintenance work, Bill No. AB1234, providing for election of Councilmen by Districts, Bill AB471, Judicial Review of Administrative decision and Bill No. AB1031, governing age qualifications under Civil service.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of May, 1939 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: Bates, Barnell, Neece and Mayor pro tem Stanley

Noes: Councilmen: None

Absent: Councilmen: Mayor Shannon

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4554-N.S.

A RESOLUTION DEFERRING APPOINTMENT OF COMMITTEE TO ASSIST IN THE OBSERVANCE OF FLAG WEEK

---c00---

WHEREAS, the United States Flag Association have requested the Mayor to appoint a committee to assist in the observance of Flag Week.

BE IT HEREBY RESOLVED that appointment of committee be deferred until May 24, 1939.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of May, 1939 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: Bates, Barnell, Neece and Mayor pro tem Stanley
Noes: Councilmen: None
Absent: Mayor Shannon

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4555-N.S.

A RESOLUTION AUTHORIZING CITY CLERK ADVERTISE FOR BIDS ON WIDENING PAVEMENT ON NORTHERLY SIDE AND PAVING ON SOUTHERLY SIDE OF GRAND STREET FROM D STREET TO THE BEARD BROOK BRIDGE

---000---

BE IT HEREBY RESOLVED that the City Clerk be authorized to advertise for bids on widening pavement on northerly side and paving on southerly side of Grand Street from D Street to the Beard Brook Bridge. Bids to be opened at City Hall, 717 10th Street, May 24th, 1939.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on May 10, 1939 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

RESOLUTION NO. 4556-N.S.

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MODESTO ADOPTING BUDGET AND APPROVING MEMORANDUM OF AGREEMENT FOR EXPENDITURE OF 1/2% GAS TAX ALLOCATED FOR STREETS OF MAJOR IMPORTANCE

---000---

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 1/2% gas tax for the fiscal year 1940 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 1/2 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 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 that 10th day of May, 1939

C. J. STANLEY

ACTING 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 May 10th, 1939.

H. E. GRAGG, Clerk of the City of Modesto

RESOLUTION NO. 4557-N.S.

A RESOLUTION APPOINTING COMMISSIONER BARNELL MEMBER OF PLANNING COMMISSION DURING HIS TERM AS COMMISSIONER OF PUBLIC WORKS

---oOo---

BE IT HEREBY RESOLVED that Y. G. Barnell be appointed a member of Planning Commission during his term as Commissioner of Public Works.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on May 10, 1939 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 and Mayor pro tem Stanley

Noes: Councilmen: None

Absent: Mayor Shannon

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4558-N.S.

A RESOLUTION REAPPOINTING HERBERT RAMONT MEMBER OF PLANNING COMMISSION FOR A TERM OF FOUR YEARS FROM JANUARY 9, 1939

---oOo---

BE IT HEREBY RESOLVED, that Herbert Ramont be reappointed to Planning Commission for a term of four years from January 9, 1939.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on May 10, 1939 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 and Mayor pro tem Stanley

Noes: Councilmen: None

Absent: Mayor Shannon

ATTEST: H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4559-N.S.

A RESOLUTION REAPPOINTING MRS. G.H. BENKENDORF ON PARK COMMISSION

---000---

BE IT HEREBY RESOLVED that Mrs. G. H. Benkendorf be reappointed on the Park Commission for a term of three years from May 10, 1939.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on May 10, 1939 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

RESOLUTION NO. 4560-N.S.

A RESOLUTION PROVIDING A TEN-MINUTE PARKING SPACE ON NINTH AND K STREETS IN THE CITY OF MODESTO

---000---

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 Southwesterly curb of 9th Street, at its intersection with the Southeasterly property line of K Street produced; thence Southeasterly along the said Southwesterly curb of 9th Street, a distance of 20.00 feet to the end.

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 10th day of May, 1939, 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, Mayor pro tem Stanley

Noes: Councilmen: None

Absent: Councilmen: Mayer Shannon

attest H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4561-N.S. RESCINDED BY RESOLUTION NO. 4563-NS

RESOLUTION NO. 4562-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 May 10, 1939 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: Bates, Barnell, Neece and Mayor pro tem Stanley

Noes: Councilmen: None

Absent: Mayor: Shannon

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4563-N.S.

A RESOLUTION RESCINDING RESOLUTION NO. 4561-N.S. PROVIDING FOR ONE HOUR PARKING ON EIGHTH STREET AND H STREET, NEAR B & T MARKET

---000---

BE IT HEREBY RESOLVED, that whereas protest has been filed against establishment of one hour parking on 8th Street between H and I Streets as provided by Resolution No. 4561-N.S. that Resolution No. 4561-N.S., be rescinded and be declared null and void.

The foregoing resolution was introduced at a special Council meeting of the City of Modesto held on May 12, 1939 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

RESOLUTION NO. 4564-N.S.

A RESOLUTION PROVIDING FOR HOUR PARKING ON EIGHTH AND H STREETS IN THE CITY OF MODESTO

---000---

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 A.M. and six P.M:

NOW, THEREFORE, said City Council by this resolution does hereby decree

that vehicles shall not be parked between the hours of nine A.M. and six P.M. for a period longer than sixty (60) consecutive minutes in the following described areas:

A. Upon the northwesterly side of H Street, between the southwesterly property line of Eighth Street southwesterly to the alley in Block 43 of the City of Modesto.

B. Upon the southwesterly side of Eighth Street to a point 128.5 feet northwesterly from the northwesterly property line of H Street.

BE IT FURTHER RESOLVED that said parking restrictions shall not be applicable on Sundays.

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 areas hereinabove described shall be used by the operators of vehicles for the period herein set forth.

This resolution shall be effective as soon as the areas herein designated are properly marked and designated
By the 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 12th day of May, 1939, 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, Mayor pro tem Stanley

Noes: Councilmen: None

Absent: Councilmen: Mayor Shannon

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 Council meeting of the City of Modesto held on May 12, 1939, 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

RESOLUTION NO. 4566-N.S.

A RESOLUTION RECOMMENDING THAT THE COUNCIL OF THE CITY OF MODESTO ENDORSE THE ESTABLISHMENT OF MOSQUITO ABATEMENT DISTRICT

---000---

BE IT HEREBY RESOLVED THAT THE CITY COUNCIL of the City of Modesto endorse the establishment of Mosquito Abatement District, for which petition has been presented to the Stanislaus County Board of Supervisors.

BE IT FURTHER RESOLVED that the City Council of the City of Modesto hereby instruct the City Clerk to inform the Supervisors individually of this action.

The foregoing resolution was introduced at a Special meeting of the Council of the City of Modesto held on May 18, 1939 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 and Mayor pro tem Stanley

Noes: Councilmen: None

Absent: Mayor Shannon

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4567-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 May 18, 1939 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

RESOLUTION NO. 4568-N.S.

A RESOLUTION ALLOWING CLAIM OF ROBERT B. FOWLER FOR EXPENSES INCURRED IN GOING TO SAN FRANCISCO ON MAY 24, 1939

---000---

BE IT HEREBY RESOLVED that claim of Robert B. Fowler, City Attorney

for expenses incurred in going to San Francisco and return on May 24, 1939 in re: Transair Corporation conference be allowed and the City Auditor is hereby directed to draw check in payment.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on May 24, 1939 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

RESOLUTION NO. 4569-N.S.

A RESOLUTION RECOMMENDING THAT ASSEMBLYMAN DONNELLY AND SENATOR GARRISON BE CONTACTED AND PROTEST FILED AGAINST ADOPTION OF BILL AB 2170 BY STATE LEGISLATURE

---000---

BE IT HEREBY RESOLVED that the City Attorney file a protest against the adoption of Bill AB2170 permitting all "for hire" trucks the use of all public streets, whether prohibited to do so by local ordinance or not with Assemblyman Donnelly and Senator Garrison.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on May 24, 1939 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

RESOLUTION NO. 4570-N.S.

A RESOLUTION DENYING REQUEST OF L. K. MADDUX FOR A LOADING AND UNLOADING ZONE IN FRONT OF HOTEL MADDUX AT 715 TWELFTH STREET

---000---

WHEREAS, L. K. Maddux of the Hotel Maddux, located at 715 Twelfth Street has protested to the parking of cars in front of his hotel by the general public because his guests did not have a place to park their cars while loading or unloading and has requested that a loading zone be established in front of his hotel.

BE IT HEREBY RESOLVED, that request be denied and the City Clerk is ordered to notify Mr. L. K. Maddux 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 May 24, 1939 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

RESOLUTION NO. 4571-N.S.

A RESOLUTION GRANTING PERMISSION TO ANGELO BASSO TO OPERATE A REFRESHMENT STAND AT FIFTH AND K STREETS

---oOo---

WHEREAS, pursuant to the filing of petition with the Council by Angelo Basso for permit to erect and operate a refreshment stand on property known as 5th and K Streets, being lots 15 and 16, 5' of lot 14, Block 19 of the City of Modesto and it appearing from affidavit 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 request be granted to Angelo Basso 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 May 24, 1939 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. 4572-N.S.

A RESOLUTION RECOMMENDING THAT ACTION BE DEFERRED ON OFFER OF FRANK B. COLLIER TO PURCHASE LOTS 27 and 28, BLOCK 59 FOR \$250.00

---oOo---

WHEREAS, Frank B. Collier has offered to purchase Block 59, lots 27 and 28 in the City of Modesto for \$250.00 free and clear of all city taxes and assessments, except taxes and assessments since first Monday in March, 1939.

BE IT HEREBY RESOLVED that action be deferred until investigation could be made by the Council.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on May 24, 1939 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

RESOLUTION NO. 4573-N.S.

A RESOLUTION GRANTING TEMPORARY WATER SERVICE TO JOHN W. F. STEWART PENDING OUTCOME OF ANNEXATION ELECTION OF COLDWELL-OLIVEWOOD TRACT TO CITY OF MODESTO

---000---

WHEREAS, John W. F. Stewart has made application for water service on the north one-half of lot 62, in the Coldwell-Olivewood Tract outside the City of Modesto

BE IT HEREBY RESOLVED, that water service be granted pending outcome of election to be held in this district on July 11, 1939 for annexation to the City.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on May 24, 1939 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. 4574-N.S.

A RESOLUTION AWARING BID ON PAVING GRAND STREET TO S. M. MCGAW

---000---

WHEREAS, the City Clerk has been authorized by the Council to call for bids for paving of portion of Grand Street and notice to bidders 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. and having been then and there opened by the Council in open meeting and it appearing that the bid of S. M. McGaw for the widening of pavement on the northerly side and paving on the southerly side of Grand Street from D Street to the Beard Brook Bridge was the only bid received and that S. M. McGaw is a responsible bidder.

BE IT HEREBY RESOLVED that S. M. McGaw be awarded bid at a total price of \$3995.80 and the City Clerk and Mayor are hereby designated as signatory officials for the contract.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on May 24, 1939 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. 4575-N.S.

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MODESTO APPROVING MEMORANDUM OF AGREEMENT FOR EXPENDITURE OF 1/4 CENT GAS TAX ALLOCATED FOR STATE HIGHWAYS

---000---

WHEREAS, the State of California, through its Department of Public Works, Division of Highways, has presented a memorandum of agreement in accordance with a project statement submitted by the City for expenditure of the 1/4 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 1/4 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 24th day of May, 1939.

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 May 24, 1939.

H. E. GRAGG, Clerk of the City of Modesto

RESOLUTION NO. 4576-N.S.

A RESOLUTION AUTHORIZING PROGRESSIVE PAYMENT TO J. C. MEYERS ON CONSTRUCTION OF FIREHOUSE IN AMOUNT \$3848.55

---000---

BE IT HEREBY RESOLVED that progressive payment of \$3848.55 be authorized to J. C. Meyers, contractor of firehouse and the City Auditor is hereby 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 May 24, 1939 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. 4577-N.S.

A RESOLUTION APPOINTING M. J. LANDQUIST, SANITARY INSPECTOR AT A SALARY OF \$200.00 PER MONTH AS OF JUNE 16, 1939

---000---

BE IT HEREBY RESOLVED that M. J. Landquist be appointed Sanitary Inspector at a salary of \$200.00 per month, with the stipulation that he furnish his own car, the City to pay for the gas and oil used by him on City business, starting date of employment to be June 16, 1939.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on May 24, 1939 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

RESOLUTION NO. 4578-N.S.

A RESOLUTION DISMISSING NEIL SULLIVAN AS MILK INSPECTOR FOR THE CITY OF MODESTO AS OF JUNE 15, 1939

---oOo---

WHEREAS, M. J. Landquist has been appointed Sanitary Inspector of the City of Modesto, effective June 16, 1939.

BE IT HEREBY RESOLVED that Neil Sullivan be dismissed as Milk Inspector for the City of Modesto as of June 15, 1939.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on May 24, 1939 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

RESOLUTION NO. 4579-N.S.

A RESOLUTION ACCEPTING PETITION FOR ANNEXATION OF ESGAR 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 24th day of May, 1939, a petition requesting that an election be called in the ESGAR TRACT, which tract is described as follows, to-wit:

Beginning on the section line between sections 21 and 28, T. 3S. R. 9E., M.D.B. & M., at the Northeasterly City Limits corner in the intersection of Lucern Avenue, so called, and El Vecino Avenue, so called; thence N 89° -57' W, 659.26 feet, along the said section line between Sections 21 and 28, and the Northerly City Limits, in said Lucern Avenue; thence N 0° -48'-30" W, 267.24 feet; thence S 89° -47' E, 659.41 feet, to the center line of Orange Avenue, so called; thence Northerly along the said center line of Orange Avenue, a distance of 64.18 feet, to its intersection with the Northerly line of the Southerly one half of Lot 3 of the Rice Colony; thence Easterly along the said Northerly line of the Southerly one half of Lot 3 of the Rice Colony, a distance of 359.74 feet; thence Southerly to a point on the said section line between Sections 21 and 28, in said Lucern Avenue, the said point being at a distance of

359.74 feet Easterly from the beginning; thence Easterly along the said section line between Sections 21 and 28, in said Lucern Avenue, a distance of 474.70 feet; thence Southerly to a point on the Southerly property line of Morris Avenue, extended and produced, the said point being at a distance of 834.44 feet Easterly from the Easterly City Limits; thence Westerly along the said Southerly property line of Morris Avenue, extended and produced a distance of 834.44 feet, to the said Easterly City Limits; thence Northerly along the said Easterly City Limits, in the said El Vecino Avenue, to the beginning.

The above description is contained within Sections 21 and 28, T. 3 S. R. 9 E., M.D.B. & M.; and Lot 3 of the Rice Colony, is as designated according to the Map recorded in Maps, Volume 1, Page 54, Stanislaus County Records; and the names of the Avenues, are as known, and so called, and the City Limits are as shown on the Official Map of the City of Modesto, Stanislaus County, California, dated March 23, 1938.

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 regular meeting of the Council of the City of Modesto held on the 24th day of May, 1939, by Councilman Bates, 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

RESOLUTION NO. 4580-N.S.

A RESOLUTION DIRECTING THE CITY ATTORNEY TO WRITE LETTER OF APPRECIATION TO L. J. NEVRAUMONT FOR SERVICES TO CITY

---oOo---

BE IT HEREBY RESOLVED that the City Attorney be directed to write a letter of appreciation to L. J. Nevraumont for his services in accompanying City Attorney Fowler to San Francisco for conference with the attorney of the Transair Corporation.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on May 24, 1939 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. 4581-N.S.

A RESOLUTION RECOMMENDING THAT THE COUNCIL GO IN A BODY TO TURLOCK TO INSPECT THE NEW MUNICIPAL SEWAGE DISPOSAL PLANT ON MAY 25, 1939

---000---

BE IT HEREBY RESOLVED that the Council go in a body to Turlock to inspect the new Municipal Sewage Disposal Plant on May 25, 1939 at 1:30 P.M.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on May 24, 1939 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. 4582-M.S.

A RESOLUTION GRANTING FIRE PROTECTION TO THE GALLO WINERY UNDER THE SAME ARRANGEMENTS AS OTHER CONCERNS OUTSIDE THE CITY

---000---

BE IT HEREBY RESOLVED that fire protection be granted to the Gallo Winery located near the easterly city limits of Modesto under the same conditions as other concerns outside the City and the Mayor and City Clerk are authorized to sign contract for the City of Modesto.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on May 24, 1939 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

RESOLUTION NO. 4583-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 May 24, 1939 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

RESOLUTION NO. 4584-N.S.

A RESOLUTION AUTHORIZING THE CITY OF MODESTO TO ENTER INTO CONTRACTS WITH THE STATE PERSONNEL BOARD

---oOo---

BE IT HEREBY RESOLVED, that the City of Modesto is hereby authorized to enter into two contracts with the State Personnel Board, one for preparation of a classification plan and the rules and regulations governing the classified service, and one for preparation and rating of examination material for such classifications as may be mutually agreed upon by the City of Modesto and the State Personnel Board.

BE IT FURTHER RESOLVED, that the Mayor of the City of Modesto be hereby appointed as signatory official for the City of Modesto.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on June 2, 1939 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

RESOLUTION NO. 4585-N.S.

A RESOLUTION AUTHORIZING THE PERSONNEL BOARD OF THE CITY OF MODESTO TO WORK WITH THE STATE PERSONNEL BOARD AS PER CONTRACTS

---oOo---

BE IT HEREBY RESOLVED, that the Personnel Board of the City of Modesto be authorized to work with the State Personnel Board as per contracts entered into for the preparation of a classification plan and the rules and regulations governing the classified service, and one for preparation and rating of examination material for such classifications.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 2nd day of June, 1939 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. 4586-N.S.

A RESOLUTION RECOMMENDING THAT AN AMENDMENT TO RULE 7 OF CIVIL SERVICE RULES AND REGULATIONS OF THE CITY OF MODESTO BE MADE

---oOo---

BE IT HEREBY RESOLVED, that an amendment be made to Rule 7 of Civil Service Rules and Regulations of the City of Modesto by adding section 7 which will provide that "Each applicant taking examination will be required to pay examination fee of fifty cents".

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on June 2, 1939 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. 4587-N.S.

A RESOLUTION AUTHORIZING PURCHASE OF PORTION OF LOT 42 OF HIGH TRACT TO BE USED FOR ROAD PURPOSES

---oOo---

BE IT HEREBY RESOLVED that the City of Modesto purchase easterly 60' of westerly 117.14' of lot 42 of High Tract at a purchase price of \$100.00 from Mrs. T. H. Kewin to be used for street purposes, and

BE IT FURTHER RESOLVED that the City Attorney is hereby instructed to draw up deed and the City Auditor is authorized to draw warrant in payment.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on June 2, 1939 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. 4588-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 June 2, 1939 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. 4589-N.S.

A RESOLUTION ALLOWING CLAIMS FOR MONTH OF MAY, 1939

---oOo---

WHEREAS, the claims against the City of Modesto for the month of May, 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 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-----	\$30,118.48
WATER FUND-----	6,314.48
LIBRARY FUND-----	1,627.62
BOND RED. INT. FUND-----	
ST. BOND RED. INT. FUND-----	69.48
UNAPPORTIONED FUND-----	
TOTAL-----	\$38,130.06

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of June, 1939 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 and Mayor Shannon
Noes: Councilmen: None
Absent: Councilmen: Stanley

ATTEST: H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4590-N.S.

A RESOLUTION AUTHORIZING RENEWAL OF LEASES TO THE DEPARTMENT OF COMMERCE

BE IT HEREBY RESOLVED, that renewal of leases with the Department of Commerce be authorized for the rental of Airways Remote Control quarters and Radio Range Station at the Modesto Municipal Airport for a period of one year beginning July 1, 1939.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on June 14, 1939 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 and Mayor Shannon
Noes: Councilmen: None
Absent: Councilmen: Stanley

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4591-N.S.

