

January 14th, 1931

The Council met in regular session this date, being called to order by Mayor Elias with all members present.

IN THE MATTER OF MINUTES:

The minutes of the regular meeting of December 10th, and December 24th, 1930, were read and approved as read.

IN THE MATTER OF CANVASSING RETURNS OF SPECIAL MUNICIPAL ELECTION:

The returns of the Special Municipal election held on Tuesday, January, 13th, 1931, being made and filed with the City Clerk, it was ordered that the Council proceed to open and canvass the returns of the said election and the following is the finding of the Council in the canvassing of the returns of the said Special Municipal Election held on Tuesday, January 13th, 1931, for the purpose of voting upon certain proposed amendments to the Charter of the City of Modesto.

RESOLUTION NO. 2065-N.S.

A RESOLUTION CERTIFYING THAT THE RETURNS OF THE ELECTION TO VOTE UPON AMENDMENTS TO THE CHARTER OF THE CITY OF MODESTO HAVE BEEN CANVASSED, AND DECLARING THE RESULTS OF SAID ELECTION

--- oOo ---

WHEREAS, the Council of the City of Modesto did by resolution No. 2036-NS adopted on the 18th day of November, 1930, call a special election to be held on the 13th day of January, 1931, for the purpose of voting upon the question of the ratification of certain amendments to the Charter of the City of Modesto proposed by the City Council upon its own motion, and

WHEREAS, the provisions of law prerequisite to the calling of said election have been duly complied with, and the notice of said election has been duly given all as required by law, and the said special election was held on the said 13th day of January, 1931, and was conducted and held in all respects in conformity with the laws of the State of California, and the Ordinances of the City of Modesto, and

WHEREAS, the proper officers of said election have returned to and filed with the City Clerk of said City, the returns of said special election, which said returns have on this date been duly opened and canvassed by the Council of the City of Modesto, and the results of said election found, determined, and declared in the manner hereinafter states, and

WHEREAS, it appears from the canvass of the returns of said election that a total of 1460 votes were cast at said election, and that each of the propositions voted on has received in its favor the votes of more than one-half of the voters voting at said election.

NOW THEREFORE, the said City Council of the City of Modesto, sitting as a canvassing board to canvass the returns of said election, do hereby declare and find the result of said election as follows:

THAT the results of said Special election and the votes cast for each of the propositions submitted are as follows:

TOTAL NUMBER OF VOTES CAST - - - - -	1460
1. On Proposed Charter Amendment No. 1, as set forth in the resolution calling the special election	986
votes were cast FOR the amendment, and.....	421
votes were cast AGAINST the amendment.	
2. On Proposed Charter Amendemtn No. 2 as set forth in the resolution calling the election.....	1023
votes were cast for the amendment and	383
votes were cast AGAINST the amendment.	
3. On Proposed Charter Amendemtn No. 3, as set forth in the resolution calling the election.....	764
votes were cast FOR the Amendment, and	659
votes were cast AGAINST the amendment.	

BE IT FURTHER RESOLVED that the Mayor and City Clerk certify to the Legislature of the State of California which is now in session, the results of said election, to the end that the said Legislature may, in the manner provided by law, approve said amendemts to the Charter.

The foregoing resolution was introduced at this regular meeting of the Council of the City of Modesto on this 14th day of December, 1931, by Mayor Elias who moved its adoption, which motion being duly seconded it was upon roll call adopted by the following vote:

Ayes: Councilmen: Blaine, Boundey, Brown, Falger, and Mayor Elias

Noes: Councilmen None

Absent: Councilmen "one

IN THE MATTER OF DAM ACROSS THE TUOLUMNE RIVER:

A Committee of citizens headed by D. L. Dennett as chairman appeared before the Council and asked that some action be taken in the matter of the proposed dam across the Tuolumne River. Mayor Elias informed this committee that as soon as the Council had received a report from the City Engineer on the feasibility of this project, and a report from the City Attorney on the legality of the City's participation in the proposed plan, the Council would be ready to take the necessary steps to proceed with the construction of a low dam across the Tuolumne River.

IN THE MATTER OF CLAIMS:

The claims against the City of Modesto for the month of December, 1930, having been duly audited and approved, Councilman Falger introduced a resolution, being

RESOLUTION NO. 2066-N.S.

ordering that all of the claims so audited and approved be and they are hereby allowed. Reference is hereby made to the Auditor's Cash Book for further details

regarding the amounts of the withdrawals from the various funds as follows:

General Fund.....	\$ 21, 327.04
Water Fund.....	7,383.27
Library Fund.....	1,883.42
Bond Red. Int. Fund.....	3,753.94
St. Bond Red.Int. Fund.....	7.70
Sewer Septic Fund.....	5,544.69
Total.....	\$ 39,900.06

Which resolution was regularly adopted by the following vote:

Ayes: Councilmen Elaine, Boundey, Brown, Falger, and Mayor Elias

Noes: Councilmen None

Absent: Councilmen None

4 IN THE MATTER OF PROPOSED LOCATION FOR STATE HIGHWAY:

C.D.Swan filed with the City Council a petition together with a map or sketch of a proposed routing of the State Highway over 8th Street as a means of settling the controversy of a location of the highway through the City of Modesto. The plan was considered by the Council and ordered filed in the records of the City Clerk's office.

5 IN THE MATTER OF PETITION FOR LOCATION OF HIGHWAY:

A petition was filed with the City Council signed by some 500 residents in the vicinity of Ceres, Hughson, and the rural communities in and around Modesto, favoring the building of a bridge across the Tuolumne River on lower Ninth Street, thereby eliminating the necessity of grade crossings and underpasses which are dangerous to highway travel. This petition was considered by the Council and ordered filed.

6 IN THE MATTER OF SUBMITTING HIGHWAY PROPOSITION TO VOTERS:

A Communication was received from W.C.LeHane urging that the City Council submit the controversy over the location of the State Highway through the City of Modesto to the voters at the general municipal election to be held in April, 1931. This communication was read to the Council and ordered filed.

7 IN THE MATTER OF COMMUNICATIONS:

A Communication was received from the Modesto Chamber of Commerce thanking the City Council for their co-operation with the Chamber of Commerce during the year 1931. This communication was read to the Council and ordered filed.

8. A Communication was received from the Modesto Merchants Association thanking the City Council for their interest and assistance in decorating the streets of the City of Modesto for the Christmas Holidays.

9. A Communication was received from the Tulare District Utility Organization regarding the natural gas fuel problems as they apply to the cities of the San Joaquin and Sacramento valleys, urging that a meeting date and place be fixed in the near future for the discussion of this problem by representatives of each city at some central point. Mayor Elias introduced a resolution, being

RESOLUTION NO. 2067-N.S.

instructing the City Clerk to advise the Tulare District Utility Organization that the City of Modesto would co-operate by sending representatives to the proposed meeting,

and inviting them to select Modesto as the meeting place since it is centrally located between all cities concerned, which resolution was regularly adopted by the following vote:

Ayes: Councilmen Blaine, Boundey, Brown, Falger, and Mayor Elias

Noes: Councilmen None

Absent: Councilmen None

10
IN THE MATTER OF REMOVAL OF TREES:

A petition was received from Mr. and Mrs. B.H. Wilcox asking for permission to remove two trees in front of their residence at 519 14th Street, stating that they are unsightly and out of line with other trees on the premises. This petition was referred to the City Engineer with power to grant permission for the removal of said trees if in his judgment he deems it necessary.

11
IN THE MATTER OF PAYMENT OF FEE TO ELECTION OFFICERS AND FOR POLLING BOOTHS:

Mayor Elias introduced a resolution, being

RESOLUTION NO. 2068-N.S.

authorizing the City Clerk and Treasurer to pay the sum of \$5.00 to each election officer who served on the election boards of the Special Municipal election held on the 13th day of January, 1931; and also to pay the sum of \$ 5.00 for the use of each polling booth as it was necessary to have for the said election, which resolution was regularly adopted by the following vote:

Ayes: Councilmen Blaine, Boundey, Brown, Falger, and Mayor Elias

Noes: Councilmen None

Absent: Councilmen None

12
IN THE MATTER OF LETTER FROM WEST MODESTO IMPROVEMENT CLUB:

A letter was received from W. E. Thomas and F.A. Weast, a committee of the West Modesto Improvement Club informing the City Council that this organization will initiate an ordinance to be placed upon the ballot at the general municipal election in April, 1931, which will restrict the use of the aviation field to residential purposes. This communication was read to the Council and ordered filed.

3
IN THE MATTER OF ACTION ON THE PACIFIC GAS & ELECTRIC COMPANY'S REQUEST THAT THE CITY CALL FOR BIDS FOR ELECTRICITY:

Pursuant to the receiving on October 22, 1930, a request from the Pacific Gas & Electric Company that the City Council call for bids for the supplying of electrical energy to the City of Modesto, and pursuant to action upon this matter having been laid over until this time, Mayor Elias introduced a resolution, being

RESOLUTION NO. 2069-N.S.

postponing action indefinitely on the matter of calling bids for electrical energy which resolution was regularly adopted by the following vote:

Ayes: Councilmen Blaine, Boundey, Brown, Falger, and Mayor Elias

Noes: Councilmen None

Absent: Councilmen None

14. IN THE MATTER OF RESIGNATION OF DR. J. W. MORGAN, CITY HEALTH OFFICER:

Dr. J. W. Morgan, City Health Officer, presented to the Council his resignation as City Health Officer, whereupon Mayor Elias introduced a resolution being,

RESOLUTION NO. 2070-N.S.

accepting with regret the resignation of Dr. Morgan from the position of City Health Officer, which resolution was regularly adopted by the following vote:

Ayes: Councilmen Elaine, Boundey, Brown, Falger, and Mayor Elias

Noes: Councilmen None

Absent: Councilmen None

15. IN THE MATTER OF APPOINTING HEALTH OFFICER TO SUCCEED DR. J. W. MORGAN:

Pursuant to the resignation of Dr. J. W. Morgan from the position of City Health Officer, and pursuant to the receiving of applications from Dr. L. M. Coulter, Dr. J. K. Ransom, and Dr. H. P. Muller for appointment to the position, Commissioner Brown introduced a resolution, being

RESOLUTION NO. 2071-N.S.

appointing Dr. H.P. Muller health officer of the City of Modesto, which resolution was regularly adopted by the following vote:

Ayes: Councilmen Elaine, Boundey, Brown, Falger, and Mayor Elias

Noes: Councilmen None

Absent: Councilmen None

16. IN THE MATTER OF REPORTS:

The reports of the various departments for the month of December, 1930, were reviewed by the Council and ordered filed.

17. A Special Report of the existing condition of the sanitary sewer system, and recommendations for improvement of the same, was filed with the Council by City Engineer, F.J. Rossi.

18. IN THE MATTER OF EXTENSIONS AND IMPROVEMENT OF THE SANITARY SEWER SYSTEM:

Mayor Elias introduced a resolution, being

RESOLUTION NO. 2072-N.S.

instructing the City Engineer to proceed at once with the carrying out of his plans for the improvement of the sanitary sewer system and file with the City Clerk an estimate of the amount of pipe needed for the same, and specifying that preference be given to laborers who are married men, property owners, and whose permanent address is the City of Modesto, which resolution was regularly adopted by the following vote:

Ayes: Councilmen Elaine, Boundey, Brown, Falger, and Mayor Elias

Noes: Councilmen None

Absent: Councilmen None

IN THE MATTER OF FINAL PAYMENT TO E. A. GREEN FOR THE REMODELLING OF THE CITY CLERK'S OFFICE:

The City Engineer filed with the City Council a report of the amount of the balance due E.A.Green on his original contract for the remodeling of the City Clerk's office, together with an itemized statement of the extras, the said amount being \$ 2460.45. Whereupon Commissioner Boundey introduced a resolution, being

RESOLUTION NO. 2073-N.S.

authorizing and instructing the City Clerk and Treasurer to draw a warrant in favor of E.A.Green in the amount of \$2460.45 the same being the balance due and extras on Mr. Green's contract for the remodeling of the City Clerk's office, which resolution was regularly adopted by the following vote:

Ayes: Councilmen Elaine, Boundey, Brown, Falger, and Mayor Elias

Noes: Councilmen None

Absent: Councilmen None

IN THE MATTER OF PETITION FOR THE ERECTION OF A BUILDING TO BE USED FOR AUDITORIUM PURPOSES AT 14TH AND F STREETS:

An application was filed with the City Council for a permit to erect a building on the Westerly 62' of Lots 1 and 2 in Block 102 to be used for auditorium purposes. By order of the Council the City Clerk was instructed to post and publish a notice of the time of hearing any and all protests against the granting of said permit in accordance with the terms and provisions of Ordinance No. 364 NS.

IN THE MATTER OF PERMIT TO MILK PRODUCERS ASSOCIATION FOR THE CONSTRUCTION OF A CONVEYOR:

The Milk Producers Association of Central California filed with the City Council an application for the construction of a conveyor over the sidewalk on E Street, whereupon Commissioner Boundey introduced a resolution, being

RESOLUTION NO. 2074-N.S.

granting permission to the Milk Producers Association to erect a conveyor over the sidewalk under the direction and supervisions of the City Engineer, the same to be revocable at the pleasure of the City Council, which resolution was regularly adopted by the following vote:

Ayes: Councilmen Elaine, Boundey, Brown, Falger, and Mayor Elias

Noes: Councilmen None

Absent: Councilmen None

IN THE MATTER OF ORDINANCE CREATING COMPENSATION INSURANCE FUND:

An ordinance providing for the creation of a compensation insurance fund was submitted to the City Council for consideration by the City Attorney. By order of the Council the same was laid over until the next regular meeting.

IN THE MATTER OF FINAL ADOPTION OF ORDINANCE NO. 394-N.S.:

Ordinance No. 394-N.S., appropriating the sum of \$16,000.00 for the extension and improvement of the sanitary sewer system, having been introduced and ordered printed and published at a regular meeting of the Council of the City of Modesto, coming on for final adoption this 14th day of January, 1931, it was

finally adopted by the following vote:

Ayes: Councilmen Elaine, Boundey, Brown, Falger, and Mayor Elias

Noes: Councilmen None

Absent: Councilmen None

24 IN THE MATTER OF FINAL ADOPTION OF ORDINANCE NO. 395-N.S.:

Ordinance No. 395-N.S., an ordinance providing for the regulation of quality, sale, and delivery of petroleum products in the City of Modesto, having been introduced and ordered printed and published at a regular meeting of the Council of the City of Modesto held on the 24th day of December, 1930, and having been published as required by the provisions of the Charter of the City of Modesto, coming on for final adoption this 14th day of January, 1931, it was finally adopted by the following vote:

Ayes: Councilmen Elaine, Boundey, Brown, Falger, and Mayor Elias

Noes: Councilmen None

Absent: Councilmen None

25 IN THE MATTER OF ADJOURNMENT:

Mayor Elias introduced a resolution, being

RESOLUTION NO. 2075-N.S.

adjourning this Council meeting now in session, which resolution was regularly adopted by the following vote:

Ayes: Councilmen Elaine, Boundey, Brown, Falger, and Mayor Elias

Noes: Councilmen None

Absent: Councilmen None

Approved:

Sol. P. Elias
Mayor

Attest:

H.E. Gragg
H.E. Gragg
City Clerk

Council, City of Modesto

January 28th, 1931

The Council met in regular session this date, being called to order by Mayor Elias with all members present.

IN THE MATTER OF MINUTES:

The minutes of the regular meeting of the 14th of January, 1931, were read and approved as read.

IN THE MATTER OF COMPLAINT AGAINST A GARAGE OPERATING IN THE RESIDENTIAL DISTRICT OF THE CITY OF MODESTO:

Two unsigned complaints were received by the City Council, as well as several verbal complaints to the City Clerk and various members of the Council, regarding the operation of a general garage at 615 Third Street, the same being in the midst of a strictly residential district of the City. After discussion of this matter by the City Council, it was referred to the City Attorney for his investigation and recommendation.

IN THE MATTER OF GRANTING A PERMIT FOR THE ERECTION OF A BUILDING TO BE USED FOR AUDITORIUM PURPOSES:

Pursuant to the filing with the City Council on January 14th, 1931, an application in compliance with the provisions of zoning ordinances No. 364-N.S. and pursuant to the posting of, and publishing of a notice setting forth a time of hearing protests against the erection of a building on the Ely 60' of Lots 1 and 2 in Block 102 to be used for auditorium purposes, and no protests having been filed with the City Council, Commissioner Boundey introduced a resolution, being

RESOLUTION NO. 2076-N.S.

granting a permit for the erection of said building as prayed for in the above mentioned application, which resolution was regularly adopted by the following vote:

Ayes: Councilmen Blaine, Boundey, Brown, Falger, and Mayor Elias

Noes: Councilmen None

Absent: Councilmen None

IN THE MATTER OF LEAVE OF ABSENCE FOR MISS SILVERTHORN:

Miss Bessie Silverthorn, Librarian of the McHenry Public Library, addressed a communication to the Council asking for a leave of absence for the period from May 28th, 1931, to September 10th, 1931, for the purpose of visiting the libraries of Europe and other points of interest abroad. Whereupon Mayor Elias introduced a resolution, being

RESOLUTION NO. 2077-N.S.

granting a leave of absence to Miss Silverthorn as requested in her communication to the City Council, which resolution was regularly adopted by the following vote:

Ayes: Councilmen Blaine, Boundey, Brown, Falger, and Mayor Elias

Noes: Councilmen None

Absent: Councilmen None

4. IN THE MATTER OF ORDINANCE CREATING COMPENSATION INSURANCE FUND:

By order of the Council this matter was laid over until the next regular meeting of the Council.

5. IN THE MATTER OF REMOVAL OF TREES:

The following applications were received by the City Council asking for permission to remove trees:

- H.C.Moore - 301 Linden
- Mary A. Mumfrey - 1004 15th
- Arthur J. Gunn - 543 N. Orange Av

By order of the Council these applications were referred to the City Engineer for his recommendation

6. IN THE MATTER OF REPORT OF THE CITY ATTORNEY AND CITY ENGINEER IN REGARD TO THE PROPOSED ERECTION OF A LOW DAM ACROSS THE TUOLUMNE RIVER:

Pursuant to the discussion of the proposed building of a low dam across the Tuolumne River by the newspapers and various civic bodies in the City of Modesto, and pursuant to the request of the City Council on January 14th, 1931, that the City Attorney and City Engineer report upon the project, City Attorney Carlson filed a written report upon the legality of the City of Modesto's participating in the construction of the proposed dam, and City Engineer F.J. Rossi filed a report upon the feasibility of the project. These reports were reviewed by the Council and ordered filed.

7. IN THE MATTER OF COMMUNICATION FROM KENDALL-TREDWAY, INC.:

A Communication from Kendall- Tredway, Inc., of Stockton, suggesting that the City Council trade in two old safes for some new furniture in the Council Chambers, was received by the Council and ordered filed.

8. IN THE MATTER OF REPORT UPON THE SWIFT POULTRY PLANT:

Some time ago several complaints were filed with the City Council protesting against the unsanitary conditions prevailing at the Swift & Company's Poultry Plant located within the City Limits, and at this time a report from the State Health Department was filed with the Council stating that an examination has been made of the above plant and that conditions in this plant are very satisfactory from the standpoint of sanitation. This report was reviewed by the Council and ordered filed.

9. IN THE MATTER OF PAYMENT TO H. TENNYSON FOR THE INSTALLATION OF CLARIFIER TANK:

City Engineer, F.J. Rossi, filed a statement with the City Council in which he certified that a payment of 75% of the work completed, namely, \$1715.62, is now and payable to H. Tennyson for the installation of a clarifier tank in accordance with the terms of his contract. Whereupon Commissioner Falger introduced a resolution being,

RESOLUTION NO. 2078-N.S.

instructing the City Clerk and Treasurer to draw a warrant in the sum of \$1715.62 payable to H. Tennyson, the same being a 75% payment of the contract price for the installation of a clarifier tank, which resolution was regularly adopted by the following vote:

- Ayes: Councilmen Blaine, Boundey, Brown, Falger, and Mayor Elias
- Noes: Councilmen None
- Absent: Councilmen None

IN THE MATTER OF ADJOURNED MEETING:

Mayor Elias introduced a resolution, being

RESOLUTION NO. 2079-N.S.

providing that when this Council meeting adjourn it adjourn to meet again on February 5th, 1931, at 7:30 o'clock P.M. in the Council Chambers of the Council of the City of Modesto, which resolution was regularly adopted by the following vote:

Ayes: Councilmen Blaine, Boundey, Brown, Falger, and Mayor Elias

Noes: Councilmen None

Absent: Councilmen None

IN THE MATTER OF CONSTRUCTION OF AUXILIARY SEWER SYSTEM:

In compliance with the request of the City Council, the City Engineer filed a map showing the proposed location and routing of an auxiliary sewer system. Whereupon Commissioner Boundey introduced a resolution, being

RESOLUTION NO. 2080-N.S.

instructing the City Clerk to advertise for bids for a certain lot of sewer pipe to be used in the construction of an auxiliary sewer system, which resolution was regularly adopted by the following vote:

Ayes: Councilmen Blaine, Boundey, Brown, Falger, and Mayor Elias

Noes: Councilmen None

Absent: Councilmen None

IN THE MATTER OF FURNISHING WATER TO THE COUNTY OF STANISLAUS:

The City Engineer made an oral report on water supplied to the various buildings of the County of Stanislaus, stating that the City does not furnish water to the County Hospital, Detention Home, or warehouse, but that they do supply the County Jail with water, for which the City is receiving no remuneration. By order of the Council, the City Engineer was instructed to install a meter for water used at the County Jail.

IN THE MATTER OF MAKING ASSESSMENT:

The City Assessor recommended to the Council that the City of Modesto make its own assessment rather than rely upon the records of the County Assessor as has been the practice in the past. The extra expense incurred in nominal A trial in making the assessment direct in 1930 resulted in collecting several thousand dollars more on personal property than had been previously collected. Thereupon Mayor Elias introduced a resolution, being

RESOLUTION NO. 2081-N.S.

authorizing the Assessor to make the assessment for the City of Modesto direct and to employ such extra help as is necessary for the same, which resolution was regularly adopted by the following vote:

Ayes: Councilmen Blaine, Boundey, Brown, Falger, and Mayor Elias

14.

IN THE MATTER OF WATER SUPPLIED TO PORTION OF THE CITY OF MODESTO KNOWN AS CHINATOWN:

The City Engineer made a verabl report and filed a map with the City Council showing the connections with the City Water Mains in Block 45, knowp- as Chinatown/ After discussion of this matter by the Council, the City Engineer was instructed to adjust this matter in such manner as he deems necessary.

15.

IN THE MATTER OF ADJOURNMENT:

Mayor Elias intrdocued a resolution being

RESOLUTION NO. 2082-N.S.

adjourning this Council meeting now in session to meet again on February 5th,1931, which resolution was regularly adopted by the following vote:

Ayes: Councilmen Elaine, Boundey, Brown, Falger, and Mayor Elias

Noes: Councilmen None

Absent: Councilmen None

Approved:

Sol. P. Elias
Mayor

Attest:

H.E. Gragg
H. E. Gragg
City Clerk

Adjourned Session

Council, City of Modesto

February 5th, 1931

The Council met in adjourned session this date, being called to order by Mayor Elias with all memcers present.

IN THE MATTER OF BIDS FOR SEWER PIPE:

Pursuant to the calling for bids for a certain lot of sewer pipe, and this being the time set out in notice to bidders for the receiving of said bids, the Council proceeded to examine and declare the bids on file as follows:

UNITED CONCRETE PIPE COMPANY:

1070	lin	ft	12"	pipe	.....	45¢	per	ft
155	"	"	15"	"	.....	70¢	"	"
1640	"	"	18"	"	.....	1.00	"	"

GLADDING McBEAN & CO.:

1070	lin	ft.	12"	pipe	.....	\$	564.96
155	"	"	15"	"	.....		136.09
1640	"	"	18"	"	.....		2009.00

H. A. TRUEBLOOD:

1070	lin	ft	12"	pipe	.....	¢	529.65
155	"	"	15"	"	.....		127.87
1640	"	"	18"	"	.....		1894.20

Less Discount - \$127.50 for cash

N. CLARK & SONS:

1070	lin	ft	12"	pipe	
155	"	"	15"	"	
1640	"	"	18"	"	.....for the net sum of \$2173.73
					Less 2% for cash

UNITED LUMBER YARDS, INC.:

1070	lin	ft	12"	pipe	
155	"	"	15"	pipe..	
1640	"	"	18"	pipe	.....\$ 2790.00

GLADDING BROTHERS MANFG. COMPANY:

1070	lin	ft	12"	pipe	.....\$ 562.55
155	"	"	15"	pipe	.....135.43
1640	"	"	18"	pipe	.....2017.20
					Less 2% cash discount -\$54.30
					Net.....\$ 2660.88

Whereupon Commissioner Boundey introduced a resolution, being

RESOLUTION NO 2083-N.S.

accepting the bid of H.A.Trueblood at the price set forth in his bid for the above mentioned pipe, and authorizing the City Clerk to return to the unsuccessful bidders their certified checks accompanying their bids, which resolution was regularly adopted by the following vote:

- Ayes: Councilmen Blaine, Boundey, Brown, Falger, and Mayor Elias
- Noes: Councilmen None
- Absent: Councilmen None

IN THE MATTER OF PERMIT FOR THE REMOVAL OF A TREE:

H. Grunow filed an application with the City Council asking for permission to remove a partially dead sycamore tree from his property at 402 High Street, The same was referred to the City Engineer with power to grant such application, if in his judgment it is necessary.

IN THE MATTER OF CITY EMPLOYEES WORKING ON OTHER POSITIONS WHILE IN THE EMPLOY OF THE CITY OF MODESTO:

Mayor Elias introduced a resolution, being

RESOLUTION NO. 2084-N.S.

expressing the opinion of the Council that persons who are in the employ of the City of Modesto should not solicit or accept extra work from other firms or individuals while their names appear upon the City of Modesto's payroll, which resolution was regularly adopted by the following vote:

- Ayes: Councilmen Blaine, Boundey, Brown, Falger, and Mayor Elias
- Noes: Councilmen None
- Absent: Councilmen None

IN THE MATTER OF ADJOURNMENT:

Mayor Elias introduced a resolution, being

RESOLUTION NO. 2085-N.S.

adjourning this Councilmeeting now in session, which resolution was regularly adopted by the following vote:

- Ayes: Councilmen Blaine, Boundey, Brown, Falger, and Mayor Elias
- Noes: Councilmen None
- Absent: Councilmen None

Approved: _____
 Mayor
 Attest: _____
 City Clerk

Council, City of Modesto

February 11th, 1931

The Council met in regular session this date and there were present Councilmen Blaine, Boundey, Brown, Falger, and Mayor Elias

Absent: Councilmen None

IN THE MATTER OF MINUTES:

The minutes of the regular meeting of January 28th, 1931, and of the adjourned session of February 5th, 1931, were read and approved as read.

IN THE MATTER OF COMMUNICATIONS:

1. A Communication was received from the League of California Municipalities suggesting that the City Council signify its approval of the passage of the Senate Bill before the State Legislature which has to do with highways through municipalities. By order of the Council this communication was referred to City Attorney, A. J. Carlson.

IN THE MATTER OF INSURANCE OF CITY TRANSIT COMPANY:

2. Pursuant to the provisions of Ordinance No. 306-N.S. granting a franchise to the City Transit Company for the operation of motor busses in the City of Modesto, the Zurich Insurance Co., Ltd., addressed a communication to the Council advising them that a certain insurance policy issued by them to the City Transit Company will be cancelled February 21st, 1931. Whereupon Mayor Elias introduced a resolution, being

RESOLUTION NO. 2086-N.S.

instructing the City Clerk to inform the City Transit Company of the action taken by their insurance carrier, and advising them that unless they take out a new policy protecting the City of Modesto on or before February 21st, the Council will take such steps to cancel the franchise which they are now holding for the operation of motor busses in the City of Modesto, which resolution was regularly adopted by the following vote:

Ayes: Councilmen Blaine, Boundey, Brown, Falger, and Mayor Elias

Noes: Councilmen None

Absent: Councilmen None

IN THE MATTER OF APPLICATION FOR CURB PUMP:

3. Frank Chevrier made application to the City Council for a permit to install an additional curb pump at this place of business at 1410 9th Street. After due consideration of said application, Mayor Elias introduced a resolution being.

RESOLUTION NO. 2087-N.S.

granting a permit to Frank Chevrier to install, operate, and maintain an additional curb pump at 1410 9th Street, when he shall have complied with the terms and provisions of Ordinance No. 316-N.S., pertaining to the installation and operation of curb pumps, which resolution was regularly adopted by the following vote:

Ayes: Councilmen Elaine, Boundey, Brown, Falger, and Mayor Elias

Noes: Councilmen None

Absent: Councilmen None

IN THE MATTER OF CLAIM OF CENTRAL DRUG STORE:

A bill for vaccines in the amount of \$44.80 was presented to the City Council for payment by the Central Drug Store. By order of the Council, action upon the same was postponed until the next regular meeting of the Council.

IN THE MATTER OF SEWER CONNECTIONS OUTSIDE THE CITY LIMITS:

Knowledge having come to the City Council that certain persons living outside the City limits along the outfall of the sanitary sewer line have been connected with the city sewers for the past several years and have not paid the customary rental fee required for connections outside the City, Mayor Elias introduced a resolution, being

RESOLUTION NO. 2088-N.S.

instructing the City Clerk to ascertain the names of the above mentioned parties using the City sewer without payment of the required rental, and send them a bill for the four years last past, informing them that unless said bill is paid forthwith the City will proceed to cut off their connection with the sewer line, which resolution was regularly adopted by the following vote:

Ayes: Councilmen Elaine, Boundey, Brown, Falger, and Mayor Elias

Noes: Councilmen None

Absent: Councilmen None

IN THE MATTER OF REMOVAL OF TREES:

Applications for the removal of trees were received by the City Council from John Shingler, 405 Colorado, and from Everett Woodworth, 201 Madera Ave. These petitions were referred to the City Engineer with power to grant the same if in his judgment it is necessary.

IN THE MATTER OF PROGRESSIVE PAYMENT ON CONTRACT TO H. TENNYSON:

The City Engineer filed a report with the City Council showing that in accordance with the terms of the contract entered into with H. Tennyson for the installation of a clarifier tank, a progressive payment is now due him in the amount of \$571.88. Whereupon Commissioner Falger introduced a resolution, being

RESOLUTION NO. 2089-N.S.

instructing the City Clerk and Treasurer to draw a warrant in the sum of \$571.88 in favor of H. Tennyson, the same being a progressive payment for the installation of a clarifier tank, which resolution was regularly adopted by the following vote:

Ayes: Councilmen Elaine, Boundey, Brown, Falger, and Mayor Elias

Noes: Councilmen None

Absent: Councilmen None

IN THE MATTER OF BUILDING A GARAGE AT FIRE HOUSE NO. 2:

Mayor Elias introduced a resolution, being

RESOLUTION NO. 2090-N.S.

authorizing and instructing the Department of Public Works to proceed with the

work of building a garage at Fire Station No. 2 as per the plans and specifications submitted by the City Engineer, which resolution was regularly adopted by the following vote:

Ayes: Councilmen Blaine, Boundey, Brown, Falger, and Mayor Elias

Noes: Councilmen None

Absent: Councilmen None

9. IN THE MATTER OF ORDINANCE CREATING COMPENSATION INSURANCE FUND:

By order of the Council this ordinance was laid over until the last regular meeting in May, 1931.

10. IN THE MATTER OF CLAIMS:

The claims against the City of Modesto for the month of January 1931 having been duly audited and approved, Councilman Falger introduced a resolution being

RESOLUTION NO. 2091-N.S.

ordering that all of the claims so audited and approved be and they are hereby allowed. Reference is hereby made to the Auditor's Cash Book for further details regarding the amounts of the withdrawals from the various funds as follows:

General Fund.....	\$ 21,132.55
Water Fund.....	4,374.90
Library Fund.....	2,098.46
Bond Red. Int. Fund.....	26,450.00
St. Bond Red. Int.....	15,912.49
Sewer Septic Fund....	2,444.95
Total.....	\$ 72,413.35

which resolution was regularly adopted by the following vote:

Ayes: Councilmen Blaine, Boundey, Brown, Falger, and Mayor Elias

Noes: Councilmen None

Absent: Councilmen None

11. IN THE MATTER OF REPORTS:

The reports of the various departments for the month of January, 1931, were reviewed by the Council and ordered filed.

IN THE MATTER OF ADJOURNMENT:

Mayor Elias introduced a resolution, being

RESOLUTION NO. 2092-N.S.

adjourning this Council meeting now in session, which resolution was regularly adopted by the following vote:

Ayes: Councilmen Blaine, Boundey, Brown, Falger, and Mayor Elias

Noes: Councilmen None

Absent: Councilmen None

Approved: _____
Mayor

Attest: Ne Grawley
City Clerk

February 25th, 1931

The Council met in regular session this date and was called to order by Mayor Elias with all members present.

IN THE MATTER OF MINUTES:

The minutes of the regular meeting of February 11th, 1931, were read and approved as read.

IN THE MATTER OF CARNIVAL LICENSE:

Mr. Zeiger appeared before the Council and informed them that he is the owner of a certain show and carnival business which has been wintering in the City of Modesto, and has spent a considerable sum of money with the merchants and tradesmen in this City in rebuilding and remodeling his carnival equipment. He asked the Council if it is possible for them to grant him a concession in the way of a lower license than that which is called for by city ordinance to set up and operate a carnival in the City. Mayor Elias informed Mr. Zeiger that it could not make any exceptions and that if he operated his show in this City, he would have to conform to the Ordinance pertaining to the operation of carnivals.

IN THE MATTER OF ORDINANCE PERTAINING TO DISTRIBUTION OF HANDBILLS:

Mr. Frank Andrews appeared before the Council and informed them that he thought the present ordinance regarding the distribution of handbills in the City of Modesto was working a hardship upon the small merchants. His theory was that the small merchant could get a reasonable amount of advertising from handbills at a much less expense than he would have to pay to advertise in a newspaper. The Council informed Mr. Andrews that this matter would be taken into consideration.

IN THE MATTER OF PROPOSED CONSTRUCTION OF DAM ACROSS THE TUOLUMNE RIVER:

Mr. L. L. Dennett, chairman of the Tuolumne Dam Committee, together with several of his committee members, appeared before the Council regarding the construction of a low weir dam across the Tuolumne River and outlined what the Committee has done regarding the rights of way to land along the River in case the proposed dam was built. They asked the Council at this time to take steps to insure the building of the dam, whereupon Mayor Elias informed the committee that the Council was heartily in accord with them in this matter and that they would co-operate with them as far as they legally are authorized to do so.

IN THE MATTER OF COMMUNICATIONS FROM THE LEAGUE OF CALIFORNIA MUNICIPALITIES:

A Communication was received from the League of California Municipalities, regarding Senate Bills No. 52 and 53 which are designed to protect cities, counties, and other public corporations and their officials in damage suits for injuries to persons or property resulting from defective and dangerous conditions of buildings, streets, or other public works.

A Communication also was received from the League of Municipalities regarding Senate Bill No. 126 regarding the new recall law which is before the Legislature at this time.

6. IN THE MATTER OF EXTENDING SEWER ACROSS THE CANAL:

Mr. Leslie Baker, owner of land in Block 540 and 541 in the City of Modesto which lies across and adjacent to the Modesto Irrigation District Canal, appeared before the Council stating that he is contemplating the erection of some residences on this property and asked the City to furnish adequate sewer facilities. The Council informed Mr. Baker that at the present time the appropriations in the budget for sewer extensions is exhausted, and therefore, the furnishing of sewers in this particular part of the City would have to ^{be} postponed until a future date.

7. IN THE MATTER OF REMOVAL OF TREES:

Applications were received from the following parties for the removal of trees on their property:

N. Simi	-	417 Leon
D. Bishop		807 6th
C.R. Tillson		1421 J
R. Fair		421 10th
E. K. Barnett		218 Castle
J. H. Bachmann		624 4th
W. J. Green		310 Johnson
R. C. Morrison		218 Auburn
John Crocco		128 Magnolia
M. L. Alcorn		210 Castle

These applications were referred to the City Engineer for his recommendation with power to grant removal if in his judgment he deems it necessary.

8. IN THE MATTER OF CLAIM OF THE CENTRAL DRUG STORE:

A claim of the Central Drug Store in the amount of \$44.80 for vaccines was laid over until the next regular meeting, with the suggestion that Dr. Muller, City Health Officer, be communicated with regarding the bill.

9. IN THE MATTER OF GARAGES OPERATED IN RESIDENTIAL DISTRICTS:

In as much as several complaints have come to the Council regarding the operation of garages in residential districts, which in a measure seems to conflict with the the intention of zoning ordinance No. 304-N.S., the Council requested that the several parties operating these garages be cited to appear before the Council for a discussion of this problem at the next regular meeting of the Council.

10. IN THE MATTER OF ADJOURNMENT:

Mayor Elias introduced a resolution, being

RESOLUTION NO. 2093-N.S.

adjourning this Council meeting now in session, which resolution was regularly adopted by the following vote:

Ayes: Councilmen Blaine, Boundey, Brown, Falger, and Mayor Elias

Noes: Councilmen None

Absent: Councilmen None

Approved: MAYOR

Attest: CITY CLERK

March 11th, 1931

The Council met in regular session this date and there were present Councilmen Blaine, Boundey, Brown, Falger, and Mayor Elias

Absent: Councilmen None

IN THE MATTER OF MINUTES:

The minutes of the regular session of February 25, 1931, were read and approved as read.

IN THE MATTER OF GARAGES OPERATING IN RESIDENTIAL DISTRICTS OF THE CITY:

Attention having come from various sources and complaints having been filed from time to time regarding the operation of public garages in residential sections of the City of Modesto, and the operators of these garages, to-wit: Leo Plag, 1329 Washington; Geo. F. Weisner, 315 Melrose; Geo. Higgins, 615 Third Street; Am M. Boyles, 245 Melrose; Geo. Higgins, 615 Third; L.D. Routh, 11 H Street, having been cited to appear before the Council at this time and show cause why they are not operating their garages in violation of zoning ordinance No. 364-N.S., the Council proceeded to interview each of the above named parties and from the testimony given, it appears that the said garages were in operation long before Ordinance No. 364-N.S. was effective. This being the case, the Council was of the opinion that these parties were not operating their garages in violation of said ordinance, whereupon Mayor Elias introduced a resolution, being

RESOLUTION NO. 2094-N.S.

exonerating Leo Plag, Geo. F. Weisner, Geo. Higgins, A.M. Boyles, and L.D. Routh on the charge of operating garages in residential sections of the City contrary to City Ordinance No. 364-N.S., which resolution was regularly adopted by the following vote:

Ayes: Councilmen Blaine, Boundey, Brown, Falger, and Mayor Elias

Noes: Councilmen None

Absent: Councilmen None

IN THE MATTER OF MUSIC IN RESTAURANTS:

Cairns Vogelman appeared before the Council and asked the Council if City Ordinance No. 299-N.S. prohibiting music in restaurants after 12:00 A.M. could not be amended to permit the playing of music until 2:00 A.M. The Council informed Mr. Vogelman that his request could not be granted.

IN THE MATTER OF TREES ON NORTH ORANGE AVENUE:

Mr. Arthur J. Gunn appeared before the Council, presenting a petition signed by some twenty residents and property owners on North Orange Avenue in the City of Modesto asking that trees be planted on both sides of said Avenue where vacancies now occur or may occur in the future, and requesting that the species of trees planted in front of the various lots be designated by the owner of the property. The Council informed Mr. Gunn that certain defined plans were being worked out for the replanting of trees; that

his petition would be duly considered; and at this time referred to the City Engineer.

4
IN THE MATTER OF DAM ACROSS THE TUOLUMNE RIVER:

Mr. L. L. Dennett and Mr. R. Kimmel representing dam committees of various organizations in the City of Modesto appeared before the Council and asked the Council to place a proposition on the ballot to be voted on at the April election whereby a tax might be levied for the construction of said dam across the Tuolumne River. Thereupon Mayor Elias introduced a resolution, being

RESOLUTION NO. 2095-N.S.

expressing the sense of the Council that they were perfectly willing to co-operate with the committee in the matter of the proposed special tax to be voted on at the April election, and asked the committee to co-operate with the City Attorney in preparing an ordinance to be placed upon the ballot providing for the above mentioned tax, which resolution was regularly adopted by the following vote:

Ayes: Councilmen Blaine, Boundey, Brown, Falger, and Mayor Elias

Noes: Councilmen None

Absent: Councilmen None

5
IN THE MATTER OF TAX SALES:

Mrs. E.V. Plummer appeared before the Council and informed them that she had purchased some tax titles from the Modesto Irrigation District and the State of California to certain pieces of property in the City of Modesto to which the City had taken a deed. She informed the Council that she had invested quite a considerable sum of money in this property and wanted to know if some adjustment could be made by the City regarding the City taxes against this property. It appeared from her conversation that she was willing to sell her rights to the City or buy the City's interests in the property mentioned. The Council informed Mrs. Plummer that in view of her statements they would be willing to entertain a proposition from her regarding the property in question.