A RESOLUTION AWARING BID ON ASPHALTIC CONCRETE PAVING MATERIAL TO S. M. MCGAW

---000---

BE IT HEREBY RESOLVED, that bid on furnishing Asphaltic concrete paving material (cut back type) and for furnishing and placing A. C. Pavement for trench cuts and patches be awarded to S. M. McGaw. The Mayor and City Clerk are hereby appointed signatory officials for the City of Modesto on contract.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of June, 1939 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

RESOLUTION NO. 4592-N.S.

A RESOLUTION AWARING BID ON INCANDESCENT LAMPS TO WILLE ELECTRIC COMPANY FOR YEAR ENDING JUNE 30, 1940

---oOo---

BE IT HEREBY RESOLVED that bid of Wille Electric Company for incandescent lamps for the year ending June 30, 1940 be accepted and the City of Modesto be authorized to enter into contract with Wille Electric Company and the City Clerk is hereby directed to return bidding checks and bonds to unsuccessful bidders.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on June 14, 1939 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 Shannon

Noes: Councilmen: None

Absent: Councilmen: Stanley

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4593-N.S.

A RESOLUTION AWARING BIDS ON PETROLEUM PRODUCTS FOR THE YEAR ENDING JUNE 30, 1940

---oOo---

BE IT HEREBY RESOLVED, that bids on petroleum products for the year ending June 30, 1940 be awarded as follows:

- Item 1, 7000 gallons of First structure non-premium gasoline to Richfield Oil Company
- 1000 gallons of First structure non-premium gasoline to Rio Grande Oil Co.,
- 1000 gallons of First structure non-premium gasoline to Gilmore Oil Co.,
- 7000 gallons of First structure non premium gasoline to Texaco Oil Co.
- 7000 gallons of First structure non premium gasoline to Shell Oil Co.
- 7000 gallons of First structure non premium gasoline to Standard Oil Co.
- 3000 gallons of premium Ethyl gasoline to Associated Oil Company

Item 2, rejected all bids, to buy from open market

Item 3, rejected all bids, to buy from open market

Item 4, Approximately 3000 gallons of Stove Oil to the MODESTO PETROLEUM COMPANY

Item 5, Approximately 1000 gallons of Kerosene to the Modesto Petroleum Company

Item 6, Approximately 400 tons of Road Oil to the Associated Oil Company

Item 7, Approximately 2000 gallons of Diesel Fuel Oil to the Modesto Petroleum Co.

for the fiscal year and authorizing the City of Modesto to enter into contract with successful bidders and authorizing the City Clerk to return bidding bond and 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 14th day of June, 1939 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 Shannon

Noes: Councilmen: None

Absent; Councilmen: Stanley

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4594-N.S.

A RESOLUTION AUTHORIZING THE CITY CLERK TO ADVERTISE FOR BIDS ON OFFICIAL PRINTING AND ADVERTISING FOR YEAR ENDING JUNE 30, 1940

---o0o---

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, 1940. Said bids to be opened on June 28, 1939 at 7:30 P.M. at the office of the City Clerk.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on June 14, 1939 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 Shannon

Noes: Councilmen: None

Absent; Councilmen: Stanley

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4595-N.S.

A RESOLUTION AUTHORIZING THE CITY CLERK TO ADVERTISE FOR BIDS ON 4 ONE-WAY TRAFFIC CONTROL SIGNAL HEADS

---o0o---

BE IT HEREBY RESOLVED, that the City Clerk be authorized to advertise for bids on four one-way Traffic Control Signal Heads with controller and appurtenances according to plans and specifications. Bids are to be opened on Wednesday, June 28, 1939 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 14th day of June, 1939 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 Shannon

Noes: Councilmen: None

Absent; Councilmen: Stanley

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4596-N.S.

A RESOLUTION AUTHORIZING THE CITY CLERK TO ADVERTISE FOR BIDS ON FOUR TWO-WAY TRAFFIC CONTROL SIGNAL HEADS

---o0o---

BE IT HEREBY RESOLVED that the City Clerk be authorized to advertise

for bids on four two way traffic control signal heads with controller and appurtenances according to plans and specifications. Said bids are to be opened on Wednesday, June 28, 1939 at the office of the City Clerk at 7:30 P.M.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of June, 1939 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 Shannon

Noes: Councilmen: None

Absent: Councilmen: Stanley

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4597-N.S.

A RESOLUTION AUTHORIZING THE CLERK TO ADVERTISE FOR BIDS ON RESURFACING TENTH STREET FROM F STREET TO K STREET

---000---

BE IT HEREBY RESOLVED that the City Clerk be authorized to advertise for bids on resurfacing Tenth Street from F to K Streets. Said bids are to be opened on Wednesday, June 28, 1939 at the City Clerk's office at 7:30 P.M.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on June 14, 1939 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 Shannon

Noes: Councilmen: None

Absent: Councilmen: Stanley

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4598-N.S.

A RESOLUTION AUTHORIZING PROGRESSIVE PAYMENT TO JOHN C. MEYERS ON CONSTRUCTION OF FIREHOUSE

---000---

BE IT HEREBY RESOLVED, that progressive payment be authorized to JOHN C. MEYERS OF \$3381.94 on construction of firehouse in Block 81, lots 21, 22, 23, as provided by contract.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of June, 1939 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 Shannon

Noes: Councilmen: None

Absent: Councilmen: Stanley

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4599-N.S.

A RESOLUTION OF INTENTION TO HOLD AN ELECTION FOR ANNEXATION OF "ESGAR TRACT" TO THE

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WHEREAS, there has been presented to the City Council of the City of Modesto at a regular meeting thereof held on the 24th day of May, 1939, a petition requesting that an election be called in the "ESGAR TRACT", which tract is described as follows, to-wit;

Beginning on the section line between Sections 21 and 28, T. 3S, R. 9E. M.D. B. & M., at the Northeasterly City Limits corner in the intersection of Lucern Avenue, so called, and El Vecino Avenue, so called; thence N 89° - 57' W, 659.26 feet, along the said section line between Sections 21 and 28, and the Northerly City limits, in said Lucern Avenue; thence N 0° - 48' - 30" W, 267.24 feet; thence S 89° - 47' E. 659.41 feet, to the center line of Orange Avenue, so called; thence Northerly along the said center line of Orange Avenue, a distance of 64.18 feet, to its intersection with the Northerly line of the Southerly one half of Lot 3 of the Rice Colony; thence Easterly along the said Northerly line of the Southerly one half of Lot 3 of the Rice Colony, a distance of 359.74 feet; thence Southerly to a point on the said section line between Sections 21 and 28, in said Lucern Avenue, the said point being at a distance of 359.74 feet Easterly from the beginning; thence Easterly along the said section line between Sections 21 and 28, in said Lucern Avenue, a distance of 474.70 feet; thence Southerly to a point on the Southerly property line of Morris Avenue, extended and produced, the said point being at a distance of 834.44 feet Easterly from the Easterly City Limits; thence Westerly along the said Southerly property line of Morris Avenue, extended and produced a distance of 834.44 feet, to the said Easterly City Limits, thence Northerly along the said Easterly City Limits, to the beginning. In the said El Vecino Avenue, to the beginning.

The above description is contained within Sections 21 and 28, T. 3S. R. 9E. M.D.B. & M.; and Lot 3 of the Rice Colony, is as designated according to the Map recorded in Maps, Volume 1, Page 54, Stanislaus County Records; and the names of the Avenues, are as known, and so called, and the City Limits are as shown on the Official map of the City of Modesto, Stanislaus County, California, dated March 23, 1938.

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 ESGAR 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 ESGAR 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 5th day of September 1939.

The time for hearing protests by persons owning property in the within described ESGAR TRACT is hereby set for the 5th day of July, 1939, 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 ESGAR 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 14th day of June, 1939, 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 and Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Stanley

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4600-N.S.

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"

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BE IT HEREBY RESOLVED that 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 changing the greens fee per player to the sum of 35¢ for each round of nine holes and 70 cents for eighteen holes to be played consecutively.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of June, 1939 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 and Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Stanley

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4601-N.S.

ADJOURNMENT

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

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of June, 1939 by Councilman Bates, 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 Shannon

Noes: Councilmen: None

Absent: Councilmen: Stanley

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4602-N.S.

ADJOURNMENT

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

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 21st day of June, 1939 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

Noes: Councilmen: None

Absent: Mayor Shannon

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4603-N.S.

A RESOLUTION RECOMMENDING THAT THE CITY OF MODESTO BE ZONED BY THE FIRE MARSHALL FOR THE STORAGE OF BUTANE

---o0o---

BE IT HEREBY RESOLVED that the City of Modesto be zoned by the Fire Marshall for the storage of Butane.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on June 26, 1939 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. 4604-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 June 26, 1939 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

RESOLUTION NO. 4605-N.S.

A RESOLUTION AUTHORIZING THE PAYMENT OF \$3418.58 PREMIUM ON COMPENSATION POLICY FOR YEAR BEGINNING JULY 1, 1939

---o0o---

BE IT HEREBY RESOLVED that the payment of \$3418.58 for renewal of compensation policy for year beginning July 1, 1939 be authorized and the City Clerk

and Auditor is hereby directed to draw warrant in this amount payable to the State Compensation Insurance Fund on or after July 15, 1939.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on June 28, 1939 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. 4606-N.S. NOT USED

RESOLUTION NO. 4607-N.S.

A RESOLUTION REFERRING ALL BIDS ON TRAFFIC SIGNALS TO THE CITY ENGINEER FOR RECOMMENDATION

---oOo---

BE IT HEREBY RESOLVED, that all bids on four two way traffic signals and four one way traffic signals 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 June 28, 1939 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. 4608-N.S.

A RESOLUTION REFERRING ALL BIDS ON RESURFACING TENTH STREET FROM F STREET TO K STREET TO CITY ENGINEER ROSSI FOR TABULATION

---oOo---

BE IT HEREBY RESOLVED that all bids on resurfacing Tenth Street from F to K Streets be referred to City Engineer Rossi for tabulation and recommendation.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on June 28, 1939 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. 4609-N.S.

A RESOLUTION AWARDING BID ON ADVERTISING & PRINTING FOR 1939-1940 TO THE MODESTO BEE

---oOo---

PURSUANT to authorization of advertising for bids on advertising and printing for fiscal year ending June 30, 1940, and

WHEREAS this being the time set forth for opening bids and the City Clerk reports only one bid from the Modesto Bee, which read as follows:

65¢ for each non-pareil square for 1st insertion

40¢ for each such square for each subsequent insertion

70¢ for each non-pareil square for first insertion delinquent tax list

40¢ for each square for each subsequent insertion

BE IT HEREBY RESOLVED that the bid of The Modesto Bee be accepted for advertising and printing for fiscal year ending June 30, 1940 as being the lowest and best bid, and

BE IT FURTHER RESOLVED that agreement be entered into with the Modesto Bee by the City of Modesto and the Mayor and City Clerk be appointed as signatory officials.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on June 26, 1939 by Councilman Bates, who moved its adoption, which motion being duly seconded was carried upon roll call 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

RESOLUTION NO. 4610-N.S.

A RESOLUTION AUTHORIZING CITY CLERK AND AUDITOR TO DRAW WARRANT IN AMOUNT \$4017.60 TO J. C. MEYERS, CONTRACTOR ON FIREHOUSE

---c00---

WHEREAS, City Engineer Rossi has filed with this Council a certification of amount due J. C. Meyers as progressive payment for work completed up to and including June 28, 1939 on firehouse

BE IT HEREBY RESOLVED that the City Clerk and Auditor be authorized to issue warrant in amount of \$4017.60 to J. C. Meyers.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on June 28, 1939 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. 4611-N.S.

A RESOLUTION APPOINTING FIRE CHIEF WALLACE AND CITY ENGINEER ROSSI AS A COMMITTEE TO CONFER WITH CONCERNS SELLING BUTANE

---c00---

BE IT HEREBY RESOLVED that Fire Chief Wallace and City Engineer Rossi be appointed as a committee to confer with local concerns selling Butane in

the City of Modesto and to make report and recommendations to the Council.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on June 28, 1939 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

RESOLUTION NO. 4612-N.S.

A RESOLUTION AUTHORIZING THE CLOSING OF CITY OFFICES ON MONDAY
JULY 3, 1939

---oOo---

BE IT HEREBY RESOLVED that the City offices close on Monday,
July 3, 1939.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on June 28, 1939 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

RESOLUTION NO. 4613-N.S.

A RESOLUTION AUTHORIZING CITY ATTORNEY TO WRITE LETTER TO PACKING COMPANIES ADVISING THEM TO COMPLY WITH REQUEST OF FIRE CHIEF WALLACE FOR FIRE FIGHTING INSTALLATIONS AND REQUEST FOR PAYMENT OF FIRE PROTECTION AFFORDED JUNE 3, 1939

---oOo---

PURSUANT to report made by Fire Chief Wallace on the failure of certain slaughter houses to install necessary equipment to enable the Fire Department of the City of Modesto to properly protect them against fire and recommendation by him of cancellation of agreements for fire protection, and

PURSUANT to report by Fire Chief Wallace on the failure of B. Zeff Packing Company and Arnopole Meat Company to pay \$25.00 charge made by the City of Modesto for fire protection afforded on June 3, 1939 at a grass fire

BE IT HEREBY RESOLVED that the City Attorney be authorized to write a letter to the Modesto Packing Company, B. Zeff Packing Company and the Modesto Tallow Works advising them that they must comply with the request of Fire Chief Wallace by installing hydrants and water facilities for fighting fire and

BE IT FURTHER RESOLVED that the City Attorney be authorized to write to the B. Zeff Packing Company and the Arnopole Meat Company that they must pay the charge of \$25.00 at once for fire protection afforded on June 3, 1939 as per agreements.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on June 28, 1939 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

RESOLUTION NO. 4614-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 June 28, 1939 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. 4615-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 July 5, 1939 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

RESOLUTION NO. 4616-N.S.

A RESOLUTION ALLOWING CLAIMS FOR THE MONTH OF JUNE, 1939

---oOo---

WHEREAS, the claims against the City of Modesto for the month of June, 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 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-----	\$31,158.41
WATER FUND-----	6,240.39
LIBRARY FUND-----	1,722.74
BOND RED. INT. FUND-----	687.50

UNAPPORTIONED FUND----- .99

TOTAL-----\$39,810.03

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of July, 1939, 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. 4617-N.S.

A RESOLUTION ALLOWING PROGRESSIVE PAYMENT TO J. C. MEYERS ON CONSTRUCTION OF FIREHOUSE

---oOo---

Whereas, City Engineer Rossi has filed with this Council a certification of amount due J. C. Meyers as progressive payment for work completed up to and including July 12, 1939 on construction of firehouse.

BE IT HEREBY RESOLVED that the City Clerk and Auditor be authorized to issue warrant in amount of \$626.59 to J. C. Meyers for progressive payment on contract as aforesaid.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of July, 1939 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. 4618-N.S.

A RESOLUTION ACCEPTING WORK AS COMPLETED BY CONTRACT S. M. MCGAW ON PAVING OF GRAND STREET AND AUTHORIZING PAYMENT OF 75% OF CONTRACT PRICE OR \$3782.96

---oOo---

WHEREAS, City Engineer Rossi has filed with this Council, certification of amount due contractor S. M. McGaw for completion of contract on paving of Grand Street, being 75% of contract or \$3782.96,

BE IT HEREBY RESOLVED that the work be accepted as completed and the City Clerk and Auditor is hereby authorized to draw warrant in amount of \$3782.96, and

BE IT FURTHER RESOLVED, that a notice of completion of work be recorded with the County Recorder.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of July, 1939 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. 4619-N.S.

A RESOLUTION GRANTING PETITION OF MELLIS BROS. TO ESTABLISH BUSINESS IN RESIDENCE ZONE

---oOo---

WHEREAS, pursuant to the filing of petition with the Council by Mellis Bros. to establish a store at 315 McHenry Road in the residence zone 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 permission be granted to Mellis Bros. to establish a store at 315 McHenry Road 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 July 12, 1939 by Commissioner Barnell, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted, ~~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. 4620-N.S.

A RESOLUTION GRANTING PERMISSION TO THE FIRST BRETHREN CHURCH TO ERECT TENT IN BLOCK 579, LOTS 3 and 4

---oOo---

WHEREAS, pursuant to the filing of petition with the Council by First Brethren Church to erect a tent for church services in Block 579, lots 3 and 4 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 permit be granted to the First Brethren Church to erect tent for church services providing they meet all provisions relative to building permit fees.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on July 12, 1939 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. 4621-N.S.

A RESOLUTION GRANTING PERMIT TO EDWARD DARNER TO OPERATE A USED CAR LOT

---oOo---

WHEREAS, Edward Darner has petitioned the Council to establish a used car lot at the corner of 7th & H Streets, and

WHEREAS, bond and application have been presented in proper form and have been approved by the Council

BE IT HEREBY RESOLVED that permission be granted to Edward Darner to establish used car lot as prayed for at the corner of 7th & H Streets.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on July 12, 1939 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. 4622-N.S.

A RESOLUTION AWARDING BID ON RESURFACING TENTH STREET TO THE HAYWARD BUILDING MATERIAL COMPANY FOR \$4140.00

---oOo---

PURSUANT, to provisions of Resolution No. 4608-N.S. authorizing the referring of all bids on resurfacing of 10th Street between F and K Streets to the City Engineer for tabulation and recommendation.

BE IT HEREBY RESOLVED that bid be awarded to Hayward Building Material Company at a unit price of .03¢ per square foot, total price \$4140.00, as being the lowest and best price and that a contract be entered into by the City of Modesto and that the Mayor and the City Clerk be and they are hereby authorized and directed to enter into said contract.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on July 12, 1939 by Commissioner Barnell, 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 H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4623-N.S.

A RESOLUTION REJECTING ALL BIDS ON TRAFFIC SIGNALS AND AUTHORIZING CITY CLERK TO RE-ADVERTISE FOR BIDS

---oOo---

PURSUANT to provisions of Resolution No. 4607-N.S. providing for the referring of all bids on furnishing the City of Modesto four two way traffic signals and four one way traffic signals for consideration to the City Engineer, and

WHEREAS, bids received did not meet requirements of the City

BE IT THEREFORE RESOLVED that the bids submitted to the City be rejected and the City Clerk be authorized to re-advertise for bids on traffic signals, bids to be opened July 26, 1939.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on July 12, 1939 by Councilman 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 H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4624-N.S.

A RESOLUTION AUTHORIZING THE CITY ATTORNEY TO DRAW UP AGREEMENT BETWEEN D. E. ROWLES AND HELEN H. ROWLES AND THE CITY OF MODESTO FOR THE PURCHASE OF ALL OF LOT 4 OF THE LA RIO PARK TRACT

---oOo---

BE IT HEREBY RESOLVED that the City Attorney be authorized to draw up agreement between D. E. Rowles and Helen H. Rowles and the City of Modesto for the purchase of all of Lot 4 of the La Rio Park Tract, containing 25.482 acres more or less for the sum of \$7644.60, the sum of \$3822.30 to be paid immediately upon proof of title given by sellers through the Stanislaus Abstract & Escrow Company and the balance to be paid on or before the 1st day of July, 1940.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on July 12, 1939 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. 4625-N.S.

A RESOLUTION APPOINTING MARK LANDQUIST ON PLUMBING BOARD

---oOo---

BE IT HEREBY RESOLVED that Mark Landquist, Sanitary Inspector of the City of Modesto be appointed on the Plumbing Board as required 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 July 12, 1939, 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

RESOLUTION NO. 4626-N.S.