6
IN THE MATTER OF APPLICATION FOR CURB PUMP:

Mr. John Chituras addressed a communication to the Council petitioning for the installation of a curb pump at 612-614-616 Seventh Street in the City of Modesto. Whereupon Commissioner Boundey introduced a resolution, being

RESOLUTION NO. 2096-N.S.

granting a permit to John Chituras for the installation and operation of a curb pump at 612-614-616 7th Street when the provisions of Ordinance No. 316-N.S. shall have been complied with, which resolution was regularly adopted by the following vote:

Ayes: Councilmen Blaine, Boundey, Brown, Falger, and Mayor Elias

Noes: Councilmen None

Absent: Councilmen None

7
IN THE MATTER OF CLAIMS:

The claims against the City of Modesto for the month of February, 1931, in the aggregate hereinafter stated, having been audited and found to be correct, Councilman Falger introduced a resolution, being

RESOLUTION NO. 2097-N.S.

ordering that all of the claims so audited and approved be and they are hereby allowed. Reference is hereby made to the Auditor's Cash Book for further details regarding the amounts of the withdrawals from the various funds as follows:

General.....	\$ 24,533.62
Water.....	6,671.94
Library.....	1,406.16
Bond Red. Int.....	43.75
St. Bond Red. Int...	564.01
1-10-E.....	2,203.64
Total.....	\$ 35,423.12

Which resolution was regularly adopted by the following vote:

Ayes: Councilmen Blaine, Boundey, Brown, Falger, and Mayor Elias

Noes: Councilmen None

Absent: Councilmen None

IN THE MATTER OF REIMBURSING MODESTO IRRIGATION DISTRICT:

Pursuant to the receiving by the City of Modesto on or about the first of March, 1930, a check in the amount of \$107.56 from the General Cable Corporation covering the return of ten reels, which check having been duly credited to the City of Modesto's funds, it now appears that the above mentioned check should have been made payable to the Modesto Irrigation District instead of to the City of Modesto. The Modesto Irrigation District having made application to the City of Modesto for the refund of this amount, Mayor Elias introduced a resolution, being

RESOLUTION NO. 2098-N.S.

instructing the City Auditor and Treasurer to draw a warrant in the sum of \$107.56 in favor of the M. I. D. reimbursing them for the check formerly sent to the City of Modesto in error by the General Cable Corporation, which resolution was regularly adopted by the following vote :

Ayes: Councilmen Blaine, Boundey, Brown, Falger, and Mayor Elias

Noes: Councilmen None

Absent: Councilmen None

IN THE MATTER OF AMBULANCE FOR THE CITY OF MODESTO:

Mr. Creim appeared before the City Council on behalf of the Modesto American Legion Post No. 74, informing the Council that the Modesto Post was intending to purchase an ambulance and would do so providing the City of Modesto would accept the same as a gift, and operate and maintain the same in the City of Modesto and immediate surrounding territory, whereupon Mayor Elias introduced a resolution, being

RESOLUTION NO. 2099-N.S.

accepting the proposition of the Modesto American Legion Post No. 74 for the operation and maintenance of an ambulance to be at the disposal of the City of Modesto and immediate territory, which resolution was regularly adopted by the following vote:

Ayes: Councilmen Blaine, Boundey, Brown, Falger, and Mayor Elias

Noes: Councilmen None

Absent: Councilmen None

10 IN THE MATTER OF COMMUNICATION:

A Communication was received from the Chamber of Commerce asking that the City Council enforce the present traffic ordinance regarding the parking of cars on the streets in the City of Modesto, which communication was read to the Council and ordered filed.

11 IN THE MATTER OF ELECTRICIANS BOND AND LICENSE:

The Eddy Electric Company of Stockton, California, filed with the City Council a bond in conformance with Ordinance No. 352-N.S., and a check in the amount of \$ 50.00 covering the license fee in the City of Modesto for electrical contractors, whereupon Mayor Elias introduced a resolution, being

RESOLUTION NO. 3100-N.S.

approving and accepting the bond submitted by the Eddy Electric Company and instructing the City Clerk to issue a license to the above mentioned firm, which resolution was regularly adopted by the following vote:

Ayes: Councilmen Blaine, Boundey, Brown, Falger, and Mayor Elias

Noes: Councilmen None

Absent: Councilmen None

12 IN THE MATTER OF APPLICATION FOR PERMIT TO ERECT A SERVICE STATION:

Clara Ward and others presented a petition to the City Council asking for a permit to erect, operate, and maintain a gasoline service station on Lots 14, 15, 16 in Block 106 at the corner of 14th & I Streets in the City of Modesto. Whereupon Commissioner Boundey introduced a resolution, being

RESOLUTION NO. 3101-N.S.

granting the above mentioned application as prayed for, when the provisions of Ordinance No. 312-N.S. shall have been complied with, which resolution was regularly adopted by the following vote:

Ayes: Councilmen Blaine, Boundey, Brown, Falger, and Mayor Elias

Noes: Councilmen None

Absent: Councilmen None

13 IN THE MATTER OF CLAIM OF CENTRAL DRUG STORE:

Pursuant to the filing of a claim from the Central Drug Store which had been approved by Dr. H. P. Muller, Health Officer of the City of Modesto, for the furnishing to the City vaccines in the amount of \$ 61.20, Mayor Elias introduced a resolution, being

RESOLUTION NO. 3102-N.S.

instructing the City Auditor and Treasurer to draw a warrant in the sum of \$ 61.20 in favor of the Central Drug Store in payment of the above mentioned bill, which resolution was regularly adopted by the following vote:

Ayes: Councilmen Blaine, Boundey, Brown, Falger, and Mayor Elias

Noes: Councilmen None

Absent: Councilmen None

IN THE MATTER OF ORDINANCE REVISING TAX ORDINANCE:

Councilman William Falger introduced an ordinance, being

ORDINANCE NO. 395-N.S.

providing for property taxes in and for the City of Modesto, providing for the assessment, levy, and collection thereof, and further providing for the collection of public improvement assessments in the City of Modesto, which Ordinance was passed to print and publish by the following vote:

Ayes: Councilmen Blaine, Boundey, Brown, Falger, and Mayor Elias

Noes: Councilmen None

Absent: Councilmen None

IN THE MATTER OF ORDINANCE PROHIBITING THE MAINTENANCE OF UNUSED POLES AND FIXTURES ON PUBLIC STREETS AND ALLEYS:

Mayor Elias introduced an ordinance, being

ORDINANCE NO. 397-N.S.

prohibiting the maintenance of unused poles and fixtures upon the public streets and alleys, which ordinance was passed to print and publish by the following vote:

Ayes: Councilmen Blaine, Boundey, Brown, Falger, and Mayor Elias

Noes: Councilmen None

Absent: Councilmen None

IN THE MATTER OF REPORT OF MAYOR:

Mayor Elias filed a report with the Council setting forth the existing condition of the sanitary sewer system in the City of Modesto and outlining a plan for the gradual improvement of the same.

IN THE MATTER OF DEPARTMENTAL REPORTS:

The reports of the various departments for the month of February, 1931, were reviewed by the Council and ordered filed.

IN THE MATTER OF ADJOURNMENT:

Mayor Elias introduced a resolution, being

RESOLUTION NO. 2103-N.S.

adjourning this Council meeting now in session, which resolution was regularly adopted by the following vote:

Ayes: Councilmen Blaine, Boundey, Brown, Falger, and Mayor Elias

Noes: Councilmen None

Absent: Councilmen None

Approved: _____

Sol. P. Elias
Mayor

Attest: _____

H.E. Gragg
City Clerk

March 25th, 1931

The Council met in regular session this date, being called to order by Mayor Elias with all members present.

IN THE MATTER OF MINUTES:

The minutes of the regular meeting of March 11th, 1931, were read, corrected in certain particulars, and as so corrected approved;

1. IN THE MATTER OF HANDBILL ORDINANCE:

Mr. Frank Andrews appeared before the Council and again protested against the drastic ordinance governing the distribution of handbills in the City of Modesto. The Council informed Mr. Andrews at this time that the matter would be taken under consideration.

2. IN THE MATTER OF COMMUNICATIONS FROM LEAGUE OF MUNICIPALITIES:

Legislative Bulletin No. 5 from the League of California Municipalities directing the City Council's attention to Senate Bills No. 526 and 527 and Assembly Bills No. 573, providing that all fines and forfeitures for violation of all city ordinances regulating traffic shall be deposited in a new fund and expended by the County exclusively.

3. Also Legislative Bulletin No. 6 was received from the League of California Municipalities calling the City Council's attention to Senate Bills No 398 amending Section 3627 A of the Political Code relative to taxes on intangible personal property.

These bills were referred to the City Attorney with instructions to act thereon in the best interests of the City.

4. IN THE MATTER OF COMMUNICATION FROM THE PACIFIC MUNICIPALITIES:

A Communication from the Pacific Municipalities was received calling the City Council's attention to Assembly Bill No. 220 regarding the inspection, sealing, and testing of all electric, water, and gas meters, with the idea of placing this service under the jurisdiction of the sealers of weights and measures. The Council wished to go on record as being opposed to this Bill and directed the City Attorney to act accordingly.

5. IN THE MATTER OF MEAT INSPECTION:

A Communication was received from representative C.B. Daniel of Sacramento, calling the City Council's attention to Senate Bill No. 1327 which will vitally affect the meat inspection systems in the State of California and would nullify all local ordinances restricting all but state inspected meats. By order of the Council, this matter was referred to the City Attorney for his recommendation.

6. IN THE MATTER OF COMMUNICATION FROM THE STATE RAILROAD COMMISSION:

A Communication was received from the State Railroad Commission addressed to the City Council, reciting that their annual report of highway grade crossings during the past year reveals that both 12th Street and B Street in the City of Modesto have been opened across several tracks of the Modesto and Empire

Traction Company. The Council, being unaware that these openings as above mentioned had been made, referred the matter to the City Engineer and the City Attorney for their action thereon.

IN THE MATTER OF INSURANCE PREMIUM FOR THE CITY TRANSIT COMPANY:

A cancellation notice from the United Indemnity Association dated March 18, 1931 informing the City of Modesto that the public liability and property damage coverage of the City Transit Company with the above mentioned company will be cancelled after fifteen days from the above date for non-payment of premium. This notice was read to the Council and contents duly noted.

IN THE MATTER OF NOTICE TO THE CITY COUNCIL CONCERNING THE PROPOSED CONSTRUCTION OF A DAM ACROSS THE TUOLUMNE RIVER:

A notice addressed to the City Council was received, informing that body that if the contemplated construction of a dam across the Tuolumne River would raise the water in Dry Creek enough to damage their property bordering the East Bank in section 28, Township 5, S.R. 9 E., the City of Modesto would be held responsible for such damage resulting therefrom. The notice was signed by D.E. and Helen H. Rowles and the Modesto Nursery by Oliver M. Raffel. The same was read to the Council and ordered filed.

IN THE MATTER OF PERMIT FOR ERECTION OF SERVICE STATION TO CLARA WARD ET AL:

Pursuant to the filing of an application with the City Council for the erection of a service station on Lots 14-15-16 in Block 106 by Clara Ward et al on March 11th, 1931, and pursuant to the carrying out of the provisions of Ordinances No. 344-N.S. and 364-N. S., no protests being filed at this time, Commissioner Boundey introduced a resolution, being

RESOLUTION NO. 2104-N.S.

confirming the action of the Council in this matter on March 11th, 1931, as set forth in Resolution No. 3001-N.S., granting said permit, which resolution was regularly adopted by the following vote:

Ayes: Councilmen Elaine, Boundey, Brown, Falger, and Mayor Elias

Noes: Councilmen None

Absent: Councilmen None

IN THE MATTER OF INITIATIVE ORDINANCES:

Mayor Elias introduced a resolution, being

RESOLUTION NO. 2105-N.S.

providing for the submission of certain proposed ordinances at the General Municipal Election to be held on April 14th, 1931, which said initiative ordinances are in words and figures following:

INITIATIVE
ORDINANCE NO 398- N.S.

AN ORDINANCE PROVIDING FOR THE CONSTRUCTION OF MAIN LINE STORM SEWERS IN THE CITY OF MODESTO AND APPROPRIATING MONEY THEREFOR

The People of the City of Modesto do ordain as follows:

Section 1.

The sum of Twenty-Five Thousand (\$25,000) Dollars is hereby appropriated annually on the first day of July of each year, the first appropriation to be made on July 1st, 1931, out of money derived from the sale and distribution of water, commonly called the water fund, for the erection, construction and completion of Main Line Trunk Storm Sewers for the City of Modesto to be located and built to serve such portions of the City of Modesto where needed.

Section 2.

The City Council shall immediately, following the adoption of this ordinance, cause surveys to be made and plans and specifications to be prepared, subject to the approval of the said council, for the location and construction of said main line trunk storm sewers, and thereupon immediately proceed with the construction of the same with the money available for each year.

Section 3.

All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 4.

This ordinance shall take effect immediately upon its adoption by the people of the City of Modesto at the general municipal election held in the City of Modesto on April 14th, 1931.

INITIATIVE
ORDINANCE NO. 399- N.S.

AN INITIATIVE ORDINANCE PROVIDING FOR THE LEVYING OF A SPECIAL TAX ON THE TAXABLE REAL AND PERSONAL PROPERTY WITHIN THE CITY OF MODESTO FOR CERTAIN USES AND PURPOSES, AND PROVIDING FOR THE COLLECTION OF THE SAME, AND REGULATING THE EXPENDITURE OF THE FUNDS TO BE RAISED THEREBY.

--- oOo ---

The People of the City of Modesto do ordain as follows:

Section 1.

For the fiscal year beginning July 1, 1931, there shall be and is hereby levied upon all the taxable real and personal property within the City of Modesto, a special tax, pursuant to subdivision 17 of Section 4, Article III of the Charter of the City of Modesto, at the rate of ten cents on each one hundred dollars of the assessed value of the taxable real and personal property within said City of Modesto. Said tax shall be collected at the same time and in the same manner as other taxes of the City of Modesto for the fiscal year, beginning July 1st, 1931, are collected. The provisions of the Charter and the Ordinances of the City of Modesto relating to the levy and collection of taxes are hereby made applicable to the levy and collection of the tax hereby authorized.

Section II.

The moneys collected from the said tax herein provided for shall be expended for the purpose of improving the rivers, streams, and channels, flowing through the City of Modest, or adjoining the same, and of widening, straightening and deepening said channels and removing obstructions therefrom, and controlling and improving the water front of the City of Modesto, and to acquire lands for, and to construct and maintain thereon, upon any navigable river or creek within the limits of the City or contiguous thereto, wharves, piers, or bath-houses, and in particular to acquire the site for, and to construct and maintain thereon a dam across the Tuolumne River at a point where said stream is contiguous to the City of Modesto. The expenditure of said moneys when collected shall be made, subject to the limitations herein specified, in such manner as the City Council may hereafter by resolution direct.

Section III.

In event, in the judgment of the said City Council, the public necessity requires the expenditure of the sum authorized to be levied and collected by this Ordinance before the next succeeding tax levy, (being the tax levy for the fiscal year beginning July 1st, 1931) the City Council may issue warrants therefor, and provide for their payment, with interest at not to exceed five per cent per annum from the collection of the special tax hereby authorized.

SECTION IV.

This Ordinance shall take effect when it has been approved by at least two-thirds of the qualified electors who vote thereon.

Which resolution was regularly adopted by the following vote:

Ayes: Councilmen Blains, Boundey, Brown, Falger, and Mayor Elias

Noes: Councilmen None

Absent: Councilmen None

IN THE MATTER OF SETTING DATE FOR GENERAL MUNICIPAL ELECTION IN AND FOR THE CITY OF MODESTO AND A GENERAL ELECTION IN AND FOR THE MODESTO CITY SCHOOL DISTRICT:

In conformity with the rules of the Charter of the City of Modesto a resolution was introduced by Mayor Elias setting the date for the General Municipal Election in and for the City of Modesto and the General Election in and for the Modesto City School District, as Tuesday, the 14th day of April, 1931, being

RESOLUTION NO. *2106*-N.S.

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

---oOo---

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

That under and pursuant to the Charter of the City of Modesto, a General Municipal Election in and for the City of Modesto, be and the same is hereby called to be held on Tuesday, the 14th day of April, 1931, for the purpose of electing the following officers of the City of Modesto, to-wit: A Mayor and two Councilmen; and for the purpose of voting upon the questions of the adoption of two certain Ordinances submitted in accordance with Section 89 of the Charter of the City of Modesto entitled as follows:

" An Ordinance providing for the construction of main trunk line storm sewers in the City of Modesto and appropriating money therefor."

And

" An Initiative Ordinance providing for the levying of a special tax on the taxable real and personal property within the City of Modesto, for certain uses and purposes, and providing for the collection of the same, and regulating the expenditure of the funds to be raised thereby".

And a General Election in and for the Modesto City School District is likewise called to be held on the same day, to-wit: Tuesday, the 14th day of April, 1931, for the purpose of electing certain officers of the Modesto City School District, to-wit: Three members of the Board of Education of the Modesto City School District.

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 eight 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

Said Special Election or Consolidated Election Precincts as 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 General Election Precincts):

Said General Election Precincts so designated by said Board of Supervisors as Modesto No. 1, Modesto No. 2, Modesto, No.3, and Modesto Modesto No. 4, are hereby consolidated and established into "Special Election or Consolidated Election Precinct No. 1".

Said General Election Precincts so designated by said Board of Supervisors as Modesto No. 5, Modesto No. 6, Modesto No. 7, Modesto No. 27, and Modesto No. 28 are hereby consolidated and established into "Special Election or Consolidated Election Precinct No. 2";

Said General Election Precincts so designated by said Board of Supervisors as Modesto No. 8, Modesto No.9, Modesto No.10, and Modesto No.11 are hereby consolidated and established into "Special Election or Consolidated Election Precinct No. 3";

Said General Election Precincts so designated by said Board of Supervisors as Modesto No. 14, Modesto No. 16, Modesto No. 17 are hereby consolidated and established into "Special Election or Consolidated Election Precinct No.4";

Said General Election Precincts so designated by said Board of Supervisors as Modesto No. 12, Modesto No. 13, and Modesto No. 15 are hereby consolidated and established into "Special Election or Consolidated Election Precinct No.5";

Said General Election Precincts so designated by said Board of Supervisors as Modesto No. 18, Modesto No. 19, and Modesto No. 20 are hereby consolidated and established into "Special Election or Consolidated Election Precinct No.6";

Said General Election Precincts so designated by said Board of Supervisors as Modesto No. 21, Modesto No. 22, and Modesto No. 25 are hereby consolidated and established into "Special Election or Consolidated Election Pre-

cinct No. 7";

Said General Election Precincts so designated by said Board of Supervisors as Modesto No. 24, Modesto No. 25, and Modesto No. 26, are hereby consolidated and established into "Special Election or Consolidated Election Precinct No. 8";

For the purpose of holding said election (insofar as the election members of the Board of Education of the Modesto City School District is concerned), the boundaries of the Modesto City School District shall be 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 the Board of Supervisors, to-wit: Jackson, Salida, Stoddard, Stanislaus, McHenry, Prescott, Bellpassi, Cole, Hart, Ransom, Garner, New Hope, Paradise, and Fairview, as well as all the territory heretofore embraced within 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, is for the purpose of said election hereby divided and established into seven special election precincts, the designation and boundaries of which, and the territory within each of which are hereby established and defined as follows:

SPECIAL ELECTION PRECINCT NO. 9

which shall comprise 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 the Modesto Grammar School 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. 10

which shall comprise 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. 11

which shall comprise all of the territory within the 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. 12

which shall comprise all of the territory within the said Modesto City School District hereinbefore described and embraced within the exterior boundaries of the following elementary school districts, to-wit: 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. 13

which shall comprise all of the territory within 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. 14

which shall comprise 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. 15

which shall comprise all of the territory within said Modesto City School District hereinbefore described 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 are hereby fixed and designated as and for the places of holding said election within the said City of Modesto, and the following named persons are hereby 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:

PRECINCT NO. 1.

Polling Place: McPheeter's Garage - 153 Poplar Avenue
Inspector: William G. Proper, 115 Park Avenue
Judges: Mrs. Jessie E. Russell, 210 College
Mrs. Gertrude B. Hunting, 220 Poplar
Clerks: Mrs. Aura I. Rader, 415 Hackberry
Mrs. Olive S. Wright, 434 Hackberry
Mrs. Della B. Aldrich, 1634 Elmwood Court

PRECINCT NO. 2:

Polling Place: Bourghton's Garage - 1715 Downey Ave.
Inspector: Mrs. Josephine Ekstein, 245 High St.
Judges: Mrs. Joseph D. Cozad, Jr. - 1740 Almond
Mrs. Grace Heckendorf - 323 High St.
Clerks: Mrs. Lucille Coleman, 234 High St.
Mrs. Jane F. Cheney, 1822 Maynell
Mrs. Hannah Green, 310 Kimble

PRECINCT NO. 3:

Polling Place: Covell Garage, 1025 11th
Inspector: Sidney F. Elliott, 1217 12th
Judges: Mrs. Grace L. Stackpole, 1322 12th
Gwendolyn Springsteen, 1420 Needham
Clerks: Mrs. Emilee Z. Severin, 1014 M
John W. Dunlap, 1109 13th
Frank M. Thorpe, 1104 15th

PRECINCT NO. 4:

Polling Place: Shotwell Garage - 1628 H Street
Inspector: Edwin B. Taylor, 2006 Downey Ave.
Judges: Mrs. Margaret M. Dirst, 615 13th St.
Mrs. Mary Ripley, 815 17th Street

Clerks: Mrs. Anna L. Philleo, 616 12th Street
Mrs. Alyce M. Karioth, 621 15th Street
Mrs. Gertrude -eader, 701 18th Street

PRECINCT NO. 5:

Polling Place: City Hall - 717 10th
Inspector: William O. Grunow, 415 14th St.
Judges: Mrs. Lillian Walrath, 415 13th
Mrs. Mary E. Utterback, 416 13th

Clerks: Mrs. Mary E. McCray, 507 13th
Mrs. Alma M. Wallace, 516 10th
Neil Stewart, 320 Burney

PRECINCT NO. 6:

Polling Place: Garage - 1126 5th Street
Inspector: Mrs. Ethel L. Crews, 109 Linden
Judges: Mrs. Mary A. McLaughlin, 110 Locust St.
Mrs. Jessie M. Shotwell, 117 Pine St.

Clerks: Mrs. Grace W. Teeter, 125 Locust
Mrs. Lily D. Tingle, 125 Stanislaus
Mrs. Minnie A. Quisenberry, 210 Vine

PRECINCT NO. 7:

Polling Place: Bowman Plumbing Shop, 722 5th Street
Inspector: Mrs. Lottie Moody, 515 5th
Judges: Mrs. Mary R. Rebman, 912 6th
Mrs. Marie Lentz, 809 2nd St.

Clerks: Mrs. Effie Malone 308 6th
Mrs. Veta Schach, 319 6th
Mrs. Rachael Campbell, 510 E St.

PRECINCT NO. 8:

Polling Place: Fire House - Second Street
Inspector: Henry W. Atwood, 610 2nd St.
Judges: Jacob B. Fox, 215 South Ave.
Mrs. Edna B. Longwell, 218 Sunset Blvd.

Clerks: Mrs. Gertrude Holt, 434 Rosedale
Mrs. Hazel I. Murphy, 208 Leon
Mrs. Dorothy Emerald, 232 Yosemite

The following places have been by said City Council fixed and desingated as and for the holding of said general school election in that portion of the Modesto 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:

PRECINCT NO. 9:

Polling Place: Paradise Schoolhouse
Inspector: Mrs. Effie F. DeForest, Rte 3 Box 849, Modesto
Judges: Mrs. Genevieve Hart, Rt. D Box 1515, Modesto, Calif.
Mrs. Helen M. Lowery Rte 3 Modesto, Calif.

Clerks: Mrs. Viola Beam, Rt. 3 Box 816
Mrs. Jessie Bampley, Rt. 3 Box 831
Mrs. Sue H. Robbins, Rt 3 Box 820

PRECINCT NO. 10:

Polling Place: Ransom School

Inspector: Mrs. Alvin Montgomery, Rt. C Box 277 Modesto

Judges: Mrs. Maude Orr, Rt. B Box 1188, "
Mrs. Ellen Van Buren, Rt. C Box 758, "

Clerks: Mrs. Lizzie Hayworth, Rt B Box 1366 "
Mrs. Beulah Bowman, Rt. B Box 1226 "
Mrs. Lila Vlatch, Rt. B Box 1374 "

PRECINCT NO. 11:

Polling Place: Maple Hall, Salida

Inspector: James Lee Curtis, Salida

Judges: Mrs. Josephine M. Hunter, Salida
Mrs. Sophia E. Eby, Salida

CLERKS: Mrs. Edna M. Craig, Salida
Mrs. Edna Stoll, Salida
Mrs. Bessie Goodwin, Salida

PRECINCT NO. 12:

Polling Place: Sylvan Club House, McHenry Road

INSPECTOR: William R. Mensinger, Rt. E Box 360, Modesto

Judges: Mrs. Carrie D. Brady, 732 Virginia Ave, Modesto
Mrs. Lester A. Drake, Rt. B Box 746, Modesto

Clerks: Mrs. Tina Smith, Rt. A Box 1294, Modesto
Robert A. Corby, Rt. B Box 88, Modesto
Mrs. Tillie Crigler, Rt. A. Box 13 Modesto

PRECINCT NO. 13:

Polling Place: Empire School Auditorium

Inspector: Mrs. Henry Codoni, Gen. Del., Empire, Calif.

JUDGES: Mary K. Campbell, Rt. 1 Empire
Mrs. Winnie E. Lindsay, Empire

Clerks: Mrs. Russell Walter, Rt. 1 Modesto
Mrs. Walter Bowen, Rt. 1 Box 585 Modesto
Mrs. G.O. Hollingsworth, Rt. 1 Box 680, Modesto

PRECINCT NO. 14:

Polling Place: McNamara Garage - Santa Rita Ave.

INSPECTOR: Mrs. Ethel Bovee, Rt. 1 box 90, Modesto

JUDGES: Dora B. Parry, Rt1 Box 385, Modesto
Florence Fields, P.O. Box 147, Modesto, Ca if.

Clerks: Hattie Wellman, 165 Santa Rita Ave. Modesto
Erma Hansbrough, P.O. Box 224, Modesto, Calif.
Maryon Bell, Rt. 1 Box 120, Modesto.

PRECINCT NO. 15:

Polling Place: Fairview School

Inspector: Mrs. Ila Rutherford, Rt. 4 Box 143, Modesto

Judges: Mrs. Rilla K. Hoatson, Rt. 4 Box 177, Modesto
Mrs. Mattie Fellows, Rt. 4 Box 295, Modesto

Clerks: Mrs. Nora A. Hamer, Rt. 4 Box 274, Modesto
Mrs. Verla O. Stalker, Rt. 4 Box 260, Modesto
Mrs. Elizabeth Pegden, Rt. 4 Box 292, Modesto

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.

It is further ordered that such 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 an expired 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 25th day of March, 1931, by the following vote:

Ayes: Councilmen Elaine, Boundey, Brown, Falger, and Mayor Elias

Noes: Councilmen None

Absent: Councilmen None

Approved: March 27th, 1931

Sol. P. Elias
Mayor

Attest:

H.E. Gragg

H.E. Gragg
City Clerk

IN THE MATTER OF FINAL ADOPTION OF ORDINANCE NO. 396-N.S.:

Ordinance No. 396-N.S. providing for the levy, assessment, and collection of taxes on real and personal property in the City of Modesto, having been introduced and ordered printed and published at a regular meeting of the Council of the City of Modesto on March 11th, 1931, and having been published as required by the Charter of the City of Modesto, coming on for final adoption this 25th day of March, 1931, it was finally adopted by the following vote:

Ayes: Councilmen Elaine, Boundey, Brown, Falger, and Mayor Elias

Noes: Councilmen None

Absent: Councilmen None

IN THE MATTER OF FINAL ADOPTION OF ORDINANCE NO. 397-N.S.:

Pursuant to the introduction and passing to print and publish on March 11th, 1931, Ordinance No. 397-N.S., an ordinance prohibiting the maintenance of unused poles and fixtures on streets and alleys and providing for the survey thereof, Mr. L. Nevrumont, manager, and Mr. Sloan, attorney

for the Pacific Gas & Electric Company, in the City of Modesto, appeared before the Council informing them that they were perfectly willing to remove all old service wires and poles that were not in use, and at this entered a protest against the final adoption of the ordinance as printed and published, in as much as it would work a hardship on the Pacific Gas & Electric Company and in view of the promises made by the Pacific Gas & Electric Company, Mayor Elias introduced a resolution, being

RESOLUTION NO. 2107-N.S.

postponing action on Ordinance No. 397-N.S. until the first meeting in June, 1931 which resolution was regularly adopted by the following vote:

Ayes: Councilmen Blaine, Boundey, Brown, Falger, and Mayor Elias

Noes: Councilmen None

Absent: Councilmen None

15. IN THE MATTER OF FINAL PAYMENT TO H. TENNYSON FOR CLARIFIER TANK:

Pursuant to the filing of a certificate by the City Engineer on February 11th, 1931, showing that the work on the installation of a clarifier tank has been completed and accepted, and thirty-five days having now elapsed since that time, in accordance with the terms of the contract with H. Tennyson for the installation of said tank, the balance is now due and payable in the amount of \$ 762.50. Whereupon Commissioner Falger introduced a resolution, being

RESOLUTION NO. 2108-N.S.

instructing the City Treasurer and Auditor to issue a warrant in the amount of \$ 762.50 to H. Tennyson, the same being the final payment on his contract with the City of Modesto for the installation of a clarifier tank, which resolution was regularly adopted by the following vote:

Ayes: Councilmen Blaine, Boundey, Brown, Falger, and Mayor Elias

Noes: Councilmen None

Absent: Councilmen None

16. IN THE MATTER OF DISPOSAL OF POPE-HARTFORD CHASSIS OF THE FIRE DEPARTMENT:

Fire Chief Geo. E. Wallace, reported to the Council that he had a prospect for the sale of the old Pope-Hartford chassis of the Fire Department for \$100.00 and that he had an opportunity to buy the Oldsmobile Chassis, recently traded to the Reo Company, for the sum of \$ 50.00. By order of the Council, Fire Chief Wallace was directed to proceed with the transaction as above outlined.

17. IN THE MATTER OF REMOVAL OF TREE:

Mayor Elias introduced a resolution, being

RESOLUTION NO. 2109-N.S.

granting a permit to E.G. Keith, 223 High Street, to remove a tree at that address and replace it with another, under the direction and supervision of the City Engineer, which resolution was regularly adopted by the following vote:

Ayes: Councilmen Blaine, Boundey, Brown, Falger, and Mayor Elias

Noes: Councilmen None

Absent: Councilmen None

2749-W.

IN THE MATTER OF ADJOURNMENT:

Mayor Elias introduced a resolution, being

RESOLUTION NO. 2410-M.S.

adjourning this Council meeting now in session, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Blaine, Bounder, Brown, Falger, and Mayor Elias

Noes: Councilmen None

Absent: Councilmen None

Approved: _____

Mayor

Attest: NE Gragg
City Clerk

April 5th, 1931

The Council met in regular session this date, being called to order by Mayor Elias with all members present.

IN THE MATTER OF MINUTES:

The minutes of the regular meeting of March 25th, 1931, were read and approved as read.

IN THE MATTER OF DAM ACROSS THE TUOLUMNE RIVER:

Mrs. C.G. Sargent, who owns land bordering on the Tuolumne River across from Riverside Park, appeared before the Council and made inquiry regarding the proposed dam asking if the backing up of the water would interfere with her business of removing sand and gravel from the River bordering along her property. Mrs. Sargent expressed herself as being heartily in favor of the dam although she was somewhat apprehensive of damage that might be caused to her property. The Council informed Mrs. Sargent that the building of the proposed dam could in no way result in damage to her property.

IN THE MATTER OF CLAIMS:

The claims against the City of Modesto for the month of March, 1931, having been duly audited and approved, Commissioner Falger introduced a resolution, being

RESOLUTION NO. ~~2112~~ ²¹¹¹ - M.S.

allowing all of the claims so audited and approved. Reference is hereby made to the Auditor's Cash Book for further details regarding the amounts of the withdrawals from the various funds as follows:

General	-	\$ 22,591.75
Mails	-	3,493.92
Library	-	1,516.18
Bond Red Int.	-	62.50
St. Bond Red Int.	-	157.23
Sewer Septic Tank	-	878.43
Total	-	\$ 28,693.01

Which resolution was regularly adopted by the following vote:

Ayes: Councilmen Elaine, Bounsey, Brown, Falger, and Mayor Elias

Noes: Councilmen None

Absent: Councilmen None

IN THE MATTER OF COMMUNICATION FROM THE LEAGUE OF CALIFORNIA MUNICIPALITIES:

Bulletin No. 14 from the League of California Municipalities addressed to the Mayor calling the City's attention to California Public School Week which will be held throughout the state during the week beginning April 20, 1931, and asking the City Council to co-operate in this movement, was read to the Council and ordered filed.

IN THE MATTER OF COMMUNICATION FROM THE BOARD OF SUPERVISORS:

A Communication from the Board of Supervisors regarding the water meter recently installed at the County Jail and the bill for water subsequently entered for payment by the City of Modesto was received. In view of the fact that for a number of years the County has paid a flat rate of \$30 per month for water used at the Courthouse which was assumed to be for the Courthouse, Courthouse Grounds, and Jail, and

it appearing that some misunderstanding has arisen regarding the water used at the County Jail, and in view of the further fact that the County of Stanislaus has extended to the City of Modesto the courtesy of housing the City's prisoners, the City Council authorized the City Engineer to remove the water meter at the County Jail and instructed the City Clerk to write a letter to the Board of Supervisors informing them that the meter will be removed and no charge made.

IN THE MATTER OF COMMUNICATION FROM THE STATE COMPENSATION INSURANCE FUND:

A letter was received from the State Compensation Insurance Fund regarding the announcement of payment of dividends for the year 1930. This communication was read to the Council and ordered filed.

IN THE MATTER OF COMMUNICATION FROM THE MODESTO COUNCIL OF PARENTS AND TEACHERS:

A Communication was received from the Modesto Council of Parents and Teachers recommending that Mr. R.L. Parkinson be retained in his present position in the Park Department. By order of the Council the City Clerk was instructed to write and inform the Modesto Council of Parents and Teachers that Mr. Parkinson's services had been provided for by the Park Commission previous to the receiving of their letter.

IN THE MATTER OF COMMUNICATION FROM LESLIE F. BAKER:

A Communication was received from Leslie F. Baker reciting that he would deed to the City a 15' alley through Block 540 and 541 on the northern boundary of the City, providing the City would grant him free sewer service in his present dwelling located just outside the City limits. This proposition was considered by the Council and no action taken thereon.

IN THE MATTER OF PROTESTING NOISE AND DISTURBANCE IN VICINITY OF DANIA HALL:

Mr. and Mrs. Geo. Stimmann appeared before the Council complaining about the noises in front of their property on I Street, caused by the various gatherings, dances, etc. at the Dania Hall across the street from their residence. They claimed that this nuisance is very annoying to their tenants and asked that the Council take some action in the matter. The matter was referred to the Commissioner of Public Health and Safety with instructions to give this matter careful attention and if possible to give Mr. and Mrs. Stimmann relief from the conditions about which they complain.

IN THE MATTER OF PETITION FROM THE SAN JOAQUIN BAKING COMPANY:

A petition was received from the San Joaquin Baking Company asking permission to remove a tree from their property at 10th and Needham Avenue. By order of the Council this matter was referred to the City Engineer for action thereon.

IN THE MATTER OF AMENDMENT TO ORDINANCE NO. 299-N.S.:

An ordinance amending Ordinance No. 299-N.S. in order to permit the playing of music in restaurants after midnight was filed with the Council by Attorney V.F. Gant. No action was taken on the Ordinance presented.

11. IN THE MATTER OF APPLICATION FOR PLUMBERS LICENSE:

W. F. Gibson filed with the City Council an application for plumbers license and also a bond in accordance with the provisions of Ordinance No. 276-N.S. This matter was referred to the City Attorney, A. J. Carlson, who reported favorably thereon, whereupon Mayor Elias introduced a resolution, being

RESOLUTION NO. ~~2112~~-N.S.

approving the bond and application for plumbers license presented by the W. F. Gibson Company, which resolution was regularly adopted by the following vote:

Ayes: Councilmen Blaine, Boundey, Brown, Falger, and Mayor Elias

Noes: Councilmen None

Absent: Councilmen None

12. IN THE MATTER OF CANCELLING WATERBILLS:

The City Clerk reported that the following persons, Lydia Brown, 613 11th Street; Rose Christensen, 426 Colorado; Mrs. Andres, 140 Mariposa, are delinquent several months with their payments on water bills and that from all information he could gather, they are unable to pay these bills. Whereupon Mayor Elias introduced a resolution, being

RESOLUTION NO. ~~2113~~-N.S.

cancelling charges now due by the above mentioned parties, and granting them free water until such time as they are able to pay for the same, which resolution was regularly adopted by the following vote:

Ayes: Councilmen Blaine, Boundey, Brown, Falger, and Mayor Elias

Noes: Councilmen None

Absent: Councilmen None

13. IN THE MATTER OF FINAL PAYMENT AND ACCEPTANCE OF CLARIFIER MECHANISM:

City Engineer, F. J. Rossi, filed with the Council an acceptance of the clarifier mechanism as accepted on February 11th, 1931, whereupon Commissioner Falger introduced a resolution, being

RESOLUTION NO. ~~2114~~-N.S.

authorizing the final payment to the Lorr Company Inc. in the sum of \$ 1503.50 on April 13th, 1931, providing, however, that no claims for labor and material are filed against the account, which resolution was regularly adopted by the following vote:

Ayes: Councilmen Blaine, Boundey, Brown, Falger, and Mayor Elias

Noes: Councilmen None

Absent: Councilmen None

14. IN THE MATTER OF ADJOURNED MEETING:

Mayor Elias introduced a resolution, being

RESOLUTION NO. ~~2115~~-N.S.

providing that when this Council adjourns it adjourn to meet April 15th, 1931, at 9:00 A. M. at the usual place, which resolution was regularly adopted by the following vote:

Ayes: Councilmen Blaine, Boundey, Brown, Falger, and Mayor Elias

Noes: Councilmen None

Absent: Councilmen None

15. IN THE MATTER OF NOTICE TO BIDDERS:

(see next page)

IN THE MATTER OF NOTICE TO BIDDERS:

Commissioner Boundey introduced a resolution being

RESOLUTION NO. 2116-N.S.

instructing the City Clerk to advertise for the construction of a building over the sludge pumping station to be used in conjunction with the sewerage disposal plant at the sewer farm as per plans and specifications on file in the office of the City Engineer which resolution was regularly adopted by the following vote:

Ayes: Councilmen Blaine, Boundey, Brown, Falger, and Mayor Elias

Noes: Councilmen None

Absent: Councilmen None

IN THE MATTER OF PETITION FOR THE ERECTION OF A GASOLINE SERVICE STATION AT THE CORNER OF NINTH AND O STREETS:

Mr. J. H. Gillard filed with the City Council a petition requesting permission to construct, operate, and maintain a gasoline service station in the City of Modesto at the northeast corner of Ninth and O Streets, whereupon Commissioner Boundey introduced a resolution, being:

RESOLUTION NO. 2117-N.S.

granting a permit for the erection of said service station, when the provisions of Ordinance No. 344-N.S. and 364-N.S. shall have been complied with, which resolution was regularly adopted by the following vote:

Ayes: Councilmen Boundey, Brown, Blaine, Falger, and Mayor Elias

Noes: Councilmen None

Absent: Councilmen None

IN THE MATTER OF REMOVAL OF TREE:

Mr. W.D. McLaughlin requested permission to remove two trees at his property on Virginia Avenue bordering on Alice Street. By order of the Council this matter was referred to the City Engineer for action thereon.

IN THE MATTER OF REPORTS:

The monthly reports of the various departments were reviewed by the Council and ordered filed.

Mayor Elias filed with the Council a report on the committee appointed in December, 1930, to devise ways and means of coping with the unemployment situation in the City of Modesto.

Mayor Elias also filed a report covering the achievements of the administration during the period of his incumbency.

IN THE MATTER OF TAX SALES OF MRS. PLUMMER:

Pursuant to Mrs. E.V. Plummer appearing before the Council on March 11th, in the matter of tax titles which she had purchased from the State of California to certain pieces of property in the City of Modesto at which time she reported to the City Council that she would like to make some adjustment in the matter in order that the records might be clear and that she might receive some remuneration for the money she had invested, it appearing from her statements that she would be willing to sell her rights to the City, and the Council having informed her that they would be willing to entertain a proposition from her

regarding the property in question, at this time City Attorney A. J. Carlson presented an oral proposition to the Council stating that Mrs. Plummer was willing to make certain exchanges with the City in connection with the property, involving Lots 23 and 24 in Block 410; Lots 21 and 22 and 23 in Block 56; and Lots 1 and 2 in Block 542. Whereupon Mayor Elias introduced a resolution, being

RESOLUTION NO. 2118-N.S.

instructing the City Attorney to proceed with the exchange as outlined by him to the Council and to prepare all papers in connection therewith and submit them to the Council for approval which resolution was regularly adopted by the following vote:

Ayes: Councilmen Blaine, Boundey, Brown, Falger, and Mayor Elias

Noes: Councilmen None

Absent: Councilmen None

22

IN THE MATTER OF ADJOURNMENT:

Mayor Elias introduced a resolution, being

RESOLUTION NO. 2119-N.S.

adjourning this council meeting now in session, which resolution was regularly adopted by the following vote:

Ayes: Councilmen Blaine, Boundey, Brown, Falger, and Mayor Elias

Noes: Councilmen None

Absent: Councilmen None

Approved: _____

Mayor

Attest: NE Gagg

City Clerk

Pursuant to Resolution No. ~~301~~²¹⁵-W.S., the Council met in adjourned session this date, being called to order by Mayor Elias with all members present.