A RESOLUTION AUTHORIZING THE CITY CLERK TO DRAW WARRANTS IN AMOUNT \$5.00 TO EACH ELECTION OFFICIAL SERVING IN ANNEXATION OF COLDWELL OLIVEWOOD TRACT ELECTION

---oOo---

BE IT HEREBY RESOLVED that the City Clerk and Auditor be authorized to draw warrants in amount \$5.00 for each official serving at the special election held on July 11, 1939 for the annexation of the Coldwell-Olivewood Tract.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on July 12, 1939 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. 4627-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 July 12, 1939 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. 4627A-N.S.

A RESOLUTION APPOINTING TEMPORARY SECRETARY OF THE COUNCIL

---oOo---

BE IT HEREBY RESOLVED that Anne M. Collins, be appointed Secretary of the Council during the absence of City Clerk.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on July 18, 1939 by Commissioner Neece, 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 H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4628-N.S.

A RESOLUTION AUTHORIZING THE ENTERING INTO AGREEMENT WITH THE TIDEWATER SOUTHERN COMPANY FOR CROSSING THEIR PROPERTY IN BLOCK 50

---oOo---

BE IT HEREBY RESOLVED that the City of Modesto enter into agreement with the Tidewater Southern Railway Company for crossing their property in Block 50, lots 5 to 12 inc. of the City of Modesto with a sewer connection, and

BE IT FURTHER RESOLVED that the Mayor and Assistant City Clerk be appointed signatory officials of agreement.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on July 18, 1939 by Commissioner Barnell, 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 H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4629-N.S.

A RESOLUTION AUTHORIZING CITY CLERK TO ADVERTISE FOR BIDS ON FIRE ALARM EQUIPMENT

---oOo---

BE IT HEREBY RESOLVED that the City Clerk be authorized to advertise for bids on furnishing fire alarm equipment for the City of Modesto according to specifications on file in the office of the City Engineer, bids to be opened at City Hall on Wednesday, July 26, 1939.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on July 18, 1939, by Commissioner Barnell, 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. 4630-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 July, 1939 by Commissioner Neece, 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 H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4631-N.S.

A RESOLUTION AUTHORIZING PROGRESSIVE PAYMENT TO JOHN C. MEYERS ON CONSTRUCTION OF FIREHOUSE

---oOo---

WHEREAS, City Engineer Rossi has filed statement with the Council setting forth percentage of contract completed on the construction of the Central Firehouse by Contractor John C. Meyers and statement of payment due and payable as of this date

BE IT HEREBY RESOLVED that the City Clerk and Auditor be authorized to draw warrant in amount \$3105.38 in payment of work completed as of July 26, 1939

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of July, 1939 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. 4632-N.S.

A RESOLUTION GRANTING TEMPORARY WATER SERVICE TO ANNA L. PEEBLER PENDING OUTCOME OF ANNEXATION ELECTION OF ESGAR TRACT

---oOo---

WHEREAS, Anna L. Peebler has made a request for water service at her house at Lucern Avenue and El Cajon, just outside the City Limits pending the outcome of the election for the annexation of the Esgar Tract to the City of Modesto.

BE IT HEREBY RESOLVED that temporary service be granted to Anna L. Peebler pending the outcome of the election to be held on September 5, 1939, and

BE IT FURTHER RESOLVED that the City Attorney be directed to prepare agreement between the City of Modesto and Anna L. Peebler for the temporary water service.

The foregoing resolution was introduced at a regular session of the

Council of the City of Modesto held on the 26th day of July, 1939 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. 4633-N.S.

A RESOLUTION AUTHORIZING THE ATTENDANCE OF H. C. MOORE, CHIEF ELECTRICAL INSPECTOR TO CONVENTION AND ALLOWING \$25.00 FOR EXPENSES

---oOo---

BE IT HEREBY RESOLVED that H. C. Moore, Chief Electrical Inspector be appointed delegate to the convention of International Association of Electrical Inspectors at their annual convention of the Southwestern Section of the International Association of Electrical Inspectors to be held in San Francisco on August 14th to 17th, 1939, and

BE IT FURTHER RESOLVED that H. C. Moore be allowed \$25.00 for expenses while attending convention.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on July 26, 1939 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. 4634-N.S.

A RESOLUTION REFERRING BIDS ON FOUR TWO WAY TRAFFIC SIGNALS TO CITY ENGINEER FOR TABULATION AND RECOMMENDATION

---oOo---

WHEREAS, the City Clerk was authorized to advertise for bids on four two way traffic signals to be opened on July 26, 1939, and

WHEREAS, five bids have been received by the City Clerk (see BP file #174)

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

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on July 26, 1939 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. 4635-N.S.

A RESOLUTION REFERRING BIDS ON FOUR ONE WAY TRAFFIC SIGNALS TO CITY ENGINEER FOR TABULATION AND RECOMMENDATION

---oOo---

WHEREAS, the City Clerk was authorized to advertise for bids on four two way traffic signals to be opened on July 26, 1939, and

WHEREAS, five bids have been received by the City Clerk (see file BP #175)

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

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on July 26, 1939 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. 4636-N.S.

A RESOLUTION AWARDDING BID ON FIRE ALARM EQUIPMENT TO GAMEWELL COMPANY AND AUTHORIZING PAYMENT FOR EQUIPMENT

---oOo---

WHEREAS, the City Clerk was authorized to advertise for bids on fire alarm equipment, as per specifications on file at the City Engineer's office, bids to be opened at the City Hall on July 26, 1939, and

WHEREAS, a bid has been received from the Gamewell Company for \$3788.00 and whereas the bidder, The Gamewell Company are a responsible company

BE IT HEREBY RESOLVED that bid be awarded for fire alarm equipment to be installed at the Central Fire Station to the Gamewell Company for \$3788.00 and payment to be made immediately upon delivery of equipment and acceptance by the City Engineer.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of July, 1939 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. 4637-N.S.

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MODESTO APPROVING FIRST SUPPLEMENTAL MEMORANDUM OF AGREEMENT FOR EXPENDITURE OF 1/4 CENT GAS TAX ALLOCATED FOR STATE HIGHWAYS

---oOo---

WHEREAS, the State of California, through its Department of Public Works, Division of Highways, has presented a first supplemental memorandum of

agreement in accordance with a project statement submitted by the City for expenditure of the $\frac{1}{4}$ 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 $\frac{1}{4}$ cent gas tax allocated for State highways be and the same is hereby approved and the Mayor and the Assistant City Clerk are directed to sign the same on behalf of said City.

ADOPTED this 26th day of July, 1939

CARL W. SHANNON, MAYOR OF THE CITY OF MODESTO

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

I hereby certify that the foregoing resolution was duly and regularly passed by the city council of the City of Modesto at a regular meeting thereof held July 26, 1939.

ELMER J. BLUM, Assistant Clerk of the City of Modesto

RESOLUTION NO. 4638-N.S.

A RESOLUTION APPOINTING CHESTER C. CHANDLER ON THE PLUMBING BOARD TO ACT AS SECRETARY

---oOo---

BE IT HEREBY RESOLVED that Chester C. Chandler be appointed on the Plumbing Board as required by Ordinance No. 569-N.S. to succeed Fred Hill, and

BE IT FURTHER RESOLVED that Chester C. Chandler act as secretary to the Plumbing Board.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of July, 1939 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

RESOLUTION NO. 4639-N.S.

WHEREAS, heretofore, to-wit, on the 24th day of May, 1939, 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 as the City may incur after the incorporation of such territory and for the taxes and assessments levied by said City only after said incorporation:

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 5th day of September, 1939; 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 on the section line between Sections 21 and 28, T. 3 S. R. 9E, M.D.B & M., at the Northeasterly City Limits corner in the intersection of Lucern Avenue, so called, and El Vecino Avenue, so called; thence N 89° -57' W, 659.26 feet along the said section line between Sections 21 and 28, and the Northerly City Limits, in said Lucern Avenue; thence N 0°-48' 30" W, 267.24 feet; thence S 89° - 47' E, 659.41 feet, to the center line of Orange Avenue, so called; thence Northerly along the said center line of Orange Avenue, a distance of 64.18 feet, to its intersection with the Northerly line of the Southerly one half of Lot 3 of the Rice Colony; thence Easterly along the said Northerly line of the Southerly one half of Lot 3 of the Rice Colony, a distance of 359.74 feet; thence Southerly to a point on the said section line between Sections 21 and 28, in said Lucern Avenue, the said point being at a distance of 359.74 feet Easterly from the beginning; thence Easterly along the said section line between Sections 21 and 28, in said Lucern Avenue, a distance of 474.70 feet; thence Southerly to a point on the Southerly property line of Morris Avenue, extended and produced, the said point being at a distance of 834.44 feet Easterly from the Easterly City limits; thence Westerly along the said Southerly property line of Morris Avenue, extended and produced a distance of 834.44 feet, to the said Easterly City Limits; thence Northerly along the said Easterly City Limits, in the said El Vecino Avenue, to the beginning.

The above description is contained within Sections 21 and 28, T.3S., R. 9E., M.D.B. & M.; and Lot 3 of the Rice Colony, is as designated according to the Map recorded

in Maps, Volume 1, Page 54, Stanislaus County Records; and the names of the Avenues, are as known, and so called, and the City Limits are as shown on the Official Map of the City of Modesto, Stanislaus County, California 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: ANNA L. PEEBLER RESIDENCE, corner Lucern Avenue & Orange Road. 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: ANNA L. PEEBLER and LUCILE F. MCMANUS
INSPECTOR: REESE R. ESGAR

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 "ESGAR TRACT."

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

"Shall ESGAR TRACT be annexed to the City of Modesto?"	:	:
	:	:
	YES	:
	:	:
	:	:

"Shall ESGAR 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 11, 1913, and the acts amendatory of and supplemental thereto, if any there be.

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 5th day of September, 1939.

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 on the section line between Sections 21 and 28, T. 3S., R. 9E., M.D.B. & M., at the Northeasterly City Limits corner in the intersection of Lucern Avenue, so called, and El Vecino Avenue, so called; thence N 89° -57' W, 659.26 feet, along the said section line between Sections 21 and 28, and the Northerly City limits, in said Lucern Avenue; thence N 0° -48' -30" W, 267.24 feet; thence S 89° 47' E, 659.41 feet, to the center line of Orange Avenue, so called; thence Northerly along the said center line of Orange Avenue, a distance of 64.18 feet, to its intersection with the Northerly line of the Southerly one half of Lot 3 of the Rice Colony; thence Easterly along the said Northerly line of the Southerly one half of Lot 3 of the Rice Colony, a distance of 359.74 feet; thence Southerly to a point on the said section line between Sections 21 and 28, in said Lucern Avenue, the said point being at a distance of 359.74 feet Easterly from the beginning; thence Easterly along the said section line between Sections 21 and 28, in said Lucern Avenue, a distance of 474.70 feet; thence Southerly to a point on the Southerly property line of Morris Avenue, extended and produced, the said point being at a distance of 834.44 feet Easterly from the Easterly City Limits; thence Westerly along the said Southerly property line of Morris Avenue, extended and produced a distance of 834.44 feet, to the said Easterly City Limits; thence Northerly along the said Easterly City Limits, in the said El Vecino Avenue, to the beginning.

The above description is contained within Sections 21 and 28, T. 3S., R. 9E., M.D.B. & M.; and Lot 3 of the Rice Colony, is as designated according to the Map recorded in Maps, Volume 1, Page 54, Stanislaus County Records; and the names of the Avenues, are as known, and so called, and the City Limits are as shown on the Official Map of the City of Modesto, Stanislaus County, California, 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, "ESGAR 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, ESGAR TRACT, Tuesday, September 5th, 1939.

Instructions to Voters: Each voter desiring to vote in favor of annexing the territory herein referred to as ESGAR TRACT to the City of Modesto shall stamp a cross (X) in the voting square after the word "Yes" after the words

"Shall Esgar 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 Esgar 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 ESGAR TRACT be annexed to the City of Modesto?"	:	:	:
	:	Yes	:
"Shall ESGAR TRACT be annexed to the City of Modesto?"	:	:	:
	:	No.	:

Said election shall be held as aforesaid on the 5th day of September, 1939. 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 ESGAR 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: ANNA L. PEEBLER, residence cor. Lucern Avenue and Orange Road.

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: ANNA L. PEEBLER and LUCILE F. MCMANUS
Inspector: REESE R. ESGAR

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 26, 1939.

H. E. GRAGG CITY CLERK, CITY OF MODESTO

Date of first publication August 3, 1939.

It is further ordered that said notice be published in the HUGHSON HERALD, 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 Bates, 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

RESOLUTION NO. 4504-N.S.

A RESOLUTION DENYING PERMISSION TO N. G. GOLEMIS TO BUILD STORE AND APARTMENT HOUSE ON LOTS 30, 31, 32 in BLOCK 108 IN THE CITY OF MODESTO

---oOo---

WHEREAS, pursuant to the filing of petition with the Council by N. G. Golemis for permit to erect and maintain a store and apartment house at 13th & L Streets, being lots 30, 31, 32 in Block 108 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 protests have been filed opposing the erection of a store at this location due to traffic hazard for the school children attending the Departmental School.

BE IT HEREBY RESOLVED that permission be denied because of protests filed.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of April, 1939 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, Neece, Oliver, Stanley, and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4640-N.S.

A RESOLUTION DETERMINING THE RESULT OF AN ELECTION HELD IN THE COLDWELL OLIVEWOOD TRACT, FOR ANNEXATION OF SAID TRACT TO THE CITY OF MODESTO

---oOo---

WHEREAS, a special election was held on the 11th day of July, 1939, in the Coldwell Olivewood 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 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 65; that the number of votes cast at said polls in favor of annexation was and is 31, and that the number of votes cast at said polls opposed to annexation of said territory was and is 34.

Said City Council, sitting as a canvassing board further finds that there were cast at said election a number of absentee ballots or votes; that the total number of absentee votes so cast was and is three (3); that the number of said absentee ballots or votes cast in favor of said annexation was and is 3; that the total number of absentee ballots or votes opposed to said annexation was and is none; that the total number of votes, both absentee and those cast at the polls at said election was and is 68; that the total number of votes, both absentee and those cast at the polls in favor of the annexation of said territory to the City of Modesto was and is 34; that the total number of votes, both those cast at the polls and absentee opposed to said annexation was and is 34;

That said City Council, sitting as such canvassing board further finds that the measure, to-wit, "Shall the Coldwell Olivewood Tract be annexed to the City of Modesto" did not receive the necessary plurality in favor thereof, and that therefore said measure was defeated.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of July, 1939, 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. 4641-N.S.

A RESOLUTION DECLARING THE DESIRE OF THE CITY OF MODESTO FOR AIR PASSENGER, MAIL AND EXPRESS SERVICE.

----0)0----

WHEREAS, the City of Modesto by a provisions of its Charter adopted in 1910 was and is empowered to own, maintain and operate an airport; and,

WHEREAS, said City does under and by virtue of the provisions of said power own an airport and has owned and maintained the same for a number of years; and,

WHEREAS, said airport and the facilities offered by said airport are proper and adequate for day and night use by airplanes in regular commercial airline service:

NOW, THEREFORE, the City Council of the City of Modesto, as the legislative body of said City and the duly authorized representative thereof, does by this resolution declare that said City of Modesto is desirous of having air passenger, mail, and express service, and such other services usually incidental thereto.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of July, 1939, 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

RESOLUTION NO. 4641A-N.S.

IN THE MATTER OF THE ELECTION FOR THE ANNEXATION OF THE COLDWELL-OLIVEWOOD TRACT
TO THE CITY OF MODESTO

---oOo---

This being the time provided for the first regular meeting of the Council 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 Coldwell Olivewood Tract, and described particularly as the following described territory lying and being in the County of Stanislaus, State of California and contiguous to the City of Modesto, and particularly described as follows, to-wit:

Beginning on the Northerly City Limits of the City of Modesto, at its intersection with the center line of Enslin Avenue; thence Northerly along the said center line of Enslin Avenue, to its intersection with the center line of Griswold Avenue; thence Easterly along the said center line of Griswold Avenue, to its intersection with the center line of Magnolia Avenue, (formerly Carter Avenue); thence Southerly along the said center line of Magnolia Avenue, to the Northwesterly property corner of Lot 68, as shown on the Map of the Coldwell Olivewood Tract; thence continuing Southerly along the said center line of Magnolia Avenue, or the Westerly property line of said Lot 68, a distance of 46.78 feet; thence Easterly through said Lot 68, to a point that is 46.76 feet Southerly from the Northeasterly property corner of said Lot 68, on the Easterly property line of said Lot 68; thence Southerly along the said Easterly property line of Lot 68, and the Easterly property line of Lot 69, to the said Northerly City Limits; thence Westerly along the said Northerly City Limits, to the beginning.

The Northerly City Limits of the City of Modesto, is as shown on the official Map of the City of Modesto, Stanislaus County, California, dated March 23, 1938.

The avenues as mentioned are as designated on the said Map of the Coldwell Olivewood Tract, recorded in Maps, Volume 5, Page 32, Stanislaus County, California, or otherwise commonly known as named.

The lots as mentioned are as designated on the said Map of the Coldwell Olivewood Tract.

and it appearing that said election was held within the territory proposed to be annexed on the 11th day of July, 1939, 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 the property therein 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 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 65, that the number of votes cast therein in favor of annexation was 31, and that the number of votes cast therein against annexation was 34.

The Council of the City of Modesto further finds that the whole number of absentee ballots or votes cast at said election was 3; that the number of absentee ballots or votes cast therein in favor of annexation was 3; and that the number of absentee ballots or votes cast therein against annexation was 0. That the total number of votes, both absentee and those cast by the voters at the polls in said territory proposed to be annexed was 68; that the total number of votes cast in favor of annexation 34; and that the total number of votes cast therein against annexation was 34.

Thereupon, upon motion of Councilman Bates, seconded by Councilman Neece, and adopted by the unanimous vote of the Council, 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

RESOLUTION NO. 4642-N.S.

ADJOURNMENT

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

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of July, 1939 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. 4643-N.S.

A RESOLUTION PROVIDING FOR REDUCTION TO BE MADE IN ASSESSMENTS OF IMPROVEMENTS ON 1939-40 TAX ROLL FOR HENRY T. CROW, BLOCK 69, Lots 13, 14, 15, 16

---oOo---

BE IT HEREBY RESOLVED that the net assessed valuation of improvements on lots 13, 14, 15, 16, Block 69 in the City of Modesto belonging to Henry T. Crow be changed to \$87,425.00.

The foregoing resolution was introduced at the regular meeting of the Board of Equalization held on August 11, 1939 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: Commissioners: Barnell, Bates, Stanley,

Noes: Commissioners: None

Absent: Commissioners: Neece and Mayor Shannon

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4644-N.S.

A RESOLUTION ALLOWING CLAIMS FOR MONTH OF JULY, 1939

---oOo---

WHEREAS, the claims against the City of Modesto for the month of July, 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 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-----	\$37,777.51
WATER FUND-----	7,998.44
LIBRARY FUND-----	1,787.23
BOND RED. INT. FUND-----	5,481.25
UNAPPORTIONED FUND 1-9-----	74.62
STREET BONDS-----	<u>14,558.30</u>
	\$67,677.35

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of August, 1939 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

RESOLUTION NO. 4645-N.S.

A RESOLUTION AMENDING RESOLUTION NO. 4193 ENTITLED: "A RESOLUTION PROVIDING FOR TWO HOUR PARKING ON PORTIONS OF TENTH STREET, E STREET AND F STREET IN THE CITY OF MODESTO"

---oOo---

WHEREAS, there is now in force and effect in the City of Modesto Resolution No. 4193 entitled: " A RESOLUTION PROVIDING FOR TWO HOUR PARKING ON PORTIONS OF TENTH STREET, E STREET AND F STREET IN THE CITY OF MODESTO:", and

WHEREAS it is deemed proper by the City Council of said City that said resolution should be modified as follows, to-wit: That parking time restrictions should be removed from the westerly side of Tenth Street between E and F Streets in said City:

NOW, THEREFORE, BE IT HEREBY RESOLVED that Resolution No. 4193 entitled as above be hereby modified and the same is hereby modified by removing from the provisions thereof any restrictions upon the time for which vehicles may be parked on the westerly side of Tenth Street between E and F Streets.

BE IT FURTHER RESOLVED that the City Engineer of the City of Modesto is hereby ordered to remove from said area any signs on the westerly side of Tenth Street between E and F Streets heretofore erected for the purpose of giving notice to the public relative to parking restrictions in said area.

The foregoing resolution was introduced at a regular meeting

of the Council of the City of Modesto held on the 9th day of August, 1939 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

RESOLUTION NO. 4646-N.S.

A RESOLUTION APPOINTING DELEGATES TO CONVENTION OF LEAGUE OF CALIFORNIA MUNICIPALITIES

---oOo---

BE IT HEREBY RESOLVED that the City Engineer, City Clerk, City Attorney, Sanitary Inspector, Chief of Police, Mayor Shannon, Commissioners Stanley, Neece, Bates and Barnell be appointed delegates to the convention of the League of California Municipalities to be held in Oakland on September 18, 19, 20, 21, 1939.

BE IT FURTHER RESOLVED that each and every delegate be allowed \$25.00 for expenses while attending convention.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of August, 1939 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

RESOLUTION NO. 4647-N.S.

A RESOLUTION AWARDED BID ON TRAFFIC SIGNALS TO WILLE ELECTRIC COMPANY SUBJECT TO APPROVAL BY THE STATE HIGHWAY COMMISSION

---oOo---

BE IT HEREBY RESOLVED that the Wille Electric Company be awarded bids on four one-way traffic signal heads for \$441.46 and four two way traffic signal heads for \$615.02, subject to approval by the State Highway Commission, and

BE IT FURTHER RESOLVED that the City Auditor be authorized to draw warrants in payment of equipment when delivered and approved by the City Engineer and the City Clerk is directed to return the bidding checks and bonds to the unsuccessful bidders.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of August, 1939 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

RESOLUTION NO. 4648-N.S.

A RESOLUTION AUTHORIZING PROGRESSIVE PAYMENT TO J. C. MEYERS ON CONSTRUCTION OF FIREHOUSE

---oOo---

WHEREAS statement has been filed with the Council by John L. Mason, Assistant City Engineer showing per cent of work completed as of August 9, 1939 by Contractor, John C. Meyers on firehouse and amount due and payable this date of \$1431.75.

BE IT HEREBY RESOLVED that report be accepted and payment of \$1431.75 be authorized to John C. Meyers and the City Auditor is hereby directed to draw warrant.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of August, 1939, 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

RESOLUTION NO. 4649-N.S.

A RESOLUTION ACCEPTING RESURFACING WORK ON TENTH STREET FROM F TO K STREETS FROM CONTRACTOR AND AUTHORIZING PAYMENT OF 75% OF THE CONTRACT TO HAYWARD BUILDING MATERIAL COMPANY

---oOo---

WHEREAS, statement of completion of contract for crack sealing, planing and resurfacing Tenth Street from F to K Streets by Hayward Building Material Company has been filed with the Council by Assistant City Engineer, John L. Mason and payment of 75% of contract, \$3105.00 is now due and payable.

BE IT HEREBY RESOLVED that the work as completed be hereby accepted by the Council and payment of \$3105.00 be authorized as provided by contract and the Clerk and Auditor is authorized to draw warrant and to file notice of completion with the County Recorder.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of August, 1939, 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

RESOLUTION NO. 4650-N.S.

ADJOURNMENT

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

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of August, 1939 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

RESOLUTION NO. 4651-N.S.

A RESOLUTION ALLOWING REFUND TAXES TO DEWITT MARSHALL AND CANCELLING EXCESS AMOUNT OF TAXES FOR YEAR 1936 BECAUSE OF FAILURE TO ALLOW SOLDIER'S EXEMPTION

---oOo---

BE IT HEREBY RESOLVED that Dewitt Marshall be allowed soldier's exemption and excess amount of taxes and penalties be refunded him for year 1936, in amount \$12.04 on lots 21 and 22, Block 455, lots 9 and 10, Block 457, lots 42 and 43, Block 466, lots 31 to 34, Block 468, because of failure to allow exemption.

BE IT FURTHER RESOLVED that the Auditor be authorized to draw warrant in amount \$12.04 in payment to the Modesto Title Company, representative of Dewitt Marshall.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on August 23, 1939 by Commissioner Bates, 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

RESOLUTION NO. 4652-N.S.

A RESOLUTION GRANTING PERMISSION TO W. W. GIDDINGS, JR. TO ERECT SUPER-SERVICE STATION ON NINTH STREET, BEING WESTERLY 80 FEET OF LOTS 17, 18, 19 and 20 in BLOCK 54 OF THE CITY OF MODESTO

---oOo---

WHEREAS, there has been filed with this Council petition of W. W. Gidding, Jr. for the erection, maintenance and operation of a super-service station of all steel construction on the westerly 80 feet of Lots 17, 18, 19 and 20 in Block 54 of the City of Modesto, northeast corner of Ninth and G Streets;

BE IT THEREFORE RESOLVED; that permission be and the same is hereby granted to W. W. Giddings, Jr. for the erection, maintenance and operation of super-service station in Block 54 located on the northeast corner of Ninth and G Streets, providing that the said building shall comply with all city regulations in this particular zone and shall be located and constructed in accordance with set backs and other regulations prescribed by the City Engineer.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of August, 1939 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 H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4653-N.S.

A RESOLUTION AUTHORIZING PROGRESSIVE PAYMENT ON FIREHOUSE TO J. C. MEYERS IN AMOUNT \$4126.45

---oOo---

WHEREAS the City Engineer has filed with the Council statement of amount due and payable as of August 23, 1939 to J. C. Meyers on construction of firehouse of \$4126.05.

BE IT HEREBY RESOLVED that the City Auditor be authorized to draw warrant in amount \$4126.05, payable to J. C. Meyers.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on August 23, 1939 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 H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4654-N.S.

A RESOLUTION ACCEPTING DEED FROM BEARD LAND AND INVESTMENT COMPANY AND AUTHORIZING PAYMENT BY CITY AUDITOR

---oOo---

WHEREAS on March 28th, 1939, the City of Modesto, a municipal corporation, of Stanislaus County, California, entered into a written contract for the purchase from the Beard Land and Investment Company, a corporation, of Modesto, County and State aforesaid, property hereinafter described as follows, to-wit:

All that portion of Lots 1 and 2 in Block 2141 of Sierra Subdivision No. 2, according to the map thereof filed July 14, 1936 in Vol. 11 of Maps at page 31, Stanislaus County Records, bounded and particularly described as follows:

Beginning at the southeast corner of Lot 2; thence North 89° 52' west and along the south line of said lot, 215.12 feet; thence on a curve to the left having a long chord which bears north 46.26' west 151.57 feet, radius 180 feet, central angle 49° 48' and length of 156.45 feet; thence on a curve to the right having a radius of 120 feet, central angle 71° 02' a distance of 148.77 feet; thence north 0° 18' west and parallel to the west line of lots 1 and 2 and distant 260 feet east therefrom, a distance of 111.55 feet to a point on the south line of Sierra Avenue; thence in an easterly direction and along the south line of Sierra Avenue a distance of 411.52 feet to the northeast corner of lot 1; thence south 0° 16' east and along the east line of lots 1 and 2, 272.39 feet to the point of beginning, containing 2.278 acres.

AND WHEREAS a deed has been prepared conveying said property to the City of Modesto, which deed is in proper legal form: and

WHEREAS a title search of said property has been made and it appears therefrom that good title to said land will be conveyed to the City of Modesto upon

the acceptance of said deed; and

WHEREAS the full purchase price of and for said property, to-wit the sum of One Thousand Three Hundred Sixty-Six and 80/100 Dollars (\$1366.80) is now due and owing to the said Beard Land and Investment Company;

NOW, THEREFORE, the City Council of the City of Modesto does hereby accept said deed conveying the within described premises to the City of Modesto, and does hereby order and authorize the City Auditor of the City of Modesto to make his check in the sum of One Thousand Three Hundred Sixty-Six and 80/100 Dollars (\$1366.80) payable to, and to deliver the same to the said Beard Land and Investment Company.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of August, 1939 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. 4655-N.S.

A RESOLUTION AUTHORIZING FINAL PAYMENT ON PAVING OF GRAND STREET TO CONTRACTOR S. M. MCGAW

---oOo---

WHEREAS, the City Engineer has filed with the Council, statement of \$1260.99 due S. M. McGaw as final payment for paving of Grand Street from D Street to Beard Brook Bridge, and

WHEREAS, the necessary 35 days have elapsed as provided by contract and no claims have been filed against the contractor

BE IT HEREBY RESOLVED, that the City Clerk and Auditor be authorized to draw warrant in amount \$1260.99 payable to S. M. McGaw, as final payment on contract for paving Grand Street from D Street to Beard Brook Bridge.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of August, 1939 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. 4656-N.S.

A RESOLUTION AUTHORIZING THE MAYOR OR MAYOR PRO TEMPORE AND THE CITY ENGINEER OF THE CITY OF MODESTO TO MAKE APPLICATIONS TO AND ENTER INTO CONTRACTS WITH THE WORKS PROJECTS ADMINISTRATION OR THE PUBLIC WORKS ADMINISTRATION

---oOo---

BE IT RESOLVED that the Mayor of the City of Modesto, be and he is

hereby authorized and empowered by and on behalf of the City of Modesto to make, sign and execute such applications to the Works Projects Administration and/or the Public Works Administration as he may deem proper and necessary for work projects and for the allocation to said projects and to the City of Modesto in connection therewith of such funds as may be necessary to accomplish the same; and to include in such applications such covenants and agreements on behalf of the City of Modesto as may be required by said Administration; and to obligate the City of Modesto to the performance thereof in so far as the same is not in conflict with the Charter of the City of Modesto or the laws of the State of California.

Be it further resolved that during the, if any, temporary absence or disability of the Mayor, the Vice President of the Council, shall act in the place and stead of the Mayor with the authority and power by this Resolution granted to the Mayor.

Be it further resolved that the City Engineer of the City of Modesto, shall act as the sponsor's agent in and about such applications and the performance of contracts entered into as the result thereof.

Be it further resolved that the power and authority herein granted to and conferred upon the Mayor of the City of Modesto, and/or the mayor pro tempore, and/or the City Engineer, shall extend to and include all matters and things incidental to and necessary to carry out the purposes of this Resolution and to obtain for said City of Modesto the benefit of any and every work project which may be allocated or allotted to said City by said Administrations, or either of them. And the said City of Modesto and its City Council do hereby ratify and confirm any and every act that may be done or promise that may be made by the Mayor and/or said Mayor Pro Tempore and/or said City Engineer under and by virtue of this Resolution.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of August, 1939, 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

RESOLUTION NO. 4657-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 authorized to advertise for the following equipment:

- Item 1, 2500 feet of 6 inch class 150 "Transite" Cement Asbestos Water Pipe or class 150 seal-coated cement lined Bell and Spigot Cast Iron Pipe or equal.
- Item 2. 2000 feet of 6 inch class 150 seal-coated cement lined Bell and Spigot Cast Iron Water pipe or equal

Said bids to be opened at 7:30 P.M. on Wednesday, September 13, 1939 at the City Hall.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of August, 1939 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: Neece, Bates, Stanley, Barnell, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4658-N.S.

A RESOLUTION PROVIDING FOR PARALLEL PARKING IN CERTAIN DESIGNATED PLACES ON TENTH AND J STREETS IN THE CITY OF MODESTO

---oOo---

WHEREAS, it is deemed proper for the purpose of promoting the safety and general welfare of the citizens of the City of Modesto that parallel parking of vehicles should be installed in certain places hereinafter designated on Tenth and J Streets in the City of Modesto; and,

WHEREAS, under and by virtue of the provisions of Ordinance No. 345-N.S. the Council of the City of Modesto has the power by resolution to determine whether or not vehicles shall be parked in the places hereinafter designated either parallel to the curb or at an angle thereto:

NOW, THEREFORE, SAID CITY COUNCIL DOES BY THIS RESOLUTION, determine and decree that hereafter vehicles shall park parallel to the curb and with the right front and rear wheel of said vehicle parking not more than twelve inches from said curb in the following spaces, to-wit:

- (a) The northeasterly side of Tenth Street a distance of eighth-nine (89) feet northwesterly from the northwesterly property line of J Street.
- (b) The northeasterly side of Tenth Street a distance of seventy-five (75) feet southeasterly from the southeasterly property line of J Street.
- (c) The southwesterly side of Tenth Street a distance of seventy-nine (79) feet northwesterly from the northwesterly line of J Street.
- (d) The southwesterly side of Tenth Street a distance of eighty-nine (89) feet southeasterly from the southeasterly property line of J Street.

BE IT FURTHER ORDERED BY THIS RESOLUTION that the City Engineer of the City of Modesto shall make appropriate markings in said area to bring to the attention of the public the fact that vehicles in said spaces are to be parked parallel to said curb, as heretofore described.

The foregoing resolution was introduced at a regular meeting of the City Council of the City of Modesto held on the 23rd day of August, 1939, 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, Stanley, Neece, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4659-N.S.

A RESOLUTION CREATING A CITY RECREATION COMMISSION, PRESCRIBING THE TERM OF THE MEMBERS THEREOF, ORGANIZATION AND POWERS AND DUTIES OF SAID COMMISSION

WHEREAS, the City of Modesto has in the past maintained a summer recreation program in its parks and playgrounds; and

WHEREAS, it is deemed proper to establish a recreation commission in order to more fully develop a year around recreation program, with all types of healthful recreation and for its citizens of every age.

NOW, THEREFORE, there is hereby established a City Recreation Commission of the City of Modesto. Said Commission shall consist of three (3) members serving without pay. Said members shall be appointed by the City Council of the City of Modesto and shall consist of a member from the Board of Education of the Modesto School District, a member of the Park Commission of the City of Modesto, and a member of the Board of Supervisors of the County of Stanislaus. The term of office for said members shall be for a period of five (5) years or until their successors are appointed and qualified. Vacancies in said Commission shall be filled by the City Council of the City of Modesto for the unexpired term of said member whose said position becomes vacant. In the event that any of the bodies herein mentioned fail or neglect to appoint one of its members to said Recreation Commission, then and in such event the City Council may, by resolution, select and appoint other persons to act as members of said Recreation Commission.

2. Immediately after the appointment of said members of the Commission they shall meet and organize by electing one of their members President, together with such other officers as said Commission may deem necessary. Said members at said first meeting shall by lot determine which of said members shall retire from said office at the end of the third year, which member shall retire at the end of the fourth year, and which member shall retire at the end of the fifth year.

3. The City Recreation Commission shall have the power to adopt by-laws, rules and regulations for the proper conduct of public recreation for the City of Modesto, subject at all times to the approval of the City Council of said City of Modesto.

4. The City Recreation Commission shall provide, conduct and supervise public playgrounds, athletic fields, recreation centers, and other recreational facilities and activities on any of the properties owned or controlled by the City, or on other properties with the consent of the owners and authorities thereof. It shall have the power to conduct any form of recreation or cultural activity that will employ the leisure time of the people in a constructive and wholesome manner. Said Recreation Commission shall have nothing to do with the administration of nor the promotion of recreational facilities at or upon the Modesto Municipal Golf Course nor at or upon the Modesto Municipal Baseball Park, formerly known as Roosevelt Field.

5. The City Recreation Commission shall have the power to appoint or designate someone to act as Recreational Supervisor who is trained and properly qualified for the work. There shall be such other persons to help conduct the activities as may be determined by the Commission. No appointment under and by virtue of the provisions of this paragraph shall be valid unless approved by the City Council of the City of Modesto.

6. Annually the City Recreation Commission shall submit a budget to the City Council for its approval, rejection or amendment. The Commission may also solicit or receive any gifts or bequests of money or other personal property or any donation to be applied, principal or income, for either temporary or permanent use for playgrounds or other recreational purposes.

7. The City Recreation Commission shall make full and complete

monthly and annual reports to the City Council and other reports from time to time as requested.

8. All resolutions, or parts thereof, in conflict with the provisions and intent of this resolution are hereby repealed.

9. BE IT FURTHER RESOLVED that the said Recreation Commission cannot under any circumstances incur any indebtedness against the City of Modesto or any of the funds of said City without the consent of the City Council of said City.

Be it further provided that the City Council of said City does not by the terms hereof intend to nor does it relinquish its powers over the parks or recreational facilities of said City, and that the intent contained herein is only to co-ordinate recreation in said City and to work in conjunction with the Federal and County Governments to that end.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of August, 1939, 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

RESOLUTION NO. 4660-N.S.

A RESOLUTION ACCEPTING DEED FROM IRIS S. KEWIN ON EASTERLY 60 FEET OF THE WESTERLY 117.14 FEET OF LOT 42 OF HIGH HOMES TRACT AND AUTHORIZING AUDITOR TO DRAW WARRANT IN PAYMENT

---oOo---

WHEREAS, on June 2, 1939, the Council of the City of Modesto adopted Resolution No. 4587- N.S. providing for the purchase of the easterly 60 feet of the Westerly 117.14 feet of Lot 42 of the High Homes Tract by the City of Modesto for the sum of \$200.00, one half of which purchase price is to be paid by W.E.Scoon, from Iris W. Kewin, and

WHEREAS, under date of August 17, 1939, W. E. Scoon paid to the City of Modesto, the required sum of \$100.00, and

WHEREAS a deed has been prepared conveying said property to the City of Modesto, which deed is in proper legal form.

NOW, THEREFORE, the City Council of the City of Modesto does hereby accept said deed conveying the within described premises to the City of Modesto and does hereby order and authorize the City Auditor of the City of Modesto to make his check in the sum of \$200.00 payable to, and to deliver the same to the said Iris S. Kewin.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of August, 1939 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. 4661-N.S.

A RESOLUTION OFFICIALLY ADOPTING PROPOSED BUDGET FOR 1939-1940

---oOo---

PURSUANT to provisions of Section 48 of the Charter of the City of Modesto providing that the Council shall meet annually prior to fixing the tax levy and make a budget of the estimated amounts required to pay the expenses of conducting the business of the City government for the next ensuing fiscal year, and

WHEREAS, the budget of estimated expenditures of the various departments of the City of Modesto for the fiscal year beginning July 1, 1939, and ending June 30, 1940, 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

THEREFORE, BE IT RESOLVED that the said budgets of the various departments be and the same are hereby 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 regular meeting of the Council of the City of Modesto held on the 23rd day of August, 1939 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: Neece, Bates, Stanley, Barnell, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4662-N.S.

A RESOLUTION GRANTING REQUEST OF CHIEF OF POLICE ARINGTON TO RETAIN PRESENT CLERK FOR A PERIOD OF 90 DAYS OR UNTIL SUCH TIME AS NEW EXAMINATION FOR CLERK IN THE POLICE DEPARTMENT HAS BEEN GIVEN BY CIVIL SERVICE BOARD

---oOo---

WHEREAS, all applicants for the position of Clerk in the Police Department have failed in the City Civil Service examination. Chief of Police Arington has requested permission from the Council to retain the present employee, Gladys Eller for a period not to exceed 90 days or until new examination could be given and position filled by the Council.

NOW THEREFORE BE IT RESOLVED that request of Chief Arington be granted and Gladys Eller remain in the position of Clerk in the Police Department until examination has been given or for a period not to exceed 90 days, as provided by the rules and regulations of the Civil Service Board adopted by the Council.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of August, 1939 by Commissioner 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. 4663-N.S.