IN THE MATTER OF CANVASSING RETURNS OF GENERAL MUNICIPAL ELECTION:

The returns of the General Municipal Election in the City of Modesto held on April 14, 1931, being now on file with the Clerk of the Council it is ordered that the Council proceed to open, and canvass the said election returns. The following resolution is the findings of the Council in the canvassing of the returns of the General Municipal Election held on April 14, 1931, for the purpose of electing two councilmen, a mayor, three members of the Board of Education, and voting upon ordinances as follows:

INITIATIVE ORDINANCE NO. 398-W.S.

"An ordinance providing for the construction of main line trunk storm sewers in the City of Modesto and appropriating money therefor."

and

INITIATIVE ORDINANCE NO. 399-W.S.

"An Ordinance providing for the levying of a special tax on the taxable real and personal property within the City of Modesto, for certain uses, and purposes, and providing for the collection of the same, and regulating the expenditures of the funds to be raised thereby. "

RESOLUTION NO. ~~2120~~²¹²⁰-W.S.

A RESOLUTION DETERMINING THE RESULT OF THE ELECTION

WHEREAS, A General Municipal Election was held in and for the City of Modesto, and a General Municipal Election in and for the Modesto City School District, on the 14th day of April, 1931, and

WHEREAS, at the said General Election certain initiative Ordinances were also proposed to the qualified electors of the City of Modesto, and

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

NOW THEREFORE BE IT RESOLVED, CERTIFIED AND DECLARED by the Council of the City of Modesto that the said General Municipal Election, in and for the City of Modesto, and the said General School Election, in and for the Modesto City School District, 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 said Council so finds, that at said General Election, in and for the City of Modesto, the total number of votes cast was 3115; that the number of votes received by the respective candidates for the office of mayor were as follows:

L. L. Dennett --- 1690 votes
 William Falger --- 1319 votes.

That the number of votes received by L.L.Dennett is greater than one-half of ballots cast at saidelection, and that said L.L.Dennett was elected to the office of Mayor of the City of Modesto, and that a certificate of election be issued to him under the hand and seal of the City Clerk.

That the number of votes received by the respective candidates for the office of Councilman were as follows:

A. N. (Ad) Brown 1319 votes
 R.A.Cleveland 1086 votes
 S.J.Elliott..... 700 votes
 Ida E. Hill 228 votes
 Roy E. Pack 855 votes
 Harold Rogers..... 1434 votes.

That none of the said candidates for the office of Councilmen received the required number of votes for election thereto, to-wit: more than one-half of the votes cast, and that A.N.(Ad) Brown, R.A.Cleveland, Roy E. Pack, and Harold Rogers were the four persons receiving the highest number of votes for said office and are entitled to be placed upon the ballot for a second election for the office of Councilman (there being two councilmen to be elected).

The City Council, sitting as such canvassing board, as aforesaid, finds and declares that at said General Municipal Election, the following Ordinance, to-wit: "An Initiative ordinance providing for the levying of a special tax on the taxable real and personal property within the City of Modesto for certain uses and purposes, and providing for the collection of the same, and regulating the expenditure of the funds to be raised thereby" received 1858 votes in its favor, and that 1072 votes were cast against the adoption of said Ordinance.

That said Ordinance was therefore not adopted by two-thirds of the qualified electors voting thereon and failed to carry.

The City Council sitting as such canvassing board, as aforesaid further finds and declares that at said General Municipal Election a certain Ordinance entitled: "An Ordinance providing for the construction of Main Line Trunk Storm Sewers in the City of Modesto, and appropriating money therefor, " received 1355 votes in its favor, and that 1369 votes were cast against the adoption of said Ordinance and that said Ordinance was not carried or adopted.

The said City Council sitting as such canvassing board, as aforesaid, further finds and declares that at said General School Election, in and for the Modesto City School District, the total number of votes cast was 3240. That the number of votes received by each of the candidates for election to the office of member of the Board of Education of said Modesto City School District are as follows:

Henry GARRISON2408 votes
 Robert B. MacBride.....2310 votes
 C.M.Maze.....2359 votes.

That the number of votes received by Henry Garrison, Robert B. MacBride, and C.M.Maze and each of them, is greater than one-half of the ballots cast at said General Election in and for the Modesto City School District, and that said Henry Garrison, Robert B.

MacBride and each of them, are elected to the office of Member of the Board of Education of the Modesto City School District and that Certificates of Election be issued to them, and each of them, as such under the hand and seal of the City Clerk.

Which resolution was regularly adopted by the following vote:

Ayes: Councilmen Blaine, Boundey, Brown, Falger, and Mayor Elias

Noes: Councilmen None

Absent: Councilmen None

IN THE MATTER OF CALLING SECOND GENERAL ELECTION:

Mayor Elias introduced a resolution, being

RESOLUTION NO. ~~2021~~-N.S.

providing for a second general election to be held in the City of Modesto on the 28th day of April, 1931, to fill the office of two councilmen of the City of Modesto, and that the names of A.N. (Ad) Brown, R.A. Cleveland, Roy E. Pack, and Harold Rogers be placed upon the ballot to be voted upon at said election, which resolution was regularly adopted by the following vote:

Ayes: Councilmen Blaine, Boundey, Brown, Falger, and Mayor Elias

Noes: Councilmen None

Absent: Councilmen None

IN THE MATTER OF FIXING HOURS FOR OPENING AND CLOSING OF THE CITY CLERK'S OFFICE:

Mayor Elias introduced a resolution, being

RESOLUTION NO. ~~2122~~-N.S.

fixing the time for the opening of the City Clerk's office at 9:00 A.M. to remain open continuous throughout the day until 5:00 o'clock P.M. which resolution was regularly adopted by the following vote:

Ayes: Councilmen Blaine, Boundey, Brown, Falger, and Mayor Elias

Noes: Councilmen None

Absent: Councilmen None

IN THE MATTER OF ADJOURNMENT:

Mayor Elias introduced a resolution, being

RESOLUTION NO. ~~2123~~-N.S.

adjourning this Council meeting now in session, to meet again in adjourned session Friday, April 17, 1931, at 7:00 o'clock P.M. at the usual place, which resolution was regularly adopted by the following vote:

Ayes: Councilmen Blaine, Boundey, Brown, Falger, and Mayor Elias

Noes: Councilmen None

Absent: Councilmen None

Approved: _____

Mayor

Attest: NE Gray
City Clerk

Council, City of Modesto

Adjourned Session

April 17, 1931

Pursuant to Resolution No. 3023-N.S., the Council met in adjourned session this date, being called to order by Commissioner Boundey in the absence of Mayor Elias.

1. IN THE MATTER OF PROVIDING FOR THE SUBMISSION OF PROPOSED INITIATIVE ORDINANCE AT A SPECIAL MUNICIPAL ELECTION:

Pursuant to the filing of a petition with the City Council signed by the qualified electors of the City of Modesto, requesting that a proposed ordinance for the levy of a special tax at the rate of ten cents on each one hundred dollars of the taxable real and personal property in the City of Modesto, for the fiscal year beginning July 1st, 1931, only, for the purpose of construction of a dam in the Tuolumne River, the City Clerk certified to the Council that the said petition contained the signatures of 966 qualified electors of the City of Modesto, being a number equal to more than 25% of the total number of votes cast at the last municipal election, whereupon in compliance with the provisions of Section III of Article XIII of the Charter of the City of Modesto, Commissioner Boundey introduced a resolution being

RESOLUTION NO. 2124-N.S.

providing for the submission of said Ordinance as follows:

WHEREAS, a proposed ordinance has been submitted to the Council of the City of Modesto by a petition signed by the qualified electors of the City of Modesto equal in number to 25% of the votes cast at the last preceding General Municipal Election, with a request that such proposed Ordinance be submitted to a vote of the people at a Special Municipal Election, and that said proposed Ordinance is as follows:

INITIATIVE ORDINANCE NO.400-N.S.

AN INITIATIVE ORDINANCE PROVIDING FOR THE LEVYING OF A SPECIAL TAX AT THE RATE OF TEN CENTS ON EACH ONE HUNDRED DOLLARS OF THE TAXABLE REAL AND PERSONAL PROPERTY WITHIN THE SAID CITY FOR THE FISCAL YEAR BEGINNING JULY 1ST, 1931, ONLY, FOR THE PURPOSE OF CONSTRUCTING A DAM IN THE TUOLUMNE RIVER.

-- oOo --

The People of the City of Modesto do ordain as follows:

section 1.

For the fiscal year beginning July 1, 1931, there shall be and is hereby levied upon all the taxable real and personal property within the City of Modesto; a special tax, pursuant to subdivision 17, Section 4, Article III of the Charter of the City of Modesto, at the rate of ten cents on each one hundred dollars of the assessed value of the taxable real and personal property within the City of Modesto. Said tax shall be collected at the same time and in the same manner as other taxes of the City of Modesto for the fiscal year, beginning July 1st, 1931, are collected. The provisions of the Charter and the Ordinances of the City of Modesto relating to the levy and collection of the tax hereby authorized.

section 2.

The moneys collected from the said tax herein provided for shall be expended for the purpose of improving the rivers, streams, and channels, flowing through the City of Modesto, or adjoining the same, and of widening, straightening and

and deepening said channels, and removing obstructions therefrom, and controlling and improving the water front of the City of Modesto, and to acquire lands for, and to construct and maintain thereon, upon any navigable creek or river within the limits of the City or contiguous thereto, wharves, piers, or bath-houses, and in particular to acquire the site for, and to construct and maintain thereon a dam across the Tuolumne River at a point where said stream is contiguous to the City of Modesto. The expenditure of said moneys when collected shall be made, subject to the limitations herein specified, in such manner as the City Council may hereafter by resolution direct.

SECTION 3.

In event, in the judgement of the said City Council, the public necessity requires the expenditure of the sum wuthorized to be levied and collected by this Ordinance before the next succeeding tax levy, (being the tax levy for the fiscal year beginning July 1st, 1931,) the City Council may issue warrants therefor, and provide for their payment, with interest at not to exceed five per cent per annum from the collection of the special tax hereby authorized.

Section 4.

This Ordinance shall take effect when it has been approved by at least two-thirds of the qualified electors who vote thereon."

And

Whereas, the City Clerk has certified that he has examined and ascertained from the records of registration that said petition is signed by the requisite number of electors qualified to sign the same, to-wit: Not less than 966 electors, and

It appearing from the records in the Clerk's office that the entire vote cast at the last preceding General Municipal election was 3315 votes,

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that said Ordinance be submitted to a vote of the people of the City of Modesto at a special Municipal election. That Special Municipal Election shall be held on Tuesday, the 28th day of April, 1931. That the polls shall be opened at six o'clock A.M. and shall remain open until seven o'clock at night, and that the precincts, polling places, and officers of said election shall be the same precincts, polling places, and officers in charge of the second General Election, in and for the City of Modesto, to be held on said 28th day of April, 1931, and said election shall be governed by the laws of the State of California, the Charter of the City of Modesto and the Ordinances of the City of Modesto, and that the election proclamation for the said Second General Election shall be made to include a proclamation for the Special Election herein provided for, and shall serve as a proclamation for said election, insofar as precincts, polling places, and election officers and the conduct of the election are concerned.

It is further ordered that a copy of said Ordinance be published in full in the Modesto News-Herald, the official newspaper of the City of Modesto, at least once at least three days prior to such election, and that the Clerk of said City enclose a printed copy thereof in an envelope with a sample ballot and mail the same to each registered voter at least three days prior to said election.

Which resolution was regularly adopted by the following vote:

Ayes: Councilmen Blaine, Bouncey, Brown, Falger,

Noes: Councilmen None

Absent: Councilmen: Mayor Elias

IN THE MATTER OF ADJOURNMENT:

Commissioner Boundey introduced a resolution, being

RESOLUTION NO. 2125-N.S.

adjourning this Council meeting now in session, which resolution was regularly adopted by the following vote:

Ayes: Councilmen Blaine, Boundey, Brown, Falger

Noes: Councilmen None

Absent: Mayor Elias

Approved: _____

Mayor

Attest: NE Grady

City Clerk

April 22nd, 1931

The Council met in regular session this date, being called to order by Commissioner Boundey, mayor-protem in the absence of Mayor Elias.

IN THE MATTER OF MINUTES:

The minutes of the regular session of April 8th, 1931, and of the adjourned sessions of April 15th, and 17th, 1931, were read and approved as read.

IN THE MATTER OF LIABILITY INSURANCE FOR TAXI COMPANIES:

Mr. T.C. DeWitt appeared before the Council stating that his wife had received minor injuries in a small accident of one of the taxi companies operating in the City of Modesto and from which they could not recover any damages owing to the fact that the particular taxi company did not carry public liability insurance and was not financially responsible otherwise. He believed that the City should if possible, take steps to compel the taxi companies to carry public liability insurance. After discussion of this matter by the Council it was referred to the City Attorney with instructions to act for the best interests of the City.

IN THE MATTER OF BUILDING OVER SLUDGE PUMPING STATION ON SEWER FARM:

Pursuant to the advertising for bids for the construction of a building over the sludge pumping station at the sewer farm, and this being the time set out in said notice to bidders for the receiving of bids, there were on file four bids, which when opened read as follows:

W. C. CREWS.....	\$79.00
ERNEST GREEN.....	745.00
ROBERT MILLER.....	885.00
H. TENNYSON.....	610.00

After due and careful consideration of all bids submitted, it was evident that the bid of Ernest Green was the lowest and best bid, whereupon Commissioner Boundey introduced a resolution, being

RESOLUTION NO. 2126-N.S.

accepting the bid of Ernest Green at the price above mentioned for the construction of a building over the sludge pump at the sewer farm, and instructing the Mayor and City Clerk to enter into a contract with Ernest Green for the said building, and authorizing the City Clerk to return to the unsuccessful bidders their certified checks accompanying their bids, which resolution was regularly adopted by the following vote:

Ayes: Councilmen Blaine, Boundey, Brown, Falger

Noes: None

Absent: Mayor Elias

3. IN THE MATTER OF TWO INCH WATER TAP TO SAN JOAQUIN BAKING COMPANY

Commissioner Brown introduced a resolution, being

RESOLUTION NO. 2127-N.S.

granting a 2" water tap to the San Joaquin Baking Company at their plant at the corner of Tenth and Needham Streets, which resolution was regularly adopted by the following votes:

Ayes: Councilmen Blaine, Boundey, Brown, Falger,

Noes: Councilmen None

Absent: Councilmen: Mayor Elias

4. IN THE MATTER OF COMMUNICATION FROM THE CITY OF PALO ALTO:

A Communication was received from the City of Palo Alto concerning the Constitutional Amendment No. 8 and the effect that it will have on all cities owning and operating public utilities asking that the City Council give this matter their consideration. This communication was read to the Council and ordered filed.

5. ON THE MATTER OF COMMUNICATION FROM THE CALIFORNIA REAL ESTATE ASSOCIATION:

A Communication was received from the California Real Estate Association calling the City's attention to the June edition of the California Real Estate Magazine and asking the City Council for an appropriation in support of this magazine as a means of advertising the City of Modesto throughout the Eastern States. This Communication was read to the Council and referred to the Chamber of Commerce.

6. IN THE MATTER OF COMMUNICATION FROM THE LEAGUE OF MUNICIPALITIES:

A Communication was received from the League of California Municipalities calling the City Council's attention to Assembly Constitutional Amendment No. 11 and Assembly Bill No. 1188, providing that the State shall be empowered to collect a tax on motor vehicles, the State retaining one-quarter of the amount collected, and distributing the rest to the Counties, all to be used for public highway purposes exclusively. It was the sense of the Council that this bill if passed would work a hardship on municipalities, whereupon Commissioner Falger introduced a resolution, being

RESOLUTION NO. 2128-N.S.

that the City Council of the City of Modesto go on record as being opposed to the adoption of Assembly Constitutional Amendment No. 11 and Assembly Bill No. 1188 and that a copy of this resolution be sent to the Senator and Assemblyman from this County and asking them to use their influence in defeating this measure, which resolution was regularly adopted by the following vote:

Ayes: Councilmen Blaine, Boundey, Brown, Falger

Noes: Councilmen None

Absent: Mayor Elias

IN THE MATTER OF FINAL PERMIT FOR SERVICE STATION TO J.H.GILLARD:

Pursuant to the filing of an application for permit on April 8th, 1931, to erect a gasoline service station on Lots 17 and 24 inclusive in Block 62 by J.H.Gillard, and pursuant to the posting of notices as provided in Ordinance No. 344-N.S. and no written or oral protests having been received by the Council, Commissioner Boundey introduced a resolution, being

RESOLUTION NO. 2129-n.s.

confirming a resolution of the City Council passed on April 8th, being Resolution No. 3017-N.S. granting a permit to J.H. Gillard for the erection of a service station as prayed for, providing that no protests were filed, which resolution was regularly adopted by the following vote:

Ayes: Councilmen Elaine, Boundey Brown, Falger

Noes: None

Absent: Mayor Elias

IN THE MATTER OF APPROPRIATION FOR SAND TRAPS:

Commissioner Blaine introduced an ordinance, being

ORDINANCE NO. 401-N.S.

appropriating the sum of \$ 2500.00 for the purchase of sand traps for municipal Wells No. 3 and No. 6 which ordinance was passed to print and publish by the following vote:

Ayes: Councilmen Blaine, Boundey, Brown, Falger

Noes: Councilmen None

Absent: Councilmen: Mayor Elias

IN THE MATTER OF ADJOURNED MEETING:

Commissioner Boundey introduced a resolution, being

RESOLUTION NO. 2130-N.S.

providing that when this Council meeting adjourns it adjourn to meet again on May 1st, 1931, for the purpose of canvassing the returns of the election held on April 28th, 1931, and for the final adoption of Ordinance No. 401-N.S., and such other business as may come before the meeting, which resolution was regularly adopted by the following vote:

Ayes: Councilmen Elaine, Boundey, Brown, Falger

Noes: Councilmen None

Absent: Councilmen: Mayor Elias

IN THE MATTER OF ADJOURNMENT:

Commissioner Boundey introduced a resolution, being

RESOLUTION NO. 2131-N.S.

adjourning this council meeting now in session to meet again on May 1st, 1931, at the usual time and place, which resolution was regularly adopted by the following vote:

Ayes: Councilmen Elaine, Boundey, Brown, Falger

Noes: None

Absent: Mayor Elias

Attest: _____

CITY CLERK

IN THE MATTER OF COMMUNICATION FROM THE STANISLAUS COUNTY WELFARE DEPARTMENT:

A communication addressed to Mayor Sol P. Elias was received from Mrs. H. W. Remont, County Welfare Worker, asking that the delinquent water bill in the amount of \$6.20 of Mrs. Hester Schwab, living at 313 Yosemite Avenue be cancelled, and that free water be furnished Mrs. Schwab until such time as she may be able to pay for same. The communication recites that the County has been supporting Mrs. Schwab's family owing to her inability to obtain employment and Mr. Schwab being ill and under the doctor's care. Commissioner Boundey introduced a resolution being

RESOLUTION NO. 2133-N.S.

cancelling the above mentioned water bill and granting free water to the above mentioned family until such time as they are in a position to pay for the water used, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Blaine, Boundey, Brown, and Falger

Noes: Councilmen: None

Absent: Councilmen: Mayor Elias

IN THE MATTER OF PAYMENT TO ELECTION OFFICERS AND FOR SUCH POLLING BOOTHS AS IT WAS NECESSARY TO PAY FOR:

Commissioner Falger introduced a resolution being

RESOLUTION NO. 2134-N.S.

instructing the City Clerk and Treasurer to proceed with the paying of election officers for the General Municipal Election held on April 14th, 1931, and for the Second General & Special Election held on April 28th, 1931, the sum of \$5.00 for each election to the officers on the election boards serving in the City of Modesto the sum of \$3.00 each to the election officers serving in the Modesto City School District outside the City, and the sum of \$5.00 for the use of such polling booths as it was necessary to pay for, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Blaine, Boundey, Brown, and Falger

Noes: Councilmen: None

Absent: Mayor Elias

IN THE MATTER OF ADJOURNMENT:

Commissioner Boundey introduced a resolution, being

RESOLUTION NO. 2135-N.S.

adjourning this Council meeting now in session which resolution was regularly adopted by the following vote:

Ayes: Councilmen Blaine, Boundey, Brown, Falger, and

Noes: Councilmen: None

Absent: Councilmen: Mayor Elias

ATTEST H. E. GRAGG, City Clerk

The Council met in adjourned session this date, pursuant to Resolution No. 3030-N.S., being called to order by Commissioner Boundy, mayor pro-tem in the absence of Mayor Elias.

IN THE MATTER OF CANVASSING RETURNS OF THE SECOND GENERAL AND SPECIAL ELECTION HELD IN THE CITY OF MODESTO APRIL 28th, 1931:

The returns of the second General and Special Election in the City of Modesto held on the 28th day of April, 1931, being now on file with the Clerk of the Council, it is ordered that the Council proceed to open and canvass the said election returns. The following resolution is the findings of the Council in the canvassing of the returns of the General Municipal Election held on April 28th, 1931 for the purpose of electing two councilmen, and voting upon ordinance as follows:

INITIATIVE
ORDINANCE NO 400-N.S.

"An ordinance providing for the levying of a special tax at the rate of ten cents on each one hundred dollars on the taxable real and personal property within the said City for the fiscal year, beginning July 1st, 1931, only, for the purpose of constructing a dam in the Tuolumne River".

RESOLUTION NO. 2132-N.S.

A RESOLUTION DETERMINING THE RESULT OF ELECTION

---oOo---

WHEREAS, a second Municipal Election was held, in and for the City of Modesto, on the 28th day of April, 1931, for the purpose of electing two councilmen of the City of Modesto, and

WHEREAS, a Special Election was held, in and for the City of Modesto, on the same day for the purpose of voting upon the question of adoption of an initiative Ordinance entitled: "An Initiative Ordinance providing for the levying of a special tax at the rate of ten cents on each one hundred dollars on the taxable real and personal property within the said City for the fiscal year, beginning, July 1st, 1931, only for the purpose of constructing a dam in the Tuolumne River", and

WHEREAS, the City Council of the City of Modesto is now on this first day of May 1931, sitting as a canvassing board to canvass the results of said second municipal election, and said special election, and has received all of the returns from said election, and finds that the same are in proper form, and have opened and canvassed the same, and ascertained the results of said elections, as hereinafter stated,

NOW THEREFORE, BE IT RESOLVED, CERTIFIED, AND DECLARED by the Council of the City of Modesto that said second municipal election in and for the City of Modesto, and said special municipal election, in and for said city, were, and each of them, was regularly called, held and conducted, as required by law; that the proper and complete returns of said elections have been made to and received by the City 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 second municipal election, in and for the City of Modesto, the total number of votes cast was 3229; that the number of votes received by the respective candidates for the office of Councilmen were as follows:

A. N. (Ad) Brown	1512
R. A. Cleveland	1412
Roy E. Pack	932
Harold L. Rogers	1958

That the number of votes received by A.N.(Ad) Brown and Harold L. Rogers, and each of them, is greater than one-half of the ballots cast at said second municipal election and that said A.N. (Ad) Brown and Harold L. Rogers, and each of them, are elected to the office of Councilmen of the City of Modesto, and that Certificates of Election be issued to them as such under the hand and seal of the City Clerk.

The said Council further finds that the total number of votes cast on account of the adoption of said Ordinance was 2079 votes, and that 1117 votes were cast against the adoption of said Ordinance and that said Ordinance failed to receive the approval of at least two-thirds of the qualified electors of said City who voted thereon, and that said Ordinance was not adopted.

Which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Blaine, Boundey, Brown, Falger

Noes: Councilmen: None

Absent: Councilmen: Mayor Elias

IN THE MATTER OF COMMUNICATIONS:

Communications were received from Assemblyman E. H. Zion and Senator David F. Bush acknowledging receipt of a resolution forwarded to them concerning the adoption of Constitutional Amendment No. 11 and Assembly Bill No. 1188, stating that their views upon the above mentioned bills are in accord with the views of the City Council.

IN THE MATTER OF WATER BILL AT 212 MELROSE STREET:

In view of the fact that the owner of the property at 212 Melrose Street has ordered the water shut off at that address, it being reported at the office of the City Clerk that the tenants on the premises are in extremely poor circumstances and that they had made a promise to pay this water bill by the 10th of the month by order of the Council the water service was ordered continued at the above address until the 10th of the month.

IN THE MATTER OF FINAL ADOPTION OF ORDINANCE NO. 401-N.S.

Ordinance No. 401-N.S. having been introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of April, 1931, and having been published as required by the Charter of the City of Modesto, coming on for final adoption this 1st day of May, it was finally adopted by the following vote:

Ayes: Councilmen: Blaine, Boundey, Brown, and Falger

Noes: Councilmen: None

Absent: Mayor Elias

IN THE MATTER OF PROTEST PETITION CONCERNING THE CONSTRUCTION OF PROPOSED DAM IN THE TUOLUMNE RIVER:

A petition was received by the Council signed by the several property owners along Dry Creek and the Tuolumne River serving notice upon the City of Modesto that in event the proposed dam was constructed across the Tuolumne River they would hold the City of Modesto liable for any damage to their respective properties. This petition was reviewed by the Council and ordered filed.

Council, City of Modesto

May 13th, 1931.

The Council met in regular session this date, and there were present Councilmen Boundey, Brown, Falger, Rogers, and Mayor Dennett.

Absent: Councilmen None

IN THE MATTER OF ORGANIZATION OF THE COUNCIL:

The election certificates and oaths of office of L.L. Dennett as Mayor of the City of Modesto; A. N. Brown and Harold Rogers as Councilmen, properly acknowledged by the City Clerk complying with Article 5, Section 15 of the City Charter, were filed at this time, after which the Council proceeded to organize as follows:

Commissioner Rogers introduced a resolution, being

RESOLUTION NO. 2136-N.S.

nominating William Falger vice president of the Council as provided in Article 7, Section 25 of the City Charter, which resolution was regularly adopted by the following vote:

Ayes: Councilmen Boundey, Brown, Falger, Rogers, and Mayor Dennett

Noes: Councilmen None

Absent: Councilmen None

Commissioner Boundey introduced a resolution, being

RESOLUTION NO. 2137-N.S.

providing that all the old members of the Council retain their present commissions, namely: A.N. Brown, Commissioner of Public Health and Safety; William Falger, Commissioner of Finance and Revenue; E. J. Boundey, Commissioner of Public Works; and that the newly elected member of the Council, Harold Rogers, be Commissioner of Public Supplies, which resolution was regularly adopted by the following vote:

Ayes: Councilmen Boundey, Brown, Falger, Rogers, and Mayor Dennett

Noes: Councilmen None

Absent: Councilmen None

IN THE MATTER OF SWIMMING IN THE MODESTO IRRIGATION DISTRICT CANAL ADJOINING THE ENSLEN PARK COURT TRACT:

Mr. A. A. Fields, together with Mrs. E. Ritsch appeared before the Council protesting and objecting to the loud and boisterous manner of the swimmers using the Modesto Irrigation District Canal and to the irregular hours they kept as being a public nuisance to the people living in the immediate vicinity. Mr. Fields suggested that the Council might pass an ordinance regulating the hours in which the canal could be used for swimming. Mr. J. S. West appeared before the Council at this time in the interest of the Modesto Irrigation District and informed the Council that such an ordinance would be agreeable to the District. After the discussion of the matter by the Council, it was referred to the City Attorney with instructions to prepare an ordinance along the above mentioned lines.

IN THE MATTER OF ROUTING THE STATE HIGHWAY OVER NINTH STREET:

A Communication was received from ex-mayor Elias, in which he enclosed a copy of a recent communication from the Divisions of Public Works at Sacramento stating that the Department of Public Works was prepared to proceed with the 9th Street bridge project for the re-routing of the highway as soon as the City of Modesto started to carry out proceedings for the widening of this street. This communication recommended that the City Council proceed to carry into effect the things necessary to be done to complete this highway project.

In connection with this matter a communication was addressed to the Mayor and City Council from the Central Labor Council of Stanislaus County, expressing the sentiment that they were in accord with the Council in any decision that they may make in regard to re-routing the highway, and urging that they take action in this matter at once. At this time a communication addressed to the City of Modesto was filed with the Council showing that the following organizations were heartily in accord with the City Council in advancing this work; Modesto Chamber of Commerce with 325 members; Stanislaus County Labor Council with 500 members; Modesto Merchants Association with 150 members; Stanislaus County Development Board with a county-wide representation; Turlock Chamber of Commerce with 150 members; the Engineer's Club of Modesto; and the farming community to the south and north of the City which must use the highway entering Modesto, petitions containing over 1000 signatures and representing a practically unanimous sentiment.

Mr. W.C. LeHane representing a group of citizens from the west side of the City of Modesto spoke to the Council setting forth their objections to the 9th Street route and asking the Council to defer action on the matter at this time.

After considerable discussion of the project by the Council with citizens and representatives of civic bodies present, Commissioner Boundey introduced a resolution, being

RESOLUTION NO. 2138-N.S.

resolving that the Council of the City of Modesto declare itself in favor of the selection of the Ninth Street highway route by the State Highway Commission; that it recommends that the said Highway Commission proceed at once to consummate its plans; that the City Council hereby pledges its support in the development of the same by constructing and paving the north graded approach to the bridge thru the City and providing the necessary right of way from the north graded approach of bridge through the City and by widening Ninth Street, which resolution was regularly adopted by the following vote:

Ayes: Councilmen Boundey, Brown, Falger, and Mayor Dennett

Noes: Councilman Rogers

Absent: Councilmen None

Commissioner Boundey also introduced a resolution being

RESOLUTION NO. 2139-N.S.

instructing the City Engineer to proceed with the work of drawing up all plans and specifications and preliminary work, estimating the cost in connection with the work involved in making Ninth Street the highway route, which resolution was regularly adopted by the following vote:

Ayes: Councilmen Boundey, Brown, Falger, and Mayor Dennett

Noes: Councilmen Rogers

Absent: Councilmen None

10. IN THE MATTER OF BIDS FOR TWO STEEL SAND TRAPS:

Pursuant to the advertising for bids for two steel sand traps on May 1, 1931, and this being the time set out for the opening of said bids, there were on file seven bids, which when opened read as follows:

BOILER TANK & PIPE COMPANY.....	\$ 990.00
MOORE DRY DOCK COMPANY.....	3194.00
BETHLEHEM SHIPBUILDING CORP.....	1612.00
WESTERN PIPE & STEEL COMPANY.....	2280.00
KINNEAR MACHINE WORKS.....	2194.00
MODESTO IRON WORKS.....	1373.00
CALIFORNIA FILTER COMPANY.....	1178.00

The above mentioned bids were by order of the Council referred to the City Engineer for his examination and recommendation.

11. IN THE MATTER OF CLAIMS:

The claims against the City of Modesto in the aggregate hereinafter stated, having been duly audited and found to be correct, Councilman Falger introduced a resolution, being

RESOLUTION NO. 2140-N.S.

ordering that all of the said claims so audited and approved be and they are hereby allowed. Reference is hereby made to the Auditor's Cash Book for further details regarding the amounts of the withdrawals from the various funds as follows:

General Fund.....	\$ 20,839.59
Water Fund.....	5,645.41
Library Fund.....	1,366.03
Bond Red. Int. Fund.....	1.35
St. Bond Red. Int. Fund.....	125.80
Sewer Septic Fund.....	1,677.67
Total.....	\$ 29,655.85

Which resolution was regularly adopted by the following vote:

Ayes: Councilmen Boundey, Brown, Falger, Rogers, and Mayor Dennett

Noes: None

Absent: None

12. IN THE MATTER OF PETITION FOR THE OPENING OF 'M' STREET ACROSS THE RAILROAD RIGHT OF WAY:

A petition signed by some 150 residents, accompanied by a resolution of endorsement from the West Modesto Improvement Club was filed with the Council asking that the necessary steps be taken to open 'M' Street through Block 146, whereupon Commissioner Rogers introduced a resolution, being

RESOLUTION NO. 2141-N.S.

referring the above mentioned petition to the City Engineer for his investigation and recommendation, which resolution was regularly adopted by the following vote:

Ayes: Councilmen Boundey, Brown, Falger, Rogers, and Mayor Dennett

Noes: Councilmen None

Absent: Councilmen None

IN THE MATTER OF COMMUNICATIONS:

The following communications were received by the Council:

From J. M. Cross making application for appointment to the position of City Attorney of the City of Modesto.

From Geo. Hanscom asking that he be appointed to the position of Food Inspector in the City of Modesto;

From J. H. Cain of Fresno, California, stating that he is a specialist in the collection of dog licenses and in taking up stray and unlicensed dogs;

From the A. J. Kane Detective Agency offering their services to the City of Modesto when required; and

From H. W. Buschulte, Jr. making application for a clerical position with the City of Modesto.

These communications were read to the Council and ordered filed.

IN THE MATTER OF APPLICATION FOR SLOT MACHINE LICENSE:

An application signed by Mrs. Pearl Buck was received by the Council asking permission to operate a slot machine in the Hotel Covell. The same having been properly audited and approved by the Chief of the Police Department, Commissioner Brown introduced a resolution, being-

RESOLUTION NO. 2142-N.S.

granting the above mentioned license to Mrs. Pearl Buck, when the provisions of Ordinance No. 311-N.S. shall have been complied with, which resolution was regularly adopted by the following vote:

Ayes: Councilmen Boundey, Brown, Falger, Rogers, and Mayor Bennett

Noes: Councilmen None

Absent: Councilmen None

IN THE MATTER OF "2-INCH" WATER TAP TO THE HOTEL CLAREMONT:

Commissioner Boundey introduced a resolution, being

RESOLUTION NO. 2143-N.S.

granting to the Hotel Claremont a 2" water tap connection with the water mains of the City of Modesto at 906 I Street, which resolution was regularly adopted by the following vote:

Ayes: Councilmen Boundey, Brown, Falger, Rogers, and Mayor Dennett

Noes: Councilmen None

Absent: Councilmen None

IN THE MATTER OF PETITION FOR THE ABATEMENT OF NUISANCE OF DANCES IN MARSHALL HALL:

A petition signed by some 60 property owners and residents in the immediate vicinity of Marshall Hall at 12th and Needham Street was filed with the Council protesting against the noises, late hours, and general nuisances caused by the bi-weekly dances held in this Hall, and asked that some relief should be afforded them. By order of the Council this petition was referred to the City Attorney for his recommendation.

21
IN THE MATTER OF AWARDING BID FOR TWO STEEL SAND TRAPS:

Pursuant to the referring of bids for two steel sand traps to the City Engineer for his recommendation, Commissioner Boundey introduced a resolution, being

RESOLUTION NO. 2144-N.S.

accepting the bid of the Boiler Tank and Pipe Company at a price of \$990.00, the same being the lowest and best bid, and instructing the Mayor and City Clerk to enter into a contract with the Boiler Tank & Pipe Company as per their bid on file, and instructing the City Clerk to return to the unsuccessful bidders their certified checks accompanying their bids, which resolution was regularly adopted by the following vote:

Ayes: Councilmen Boundey, Brown, Falger, Rogers, and Mayor Dennett

Noes: Councilmen None

Absent: Councilmen None

22
IN THE MATTER OF COMMUNICATION FROM THE CITY OF OAKDALE IN REGARD TO THE LICENSING OF CIRCUSES, CARNIVALS, TRAVELLING SHOWS, ETC.:

A Communication was received from the City of Oakdale reciting that for several years it has been the practice of circuses, travelling shows, carnivals, etc. to secure locations just outside the City limits and thus avoid the paying of a city tax. The communication asked the co-operation of other cities in asking the Stanislaus County Board of Supervisors to pass such ordinances as would regulate this condition, whereupon Commissioner Falger introduced a resolution, being

RESOLUTION NO. 2145-N.S.

instructing the City Clerk to advise the Board of Supervisors that the City of Modesto is heartily in accord with the opinions expressed by the City of Oakdale, which resolution was regularly adopted by the following vote:

Ayes: Councilmen Brown, Boundey, Falger, Rogers, and Mayor Dennett

Noes: Councilmen None

Absent: Councilmen None

23
IN THE MATTER OF REPORTS:

The reports of the various departments for the month of April, 1931, were reviewed by the Council and ordered filed.

24
IN THE MATTER OF APPLICATION FOR PERMIT TO ERECT A TEMPORARY TENT:

An application was received by the City Council from Frederick N. Hohlenberg asking permission to erect a temporary tent on Lots 9 and 10 in Block 333, for the purpose of conducting Evangelistical meetings from May 20th, to June 7th, 1931. The application having been approved by the City Engineer, Commissioner Rogers introduced a resolution, being

RESOLUTION NO. 2146-N.S.

granting the application as prayed for to Frederick M. Hollenberg for the erection of a tent on the above described property to be used for holding Evangelistic meetings, which resolution was regularly adopted by the following vote:

Ayes: Councilmen Boundey, Brown, Falger, Rogers, and Mayor Dennett

Noes: Councilmen None

Absent: Councilmen None

IN THE MATTER OF USE OF AVIATION FIELD FOR BASEBALL DIAMOND:

Commissioner Boundey introduced a resolution, being

RESOLUTION NO. 2147-N.S.

delegating authority to Fire Chief Wallace to arrange a schedule for various organizations and clubs desiring to use the Aviation Field for baseball during the season, which resolution was regularly adopted by the following vote:

Ayes: Councilmen Boundey, Brown, Falger, Rogers, and Mayor Dennett

Noes: Councilman None

Absent: Councilmen None

IN THE MATTER OF HEARING OF A.O. NASH CHARGED WITH VIOLATION OF ELECTRICAL ORD:

City Engineer, F. J. Rossi reported that he has had considerable trouble with Mr. Nash on account of his dilatory tactics in completing his work and complying with City Ordinance No. 352-N.S. He recommended that unless Mr. Nash is willing to comply with the electrical ordinance now in effect that his license be cancelled. By order of the Council the City Attorney was directed to write to Mr. Nash asking him to appear before the Council at its next regular meeting for a hearing in this matter.

IN THE MATTER OF ADJOURNMENT:

Mayor Dennett introduced a resolution, being

RESOLUTION NO. 2148-N.S.

adjourning this Council meeting now in session, which resolution was regularly adopted by the following vote:

Ayes: Councilmen Boundey, Brown, Falger, Rogers, and Mayor Dennett

Noes: Councilmen None

Absent: Councilmen None

ATTEST:


H. E. GRAGG

CITY CLERK

May 27th, 1931

The Council met in regular session this date, and there were present Councilmen Boundey, Brown, Falger, Rogers, and Mayor Dennett
Absent: Councilmen None

In the absence of H.E. Gragg, City Clerk, and by direction of the Council, A. J. Carlson acted as Clerk protem of the Council.

IN THE MATTER OF MINUTES:

The minutes of the regular meeting of May 13, 1931, were read and corrected and as so corrected were approved.

IN THE MATTER OF MARSHALL DANCE HALL:

1. Walter Fields, a property owner in the vicinity of the building known as Marshall Hall appeared before the Council in support of a petition heretofore filed with the Council urging that steps be taken to abate the condition complained of as a result of the dances held in Marshall Hall at the corner of Eleventh and Needham Streets causing annoyance and disturbance to residents in the neighborhood as late as 2:00 o'clock in the morning. The City Attorney, ~~to whom~~ this matter had been heretofore referred, reported that the conditions complained of in the vicinity of Marshall Hall differ only in a degree from other places in the City where dancing is indulged in and that the remedy could only be obtained by the regulation of the use of buildings for dancing and limiting the hours in which dancing would be permitted. After discussion of the matter, it was referred back to the City Attorney.

IN THE MATTER OF CITATION TO A. O. NASH PURSUANT TO ORDINANCE NO. 352-N.S.:

2. Pursuant to notice served upon him to appear before the Council and show cause why his license as an electrical contractor in the City of Modesto pursuant to Ordinance No. 352-N.S. should not be revoked because of violation thereof, A. O. Nash appeared before the Council and made a statement. Statements were also made by F. J. Rossi, City Engineer, and H. M. Carey City electrician. Mr. Nash was advised by Mayor Dennett that violation of the electrical ordinance would not be tolerated. Thereupon by unanimous consent further hearing on the matter was continued until the next regular meeting of the Council.

IN THE MATTER OF PETITION OF GEO. HANSCOM:

3. A petition of Geo. Hanscom for appointment to the position of food inspector of the City of Modesto was laid over until the next regular meeting of the Council.

IN THE MATTER OF COMMUNICATIONS:

A Communication was received from Mrs. Jas. P. King, Jr. of Albertville Alabama, asking for information regarding an investment in a small business in the City of Modesto. The same was referred to the Chamber of Commerce.

A Communication was received from Mr. C. C. Eastin, County Clerk, with reference to a county ordinance regulating carnivals and circuses in which he advised the Council that the Board of Supervisors is now considering the drafting and adoption of an ordinance relative to this matter.