A RESOLUTION ALLOWING \$25.00 FOR EXPENSES OF H. C. MOORE, ASSISTANT SUPERINTENDENT OF ELECTRICITY WHILE ATTENDING CONVENTION

BE IT HEREBY RESOLVED the City Auditor be authorized to draw warrant in amount \$25.00 to Harry Moore, assistant superintendent of Electricity to cover expenses incurred by him while attending convention of the Electrical Inspectors in San Francisco, as provided by Resolution No. 4633-N.S.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of August, 1939 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

RESOLUTION NO. 4664-N.S.

A RESOLUTION AUTHORIZING THE CANCELLING BALANCE OF TAX SALE #2984

---oOo---

BE IT HEREBY RESOLVED that the balance of 18¢ of tax sale #2984 be hereby cancelled.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on August 23, 1939 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. 4665-N.S.

A RESOLUTION AUTHORIZING THE CITY ENGINEER TO CONTINUE PROJECT OF MAKING TRAFFIC SURVEY AT NINTH AND B STREETS

---oOo---

BE IT HEREBY RESOLVED THAT the project of traffic count at intersection of Ninth and B Streets be continued by the City Engineer.

The foregoing resolution was introduced at the regular meeting of the Council of the City of Modesto held on the 23rd day of August, 1939 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. 4666-N.S.

A RESOLUTION PROVIDING TEN MINUTE PARKING SPACE ON THE NORTHWEST SIDE OF H STREET BETWEEN TENTH AND ELEVENTH STREETS IN THE CITY OF MODESTO

---oOo---

WHEREAS, under and by virtue of the provisions of Ordinance No. 345-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 (10) 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 place shall be, between the hours of nine o'clock A.M. and six o'clock P.M. for ten (10) consecutive minutes, and no longer.

Said space is described as follows, to-wit:

The first parking space on the northwest side of H Street beginning two and one-half (2.5) feet northeasterly from the northeasterly property line of the alley between Tenth and Eleventh Streets.

BE IT FURTHER RESOLVED AND ORDERED that the City Engineer appropriately designate said space, calling attention of persons upon the said streets of the said City of Modesto to the provisions of this resolution as it may apply to said parking space.

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 23rd day of August, 1939 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, Neece, Bates, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4667-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 August, 1939 by Commissioner Bates, who moved its adoption, which resolution was duly seconded, and 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

RESOLUTION NO. 4668-N.S.

A RESOLUTION GRANTING EXTENSION OF TIME ON COMPLETION OF CONTRACT TO J. C. MEYERS

---oOo---

BE IT HEREBY RESOLVED that an extension of time for completion of contract on firehouse be granted to J. C. Meyers, contractor, until September 15, 1939.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on August 28, 1939 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

RESOLUTION NO. 4669-N.S.

A RESOLUTION REFUSING REQUEST OF CHRISTIAN SCIENTIST CHURCH FOR ANGLE PARKING AND REFUSING REQUEST OF GEORGE COVELL FOR ADDITIONAL PARKING SPACE ON ELEVENTH STREET IN FRONT OF HOTEL COVELL

---oOo---

BE IT HEREBY RESOLVED that request of the Christian Scientist Church for angle parking near their church on Fourteenth and H Streets be refused, and

BE IT FURTHER RESOLVED that request of George Covell for additional parking space on 11th Street in front of Hotel Covell be denied.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on August 28, 1939 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

RESOLUTION NO. 4670-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 August 28, 1939 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

RESOLUTION NO. 4671-N.S.

A RESOLUTION ALLOWING CLAIMS FOR MONTH OF AUGUST, 1939

---oOo---

WHEREAS, the claims against the City of Modesto for the month of August, 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 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-----	\$34,150.47
WATER FUND-----	6,603.71
LIBRARY FUND-----	1,652.72
BOND RED. INT. FUND-----	18.75
SPECIAL GAS TAX-----	3,105.00
STREET BONDS-----	186.18
BEARD PARK IMPROVEMENT FUND-----	3,822.30
TOTAL	<u>\$49,539.13</u>

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of September, 1939, 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. 4672-N.S.

A RESOLUTION APPOINTING C. L. BAKER DELEGATE TO CONVENTION

---oOo---

BE IT HEREBY RESOLVED that C. L. Baker be appointed delegate to the convention of the Pacific Coast Building officials conference to be held in Oakland from October 3rd to 6th, 1939, and

BE IT FURTHER RESOLVED that C. L. Baker be allowed expenses not to exceed \$25.00

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on September 13, 1939 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. 4673-N.S.

A RESOLUTION APPOINTING POLICE CHIEF E. E. ARINGTON DELEGATE TO THE INTERNATIONAL ASSOCIATION OF CHIEFS OF POLICE CONVENTION

BE IT HEREBY RESOLVED that Police Chief E. E. Arington be appointed delegate to the convention of the International Association of Chiefs of Police to be held in San Francisco, October 9, 10, 11 and 12, 1939, and

BE IT FURTHER RESOLVED that Chief Arington be allowed expenses not to exceed \$50.00.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on September 13, 1939 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

RESOLUTION NO. 4674-N.S.

A RESOLUTION APPOINTING FIRE CHIEF GEO. E. WALLACE DELEGATE TO PACIFIC COAST FIRE CHIEF'S CONVENTION AND INTERNATIONAL FIRE CHIEF'S ASSOCIATION CONVENTION

---oOo---

BE IT HEREBY RESOLVED that Fire Chief Geo. E. Wallace be appointed delegate to the Pacific Coast Fire Chief's convention to be held in San Francisco on September 18 and 19, 1939 and the International Fire Chief's Association convention to be held in San Francisco, September 20, 21, 22, 23, 1939, and

BE IT FURTHER RESOLVED that Fire Chief Geo. E. Wallace be allowed not to exceed \$50.00 for expenses.

The foregoing resolution was introduced at a regular meeting of the Council held on September 13, 1939 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

RESOLUTION NO. 4675-N.S.

A RESOLUTION GRANTING BIDS ON WATER PIPE TO JOHNS-MANVILLE COMPANY ON ITEM ONE AND ON ITEM TWO TO THE AMERICAN CAST IRON PIPE COMPANY

---oOo---

WHEREAS, notice to bidders having heretofore been given and published as required by law for the purchase of 25000 feet of water pipe, 6" class 150 "Transite", 2000 feet of 6" class 150 seal-coated cement lined Bell and Spigot Cast Iron Water pipe and bids in accordance with said notice to bidders having been received not later than 7:30 P.M. on Wednesday, September 13, 1939 and having been then and there opened by the Council (see BP#177 for details of bids),

BE IT HEREBY RESOLVED that bid on item 1 be awarded to Johns-Manville Company for \$1725.00 plus sales tax and on item 2 to the American Cast Iron Pipe Company for \$1440.00, plus sales tax, as being the lowest and best bid and the City Clerk is authorized to return checks to unsuccessful bidders and to make payment on equipment as soon as delivery is made and goods accepted by the City Engineer.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on September 13, 1939 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. 4676-N.S.

A RESOLUTION AUTHORIZING PROGRESSIVE PAYMENT TO JOHN C. MEYERS ON FIREHOUSE

---oOo---

WHEREAS, the City Engineer has filed a report with the Council of progressive payment due John C. Meyers, contractor on the firehouse in amount \$3047.97.

BE IT HEREBY RESOLVED that payment of \$3047.97 be authorized to John C. Meyers and the City Clerk and Auditor is instructed to draw warrant in payment.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on September 13, 1939 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. 4677-N.S.

A RESOLUTION AUTHORIZING FINAL PAYMENT ON RESURFACING TENTH STREET FROM F TO K STREET TO CONTRACTOR HAYWARD BUILDING MATERIAL COMPANY

---oOo---

BE IT HEREBY AUTHORIZED that final payment be made to Hayward Building Material Company for resurfacing Tenth Street from F Street to K Street in amount \$1035.00, as 35 days lien period required by law has expired and no claims have been filed against the contractor, and

BE IT FURTHER RESOLVED that 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 13th day of September, 1939 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. 4678-N.S.

A RESOLUTION AUTHORIZING THE CITY CLERK TO ADVERTISE FOR BIDS ON PAVING FROM EXISTING PAVEMENT TO EXISTING GUTTERS ON H STREET FROM YOSEMITE AVENUE TO WEST CITY LIMITS

---oOo---

BE IT HEREBY RESOLVED, that the City Clerk be authorized to advertise for bids on paving from existing pavement to existing gutters on H Street from Yosemite Avenue to West City Limits. Said bids are to be opened on September 27, 1939 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 13th day of September, 1939 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. 4679-N.S.

A RESOLUTION AUTHORIZING THE CITY CLERK TO ADVERTISE FOR BIDS ON CLAY SEWER PIPE

---oOo---

BE IT HEREBY RESOLVED, that the City Clerk be authorized to advertise for bids on vitrified clay sewer pipe, bids to be opened on September 27, 1939 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 13th day of September, 1939 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. 4680-N.S.

A RESOLUTION APPOINTING MEMBERS OF THE MODESTO RECREATION COMMISSION

---oOo---

BE IT HEREBY RESOLVED that Leo Hammett of the Board of Supervisors of Stanislaus County, Mrs. Elizabeth Benkendorf of the Park Commission and H. J. Wellman of the Modesto Board of Education be appointed members of the Modesto Recreation Commission, as provided by Resolution No. 4659-N.S.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of September, 1939 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

RESOLUTION NO. 4681-N.S.

A RESOLUTION AMENDING RESOLUTION NO. 4192-N.S. ENTITLED: "A RESOLUTION PROVIDING FOR SICK LEAVE, VACATIONS, AND HOLIDAYS FOR EMPLOYEES OF THE CITY OF MODESTO

---oOo---

WHEREAS, it appears that by Resolution No. 4192-N.S. of the City of Modesto, entitled: " A RESOLUTION PROVIDING FOR SICK LEAVE, VACATIONS, AND HOLIDAYS FOR EMPLOYEES OF THE CITY OF MODESTO," employees of said City were granted sick leave, vacations, and certain holidays; and,

WHEREAS, it now appears that by the Civil Service Ordinance of the City of Modesto, No. 602-N.S., said employees under civil service have been granted certain holidays which are different than those granted in the Resolution hereby amended, and

WHEREAS, by reason thereof, certain employees of the City of Modesto are allowed to absent themselves from work, while other City employees must remain at their positions on said days while said civil service employees are absent from said work; and,

WHEREAS, it is only fair and proper that all of the employees of said City shall enjoy the same holidays;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MODESTO does hereby amend said Resolution No. 4192 N.S. by adding to the holidays allowed by said Resolution to City employees not under civil service, the following holidays, to-wit:

Admission Day, Columbus Day, and every day on which an election is held throughout the State, and every day appointed by the President of the United States of America or by the Governor of the State of California for a public feast, Thanksgiving or holiday, and which is not designated as a special or limited holiday. When a holiday falls on Sunday, the following Monday shall be observed.

The foregoing Resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of October, 1939 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. 4682-N.S.

A RESOLUTION PROVIDING FOR PARALLEL PARKING IN CERTAIN DESIGNATED TERRITORY ON EAST SIDE OF TENTH STREET BETWEEN K AND L STREETS

---oOo---

WHEREAS, it is deemed proper for the purpose of promoting the safety and general welfare of the citizens of the City of Modesto that parallel parking of vehicles should be installed in certain places hereinafter designated on Tenth Street between K and L Streets in the City of Modesto; and,

WHEREAS, under and by virtue of the provisions of Ordinance No. 345-N.S. the Council of the City of Modesto has the power by resolution to determine whether or not vehicles shall be parked in the places hereinafter designated either

parallel to the curb or at an angle thereto:

NOW THEREFORE, SAID CITY COUNCIL DOES BY THIS RESOLUTION determine and decree that hereafter vehicles shall park parallel to the curb and with the right front and rear wheel of said vehicle parking not more than twelve inches from said curb in the following spaces, to-wit:

East side of Tenth Street, between K and L Streets

BE IT FURTHER ORDERED BY THIS RESOLUTION that the City Engineer of the City of Modesto shall make appropriate markings in said area to bring to the attention of the public the fact that vehicles in said spaces are to be parked parallel to said curb, as heretofore described.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of September, 1939 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
Elmer J. Blum, Assistant City Clerk

RESOLUTION NO. 4683-N.S.

A RESOLUTION PROVIDING FOR PARALLEL PARKING IN CERTAIN DESIGNATED PLACES ON TENTH AND F STREETS IN THE CITY OF MODESTO

---oOo---

WHEREAS, it is deemed proper for the purpose of promoting the safety and general welfare of the citizens of the City of Modesto that parallel parking of vehicles should be installed in certain places hereinafter designated on Tenth and F Streets in the City of Modesto; and,

WHEREAS, under and by virtue of the provisions of Ordinance No. 345-N.S. the Council of the City of Modesto has the power by resolution to determine whether or not vehicles shall be parked in the places hereinafter designated either parallel to the curb or at an angle thereto;

NOW, THEREFORE, SAID CITY COUNCIL DOES BY THIS RESOLUTION, determine and decree that hereafter vehicles shall park parallel to the curb and with the right front and rear wheel of said vehicle parking not more than twelve inches from said curb in the following spaces, to-wit:

- (a) The northeasterly side of Tenth Street, a distance of forty (40) feet northwesterly from the northwesterly property line of F Street.
- (b) The northwesterly side of Tenth Street a distance of forty (40) feet southwesterly from the southwesterly property line of F Street

BE IT FURTHER ORDERED BY THIS RESOLUTION THAT the City Engineer of the City of Modesto shall make appropriate markings in said area to bring to the attention of the public the fact that vehicles in said spaces are to be parked parallel to said curb, as heretofore described.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of September, 1939 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

BY ELMER J. BLUM, ASSISTANT CITY CLERK

RESOLUTION NO. 4684-N.S.

A RESOLUTION AUTHORIZING CITY ENGINEER TO CONTACT DEPARTMENT OF PUBLIC WORKS DIVISION OF HIGHWAYS WITH REGARD TO ESTABLISHING STOP SIGN ON NORTHWEST CORNER OF FIFTH AND H STREETS IN THE CITY OF MODESTO

---oOo---

BE IT HEREBY RESOLVED that the City Engineer be authorized to contact the State Highway Commission of the Department of Public Works with regard to establishing a stop sign on the northwest corner of Fifth and H Streets.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of September, 1939 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

RESOLUTION NO. 4685-N.S.

A RESOLUTION ACCEPTING DEED FROM F. S. KELLEY AND AMY KELLEY, HIS WIFE

---oOo---

WHEREAS, heretofore certain property hereinafter described was conveyed by deed dated May 23, 1939 to the City of Modesto by F. S. Kelley and Amy Kelley, his wife; and,

WHEREAS, said deed is in proper form:

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Modesto that said deed be accepted by the said City of Modesto and that the same be recorded in the office of the County Recorder of Stanislaus County, California.

Said property is described as follows, to-wit:

All that real property situate in the City of Modesto, County of Stanislaus, State of California, more particularly described as follows:

Beginning at the Southeasterly corner of Lot 1, in Block 239, on the Westerly Property Line of Morton Boulevard, as shown on Page 239, in Volume 13, of Maps, recorded in the Stanislaus County Records, Stanislaus County, California; thence Northerly along the Westerly Property Line of said Morton Boulevard, to the Southerly end of the curve on the Easterly Property Line of Lot 4, in said Block 239, as shown on said recorded Page 239, in Volume 13, of Maps, thence Southerly and bearing to the right, along the arc of said curve continued, a distance of 85.50 feet, to a point of reverse curve in Lot 3, in said Block 239, (the continued portion of said curve having functions of, Central Angle $15^{\circ}-07'-12''$, Radius 324.00 feet, Length 85.50 feet); thence continuing Southerly and bearing to the left along the arc of said reverse curve, a distance of 70.66 feet, to the end of said reverse curve in Lot 2, in said Block 239, (the said reversed portion of the curve having functions of, Central Angle $10^{\circ}-40'-00''$ Radius 379.52 feet, Length 70.66 feet); thence S $4^{\circ}-42'-32''$ E, a distance of 79.05 feet, to a point on the Southerly Property line of said Lot 1, in said Block 239; thence N $89^{\circ}-31'-30''$ E, along the said Southerly Property Line of Lot 1, in said Block 239, a distance of 23.13 feet, to the beginning.

This deed is executed with the understanding that a strip not

less than 8 feet in width along the west side of said property shall be used for sidewalk.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of September, 1939 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

RESOLUTION NO. 4686-N.S.

A RESOLUTION AUTHORIZING PAYMENT TO ELECTION OFFICIALS OF THE ESGAR TRACT ANNEXATION ELECTION AND RENTAL FOR POLLING PLACE

---oOo---

BE IT HEREBY RESOLVED that each official serving in the election for annexation of Esgar Tract to the City of Modesto be paid \$5.00 for their services, and

BE IT FURTHER RESOLVED that \$5.00 be allowed for rental of polling place and the City Clerk and Auditor is instructed to draw the necessary warrants.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of September, 1939 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. 4687-N.S.

IN THE MATTER OF THE ELECTION FOR THE ANNEXATION OF ESGAR TRACT

---oOo---

This being the time provided for the first regular meeting of the Council 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 Esgar Tract, and described particularly as the following described territory lying and being in the County of Stanislaus, State of California and contiguous to the City of Modesto, and particularly described as follows, to-wit:

Beginning on the section line between Sections 21 and 28, T. 3S., R 9E., M.D.B & M., at the Northeasterly City Limits corner in the intersection of Lucern Avenue, so called, and El Vecino Avenue, so called; thence N 89° 57' W, 659.26 feet, along the said section line between Sections 21 and 28, and the Northerly City Limits, in said Lucern Avenue; thence N 0° -48' -30" W, 267.24 feet; thence S 89° - 47' - E, 659.41 feet, to the center line of Orange Avenue, so called; thence Northerly along the said center line of Orange Avenue, a distance of 64.18 feet, to its intersection with the Northerly line of the Southerly one half of Lot 3 of the

Rice Colony; thence Easterly along the said Northerly line of the Southerly one half of Lot 3 of the Rice Colony, a distance of 359.74 feet; thence Southerly to a point on the said section line between Sections 21 and 28, in said Lucern Avenue, the said point being at a distance of 359.74 feet Easterly from the beginning; thence Easterly along the said section line between Sections 21 and 28, in said Lucern Avenue, a distance of 474.70 feet; thence Southerly to a point on the Southerly property line of Morris Avenue, extended and produced, the said point being at a distance of 834.44 feet Easterly from the Easterly City Limits; thence Westerly along the said Southerly property line of Morris Avenue, extended and produced a distance of 834.44 feet, to the said Easterly City Limits; thence Northerly along the said Easterly City Limits, in the said El Vecino Avenue, to the beginning.

The above description is contained within Sections 21 and 28, T. 3S., R. 9E., M.D.B & M.; and Lot 3 of the Rice Colony, is as designated according to the Map recorded in Maps, Volume 1, Page 54, Stanislaus County Records; and the names of the Avenues, are as known, and so called, and the City Limits are as shown on the Official Map of the City of Modesto, Stanislaus County, California, dated March 23, 1938,

and it appearing that said election was held within the territory proposed to be annexed on the 5th day of September, 1939, 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 the property therein 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 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 11; that the number of votes cast therein in favor of annexation was 11; and that the number of votes cast therein against annexation was 0.

The Council of the City of Modesto further finds that the whole number of absentee ballots or votes cast at said election was 0; that the number of absentee ballots or votes cast therein in favor of annexation was 0; and that the number of absentee ballots or votes cast therein against annexation was 0. That the total number of votes, both absentee and those cast by the voters at the polls in said territory proposed to be annexed was 11; that the total number of votes cast in favor of annexation was 11; and that the total number of votes cast therein against annexation was 0.

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

H. E. GRAGG

RESOLUTION NO. 4688-N.S.

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

---oOo---

WHEREAS, a special election was held on the 5th day of September, 1939, in the EsGAR 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 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 11; that the number of votes cast at the said polls in favor of annexation was and is 11, 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 a number of absentee ballots or votes; that the total number of absentee votes so cast was and is 0; that the number of said absentee ballots or votes cast in favor of said annexation was and is 0; that the total number of absentee ballots or votes opposed to said annexation was and is 0; that the total number of votes, both absentee and those votes cast at the polls at said election was and is 11; that the total number of votes, both absentee and those cast at the polls in favor of the annexation of said territory to the City of Modesto was and is 11; that the total number of votes, both those cast at the polls and absentee, 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 EsGAR Tract be annexed to the City of Modesto?" did receive 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 13th day of September, 1939, 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. 4689-N.S.

A RESOLUTION GRANTING WATER SERVICE TO PERSONS IN ESGAR TRACT

---oOo---

BE IT HEREBY RESOLVED that persons in the Esgar Tract recently annexed to the City of Modesto, may be furnished water service under written contract, conditioned upon the fact that the Esgar tract is still a part of the City of Modesto, eight months from date of September 5, 1939, it not service may be discontinued.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of September, 1939 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. 4690-N.S.

A RESOLUTION ACCEPTING AUDIT OF ACCOUNTS OF THE CITY OF MODESTO FOR YEAR 1938-1939 AS COMPLETED BY R. E. BROTHERTON, PUBLIC ACCOUNTANT

---oOo---

BE IT HEREBY RESOLVED that the audit made by R. E. Brotherton, Certified Public Accountant, for the year 1938-1939 of the accounts of the City of Modesto, be accepted.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of September, 1939 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

RESOLUTION NO. 4691-N.S.

A RESOLUTION GRANTING LEAVE OF ABSENCE TO MAYOR CARL W. SHANNON

---oOo---

BE IT HEREBY RESOLVED, that Mayor Carl W. Shannon be granted leave of absence for a period of one month, beginning September 26, 1939.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of September, 1939 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. 4692-N.S.

ADJOURNMENT

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

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of September, 1939 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. 4693-N.S.

A RESOLUTION ALLOWING CLAIMS OF DELEGATES TO CONVENTION OF THE LEAGUE OF CALIFORNIA CITIES

---oOo---

BE IT HEREBY RESOLVED that claims of Ronald Bates for \$6.65, City Clerk, H.E. Gragg for \$21.05, City Engineer Rossi for \$25.00 and E. E. Arington for \$12.03 delegates to the convention of the League of California Cities be allowed and the City Clerk and Auditor be authorized to draw warrants 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 September, 1939 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

RESOLUTION NO. 4694-N.S.

A RESOLUTION GRANTING PERMISSION TO ADRIAN PERKINS TO OPERATE AND MAINTAIN A BEAUTY PARLOR AT 120 MCHENRY AVENUE IN THE CITY OF MODESTO

---oOo---

WHEREAS, pursuant to the filing of petition with the Council of ADRIAN PERKINS to operate and maintain a beauty parlor at 120 McHenry Avenue, being S 37.5 feet of the N 87.5 feet of lots 44 to 49 inc. Block 568 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 ADRIAN PERKINS to conduct a beauty parlor at 120 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 September 27th, 1939 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

RESOLUTION NO. 4695-N.S.

A RESOLUTION REFERRING ALL BIDS ON VITRIFIED CLAY SEWER PIPE TO CITY ENGINEER FOR TABULATION

---oOo---

WHEREAS, notice to bidders having heretofore been given and published as required by law for 1750 feet of 8 inch, 400 feet of 10 inch and 2400 feet of 12 inch Vitrified Clay Sewer pipe, and

WHEREAS, bids, in accordance with said notice having been received not later than 7:30 P.M. on Wednesday, September 27, 1939 and having been then and there opened by the Council in open meeting.

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 27th day of September, 1939 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

RESOLUTION NO. 4696-N.S.

A RESOLUTION REFERRING ALL BIDS ON PAVING H STREET FROM YOSEMITE AVENUE TO WEST CITY LIMITS TO CITY ENGINEER FOR TABULATION

---oOo---

WHEREAS, notice to bidders having heretofore been given and published as required by law for extending existing pavement to curb on H Street from Yosemite Avenue to west city limits and bids in accordance with said notice having been received not later than 7:30 P.M. on Wednesday, September 27, 1939 and having been then and there opened by the Council in open meeting

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 27th day of September, 1939 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

RESOLUTION NO. 4697-N.S.

A RESOLUTION APPROVING APPLICATIONS OF M. L. ALCORN, BOYD LOONEY AND ELLA TAYLOR FOR WATER SERVICE IN THE ESGAR TRACT

---oOo---

PURSUANT to provisions of Resolution No. 4689-N.S. application of M. L. Alcorn, Boyd Looney and Ella Taylor for water service in the Esgar Tract were approved 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 September, 1939 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

RESOLUTION NO. 4698-N.S.

A RESOLUTION APPOINTING THE MAYOR AND CITY CLERK OF THE CITY OF MODESTO SIGNATORY OFFICIALS ON CONTRACT FOR WATER SERVICE WITH THE UNITED STATES DEPARTMENT OF THE INTERIOR BUREAU OF RECLAMATION CENTRAL VALLEY PROJECT AT 809 13th STREET, MODESTO CALIFORNIA

---oOo---

BE IT HEREBY RESOLVED that the Mayor pro tem and City Clerk of the City of Modesto be appointed signatory officials for contract for water service at 809 13th Street with the United States Department of the Interior, Bureau of Reclamation (Central Valley Project)

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of September, 1939 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

RESOLUTION NO. 4699-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 27th day of September, 1939 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

RESOLUTION NO. 4700-N.S.

A RESOLUTION ACCEPTING THE FIRE-HOUSE BUILT BY JOHN C. MEYERS ON 11TH STREET IN THE CITY OF MODESTO UNDER CERTAIN CONDITIONS SPECIFIED IN SAID RESOLUTION

---oOo---

WHEREAS, a contract has heretofore been entered into with one John C. Meyers for the construction by said John C. Meyers of a fire house upon Eleventh Street, between F and G Streets in the City of Modesto, County of Stanislaus, State of California; and,

WHEREAS, all of the work of constructing said fire house and/or things to be done by the said John C. Meyers have been completed, save and except the installation of certain slide poles to be used by the firemen of the City of Modesto in descending from the upper to the lower floor of said firehouse; and,

WHEREAS, said slide poles cannot be installed in said fire house until the fire department of said City is ready to move from its present location on Tenth Street in said City to the building completed by the said John C. Meyers:

NOW, THEREFORE, BE IT RESOLVED that upon the recommendation of the City Engineer of said City of Modesto said fire house constructed by the said John C. Meyers is hereby accepted. Said acceptance is conditioned upon the fact that at such time as is designated by the City Engineer of said City of Modesto, the said John C. Meyers shall install in said fire house the slide poles called for by the plans and specifications.

BE IT FURTHER RESOLVED that there be paid at this time to the said John C. Meyers the sum of Eight Hundred Fifty Dollars and Twelve Cents (\$850.12), which completes the 75% contract price, save and except the sum of Two Hundred (\$200.00) Dollars, which latter amount is withheld until said slide poles are installed.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 28th day of September, 1939, 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, Mayor pro tem Stanley

Noes: Councilmen: None

Absent: Councilmen: Mayor Shannon

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4701-N.S.

A RESOLUTION AWARDDING BID ON VITRIFIED CLAY SEWER PIPE TO N. CLARK AND SONS

---oOo---

BE IT HEREBY RESOLVED that bid be awarded to N. Clark and Sons on vitrified clay sewer pipe at a price of \$2321.65 delivered trenchside, as being the lowest and best bid and the Clerk is hereby authorized to return checks to unsuccessful bidders and to draw check in payment of merchandise as soon as delivery has been made and approved by the City Engineer.

The foregoing resolution was introduced at the special meeting of the Council of the City of Modesto held on the 28th day of September, 1939 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

RESOLUTION NO. 4702-N.S.

A RESOLUTION AWARDDING BID ON PAVING H STREET FROM EXISTING PAVEMENT TO CURB FROM YOSEMITE AVENUE TO WEST CITY LIMITS TO S. M. MCGAW AT A PRICE OF \$3313.50

---oOo---

BE IT HEREBY RESOLVED that bid be awarded S. M. McGaw for paving on H Street from existing pavement to curb from Yosemite Avenue to West City Limits at a price of \$3313.50, 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

BE IT FURTHER RESOLVED that the City Clerk and Mayor be authorized as signatory officials on contract for completion of work.

The foregoing resolution was introduced at the special meeting of the Council of the City of Modesto held on the 28th day of September, 1939 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

RESOLUTION NO. 4703-N.S.

A RESOLUTION DENYING REQUEST OF FRED SEELEY FOR INSTALLATION OF SIGNS IN THE ALLEY BETWEEN HIS TWO AUTO SALES YARDS

---oOo---

BE IT HEREBY RESOLVED that the request of Fred Seeley for installation of signs in the alley between F and G Streets and Ninth and Tenth Streets, between his two auto sales yards be denied.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 28th day of September, 1939 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

RESOLUTION NO. 4704-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 September, 1939 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

RESOLUTION NO. 4705-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 September, 1939 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

RESOLUTION NO. 4706-N.S.

A RESOLUTION ALLOWING CLAIMS FOR MONTH OF SEPTEMBER, 1939

---oOo---

WHEREAS, the claims against the City of Modesto for the month of September, 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 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-----	\$30,163.92
WATER FUND-----	8,777.11
LIBRARY FUND-----	1,480.53
BOND RED. INT. FUND-----	
SPECIAL GAS TAX-----	1,035.00
TOTAL-----	\$41,456.56

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of October, 1939, 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

RESOLUTION NO. 4707-N.S.

A RESOLUTION APPROVING CHANGE OF BUS ROUTE REQUESTED BY WILLIS KLEINENBROICH AS PROVIDED BY ORDINANCE NO. 306-N.S.

---oOo---

WHEREAS, Willis M. Kleinenbroich has made application to the Council for change in the bus route which he is now operating under franchise granted under provisions of Ordinance No. 306-N.S., and

WHEREAS he has made application to the Council in proper form for

change in route

BE IT HEREBY RESOLVED that permission be granted as prayed for.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of October, 1939, 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

RESOLUTION NO. 4708-N.S.

A RESOLUTION GRANTING PERMIT TO GRACE BAPTIST CHURCH TO ERECT TENT IN RESIDENCE ZONE BLOCK 326, LOTS 41, 42, 43, 44, SIERRA DRIVE AND SUNSET BLVD.

---oOo---

WHEREAS, pursuant to the filing of petition with the Council by the Grace Baptist Church for permit to erect tent for religious purposes on property known as Block 326, lots 41, 42, 43 and 44, Sierra Drive and Sunset Blvd., of the City of Modesto and it appearing from affidavit 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 protest either oral or written have been officially filed.

BE IT HEREBY RESOLVED that permission be granted to 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 11th day of October, 1939 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

RESOLUTION NO. 4709-N.S.

A RESOLUTION ACCEPTING DEEDS CONVEYING CERTAIN REAL PROPERTY TO THE CITY OF
MODESTO

---oOo---

WHEREAS, by deed dated October 6th, 1939, W. T. Scoon and Grace Scoon, his wife, both of Modesto, Stanislaus County, California, have conveyed to the City of Modesto, a municipal corporation, certain real property specifically set forth in said deed, and which deed was duly acknowledged by the said W.T. Scoon and Grace Scoon before Leila T. Benson, Notary Public in and for the County of Stanislaus, State of California; and

WHEREAS, by deed dated October 13th, 1939, the said W. T. Scoon and Grace Scoon, his wife, have conveyed to the City of Modesto, aforesaid, other real property particularly described in said deed, and which deed was duly acknowledged by the said W. T. Scoon and Grace Scoon before R. G. Benson, a Notary Public in and for the County of Stanislaus, State of California; and

WHEREAS, Raymond E. Hatch and Erma Daulton Hatch, his wife, both of Modesto, Stanislaus County, California, have by deed dated October 2nd, 1939, conveyed to the City of Modesto, a municipal corporation of Stanislaus County, California, certain real property specifically described in said deed and which deed was acknowledged by and before R. R. Fowler and Francis O. Hoover, both Notary Publics in and for the County of Stanislaus, State of California; and,

WHEREAS, said deeds appear to be in the proper form and carry out the intent of the persons and parties concerned therein;

NOW THEREFORE, The City Council of the City of Modesto does hereby accept said deeds on behalf of said City of Modesto, and it is further ordered that said deeds be recorded in the office of the County Recorder of the County of Stanislaus, State of California.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of October, 1939, 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

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4710-N.S.

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MODESTO APPROVING SECOND 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 second 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 11th day of October, 1939.

C. J. STANLEY, MAYOR PRO TEM 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 October 11th 1939

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

RESOLUTION NO. 4711-N.S.

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MODESTO ADOPTING BUDGET AND APPROVING FIRST SUPPLEMENTAL MEMORANDUM OF AGREEMENT FOR EXPENDITURE OF ¼ CENT GAS TAX ALLOCATED FOR STREETS OF MAJOR IMPORTANCE

---oOo---

WHEREAS, a 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 ¼ cent gas tax for the fiscal year 1940 allocated for streets of major importance other than State highways in the City of Modesto; and

WHEREAS, the City Council has heard read said ^{supplemental} 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 ¼ cent gas tax allocated for streets of major importance other than State highways, and said supplemental 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 supplemental agreement to be binding upon the City upon its execution by the authorized officials of the State.

ADOPTED this 11th day of October, 1939.

C. J. STANLEY, MAYOR PRO TEM 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 October 11, 1939.

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

RESOLUTION NO. 4712-N.S.

A RESOLUTION AUTHORIZING THE CITY CLERK TO ADVERTISE FOR TRACTOR

---oOo---

BE IT HEREBY RESOLVED, that the City Clerk advertise for tractor, cost of which shall not exceed the trade-in allowance of the City's TD 35 McCormick-Deering Tractor and \$1000.00, said bids to be opened at the City Clerk's office on October 25, 1939 .

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of October, 1939, by Commissioner Barnell, who moved its adcpction, 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

RESOLUTION NO. 4713-N.S.

A RESOLUTION AUTHORIZING THE TRANSFER OF \$50,000 FROM THE WATER FUND TO THE GENERAL FUND OF THE CITY OF MODESTO

---oOo---

BE IT HEREBY RESOLVED, that the City Treasurer be authorized to transfer \$50,000 from the Water Fund to the General Fund of the City of Modesto.

The foregoing resolution was introduced at the regular meeting of the Council of the City of Modesto held on the 11th day of October, 1939, 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

RESOLUTION NO. 4714-N.S.

A RESOLUTION AUTHORIZING THE MAYOR AND/OR CITY CLERK TO SIGN RECEIPT FOR BEQUEST OF MARGHERITA MONOTTI TO THE CITY OF MODESTO

---oOo---

BE IT HEREBY RESOLVED that the Mayor and/or City Clerk be authorized to sign receipt for bequest of Margherita Monotti to the City of Modesto when the City Attorney has made investigation of County Records to determine if amount shown on receipt is correct.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of October, 1939 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

RESOLUTION NO. 4715-N.S.

A RESOLUTION ACCEPTING OFFER OF MCKINLEY H. THOMPSON OF \$100.00 FOR BLOCK 512-LOTS 20 and 21 IN THE CITY OF MODESTO IN ACCORDANCE WITH SECTION 35 OF ORDINANCE NO. 396-N.S. AS AMENDED BY ORDINANCE NO. 568-N.S. AUTHORIZING THE TAX COLLECTOR TO PREPARE DEED FOR DELIVERY AND AUTHORIZING CITY AUDITOR AND TAX COLLECTOR TO CANCEL ALL TAXES LEVIED AND ASSESSED PRIOR TO MARCH 6, 1939 AND RESCINDING RESOLUTION NO. 4490-N.S. ADOPTED MARCH 22, 1939

---oOo---

WHEREAS, in accordance with section 35 of Ordinance No. 396-N.S., as amended by Ordinance No. 568-N.S., it appears to the Council of the City of Modesto that it would be for the best interest and welfare of the City that Block 512, lots 20 and 21 of the City of Modesto acquired by tax deed as provided by Ordinance No. 396-N.S. be sold at private sale, and

WHEREAS, McKinley H. Thompson, has offered to purchase said property for the sum of \$100.00, same to be free and clear of all city taxes and assessments levied or assessed prior to the first Monday in March, 1939

BE IT HEREBY RESOLVED that offer of \$100.00 be accepted for said property and the City Tax Collector be authorized to prepare a deed for delivery to aforesaid petitioner.

BE IT FURTHER RESOLVED that the property be and the same is hereby ordered sold, subject only to unpaid County and Irrigation taxes and the city taxes and special assessments on the first Monday in March, 1939 and subsequent thereto. The Mayor and/or Acting Mayor and Tax Collector of said City are hereby authorized and empowered to execute deeds and such other instruments conveying said property from the said City of Modesto to McKinley H. Thompson.

BE IT FURTHER RESOLVED that the Auditor and Tax Collector be authorized to cancel all taxes levied and/or assessed prior to March 6, 1939 against this property.

BE IT FURTHER RESOLVED that Resolution No. 4490-N.S. adopted by the Council on the 22nd day of March, 1939 be hereby cancelled.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on 11th day of October, 1939 by Commissioner Neece, 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: Mayor Shannon

ATTEST H. E. GRAGG, CITY CLERK

CERTIFICATION

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 regular meeting of the Council of the City of Modesto held on the 11th day of October, 1939 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 17th day of October 1939.

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

RESOLUTION NO. 4716-N.S.

A RESOLUTION GRANTING WATER SERVICE TO RESIDENTS OUTSIDE THE CITY IN THE LALINDA TRACT PENDING OUTCOME OF ANNEXATION ELECTION

---oOo---

WHEREAS, James D. Chreese has appeared before the Council petitioning them to grant water service to the La Linda Tract just outside the east city limits pending annexation to the City of Modesto.

BE IT HEREBY RESOLVED that water service be granted temporarily to residents pending outcome of election and providing election shall be held within 100 days from the adoption of this resolution, and

BE IT FURTHER PROVIDED that the City of Modesto shall have the option to continue the water service in force for such time thereafter as the City Council sees fit.

BE IT FURTHER PROVIDED that applicants for water service in this La Linda Tract sign an agreement with the City of Modesto before service is granted.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of October, 1939 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

RESOLUTION NO.4717-N.S.

A RESOLUTION AUTHORIZING THE CITY ENGINEER TO INSTALL SIGNS IN FRONT OF THEATRES PROHIBITING THE PARKING OF BICYCLES IN LOADING AND/OR UNLOADING ZONE

---oOo---

BE IT HEREBY RESOLVED that the City Engineer be authorized to install signs in front of each theatre in the City of Modesto prohibiting the parking of any vehicle including bicycles in the loading zones, signs to be placed on the same post as the present "No Parking" signs.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of October, 1939 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

RESOLUTION NO. 4718-N.S.

A RESOLUTION AUTHORIZING THE CITY ATTORNEY TO TAKE NECESSARY LEGAL ACTION TO COMPEL THE PRINCESS THEATRE TO INSTALL FIRE ESCAPES

---oOo---

BE IT HEREBY RESOLVED that the City Attorney be authorized to take whatever legal action is necessary to compel the Princess Theatre located at 1017 J Street, in the City of Modesto, California to install proper fire escapes.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of October, 1939 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: Councilmen: Mayor Shannon

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4719-N.S.