A Communication was received from Sol P. Elias from Honolulu.

A Communication was received from W. H. Barbee asking for the position of poundman.

A Communication was received from the Good Government League and the Women's Christian Temperance Union stressing the importance of enforcing the laws with reference to intoxicating liquors, narcotics, slot machines and other gambling devices.

These communications were read to the Council and ordered placed on file.

IN THE MATTER OF BOULEVARD STOP@

A Communication was received from E. J. Bryan, Norman S. West and C. J. Stanley urging that a boulevard stop be installed at the south end of the alley between Elmwood and Magnolia Avenues where it intersects with Stoddard Avenue. Further consideration of this matter was laid over until the next regular meeting of the Council.

IN THE MATTER OF AN ORDINANCE CREATING A COMPENSATION INSURANCE FUND:

Further consideration of the matter of an ordinance creating a compensation insurance fund for the City of Modesto was by order of the Council laid over until the next regular meeting of the Council.

IN THE MATTER OF ORDINANCE REGULATING BATHING IN CANALS:

Commissioner Brown introduced an ordinance, being entitled
ORDINANCE NO. 402-N.S.

prohibiting swimming or bathing in canals and certain other places between the hours of ten o'clock P.M. and seven o'clock A.M. The ordinance was read to the Council and discussed. Whereupon Commissioner Brown moved its adoption and passage to print and publish which motion being duly seconded it was upon roll call carried by the following vote:

Ayes: Councilmen Boundey, Brown, Falger, Rogers, and Mayor Dennett

Noes: Councilmen None

Absent: Councilmen None

12.
IN THE MATTER OF CLOSING A PORTION OF MADONIA AVENUE:

Councilman Boundey introduced a resolution, being

RESOLUTION NO. 757-S.P.

RESOLUTION OF INTENTION NO. 216

to close a portion of Madonia Avenue. The resolution was read to and discussed by the Council, whereupon Councilman Boundey moved the adoption of the resolution, which motion being duly seconded, was, upon roll call, carried by the following vote:

Ayes: Councilmen Boundey, Brown, Falger, Rogers, and Mayor Dennett

Noes: Councilmen None

Absent: Councilmen None

The resolution is on file in the office of the City Clerk and is hereby referred to for greater certainty.

13
IN THE MATTER OF APPLICATION OF OSCAR LAITA FOR THE ERECTION IN THE RESIDENCE DISTRICT OF A BUSINESS BUILDING:

There was filed by Oscar Laita an application for the use of certain lands within a residence district, namely the rear of Lots 13 and 14 in Block 416 for the purpose of conducting the business of the general servicing and repairing of automobiles. With the application there was filed the written consent of owners, or legal representatives of the owners, of not less than two-thirds of all lands used for other than business or industrial purposes, which front on the same side of the street and which lie on either side of the lands in question, and also of all lands fronting upon the other side of the street and directly opposite said land, and of all lands immediately in the rear thereof. It appearing that the application was in proper form and contained the required number of signatures, and had been checked and approved by the City Engineer, Councilman Rogers introduced a resolution being

RESOLUTION NO. 2149-N.S.

authorizing the use of said premises as requested in the application which motion being duly seconded was upon roll call carried by the following vote:

Ayes: Councilmen Boundey, Brown, Falger, Rogers, and Mayor Dennett

Noes: Councilmen None

Absent: Councilmen None

14
IN THE MATTER OF CLAIM OF DR. RUTH TURNER:

Dr. Ruth Turner filed a bill for \$11.00 for chiropractic services rendered to Robert Murphy as a result of an injury received by him while in the employ of the City, and which the State Compensation Insurance Fund declined to pay. By unanimous consent of the Council the matter was continued until the next regular meeting of the Council.

IN THE MATTER OF COMPLAINT CONCERNING BOILERS:

The City Engineer brought to the attention of the Council a complaint by Mr. H. Severin concerning the boiler inspections. By unanimous consent of the Council, further consideration of the matter was continued until the next regular meeting.

IN THE MATTER OF BIDS FOR GASOLINE, OIL, ETC. AND LAMPS, ELECTRICAL EQUIPMENT FOR THE CITY OF MODESTO:

Commissioner Falger introduced a resolution, being

RESOLUTION NO. 2150-N.S.

directing the City Clerk to prepare a notice to bidders and advertise for bids for the City's requirements for gasoline, oils, greases, etc. for the City's automobile equipment, and lamps and electrical supplies for the City's lighting system for the next fiscal year, which motion was carried and the resolution adopted by the following vote:

Ayes: Councilmen Boundey, Brown, Falger, Rogers, and Mayor Dennett

Noes: Councilmen None

Absent: Councilmen None

IN THE MATTER OF PEDDLING ORDINANCE:

Mr. Geo. J. Tilton appeared before the Council with reference to an ordinance suggested by the Retail Merchant's Association of Modesto for placing a license upon the peddling at retail of bread, pastries, fruits, etc. By unanimous consent of the Council this matter was continued until the next regular meeting of the Council.

IN THE MATTER OF ORDINANCE RELATING TO LIMITED PARKING:

By unanimous consent of the Council the City Attorney was directed to prepare an ordinance providing for a twenty minute parking limit between I and J Street on the northeasterly side of Tenth Street.

IN THE MATTER OF ASSESSMENT OF AND COLLECTION OF TAXES:

Mayor Dennett brought up the matter of a change in the levy and collection of taxes so as to provide for the levy of municipal taxes by the County Assessor, and the collection of municipal taxes by the County Collector.

Commissioner Rogers thereupon introduced a resolution being

RESOLUTION NO. 2151-N.S.

directing the Mayor to appoint a committee to consist of the Mayor and two members of the Council, (the Mayor to act as chairman) to investigate this matter and report to the Council at a later date with recommendations, which motion being duly seconded it was carried and the resolution adopted by the following vote:

Ayes: Councilmen Boundey, Brown, Falger, Rogers, and Mayor Dennett

Noes: Councilmen None

Absent: Councilmen None

Mayor Dennett thereupon appointed Commissioners

Falger and Rogers to serve upon this committee with the Mayor.

20.
IN THE MATTER OF TRAFFIC CONTROL AT SEVENTH AND H STREETS

F. A. Weast appeared before the Council and stated that the intersection at 7th & H Street carries more traffic than any other intersection west of the Southern Pacific Railroad tracks, and suggested that in the interest of safety, the Council should adopt regulations preventing the 'U' turns at the intersection. The matter was discussed by the Council, and thereupon by unanimous consent was laid on the table for further consideration.

21.
IN THE MATTER OF ADJOURNMENT:

Commissioner Falger introduced a resolution, being
RESOLUTION NO. 2152-N.S.

adjourning this Council meeting now in session until the next regular meeting of the Council to be held on June 10th, 1931, which motion being duly seconded was upon roll call carried and the resolution was adopted by the following vote:

Ayes: Councilmen Boundey, Brown, Falger, Rogers, and Mayor Dennett

Noes: Councilmen None

Absent: Councilmen None

Attest:

NE Gragg
City Clerk

June 10th, 1931

The Council met in regular session this date and there were present Councilmen Boundey, Brown, Falger Rogers, and Mayor Dennett
Absent Councilmen None

IN THE MATTER OF MINUTES:

The minutes of the regular meeting of May 27th, 1931, were read to the Council and approved as read.

IN THE MATTER OF REDUCTION IN ASSESSMENT OF THE CITY AND OF THE WATER RATES TO CONSUMERS:

Mr. W. C. LeHane appeared before the Council and asked that a reduction in the tax valuations of the properties in the City of Modesto and also in the water costs to consumers be effected. In the matter of taxes, he offered the suggestion that the City accept the valuation that the County is now using, which would reduce the present valuation of the City some three million dollars and would likewise reduce the revenue from that source over \$50,000.00. The Council informed Mr. LeHane that this matter would be taken up in due course of time by the Board of Equalization.

IN THE MATTER OF ORDINANCE LICENSING SIGN PAINTERS AND SIGN CONTRACTORS:

An Ordinance was presented to the Council for consideration providing for the licensing of signpainters and contractors operating in the City of Modesto and providing for the penalty for the violation thereof. Accompanying this ordinance were communications from the Brotherhood of Painters and Decorators of America and from the Central Labor Council of Stanislaus County endorsing the passage of said ordinance and urging the Council to pass the same. By order of the Council the matter was referred to the City Attorney for his consideration and recommendation.

IN THE MATTER OF BIDS ON GASOLINE, OILS AND GREASES:

Pursuant to the calling of bids for gasoline, oils, and greases for the automobile equipment of the City of Modesto to be received on June 10th, 1931, this being the time set out in said notice to bidders for the opening of the bids, there were on file 8 bids, which when opened read as follows:

RICHFIELD OIL COMPANY:

Gasoline.....	\$ 0.125 per gal.
Western Motor Oil.....	0.245 per gal.
Eastern Motor Oil Light.....	0.52 per gal.
Eastern Motor Oil Heavy.....	0.62 per gal.
Engine Oil, Medium.....	0.215 per gal.
Engine Oil, Heavy.....	0.23 per gal.
Turbine Oil No. 2.....	0.305 per gal.
Turbine Oil No. 3.....	0.33 per gal.
Gear Grease.....	0.0975 per lb.
Cup Grease.....	0.0625 per lb.
All F.O.B. Modesto	
Road Oil.....	.65 per bbl.
F.O.B. Bakersfield	

ANNAN FUEL & FEED COMPANY:

Kerosene.....	\$ 0.12 per gal.
Western Oil.....	.18 to 22½¢
Eastern Oil.....	.39½ to 42½¢
Engine Oil.....	.18
Turbine Oil.....	.33½ & 44½¢
Gear Grease.....	.05½ lb.
Cup Grease.....	.05½ lb.
Road Oil.....	1.00 per bbl.

All F.O.B. Modesto

J. S. WEST & COMPANY:

Road Oil.....	.99 per bbl.
---------------	--------------

F.O.B. Modesto

SHELL OIL COMPANY:

Gasoline.....	.09 to .14¢ per gal.
Kerosene.....	.15¢ per gal.
Lubricating Oils.....	.21½ to .61½ per gal.
Greases.....	.06½ to .08½ per lb.

F.O.B. Modesto

Road Oil.....	.65 per bbl.
---------------	--------------

F.O.B. Ora

ASSOCIATED OIL COMPANY:

Gasoline.....	\$.09 to .13¢ per gal.
Kerosene.....	.11¢ per gal.
Cyclol.....	.305 to .505 per gal.
Eastern Motor Oil.....	.41 to .63 per gal.
Veedol.....	.62 to .77 per gal.
Engine Oils.....	.37 per gal.
Turbine Oils.....	.30½ and .315
Gear Grease.....	.09
Cup Grease.....	.06½

F.O.B. Modesto

Road Oil.....	.65 per bbl.
---------------	--------------

F.O.B. San Joaquin
Valley Shipping Points

GILMORE OIL COMPANY:

Road Oil.....	.65 per bbl.
---------------	--------------

F.O.B. Seguro

THE TEXAS COMPANY:

Gasoline.....	.09 per gal.
Kerosene.....	.15 per gal.
Western Motor Oils.....	.315 to .425 per gal.
Eastern Motor Oils.....	.61 and .55½ per gal.
Engine Oil.....	.235 per gal.
Turbine Oil Heavy.....	.43
Turbine Oil Light.....	.35½
Gear Grease.....	.088 lb.
Cup Grease.....	.063 per lb.

STANDARD OIL COMPANY OF CALIFORNIA:

Gasoline.....	.10 per gal.
Kerosene.....	.15 per gal.
Motor Oils.....	.30½ to .62½ per gal.
Gear Grease.....	.06¾ lb.
Cup Grease.....	.06½ per lb.

After consideration of the above mentioned bids, Commissioner Boundey introduced a resolution, being

RESOLUTION NO. 2153-N. S.

deferring action on all bids for gasoline, oil and greases until the next regular meeting of the Council, which motion being duly seconded was upon roll call carried and the resolution adopted by the following vote;

Ayes: Councilmen Boundey, Brown, Falger, Rogers, and Mayor Dennett

Noes: Councilmen None

Absent: Councilmen None

IN THE MATTER OF CLAIMS:

The claims against the City of Modesto for the month of May, 1931, having been duly audited, Commissioner Falger introduced a resolution, being

4.

RESOLUTION NO. 2154-N. S.

ordering that all of said claims so audited and approved be and they are hereby allowed. Reference is hereby made to the Auditor's Cash Book for further details regarding the amount of the withdrawals from the various funds as follows:

General Fund.....	\$ 18,020.29
Water Fund.....	5,887.04
Library Fund.....	1,516.75
Sewer Septic Fund.....	41.97
Unapportioned Fund.....	2.10
Total.....	\$ 25,468.15

Which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen Boundey, Brown, Falger, Rogers, and Mayor Dennett
Noes: Councilmen None
Absent: Councilmen None

5 IN THE MATTER OF CLAIM OF DR. RUTH TURNER:

Pursuant to the presentation of a claim in the amount of \$11.00 on May 27th, 1931, for professional services rendered Robert Murphy, employee of the City of Modesto, by Dr. Ruth Turner, the same having been rejected by the State Compensation Insurance Fund, and pursuant to action on the same having been postponed until this time, Commissioner Falger introduced a resolution, being

RESOLUTION NO. 2155-N. S.

disallowing the claim of Dr. Ruth Turner against the City of Modesto for services rendered to Robert Murphy in the amount of \$11.00, which resolution was regularly adopted by the following vote:

Ayes: Councilmen Boundey, Brown, Falger, Rogers, and Mayor Dennett
Noes: Councilmen None
Absent: Councilmen None

6 IN THE MATTER OF COMMUNICATION FROM THE AMERICAN TRUST COMPANY:

A Communication was received from the American Trust Company addressed to the City Tax Collector asking a reduction in assessment on property owned by them in the City of Modesto located at the corner of 11th and J Street from which they intend to remove the improvements in the fall for the purpose of erecting a modern bank building. By order of the Council the City Assessor was directed to advise the American Trust Company to present this claim to the Board of Equalization when it meets for the year 1931.

7 IN THE MATTER OF FINAL ADOPTION OF ORDINANCE NO. 397-N. S.:

Ordinance No. 397-N. S., an ordinance prohibiting the maintenance of unused poles and fixtures on public streets and alleys, having been introduced at a regular meeting of the Council on March 11th, 1931, and having been subsequently published as provided by the Charter of the City of Modesto, and the final adoption of the same having been postponed until this date, Commissioner Boundey introduced a resolution, being,

RESOLUTION NO. 2156-N. S.

laying over indefinitely the final adoption of the above mentioned ordinance, which resolution was regularly adopted by the following vote:

Ayes: Councilmen Boundey, Brown, Falger, Rogers, and Mayor Dennett
Noes: Councilmen None
Absent: Councilmen None

8 IN THE MATTER OF FINAL ADOPTION OF ORDINANCE NO. 402-N. S.:

The foregoing ordinance prohibiting swimming or bathing in canals and certain other places between the hours of ten o'clock P. M. and seven o'clock A. M., having been introduced and ordered published at a meeting of the Council held on May 27th, 1931, and having been published as required by the Charter of the City of Modesto coming on for final adoption this 10th day of June, 1931, it was finally adopted by the following vote:

Ayes: Councilmen Boundey, Brown, Falger, Rogers, and Mayor Dennett

Noes: Councilmen None

Absent: Councilmen None

9 IN THE MATTER OF ORDINANCE REGULATING PEDDLING AT RETAIL:

Pursuant to the request of Mr. Geo. J. Tilton made to the Council on May 27th, 1931, that the City adopt a certain ordinance as suggested by the Modesto Retail Merchants Assn. regulating peddling at retail in the City of Modesto, and pursuant to the postponement of action in this matter until this time, by unanimous consent of the Council the ordinance was laid over until the next regular meeting.

10 IN THE MATTER OF ORDINANCE CREATING COMPENSATION INSURANCE FUND:

Commissioner Falger introduced an ordinance being

ORDINANCE NO. 403-N. S.

creating a compensation insurance fund, appropriating money therefor, and providing for its administration, which ordinance was passed to print as required by the Charter of the City of Modesto by the following vote:

Ayes: Councilmen Boundey, Brown, Falger, and Mayor Dennett

Noes: Councilmen Rogers

Absent: Councilmen None

11 IN THE MATTER OR ORDINANCE REQUIRING OPERATORS OF JITNEYS AND TAXICABS TO CARRY PUBLIC LIABILITY INSURANCE:

Pursuant to a complaint heretofore filed with the Council by Mr. T. C. DeWitt on April 22, 1931, asking that taxi companies be compelled to carry liability insurance, and the matter having been referred to the City Attorney, an ordinance was subsequently presented to the Council by the City Attorney providing for the operators of jitneys and taxicabs to carry public liability insurance. By unanimous consent of the Council, the same was laid over until the next regular meeting for further consideration.

12 IN THE MATTER OF FILING BUDGETS BY THE VARIOUS DEPARTMENTS FOR THE ENSUING FISCAL YEAR:

Commissioner Rogers introduced a resolution, being,

RESOLUTION NO. 2157-N. S.

providing that all heads of departments prepare their budgets for the ensuing fiscal year beginning July 1, 1931, and file the same with the City Clerk before July 1, 1931, which motion being duly seconded it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen Boundey, Brown, Falger, Rogers, and Mayor Dennett

Noes: Councilmen None

Absent: Councilmen None

13
IN THE MATTER OF ANNUAL AUDIT OF THE CITY'S ACCOUNTS:

Commissioner Falger introduced a resolution, being

RESOLUTION NO. 2158-N. S.

engaging the services of the firm of Brotherton Thomas & Co. of Oakland, California, for the annual audit of the City's accounts for the fiscal year ending June 30, 1931, which resolution was regularly adopted by the following vote:

Ayes: Councilmen Boundey, Brown, Falger, Rogers, and Mayor Dennett

Noes: Councilmen None

Absent: Councilmen None

14
IN THE MATTER OF ACTION ON PETITION FOR APPOINTMENT OF GEO. HANSCOM TO THE POSITION OF FOOD INSPECTOR:

Pursuant to the filing of a petition with the City Council, on May 27, 1931, by Mr. Geo. Hanscom asking for appointment to the position of food inspector in and for the City of Modesto, and pursuant to the postponement of action thereon until this time, Commissioner Falger introduced a resolution, being,

RESOLUTION NO. 2159-N. S.

laying said petition on the table without action thereon, which resolution was upon roll call adopted by the following vote:

Ayes: Councilmen Boundey, Brown, Falger, Rogers, and Mayor Dennett

Noes: Councilmen None

Absent: Councilmen None

15
IN THE MATTER OF AMENDING TRAFFIC ORDINANCE NO. 345-N. S. IN REGARD TO PARKING LIMITS IN CERTAIN AREAS:

Commissioner Brown introduced an ordinance, being,

ORDINANCE NO. 404-N. S.

amending traffic ordinance No. 345-N. S., Section 32, and adding a new section thereto to be known as Section 32-a, providing for a fifteen minute parking limit on the northwesterly side of I Street between the alley running through Block 84 and the southwesterly line of 12th Street, nor for a longer period of time than 20 minutes on the northeasterly side of 10th Street between I and J Street, and also prohibiting within certain hours the parking of any vehicle displaying a banner for advertising purposes in the business district for a longer period than ten minutes, which ordinance was passed to publish by the following vote:

Ayes: Councilmen Boundey, Brown, Falger, Rogers, and Mayor Dennett

Noes: Councilmen None

Absent: Councilmen None

16
IN THE MATTER OF REPORT OF CITY ENGINEER ON THE OPENING OF 'M' STREET BETWEEN 8TH AND 9TH STREET:

Pursuant to the filing of a petition with the Council on May 13th, 1931, for the opening of "M" Street through Block 146 across the Southern Pacific right of way, and pursuant to the same having been referred to the City Engineer for his investigation and recommendation, at this time he filed a written report on the feasibility of the project, which report read as follows:

Modesto Calif.
June 10, 1931

To the Mayor and Council
City of Modesto, California

Gentlemen:

The petition filed by the owners of property on and in the vicinity of "M" Street, stated that this street was an open street.

I have examined the County records and found a map filed in 1903 with reference to street openings. The map, as drawn, is questionable and does not definitely show this street as being open.

Before anything is done in the way of opening this street, plans, profiles, maps, and estimates must be prepared and submitted to the California State Railroad Commission for approval. If the Commission grants the request, it is my understanding that the total cost of paving the crossing, moving buildings, and installing electric wig-wag signals will be at the expense of the City. The total estimated cost is \$13,350.00.

This particular crossing is in the team track section. It would be necessary to cross five tracks if a street was opened. It is doubtful that the Railroad Commission would grant the opening of all the crossings between 8th and 9th, L and Arch Streets. Therefore, it would seem more logical to ask for a crossing further north in order that the distance between L and Arch Streets would be more nearly divided and yet be less expensive due to less obstructions. The last report of the Railroad Commission shows that approximately 1562 vehicles use L Street in 12 hours. It is probable that not more than one-half of this number would use "M" Street.

As these matters are always determined by the Railroad Commission, a formal application will have to be submitted to them by the Council.

Respectfully submitted,

F. J. Rossi
City Engineer

P. S. Attached here to is a letter on the matter from the Southern Pacific Co.

Attached to the above report was a letter from the Southern Pacific Railway Company addressed to the City Engineer stating that "M" Street was never dedicated across the railroad right of way, and was never an open street, and therefore in order to open same an order would have to be obtained from the Railroad Commission creating a new crossing, and which would entail an initial cost to the City of approximately \$15,000.00 for the removal of certain buildings, paving, etc. and advising the City that such a crossing would be a very hazardous one as well as an interference to switching operations and team track facilities of the railroad. By unanimous consent of the council, this matter was laid over until the next regular meeting.

17. IN THE MATTER OF CONTINUATION OF HEARING OF A. O. NASH, ELECTRICIAN:

Pursuant to the citation of A. O. Nash, electrical contractor, to appear before the Council and show cause why his license should not be revoked for violation of electrical ordinance No. 352-N. S., and the hearing having been continued to this meeting of the Council, Mr. Nash at this time expressed a willingness to co-operate with the city electrical department, informing the Council that he would comply with the City Ordinance and abide by the terms and provisions thereof.

18. IN THE MATTER OF PAYMENT TO E. A. GREEN ON PUMP STATION AT THE SEWER FARM:

City Engineer, F. J. Rossi, filed a certificate with the Council showing that Mr. E. A. Green has completed the erection of a pump station at the sewer farm in accordance with the contract, plans and specifications, and is at this time entitled to a payment of 75% of the contract price, amounting to \$558.75. Whereupon Commissioner Boundey introduced a resolution, being

RESOLUTION NO. 2160-N. S.

authorizing and instructing the City Clerk and Treasurer to draw a warrant in favor of E. A. Green in the amount of \$558.75, the same being a payment of 75% of the contract price for the erection of a pump station at the sewer farm, which resolution was regularly adopted by the following vote:

Ayes: Councilmen Boundey, Brown, Falger, Rogers, and Mayor Dennett

Noes: Councilmen None

Absent: Councilmen None

19. IN THE MATTER OF 4" WATER TAP TO TIDEWATER SOUTHERN RAILWAY:

Commissioner Boundey introduced a resolution, being

RESOLUTION NO. 2161-N. S.

granting a 4" water connection with the City of Modesto's water mains to the Tidewater Southern Rialway near Coldwell Avenue, which resolution was regularly adopted by the following vote:

Ayes: Councilmen Boundey, Brown, Falger, Rogers, and Mayor Dennett

Noes: Councilmen None

Absent: Councilmen None

20. IN THE MATTER OF BOULEVARD STOP AT ALLEY BETWEEN MAGNOLIA AND ELMWOOD ON STODDARD AVENUE:

City Attorney, A. J. Carlson, filed a report with the Council stating that the matter of a boulevard stop at the alley on Stoddard Avenue between Elmwood and Magnolia Avenues as heretofore requested by Mr. Stanley and others, is provided for in Section 20 of Ordinance No. 345-N. S. requiring vehicles emerging from an alley, driveway, or garage to stop immediately prior to driving onto a sidewalk or onto a sidewalk area extended across any alleyway, and therefore no new ordinance is necessary. He recommended, however, that the Police Department erect a stopsign where this alley comes into Stoddard Street. He also stated in this report that the matter of prohibition of "U" turns at 7th & H Street as heretofore requested by Mr. F. A. Weast, would have to be brought about by amending traffic ordinance No. 345-N. S.

By order of the Council the City Engineer was instructed to obtain a stop-sign and cause the same to be posted at the juncture of the alley between Magnolia and Elmwood Avenues with Stoddard Avenue.

21. IN THE MATTER OF DEED TO PORTION OF MADONIA AVENUE FROM BEARD LAND AND INVESTMENT COMPANY:

Commissioner Boundey introduced a resolution, being

RESOLUTION NO. 2162-N. S.

accepting the deed as presented by the Beard Land & Investment Company to property in Block 501 for the widening of Madonia street to offset that portion which is being closed by the City of Modesto under Resolution of Intention No. 216, which resolution was regularly adopted by the following vote:

Ayes: Councilmen Boundey, Brown, Falger, Rogers, and Mayor Dennett

Noes: Councilmen None

Absent: Councilmen None

22. IN THE MATTER OF REPORTS:

The reports of the various departments for the month of May, 1931, were reviewed by the Council and ordered filed.

IN THE MATTER OF ADJOURNMENT:

Commissioner Falger introduced a resolution, being

RESOLUTION NO. 2163-N. S.

adjourning this Council meeting now in session, which resolution was regularly adopted by the following vote:

Ayes: Councilmen Boundey, Brown, Falger, Rogers, and Mayor Dennett

Noes: Councilmen None

Absent: Councilmen None

Attest: W. G. Grady
City Clerk

Council, City of Modesto

June 24th, 1931

The Council met in regular session this date, and there were present Councilmen Boundey, Brown, Falger, Rogers, and Mayor Dennett.

Absent: Councilmen None

IN THE MATTER OF MINUTES:

The minutes of the regular meeting of June 10th, 1931, were read and approved as read.

IN THE MATTER OF ORDINANCE PERTAINING TO MILK, MILK INSPECTION, AND THE HANDLING OF MILK AND MILK PRODUCTS:

Mr. Nathan McVay on behalf of his client appeared before the Council and presented a milk ordinance providing for milk inspection, rules and regulations regarding the handling of milk and milk products, and providing for penalties for the violation thereof, which his client desired to have passed by the City Council. Commissioner Boundey introduced a resolution, being

RESOLUTION NO. 2164-N. S.

referring the matter to the City Attorney, A. J. Carlson, which resolution was regularly adopted by the following vote:

Ayes: Councilmen Boundey, Brown, Falger, Rogers, and Mayor Dennett

Noes: Councilmen None

Absent: Councilmen None

IN THE MATTER OF ORDINANCE REGULATING PEDDLING AT RETAIL:

Attorney E. H. Zion appeared before the Council and presented an ordinance regulating peddling at retail in the City of Modesto and asked that it be passed by the Council. Whereupon Commissioner Boundey introduced a resolution, being

RESOLUTION NO. 2165-N. S.

referring the above ordinance to the City Attorney, which resolution was regularly adopted by the following vote:

Ayes: Councilmen Boundey, Brown, Falger, Rogers, and Mayor Dennett

Noes: Councilmen None

Absent: Councilmen None

IN THE MATTER OF PROPOSAL OF JAS. MCCORMICK TO FURNISH PUBLIC LIABILITY TO THE CITY OF MODESTO:

Mr. Jas. McCormick appeared before the Council and made a written proposition

to the Council for the furnishing of public liability insurance to the City of Modesto; By unanimous consent of the Council the proposition of Mr. McCormick was received and ordered filed.

4 IN THE MATTER OF STRAW VOTE ON RE-ROUTING OF STATE HIGHWAY:

Mr. W. C. LeHane appeared before the Council and asked the Council to take steps to submit the matter of re-routing the state highway over 9th Street to a straw vote. Mayor Dennett informed Mr. LeHane that in his opinion nothing could be accomplished by such a procedure and no further action was taken upon the matter.

5 IN THE MATTER OF PROTEST AND PETITION TO ABATE THE NUISANCES CREATED BY THE DANCES CONDUCTED AT 615½ H STREET:

Mr. I. L. Walton appeared before the Council and protested against the continuance of the dances held at 615½ H Street, alleging that they are a detriment to the welfare of his rooming house business. A petition signed by some 34 residents and property owners in the vicinity of this dance hall was also filed with the Council protesting against the loud noise, and profane and obscene conduct of those frequenting the dance hall, asking that some relief be afforded them by the Council.

6 IN THE MATTER OF AWARD OF BID FOR GASOLINE, ROAD OIL, GREASES, AND OILS FOR THE CITY OF MODESTO'S AUTOMOBILE EQUIPMENT:

Pursuant to the advertising for bids for gasoline, road oil, greases and oils for the City of Modesto's automobiles on May 27th, 1931, and pursuant to the receiving of bids and the opening of the same on June 10th, 1931, at which time they were referred to the City Engineer, for his recommendation and report, F. J. Rossi, City Engineer, made a tabulated report showing the relative standing of all bids submitted. Whereupon Commissioner Rogers introduced a resolution, being

RESOLUTION NO. 2166-N. S.

accepting the bid of the Standard Oil Company for gasoline at a price of 10¢ as outlined in their proposal; authorizing and instructing the Mayor and City Clerk to enter into a contract with the Standard Oil Company for the furnishing of gasoline to the City of Modesto at the above named price; and instructing the City Clerk to return to the unsuccessful bidders their certified checks accompanying their bids, which resolution was regularly adopted by the following vote:

Ayes: Councilmen Boundey, Brown, Falger, Rogers, and Mayor Dennett

Noes: Councilmen None

Absent: Councilmen None

Commissioner Rogers introduced a resolution, being

7 RESOLUTION NO. 2167-N. S.

rejecting all bids with the exception of the Annan Fuel and Feed company and the J. S. West & Company for road oil, which bids they desired to retain for further consideration, and directed the City Clerk to return to all other bidders their certified checks accompanying their bids, which resolution was regularly adopted by the following vote:

Ayes: Councilmen Boundey, Brown, Falger, Rogers, and Mayor Dennett

Noes: Councilmen None

Absent: Councilmen None

Commissioner Rogers introduced a resolution, being

8 RESOLUTION NO. 2168-N. S.

accepting the bid of the Annan Fuel and Feed Company for oils and greases for the City of Modesto's automobile equipment; authorizing and instructing the Mayor and City Clerk to enter into a contract with the Annan Fuel and Feed Company for the furnishing of greases and oils to

the City of Modesto at the prices named in their bid and instructing the City Clerk to return to the unsuccessful bidders their certified checks accompanying their proposals, which resolution was regularly adopted by the following vote:

Ayes: Councilmen Boundey, Brown, Falger, Rogers, and Mayor Dennett

Noes: Councilmen None

Absent: Councilmen None

9. IN THE MATTER OF BIDS FOR INCANDESCENT LAMP GLOBES:

Pursuant to the advertising for bids for incandescent lamp globes to be used in the City of Modesto's street lighting system, this being the time set out in said notice to bidders for the receiving of bids, there were on file ten bids, from the following firms:

ECONOMY HARDWARE STORE
A. O. NASH
MELLIS BROTHERS
BARKER AND BRANDT
LENTZ ELECTRICAL CO.
O'CONNELL & TAGGARD ELECTRIC CO.
WILE ELECTRIC CO.
UNITED LUMBER YARDS INC.
STANISLAUS IMPLEMENT & HARDWARE CO.
WESTERN RADIO INC.

enclosing price lists and mentioning discounts to be allowed. Whereupon Commissioner Rogers introduced a resolution, being

RESOLUTION NO. 2169-N. S.

referring the above mentioned bids to the City Engineer for his recommendation and report which resolution was regularly adopted by the following vote:

AYES: Councilmen Boundey, Brown, Falger, Rogers, and Mayor Dennett

Noes: Councilmen None

Absent: Councilmen None

10. IN THE MATTER OF BIDS FOR PRINTING AND ADVERTISING:

Pursuant to the advertising for bids for the official printing and advertising of the City of Modesto for the fiscal year ending June 30, 1932, this being the time set out in said notice to bidders for the receiving and opening of said bids, there was on file one proposal, which when opened read as follows:

MODESTO NEWS HERALD:

75¢.. for each non-pareil square for the first insertion and the sum of

40¢.. for each subsequent insertion.

Whereupon Commissioner Brown introduced a resolution, being

RESOLUTION NO. 2170-N.S.

postponing action on the above mentioned bids until the next regular meeting of the Council to be held on July 8th, 1931, which resolution was regularly adopted by the following vote:

Ayes: Councilmen Boundey, Brown, Falger, Rogers, and Mayor Dennett

Noes: Councilmen None

Absent: Councilmen None

11. IN THE MATTER OF CLOSING A PORTION OF MADONIA AVENUE UNDER RESOLUTION OF INTENTION NO. 21c:

Commissioner Boundey introduced a resolution, being,

RESOLUTION NO. 758-S. P.

closing a portion of Madonia Avenue as more fully described in Resolution of Intention No. 216, which resolution was regularly adopted by the following vote:

Ayes: Councilmen Boundey, Brown, Falger, Rogers, and Mayor Dennett

Noes: Councilmen None

Absent: Councilmen None

12. IN THE MATTER OF OPENING "M" STREET THROUGH BLOCK 146:

Pursuant to the receiving of a report from the City Engineer, and the Southern Pacific Railway Company, in regard to the opening of "M" street through Block 146 as petitioned by residents of the City of Modesto, and pursuant to further action on the matter being postponed until this time, Commissioner Falger introduced a resolution, being,

RESOLUTION NO. 2171-N. S.

postponing indefinitely any action upon this matter, which resolution was regularly adopted by the following vote:

Ayes: Councilmen Boundey, Brown, Falger, Rogers, and Mayor Dennett

Noes: Councilmen None

Absent: Councilmen None

13. IN THE MATTER OF SEGREGATION OF CERTAIN TAXES:

Mr. M. R. Pitts, on behalf of the California Mutual Building and Loan Association, asked the Council to segregate certain taxes on property assessed to Matilda J. Turpen for the year 1926. By unanimous consent of the Council the matter was referred to the City Attorney, A. J. Carlson, for his recommendation.

14. IN THE MATTER OF COMMUNICATION FROM THE COMPENSATION INSURANCE FUND OF THE STATE OF CALIFORNIA:

A Communication was received from the California State Compensation Insurance Fund in which was enclosed a policy renewing that which expires on July 1st, 1931. By order of the Council this matter was referred to the City Attorney, A. J. Carlson.

15. IN THE MATTER OF COMMUNICATION FROM THE HORSESHOE CLUB:

A Communication was received from the Horseshoe Club of Modesto commending the work of the Park Commission in beautifying and putting in order the horseshoe courts located in Graceada Park. The same was read to the Council and ordered filed.

16. IN THE MATTER OF ORDINANCE REQUIRING OPERATORS OF JITNEYS AND TAXICABS TO CARRY PUBLIC LIABILITY INSURANCE:

Commissioner Falger introduced an ordinance, being

ORDINANCE NO. 405-N. S.

requiring the operators of jitneys and taxicabs to carry public liability insurance, which ordinance was duly passed to print by the following vote:

Ayes: Councilmen Boundey, Brown, Falger, and Rogers

Noes: Councilmen None

Absent: Councilmen None

Mayor Dennett present but not voting.

17. IN THE MATTER OF FINAL ADOPTION OF ORDINANCE NO. 403-N. S.:

The foregoing ordinance, creating a compensation insurance fund, appropriating money therefor, and providing for its administration, having been introduced and ordered printed at a regular meeting of the Council held on the 10th day of June, 1931, and having been published as required by the Charter of the City of Modesto, coming on for final adoption this 24th day of June, 1931, it was finally adopted by the following vote:

Ayes: Councilmen Boundey, Brown, Falger, and Mayor Demett

Noes: Councilmen Rogers

Absent: Councilmen None

18 IN THE MATTER OF FINAL ADOPTION OF ORDINANCE NO. 404-N. S.

The foregoing Ordinance, amending Ordinance No. 345-N. S. (Traffic Ordinance) by amending Section 22 thereof and by adding a new section to be known as Section 32A having been introduced and ordered printed at a regular meeting of the Council held on the 10th day of June, 1931, and having been published as required by the Charter of the City of Modesto coming on for final adoption this 24th day of June, 1931, it was finally adopted by the following vote:

Ayes: Councilmen Boundey, Brown, Falger, Rogers, and Mayor Dennett

Noes: Councilmen None

Absent: Councilmen None

19 IN THE MATTER OF TRANSFER OF FUNDS:

Commissioner Falger, introduced a resolution, being,

RESOLUTION NO. 2172-N. S.

Transferring the sum of \$50,000.00 from the Water Fund to the General Fund, and instructing the City Treasurer and Auditor to make the proper entries upon their books, which resolution was regularly adopted by the following vote:

Ayes: Councilmen Boundey, Brown, Falger, Rogers, and Mayor Dennett

Noes: Councilmen None

Absent: Councilmen None

20 IN THE MATTER OF RESOLUTION OF SYMPATHY TO SOL P. ELIAS:

Commissioner Falger introduced a resolution, being,

RESOLUTION NO. 2173-N. S.

reading as follows:

WHEREAS, Divine Providence in its inscrutable wisdom has seen fit to remove from our midst Mrs. Leah Harris, a lifelong, highly valued and respected citizen of our community, and the sister of Sol P. Elias, until recently the Mayor of the City of Modesto, and the presiding officer of this Council,

THEREFORE, BE IT RESOLVED, that the City Council by this Resolution express its sincere regret at the passing of Mrs. Harris, and the loss of her kindly influence in the community and among her friends, and extend to Mr. Elias and his family its heartfelt expressions of sympathy in their bereavement;

BE IT FURTHER RESOLVED, that this Resolution be spread at large upon the minutes of this Council meeting, and that a copy of the same, certified by the Clerk, be delivered to Mr. Elias.

Which resolution was regularly adopted by the following vote:

Ayes: Councilmen Boundey, Brown, Falger, Rogers, and Mayor Dennett

Noes: Councilmen None

Absent: Councilmen None

21 IN THE MATTER OF ADJOURNMENT:

Commissioner Brown, introduced a resolution being,


RESOLUTION NO. 2173-N. S.

adjourning this Council meeting now in session, which motion being duly seconded it was upon roll call adopted by the following vote:

Ayes: Councilmen Boundey, Brown, Rogers, Falger, and Mayor Dennett

Noes: Councilmen None

Absent: Councilmen None

Attest: 
H. E. Stage
City Clerk

July 8th, 1931

The Council met in regular session this date, and there were present Councilmen Boundey, Brown, Falger, Rogers, and Mayor Dennett.

Absent: Councilmen None

IN THE MATTER OF MINUTES:

The minutes of the regular meeting of June 24th, 1931, were read and approved as read.

IN THE MATTER OF BRIDGE OVER DRY CREEK:

Mr. Herbert Ramont appeared before the Council, stating that a project was being considered by the Board of Supervisors of Stanislaus County to construct a new bridge over Dry Creek in the neighborhood of Downey Avenue, which would provide a new highway entrance into the City of Modesto from the Waterford road. He asked the Council to go on record as being in favor or such a movement on the part of the Board of Supervisors. Whereupon Commissioner Rogers introduced a resolution, being

RESOLUTION NO. 2175-N. S.

favoring the construction of a new bridge across Dry Creek in the neighborhood of Downey Avenue by the Board of Supervisors, which resolution was regularly adopted by the following vote:

Ayes: Councilmen Boundey, Brown, Falger, Rogers, and Mayor Dennett

Noes: Councilmen None

Absent: Councilmen None

IN THE MATTER OF LIGHTING OF ELEVENTH STREET:

Mr. A. A. Fields appeared before the Council and asked what proceedings be initiated for the placing of electroliers on Eleventh Street from Needham Avenue to K Street. After some discussion of the matter, it was taken under advisement by the City Council.