A RESOLUTION AUTHORIZING THE ATTENDANCE OF CITY ENGINEER AND ASSISTANT CITY ENGINEER TO CONVENTION OF THE CALIFORNIA SECTION OF THE AMERICAN WATER WORKS ASSOCIATION

---oOo---

BE IT HEREBY RESOLVED that the City Engineer and the Assistant City Engineer be authorized to attend the convention of the California Section of the American Water Works Association, which is being held in San Francisco, October 25, to 27inc, 1939.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of October, 1939 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

RESOLUTION NO. 4720-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 October, 1939 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

RESOLUTION NO. 4721-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 work be done in the form of digging trenches and laying certain sewer and water pipes; and,

WHEREAS, said work will be for the direct benefit and interests of all of the citizens of said City and said work is made necessary by the growth of the population of said City; and,

WHEREAS, by entering into a contract with the State Relief Administration, an agency of the State of California, the work of laying said pipes 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 and/or Acting 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 special meeting of the Council of the City of Modesto held on the 13th day of October, 1939, 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, Mayor pro tem Stanley

Noes: Councilmen: None

Absent: Councilmen: Mayor Shannon

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4722-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 13th day of October, 1939 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

RESOLUTION NO. 4723-N.S.

A RESOLUTION AUTHORIZING THE CITY ENGINEER TO INSTALL TRAFFIC SIGN ON H STREET BETWEEN NINTH AND TENTH STREETS IN THE CITY OF MODESTO

---oOo---

BE IT HEREBY RESOLVED that the City Engineer install a traffic sign reading "NO PARKING BETWEEN THE HOURS OF 6:00 P.M. and 9:00 P.M. THIS SPACE ONLY" on the third parking space on the northwest side of H Street north-

from the northeasterly
easterly/property line of Ninth Street, 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 25th day of October, 1939 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

RESOLUTION NO. 4724-N.S.

A RESOLUTION ALLOWING CLAIM OF \$400.00 TO STANISLAUS COUNTY BOYS' BAND

---oOo---

BE IT HEREBY RESOLVED that a claim of \$400.00 be allowed to the Stanislaus County Boys' Band and the Auditor and City Clerk be authorized to draw a warrant in payment of claim.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 25th day of October, 1939 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 and Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4725-N.S.

A RESOLUTION ALLOWING CLAIM OF MODESTO CHAMBER OF COMMERCE FOR \$325.00

---oOo---

BE IT HEREBY RESOLVED that claim of \$325.00 be allowed the Modesto Chamber of Commerce as provided by Ordinance No. 615-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 25th day of October, 1939 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. 4726-N.S.

A RESOLUTION DIRECTING THE CITY ENGINEER TO INSTALL SIGNS AT THE VARIOUS ENTRANCES TO THE CITY OF MODESTO WARNING MOTORISTS THAT ALL TRAFFIC LAWS WILL BE ENFORCED

---oOo---

BE IT HEREBY RESOLVED, that the City Engineer be directed to install signs at the various entrances to the City of Modesto warning motorists that all traffic laws will be enforced.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 25th day of October, 1939, 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

RESOLUTION NO. 4727-N.S.

A RESOLUTION GRANTING PERMIT TO THE EMANUEL LUTHERAN CHURCH TO BUILD A PARISH HALL ON BLOCK 451, LOTS 1, 2, 3, and 4 IN THE CITY OF MODESTO

---oOo---

WHEREAS, pursuant to the filing of petition with the Council by the Emanuel Lutheran Church for permit to erect and operate a Parish Hall on property known as Block 451, lots 1, 2, 3, and 4 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 the Emanuel Lutheran Church to build a parish hall providing 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 25th day of October, 1939, 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. 4728-N.S.

A RESOLUTION APPROVING RELEASE TO EDWARD C. DAVIS FOR DAMAGES TO CITY-OWNED AUTOMOBILE

---oOo---

WHEREAS, following an accident to a City-owned automobile used by the Police Department of the City of Modesto, which accident occurred on the 15th day of September, 1939, in said City, resulting in a collision between an automobile belonging to said Edward C. Davis and said City-owned automobile; and,

WHEREAS, the said Edward C. Davis has promised and agreed to pay the sum of Sixty-Seven Dollars and Seventy-Four Cents (\$67.74) to Silva's Garage, in said City of Modesto, for the repair of said automobile:

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Modesto does by this resolution find and determine that the payment of said

sum of Sixty-Seven Dollars and Seventy-Four Cents (\$67.74) will properly compensate the City of Modesto for all damages received by said City-owned automobile, and the Mayor of said City is hereby authorized to enter into an agreement with the said Edward C. Davis, releasing said Edward C. Davis from any and all further liability after the payment of said sum of Sixty-Seven Dollars and Seventy-Four Cents (\$67.74 to Silva's Garage, in said City of Modesto.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 25th day of October, 1939, 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

RESOLUTION NO. 4729-N.S.

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 PER MONTH BEGINNING NOVEMBER 1, 1939

---oOo---

BE IT HEREBY RESOLVED that Geo. E. Engel, Captain of the local branch of the Salvation Army, be appointed special officer of the Police Department of the City of Modesto for a period of six months at a salary of \$50.00 per month, beginning November 1, 1939.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 25th day of October, 1939, 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

RESOLUTION NO. 4730-N.S.

ADJOURNMENT

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

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 25th day of October, 1939, by Commissicner 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. 4731-N.S.

A RESOLUTION GRANTING REFUND OF \$9.21 TAXES PAID BY GEORGE PIERROU FOR YEAR 1939-40 ON BLOCK 623, LOTS 4 to 7, LOT 3 W 23.5 FEET

---oOo---

BE IT HEREBY RESOLVED, that George Pierrou be refunded \$9.21 taxes paid for year 1939-1940 on Block 623, lots 4 to 7, lot. 3 W 23.5 feet, in the City of Modesto, because of over assessment on real estate and improvements, and the City Clerk and Auditor be authorized to draw warrant in payment of claim.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on October 27, 1939 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. 4732-N.S.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MODESTO DISAPPROVING PROPOSITION NO. 1 ENTITLED "RETIREMENT LIFE PAYMENTS PLAN" APPEARING ON THE BALLOT FOR THE NOVEMBER 7th ELECTION

---oOo---

WHEREAS, it appears that in the event the RETIREMENT LIFE PAYMENTS PLAN (so-called "Ham and Eggs" amendment) as embodied in Proposition No. I. and appearing on the ballot for the election of November 7th, 1939, if adopted, will create a situation that will make it impossible to properly operate, or operate at all, the functions of municipal government in California:

NOW THEREFORE, the City Council of the City of Modesto, in special session, does hereby resolve that the adoption of said Proposition No. I. (Ham and Eggs Amendment) will utterly destroy the ability of the officials of said City to properly administer the functions of said City and does by this resolution disapprove said Proposition No. I. as inimical to good government and to the best interest of the City of Modesto and its Citizens.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto, held on the 27th day of October, 1939, 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: Stanley, Bates, Neece, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Barnell

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4733-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 October, 1939 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: Stanley, Bates, Neece, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Barnell

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4734-N.S.

A RESOLUTION AUTHORIZING FINAL PAYMENT TO J. C. MEYERS, CONTRACTOR OF CENTRAL FIRE STATION FOR THE CITY OF MODESTO

---oOo---

BE IT HEREBY RESOLVED that final payment of \$11,359.00 be made to J. C. Meyers, contractor of Central Fire Station for the City of Modesto as the 35 days lein period has elapsed and no claims have been filed against the contractor, and

BE IT FURTHER RESOLVED, that the Clerk and Auditor be authorized to draw warrant in payment.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on November 3, 1939 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. 4735-N.S.

A RESOLUTION AWARING BID ON TRACTOR TO STANISLAUS IMPLEMENT AND HARDWARE COMPANY

---oOo---

BE IT HEREBY RESOLVED that the bid on tractor of the Stanislaus Implement and Hardware Company of \$1000.00 be accepted by the Council, as being the lowest and best bid and payment be authorized as soon as delivery has been made and 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 November 3, 1939 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: Councilman: Barnell, Bates, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4736-N.S.

A RESOLUTION ALLOWING EXPENSES OF F. J. ROSSI WHILE ATTENDING THE CALIFORNIA SECTION OF THE AMERICAN WATER WORKS ASS'N CONVENTION

---oOo---

BE IT HEREBY RESOLVED that the expenses of \$5.00 of City Engineer F. J. Rossi, while attending the convention of the California Section of the American Water Works Association be allowed and the City Clerk and Auditor be

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 3rd day of November, 1939 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. 4737-N.S.

A RESOLUTION RECOMMENDING THAT THE MAYOR ISSUE A PROCLAMATION ON ELECTION TO BE HELD ON NOVEMBER 7, 1939 ON THE "HAM AND EGGS"

---oOo---

BE IT HEREBY RESOLVED that the Mayor of the City of Modesto issue proclamation calling upon the citizenry of Modesto to go to the polls on November 7, 1939 and cast their vote and also urging that employers give their employees sufficient time off from their duties to enable them to visit the polls.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 3rd day of November, 1939 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. 4738-N.S.

ADJOURNMENT

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

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 3rd day of November, 1939 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. 4739-N.S.

A RESOLUTION ALLOWING CLAIMS FOR MONTH OF OCTOBER, 1939

---oOo---

WHEREAS, the claims against the City of Modesto for the month of October, 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 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-----	\$42,770.98
WATER FUND-----	4,394.63
LIBRARY FUND-----	2,236.91
BOND RED. INT. FUND-----	.88
ST. BOND RED. INT. FUND-----	719.32
UNAPPORTIONED FUND-----	
GASOLINE TAX FUND-----	

TOTAL \$50,122.72

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of November, 1939 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

RESOLUTION NO. 4740-N.S.

A RESOLUTION GRANTING REQUEST OF DR. F. H. BERG TO OPERATE OFFICE FOR DRUGLESS PHYSICIAN ON PROPERTY KNOWN AS 214 MCHENRY STREET IN THE CITY OF MODESTO

---oOo---

WHEREAS, pursuant to the filing of petition with the Council by Dr. F. H. Berg to operate office for Drugless Physician on property known as 214 McHenry Street, lot 25, and portion 26, Block 566 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. F. H. Berg to operate office for drugless physician at location given above, 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 8th day of November, 1939 by Commissioner Stanley, 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

RESOLUTION NO. 4741-N.S.

A RESOLUTION AUTHORIZING THE CITY CLERK TO ADVERTISE FOR BIDS ON MOTOR GRADER

---oOo---

BE IT HEREBY RESOLVED, that the City Clerk be authorized to

RESOLUTION NO. 4741-N.S.

A RESOLUTION AUTHORIZING THE CITY CLERK TO ADVERTISE FOR BIDS ON MOTOR GRADER

---oOo---

BE IT HEREBY RESOLVED, that the City Clerk be authorized to advertise for bids on motor grader delivered f.o.b. Modesto, including sales tax, the cost of which shall not exceed the trade-in allowance of the Russell Motor Grader belonging to the City of Modesto and \$2400.00, bids to be opened at 7:30 P.M., on Wednesday, November 22, 1939.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of November, 1939 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 H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4742-N.S.

A RESOLUTION ACCEPTING SPECIFICATIONS COVERING MOTOR GRADER TO BE PURCHASED BY THE CITY OF MODESTO

---oOo---

BE IT HEREBY RESOLVED that specifications covering motor grader to be purchased by the City of Modesto as furnished by the City Engineer be placed on file with the City Clerk.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of November, 1939 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 H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4743-N.S.

A RESOLUTION ACCEPTING PAVING OF H STREET FROM YOSEMITE AVENUE TO WEST CITY LIMITS AND AUTHORIZING PAYMENT OF \$2511.99 TO CONTRACTOR S. M. MCGAW

---oOo---

WHEREAS, City Engineer Rossi has filed notice of completion of Project No. 17 of Memorandum of Agreement with the State Division of Highways, paving of H Street from Yosemite Avenue to west city limits in accordance with contract by S. M. McGaw.

BE IT HEREBY RESOLVED that work be accepted as completed by S.M. McGaw and payment of 75% of contract price, \$2511.99 be authorized and the City Clerk and Auditor is hereby directed to draw warrant in payment and to record "Notice of Completion" with the County Recorder.

The foregoing resolution was introduced at a regular meeting of the

Council of the City of Modesto held on the 8th day of November, 1939 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 H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4744-N.S.

A RESOLUTION AUTHORIZING THE CITY ENGINEER TO APPROVE APPLICATIONS FOR WATER SERVICE IN LA LINDA TRACT BEFORE THE CITY OF MODESTO ENTERS INTO AGREEMENT WITH INDIVIDUALS FOR WATER SERVICE

---oOo---

BE IT HEREBY RESOLVED that the City Engineer be authorized to approve applications for water service in La Linda tract before the City of Modesto enter into agreement with individuals for water service.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of November, 1939 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 H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4745-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 November, 1939 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

RESOLUTION NO. 4746-N.S.

A RESOLUTION ALLOWING CLAIM OF LARMAC INDEX FOR \$12.36 FOR BOOKS SHIPPED THE CITY ATTORNEY

---oOo---

BE IT HEREBY RESOLVED that the claim of Larmac Index for \$12.36 for books shipped to City Attorney Fowler be allowed and the City Clerk and Auditor is hereby 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 November 22nd, 1939 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

RESOLUTION NO. 4747-N.S.

A RESOLUTION GRANTING REQUEST TO THE GIRL SCOUTS TO MOVE THEIR CLUBHOUSE FROM BEARD BROOK PARK TO ELK PARK

---oOo---

WHEREAS, pursuant to request by the Girl Scouts for permission to move their clubhouse from the Beard Brook Park to a more Central location,

BE IT HEREBY RESOLVED that permission be granted to move the clubhouse from the Beard Brook Park to a portion of Elk Park, which is to be designated by the Committee of City Engineer Rossi, City Attorney Fowler and Commissioner Neece.

BE IT FURTHER RESOLVED that the Girl Scouts are to assume all expenses incurred in moving the building.

BE IT FURTHER RESOLVED that the City Attorney communicate with the Girl Scouts regarding the legal angle of moving the building from the Beard Brook Park to a public Park.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of November, 1939 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. 4748-N.S.

A RESOLUTION GRANTING PERMISSION TO PATRICIA MALONE TO USE CITY PROPERTY TO DISPLAY CHRISTMAS TREES

---oOo---

BE IT HEREBY RESOLVED that Mrs. Patricia Malone be granted permission to display Christmas trees on city property at the corner of 18th and LaLoma Streets during the month of December, 1939 providing she agrees to leave the property in the same condition as now exists.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of November, 1939 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

RESOLUTION NO. 4749-N.S.

A RESOLUTION GRANTING PERMIT TO FRANK AND JOSEPH VACCARO TO OPERATE AND MAINTAIN A SERVICE STATION ON LOTS 26, 27, 28, BLOCK 423

WHEREAS, pursuant to filing of petition with the Council by Frank and Joseph Vaccaro for permit to erect and maintain a service station on property known as lots 26, 27, 28, Block 423 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 Frank and Joseph Vaccaro to operate and maintain a service station 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 22nd day of November, 1939 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. 4750-N.S.

A RESOLUTION REFERRING ALL BIDS ON GRADER TO THE CITY ENGINEER

---oOo---

WHEREAS, plans and specifications having heretofore been filed by the City Engineer with the Council and approved by them for the purchase of a motor grader for the City of Modesto and money having previously been appropriated and being now available and notice to bidders 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., November 22, 1939 and having been then and there opened by the Council in open meeting,

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

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of November, 1939 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. 4751-N.S.

A RESOLUTION PROVIDING FOR HOUR PARKING ON H 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 southerly side of H Street, between Eighth and Seventh Streets.
- b. Upon the northerly side of H Street, east of the alley connecting H and I Streets between Eighth and Seventh Streets, and extending from the easterly edge of said alley to Seventh Street.

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 22nd day of November, 1939 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

RESOLUTION NO. 4752-N.S.

A RESOLUTION GRANTING REQUEST OF FOSTER & KLEISER FOR INSTALLATION OF OUTDOOR ADVERTISING SIGNS IN BLOCK 440 CITY OF MODESTO

---oOo---

BE IT HEREBY RESOLVED that permission be granted Foster & Kleiser for the installation of outdoor advertising signs in Block 440, corner 9th & Arch Streets.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of November, 1939 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. 4753-N.S.

ADJOURNMENT

BE IT HEREBY RESOLVED that this Council meeting now in session

adjourn.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of November, 1939 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. 4754-N.S.

A RESOLUTION AUTHORIZING THE CITY CLERK TO RECORD DOCUMENTS WITH THE RECORDER OF STANISLAUS COUNTY ON THE ANNEXATION OF ESGAR TRACT

---oOo---

BE IT HEREBY RESOLVED that the City Clerk of the City of Modesto be authorized to record with the Recorder of Stanislaus County, State of California a certified copy of Ordinance No. 614-N.S. adopted by the Council of the City of Modesto entitled "AN ORDINANCE APPROVING THE ANNEXATION OF CERTAIN TERRITORY TO THE CITY OF MODESTO" and copy of approval of annexation by the Secretary of State.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 28th day of November, 1939 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. 4755-N.S.

A RESOLUTION AUTHORIZING PAYMENT OF INVOICES FROM THE STATE OF CALIFORNIA PERSONNEL BOARD FOR ADMINISTRATION OF CIVIL SERVICE EXAMINATIONS

---oOo---

BE IT HEREBY RESOLVED that payment of two invoices in amount \$14.12 and \$16.38 to the State of California Personnel Board for administration of Civil Service examinations be authorized and the City Clerk and Auditor be directed to draw warrant in payment of claims.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on November 28, 1939 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. 4756-N.S.

A RESOLUTION AUTHORIZING THE EXTENSION OF SEWER LINE TO ALLEY IN BLOCK 232 TO CONNECT WITH SEWER CONSTRUCTED BY THE BOARD OF EDUCATION FROM THE WILSON SCHOOL

WHEREAS, the Board of Education of the City of Modesto has requested that the City Council agree to furnish sewer service to the Wilson School building located near the easterly city limits, just off the Waterford Road

BE IT HEREBY RESOLVED that the Council of the City of Modesto grant request of the Board of Education and extend an 8" sewer line easterly on LaLoma Street to the center of the alley in Block 232 to connect with the sewer which is to be installed by the Board of Education from the Wilson School building, and

BE IT FURTHER RESOLVED that the connection fee is to be \$25.00 and the annual rate and cost of maintenance is to be determined by the City Engineer and reported to the Board of Education.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on November 28, 1939 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. 4757-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, 1939 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. 4758-N.S.

A RESOLUTION AWARDDING BID ON GRADER TO THE J. D. ADAMS COMPANY ON MOTOR GRADER PENDING APPROVAL BY THE CALIFORNIA STATE DEPARTMENT OF PUBLIC WORKS

---oOo---

BE IT HEREBY RESOLVED that award be made to the J. D. Adams Company on motor grader as per specifications furnished at a net price of \$2372.50, pending approval by the California State Department of Public Works, Division of Highways and that a check be drawn by the City Auditor and Clerk in payment when acceptance has been approved by the City Engineer and bidding checks be returned to unsuccessful bidders.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 6th day of December, 1939 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. 4759-N.S.

A RESOLUTION ACCEPTING REPORT OF ENGINEER ROSSI ON SEWER SERVICE TO WILSON SCHOOL AND RECOMMENDING THAT THE CITY OF MODESTO ENTER INTO AN AGREEMENT WITH THE MODESTO BOARD OF EDUCATION FOR THIS SERVICE

---oOo---

BE IT HEREBY RESOLVED that the report of City Engineer Rossi on charges to be made to the Modesto Board of Education for sewer connections and maintenance of equipment and power for operation of the 8" line to Wilson School from Block 232 be accepted, and

BE IT FURTHER RESOLVED that the City of Modesto enter into an agreement with the Modesto Board of Education for this service.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 6th day of December, 1939 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

RESOLUTION NO. 4760-N.S.

A RESOLUTION FIXING CERTAIN RATES FOR SUPPLYING WATER AND STAND-BY SERVICE TO THE COUNTY OF STANISLAUS

---oOo---

WHEREAS, THE County of Stanislaus, a political subdivision of the State of California, maintains in said County, a County Court House and County Hospital: and

WHEREAS, water is used in large quantities at both said Court House and Hospital, which water is ordinarily supplied from water pumps or plants owned

and operated by said County; and,

WHEREAS, in event that the said plants owned and/or operated by said County should break down or for some reason become incapable of operation, it will be necessary for said County to secure water from some other source to supply said Court House and Hospital; and

WHEREAS, to insure a ready supply of water at all times it becomes necessary to have a supply in readiness at all times, which readiness to supply water at all times is hereinafter referred to as Stand-By Service; and,

WHEREAS, the City of Modesto, a municipal Corporation of Stanislaus County, California is possessed of a supply of water and can furnish water to said County for the use of said Court House and Hospital and can likewise furnish stand-by service for the same; and

WHEREAS the said County desires said City to furnish water for said Courthouse and Hospital when the same may be needed and to likewise furnish stand-by service for the same;

NOW THEREFORE be it resolved that stand-by service be supplied by the said City of Modesto for the said County Hospital for the sum of Five Dollars and Fifty Cents (\$5.50) per month, payable whether any water belonging to the City of Modesto is used as said Hospital or not; that in the event said City does furnish water for said County Hospital during the months of June, July, August and September, said water shall be so furnished at the rate of \$13.50 per day or fraction, and that the rate for the other months of the year for water supplied said Hospital shall be \$8.00 per day or fraction thereof.

Be it further resolved that the rates to be charged for furnishing stand-by service for the County Court House of Stanislaus County shall be at the rate of \$5.50 per month, whether any City water be used at or in said Court House or not; that for water furnished by said City for said Court House during the time that the cooling system of said Court House is in operation, the rate shall be \$6.65 per day or fraction thereof; that at all other times water is furnished by said City the rate shall be \$2.25 per day or fraction thereof. The term day as used herein shall constitute a period of twenty-four hours or any fraction thereof. The services of the City of Modesto in turning on and off the water supply furnished by the City shall be included in the sums set down above.

That in the event the said County desires the services of said City as aforesaid, all requests for the same shall be directed to the office of the City Engineer of said City of Modesto between the hours of eight A.M. and five P.M. on all working days and to the City of Modesto Department of Water Works, telephone number 385 at all other hours and on Sundays and holidays.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 6th day of December, 1939 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 Bates, Barnell, Neece, Stanley and Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4761-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 December, 1939 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. 4762-N.S.

A RESOLUTION CORRECTING RESOLUTION NO. 4752-N.S. ADOPTED AT THE REGULAR MEETING OF NOVEMBER 22, 1939 ENTITLED "A RESOLUTION GRANTING REQUEST OF FOSTER & KLEISER FOR INSTALLATION OF OUTDOOR ADVERTISING SIGNS IN BLOCK 440-CITY OF MODESTO"

---oOo---

BE IT HEREBY RESOLVED that Resolution No. 4752-N.S., adopted at the regular meeting of November 22, 1939, entitled "A RESOLUTION GRANTING REQUEST OF FOSTER & KLEISER FOR INSTALLATION OF OUTDOOR ADVERTISING SIGNS IN BLOCK 440-CITY OF MODESTO" be corrected to grant permit to Foster & Kleiser to erect sign to be used by the Modesto Irrigation District only.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of December, 1939 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. 4763-N.S.

A RESOLUTION ALLOWING CLAIMS FOR MONTH OF NOVEMBER, 1939

---oOo---

WHEREAS, the claims against the City of Modesto for the month of November, 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 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
ST. BOND RED. INT. FUND-----	
UNAPPORTIONED FUND-----	
GASOLINE TAX FUND-----	2,511.99
TOTAL-----	\$42,170.41

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of December, 1939 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. 4764-N.S.

A RESOLUTION DIRECTING THE CITY CLERK TO NOTIFY FOSTER & KLEISER THAT PERMIT WAS GRANTED TO THEM TO ERECT BILLBOARD IN BLOCK 440 ONLY UPON THE CONDITION THAT IT BE USED BY THE MODESTO IRRIGATION DISTRICT.

---oOo---

BE IT HEREBY RESOLVED that the City Clerk notify Foster & Kleiser that permit was granted to them to erect billboard in Block 440 upon the condition that it be used by the Modesto Irrigation District only.

The following resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of December, 1939 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

RESOLUTION NO. 4765-N.S.

A RESOLUTION AUTHORIZING FINAL PAYMENT TO S. M. MCGAW ON PAVING WEST END OF H STREET

---oOo---

BE IT HEREBY RESOLVED, that final payment be authorized to S.M.McGaw on paving west end of H Street and the City Clerk is hereby directed to draw warrant in payment in amount \$837.33 to said S.M.McGaw.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of December, 1939 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

RESOLUTION NO. 4766-N.S.

A RESOLUTION GRANTING PERMIT TO DR. N. B. GOULD TO ERECT AND MAINTAIN BUSINESS AND OFFICE BUILDING ON LOTS 21 and 22, BLOCK 113

---oOo---

WHEREAS, pursuant to the filing of petition with the Council as follows

Dr. N. B. Gould to erect and maintain an addition to present business and office building to be used for doctor's offices on property known as lots 21 and 22, Block 113, in the City of Modesto.

and it appearing from affidavits on file that a notice setting forth a time for hear-

ing 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:

THEREFORE, BE IT RESOLVED that permission be and the same is hereby granted with the understanding that all provisions relative to building permit fees will be complied with, to the above named applicant for permit as prayed for in his petition.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of December, 1939 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

RESOLUTION NO. 4767-N.S.

A RESOLUTION ACCEPTING PLANS AND SPECIFICATIONS FOR IMPROVEMENT ON H STREET FROM HIGH STREET EASTERLY TO CITY LIMITS

---oOo---

BE IT HEREBY RESOLVED, that plans and specifications for improvement on H Street from High Street easterly to City limits be accepted by the Council as presented by the City Engineer and placed on file with the City Clerk.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of December, 1939 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

RESOLUTION NO. 4768-N.S.

A RESOLUTION AUTHORIZING THE CITY CLERK TO ADVERTISE FOR BIDS ON PAVING H STREET FROM HIGH STREET TO EAST CITY LIMITS

---oOo---

BE IT HEREBY RESOLVED that the City Clerk be authorized to call for bids on paving H Street from High Street to east city limits, bids to be opened at 7:30 P.M. on Wednesday, December 27, 1939.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of December, 1939 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

RESOLUTION NO. 4769-N.S.

A RESOLUTION AUTHORIZING THE CITY CLERK TO ADVERTISE FOR BIDS ON CAST IRON PIPE

---oOo---

BE IT HEREBY RESOLVED that the City Clerk be authorized to advertise for bids on 12 inch, 8 inch, 6 inch and 4 inch cast iron pipe, bids to be opened at 7:30 P.M. on Wednesday December 27, 1939.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of December, 1939 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

RESOLUTION NO. 4770-N.S.

A RESOLUTION GRANTING PERMISSION TO THE POSTAL TELEGRAPH COMPANY TO INSTALL A BICYCLE RACK AND PROVIDING THEY ENTER INTO AN AGREEMENT WITH THE CITY

---oOo---

BE IT HEREBY RESOLVED that permission be granted to the Postal Telegraph Company to install a bicycle rack for their messengers in space before first parking space at the intersection of the alley on I Street, between 9th and 10th Streets on the southeast side, providing they enter into an agreement with the City of Modesto to assume all liability.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of December, 1939, 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

RESOLUTION NO. 4771-N.S.

A RESOLUTION REFUSING REQUEST OF L. C. RICHARDS TO INSTALL WASTE RECEPTACLES ON THE STREET CORNERS IN THE BUSINESS DISTRICT

---oOo---

BE IT HEREBY RESOLVED that the City Council refuse request of L. C. Richards to install waste receptacles on the street corners in the business district of the City of Modesto

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of December, 1939 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

Handwritten:
*4769-N.S.

RESOLUTION NO. 4772-N.S.

A RESOLUTION AUTHORIZING THE CITY ATTORNEY TO PREPARE AGREEMENT TO BE ENTERED INTO BY THE CITY OF MODESTO AND THE WESTERN UNION

Revised
#4772-N.S.

---oOo---

BE IT HEREBY RESOLVED that the City Attorney prepare agreement to be entered into by the City of Modesto and the Western Union, wherein the Western Union agrees to assume all liability on bicycles belonging to messengers parked in space on 10th Street near H Street, which parking space has previously been granted to them by the Council.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of December, 1939 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

RESOLUTION NO. 4773-N.S.

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

---oOo---

WHEREAS, Mary Louise Brady has heretofore successfully passed a civil service examination and has been certified to the position of Clerk in the Tax and License Department of the City of Modesto by the Personnel Board; and,

WHEREAS, said Mary Louise Brady was appointed by the City Clerk of the City of Modesto as a Clerk in the Tax and License Department of said City; and,

WHEREAS, said Mary Louise Brady began said employment with the City of Modesto, on October 18, 1939 and is still employed by said City as a probationer for the period of six months from the date of October 18, 1939:

NOW, THEREFORE, the City Auditor of said City of Modesto is empowered to pay unto the said Mary Louise Brady the sum of \$90.00 per month as and for salary for services rendered by the said Mary Louise Brady during her probationary period of employment with said City of Modesto.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of December, 1939, 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. 4774-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 December, 1939 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. 4775-N.S.

A RESOLUTION GRANTING FREE WATER SERVICE TO THE BOYS BROTHERHOOD OF REPUBLIC AT THEIR BUILDING AT 708 L STREET FROM JULY 13, 1939

---oOo---

BE IT HEREBY RESOLVED that the Boys Brotherhood of Republic be granted free water service at their building at 708 L Street from July 13, 1939.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 20th day of December, 1939 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

RESOLUTION NO. 4776-N.S.

A RESOLUTION AUTHORIZING THE CITY CLERK TO ADVERTISE FOR BIDS ON TRAFFIC SIGNALS

---oOo---

BE IT HEREBY RESOLVED that the City Clerk be authorized to advertise for bids on Vehicle Detectors; and semi-vehicle actuated traffic signal units, bids to be opened on January 10, 1940 at the City Hall.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 20th day of December, 1939 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

RESOLUTION NO. 4777-N.S.

A RESOLUTION AUTHORIZING THE CITY ENGINEER TO MAKE ARRANGEMENTS FOR RELOCATION OF JENNIE STREET

---oOo---

BE IT HEREBY RESOLVED that the City Engineer be authorized to make all arrangements with the State Department of Public Works, Division of Highways, for the relocation of Jennie Street in the City of Modesto.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 20th day of December, 1939 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

RESOLUTION NO. 4778-N.S.

A RESOLUTION RECOMMENDING THAT THE CITY OF MODESTO ENTER INTO AN AGREEMENT WITH STANLEY SANDERS, MANAGER OF THE MODESTO REDS BASEBALL CLUB FOR LEASING THE MUNICIPAL BASEBALL PARK FOR THE SEASON OF 1940

---oOo---

BE IT HEREBY RESOLVED that the City of Modesto enter into an agreement with Stanley Sanders, Manager of the Modesto Reds Baseball Club for leasing the Municipal Baseball Park for the season of 1940 on the same arrangements as last season.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 20th day of December, 1939 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

RESOLUTION NO. 4779-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 20th day of December, 1939 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

RESOLUTION NO. 4780-N.S.

A RESOLUTION OFFERING THE SUM OF TWENTY-FIVE (\$25.00) DOLLARS TO STANISLAUS COUNTY FOR THE LATTER'S INTEREST IN CERTAIN REAL PROPERTY

---oOo---

WHEREAS, certain unpaid taxes are owed to the County of Stanislaus State of California, on Lots 9 and 10 in Block 587 of the City of Modesto; and,

WHEREAS, the said County of Stanislaus 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 County of Stanislaus 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 County of Stanislaus

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 Ed Whitmore, Treasurer and Tax Collector of the said County of Stanislaus, in the sum of Twenty-Five (\$25.00) Dollars for the purchase of all the right, title and interest of the said County of Stanislaus in and to said Lots 9 and 10 in Block 587 of the City of Modesto, County and State aforesaid.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of December, 1939 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

RESOLUTION NO. 4781-N.S.

A RESOLUTION GRANTING SEWER SERVICE TO JAMES H. MCCAFFREY IN LA LINDA TRACT

---oOo---

WHEREAS, pursuant to request of James H. McCaffrey for sewer service for his house in La Linda Tract, and

WHEREAS, the City Engineer has made an investigation of this request

BE IT HEREBY RESOLVED that sewer service be granted to James H. McCaffrey providing he agrees to pay for cost of installing sewer to his residence and that he agrees that the City may request discontinuance of the sewer service or impose \$5.00 per month charge of rental in the event the territory does not become a part of the City of Modesto.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of December, 1939 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

RESOLUTION NO. 4782-N.S.

A RESOLUTION REFERRING BIDS TO THE CITY ENGINEER FOR RECOMMENDATION ON IMPROVING H STREET FROM HIGH STREET TO EAST CITY LIMITS

---oOo---

WHEREAS, pursuant to advertising for bids on improving H Street from High Street to east city limits and this being the time set for opening the bids.

BE IT HEREBY RESOLVED that all bids be referred to the City Engineer for 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, 1939 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. 4783-N.S.

A RESOLUTION REFERRING ALL BIDS ON CAST IRON PIPE TO THE CITY ENGINEER FOR RECOMMENDATION

---oOo---

BE IT HEREBY RESOLVED that all bids on cast iron pipe be referred to the City Engineer for compilation 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, 1939 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. 4784-N.S.

A RESOLUTION REAPPOINTING A. A. FIELDS ON PLANNING COMMISSION

---oOo---

WHEREAS, the term of A. A. Fields expires on the Planning Commission January 9, 1940, and

WHEREAS, it is the desire of the Council to reappoint A. A. Fields on the Planning Commission.

BE IT HEREBY RESOLVED that A. A. Fields be reappointed as member of the Planning Commission for a term of four years from January 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 December, 1939 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

RESOLUTION NO. 4785-N.S.

A RESOLUTION CREATING A CITY RECREATION COMMISSION, PRESCRIBING THE TERMS OF THE MEMBERS THEREOF, ORGANIZATION AND POWERS AND DUTIES OF SAID COMMISSION

---oOo---

WHEREAS, the City of Modesto has in the past maintained a summer recreation program in its parks and playgrounds; and,

WHEREAS, it is deemed proper to establish a Recreation Commission in order to more fully develop a year around recreation program, with all types of healthful recreation, and for its citizens of every age:

NOW, THEREFORE, there is hereby established a City Recreation Commission of the City of Modesto. Said Commission shall consist of five (5) members serving without pay. Said members shall be appointed by the City Council of the City of Modesto and shall consist of a member from the Board of Education of the Modesto School District, a member of the Park Commission of the City of Modesto, a member of the Board of Supervisors of the County of Stanislaus, and two members at large. The term of office for said members shall be for a period of five (5) years or until their successors are appointed and qualified. Vacancies in said Commission shall be filled by the City Council of the City of Modesto for the unexpired term of said member whose said position becomes vacant. In the event that any of the bodies herein mentioned fail or neglect to appoint one of its members to said Recreation Commission, then and in such event the City Council may, by resolution, select and appoint other persons to act as members of said Recreation Commission.

2. Immediately after the appointment of said members of the Commission, they shall meet and organize by electing one of their members President, together with such other officers as said Commission may deem necessary. Said members at said first meeting shall by lot determine which of said members shall retire from said office at the end of the first year, which member shall retire at the end of the second year, which member shall retire at the end of the third year, which member shall retire at the end of the fourth year, and which member shall retire at the end of the fifth year.

3. The City Recreation Commission shall have the power to adopt by-laws, rules and regulations for the proper conduct of public recreation for the City of Modesto, subject at all times to the approval of the City Council of said City of Modesto.

4. The City Recreation Commission shall provide, conduct and supervise public playgrounds, athletic fields, recreation centers, and other recreational facilities and activities on any of the properties owned or controlled by the City, or on other properties with the consent of the owners and authorities thereof. It shall have the power to conduct any form of recreation or cultural activity that will employ the leisure time of the people in a constructive and wholesome manner. Said Recreation Commission shall have nothing to do with the administration of nor the promotion of recreational facilities at or upon the Modesto Municipal Golf Course nor at or upon the Modesto Municipal Baseball Park, formerly known as Roosevelt Field.

5. The City Recreation Commission shall have the power to appoint or designate someone to act as Recreational Supervisor who is trained and properly qualified for the work. There shall be such other persons to help conduct the activities as may be determined by the Commission. No appointment under and by virtue of the provisions of this paragraph shall be valid unless approved by the City Council of the City of Modesto.

6. Annually the City Recreation Commission shall submit a budget to the City Council for its approval, rejection or amendment. The Commission may also solicit or receive any gifts or bequests of money or other personal property or any donation to be applied, principal or income, for either temporary or permanent use for playgrounds or other recreational purposes.

7. The City Recreation Commission shall make full and complete monthly and annual reports to the City Council and other reports from time to time as requested.

8. All resolutions, or parts thereof, in conflict with the provis-

ions and intent of this resolution are hereby repealed.

9. BE IT FURTHER RESOLVED that the said Recreation Commission cannot under any circumstances incur any indebtedness against the City of Modesto or any of the funds of said City without the consent of the City Council of said City.

Be it further provided that the City Council of said City does not by the terms hereof intend to nor does it relinquish its powers over the parks or recreational facilities of said City, and that the intent contained herein is only to co-ordinate recreation in said City and to work in conjunction with the Federal and County Governments to that end.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of December, 1939 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

RESOLUTION NO. 4786-N.S.

A RESOLUTION TO PREPARE PETITION REQUESTING STANISLAUS COUNTY BOARD OF SUPERVISORS TO ANNEX TO THE CITY OF MODESTO CERTAIN CITY-OWNED PROPERTY CONTIGUCUS 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:

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 North-erly 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 27th day of December, 1939 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

RESOLUTION NO. 4787-N.S.

A RESOLUTION ACCEPTING ANNUAL REPORT OF THE POLICE DEPARTMENT FOR FISCAL YEAR ENDING JUNE 30, 1939

BE IT HEREBY RESOLVED that the annual report of the Police Department for year ending June 30, 1939 as presented 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, 1939 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

RESOLUTION NO. 4788-N.S.

A RESOLUTION AUTHORIZING THE CITY CLERK TO SEND A COPY OF ALL MINUTES OF THE COUNCIL TO THE LEAGUE OF CALIFORNIA CITIES

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BE IT HEREBY RESOLVED that the City Clerk be authorized to send a copy of all minutes of the Council to the League of California Cities, as well as copies of all ordinances.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of December, 1939 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

RESOLUTION NO. 4789-N.S.

A RESOLUTION SETTING FORTH SALARIES TO BE PAID CERTAIN EMPLOYEES OF THE CITY OF MODESTO

---oOo---

BE IT HEREBY RESOLVED that the salaries of certain employees of the City of Modesto be established as of January 1, 1940 as follows:

A. O. CARLEY	\$175.00 per month
CLAUDE A. WALDO	165.00 per month
W. S. BROWN	4.50 per day

The following resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of December, 1939 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. 4790-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 27th day of December, 1939 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