IN THE MATTER OF AWARD OF CONTRACT FOR INCANDESCENT LAMPS:

Pursuant to the receiving and opening on June 24th, 1931, bids for incandescent lamp globes for the City of Modesto's lighting system for the fiscal year ending July 1, 1932, and pursuant to action upon said bids being laid over until this time, Commissioner Rogers introduced a resolution, being

RESOLUTION NO. 2176-N. S.

awarding the bid for incandescent lamp globes for the fiscal year ending July 1, 1932, to the Wille Electric Company at the prices named in their contract, which resolution was regularly adopted by the following vote:

Ayes: Councilmen Boundey, Brown, Falger, Rogers, and Mayor Dennett

Noes: Councilmen None

Absent: Councilmen None

IN THE MATTER OF AWARD OF CONTRACT FOR THE FURNISHING OF ROAD OIL TO THE CITY OF MODESTO:

Pursuant to the receiving of and opening of bids for road oil on June 24th, 1931, and pursuant to the bids of all bidders having been rejected with the exception of that of Annan Fuel and Feed Company and of the J. S. West & Company, which bids were retained for further consideration, Commissioner Rogers introduced a resolution, being

RESOLUTION NO. 2177-N. S.

accepting the bid of the J. S. West & Company for road oil at the prices named therein,

which resolution was regularly adopted by the following vote:

Ayes: Councilmen Boundey, Brown, Falger, Rogers, and Mayor Dennett

Noes: Councilmen None

Absent: Councilmen None

5 IN THE MATTER OF AWARD OF CONTRACT FOR THE OFFICIAL PRINTING AND ADVERTISING IN THE CITY OF MODESTO FOR THE FISCAL YEAR ENDING JUNE 30TH, 1932:

Pursuant to the receiving of bids for the official printing and advertising of the City of Modesto for the fiscal year ending June 30, 1932, and pursuant to action upon the same having been postponed until this time, Commissioner Falger introduced a resolution, being,

RESOLUTION NO. 2178-N. S.

awarding the contract for the official printing and advertising of the City of Modesto to the Modesto News Herald at the prices named in their bid, which resolution was regularly adopted by the following vote:

Ayes: Councilmen Boundey, Brown, Falger, Rogers, and Mayor Dennett

Noes: Councilmen None

Absent: Councilmen None

6 IN THE MATTER OF CLAIMS:

The claims against the City of Modesto for the month of June, 1931, having been duly audited and found to be correct, Commissioner Falger introduced a resolution, being

RESOLUTION NO. 2179-N. S.

ordering that all of the claims so audited and approved be and they are hereby allowed. For further particulars regarding the amounts of the withdrawals from the various funds as follows:

General Fund.....	\$16,786.82
Water Fund.....	6,965.47
Library Fund.....	1,430.06
Bond Red. Int.....	1,187.50
Sewer Septic Fund.....	563.95
Unapportioned Fund.....	6.58
Total.....	\$26,940.38

Reference is hereby made to the Auditor's Cash Book, which resolution was regularly adopted by the following vote:

Ayes: Councilmen Boundey, Brown, Falger, Rogers, and Mayor Dennett

Noes: Councilmen None

Absent: Councilmen None

7 IN THE MATTER OF COMMUNICATIONS:

A Communication was received from the Mayor of Salinas, exposing the methods used by Mr. L. A. Whorley to obtain subscriptions from the public for the White Cross Mission Home in Los Angeles which is not endorsed by the Los Angeles Department of Public Welfare. The Communication also invited the City of Modesto to enter a contestant in the Salinas Rodeo on July 22, 1931, to compete for the title of the Finest Outdoor Girl of California.

8 A Communication was received from the Mayor's and Councilmen's Association of Northern California asking the City of Modesto to appropriate the sum of \$40.00 for carrying on the work of the Association.

9 A Communication was received from President Hoover's Emergency Committee for Employment asking that they be advised of any public work construction programs of the City of Modesto which may aid the unemployment situation this winter.

10 A Communication was received from the Redwood Empire Association advertising the Redwood Section of Northern California.

A Communication was received from the Elias-Harris family expressing their appreciation of the expressions of sympathy received by them in their recent bereavement.

These communications were read to the Council and ordered filed.

IN THE MATTER OF SEWER CONNECTIONS ON SOUTH FRANKLIN AVENUE OUTSIDE THE CITY LIMITS:

Pursuant to Resolution No. 2088-N. S. of the City Council, authorizing the City Clerk to collect sewer rental for the four years last past from users of the city sewer outside the city limits on South Franklin Avenue in the amount of \$48.00, at this time a statement was filed with the Council by Mr. D. Bishop contractor, reading as follows:

"When the City of Modesto constructed the City Sewer on South Franklin Street, the City Council realizing that the street would be torn up for sometime causing the residents along said street a whole lot of trouble, annoyance and damage - thereby they (the City Council) granted to each abutting property owner along the line south from Paradise road free service, the only conditions being that any person taking advantage of said offer must be a resident at the time of construction of main sewer and furnish the title required at their own expense and arrange with the contractor, Mr. D. Bishop, to have the connection properly made.

The parties who took advantage of this offer of free sewer service and connected up with the main sewer at time of construction were J. S. Wooten, Joseph Harris, and S. F. DeYoe."

"The foregoing is a true and correct statement of the understanding had with the parties named at the time mentioned. Namely, the construction of main sewer on South Franklin St.

Signed: Geo. H. Freitas
City Engineer in charge
of work at that time."

July 6, 1931.

Whereupon Commissioner Rogers introduced a resolution, being

RESOLUTION NO. 2180-N. S.

granting free sewer service to the parties named in the above statement as per the conditions outlined therein, which resolution was regularly adopted by the following vote:

Ayes: Councilmen Boundey, Brown, Falger, Rogers, and Mayor Dennett

Noes: Councilmen None

Absent: Councilmen None

IN THE MATTER OF SEWER RENTAL FEE OF MRS CLARA GANT:

Pursuant to the passing of Resolution No. 789-N. S. on June 13th, 1923, by the City Council, providing for a connection with the city sewer line by Mrs. Clara Gant outside the City limits for which a rental fee for all sewer connections outside the City limits at \$12.00 per year, and Mrs. Gant claiming this to be ex post facto, refused to pay the additional fee, Commissioner Falger introduced a resolution, being

RESOLUTION NO. 2181-n. s.

confirming the provision of Resolution No. 789-N. S. fixing the annual fee for sewer service at \$6.00 per year for Mrs. Clara Gant, which resolution was regularly adopted by the following vote:

Ayes: Councilmen Boundey, Brown, Falger, Rogers, and Mayor Dennett

Noes: Councilmen None

Absent: Councilmen None

IN THE MATTER OF FINAL ADOPTION OF ORDINANCE NO. 405-N. S.:

Ordinance No. 405-N. S. requiring the operators of jitneys and taxis to carry public liability insurance, having been introduced and ordered published at a regular meeting of the Council of the City of Modesto held on the 24th day of June, 1931, and having been published as required by the Charter of the City of Modesto coming on for final adoption this 8th day of July, 1931, it was finally adopted by the following vote:

Ayes: Councilmen Boundey, Brown, Falger, Rogers, and Mayor Dennett

Noes: Councilmen None

Absent: Councilmen None

15 IN THE MATTER OF MILK ORDINANCE:

Pursuant to the submitting to the Council on June 24th, 1931, a proposed milk ordinance by Attorney Nathan Mcvey, and to the subsequent referring of the same to the City Attorney for his recommendation, by unanimous consent of the Council the matter was laid over until the next regular meeting.

16 IN THE MATTER OF PEDDLING ORDINANCE:

Pursuant to the referring of a proposed ordinance, regulating peddling at retail to the City attorney on June 24th, 1931, the matter was, by unanimous consent of the Council, laid over until the next regular meeting.

17 IN THE MATTER OF ABATEMENT OF DANCES AT 615½ H STREET:

Pursuant to the filing of a petition with the Council signed by property owners in the neighborhood of 615½ H Street, asking for abatement of the nuisances caused by the public dance hall at that address, and the matter having been referred to the City Attorney for his recommendation, at this time further action on the matter was by unanimous consent of the Council laid over until the next regular meeting.

18 IN THE MATTER OF SEGREGATION OF CERTAIN TAXES:

Pursuant to the filing of a petition with the Council by Mr. M. R. Pitts, asking for the segregation of certain taxes appearing in the name of Matilda J. Turpen, and the same having been referred to the City Attorney for his recommendation, the matter was by unanimous consent of the Council laid over until the next regular meeting.

19 IN THE MATTER OF FIXING RATE TO BE CHARGED FOR WATER USED AT CITY SCHOOLS:

Commissioner Boundey introduced a resolution, being

RESOLUTION NO. 2182-N. S.

fixing the rate to be charged the City Schools for water at \$3,000.00 per annum, which resolution was regularly adopted by the following vote:

Ayes: Councilmen Boundey, Brown, Falger, Rogers, and Mayor Dennett

Noes: Councilmen None

Absent: Councilmen None

20 IN THE MATTER OF CLOSING A PORTION OF EIGHTH STREET:

A Resolution of Intention to close a portion of Eighth Street was presented to the City Council, whereupon Mayor Dennett introduced a resolution, being,

RESOLUTION NO. 2183-N. S.

providing as follows:

"WHEREAS, a resolution of intention, which resolution presented in the following form, to-wit:

RESOLUTION OF INTENTION NO. _____

A RESOLUTION OF INTENTION TO CLOSE A PORTION OF EIGHTH STREET

--oOo--

WHEREAS, the public interest and convenience require the work hereinafter specified to be done,

NOW THEREFORE, BE IT RESOLVED, by the Council of the City of Modesto that it is the intention of the City Council of said City to order the work and improvement to be made which is described as follows:

That that portion of Eighth Street within said City hereinafter particularly described be closed; that the portion of Eighth Street to be closed, as aforesaid, is particularly described as follows:

Beginning at the Westerly corner of Block 146 on the Northeasterly boundary line of 8th Street and the Southeasterly boundary line of the Modesto Irrigation District Right of Way, thence running in a Southeasterly direction along the common boundary line of Block 146 and 8th Street, to the intersection of the Easterly boundary line of Washington Street extended, thence running in a Southerly direction along the Easterly boundary line of Washington Street extended, to a line paralleling and at a distance of 15.00 feet Southwesterly from the common boundary line of Block 146 and 8th Street, thence running in a Northwesterly direction along said line paralleling and at a distance of 15.00 feet southwesterly from the common boundary line of Blk 146 and 8th Street, to the Modesto Irrigation District Right of Way, thence running in a Northeasterly direction along the common boundary line of Block 146 and the Modesto Irrigation District Right of Way, to the point of beginning.

Also that portion of 8th Street beginning on the common boundary line of Block 146 and 8th Street at the intersection of the Easterly boundary line of Washington Street extended, thence running in a southeasterly direction along the common boundary line of Blocks 146, 145, 144, 143, 142, 141, 140 and 8th Street., to the intersection of a line paralleling and at a distance of 8.00 feet Southwesterly from the common boundary line of Blocks 146, 145, 144, 143, 142, 141, 140 and 8th Street, thence running in a Northwesterly direction along said line paralleling and at a distance of 8.00 feet Southwesterly from the common boundary line of Blocks 146, 145, 144, 143, 142, 141, 140 and 8th Street, to the intersection of the Easterly boundary line of Washington Street extended, thence running in a Northerly direction along the Easterly boundary line of Washington Street extended, to the point of beginning. Saving and excepting and excluding from said district the public streets, avenues, and the road therein included and contained.

The boundary lines herein described are in conformance with the official City Map of Modesto adopted January 22, 1930.

And the City Council does hereby determine and declare that the said proposed work and improvement is of more than local or ordinary benefit and will affect and benefit the lands and district hereinafter described, which said district is hereby declared to be the district affected and to be benefitted by said work and improvement, and that therefore, the entire damages, costs, and expenses of said work and improvement, if any, shall be and are hereby made chargeable against and shall be assessable upon said lands and said district.

Said district is within the City of Modesto, County of Stanislaus, State of California, and the exterior boundaries of the lands to be benefitted by said work and improvement and which are included within said district are described as follows:

Beginning at the Westerly corner of Block 146 on the Northeasterly boundary line of 8th Street and the Southeasterly boundary line of the Modesto Irrigation District Right of Way, thence Northeasterly along the Modesto Irrigation District Right of Way to the Northerly corner of block 146, thence Southeasterly along the Southwesterly line of 9th Street to the Easterly corner of Block 139, thence Southwesterly a distance of 290' along the common boundary of Block 139 and "D" Street, thence Northwesterly along the Northeasterly boundary line of 8th Street extended, through Block 319 and a portion of Block 140, thence continuing along the Northeasterly line of 8th Street to the point of beginning. Saving and excepting and excluding from said district the public streets therein included and contained.

All of the herein proposed work shall be done pursuant to an act of the Legislature of the State of California entitled: "An act to provide for laying out, opening, extending, straightening, widening or closing up, in whole or in part, any street, square, lane, alley, court or place within municipalities, and to condemn and acquire any and all land and property necessary or convenient for that purpose";-approved May 6th, 1889.

The Superintendent of Streets of the City of Modesto is hereby directed to post notices of said contemplated work and improvement, as required by said act, and to cause a notice to be published for a period of ten days in the Modesto News-Herald, a daily news-

paper published and circulated in said City of Modesto, which said daily newspaper is hereby designated for that purpose by the City Council."

- - - - -

THEREFORE, BE IT RESOLVED that upon satisfactory arrangements being made with the Southern Pacific Company said resolution of intention be adopted."

Which resolution was regularly adopted by the following vote:

Ayes: Councilmen Boundey, Brown, Falger, Mayor Dennett

Noes: Councilman Rogers

Absent: Councilmen None

21

IN THE MATTER OF REPORTS:

The reports of the various departments for the month of June, 1931, were reviewed by the Council and ordered filed.

IN THE MATTER OF ADJOURNMENT:

Commissioner Falger introduced a resolution, being

RESOLUTION NO. 2184-N. S.

adjourning this Council meeting now in session, which resolution was regularly adopted by the following vote:

Ayes: Councilmen Boundey, Brown, Falger, Rogers, and Mayor Dennett

Noes: Councilmen None

Absent: Councilmen None

Attest: H. E. Gragg
City Clerk

July 22, 1931

The Council met in regular session this date, being called to order by Mayor Dennett with all members present.

IN THE MATTER OF MINUTES:

The minutes of the Regular meeting of June 24th, 1931, were read and approved as read.

IN THE MATTER OF CLAIM FOR SOLDIER'S EXEMPTION:

Mrs Ralph Brady appeared before the Council and informed them that he had neglected to file his affidavit with the City Assessor for his claim for soldier's exemption in the time specified by law, and asked that the Council grant him his exemption, notwithstanding. The Council was of the opinion that in as much as Mr. Brady had neglected to take advantage of his right to file the affidavit, he had now lost such right, and by unanimous consent of the Council the claim for exemption was denied for this year.

IN THE MATTER OF COMMUNICATIONS:

A Communication was received from Mrs. Ethel Winter of LaGrange California, offering to the City of Modesto some guinea pigs for the City Parks. By unanimous consent of the Council the same was referred to William Falger, Chairman of the Park Commission.

A Communication was received from the Chief of Police of the City of Berkeley, California, informing the City of Modesto that they had a second hand radio communicating set for sale, which perhaps might be of use to the City of Modesto's Police Department. The same was read to the Council and ordered filed.

A Communication was received from the State of California, Department of Public Health, regarding the regular annual meeting of the Health Officer's Section of the League of California Municipalities to be held at Del Monte on September 21-4, 1931. The same was read to the Council and ordered filed.

IN THE MATTER OF PROPOSED ORDINANCE PERTAINING TO MILK:

Pursuant to the filing with the Council on June 24th, 1931, a proposed ordinance regulating the handling of and sale of milk in the City of Modesto, by Nathan McVey and to the subsequent referring of same to the City Attorney for his investigation and recommendation, at this time Mr. Carlson reported that he desired to investigate the matter further, whereupon by unanimous consent of the Council the same was laid over until the next regular meeting of the Council.

IN THE MATTER OF SEGREGATION OF CERTAIN TAXES:

Pursuant to the filing of a petition by M. R. Pitts on June 24th 1931, asking for the segregation of certain taxes on property of Matilda Turpen for the year 1926, and pursuant to the referring of the same to the City Attorney for his recommendation, at this time he reported that he desired to investigate the matter further, and by unanimous consent of the Council, action upon the same was postponed until the next regular meeting.

7. IN THE MATTER OF ABATEMENT OF DANCES AT 615½ H STREET:

Pursuant to the filing of a petition with the City Council on June 24th, 1931, protesting the nuisances created by the dances held at 615½ H Street, and to the referring of the same to the City Attorney for his recommendation, he reported at this time that there has been some modification in the conduct of the dances being held at the above address, and that he wished more time in which to complete his investigation. Whereupon by unanimous consent of the Council, action upon the same was postponed until the next regular meeting of the Council.

8. IN THE MATTER OF TWO-INCH WATER TAP TO WASHINGTON STREET SCHOOL:

Commissioner Boundey introduced a resolution, being

RESOLUTION NO. 2185-N.S.

granting a 2"-water tap connection with the City of Modesto's water mains to the Washington Street School, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Boundey, Brown, Falger, Rogers, and Mayor Dennett

Noes: Councilmen: None

Absent: Councilmen: None

9. IN THE MATTER OF FINAL PAYMENT TO ERNEST GREEN FOR PUMP STATION:

Commissioner Falger introduced a resolution, being

RESOLUTION NO. 2186-N.S.

authorizing and instructing the City Treasurer and Auditor to issue a check in the amount of \$ 186.25 to Ernest Green, the same being payment in full of the contract price for the erection of a pump station building on the sewer farm, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Boundey, Brown, Falger, Rogers, and Mayor Dennett

Noes: Councilmen: None

Absent: Councilmen: None

10. IN THE MATTER OF CANCELLATION OF CITY OF MODESTO'S CHECK NO. 6792:

Commissioner Falger introduced a resolution, being

RESOLUTION NO. 2187-N.S.

cancelling payment upon City of Modesto's check No. 6792 in the amount of \$2.10 made payable to Joe Lopez, and instructing the City Treasurer to notify the bank to stop payment upon the same, which motion was regularly adopted by the following vote:

Ayes: Councilmen: Boundey, Brown, Falger, Rogers, and Mayor Dennett

Noes: Councilmen: None

Absent: Councilmen: None

11. IN THE MATTER OF PROPOSED PEDDLING ORDINANCE:

Attorney V. F. Gent, representing the opponents to, and Attorney E. H. Zion, representing the proponents for, a proposed ordinance regulating peddling at retail in the City of Modesto, addressed the Council in regard to same. After some discussion of the matter, Commissioner Falger introduced a resolution, being

RESOLUTION NO. 2188-N.S.

postponing action on the above mentioned ordinance until the next regular meeting of the Council, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Boundey, Brown, Falger, Rogers, and Mayor Dennett

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF PETITION FOR THE LIGHTING OF ELEVENTH STREET:

A petition for the lighting of Eleventh Street between J and Needham Streets was filed with the Council. No action was taken thereon at this time.

IN THE MATTER OF PROPOSED BRIDGE OVER DRY CREEK:

A Communication was received from the County Clerk, C. C. Eastin, stating that the Board of Supervisors were willing to construct a bridge over Dry Creek at a point between the intersection of 19th and H Street and the intersection of Covina Avenue and Waterford Highway, providing the City of Modesto would take care of the expense of connecting said bridge with Downey Avenue. Whereupon Commissioner Rogers introduced a resolution, being

RESOLUTION NO. 2189-N.S.

signifying the willingness of the Council of the City of Modesto to take care of the expense of connecting the proposed bridge over Dry Creek with Downey Ave. providing that the property owners agree to furnish the necessary right of way, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Boundey, Falger, Rogers, and Mayor Dennett

Noes: Councilmen: Brown

Absent: Councilmen: None

IN THE MATTER OF STATE COMPENSATION:

The City Attorney reported that he has had a conference with representatives of the State Compensation Insurance Fund, and upon his recommendation, they have agreed to extend the time for payment of the policy now in the hands of the City of Modesto until the 15th day of August, 1931, which arrangement was agreeable to, and accepted by the Council.

IN THE MATTER OF ANNUAL REPORTS:

The annual reports of the various departments were reviewed by the Council and ordered filed.

IN THE MATTER OF ADJOURNMENT:

Commissioner Brown introduced a resolution, being
RESOLUTION NO. 2190-N.S.
adjourning this Council meeting now in session to meet again on Wednesday, July 29th, 1931, at the usual time and place, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Boundey, Brown, Falger, Rogers, and Mayor Dennett

Noes: Councilmen: None

Absent: Councilmen: None

Attest:

H. E. Gragg
H. E. Gragg

City Clerk

July 29, 1931

Pursuant to Resolution No. 2190-N.S. the Council met in regular session on this date, being called to order by Mayor Dennett with all members present.

IN THE MATTER OF AMENDING TRAFFIC ORDINANCE NO. 345-N.S.:

Commissioner Boundey introduced an Ordinance, being

ORDINANCE NO. 406-N.S.

amending traffic ordinance No. 345-N.S. relative to vehicles carrying advertisements, which ordinance was passed to print by the following vote:

Ayes: Councilmen: Boundey, Falger, Rogers, and Mayor Dennett

Noes: Councilman: Brown

Absent: Councilmen: None

IN THE MATTER OF BUDGETS:

Commissioner Falger introduced a resolution, being

RESOLUTION NO. 2191-N.S.

adopting the budgets of the various departments for the fiscal year ending June 30th, 1932, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Boundey, Brown, Falger, and Mayor Dennett

Noes: Councilmen: Rogers

Absent: Councilmen: None

IN THE MATTER OF WAGE SCALE:

Commissioner Rogers introduced a resolution, being

RESOLUTION NO. 2192-N.S.

fixing the wage scale for common labor to be paid by the City of Modesto at \$3.50 for the first six months of employment; \$4.00 for the ensuing six months of employment; and \$4.25 after one year of employment, the same to be effective from and after August 1, 1931, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Boundey, Brown, Falger, Rogers, and Mayor Dennett

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF ADJOURNMENT:

Commissioner Boundey introduced a resolution, being
RESOLUTION NO. 2193-N.S.

adjourning this meeting now in session to meet again on Monday, August 3, 1931, at ten o'clock A.M. at the usual place, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Boundey, Brown, Falger, Rogers, and Mayor Dennett
Noes: Councilmen: None

Absent: Councilmen: None

Attest:

H. E. Gragg
H. E. Gragg

City Clerk

August 3, 1931

Pursuant to Resolution No. 2193-N.S., the Council met in adjourned session on this date, being called to order by Commissioner Falger, Mayor pro-tem, in the absence of Mayor Dennett.

Owing to the absence of Mayor Dennett, no business was transacted. Commissioner Brown, introduced a resolution, being

RESOLUTION NO. 2194-N.S.

adjourning this Council meeting now in session to meet again on Thursday, August 6th, 1931, at the hour of ten o'clock A. M. at the usual place, which resolution was regularly adopted by the following vote:

Ayes: Councilmen F Boundey, Brown, Falger, and Rogers

Noes: Councilmen: None

Absent: Mayor Dennett

Attest: H. E. Gragg
H. E. Gragg
City Clerk

* * * * *

Council, City of Modesto

August 6, 1931

The Council met in adjourned session this date, and there were present Councilmen Boundey, Brown, Falger, Rogers, and Mayor Dennett
Absent: Councilmen: None

IN THE MATTER OF FIRES OUTSIDE THE CITY LIMITS:

Commissioner Brown introduced a resolution, being

RESOLUTION NO. 2195-N.S.

ordering and instructing the Fire Department to answer no calls for fires outside the City limits since the City of Modesto carries liability insurance on the fire trucks and equipment only within the City of Modesto, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Boundey, Brown, Falger, Rogers, and Mayor Dennett

Noes: Councilmen: None

Absent: Councilmen None

IN THE MATTER OF RESIGNATION OF C. S. MORRIS, CHAIRMAN OF THE CITY PLANNING COMMISSION:

A Communication was received from Charles S. Morris, formerly of Modesto and now of San Mateo, tendering resignation from the position of Chairman of the Greater Modesto Planning Commission. Whereupon Commissioner Falger introduced a resolution, being

RESOLUTION NO. 2196-N.S.

accepting the resignation of Charles S. Morris from the post of Chairman of

the Greater Modesto Planning Commission, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Boundey, Brown, Falger, Rogers, and Mayor Dennett

Noes: Councilmen: None

Absent: Councilmen: None

3

IN THE MATTER OF GARBAGE DISPOSAL:

Commissioner Rogers introduced a resolution, being

RESOLUTION NO. 2197-N.S.

instructing the City Clerk to write to various cities in the State of California to ascertain the methods used for garbage disposal in other municipalities, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Boundey, Brown, Falger, Rogers, and Mayor Dennett

Noes: Councilmen: None

Absent: Councilmen: None

4

IN THE MATTER OF RESIGNATION OF J. A. PHILLIS, SUPERINTENDENT OF CITY PARKS:

Commissioner Falger introduced a resolution, being

RESOLUTION NO. 2198-N.S.

accepting the resignation of J. A. Phillis from the position of Superintendent of City Parks, the same to be effective September 1st, 1931, and granting to Mr. Phillis one month's vacation on full salary for the month of August, 1931, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Boundey, Brown, Falger, Rogers, and Mayor Dennett

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF ADJOURNMENT:

Commissioner Rogers introduced a resolution, being

RESOLUTION NO. 2199-N.S.

adjourning this Council meeting now in session to meet again on Friday, August 7th, 1931, at the hour of 10:00 o'clock A.M. at the usual place, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Boundey, Brown, Falger, Rogers, and Mayor Dennett

Noes: Councilmen: None

Absent: Councilmen: None

Attest:

H. E. Gragg
H. E. GRAGG
CITY CLERK

August 7th, 1931

The Council met in adjourned session this date, pursuant to Resolution No. 2199-N.S. being called to order by Mayor Dennett with all members present.

IN THE MATTER OF APPOINTMENT OF SUPERINTENDENT OF PARKS:

Commissioner Falger introduced a resolution, being

RESOLUTION NO. 2200-N.S.

appointing J. E. Dom Carlos to the position of Superintendent of City Parks dating from and after August 1, 1931 at a salary of \$ 125.00 per month, the appointment to be revocable at the will and pleasure of the City Council, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Boundey, Brown, Falger, Rogers, and Mayor Dennett

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF FURNISHING WATER TO RESIDENTS OUTSIDE THE CITY LIMITS IN THE MENSINGER TRACT:

A Communication was received from Paul J. Cooper, realtor, addressed to Mayor L. L. Dennett, setting forth the advantages and benefits to be derived from furnishing water to the residences in the Mensinger Tract, just outside the City limits and potential territory to be annexed to the City of Modesto. After discussion of the matter by the Council, Commissioner Falger introduced a resolution, being

RESOLUTION NO. 2201-N.S.

appointing Commissioner Boundey a committee of one to obtain a concrete written proposition from Mr. Mensinger in regard to the supplying of water to homes in the Mensinger Tract outside the City limits, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Boundey, Brown, Falger, Rogers, and Mayor Dennett

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF FIXING SALARIES OF CITY EMPLOYEES:

Commissioner Falger introduced a resolution, being

RESOLUTION NO. 2202-N.S.

placing the names of certain employees, heretofore on the weekly payroll, on the monthly payroll and adjusting salaries as follows, the same to take effect from and after September 1, 1931.

A. J. Carlson	City Attorney	\$ 125.00 per Mo.
H. P. Muller, M.D.	Health Officer	50.00
F. E. Holtham	Sanitary Inspector	175.00
E. Benson	Night Jailor	140.00
Jess Wallace	Ass't Fire Chief	140.00
Lillian Loving	Ass't City Clerk	170.00
Elmer Blum	Clerk, City Office	155.00
Cecil Davis	Clerk, City Office	110.00
Ducette Coulson	Steno. City Office	110.00
C. A. Waldo	Field Man	150.00

E. S. Shotwell	Water Service Man	175.00
C. A. Walsh	Water Tap Man	140.00
J. D. Conrad	Sewer Farm Mtc. Man	125.00
H. A. Lollich	Street Sweeper Operator	155.00
C. D. Reedy	Street Sweeper Operator	155.00
H. E. Moore	Electrical Inspector	175.00
I. L. Walker	Lineman	175.00
Chas. Viss	Lineman	175.00
Nels Hansen	Ass't Sup't of Sts.	175.00
H. N. Carey	Ass't Electrician	190.00
J. H. Speaker		150.00
W. V. Voice		150.00
A. L. Worthen	Pumpmen	150.00
Wm. Knieriem		150.00
H. J. Hall	Fire Alarm Mtc.	175.00
M. H. Crews	Ass't City Engineer	190.00

Which resolution was regularly adopted by the following vote:

Ayes: Councilmen Boundey, Brown, Falger, Rogers, and Mayor Dennett

Noes: Councilmen None

Absent Councilmen None

IN THE MATTER OF ADJOURNMENT:

Commissioner Brown introduced a resolution, being

RESOLUTION NO. 2202-A -- N.S.

adjourning this Councilm meeting now in session, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Boundey, Brown, Falger, Rogers, and Mayor Dennett

Noes: Councilmen: None

Absent: Councilmen: None

H. E. Gragg
Attest: H. E. Gragg

City Clerk

*** BOARD OF EQUALIZATION ***

Board of Equalization
City of Modesto
Monday, August 3, 1931

Pursuant to Ordinance No. 396-N.S. and the laws of the State of California, the City Council of the City of Modesto convened in the City Hall at 10:00 o'clock A.M. this 3rd day of August, 1931, being called to order by Commissioner Falger, mayor pro-tem in the absence of Mayor Dennett, to meet as a Board of Equalization to equalize any assessments which may appear erroneous upon the Tax Roll, and there were present Councilmen: Boundey, Brown, Falger, and Rogers.

Absent: Mayor Dennett.

No business appearing before the meeting, the Board upon motion adjourned until August 4, 1931, at 10:00 o'clock A.M.

Attest: *H. E. Gragg*
H. E. GRAGG

CITY CLERK

Board of Equalization
City of Modesto
Tuesday, August 4th, 1931

The Board of Equalization met pursuant to its adjournment of August 3, 1931, and there were present Councilmen Boundey, Brown, Falger.

Absent: Councilmen: Rogers, and Mayor Dennett

No business appearing before the meeting, the Board upon motion adjourned to meet again Wednesday, August 5th, 1931, at 10:00 A.M.

Attest: *H. E. Gragg*
H. E. GRAGG
CITY CLERK

Board of Equalization
Wednesday, August 5, 1931

The Board of Equalization met pursuant to its adjournment of August 4th, 1931, and there were present Councilmen: Boundey, Brown, Falger;

Absent, Councilman Rogers and Mayor Dennett

No business appearing before the meeting, the Board upon motion adjourned until Thursday, August 6th, 1931, at 10:00 o'clock A. M.

Attest: *H. E. Gragg*
H. E. GRAGG
CITY CLERK

Board of Equalization
Thursday August 6th, 1931

4
The Board of Equalization met pursuant to its adjournment of August 5th, 1931, and there were present Councilmen Boundey, Brown, Falger, Rogers, and Mayor Dennett

Absent: Councilmen: None

No business appearing before the meeting, the Board upon motion adjourned until Friday, August 7th, 1931, at 10:00 o'clock A.M.

H. E. Gragg
ATTEST: H. E. GRAGG
CITY CLERK

Board of Equalization
Friday, August 7th, 1931

5
The Board of Equalization met pursuant to its adjournment of August 6th, 1931, and there were present Councilmen Boundey, Brown, Falger, Rogers, and Mayor Dennett

Absent: Councilmen: None

Pursuant to the request of Mrs. M.M. Allibert previously filed with the City Assessor asking that the improvements on Lots 3 to 5 inclusive in Block 58, having been destroyed by fire shortly after the first Monday in March, be removed from the Tax Roll; whereupon after discussion of the matter by the Board, Commissioner Falger introduced a resolution, being

RESOLUTION NO. 2203-N.S.

authorizing and instructing the City Assessor and Tax Collector to remove from the Tax Roll the improvements on Lots 3 to 5 inclusive in Block 58 assessed in the name of M.M. Allibert, for the year 1931-32 which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Boundey, Brown, Falger, Rogers, and Mayor Dennett

Noes: Councilmen: None

Absent: Councilmen: None

No further business appearing before the Board and said Board having met and conducted its meetings according to Article 9, Section 49 of the Charter of the City of Modesto, Mayor Dennett introduced a resolution, being

RESOLUTION NO. 2204-N.S.

adjourning this Council sitting as a Board of Equalization now in session, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Boundey, Brown, Falger, Rogers, and Mayor Dennett

Noes: Councilmen: None

Absent: Councilmen: None

H. E. Gragg
Attest: H. E. GRAGG
CITY CLERK

August 12th, 1931

The Council of the City of Modesto convened in regular session this day at 7:30 o'clock P.M., and there were present Councilmen: Boundey, Brown, Falger, Rogers, and Mayor Dennett
Absent: Councilmen: None

IN THE MATTER OF MINUTES:

The minutes of the regular session of July 22nd, 1931; of the adjourned sessions of July 29th, August 3rd, 6th, and 7th, 1931; and of the Board of Equalization meetings of August 3rd to 7th, 1931, having been read by each of the Councilmen, they were by unanimous consent approved as read.

IN THE MATTER OF CLAIMS:

Commissioner Falger introduced a resolution, being

RESOLUTION NO. 2205-N.S.

ordering that all of the claims duly audited and approved by the Council be and they are hereby allowed. Reference is hereby made to the Auditor's Cash Book for further particulars regarding the withdrawals from the various funds as follows:

General Fund.....	\$ 18,626.83
Water Fund.....	6,485.75
Library Fund.....	1,545.43
Bond Red. Int.....	8,850.00
St. Bond Red. Int.....	55,390.53
Sewer Septic Fund.	186.25
Unapportioned Fund.....	2.10
TOTAL.....	\$ 91,086.89

Which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Boundey, Brown, Falger, Rogers, and Mayor Dennett

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF FINAL ADOPTION OF ORDINANCE NO. 406-N.S.:

Ordinance No. 406-N.S., an ordinance regulating the parking of automobiles and other vehicles carrying banners for advertising purposes, having been introduced and ordered published at a regular meeting of the Council held on the 22nd day of July, 1931, and having been published as required by the Charter of the City of Modesto coming on for final adoption this 12th day of August, 1931, it was finally adopted by the following vote:

Ayes: Councilmen: Boundey, Falger, Rogers, and Mayor Dennett

Noes: Councilmen: Brown

Absent: Councilmen: None

IN THE MATTER OF PROPOSED MILK ORDINANCE:

By unanimous consent of the Council action on the above mentioned matter was laid over until the next regular meeting of the Council..

IN THE MATTER OF PROPOSED PEDDLERS ORDINANCE:

By unanimous consent of the Council, action on the above mentioned matter was postponed until the next regular meeting of the Council.

6 IN THE MATTER OF SEGREGATION OF CERTAIN TAXES OF MATILDA TURPEN:

By unanimous consent of the Council, action on the above mentioned matter was postponed until the next regular meeting of the Council.

7. IN THE MATTER OF ABATEMENT OF DANCES HELD AT 615½ H STREET:

By unanimous consent of the Council, the above mentioned matter was laid over until the next regular meeting of the Council.

8. IN THE MATTER OF PETITION FOR THE ERECTION OF SIGN POSTS:

A petition was received from the Lions Club asking permission to erect a sign post at the north and at the south entrance to the City; whereupon Commissioner Rogers introduced a resolution, being

RESOLUTION NO. 2206-N.S.

granting permission to the Lions Club for the erection of a sign post at the north and at the south entrance to the City, providing that the same be erected under the direction and supervision of the City Engineer, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Boundey, Brown, Falger, Rogers, and Mayor Dennett

Noes: Councilmen: None

Absent: Councilmen: None

9. IN THE MATTER OF COMMUNICATIONS:

A Communication was received from the League of California Municipalities in regard to the publication of the League's new edition of the Municipal Handbook. By order of the Council, the City Clerk was instructed to order one copy of the same.

10. A Communication was received from the Riverside Chamber of Commerce in regard to the convention of the League of California Municipalities.

11. A Communication was received from Mr. E. B. Cavendish, golf architect.

12. IN THE MATTER OF PETITION OF FIRE PROTECTION OUTSIDE THE CITY:

A petition was filed with the City Council signed by representatives of the Anker Meat Company; Modesto Tallow Company; Arnople Meat Company; B. Zeff & Company; Geller Packing Company; and Modesto Packing Company asking that their packing plants and slaughter houses located outside the City limits be granted fire protection by the City of Modesto Fire Department. After considerable discussion of the matter by the Council, it was, by unanimous consent, referred to the City Attorney for a report on the legal aspect of entering into a contract for granting protection in case of fire to the above named petitioners.

13. IN THE MATTER OF BURIAL OF HUMAN BODIES IN BLOCK 606:

Mr. Alf Davis appeared before the Council on behalf of the Modesto Cemetery Association, asking that they be given permission to bury human bodies on property, known as Block 606, which they have recently purchased. Whereupon Commissioner Falger introduced a resolution, being

RESOLUTION NO. 2207-N.S.

setting the 26th day of August, 1931, as the time when all interested persons may appear

before the Council in regard to the matter of the burial of human bodies within Block 606 of the City of Modesto, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Boundey, Brown, Falger, Rogers, and Mayor Dennett

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF PETITION FOR THE LIGHTING OF I STREET:

A petition for the lighting of I Street between 12th and 17th Streets, and also 12th Street between J and I Streets was presented to the Council for consideration. By unanimous consent of the Council the same was referred to the City Engineer for a verification of the frontage represented thereon.

IN THE MATTER OF EXCHANGE OF TAX SALES:

City Attorney, A.J. Carlson, presented a proposition to the Council, in which several lots in the name of the City of Modesto are involved, and to which Mrs. Plummer holds certain tax sales. After some discussion of this matter by the Council, Commissioner Falger introduced a resolution, being

RESOLUTION NO. 2208-N.S.

postponing action on the above mentioned matter until the next regular meeting of the Council, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Boundey, Brown, Falger, Rogers, and Mayor Dennett

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF APPLICATION FOR POSITION OF JUDGE OF POLICE COURT:

Attorney J.M. Cross filed a written proposition and application with the Council, for appointment to the position of Judge of the Police Court following which he made a few oral remarks concerning the office and why it should be a separate one from that of Justice of Peace. Mr. B.C. Hawkins, present incumbent, addressed the Council and gave several reasons why he thought it would be detrimental to separate the two offices. By unanimous consent of the Council, further consideration of the matter was laid over until the next regular meeting.

IN THE MATTER OF COMPENSATION INSURANCE:

By order of the Council, the City Clerk was instructed to communicate with the State Compensation Insurance Fund and ask for an extension of the present policy of the City of Modesto until September, 15th, 1931.

IN THE MATTER OF PROPOSED NEW POST OFFICE BUILDING:

Mayor Dennett introduced a resolution, being

RESOLUTION NO. 2209-N.S.

reading as follows:

WHEREAS, the condition of unemployment is becoming acute and any measure taken to relieve such condition will become ineffective unless put into operation immediately, and

WHEREAS, an appropriation has been made and is now available for the construction of a post office building in Modesto, and all of the preliminary requirements for such construction have been met; and such work can be at this time performed most efficiently and economically with most benefit to the community; and

WHEREAS, there seems to be no good reason why there should be any delay in the commencement of such construction; and such work if delayed will be of little or no use in relieving such unemployment;

THEREFORE, BE IT RESOLVED that we urge upon the authorities having charge of this work the desirability and necessity of commencing such construction without further delay.

BE IT ALSO RESOLVED that the City Clerk be instructed to send a copy of this resolution to the President of the United States, to the Postmaster General at Washington; the Fourth Assistant Postmaster General at San Francisco, to the Honorable Hiram Johnson and Honorable Samuel M. Shortridge, United States Senators; and to Honorable Henry E. Barbour, Member of Congress.

Which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Boundey, Brown, Falger, Rogers, and Mayor Dennett

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF PLAN PROVIDING FOR UNEMPLOYMENT:

Mayor Dennett introduced a resolution, being

RESOLUTION NO. 2210-N.S.

authorizing and instructing the Mayor to call a conference of representatives of the various civic and social organizations in Modesto for the purpose of laying out a program to meet more efficiently the condition of unemployment in the City of Modesto, and vicinity, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Boundey, Brown, Falger, Rogers, and Mayor Dennett

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF CREATING OFFICE OF ASSISTANT CITY CLERK:

Commissioner Boundey introduced a resolution, being

RESOLUTION NO. 2211-N.S.

creating the office of Assistant City Clerk and approving the appointment of Miss Lillian Loving to the position, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Boundey, Brown, Falger, and Mayor Dennett

Noes: Councilmen: Rogers

Absent: Councilmen: None

IN THE MATTER OF CREATING OFFICE OF ASSISTANT FIRE CHIEF:

Commissioner Falger introduced a resolution, being

RESOLUTION NO. 2212-N.S.

creating the position of Assistant Fire Chief of the City of Modesto, fixing the salary therefor at \$ 150.00 per month; and approving the appointment of Jesse Wallace to the position, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Boundey, Brown, Falger, Rogers

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF REPORT OF COMMISSIONER BOUNDEY ON FURNISHING OF WATER TO THE MENSINGER TRACT OUTSIDE THE CITY:

Commissioner Boundey reported that Mr. Mensinger has not yet made any definite proposition to the City of Modesto relative to the furnishing of water to the residences in the Mensinger Tract just outside the City limits.

IN THE MATTER OF REPORTS:

The reports of the various departments for the month of July, 1931, were reviewed by the Council and ordered filed.

IN THE MATTER OF ADJOURNMENT:

Commissioner Falger introduced a resolution, being

RESOLUTION NO. 2213-N.S.

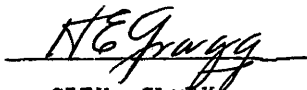
adjourning this Council meeting now in session, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Boundey, Brown, Falger, Rogers, and Mayor Dennett

Noes: Councilmen: None

Absent: Councilmen: None

Attest:


CITY CLERK

The Council of the City of Modesto convened in regular session this 26th day of August, 1931, at 7:30 o'clock P.M. There were present Councilmen: Boundey, Brown, Falger, Rogers, and Mayor Dennett

Absent: Councilmen: None

In the absence of H.E. Gragg, City Clerk, A. J. Carlson acted as Clerk pro-tem of the Council.

IN THE MATTER OF MINUTES:

The minutes of the regular session of the Council of August 12th, 1931, were read and corrected and as so corrected were approved.

IN THE MATTER OF EXTENSION TO CEMETERY:

The matter of repealing Ordinance No. 369-N.S. so as to permit the use of Block 606 for the burial of human bodies was, by unanimous consent, continued to the next regular meeting.

IN THE MATTER OF COMMUNICATIONS:

Communications were received from the Secretary of President Hoover; Senator Shortridge; Senator Johnson; and Congressman Barbour with relation to the construction of the new post office, and upon being read to the Council, were ordered filed.

A Communication from the Mayor's and Councilmen's Association of Northern California calling attention to the meeting of the Association to be held in San Francisco on August 26th, 1931, was read to the Council and ordered filed.

A Communication from Mrs. Eva McMahon stating that she was willing to sign the petition lifting the zoning of her property at 1521 I Street was read to the Council and ordered filed.

A Communication from the Mayor and City Officials of Monterey inviting the officials of the City of Modesto to attend the 33rd annual convention of the League of California Municipalities at Del Monte on September 21st, 1931, was read to the Council and ordered filed.

IN THE MATTER OF PARKING ON TENTH STREET:

Messrs Joseph Priester, C. S. Brown, Arthur Rhinehart, Joe Wendling, Joe Heermance, and others, appeared before the Council and stated that they desired the repeal of Ordinance No. 404-N.S. prohibiting the parking of vehicles for a longer period of time than twenty minutes on the northeasterly side of Tenth Street between I and J Street, claiming that said Ordinance provision is a detriment to their business. Thereupon Councilman Brown, introduced a resolution, being

RESOLUTION NO. 2214-N.S.

suspending the operation of Ordinance No. 404-N.S. which limits parking on the northeasterly side of Tenth Street between I and J Street to twenty minutes; and instructing the Street superintendent to remove the unnecessary signs and to paint

those that remain to conform to the others in the business district, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Boundey, Brown, Falger, Rogers, and Mayor Dennett

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF MAP OF MENSINGER TRACT NO. 1:

Mr. W.R. Mensinger appeared before the Council with a map of a subdivision outside of, but within three miles of the corporate limits of the City of Modesto, which he desired the Council to approve in the absence of a Planning Commission. Objections to the approval was made by the City Engineer, F.J. Rossi, on the ground that it did not show Kewin Avenue extended to the westerly limits of the tract. After some discussion, Mr. Mensinger offered to enter into a written agreement with the City, under the terms of which he would not sell, encumber or improve Lots 86 and 87 and the Southerly 10 feet of Lot 88 of said Mensinger Tract No. 1 for a period of two years and that if within said period of time Kewin Avenue should be extended westerly to an intersecting street, he would by appropriate action give said lots 86 and 87 and the southerly ten feet of Lot 88 to the City, or County, as the case might be, for highway purposes. Commissioner Falger thereupon introduced a resolution, being

RESOLUTION NO. 2215-N.S.

(Rescinded By 2228-N.S.)

directing that the City Engineer certify the tentative map as presented to the proper County authorities with his approval, providing that Mr. Mensinger executes and delivers to the City an agreement whereby he will donate Lots 86 and 87, and the Southerly ten feet of Lot 88 for said purposes, if within two years Kewin Avenue be extended westerly to an intersecting street, and that, in the meantime he will not mortgage, sell, or improve, the same; which resolution being duly seconded, it was upon roll call adopted by the following vote:

Ayes: Councilmen: Boundey, Brown, Falger, Rogers, and Mayor Dennett

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF LIGHTING OF ELEVENTH STREET BETWEEN K AND NEEDHAM:

City Engineer, F.J. Rossi reported that the petition on file was signed by 51.57% of the owners of property fronting on 11th Street between K and Needham Street, but that under the Amendments to the Street Improvement Acts further investigation with regard to assessed valuations are necessary. By unanimous consent of the Council, the matter was referred back to the City Engineer for further investigation and report.

IN THE MATTER OF LIGHTING OF I STREET:

The preliminary report of the City Engineer was received. The matter was discussed and by unanimous consent of the Council was laid over until the next regular meeting.

IN THE MATTER OF EVANGELISTICAL MEETINGS AT SIXTEENTH AND I STREET;

Reverend Mr. Valdez of the Bethel Church asked permission to construct a temporary tent and conduct Evangelistical meetings on the property known as Lots 31 and 32 in Block 126 at the corner of 16th and I Street. It appearing that the consent of the adjoining property owners had been obtained, by order of the Council, permission was granted to Mr. Valdez to erect a tent and conduct meetings as outlined in his application to the Council.

IN THE MATTER OF REQUEST OF MR. J.K. SCOTT FOR PARKING SPACE:

A Communication was received from Mr. J.K. Scott requesting that a parking space in front of his store at 933 10th Street be marked for a ten minute parking limit for the reasons therein stated. Mr. Scott appeared personally in support of his application. By unanimous consent of the Council the same was referred to the Commissioner of Public Works.

IN THE MATTER OF ORDINANCE FIXING THE TAX RATE FOR YEAR 1931-1932:

Commissioner Falger introduced an ordinance, being

ORDINANCE NO. 407-N.S.

entitled: AN ORDINANCE FIXING THE RATE OF TAXATION IN AND FOR THE CITY OF MODESTO FOR THE FISCAL YEAR 1931-1932, and moved its adoption, which motion being duly seconded, it was upon roll called adopted by the following vote:

Ayes: Councilmen: Boundey, Brown, Falger, Rogers, and Mayor Dennett

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF PROPOSED MILK ORDINANCE:

By unanimous consent of the Council, further consideration of this ordinance was continued indefinitely.

IN THE MATTER OF PROPOSED PEDDLER'S ORDINANCE:

By unanimous consent of the Council, further consideration of this ordinance was continued indefinitely.

IN THE MATTER OF IRRIGATION TAXES ON THE O'BRIEN PROPERTY:

It appears that the City of Modesto is entitled to an Irrigation Tax Deed to Lots 21 to 24 inclusive in Block 36 and Lots 23 and 24 in Block 410 by virtue of the purchase of a Certificate of Sale from Mr. F.A. Thornton, and it further appears that additional irrigation taxes aggregating \$ 273.43, have accrued against said property since the issuance of said tax certificate. Whereupon Councilman Falger introduced a resolution, being

RESOLUTION NO. 2216-N.S.

appropriating the sum of \$ 273.43 to pay said assessments and authorizing and directing the Clerk and Auditor to issue a warrant in favor of the Tax Collector of the Modesto Irrigation District to pay said claim, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Boundey, Brown, Falger, Rogers, and Mayor Dennett

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF EXCHANGE OF PROPERTY WITH MRS. E. V. PLUMMER:

17
The proposition heretofore made by Mrs. E.V.Plummer to convey to the City her title to Lots 21 to 24 in Block 36 for a deed from the City to its interest in Lots 23 and 24 in Block 410 for the payment of the Irrigation Taxes on the same and the payment of the Irrigation Taxes on Lots 1 and 2 in Block 34 was discussed. No further action was taken and by unanimous consent of the Council, further consideration was continued to the next regular meeting.

IN THE MATTER OF APPLICATION OF J.M.GROSS FOR APPOINTMENT TO THE POSITION OF JUDGE OF THE POLICE COURT:

18
By unanimous consent of the Council the same was laid over to the next regular meeting.

IN THE MATTER OF CLAIMS:

Councilman Falger introduced a resolution, being

19
RESOLUTION NO. 2217-N. S.

directing that warrants be drawn in favor of Palmer Electric Company in the amount of \$ 166.45 for street lighting supplies and Crabtree Brothers for \$ 300.00 for balance due on one Indian Motorcycle, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Boundey, Brown, Falger, Rogers, and Mayor Dennett

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF INSTALLATION OF CONVERSION BURNERS IN FIRE STATIONS:

20
The proposition of the Pacific Gas & Electric Company for installation of a C-1 conversion burner for a circulating gas heater at Fire Station No. 1 Station No. 2, and Station No. 3; for the sum of \$ 26.50 each, was brought to the attention of the Council. Thereupon Councilman Brown introduced a resolution, being

RESOLUTION NO. 2218-N.S.

accepting the offer of the Pacific Gas & Electric Company authorizing the installation of the burners and the payment of the price therefor, when completed, which resolution was regularly adopted by the following vote;

Ayes: Councilmen: Boundey, Brown, Falger, Rogers, and Mayor Dennett

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF MAP OF ODDFELLOWS CEMETERY:

21
A map of the addition to the Oddfellows Cemetery signed by the City Engineer was presented to the Council for the approval of the City Clerk, Auditor, Mayor, and Assessor. By unanimous consent of the Council, the matter was laid over to the next regular meeting.

IN THE MATTER OF ADJOURNMENT:

Commissioner Brown introduced a resolution, being

RESOLUTION NO.2219-N.S.

22 adjourning this Council meeting now in session, to the next regular meeting of the Council, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Boundey, Brown, Falger, Rogers, and Mayor Dennett

Noes: Councilmen: None

Absent: Councilmen: None

Attest: _____

NE Gragg
CLERK OF THE COUNCIL
PRO-TEM.

Council, City of Modesto

September 9th, 1931

The Council convened in regular session this date. There being no quorum present, H.E. Gragg, City Clerk, adjourned the meeting to Thursday, September 10th, 1931, at the usual time and place.

Council, City of Modesto

September 10th, 1931

The Council convened in regular session this date, and there were present Councilmen Boundey, Brown, Falger, Rogers, and Mayor Dennett
Absent: Councilmen: None

IN THE MATTER OF MINUTES:

The minutes of the regular session of August 26th, 1931, were read and approved as read.

IN THE MATTER OF HEARING FOR EXTENSION OF CEMETERY:

By unanimous consent of the Council this matter was continued to the next regular meeting.

IN THE MATTER OF CLOSING ALLEY:

Mr. A.L. Morrison appeared before the Council on behalf of the California State Highway Patrol, and asked that the alley between 6th and 7th Street and between H and I Street be closed from 12:00 M. Saturday, September 19th, 1931, to 2:00 A.M. Sunday, September 20th, 1931. Thereupon Commissioner Brown introduced a resolution, being

RESOLUTION NO. 2220-N.F.

closing the above mentioned alley during the times specified above, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Boundey, Brown, Falger, Rogers, and Mayor Dennett

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF WATER EXTENSION ON NORTH MAGNOLIA AVENUE:

Mr. F.A. Weast appeared before the Council and asked that the City extend their water line mains and furnish water to residents outside the City in the vicinity of North Magnolia Avenue. After considerable discussion of the matter by the Council, it was by unanimous consent laid over to the next regular meeting.

IN THE MATTER OF ROUTING OF STATE HIGHWAY:

Mr. W.C. LeHane appeared before the Council and made his usual objections to the 9th Street routing of the State highway and prevailed upon the Council to bring the matter to a vote. No action was taken thereon by the Council.

IN THE MATTER OF LIGHTING OF I STREET:

By unanimous consent of the Council this matter was continued to the next regular meeting.

IN THE MATTER OF APPROVAL OF MAP OF CEMETERY:

Commissioner Boundey introduced a resolution, being
RESOLUTION NO.2221-N.S.

approving the map of the Oddfellows Cemetery as submitted to the City Council, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Boundey, Brown, Falger, Rogers, and Mayor Dennett

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF CLAIMS:

The claims against the City for the month of August, 1931, having been duly audited and approved, Councilman Falger introduced a resolution, being

RESOLUTION NO.2222-N.S.

ordering that all of the claims so audited and approved be and they are hereby allowed. Reference is hereby made to the Auditor's Cash Book for further details regarding the amounts of the withdrawls from the various funds as follows:

General.....	\$ 19,102.59
Water.....	5,787.79
Library.....	1,376.07
Bond Red. Int.....	50.00
St. Bond Red. Int.....	3,661.18
TOTAL.....	...\$ 29,977.63

Which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Boundey, Brown, Falger, Rogers, and Mayor Dennett

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF COMMUNICATIONS:

A Communication was received from the Fourth Assistant Postmaster General in regard to the construction of a new post office building in the City of Modesto.

A Communication was received from the Hotel Del Monte in regard to the convention of the League of California Municipalities to be held in that City on Sept. 21 to 24, 1931.

Communications were received from the League of California Municipalities regarding the convention of that organization to be held in Del Monte on Sept. 21 to 24, 1931.

A Communication was received from the City of Turlock stating that in event of an emergency the City of Turlock Fire Department of that City has been authorized to send fire fighting equipment to the City of Modesto.

A Communication was received from the State Compensation Insurance Fund stating that the City of Modesto's policy has been extended to September, 15th, 1931.

The above communications were read to the Council and ordered filed.

IN THE MATTER OF APPROVAL OF ELECTRICIAN'S BOND AND PLUMBERS' APPLICATION FOR LICENSE AND BOND:

Commissioner Boundey introduced a resolution, being

RESOLUTION NO. 2223-N.S.

14
approving the bond of the United Lumber Yards, Inc. as electrical contractors, when certain corrections shall have been made, and also the application for plumbers' license and bond of A.C. Wille, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Boundey, Brown, Falger, Rogers, and Mayor Dennett

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF LIGHTING OF ELEVENTH STREET:

Commissioner Falger introduced a resolution, being

RESOLUTION NO. 2224-N.S.

15
setting Wednesday, September 23rd, 1931, at 7:30 o'clock P.M. the time for an informal hearing of protests to the lighting of 11th Street from K Street to Needham Street, and instructing the City Clerk to publish a notice of said hearing in the Modesto News-Herald, and to mail a copy of said notice to owners of property fronting on the said street, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Boundey, Brown, Falger, Rogers, and Mayor Dennett

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF FINAL ADOPTION OF ORDINANCE NO. 407-N.S.:

16
Ordinance No. 407-N.S., an ordinance fixing the rate of taxation in and for the City of Modesto for the fiscal year July 1, 1931, to July 1, 1932, having been introduced and ordered printed at a regular meeting of the Council of the City of Modesto held on the 26th day of August, 1931, and having been published as required by the Charter of the City of Modesto, coming on for final adoption this 10th day of September, 1931, it was upon roll call adopted by the following vote:

Ayes: Councilmen: Boundey, Brown, Falger, Rogers, and Mayor Dennett

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF APPROPRIATION FOR WATER PIPE:

Commissioner Rogers introduced an ordinance, being

ORDINANCE NO. 408-N.S.

17
appropriating the sum of \$ 5,000.00 or so much thereof as may be necessary for the purchase of water pipe, which ordinance was passed to print and publish by the following vote:

Ayes: Councilmen: Boundey, Brown, Falger, Rogers, and Mayor Dennett

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF EXCHANGE OF TAX SALES WITH MRS. E. V. PLUMMER:

18
Commissioner Falger introduced a resolution, being

RESOLUTION NO. 2225-N.S.

18 authorizing the City Attorney to make a settlement with Mrs. E.V. Plummer for the exchange of certain tax titles with the City of Modesto, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Boundey, Brown, Falger, and Mayor Dennett

Noes: Councilmen: Rogers

Absent: Councilmen: None

IN THE MATTER OF FIREMEN FIGHTING FIRES OUTSIDE CITY:

19 City Attorney, A.J. Carlson made an oral report to the Council stating that in his opinion in so far as the City of Modesto was concerned, the Firemen and fire fighting equipment is covered by insurance either inside or outside the City, when on duty.

IN THE MATTER OF AUTHORIZING FIREMEN TO ANSWER EMERGENCY CALLS IN NEIGHBORING TOWNS AND CITY SCHOOLS OUTSIDE CITY LIMITS:

20 Commissioner Falger introduced a resolution, being

RESOLUTION NO. 2226-N.S.

authorizing the City Fire Chief to send fire fighting equipment and firemen to other towns in case of emergencies for the fighting of fires, and also to City Schools outside of and adjacent to the City limits, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Boundey, Brown, Falger, Rogers, and Mayor Dennett

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF RESCINDING ORDINANCE NO. 403-N.S. CREATING A COMPENSATION INSURANCE FUND IN AND FOR THE CITY OF MODESTO:

21 Commissioner Falger introduced an Ordinance, being

ORDINANCE NO. 409-N.S.

rescinding Ordinance No. 403-N.S. creating a compensation insurance fund in and for the City of Modesto, which ordinance was passed to print and publish by the following vote:

Ayes: Councilmen: Boundey, Brown, Falger, Rogers

Noes: Mayor Dennett

Absent: Councilmen: None

IN THE MATTER OF ACCEPTING POLICY OF THE STATE COMPENSATION INSURANCE FUND:

22 Commissioner Falger introduced a resolution, being

RESOLUTION NO. 2227-N.S.

accepting the policy of the State Compensation Insurance Fund for compensation insurance for the fiscal year July 1, 1931, to July 1, 1932, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Boundey, Brown, Falger, Rogers

Noes: Councilmen: Mayor Dennett

Absent: Councilmen: None

IN THE MATTER OF RESCINDING RESOLUTION NO. 2215-N.S., APPROVING THE MAP OF THE MENSINGER TRACT NO. 1:

Commissioner Boundey introduced a resolution, being
RESOLUTION NO. 2228-N.S.

23
rescinding the action taken by the Council in Resolution No. 2215-N.S., approving the map of Mensinger Tract No. 1, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Boundey, Brown, Falger, Rogers, and Mayor Dennett
Noes: Councilmen: None
Absent: Councilmen: None

IN THE MATTER OF REPAIRING ROOF ON FIRE STATION NO. 1:

Commissioner Boundey introduced a resolution, being
RESOLUTION NO. 2229-N.S.

24
authorizing and instructing the City Engineer to proceed with the repairing of the roof on Fire Station No. 1, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Boundey, Brown, Falger, Rogers, and Mayor Dennett
Noes: Councilmen: None
Absent: Councilmen: None

IN THE MATTER OF HOUSE RENT AT 1121 EIGHTH STREET:

Commissioner Falger introduced a resolution, being
RESOLUTION NO. 2230-N.S.

25
fixing the rent of the house at 1121 8th Street owned by the City of Modesto, now occupied by S. Sivils, at \$ 10.00 per month dating from and after the 1st day of October, 1931, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Boundey, Falger, and Mayor Dennett
Noes: Councilmen: Brown, Rogers
Absent: Councilmen: None

IN THE MATTER OF REPORTS:

26
The reports of the various departments for the month of August, 1931, were reviewed by the Council and ordered filed.

IN THE MATTER OF ADJOURNMENT:

Commissioner Falger introduced a resolution, being
RESOLUTION NO. 2231-N.S.

27
adjourning this Council meeting now in session to the next regular meeting as provided by City Ordinance, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Boundey, Brown, Falger, Rogers, and Mayor Dennett
Noes: Councilmen: None
Absent: Councilmen: None

Attest:

H. E. Gragg
H. E. GRAGG
CITY CLERK

COUNCIL, CITY OF MODESTO

SEPTEMBER 23RD, 1931

The Council convened in regular session this date and there were present Councilmen Boundey, Brown, Falger, Rogers, and Mayor Dennett.

Absent: Councilmen:None

IN THE MATTER OF MINUTES:

The minutes of the regular session of September 10th, 1931, were read and approved as read.

IN THE MATTER OF PROPOSED REVISION OF MILK ORDINANCE:

2
Mr. Nathan McVey appeared before the Council and submitted a revised milk ordinance and asked the Council to give the same their consideration. After discussion of the matter by the Council, it was, by unanimous consent of the Council, laid over until the next regular meeting.

IN THE MATTER OF BANNERS ACROSS THE STREET:

3
Professor H.L.Hoch appeared before the Council and asked their permission on behalf of the Modesto Junior College Student Body to stretch a banner across the street advertising the activities of that organization; thereupon Commissioner Boundey introduced a resolution, being

RESOLUTION NO.2232-V.S.

granting permission to the Modesto Junior College Student Body and also to the Modesto High School Student Body to stretch a banner across the street during the coming school year advertising their activities, providing that the same be placed under the direction and supervision of the City Engineer, which resolution was regularly adopted by the following vote:

Ayes: Councilmen:Boundey, Brown, Falger, Rogers, and Mayor Dennett

Noes: Councilmen:None

Absent: Councilmen:None

IN THE MATTER OF EXTENSION OF CELETERY THROUGH BLOCK 606:

4
Mr. J.W.Hawkins appeared before the Council in regard to an Ordinance that has been previously passed by the Council prohibiting the use of Block 606 for the burial of human bodies. Mr. Hawkins addressed the Council asking that said Ordinance be rescinded, and Messers Pack and Alcorn addressed the Council as representatives of the opposition to the repeal of said ordinance. By unanimous consent of the Council the matter was laid over to the next regular meeting.

IN THE MATTER OF REPORT ON UNEMPLOYMENT IN THE CITY OF MODESTO:

5
Mr. Wm.J. Silva, chairman of the unemployment committee, submitted to the Council a written report of the committee, making certain recommendations for the relieving of the unemployment situation in Modesto and vicinity. Among the recommendations were the following projects which might be undertaken by the City with no increase in the tax rate: the extension of water mains, extension of sewer

lines, the encouragement of better lighting systems in certain portions of the City, and to speed up proceedings for the re-routing of the State Highway through the City, and the building of a new post office. This report was read to the Council, and ordered filed.

IN THE MATTER OF REGULATING CLOSING HOURS OF DANCE HALLS:

6
Mr. E. W. Thomas appeared before the Council and registered a complaint regarding the nuisance created by the dance hall on I Street between 6th and 7th Street, stating that the music played was unduly loud, that the persons frequenting the dance hall indulged in loud and boisterous conduct, tramped on lawns on private property, and causing a great deal of disturbance in general to the residents in that vicinity. After consideration of the matter by the Council, the City Attorney was instructed to prepare an amendment to the present dance Ordinance changing the hours of closing from 2:00 A.M. to 12:00 o'clock P.M. and providing for a license fee for the conducting of dance halls.

IN THE MATTER OF PETITION FOR THE LIGHTING OF ELEVENTH STREET:

7
Pursuant to the filing of a petition for the lighting of 11th Street from K to Needham Street having been filed with the Council, and pursuant to the publishing of notices and the mailing of such notice to interested parties setting forth September 23rd, 1931, as the time when an informal hearing of protests of property owners would be considered, there being a number of property owners at this meeting and no protests having been made, by unanimous consent of the Council, the City Attorney and the City Engineer were directed to proceed with this improvement in the shortest and most economical manner possible.

IN THE MATTER OF PETITION FOR THE LIGHTING OF I STREET:

8
Pursuant to the filing of a petition with the Council for the lighting of I Street between 12th and 17th Street and 12th Street between I and J Streets, at this time the City Engineer filed a written report on his findings as to the percentage of property frontage represented, stating that, after removing the names as requested from the petition by a protest petition, there is 38.78 per centage of frontage represented thereon. Whereupon Commissioner Falger introduced a resolution, being

RESOLUTION NO. 2233-N.S.

laying the above mentioned petition on the table, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Boundey, Brown, Falger, Rogers, and Mayor Dennett

Noes: Councilmen: None

Assent: Councilmen: None

IN THE MATTER OF POLICE PROTECTION WEST OF THE RAILROAD TRACKS:

9
A petition signed by several residents and property owners west of the Southern Pacific Railroad tracks, was filed with the Council asking that the Chief of Police be instructed to keep one patrolman during the day and two patrolmen at night on duty west of the railroad tracks at all times. Whereupon Commissioner Rogers introduced a resolution, being

RESOLUTION NO. 2234-N.S.

instructing the Chief of Police and the Commissioner of Public Health and Safety to work out some system whereby the west side of the City of Modesto would be given the Police protection as outlined in their petition, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Boundey, Brown, Falger, Rogers, and Mayor Dennett

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF APPLICATION FOR THE ERECTION OF A GASOLINE SERVICE STATION AND CURB PUMP AT THE CORNER OF 15TH AND G STREET:

Application was made to the City Council by B. Friederich for a permit to install a gasoline tank and curb pump at the corner of 15th and G St. Said application was reviewed by the Council and, by unanimous consent, was laid over to the next regular meeting.

IN THE MATTER OF EXTENSIONS OF WATER MAINS TO NORTH MAGNOLIA:

Pursuant to several consultations held by the Council with residents of the North Magnolia Tract just outside the City limits asking that the City extend their water mains to that district, at this time a form of application was submitted to the Council by the City Attorney and the City Engineer outlining a form of agreement to be entered into between the City and prospective customers in this section; whereupon Commissioner Boundey introduced a resolution, being

RESOLUTION NO. 2235-N.S.

adopting this form of agreement providing that at least twenty users of water in this section be willing to enter into said agreement with the City of Modesto and that in adopting this agreement that a site for a pumping plant be furnished to the City of Modesto free of cost, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Boundey, Brown, Falger, and Mayor Dennett

Noes: Councilmen: Rogers

Absent: Councilmen: None

IN THE MATTER OF COMMUNICATIONS:

A Communication from the Fidelity and Casualty Insurance Company regarding the inspection of the boiler at McHenry Public Library was read to the Council and ordered filed.

A Communication from the Committee appointed by Stanislaus County to prepare a uniform wage scale, setting forth the uniform wage scale adopted was read to the Council and ordered filed.

A Communication was received from Attorney B. J. Hjelm of Turlock stating that his client, Mrs. Banton, was sustained permanent injured from a fall on a defective sidewalk on High Street and that she was claiming damages from the City for the same. This matter was referred to the City Attorney.

15 A Communication was received from Miss Ida I. Hill, 504 Sycamore Avenue, protesting against the manner in which the trees on her property had been trimmed by the City. The same was read to the Council and ordered filed.

IN THE MATTER OF FINAL ADOPTION OF ORDINANCE NO. 409-N.S.

16 Ordinance No. 409-N.S. repealing Ordinance No. 403-N.S. which created a compensation insurance fund in the City of Modesto Treasury, having been introduced and ordered printed at a regular meeting of the Council of the City of Modesto held on the 10th day of September, 1931, and having been published as required by the Charter of the City of Modesto, coming on for final adoption this 25rd day of September, 1931, it was upon roll call adopted by the following vote:
Ayes: Councilmen: Boundey, Brown, Falger, and Rogers
Noes: Councilmen: Mayor Dennett
Absent: Councilmen: None

IN THE MATTER OF FINAL ADOPTION OF ORDINANCE NO. 408-N.S.:

17 Ordinance No. 408-N.S., appropriating the sum of \$5,000 for the purchase of water pipe, having been introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of September, 1931, and having been published as required by the Charter of the City of Modesto, it was upon roll call adopted by the following vote:

Ayes: Councilmen: Boundey, Brown, Falger, Rogers, and Mayor Dennett
Noes: Councilmen: None
Absent: Councilmen: None

IN THE MATTER OF INSURANCE ON CITY'S FLEET OF AUTOMOBILES:

18 Commissioner of Finance, Wm. Falger, reported to the Council that he had sought the advice of Brotherton Thomas & Company, certified public accountants, as to whether or not the City should advertise for insurance for its fleet of automobiles, and that according to their written opinion, now on file, in the City Clerk's office, that it was not incumbent upon the City to call for formal bids for fleet automobile insurance. Thereupon Mr. Falger advised the Council that he had received informal bids from the various firms in the City and that the bid of the L.T. Moss Agency appeared to be the lowest and best bid, and introduced a resolution, being

RESOLUTION NO. 2236-N.S.

accepting the bid of the L.T. Moss Agency for the insurance on the City's fleet of automobiles and instructing the City Clerk and Treasurer to draw a warrant in the sum of \$ 1,226.11 in payment of the premium for same, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Boundey, Brown, Falger, Rogers, and Mayor Dennett
Noes: Councilmen: None
Absent: Councilmen: None

19
IN THE MATTER OF EXTENSION OF WATER LINES AND SEWER LINES:

City Engineer, F.J. Rossi, reported to the Mayor and Council that certain extensions should be made in the water mains and sanitary sewer lines in certain portions of the City. Mayor Dennett thereupon expressed the opinion that owing to the unemployment situation existing in the City of Modesto at the present time it would be advisable to start this work as soon as possible, and introduced an Ordinance, being

ORDINANCE NO. 410-N.S

appropriating the sum of \$40,000.00 out of the General Fund of the City of Modesto, or so much thereof as may be necessary, for the extension of watermains and sewer lines in the City of Modesto, which ordinance was passed to print and publish by the following vote:

Ayes: Councilmen: Boundey, Brown, Falger, and Mayor Dennett

Noes: Councilmen: Rogers

Absent: Councilmen: None

IN THE MATTER OF AMENDING ORDINANCE NO. 405-N.S.

Commissioner Falger introduced an ordinance, being

20
ORDINANCE NO. 411-N.S.

amending Ordinance No. 405-N.S. with relation to public liability insurance for taxicabs, which ordinance was passed to print and publish by the following vote:

Ayes: Councilmen: Boundey, Brown, Falger, Rogers, and Mayor Dennett

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF LOANING IRON POSTS TO THE MODESTO JUNIOR COLLEGE:

21
The City Engineer reported to the Council that some months past the City loaned to the Modesto Junior College a certain number of obsolete iron lamp posts and they have now made a request for the loan of four more posts. Whereupon Commissioner Boundey introduced a resolution, being

RESOLUTION NO. 2237-N.S.

authorizing the City Engineer to loan four obsolete lamp posts to the Modesto Junior College as requested, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Boundey, Brown, Falger, Rogers, and Mayor Dennett

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF ADJOURNMENT:

Commissioner Brown introduced a resolution, being
RESOLUTION NO. 2238-N.S.

22
adjourning this Council meeting now in session which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Boundey, Brown, Falger, Rogers, and Mayor Dennett

Noes: Councilmen: None

Absent: Councilmen: None

Attest:

H. E. Gragg
CITY CLERK

COUNCIL, CITY OF MODESTO

October 14th, 1931

The Council convened in regular session this date and there were present Councilmen: Boundey, Brown, Falger, Rogers, and Mayor Dennett

Absent: Councilmen: None

IN THE MATTER OF MINUTES:

The minutes of the regular session of September 23rd, 1931, were read to the Council and approved as read.

IN THE MATTER OF BANNER ACROSS THE STREET:

Mr. M. Thompson appeared before the Council on behalf of the American Legion Football team and asked permission to stretch a banner across the street advertising the activities of that organization. Thereupon, Commissioner Falger introduced a resolution, being

RESOLUTION NO. 2239-N.S.

granting permission to the American Legion Football team to stretch a banner across the street, under the direction and supervision of the City Engineer, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Boundey, Brown, Falger, Rogers, and Mayor Dennett

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF APPLICATION FOR LUNCH WAGON PERMIT AND LICENSE:

Mr. F. D. Winfield presented a petition to the Council asking permission to conduct a lunch wagon at the intersection of 9th and H Street in the City of Modesto. Whereupon Commissioner Brown introduced a resolution, being

RESOLUTION NO. 2240-N.S.

granting a permit to Mr. Winfield, said permit to be revocable at the will and pleasure of the City Council, to operate a lunch wagon on the Northerly side of H Street at the intersection of 9th and H Street, when he shall have complied with all provisions of the City Ordinances pertaining to sanitation and license there for, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Boundey, Brown, Falger, Rogers, and Mayor Dennett

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF ALLOWAL OF CLAIMS:

The claims against the City of Modesto for the month of September, 1931, having been duly audited and found to be correct, Councilman Falger introduced a resolution, being

RESOLUTION NO. 2241-N.S.

ordering that all of the said claims so audited and approved be and they are hereby allowed. Reference is hereby made to the Auditor's Cash Book for further details regarding the amounts of the withdrawals from the various funds as follows:

General Fund.....	\$ 20,826.53
Water Fund.....	4,668.09
Library Fund.....	1,585.62
Bond Red.Int.Fund.....	11.38
St. Bond Red.Int.Fund.....	122.34
TOTAL.....	\$ 27,213.96

Which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Boundey, Brown, Falger, Rogers, and Mayor Dennett

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF TAX ADJUSTMENT OF THE TIDEWATER SOUTHERN RAILWAY:

A claim was received from the Tidewater Southern Railway relative to property known as Lots 25 to 28 inclusive in Block 51 covering a space 36 x 80 feet, which was placed both on the Operative and Non-Operative tax rolls, and which belonged on the Operative Roll only. Thereupon the City Tax Collector asked the Council to pass a resolution cancelling the assessment on the Non-Operative Roll of the above mentioned property, and Commissioner Rogers introduced a resolution, being

RESOLUTION NO. 2242-N.S.

instructing the City Tax Collector to cancel the above mentioned assessment on the general tax roll of the City of Modesto, which resolution was adopted by the following vote:

Ayes: Councilmen: Boundey, Brown, Falger, Rogers, and Mayor Dennett

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF COMMUNICATIONS:

A Communication was received from the League of California Municipalities submitting to the City Council a resolution in regard to unemployment, which communication was read to the Council and ordered filed.

A Communication was received from the San Mateo County Fall Flower Festival inviting the City Officials of the City of Modesto to attend the Flower Festival to be held October 23rd to 25th in San Mateo. The City Clerk was instructed to acknowledge receipt of the invitation and extend the regrets of the City Officials that would be unable to attend same.

A Communication was received from the Mayor's and Councilmen's Association in regard to unemployment which was read to the Council and referred to Mr. L. Nevrumont, Chairman of the Welfare Committee.

A Communication was received from the Modesto Real Estate Board relative to the extension of the Citizens Cemetery through Block 606. This communication was read to the Council and ordered filed.

IN THE MATTER OF APPOINTMENT OF PARK COMMISSIONER:

Commissioner Falger introduced a resolution, being

RESOLUTION NO. 2243-N.S.

re-appointing Mr. R.L. Ustick to the Board of Park Commissioners of the City of Modesto for a term of two years, dating from and after July 1st, 1931, as provided in Ordinance No. 377-N.S., which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Boundey, Brown, Falger, Rogers, and Mayor Dennett

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF APPOINTMENT OF BOARD OF LIBRARY TRUSTEES:

11 In as much as Section 41 of Article 8 of the Charter of the City of Modesto disqualifies Mayor L.L.Dennett and Commissioner E.J.Boundey to hold office on the Board of Library Trustees, Commissioner Rogers introduced a resolution, being

RESOLUTION NO.2244-N.S.

a resolution appointing Mr. E.R.Utter to serve the unexpired term of Commissioner E. J. Boundey and Mr. W.H.Murray to serve the unexpired term of Mayor L.L.Dennett as Library Trustees, which resolution was regularly adopted by the following vote:
Ayes: Councilmen: Boundey, Brown, Falger, Rogers, and Mayor Dennett
Noes: Councilmen: None
Absent: Councilmen: None

IN THE MATTER OF COMMITTEE ON WELFARE WORK IN THE CITY OF MODESTO:

Commissioner Falger introduced a resolution, being

RESOLUTION NO. 2245-N.S.

12 appointing Louis Nevrumont Chairman of, and Mr. W.W.Hopkins Secretary of the Committee for Welfare Work in the City of Modesto, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Boundey, Brown, Falger, Rogers, and Mayor Dennett
Noes: Councilmen: None
Absent: Councilmen: None

IN THE MATTER OF COMMITTEE ON UNEMPLOYMENT IN THE CITY OF MODESTO:

Commissioner Falger introduced a resolution, being

RESOLUTION NO.2246-N.S.

13 appointing Mr. W.J. Silva chairman and Mr. C.H.Ramont Secretary of a Committee on Unemployment in the City of Modesto, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Boundey, Brown, Falger, Rogers, and Mayor Dennett
Noes: Councilmen: None
Absent: Councilmen: None

IN THE MATTER OF APPOINTMENT OF CITY PLANNING COMMISSION:

14 Pursuant to Ordinance No. 78-N.S. creating a Planning Commission in and for the City of Modesto, and the terms of the members as appointed by Resolution No. 725-N.S., having now expired, Commissioner Falger introduced a resolution being,

RESOLUTION NO.2247-N.S.

appointing Mrs. Josephine Ekstein, Mr. Amos Bomberger, and Mr. A.A.Fields to serve as members of the said Planning Commission, which resolution was regularly adopted by the following vote:
Ayes: Councilmen: Boundey, Brown, Falger, Rogers, and Mayor Dennett
Noes: Councilmen: None
Absent: Councilmen: None

IN THE MATTER OF ERECTION OF TENT FOR RELIGIOUS PURPOSES:

Application was made to the City Council for a permit to erect a temporary tent on Tenth Street in Block 58 for the purpose of conducting religious services, whereupon Commissioner Boundey introduced a resolution, being

RESOLUTION NO. 2248-N.S.

granting a permit for the erection of a temporary tent on Tenth Street in Block 58 as prayed for, which resolution was regularly adopted by the following vote:

- Ayes: Councilmen: Boundey, Brown, Falger, Rogers, and Mayor Dennett
- Noes: Councilmen: None
- Absent: Councilmen: None

IN THE MATTER OF FINAL ADOPTION OF ORDINANCE NO. 410-N.S.:

Ordinance No. 410-N.S., being an ordinance appropriating the sum of \$ 40,000.00 for water and sewer extension, having been introduced and ordered printed and published at a regular meeting of the Council of the City of Modesto held on the 23rd day of September, 1931, and having been published as required by the Charter of the City of Modesto, coming on for final adoption this 14th day of October, 1931, it was finally adopted by the following vote:

- Ayes: Councilmen: Boundey, Brown, Falger, Rogers, and Mayor Dennett
- Noes: Councilmen: None
- Absent: Councilmen: None

IN THE MATTER OF FINAL ADOPTION OF ORDINANCE NO. 411-N.S.:

Ordinance No. 411-N.S., an Ordinance, amending Ordinance No. 405-N.S., pertaining to public liability of taxicabs, having been introduced and ordered printed and published at a regular meeting of the Council of the City of Modesto held on the 23rd day of September, 1931, and having been published as required by the Charter of the City of Modesto, coming on for final adoption this 14th day of October, 1931, it was finally adopted by the following vote:

- Ayes: Councilmen: Boundey, Brown, Falger, Rogers, and Mayor Dennett
- Noes: Councilmen: None
- Absent: Councilmen: None

IN THE MATTER OF LIGHTING OF ELEVENTH STREET:

Pursuant to the provisions of the Special Assessment Investigation and Limitation Act of 1931 of the State of California, requiring the City Engineer to file a report on the proposed improvements, City Engineer F.J. Rossi filed with the Council a report on the lighting system for 11th Street, between K and Needham Streets, in compliance with said Act, which report is now on file in the office of the City Clerk. Whereupon Commissioner Boundey introduced a resolution being

RESOLUTION NO. 759-B.P.

accepting the above mentioned report and instructing and authorizing the City Clerk to mail out a notice setting forth to the property owners in the proposed improvement district a time for hearing of all protests thereto on the 25th day of November, 1931, at the hour of 7:30 o'clock P.M. in the Council Chambers of the City Hall, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Boundey, Brown, Falger, Rogers, and Mayor Dennett

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF BIDS FOR CAST IRON PIPE:

Commissioner Falger introduced a resolution, being
RESOLUTION NO. 2249-N.S.

19
authorizing and instructing the City Clerk to advertise for bids as required by the Charter of the City of Modesto for a certain lot of cast iron pipe and fittings, said bids to be received by the Council on Wednesday, the 23th day of October, 1931 at 7:30 o'clock P.M., which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Boundey, Brown, Falger, Rogers, and Mayor Dennett

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF PERMIT FOR ERECTION OF CHURCH IN BLOCK 305:

20
Ethel Zimmer of 235 Helborn Street in Lodi, Calif., presented a petition to the City Council in compliance with Ordinance No. 364-N.S., asking permission to erect a church on Lots 26 and 27 in Block 305 of the City of Modesto. The application and plans having been previously examined and approved by the City Engineer and Building Inspector, Commissioner Boundey introduced a resolution, being

RESOLUTION NO. 2250-N.S.

granting the above mentioned application as prayed for, providing that when the City Clerk shall have posted the required notices setting forth a time of hearing of protests, as set out in said Ordinance No. 364-NS., no protests or objections are filed thereto, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Boundey, Brown, Falger, Rogers, and Mayor Dennett

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF APPLICATION FOR PERMIT FOR A STORE BUILDING:

21
Mr. L.N. Ferretti, 201 Spruce Street, Modesto, California, presented a petition to the City Council in compliance with Ordinance No. 364-N.S. asking permission to erect a storebuilding on the Easterly portion of Lot 1 in Blk 340 of the City of Modesto. The application and plans having been previously checked and approved by the City Engineer and building Inspector, Commissioner Rogers introduced a resolution, being

RESOLUTION NO. 2251-N.S.

granting the above mentioned application as prayed for, providing that when the City Clerk shall have posted the required notices setting forth a time of hearing of protests, as set out in said Ordinance No. 364-N.S., no protests are filed thereto, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Boundey, Brown, Falger, Rogers, and Mayor Dennett

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF EXTENSION OF SEWER IN BLOCK 305:

Commissioner Boundey introduced a resolution, being

RESOLUTION NO. 2252-N.S.

22 authorizing and instructing the City Engineer to proceed with the extension of the sewer line in Block 305 as outlined by the City Engineer to the City Council, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Boundey, Brown, Falger, Rogers, and Mayor Dennett

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF HEARING OF PROTESTS TO EXTENSION OF CEMETERY:

23 Pursuant to the postponement of the hearing for the extension of cemetery through Block 606 to this time, there was filed with the Council a protest petition to such extension signed by approximately two hundred residents and property owners in that vicinity protesting such extension. By unanimous consent of the Council further action in the matter was laid on the table indefinitely.

IN THE MATTER OF CLAIMS OF MRS. GENE HOLTkamp:

24 Mrs. Gene Holtkamp presented a claim to the City for a refund of personal property taxes paid to the City of Modesto by reason of the fact that her husband was a war veteran and therefor entitled to exemption. In as much as an affidavit for exemption was not filed with the City Assessor in the time specified by law, by order of the Council the said claim was denied.

IN THE MATTER OF PROPOSED MILK ORDINANCE:

25 By unanimous consent of the Council the above mentioned ordinance was laid over until the next regular meeting of the Council.

IN THE MATTER OF APPLICATION FOR INSTALLATION OF TANK AND CURB PUMP:

26 By unanimous consent of the Council, the application of Mr. B. Friederich to install a gasoline tank and curb pump at the corner of 14th and G Street was laid over until the next regular meeting.

IN THE MATTER OF REPORTS:

27 The reports of the various departments for the month of September, 1931, were reviewed by the Council and ordered filed.

IN THE MATTER OF ADJOURNMENT:

Commissioner Brown introduced a resolution, being

RESOLUTION NO. 2253-N.S.

28 adjourning this Council meeting now in session, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Boundey, Brown, Falger, Rogers, and Mayor Dennett

Noes: Councilmen: None

Absent: Councilmen: None

Attest:

NE Gragg
CITY CLERK

Council, City of Modesto

October 28th, 1931

The Council met in regular session this date and there were present Councilmen: Boundey, Brown, Falger, Rogers, and Mayor Dennett
Absent: Councilmen: None

IN THE MATTER OF MINUTES:

1 The minutes of the regular session of October 14th, 1931, were read to the Council and approved as read.

IN THE MATTER OF HEARING OF PROTESTS TO ERECTION OF BUILDING ON LOTS 26 AND 27 IN BLOCK 305:

2 Pursuant to the filing of a petition with the City Council on October 14th, 1931, by Mrs. Ethel Zimmer for the erection of a church building on Lots 26 and 27 in Block 305 of the City of Modesto, and pursuant to Resolution No. 2250-N.S. and the posting and publishing of notices by the City Clerk as required by the Charter of the City of Modesto, this being the time set out for the hearing of protests, and there being no protests either oral or written before the Council, Commissioner Boundey introduced a resolution, being

RESOLUTION NO. 2254-N.S.

confirming and ratifying the action taken by the Council under Resolution No. 2250-N.S., which resolution was regularly adopted by the following vote:
Ayes: Councilmen: Boundey, Brown, Falger, Rogers, and Mayor Dennett
Noes: Councilmen: None
Absent: Councilmen: None

IN THE MATTER OF HEARING OF PROTESTS FOR ERECTION OF BUILDING ON THE EASTERLY PORTION OF LOT 1 IN BLOCK 340:

3 Pursuant to the filing of a petition with the City Council on October 14th, 1931, by Mr. L.N. Ferretti for the erection of a store building on the Easterly portion of Lot 1 in Block 340 of the City of Modesto, and pursuant to the posting and publishing of notices setting forth the time for hearing of protests to the erection of the said building, and this being the time for hearing of said protests and no protests, either written or oral having been filed with the Council, Commissioner Rogers introduced a resolution, being

RESOLUTION NO. 2255-N.S.

confirming and ratifying the action taken by the Council under Resolution No. 2251-N.S. granting a permit for the erection of a store building in Block 340 on the Easterly portion of Lot 1, which resolution was regularly adopted by the following vote:
Ayes: Councilmen: Boundey, Brown, Falger, Rogers, and Mayor Dennett
Noes: Councilmen: None
Absent: Councilmen: None

IN THE MATTER OF BIDS FOR CAST IRON PIPE AND FITTINGS:

Pursuant to the advertising or a notice to bidders calling for proposals for a certain lot of cast iron pipe and fittings, this being the time set out in said notice to bidders for the receiving and opening of said bids, there were on file twelve bids, which when opened read as follows:

<u>FIRM:</u>	<u>TOTAL BID:</u>	<u>REMARKS:</u>
American Cast Iron Pipe Co.	\$ 3,202.59	Complete bid
Pacific States Cast Iron Pipe Co.	3,149.84	Complete Bid
United States Pipe & Foundry Co.	2,662.25	No bid on valves
Grinnell Company	2,909.62	Complete bid for total award only
C. G. Clausen & Co.	2,997.83	Complete bid
Walworth California Co.	431.69	Bid on valves only
Crane Company	442.87	Bid on valves only
Federal Pipe & Supply Co.	396.80	Bid on valves only
	/	.....Plus 0.10 lb on plugs and 0.05 lb on fittings
R. D. Wood & Company	1st Alt. 3,509.25 2nd Alt. 3,034.60	Plus 0.10 lb on plugs and 0.05 lb on fittings
The Atlas Foundry Co.	370.00	Plugs and Fittings only
The Water Works Supply Co.	373.50	Valves only
National Cast Iron Pipe Co.	2,885.70	Plus \$90 per T. on fittings

The above bids were examined by the Council and by unanimous consent of the Council referred to the City Engineer for his investigation and report.

IN THE MATTER OF COMMUNICATIONS:

A Communication was received from Mr. Fred S. and B.L. Price of Porterville California protesting against the extension of the cemetery into Elk 606.

A Communication was received from Hane Anderson relative to dogs in the City of Modesto running loose, damaging plants and flowers and being a nuisance in general.

A Communication was received from the Regional Planning Commission.

The above communications were read to the Council and ordered filed.

IN THE MATTER OF PROTEST TO RAISING LICENSE FOR CURB PUMPS:

A petition signed by several citizens and taxpayers of the City of Modesto was filed with the Council protesting against any raise in the license fee for gasoline curb pumps.

IN THE MATTER OF PETITION FOR THE INSTALLATION OF A GASOLINE TANK AND CURB PUMP:

The application heretofore filed with the City Council by Mr. B. Friederich for a permit to install a gasoline tank and curb pump was, by unanimous consent of the Council, laid over to the next regular meeting.

IN THE MATTER OF PROPOSED MILK ORDINANCE:

By unanimous consent of the Council, the matter of proposed milk ordinance was laid over to the next regular meeting.

IN THE MATTER OF RAISING LICENSE FEE FOR GASOLINE CURB PUMPS:

By unanimous consent of the Council the matter of raising the license fee for gasoline curb pumps was laid over to the next regular meeting.

IN THE MATTER OF COMPLAINT REGARDING INTERSECTION OF ROSELAWN AVENUE WITH FIRST STREET, G STREET, AND SIERRA DRIVE:

12 Mr. Geo. Neece and Mr. Shrock appeared before the Council protesting against the dangerous intersection at Roselawn Avenue and Sierra Drive and First and G Streets caused by the small triangular projection of Block "Z". By order of the Council, the matter was referred to the City Engineer.

IN THE MATTER OF APPLICATION FOR REMOVAL OF TREES AND FOR RESTRICTED PARKING SPACE:

13 Mr. Shanahan appeared before the Council on behalf of the Adventist Church and asked permission to remove several trees at the corner of 6th and J Streets. Mr. Wheeler, also speaking on behalf of the Advent Church, asked that parking spaces be marked off in the vicinity of the Church. The matter was by unanimous consent of the Council, referred to the City Engineer.

IN THE MATTER OF AGREEMENTS FOR FURNISHING WATER TO RESIDENTS IN THE NORTH MAGNOLIA TRACT (MENSINGER TRACT):

14 Mr. Paul Cooper appeared before the Council concerning the extension of water mains in North Magnolia Addition and submitted agreements duly executed by residents in that section for the furnishing of water to their residences by the City of Modesto. The same were received by the Council, and further action in the matter laid over to the adjourned meeting of the Council.

IN THE MATTER OF SALE OF BUTTER SUBSTITUTES:

15 Mr. G. A. Talbert on behalf of the Farm Bureau presented an Ordinance concerning the licensing of merchants in the City of Modesto for the sale of butter substitutes. After discussion of the matter by the Council, Commissioner Falger, introduced an ordinance, being

ORDINANCE NO. 412-N.S.

licensing the sale of, and regulating the transportation of oleomargarine within the City of Modesto, which ordinance was passed to print and publish by the following vote:

Ayes: Councilmen: Boundey, Brown, Falger, Rogers, and Mayor Dennett

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF APPOINTMENT OF CITY PLANNING COMMISSION:

16 Pursuant to Resolution No. 2247-N.S. of the City Council and in accordance with Section 2 of Act 5211b of General Laws of the State of California, Commissioner Falger introduced a resolution, being

RESOLUTION NO. 2256-N.S.

appointing a Planning Commission to consist of the following members: Mrs. A. G. Eddy and Amos Bomberger for a term of one year; Mrs. Josephine Ekstein and Nathan Moevay for a term of two years; H. Ramont for a term of three years; and Mr. A.A. Fields for a term of four years; to serve with the ex-officio members: Mr. F.J. Rossi, City Engineer; Mr. A. J. Carlson, City Attorney, and Commissioner E. J. Boundey, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Boundey, Brown, Falger, Rogers, and Mayor Dennett

Noes: Councilmen: None

Absent: Councilmen: None

17
IN THE MATTER OF SALARY OF CLERK OF THE POLICE COURT:

Pursuant to the proposition made by Mr. B.C. Hawkins, Judge of the Police Court, that he would take care of the salary of the Clerk in his office without further expense to the City, Commissioner Brown introduced a resolution, being

RESOLUTION NO. 2257-N.S.

accepting the proposition of Judge B.C. Hawkins whereby he will take care of the salary of the Clerk of the Court as far as the City of Modesto is concerned, and ordering that the name of the present incumbent of the position of Clerk of the Police Court, Kittie Briggs, be removed from the payroll of the City from and after November 1st, 1931, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Boundey, Brown, Falger, Rogers and Mayor Dennett

Noes: Councilmen: None

Absent: Councilmen: None

18
IN THE MATTER OF APPLICATIONS FOR BUILDING PERMITS UNDER ORDINANCE NO. 364-N.S.:

An application was filed with the Council for the erection of a Church and Sunday School Building by the Methodist Episcopal Church on Lots 17 to 32 inclusive in Block 126 in compliance with Ordinance No. 364-N.S., together with the plans and specifications which, having been previously checked and approved by the City Engineer, thereupon Commissioner Boundey introduced a resolution, being

RESOLUTION NO. 2258-N.S.

instructing the City Clerk to post and publish a notice setting forth the 12th day of November, 1931, as the time for hearing of any and all protests to the erection of the above mentioned building, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Boundey, Brown, Falger, Rogers, and Mayor Dennett

Noes: Councilmen: None

Absent: Councilmen: None

19
IN THE MATTER OF APPLICATION FOR THE ERECTION OF A SERVICE STATION AND GREASE RACK AT THE CORNER OF ELEVENTH AND G STREET:

An application was filed with the Council for a permit for the erection of a service station and grease rack at the southwest corner of 11th and G Street in Block 10 by Geo. A. Bates in compliance with Ordinance No. 364-N.S., together with plans and specifications which had been approved by the City Engineer, whereupon Commissioner Boundey introduced a resolution, being

RESOLUTION NO. 2259-N.S.

instructing the City Clerk to post and publish a notice setting forth the 12th day of November, 1931, as the time for the hearing of any and all protest to the erection of the above mentioned building, which resolution was regularly adopted by the following vote:

Ayes: Council men: Boundey, Brown, Falger, Rogers, and Mayor Dennett

Noes: Councilmen: None

Absent: Councilmen: None

20
IN THE MATTER OF APPLICATION FOR THE ERECTION OF A SERVICE STATION ON LOTS 17 TO 20 INC. IN BLOCK 61:

An application was filed with the Council for a permit for the

20 erection of a service station on Lots 17 to 20 inc. in Block 61 by Mr. T. A. Davis in compliance with Ordinance No. 364-N.S., together with plans and specifications, which had been approved by the City Engineer. Thereupon Commissioner Boundey introduced a resolution, being

RESOLUTION NO. 2260-N.S.

instructing the City Clerk to post a notice setting forth the 12th day of November 1931, as the time for the hearing of any and all protests to the erection of the above mentioned building which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Boundey, Brown, Falger, Rogers, and Mayor Dennett

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF EMPLOYING ONLY THOSE PERSONS IN NEED OF EMPLOYMENT:

Commissioner Boundey introduced a resolution, being

RESOLUTION NO. 2261-N.S.

21 expressing the intention of the Council to employ as far as practicable only those individuals who are the sole support of their homes or household or those whose employment is necessary to afford themselves or the family to which they belong a decent livelihood, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Boundey, Brown, Falger, Rogers, and Mayor Dennett

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF FINANCIAL OBLIGATIONS OF CITY EMPLOYEES:

Commissioner Boundey introduced a resolution, being

RESOLUTION NO. 2262-N.S.

22 expressing the extreme disfavor of the Council of the failure of any City employee to pay their just, financial obligations, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Boundey, Brown, Falger, Rogers, and Mayor Dennett

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF APPROPRIATION FOR THE ROUTING OF HIGHWAY OVER NINTH STREET:

Commissioner Boundey introduced an ordinance, being

ORDINANCE NO. 413-N.S.

23 appropriating the sum of \$ 15,000.00 or so much thereof as may be necessary to acquire the necessary rights or way for the widening of Ninth Street in the City of Modesto in accordance with the specifications prescribed by the State Highway Commission regarding width for through highways, and necessary for the initiation of a \$200,00 project by the Highway Commission of the State of California calling for the construction of a new bridge across the Tuolumne River, connecting with the southern extension of Ninth Street, and the relocation of the through highway east of the Southern Pacific Railroad track and south of said River, thereby eliminating three dangerous crossings to highway traffic, and for all other purposes incidental to the widening of said Ninth Street, and to provide work and labor

for the unemployed during the ensuing winter, which ordinance was passed to print and publish by the following vote:

Ayes: Councilmen: Boundey, Brown, Falger, and Mayor Dennett

Noes: Councilman: Rogers

Absent: Councilmen: None

IN THE MATTER OF ADJOURNED MEETING:

Commissioner Brown introduced a resolution, being

RESOLUTION NO. 2263-N.S.

24
adjourning this Council to meet again in adjourned session on Tuesday evening, November 3rd, 1931, at the usual time and place, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Boundey, Brown, Falger, Rogers, and Mayor Dennett

Noes: Councilmen: None

Absent: Councilmen: None

Attest:

HE Gragg

H. E. GRAGG
CITY CLERK

Council, City of Modesto

Adjourned Session

November 3rd, 1931

The Council met in adjourned session this date, pursuant to Resolution No. 2263-N.S., being called to order by vice-president of the Council, Wm. Falger, in the absence of Mayor Dennett. There were present Councilmen: Boundey, Brown, Falger, Rogers.

IN THE MATTER OF EXTENSION OF WATER MAINS TO NORTH MAGNOLIA SECTION OUTSIDE THE CITY LIMITS:

Commissioner Rogers introduced a resolution, being

RESOLUTION NO. 2264-N.S.

authorizing and instructing the City Engineer to proceed with the work of extending the water mains outside the City limits to North Magnolia Tract, when all agreements, in the form heretofore approved by the Council under Resolution No. 2235-N.S., pertaining to such extension shall have been executed by and between residents in the above mentioned locality and the City of Modesto, and have been approved by the City Attorney, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Boundey, Brown, Falger, and Rogers

Noes: Councilmen: None

Absent: Mayor Dennett

IN THE MATTER OF AWARD OF BID FOR CAST IRON PIPE, FITTINGS AND VALVES:

Pursuant to the receiving and opening of bids for cast iron pipe and fittings on October 28th, 1931, and to the postponing of action on the same until this time, Commissioner Rogers introduced a resolution, being

RESOLUTION NO. 2265-N.S.

accepting the bid of the United States Pipe & Foundry Company for pipe and fittings as per their bid submitted at the price of \$ 2,002.25 as being the lowest and best bid; and accepting the bid of the Water Works Supply Company for valves at the price of \$ 373.50 as being the lowest and best bid; and instructing the City Clerk to return to the unsuccessful bidders their certified checks accompanying their bids, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Boundey, Brown, Falger, and Rogers

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF CLAIM OF CHAS. GIVEN FOR PAINTING AND PAPERING HOUSE AT THE CORNER OF 8TH AND L STREETS:

Commissioner Brown introduced a resolution, being

RESOLUTION NO. 2266-N.S.

authorizing and instructing the City Clerk and Treasurer to draw a warrant in the sum of \$ 50.00 in favor of Chas Given for the painting and papering of the City's house at the corner of 8th and L Streets, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Boundey, Brown, Falger, and Rogers

Noes: Councilmen: None

Absent: Councilmen: Mayor Dennett

IN THE MATTER OF ADOPTION OF UNIFORM WAGE SCALE:

4

Commissioner Rogers introduced a resolution, being

RESOLUTION NO. 2267-N.S.

adopting the uniform wage rate set forth in Public Works Wage Rate Act of 1931 of the State of California, and recently adopted by the County of Stanislaus, as follows:

Asphalt Plant Operators	\$ 9.00
Asphalt Feeders	5.00
Asphalt Pavers	5.00
Brick Layers	10.00
Skilled Carpenters; outside Cabinet workers	8.00
Form Carpenters	6.00
Carpenter's Helpers	5.00
Cement Finishers	8.00
Cement Workers	5.00
Concrete Mixer Men	5.50
Common Laborers	4.00
Electrical Workers	8.00
Electrical Workers Helpers	5.00
Firemen	5.00
Grader Men	6.00
Hod Carriers	7.00
Painters	8.00
Plasterers	10.00
Plasterers' Hod Carriers	7.50
Plumbers	8.00
Plumbers' helpers	5.00
Reinforcing steel workers	6.00
Roller Men	7.00
Roofers	8.00
Sheet Metal Workers	8.00
Teamsters	5.00
Tile and Marble Setters	10.00
Tile Setters' helpers	6.00
Truck and Tractor drivers	5.00

Any classification omitted herein, not less than 50¢ per hour. Overtime, legal holidays, including Sundays, time and one-half.

to be paid by the City of Modesto on all contract and other work performed by the City of Modesto, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Boundey, Brown, Falger, and Rogers

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF ADJOURNMENT:

5

Commissioner Rogers introduced a resolution, being

RESOLUTION NO. 2268N.S.

adjourning this Council meeting now in session, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Boundey, Brown, Falger, Rogers

Noes: Councilmen: None

Absent: Councilmen: Mayor Dennett

Attest: 
CITY CLERK

November 12th, 1931

The Council convened in regular session this date, and there were present Councilmen: Boundey, Brown, Falger, Rogers, and Mayor Dennett
Absent: Councilmen: None

IN THE MATTER OF MINUTES:

The minutes of the regular session of October 28th, 1931, and the adjourned session of November 3rd, 1931, were read to the Council and approved as read.

IN THE MATTER OF CLAIMS:

Commissioner Falger introduced a resolution, being

RESOLUTION NO. 2269-N.S.

ordering that all of the claims against the City for the month of October, 1931, having been duly audited, be allowed; reference being made to the Auditor's Cash Book for further details regarding the amount of the withdrawals from the various funds as follows:

General Fund.....	\$ 18,585.87
Water Fund.....	3,975.27
Library Fund.....	1,480.54
Bond Redemption Interest.....	201.34
Total.....	\$ 24,243.02

Which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Boundey, Brown, Falger, Rogers, and Mayor Dennett

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF HEARING OF PROTESTS TO THE ERECTION OF CERTAIN BUILDINGS IN THE CITY OF MODESTO:

Pursuant to the filing of applications with the City Council on October 28th, 1931, for building permits as follows:

For the erection of a church building on Lots 17 to 32 inc. in Block 126 by the Methodist Episcopal Church

For the erection of a service station on Lots 17 to 20 inc. in Block 61 by T.A. Davis

For the erection of a service station and grease rack on Lots 15 and 16 in Block 70 by Geo. A. Bates

the City Clerk filed affidavits of notices posted and published as set forth in Ordinance No. 344-N.S. and No. 364-N.S., setting forth a time of hearing of any and all protests to the erection of the above mentioned buildings, and this being the time for hearing of such protests, and there being no protests on file with the Council, thereupon Commissioner Rogers introduced a resolution, being

RESOLUTION NO. 2270-N.S.

granting a permit for the above mentioned buildings as per their applications on file, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Boundey, Brown, Falger, Rogers, and Mayor Dennett

Noes: Councilmen: None

Absent: Councilmen: None

6
IN THE MATTER OF REPORT OF WELFARE COMMITTEE:

Mr. L.C. Nevrumont made an oral report to the Council of the progress being made by the Welfare Committee of the City of Modesto, stating that the bundle drive was successful and the results on the whole were gratifying.

7
IN THE MATTER OF COMMUNICATIONS:

A Communication was received from Mr. W.H. Murray expressing appreciation to the Council for appointment to the Board of Library Trustees.

8
Communications were received from the Mayor's and Councilmen's Association of Northern California relative to the caring for the itinerant unemployed by the erection of a chain of shelters providing food and lodging.

The above communications were read to the Council and ordered filed.

9
IN THE MATTER OF RAISING AMOUNT OF CURB PUMP LICENSE IN THE CITY:

By unanimous consent of the Council the matter of increasing the present curb pump license was laid upon the table indefinitely.

10
IN THE MATTER OF APPLICATION FOR PERMIT TO INSTALL CURB PUMP:

By unanimous consent of the Council the application of Mr. B. Friederich for a permit to install a curb pump was laid upon the table indefinitely.

11
IN THE MATTER OF PROPOSED MILK ORDINANCE:

By unanimous consent of the Council the proposed milk ordinance was laid upon the table indefinitely.

12
IN THE MATTER OF FINAL ADOPTION OF ORDINANCE NO. 413-N.S.:

Ordinance No. 413-N.S., appropriating the sum of \$15,000 for the purchase of rights of way for the improvement of Ninth Street for the re-routing of the State Highway through the City, having been introduced and ordered printed and published at a regular meeting of the Council of the City of Modesto held on the 28th day of October, 1951, and having been published as required by the Charter of the City of Modesto, coming on for final adoption this 12th day of November, 1951, it was upon roll call adopted by the following vote:

Ayes: Councilmen: Bounsey, Brown, Falger, and Mayor Deane tt

Noes: Councilmen: Rogers

Absent: Councilmen: None

13
IN THE MATTER OF PLANNING COMMISSION:

By unanimous consent of the Council further action in the matter of a Planning Commission was laid over until the next regular meeting.

14
IN THE MATTER OF DECORATING STREETS FOR CHRISTMAS HOLIDAYS:

Mr. R.S. Kimmel, Secretary of the Chamber of Commerce, appeared before the Council and asked the assistance of the City Fire Department and the City Engineer in decorating the City streets during the Christmas holidays. Thereupon Commissioner Bounsey introduced a resolution, being

RESOLUTION NO. 2271-N.S.

authorizing and instructing the Fire Department and the City Engineer to co-operate with

the Chamber of Commerce in decorating the City streets for the Christmas holidays,
which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Boundey, Brown, Falger, Rogers, and Mayor Dennett

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF DEED FOR RIGHT OF WAY FOR WATER MAINS THROUGH BLOCK 521 OF THE CITY:

City Attorney, A. J. Carlson, presented to the Council a deed duly executed, from Frank Motta and Nora A. J. Minor for a right of way through Blk 521 for the purpose of installing, constructing, operating, maintaining and repairing a pipe line for water purposes. Whereupon Commissioner Falger introduced a resolution, being

RESOLUTION NO. 2272-N.S.

accepting the above mentioned deed and instructing the City Clerk to have the same recorded in the office of the County Recorder, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Boundey, Brown, Falger, Rogers, and Mayor Dennett

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF AGREEMENT FOR A DEED OF CONVEYANCE TO THE CITY FOR A PUMPING PLANT SITE IN THE MENSINGER TRACT:

City Attorney A. J. Carlson, presented an agreement to the City Council, duly executed, by and between the City of Modesto and Mr. W. R. Mensinger et ux and Mr. Merle Mensinger et us, making provisions for a site for a pumping plant, namely:

Beginning at the southwest corner of Lot 16 in Block 743 of said Mensinger Tract; thence North 1°14' west, 75 feet; thence south 89°11' east 50 feet; thence south 1°14' east 75 feet; thence 89°11' west 50 feet to the point of beginning

to be used by the City of Modesto within a period of five years, to be conveyed to said City for the purpose of supplying water to a certain subdivision known as and called Mensinger Tract, lying north of the boundaries of the corporate limits of the City of Modesto. Whereupon Commissioner Rogers introduced a resolution, being

RESOLUTION NO. 2273-N.S.

accepting said agreement as submitted, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Boundey, Brown, Falger, Rogers, and Mayor Dennett

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF BLOCK 'Z' PROJECTING INTO INTERSECTION:

Pursuant to the protest made to the City Council on October 28th, 1931, by Mr. Geo. Neece in regard to the traffic hazard created by the small triangular projection of Block 'Z' at the intersection of Sierra Drive, Rose-lawn Avenue, and First and G Streets, the City Attorney reported to the Council that he had communicated with the owners of this property through their legal re-

The Council met in regular session this date, and there were present Councilmen: Boundey, Brown, Falger, Rogers, and Mayor Dennett.
Absent: Councilmen: None

IN THE MATTER OF MINUTES:

The minutes of the regular session of November 12th, 1931, were read and approved as read.

IN THE MATTER OF PROTEST TO ADOPTION OF ORDINANCE NO. 412-N.S.;

Mr. Davis appeared before the Council and asked that the final adoption of Ordinance No. 412-N.S., providing for a license fee for the sale of butter substitutes be postponed to the next regular meeting in order to give him time in which to prepare further data to present to the Council protesting against the provisions of this ordinance, whereupon Commissioner Brown introduced a resolution, being

RESOLUTION NO. 2275-N.S.

postponing the final adoption of Ordinance No. 412-N.S. until the next regular meeting of the Council, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Boundey, Brown, Falger, Rogers, and Mayor Dennett

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF HEARING OF PROTESTS TO THE LIGHTING OF ELEVENTH STREET:

A petition having been filed with the Council on July 28th, 1931, for the lighting of Eleventh Street from K Street to Needham Street, the City Clerk certified to the Council that in accordance with the provisions of the Special Assessment Limitation and Improvement Act of 1931, he had mailed to each of the owners of property fronting on said streets a notice setting forth a time for the hearing of any and all protests to such improvement. This being the time set out in said notices for such hearing, there were not any protests either oral or written filed with the Council. Thereupon Commissioner Falger introduced a resolution being:

RESOLUTION NO. 760-S.P.

which is as follows:

"Whereas, pursuant to the Act of the Legislature known as the "Special Assessment Investigation, Limitation and Majority Protest Act of 1931", certain proceedings have been taken for the following work and improvement, to-wit: "That Eleventh Street between the northwesterly property line of K Street and the south property line of Needham Street be improved by constructing along each side of said street an illuminating system, including one light cement concrete electrolier, with wires, cables, globes, lamps, conduits, auto-transformers and all necessary lighting appliances" whereby the City Council, which is the Legislative body of the City of Modesto, has had prepared for it a written report upon the proposed improvement containing the matter specified in Section 3 of said Act, which report has heretofore been completed and approved by the Legislative body of said City and filed with the Clerk of said City Council, and a time fixed by said Council, to-wit: the 25th day of November, 1931, at the hour of 7:30 o'clock P.M. for a hearing thereof, and notice of such hearing was thereupon given by the City Clerk as required by Section 6 of said Act; and

WHEREAS, this is the time for hearing protests and no protests having been made and all the matters and things required by said Act having been done and performed and it being deemed advisable by said City Council that said hearing be continued until the next regular meeting of the Council;

NOW THEREFORE, BE IT RESOLVED that further hearing upon said report be and the same is hereby continued, to be held by and before the City Council of the City of Modesto at the next regular meeting thereof, to-wit: December 9, 1931, at the hour of 7:30 P.M."

Which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Boundey, Brown, Falger, Rogers, and Mayor Dennett

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF REPORT OF CHAIRMAN OF WELFARE COMMITTEE:

Mr. L. C. Nevrumont, Chairman of the Welfare Committee, made an oral report to the Council on the activities of the Welfare Committee, during the course of which he stated that a large quantity of garments, shoes, etc. have been collected for distribution to the needy, but that a large amount of these supplies are useless until they are repaired and renovated, and suggested that the Council make some provisions for this work being done. Whereupon Commissioner Falger introduced a resolution, being

RESOLUTION NO. 2276-N.S. authorizing and instructing the City Treasurer and Auditor

to draw warrants in the sum of not to exceed \$100 each month for the next five months for the use of the Committee on Welfare Work in carrying out their relief program, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Boundey, Brown, Falger, Rogers, and Mayor Dennett

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF APPOINTING ADDITIONAL MEMBERS TO WELFARE COMMITTEE:

Commissioner Rogers introduced a resolution, being RESOLUTION NO. 2277-N.S. appointing Mrs. A. J. Carlson, Dr. J. B. Simms, and Mr. Geo. Beard members of the Welfare Committee to serve with Mr. L. C. Nevrumont, Chairman, and Mr. C. E. Ramont, Secretary, heretofore appointed by the Council, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Boundey, Brown, Falger, Rogers, and Mayor Dennett

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF CANCELLATION OF TAXES:

A petition was filed with the City Council by the Veteran's Welfare Board asking that the municipal taxes levied against property in the City of Modesto known as Lots 5, 6, and 7 in Block 565, now owned by them, be cancelled. Thereupon Commissioner Falger introduced a resolution, being RESOLUTION NO. 2278-N.S. cancelling the above mentioned taxes and authorizing and instructing the City Tax Collector to cancel the assessments upon the General Tax Roll, which resolution was regularly adopted by the following vote: Ayes: Councilmen: Boundey, Brown, Falger, Rogers, and Mayor Dennett

Noes: Councilmen: None

Absent: Councilmen: None

1126 IN THE MATTER OF COMMUNICATIONS:
A Communication was received from Deborah Coleman relative to legislation pertaining to dogs in the City of Modesto.
A Communication was received from the 59th Annual Convention of National Fire Chiefs Association at Havana, Cuba.
A Communication was received from Raymond Martin and Mal Logan of Sacramento offering their services in helping the poundman take up unlicensed dogs.
A Communication was received from the National Rivers and Harbors Congress relative to their 27th annual convention in Washington D.C. in December.
A Communication was received from A.J. Rossi, Mayor of the City and County of San Francisco, asking the City officials of Modesto to attend an unemployment relief meeting of the Mayor's and Councilmen's Association to be held in Los Angeles, November 28th, 1931.
A Communication was received from Clara A. Stebbins relative to the status of married women employed by the City.
The above communications were read to the Council and ordered filed.
A Communication was received from the Plumbing Inspectors Association of California relative to their recent convention held in Sacramento, This Communication was read to the Council and referred to the City Engineer, F.J. Rossi.
A Communication was received from Mrs. M.F. Bales asking permission to remove two trees on her property, which communication was read to the Council and referred to the City Engineer.

A Communication was received from the Grance Co. offering property known as Lots 1 to 11 and Lots 23 to 32 in Block 39, both inclusive, for the sum of \$10,000 to the City of Modesto. Same was read to the Council and referred to Commissioners Brown and Rogers and the City Engineer.

IN THE MATTER OF CREATING A PLANNING COMMISSION:

Commissioner Falger introduced an Ordinance, being ORDINANCE NO. 414-N.S. creating and organizing a Planning Commission in and for the City of Modesto, which ordinance was passed to print and publish by the following vote:

Ayes: Councilmen: Boundey, Brown, Falger, Rogers, and Mayor Dennett

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF APPLICATION AND BOND OF PLUMBER:

An application and bond for plumber's license was filed with the Council by T.V. Meer and O.W. Baggett, a co-partnership, whereupon Commissioner Boundey introduced a resolution, being RESOLUTION NO. 2279-N.S. approving the bond and application as submitted, when certain changes thereto shall have been made, and authorizing the City Clerk to issue a license to the above named parties when all provisions of Ordinance No. 270 and amendments thereto shall have been complied with, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Boundey, Brown, Falger, Rogers, and Mayor Dennett

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF ORDINANCE PROHIBITING DOGS RUNNING AT LARGE:

By unanimous consent of the Council action on a proposed ordinance prohibiting dogs running at large on the City Streets was laid over until the next regular meeting.

IN THE MATTER OF EXCHANGE OF TAX TITLES WITH MRS. E.V. PLUMMER:

Pursuant to the postponing of action on exchange of tax titles with Mrs. E.V. Plummer, at this time the City Attorney, A. J. Carlson, outlined to the Council the proposal whereby Mrs. Plummer agrees to convey to the City of Modesto the title acquired by her at County Tax Sale in and to Lots 21, 22, 23, and 24 in Block 36 of the City of Modesto in consideration of the payment by the City of Modesto of irrigation taxes so as to discharge the lien of all irrigation taxes upon lots 23 and 24 in Block 410 and Lots 1 and 2 in Block 342 of the City of Modesto, and the cancellation by the City of its own tax liens upon said property. Thereupon Commissioner Boundey introduced a resolution, being RESOLUTION NO. 2280-N.S. directing the City Clerk and Auditor to issue a warrant in the amount of \$ 25.00 payable to Mr. F.S. Thornton, agent of C.G. Burnett who is the owner of Modesto Irrigation District Certificate of Sale No. 2808 for the year 1923; and directing the City Clerk to obtain from the Modesto Irrigation District a tax deed to said property upon receipt of assignment of said Certificate of Sale, and to pay all irrigation taxes upon said property subsequent to 1923 and to redeem the same from any sales thereof for Modesto Irrigation Taxes, drawing his warrant therefor upon the General Fund of the City of Modesto; and resolving that upon the completion of the above directions that such further steps be taken as may be necessary to accomplish the exchange of tax titles as above outlined, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Boundey, Brown, Falger, and Mayor Dennett

Noes: Councilmen: Rogers

Absent: Councilmen: None

IN THE MATTER OF PURCHASE OF A PORTION OF BLOCK "Z":

Commissioner Rogers introduced a resolution, being RESOLUTION NO. 2281-N.S. being an authorization to the City Attorney to proceed with the plan of purchasing Modesto Irrigation District Tax Sale on the small triangular portion of Block "Z" at the intersection of First, G and Sierra Drive, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Boundey, Brown, Falger, Rogers, and Mayor Dennett

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF APPLICATION FOR ERECTION OF STORE BUILDING:

In compliance with the provisions of Ordinance No. 364-N.S. a petition was filed with the City Council asking for a permit to erect a store building on the Southwest portion (50x100') in Block 503 of the City of Modesto by Roger W. and Alice Bishoff. Accompanying the petition were plans and specifications approved by the City Engineer. By order of the Council, the City Clerk was instructed to post notices as required by said Ordinance No. 364-N.S.

IN THE MATTER OF JOINT REPORT OF CITY ENGINEER AND M.I.D. ENGINEER ON PIPING LATERAL NO. 4:

The joint report of F.J. Rossi, City Engineer, and Mr. Van Winkle, Irrigation Engineer, on the piping of Lateral No. 4 on the northern limits of the City of Modesto was reviewed by the Council and ordered filed.

IN THE MATTER OF PEDDLING LICENSES TO EX-UNION SOLDIERS:

A. J. Carlson, City Attorney, reported to the Council that he would draft an ordinance with the purpose of restricting free peddlers' licenses to those not entitled to them, and present the same to the Council for consideration at an early date.

IN THE MATTER OF ADJOURNMENT:

Commissioner Rogers introduced a resolution being RESOLUTION NO. 2282-N.S. adjourning this Council meeting now in session, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Boundey, Brown, Falger, Rogers, and Mayor Dennett

Noes: Councilmen: None

Absent: Councilmen: none

Attest: H.E. GRAGG
CITY CLERK

(Cont'd from Page 41) -

representative Mr. W.C. LeHane, and that a quit claim deed to the property in question would be tendered to the City for the property in question in consideration of a remuneration of \$ 15.00. No further action was taken in the matter by the Council.

IN THE MATTER OF REPORTS:

18

The reports of the various departments for the month of October, 1931, were reviewed by the Council and ordered filed.

IN THE MATTER OF ADJOURNMENT:

19

Commissioner Brown introduced a resolution, being

RESOLUTION NO. 2274-N.S.

adjourning this Council meeting now in session, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Boundey, Brown, Falger, Rogers, and Mayor Bennett

Noes: Councilmen: None

Absent: Councilmen: None

Attest: NE Gragg
CITY CLERK

Council, City of Modesto

December 9th, 1931

The Council met in regular session this date, and there were present Councilmen: Boundey, Brown, Falger, Rogers, and Mayor Dennett
Absent: Councilmen: None

1
IN THE MATTER OF MINUTES:

The minutes of the regular session of November 25th, 1931, were read, corrected in certain particulars, and as so corrected approved as read.

2
IN THE MATTER OF HEARING OF PROTESTS TO ERECTION OF BUILDING IN BLOCK 503:

Pursuant to the filing on November 25th, 1931, an application together with plans and specifications, by Roger W. and Alice Bishoff for a permit to erect a cafeteria building in Block 503 of the City of Modesto, the City Clerk presented to the Council affidavits of posting and publishing of a notice setting forth a time for the hearing of any protests to the erection of such building as required by Ordinance No. 364-N.S. This being the time set out for such hearing, there were no protests made to the Council, whereupon Commissioner Boundey introduced a resolution, being

RESOLUTION NO. 2283-N.S.

granting a permit to Roger W. and Alice Bishoff to erect a store and cafeteria building on a portion of Block 503 as outlined in their application on file, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Boundey, Brown, Falger, Rogers, and Mayor Dennett

Noes: Councilmen: None

Absent: Councilmen: None

3
IN THE MATTER OF PETITION FOR REFUND OF TAXES:

A petition was presented to the City Council by the Church of Christ relating that certain real property known as Lots 17 to 21 inclusive in Block 89 was assessed for municipal taxes for the year 1930-31 and that on the 25th day of April, 1930, ownership of the above described property by a deed of conveyance was transferred to the Modesto City School District, and that said deed contained a clause providing explicitly that said property was to be conveyed to the School District subject to all taxes for the year 1930-31. Thereupon in course of events, the Church of Christ inadvertently paid the taxes levied for that year in the amount of \$ 36.96 and now asks a refund of that amount since the said School District as a politic body is relieved of all payment of taxes for said property and that the amount erroneously paid by the Church of Christ be refunded. This petition was referred to the City Attorney for his recommendation.

4
IN THE MATTER OF CLAIMS:

The claims against the City of Modesto for the month of November, 1931, having been duly audited and found to be correct in the sums

stated, Commissioner Falger introduced a resolution being

RESOLUTION NO. 2284-N.S.

ordering that all of the claims so audited and approved be and they are hereby allowed. Reference being hereby made to the Auditor's Cash Book for further details regarding the amounts of the withdrawals or the various sums in the aggregate hereinafter stated:

4	General Fund	...	\$ 18,587.80
	Water Fund	...	7,443.00
	Library Fund	...	1,390.82
	Bond Red.Int..	...	169.60
	St. Bond Red.Int.	...	1,272.79
	Total	...	\$ 28,863.01

Which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Boundey, Brown, Falger, Rogers, and Mayor Dennett

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF FINAL ADOPTION OF ORDINANCE NO. 412-N.S. LICENSING AND REGULATING THE SALE AND DELIVERY OF OLEOMARGARINE:

5 Pursuant to the final adoption of Ordinance No. 412-N.S., licensing and regulating the sale of oleomargarine and other butter substitutes within the City of Modesto, having been laid over to this time, Mr. A. M. Davis appeared before the Council in opposition to the final adoption of this Ordinance and outlined his objections to the measure as being unfair and legally unsound. Thereupon Mayor Dennett called the Ordinance up for final adoption, and upon ascertaining the publishing of the same as required by the Charter of the City of Modesto, it was upon roll call adopted by the final following vote:

Ayes: Councilmen: Boundey, Brown, Falger, Rogers, and Mayor Dennett

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF FINAL ADOPTION OF ORDINANCE NO. 414-N.S.:

6 Ordinance No. 414-N.S., creating and establishing a Planning Commission in and for the City of Modesto, having been introduced and ordered printed at a regular meeting of the Council of the City of Modesto held on the 25th day of November, 1931, and having been published as required by the Charter of the City of Modesto, coming on for final adoption at this time, it was upon roll call adopted by the following vote:

Ayes: Councilmen: Boundey, Brown, Falger, Rogers, and Mayor Dennett

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF HEARING OF PROTESTS TO PROPOSED LIGHTING OF ELEVENTH STREET:

7 Pursuant to the continuation of the hearing of the protests to the lighting of Eleventh Street to this time, and there being no protests made to the Council, Commissioner Rogers introduced a resolution, being

RESOLUTION NO. 61-S.P.

concluding the hearing of protests to the proposed lighting of Eleventh Street from K Street to Needham Street, and directing that the report of the Council be made on said

hearing and filed with the City Clerk as provided by the Special Assessment Investigation Limitation and Majority Protest Act of 1931 of the Legislature of the State of California, which resolution was regularly adopted by the following vote:
Ayes: Councilmen: Boundey, Brown, Falger, Rogers, and Mayor Dennett
Noes: Councilmen: None
Absent: Councilmen: None

8
IN THE MATTER OF CLAIM FILED BY THE HOTEL MODESTO AGAINST GEO. KEELEY, AN EMPLOYEE OF THE CITY OF MODESTO:

A claim was presented to the Council by Mr. H. T. Crow of the Hotel Modesto against Geo. Keeley, an employee of the City of Modesto, for tickets to the "Frog Jumping Boosters Banquet" in amount of \$ 42.50 incurred on May 7th, 1931. After discussion of the matter by the Council, they were of the opinion that in as much as Mr. Keeley was head of the Veterans of Foreign Wars organization at the time the bill was contracted and was therefore not liable as an individual, and instructed the City Clerk to advise the Hotel Modesto of their opinion in writing.

9
IN THE MATTER OF PETITION FOR REPEAL OF ORDINANCE NO. 413-N.S.:

A petition signed by 475 qualified electors of the City of Modesto was filed with the Council protesting against the final adoption of Ordinance No. 413-N.S., thereby making it mandatory upon the Council to repeal the ordinance or submit the same to the vote of the people at a special election as provided by the Charter of the City of Modesto. Thereupon Commissioner Rogers introduced an ordinance, being

ORDINANCE NO. ***** -N.S.

repealing said Ordinance No. 413-N.S. as petitioned, which ordinance was defeated by the following vote:

Ayes: Councilmen: Rogers

Noes: Councilmen: Boundey, Brown, Falger and Mayor Dennett

Absent: Councilmen: None

10
IN THE MATTER OF CALLING SPECIAL ELECTION:

Pursuant to the filing of a petition for the reconsideration of the Council of Ordinance No. 413-N.S., appropriating money for the purchase of highway rights of way for the re-routing of the State Highway over 9th Street in the City of Modesto, and the said petition containing the number of required signatures as specified in the City Charter for a referendum election and pursuant to the Council's failure to take any steps toward the repeal of said Ordinance, it now being mandatory to submit the ordinance to the vote of the people, Commissioner Boundey introduced a resolution, being

RESOLUTION NO. 2285-N.S.

calling a special municipal election as follows:

WHEREAS, on the 11th day of November, 1931, the Council of the City of Modesto did finally pass and adopt a certain ordinance numbered Ordinance Number 413-N.S. which said ordinance is in words and figures as follows:

10
—

AN ORDINANCE APPROPRIATING THE SUM OF \$15,000 FOR THE PURCHASE AND SECURING OF ALL RIGHTS OF WAY NECESSARY FOR THE WIDENING OF NINTH STREET IN THE CITY OF MODESTO IN ACCORDANCE WITH THE SPECIFICATIONS PRESCRIBED BY THE STATE HIGHWAY COMMISSION REGARDING WIDTH FOR THROUGH HIGHWAYS, AND NECESSARY FOR THE INITIATION OF A \$200,000 PROJECT BY THE HIGHWAY COMMISSION OF THE STATE OF CALIFORNIA CALLING FOR THE CONSTRUCTION OF A NEW BRIDGE ACROSS THE TUOLUMNE RIVER, CONNECTING WITH THE SOUTHERN EXTENSION OF NINTH STREET, AND THE RELOCATION OF THE THROUGH HIGHWAY EAST OF THE SOUTHERN PACIFIC RAILROAD TRACK AND SOUTH OF SAID RIVER, THEREBY ELIMINATING THREE DANGEROUS GRADE CROSSINGS TO HIGHWAY TRAFFIC, AND FOR ALL OTHER PURPOSES INCIDENTAL TO THE WIDENING OF SAID NINTH STREET, AND TO PROVIDE FOR WORK AND LABOR FOR THE UNEMPLOYED DURING THE ENSUING WINTER.

The City Council of the City of Modesto does ordain as follows:

SECTION 1.

The sum of \$ 15,000, or so much thereof as may be necessary, is hereby appropriated out of the general fund of the City of Modesto, not otherwise appropriated, for the purpose of widening Ninth Street in the City of Modesto in accordance with the specifications regarding width of through highways prescribed by the Highway Commission of the State of California, for the purchase and securing of rights of way necessary to said widening of said street, and for all other purposes incidental to the widening of said street.

SECTION 2.

The purpose of the appropriation made in this Ordinance is to provide work and labor for the unemployed during the ensuing winter, to co-operate with the California State Highway Commission in carrying into effect the so-called Ninth Street project adopted and approved by it, the appropriation being necessary to the initiation of the \$200,000 project of the Highway Commission calling for the construction of a new bridge across the Tuolumne River, connecting with the southern extension of Ninth Street, the relocation of the through highway east of the Southern Pacific Railroad track and south of the said river, thereby eliminating three dangerous grade crossings in highway traffic in Stanislaus County and in the City of Modesto.

SECTION 3.

This ordinance shall go into effect and be in full force and operation from and after fifteen days after its final passage and adoption.

SECTION 4.

This Ordinance shall be published in full at least once at least three days prior to its final adoption in the Modesto News-Herald, the official newspaper of the City of Modesto; and

WHEREAS, within fifteen days thereafter a petition signed by qualified electors of the City of Modesto, equal in number to at least 15 per centum of the entire vote cast at the last preceding general municipal election, protesting against the passing of said ordinance, was presented to the Council, as specified in Section 90 of the City Charter; and

WHEREAS, the Council did thereupon reconsider the said ordinance and upon said reconsideration did not entirely or at all repeal the same.

NOW THEREFORE, pursuant to the provisions of the Charter in such case made and provided, it is hereby ordered by the Council of the City of Modesto that a special municipal election be and the same is hereby called to be held on Tuesday, the 19th day of January, 1932, for the purpose of voting upon the question of the adoption of said ordinance.

For the purpose of holding said election the said City of Modesto shall be and the same is hereby precincted and established into eight 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

10
/

Said Special election or consolidated election precincts are 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, in force for general election purposes within the City prior to January 1, 1932, (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 General Election Precincts):

Said General Election Precincts so designated by said Board of Supervisors as Modesto No. 1, Modesto No. 2, Modesto No. 3, and Modesto No. 4, are hereby consolidated and established into "Special Election or Consolidated Election Precinct No. 1".

Said General Election Precincts so designated by said Board of Supervisors as Modesto No. 5, Modesto No. 6, Modesto No. 7, Modesto No. 27 and Modesto No. 28, are hereby consolidated and established into "Special Election or Consolidated Election Precinct No. 2".

Said General Election Precincts so designated by said Board of Supervisors as Modesto No. 8, Modesto No. 9, Modesto No. 10 and Modesto No. 11 are hereby consolidated and established into "Special Election or Consolidated Election Precinct No. 3";

Said General Election Precincts so designated by said Board of Supervisors as Modesto No. 14, Modesto, No. 16 and Modesto No. 17 are hereby consolidated and established into "Special Election or Consolidated Election Precinct No. 4";

Said General Election Precincts so designated by said Board of Supervisors as Modesto No. 12, Modesto No. 13, and Modesto No. 15, are hereby consolidated and established into "special Election or Consolidated Election Precinct No. 5";

Said General Election Precincts so designated by said Board of Supervisors as Modesto No. 18, Modesto No. 19 and Modesto No. 20 are hereby consolidated and established into "Special Election or Consolidated Election Precinct No. 6";

Said General Election Precincts so designated by said Board of Supervisors as Modesto No. 21, Modesto No. 22, and Modesto No. 23 are hereby consolidated and established into "Special Election or Consolidated Election Precinct No. 7";

Said General Election Precincts so designated by said Board of Supervisors as Modesto No. 24, Modesto No. 25, and Modesto No. 26 are hereby consolidated and established into "Special Election or Consolidated Election Precinct No. 8".

It is further ordered that the following places are hereby fixed and designated as and for the polling places for the purpose of holding said election, and the following named persons are hereby designated and appointed to act as officers of election for said special election and will conduct the same:

Special Election or Consolidated Election Precinct No. 1 -- Voting Place: McPheeters Garage, 133 Poplar Avenue; Inspector: Wm. G. Proper; Judges: Mrs. Elanthe D. Jones, Mrs. Mable G. Arnold; Clerks: Mrs. Della B. Aldrich, Mrs. Clara M. Rowe, Mrs. Elma Ducker.

Special Election or Consolidated Election Precinct No. 2 -- voting place: Broughton's Garage, 1715 Downey Avenue; Inspector: Mrs. Josephine Ekstein; Judges: Leo R. Barnett, Mrs. Adelaide Wright; Clerks: Mrs. Ruby M. Alberts, Mrs. Sarah A. Heaton, A.L. Sivils

Special Election or Consolidated Election Precinct No. 3 -- Voting Place: Store Room, Covell Hotel Building, 1021 Eleventh Street; Inspector: Sidney W. Elliott; Judges: Mrs. Lottie Savercool, Miss Franke Craycroft; Clerks: Mrs. Georgia L. Adams, Frank M. Thorpe, Miss Theresa Schmitz.

Special Election or Consolidated Election Precinct No. 4 -- Voting Place: Fire Station No. 3, Downey Avenue; Inspector: Edwin B. Taylor; Judges: Mrs. Mary E. Allison, Mrs. Anna L. Philleo; Clerks: Wm. A. Lohr, Edmund G.B. Plummer, David A. Rydbom.

Special Election or Consolidated Election Precinct No. 5 -- Voting Place: City Hall, 717 Tenth Street. Inspector: Wm. O. Grunow; Judges: Mrs. Mary E. Utterback, Mrs. Bertha Brown; Clerks: Neil Stewart, Mrs. Lillian Walrath, Mrs. Alma M. Wallace.

Special Election or Consolidated Election Precinct No. 6 -- Voting Place: Garage, 1126 5th St. Inspector: Mrs. Ethel L. Crews; Judges: Clarence Gragg, Mrs. Elva C. Coulthard; Clerks: Mrs. Irma Karker, Mrs. Ida F. Edwards, Mrs. Jessie M. Shotwell.

Special Election or Consolidated Election Precinct No. 7 -- Voting Place: Bowman Plumbing Shop, 722 5th Street; Inspector: Mrs. Lottie Moody; Judges: Mrs. Eva B. Deaton, Mrs. Rachel R. Campbell; Clerks: J.C. Day, Mrs. Anna Laughlin, Mrs. Ernie Malone.

Special Election or Consolidated Election Precinct No. 8. Voting Place: Second St. Firehouse; Inspector: Henry W. Atwood; Judges: Mrs. Della Denney, L.B. Pickett; Clerks: Jacob B. Fox, Mrs. Florence Wheeler, John W. Irvine.

It is further ordered that such election shall be held in all respects in conformity with the general election laws of the State of California so far as 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 P.M. of said day, when the polls shall be closed.

The duties of the officers of election hereinabove named 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.

It is further ordered that the Clerk give notice of the holding of such election by issuing a proclamation therefor as required by law, and that the provisions of the ordinances of the City of Modesto, the statutes of the State of

10
California and the previous resolutions of this Council with reference to the holding of such special election be complied with by the proper officers. The clerk is authorized and instructed to procure and provide the necessary supplies for the holding of said election.

The foregoing resolution was introduced and adopted by the Council of the City of Modesto at a regular meeting of the Council of the City of Modesto held on the 9th day of December, 1931, by the following vote:

Ayes: Councilmen: Boundey, Brown, Falger, Rogers, and Mayor Dennett

Noes: Councilmen: None

Absent: Councilmen: None

H.E. Gragg
Attest: H.E. GRAGG
CITY CLERK

11
IN THE MATTER OF J STREET RELIEF SEWER PROJECT:

Commissioner Boundey introduced a resolution, being

RESOLUTION NO. 2286-N.S.

instructing the City Clerk to advertise for bids for sewer pipe and material to be used in constructing the J Street Relief Sewer line, the said bids to be opened on December 23rd, 1931, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Boundey, Brown, Falger, Rogers, and Mayor Dennett

Noes: Councilmen: None

Absent: Councilmen: None

12
IN THE MATTER OF DOG S RUNNING AT LARGE:

(This part of the minutes ordered expunged from the records of the minutes.. causing the resolution number 2287-n.s. to be dropped from the records)

13
IN THE MATTER OF RENEWAL OF 4"-WATER LINE AND SERVICES IN BLOCK 542:

Commissioner Boundey introduced a resolution, being

RESOLUTION NO. 2288-N.S.

instructing the City Engineer to proceed with the renewal of the 4" water line and service connections in Block 542, using the material on hand, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Boundey, Brown, Falger, Rogers, and Mayor Dennett

Noes: Councilmen: None

Absent: Councilmen: None

14
IN THE MATTER OF REPORTS:

The reports of the various departments for the month of November, 1931, were reviewed by the Council and ordered filed.

15
IN THE MATTER OF ADJOURNMENT AND PROVIDING FOR ADJOURNED MEETING:

Commissioner Falger introduced a resolution, being

RESOLUTION NO. 2289-N.S.

adjourning this Council meeting now in session to meet again in adjourned session

15
On Tuesday, December 15th, 1931, at the usual time and place, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Boundey, Brown, Falger, Rogers, and Mayor Dennett

Noes: Councilmen: None

Absent: Councilmen: None

H.E. Gragg
Attest: H.E. GRAGG
CITY CLERK

Council, City of Modesto

December 15th, 1931

The Council met in adjourned session this date, and there were present Councilmen: Boundey, Brown, Falger, Rogers, and Mayor Dennett

Absent: Councilmen: None

IN THE MATTER OF COMMUNICATIONS:

1 A Communication was received from Robert M. LaFollete, Jr., United States Senator, which was read to the Council and ordered filed.

2 A Communication was received from the National Conference on City Planning for California asking that the Council appoint one of their members to serve on the State-Wide Committee of that organization, whereupon Commissioner Boundey introduced a resolution, being

RESOLUTION NO. 2290-N.S.

appointing Mayor L.L. Dennett representative of the City of Modesto to serve on the State-Wide Committee of the National Conference on City Planning, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Boundey, Brown, Falger, and Rogers

Noes: Mayor Dennett

Absent: Councilmen: None

3 A Communication was received from the State Railroad Commission which by order of the Council was referred to the City Engineer.

4 A Communication was received from the Pacific Coast Labor Bureau relative to the wage scale recently adopted by the City of Modesto, setting forth certain items wherein it conflicted with the wage scale approved by the State Department of Agriculture Public Works. Thereupon Commissioner Boundey introduced a resolution, being

RESOLUTION NO. 2291-N.S.

adopting a revised wage scale for public work performed under contract in and for the City of Modesto, which resolution was adopted by the following vote:

Ayes: Councilmen: Boundey, Brown, Falger, Rogers, and Mayor Dennett

Noes: Councilmen: None

Absent: Councilmen: None

5 A Communication was received from Mrs. Robert Meany relative to the muzzling of dogs; which was read to the Council and ordered filed.

IN THE MATTER OF LIGHTING OF I STREET:

6 Commissioner Falger introduced a resolution, being

RESOLUTION NO. 2292-N.S.

taking from the table the petition for the lighting of I Street filed with the Council on August 12th, 1951, and referring the same to the City Engineer for a recheck of the frontage represented thereon in view of the withdrawals of protests filed with the Council at this time, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Boundey, Brown, Falger, Rogers, and Mayor Dennett

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF LIGHTING OF ELEVENTH STREET:

7 Pursuant to Resolution No. 761-S.P. directing that the report of the Council on the hearing conducted for the protests to the lighting of Eleventh Street from K Street to Needham Street, the report was filed at this time in the records of the City Clerk's office relative to the proceedings for such improvement. Thereupon Commissioner Boundey introduced a resolution, being

RESOLUTION NO. 762-S.P.

approving the above mentioned report and determining that the public interest convenience and necessity require the improvement aforementioned, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Boundey, Brown, Falger, Rogers, and Mayor Dennett

Noes: Councilmen: None

Absent: Councilmen: None

Commissioner Boundey then introduced a resolution, being

RESOLUTION NO. 765-S.P.

8 ordering that the City Engineer prepare plans and specifications for the improvement of Eleventh Street between the northwesterly property line of K Street and the South property line of Needham Street by constructing along each side thereof an illuminating system, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Boundey, Brown, Falger, Rogers, and Mayor Dennett

Noes: Councilmen: None

Absent: Councilmen: None

9 In compliance with the foregoing resolution, the City Engineer submitted the plans and specifications; whereupon Commissioner Boundey introduced a resolution, being

RESOLUTION NO. 764-S.P.

adopting the plans and specifications prepared by the City Engineer for the work above mentioned, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Boundey, Brown, Falger, and Mayor Dennett

Noes: Councilmen: Rogers

Absent: Councilmen: None

Thereupon Commissioner Boundey introduced a resolution, being

RESOLUTION NO. 765-S.P.

RESOLUTION OF INTENTION NO. 217

reading as follows:

RESOLVED, that it is the intention of the City Council of the City of Modesto to order the following work to be done and improvement to be made in said City, to-wit:

That Eleventh Street, between the northwesterly property line of 'K' Street and the South property line of Needham Street, be improved by constructing along each side of said street an illuminating system including one light cement concrete electroliers, with wires, cables, gloves, lamps, conduit, auto-transformers, and all necessary lighting appliances.

All of said work shall be done in accordance with the plans and specifications heretofore adopted for doing said work and now on file in the office of the City Clerk, which are hereby referred to for greater certainty and a more particular description of said contemplated improvement.

The report, as required by the Special Assessment Investigation and Limitation Act of 1931, was filed with the City Clerk October 14, 1931, and may be referred to at his office.

And when said work proposed to be done on the respective streets avenues, and highways aforementioned is described as being between certain lines, it includes the doing of all such work upon the street intersections and terminations between such lines, unless otherwise shown on plans; providing, however, that any duplication in such description shall be ignored.

And whereas, said contemplated work and improvement is in the opinion of the said City Council of more than local or ordinary public benefit, said Council hereby makes the costs and expenses of said work and improvement chargeable upon a district, which district said Council hereby declared to be the district benefitted by said work and improvement, and to be assessed to pay the costs and expenses thereof; which district is described as follows and consists of the following described lots and blocks:

Lots 17 to 32 inc. of Block 86; Lots 17 to 32 inc. of Block 87; Lots 17 to 32 inc. of Block 88; Lots 17 to 26 inc. of Block H, Lots 1 to 16 inc. of Block 63; Lots 1 to 16 inc. of Block 64; Lots 1 to 16 inc. of Block 65; Lots 1 to 14 inc. of Block 66, and the Northeasterly seventy (70) feet of Lots 15 and 16 of Block 66, as per Map of Records in the County Recorder's office, Vol 12 of Maps, pages 86, 87, 88, H, 63, 64, 65, 66, Stanislaus County Records, recorded March 3, 1931.

The Council hereby orders that the costs and expenses of connecting the street lighting system, proposed to be constructed in this proceeding, to the City substation at 10th and Needham Streets be paid out of the treasury of said City and out of the General Fund thereof, and the Superintendent of Streets, in making up the assessment herein provided for the costs and expenses of said work, shall first deduct from the whole cost and expenses such part thereof as is hereby ordered to be paid out of the municipal treasury as aforesaid.

10
Notice is hereby given that on Wednesday, the 13th day of January, 1932, at 7:30 o'clock P.M., in the Council Chamber of said City Council of said City, any and all persons having any objections to the proposed work or improvement may appear before said board and show cause why said proposed improvement should not be carried out in accordance with this resolution.

The City Clerk shall cause this Resolution of Intention to be published twice in the Modesto News-Herald, a daily newspaper published and circulated in said City and hereby designated for that purpose.

The Street Superintendent shall cause to be conspicuously posted along the line of said contemplated work and improvement and along all the open streets within said district above described and in front of all the property liable to be assessed, notices of the passage of this Resolution of Intention, in the time, form and manner required by law.

Notice is hereby given that serial bonds to represent unpaid assessments, and bear interest at the rate of five (5%) per cent per annum, will be issued hereunder in the manner provided by the Improvement Bond Act of 1915, the last installment of which bonds shall mature nine (9) years from the second day of July next succeeding ten months from their date.

All of the herein proposed work shall be done in pursuance of an act of the Legislature of the State of California, designated the "Improvement Act of 1911" approved April 7, 1911, and amendments thereto."

Which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Boundey, Brown, Falger, Rogers, and Mayor Dennett

Noes: Councilmen: None

Absent: Councilmen: None

104
IN THE MATTER OF SEWER RENTAL:

It appearing that Guy Johnson has permitted Chas. Toscalino to make a sewer connection with his sewer line outside the City limits on Franklin Avenue, by order of the Council the City Clerk was authorized and instructed to collect \$ 25.00 sewer connection fee and \$ 36.00 for three years rent from the parties involved.

108
IN THE MATTER OF PROTEST TO DANCE HALL:

Dr. E.R. McPheeters from the McPheeters Hospital appeared before the Council and entered a vigorous protest against the holding of dances in the Winter Garden Dance Hall which is located near the Hospital, setting forth the annoyances and disturbances created by those attending the same. The Council informed Dr. McPheeters that they would take such steps necessary to prevent the holding of dances near the hospital.

11
IN THE MATTER OF PARKING SPACE IN FRONT OF THEATRES:

Pursuant to the provisions of City Ordinance No. 345-N.S. prohibiting the parking of any vehicle in front of any theatre in the City of Modesto, and in view of the congestion of traffic and limited parking space in the downtown section of the City, it was the opinion of the Council that this provision might be modified in order to permit parking in front of theatres when there was no performance in progress therein. Thereupon Commissioner Brown introduced a resolution, being

RESOLUTION NO. 2293-N.S.

modifying the provision of City Ordinance No. 345-N.S. so as to permit parking in front of theatres between the hours of 12 o'clock A.M. and 12 o'clock Noon, and instructing the City Engineer to provide suitable signs to that effect, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Boundey, Brown, Falger, Rogers, and Mayor Dennett

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF PAYMENT OF BILLS INCURRED BY THE CITY WELFARE COMMITTEE:

12
Mr. W.W. Hopkins, Secretary of the Committee on City Welfare, presented to the Council claims as follows:

Union Shoe Shop	\$ 42.23
Montgomery Ward Co.	3.40

for shoe repair materials in the carrying out of the work of the Welfare Committee. Thereupon Commissioner Falger introduced a resolution, being

RESOLUTION NO. 2294-N.S.

authorizing and instructing the City Clerk and Auditor to draw a warrant upon the General Fund of the City of Modesto in the above amounts in payment of said claims, when the same shall have been approved by Mr. H.L. Rogers, Commissioner of Public Supplies, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Boundey, Brown, Falger, Rogers, and Mayor Dennett

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF WATER COLLECTION OUTSIDE THE CITY LIMITS OTHER THAN THOSE INCLUDED IN THE MENSINGER TRACT:

12
Pursuant to the execution of agreements with residents of the North Magnolia (Olivewood or Mensinger) Tract just north of the corporate City limits whereby a \$150 connection charge was made for water services, and the regular city rates are to be charged for all water used, it was the opinion of the Council that this is unfair to consumers just outside the city limits in other portions of the City, who have been paying double rates for all water used. Whereupon Commissioner Boundey introduced a resolution, being

RESOLUTION NO. 2295-N.S.

providing that all consumers of water outside the City limits in other portions of the City whose connections with the City water mains have been made for six years and three months, during which time the amount of the double rate charged equals the \$150 fee

charged to residents of the North Magnolia Tract, shall pay the same rate as these consumers within the City limits, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Boundey, Brown, Falger, Rogers, and Mayor Dennett

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF SEWER CONNECTION OUTSIDE THE CITY:

14
Mr. Leslie Baker appeared before the Council in regard to the extension of the City sewer to his property in Block 540 and 541, and stated that he would deed to the City a strip of land fifteen feet wide for alley purposes in exchange for the sewer connection and one year's service charge free. After considerable discussion of the matter by the Council, the matter was by unanimous consent of the Council laid over to the next regular meeting.

IN THE MATTER OF ADJOURNMENT:

Commissioner Brown introduced a resolution, being

15
RESOLUTION NO. 2296-N.S.

adjourning this Council meeting now in session, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Boundey, Brown, Falger, Rogers, and Mayor Dennett

Noes: Councilmen: None

Absent: Councilmen: None

H. E. Gragg
Attest: H. E. GRAGG
CITY CLERK

December 23rd, 1931

The Council met in regular session this date, and there were present Councilmen: Boundey, Brown, Falger, Rogers, and Mayor Dennett

Absent: Councilmen: None

IN THE MATTER OF BIDS FOR SEWER SUPPLIES AND MATERIALS:

Pursuant to the advertising for bids for a certain lot of sewer pipe and materials, this being the time set out for the receiving and opening of such bids, there were on file 19 proposals, which when opened read as follows:

JAX FOUNDRY COMPANY:

26 Manhole Castings \$ 325.00

AMERICAN LUMBER COMPANY:

8000 Brick	Per M	@	15.50
500 Sax Cement	Per sack		.50 3/4
2 x 4 Pine No.1	Per M		30.00
2 x 6 Pine No.1	Per M		27.50
2 x 12 Pine No.1	Per M		27.50
4 x 6 Pine No.1	Per M		28.00
6 x 6 Pine No.1	Per M		28.00

ATLAS FOUNDRY COMPANY:

26 Manhole Castings 260.00

CALIFORNIA CORRUGATED GULVERT COMPANY:

190' 42" No.14 Gauge Galv.Cop.Steel
Corrug.Pipe 10' lengths 429.40

CALIFORNIA POTTERY COMPANY:

4110 lin. ft. 18" bell & spigot pipe	4,660.74
1125 lin. ft. 15" bell & spigot pipe	911.25
2460 " " 12" " " " "	1,195.56
860 " " 10" " " " "	325.08
Less 2% Cash Discount	\$ 7,092.63

N. CLARK & SONS:

4110 lin.ft. 18" sewer pipe	4,660.74
1125 " " 15" " "	911.25
2460 " " 12" " "	1,195.56
860 " " 10" " "	325.08
Less 2% Cash Discot.	

GLADDING McBEAN & COMPANY:

4110 lin. ft. B & S sewer pipe	4,660.74
1125 " " " " " "	911.25
2460 " " " " " "	1,195.56
860 " " " " " "	325.08
Less 2% Discot. for cash	

GROUND LUMBER COMPANY:

Lumber & Cement 677.50
(15,000 Brd.Ft. B.M.2x4;2x6;2x12;4x6;
6x6 No.1.Com.Ore.Pine.Lengths 6' to
20'. 500 Sax Portland Cement.)

WILL MICHELS:

8000 Cement Brick Per M. 15.00

MODESTO LUMBER COMPANY:

Lumber & Cement 16.25
(500 Sax Port.Cement;15,000' B.M.lumber
as per specifications)

ROSS LUMBER COMPANY:

500 Sax Cement Per Sack \$.60
15,000 Brd.Ft.Lumber as per specif. Per M 26.50

SAN JOAQUIN BRICK COMPANY:

8000 Brick Per M. \$ 14.25

STANDARD PAVING COMPANY:

530 T. Asphaltic Concrete Per T. \$ 5.00

STANISLAUS LUMBER COMPANY:

15000' Com.Lumber as per specif.and
500 Sax Cement \$ 728.35

STOCKTON IRON WORKS:

26 - 24" Manhole rings, covers, and pan \$ 315.90

H.A.TRUEBLOOD:

4110 lin.ft. 18" sewer pipe \$ 8,631.00
1125 lin.ft. 15" " " 1,687.50
2460 lin.ft. 12" " " 2,214.00
860 lin.ft. 10" " " 602.00
Less 40% and 10%...Net Total..... \$ 7,092.63
Less 2% cash discot.

UNITED CONCRETE PIPE CORPORATION:

4110 lin.ft. 18" sewer pipe \$ 3,288.00
1125 " " 15" " " 618.75
2460 " " 12" " " 984.00
860 " " 10" " " 258.00
312 48" reinforced concrete pipe for
manholes \$ 1,716.00

U.S.FOUNDRY COMPANY:

25 Manholes & rings, covers, and pans \$ 250.00

WESTERN PIPE AND STEEL COMPANY:

190' - 42" No.14 Gal.Corrug.Iron Pipe \$ 2.18 per ft.
10' lengths
42" No.14 Galv. couplings 8 1/2" wide 2.39 ea.

ALTERNATE:

42" Gal.Culverte Pipe Per ft. 2.05
42" Gal.Couplings 8 1/2" wide each 2.29

After examination of the above bids, by unanimous order of the Council the same were referred to the City Engineer for his recommendation and report at an adjourned meeting of the Council to be held on December 31st, 1931.

IN THE MATTER OF COMMUNICATIONS:

2 A Communication from the Chamber of Commerce thanking the City of Modesto for their aid in decorating the City Streets for the holidays was read to the Council and ordered filed.

3 A Communication was received from the Unemployed Councils of California relating that a group of unemployed marchers will pass through the City of Modesto on January 10th, 1931, on their way to the State Capital where they will make demands upon the Governor for unemployment relief, and asking that the City of Modesto provide them with adequate food and shelter on that date. Thereupon Commissioner Falger introduced a resolution being

RESOLUTION NO. 229/-N.S.

directing that a reply be made to the Unemployed Councils of California stating that while the City of Modesto thoroughly sympathizes with the plight of the

unemployed this winter, it cannot undertake the additional and unnecessary burden of extending any hospitality to those participating in the proposed hunger march since all available funds are being used at the present time to care for the local unemployed and needy, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Bouncey, Brown, Falger, Rogers, and Mayor Dennett

Noes: Councilmen: None

Absent: Councilmen: None

It was thereupon ordered by Mayor Dennett, and approved by unanimous consent of the Council, that Commissioner Falger and City Attorney, A.J. Carlson reply to the above communication as directed.

A Communication was received from the Stanislaus Central Labor Council pertaining to a petition to the Governor of the State of California to adopt the six-hour day and five-day week plan for all public employees. The communication was ordered filed with instruction to the City Clerk to acknowledge receipt of same to the Labor Council.

A Communication was received from H.T. Grow relative to his claim against Geo. Keeley, an employee of the City of Modesto, ^{and} was by unanimous consent of the Council laid over to the next regular meeting.

A Communication from Thos. Edwards relative to dogs running at large was read to the Council and ordered filed.

A Communication was received from P-W Communications Inc. relative to the purchase by the City of Modesto of a radio communicating system for the Police Department. After considerable discussion of the matter by the Council with a representative of the above mentioned firm, who was present, the unanimous consent of the Council was that the City of Modesto is in no position to invest in this equipment at this particular time.

IN THE MATTER OF CLAIMS:

Commissioner Brown introduced a resolution, being

RESOLUTION NO. 2298-N.S.

allowing claim filed by Mr. W.W. Hopkins, Secretary of the City Welfare Committee, for cash paid out for sundry items used by the Committee and for claim of the Union Shoe Shop for supplies for repairing shoes purchased by the Welfare Committee in amounts as follows:

W.W. Hopkins.....	\$ 4.70
Union Shoe Shop	3.10

which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Bouncey, Brown, Falger, Rogers, and Mayor Dennett

Noes: Councilmen: None

Absent: Councilmen: None

Commissioner Brown introduced a resolution, being

RESOLUTION NO. 2299-N.S.

allowing the claim filed by Chief of Police, Lee E. Smith, for cash paid out in amount of \$ 50.00 for special police services, and authorizing and instructing the City Clerk and Auditor to draw the warrant for the same, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Bouncey, Brown, Falger, Rogers, and Mayor Dennett

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF SEWER CONNECTION OUTSIDE THE CITY LIMITS TO LESLIE BAKER:

10
Pursuant to the offer of Mr. Leslie Baker made to the Council on December 15th, 1931, to deed to the City of Modesto a strip of land through Blocks 540 and 541 for alley purposes in exchange for one sewer connection to his residence just outside the City limits, at this time he presented to the Council a deed for the property described as follows:

The Easterly ten feet of Block 540
and the westerly five feet of Block
541 in the City of Modesto

and also a reconveyance of deed of trust on the above described property. Thereupon Commissioner Boundey introduced a resolution, being

RESOLUTION NO. 2300-N.S.

accepting the above mentioned deed as submitted to the City Council and instructing the City Clerk to record the same in the office of the County Recorder of Stanislaus County, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Boundey, Brown, Falger, Rogers, and Mayor Dennett

Nees: Councilmen: None

Absent: Councilmen: None

Thereupon Commissioner Boundey introduced a resolution being

RESOLUTION NO. 2301-N.S.

11
providing that the deed executed to the City of Modesto by Leslie Baker for a strip of land for alley purposes through Blocks 540 and 541 shall serve as the usual \$25 sewer connection service fee to his residence, and from and after the installation of such sewer connection the regular sewer rental fee for sewers outside the City limits shall be paid, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Boundey, Brown, Falger, Rogers, and Mayor Dennett

Nees: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF PETITION FOR REFUND OF TAXES TO CHURCH OF CHRIST:

12
Pursuant to petition filed with the City Council on December 9th, 1931, by the Church of Christ asking for refund of city taxes for the year 1930-31 which were erroneously paid on property known as Lots 17 to 21 inclusive in Block 89 after such property was transferred in ownership to the Modesto City School District with the express provision that said School District should pay the taxes for the year 1930-31, and to the referring of this petition to the City Attorney for his investigation and recommendation, at this time Mr. Carlson made report in substance as follows:

"In regard to the claim of the Church of Christ for a refund of the City taxes, would say that in my opinion it is entirely within the discretion of the Council whether or not these taxes shall be refunded. The Council cannot be compelled to refund the taxes, and on the other hand no legal criticism could be made of the Council in event it should vote to refund the same."

After discussion of the matter, it was the opinion of the Council that in as much as this transfer of property was made to the Modesto City School District shortly after the first Monday in March of the year 1930, and the said School

District being a body politic and therefore not subject to taxation, the refund should be made. Thereupon Commissioner Falger introduced a resolution, being

RESOLUTION NO.2302-N.S.

authorizing and instructing the City Clerk and Auditor to issue a warrant to the Church of Christ in the amount of \$ 36.96 the same being a refund of taxes erroneously paid for the year 1930-31, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Boundey, Brown, Falger, Rogers, and Mayor Dennett

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF AMOUNT OF SUBSIDY GRANTED SALVATION ARMY:

13
Captain Smith of the Salvation Army appeared before the Council and asked that in view of the abnormally distressed conditions of the poor and needy in this community the Council raise the amount of monthly subsidy to the Salvation Army from \$ 50.00 to \$150.00 to carry on relief work until such time as conditions improve. The Council informed Captain Smith that the matter would be taken under advisement.

IN THE MATTER OF RESTRICTION OF DANCES IN THE WINTER GARDEN:

14
Pursuant to the complaint made to the Council by Dr. R. R. McPheeters relative to the proposed remodeling of the Winter Garden on Tenth Street near the McPheeters Hospital into a dance hall, at this time Mrs. M.M. Allibert, owner of the Winter Garden property, and also Dr. McPheeters appeared before the Council and presented their views in the matter to the Council. After listening to both sides, the Council decided not to take any further action on the matter at this time.

IN THE MATTER OF REPORT OF THE CITY ENGINEER ON LIGHTING OF I STREET:

15
The City Engineer filed a report on the result of a check on the percentage of frontage represented on the petition for the lighting of I street between 12th and 17th Streets and 12th Street between I and J Streets, stating that 56.7 per cent of the frontage is represented thereon.

IN THE MATTER OF DONATION OF FLOWER BULBS TO THE CITY PARKS:

16
Commissioner Falger introduced a resolution, being

RESOLUTION NO.2303-N.S.

instructing the City Clerk to write a letter to the Stanislaus Nursery on behalf of the City Park Commission, expressing the appreciation of the City of Modesto for some 200 bulbs donated to the City parks, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Boundey, Brown, Falger, Rogers, and Mayor Dennett

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF ADJOURNMENT:

17
Commissioner Brown introduced a resolution, being

RESOLUTION NO.2304-N.S.

adjourning this Council meeting now in session to meet again in adjourned session on Thursday, December 31st, 1931, at the usual time and place, which resolution was regularly

adopted by the following vote:

Ayes: Councilmen: Boundey, Brown, Falger, Rogers, and Mayor Dennett

Noes: Councilmen: None

Absent: Councilmen: None

H.E. Gragg
Attest: H.E. GRAGG
CITY CLERK

Council, City of Modesto

December 31, 1931

Pursuant to Resolution No. 2304-N.S., the Council met in adjourned session this date, and there were present Councilmen: Boundey, Brown, Falger, Rogers and Mayor Dennett

Absent: Councilmen: None

IN THE MATTER OF AWARD OF BIDS FOR SEWER SUPPLIES AND MATERIALS:

Pursuant to the receiving and opening of bids for certain sewer supplies and materials on December 23rd, 1931, and to the subsequent reference of same to the City Engineer for tabulation and recommendation, Commissioner Boundey introduced a resolution, being

RESOLUTION NO. 2305-N.S.

awarding contracts for supplies as follows:

26 Manhole Castings	to	Atlas Foundry Co.
8000 Brick	to	San Joaquin Brick Co.
(500 Sax Cement		
(15000 Board Feet of Lumber	to	Ground Lumber Co.
198' 42" corrugated pipe	to	Calif. Corrugated Culvert Co.
48" pipe for 26 Manholes	to	United Concrete Pipe Co.
4110' 18" sewer pipe	to	United Concrete Pipe Co.
(1125' 15"		
(2460' 12"	to	H. A. Trueblood
(860' 10"		
530 T. Asphaltic Concrete	to	Standard Paving Co.

and rejecting all other bids, instructing the City Clerk to return to such unsuccessful bidders their certified checks accompanying their bids, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Boundey, Brown, Falger, Rogers, and Mayor Dennett

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF SUBSIDY TO THE SALVATION ARMY:

2 Captain Smith of the Salvation Army appeared before the Council and renewed his request for additional funds for carrying on relief work in the City of Modesto, and filed a report on the activities of the Salvation Army during the month of December, 1931. After discussion of the matter by the Council, it was the consensus of opinion that in as much as the Council had previously by Resolution No. 2270-N.S. allowed the City Welfare Committee a sum of not to exceed \$100 per month for a period of five months to be used for rehabilitating shoes, clothing, etc. donated to that Committee, and it being evident that the full amount of this appropriation would not be needed by the Welfare Committee, Commissioner Falger introduced a resolution, being

RESOLUTION NO. 2306-N.S.

authorizing and instructing the City Clerk and Auditor to draw a warrant in the sum of \$ 100.00 in favor of the Salvation Army for relief work during the month of January, 1932, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Boundey, Brown, Falger, Rogers, and Mayor Dennett

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF OPERATING DANCE HALL IN THE WINTER GARDEN BUILDING:

3 Mr. Ted McMahon appeared before the Council on behalf of his sister, Mrs. M.M. Allibert, the owner of certain property at 1125 Tenth Street known as the "Winter Garden", and asked the Council to consider a petition signed by residents and property owners near and adjacent to this property, protesting against the enactment of any legislation that would prevent this property from being used as a public dance hall because of its proximity to the McPheeters Hospital. The petition was reviewed by the Council and ordered filed.

IN THE MATTER OF INSURANCE POLICIES CARRIED BY THE CITY:

4 Mayor Dennett filed a written opinion with the Council on certain insurance policies now carried by the City of Modesto which will expire shortly, and which are superfluous and an unnecessary expense. Thereupon Commissioner Falger introduced a resolution, being

RESOLUTION NO. 2307-N.S.

authorizing that when the insurance policies now carried on securities held by the City Treasurer; on the Boiler at the McHenry Public Library; and also the bond of the City Attorney, expire they be not renewed, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Boundey, Brown, Falger, Rogers, and Mayor Dennett

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF PARKING IN FRONT OF THEATRES:

5 Pursuant to the passing of Resolution No. 2293-N.S. permitting parking of vehicles in front of theatres between the hours of 12:00 P.M. and 12:00 M., Commissioner Brown introduced a resolution, being

RESOLUTION NO. 2308-N.S.

permitting the parking of vehicles in front of theatres in the City of Modesto

between the hours of 1:00 A.M. and 12:00 M., and instructing the City Engineer to provide signs to that effect, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Boundey, Brown, Falger, Rogers, and Mayor Dennett

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF PARKING SPACE IN FRONT OF FUNERAL HOME:

Commissioner Brown introduced a resolution, being

RESOLUTION NO. 2309-N.S.

instructing the City Engineer to provide a parking space in front of the funeral home of Smith and Alameda with the understanding that they as well as all other undertaking establishments now having parking spaces granted to them, place signs in front of their respective places of business upon the days on which they are to hold funerals, so as to permit parking at all other times, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Boundey, Brown, Falger, Rogers, and Mayor Dennett

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF COMMUNICATIONS:

7 A Communication was received from the Mayor's and Councilmen's Association reviewing the work being done by the City of Palo Alto for affording relief to both local and transient unemployed. Same was read to the Council and ordered filed.

8 A Communication was received from Geo. W. Rochester, Chairman of the Southern California Conference on Unemployment and Financial Depression, asking the Council to express its approval or disapproval of a resolution adopted by that organization asking the Governor to call a special session of the State Legislature for enacting legislation designed to offer some solution to the unemployment situation and business depression. This Communication was reviewed by the Council, ordered filed, and the City Clerk instructed to acknowledge receipt of same.

9 A Communication was received from the State Department of Public Works. Same was read by the Council and referred to the City Engineer, for a report thereon.

10 A Communication was received from the Unemployed Councils of Modesto relative to a hunger march to the State Capital which was read by the Council and ordered filed.

11 A Communication was received from the Hochi Shimbun, a daily newspaper of Hochi, Tokyo, Japan, relative to a proposed good-will flight of a Japanese aviator to the United States in the Spring. Same was read to the Council and ordered filed.

12 IN THE MATTER OF ADJOURNMENT:

Commissioner Brown introduced a resolution, being

RESOLUTION NO. 2310-N.S.

adjourning this Council meeting now in session, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Bouncey, Brown, Falger, Rogers, and Mayer Bennett

Noes: Councilmen: None

Absent: Councilmen: None

H. E. Gragg
Attest: H. E. GRAGG
CITY CLERK
