

The Council met this day in special session at 4:30 P.M. the meeting having been called by Mayor pro tem. Pack, and written notices thereof duly delivered to the members of the Council as provided by Section 2 of Ordinance No. 2-N.S. There were present Commissioners: Brown, Neece, Rogers, and Mayor pro tem. Pack
Absent: Councilmen: None

IN THE MATTER OF
GRANTING BEVERAGE
LICENSES:

There was presented to the Council the application of W.D. Barham, 926 I Street, and H. Williams, 913 J Street, for a license to sell 3.2% beverages, and the same having been duly investigated and approved by the Commissioner of Public Health and Safety, A.N. Brown, he introduced

RESOLUTION NO. 2793-N.S.

approving the applications above listed, and instructing the City Clerk to issue the licenses as per the applications on file, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers, and Mayor Pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF
TRANSFER OF BUDGET
FUNDS:

Commissioner Brown introduced a resolution being

RESOLUTION NO. 2794-N.S.

amending the budget of the City expenditures for the fiscal year ending June 30th, 1934, by transferring \$500.00 from the "Detective Service" item in the Police Department budget to "Water Division" of the Department of Public Works Budget, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF
PURCHASE OF AIRPORT:

Pursuant to the matter of a municipal airport having coming up for discussion by the Council from time to time, Mr. Norman West and W.J. Silva representing the Chamber of Commerce appeared before the Council and urged the Council to negotiate with the Beard Land & Investment Company for the purchase of an airport consisting of 77 Acres, located on Snowden Ave. just off the Waterford Highway, one and one-half miles southeast of the City limits. Upon discussion of the matter by the Council, Commissioner Brown introduced

RESOLUTION NO. 2795-N.S.

appointing a committee consisting of City Attorney Carlson, City Engineer Rossi, and Commissioner Rogers to confer with the Beard Land & Investment Co., the owners of the above described airport, making an offer of \$12,000.00 cash and the \$25,000.00 bequeathed to the City of Modesto by T.K. Beard, which amount has never been paid to the City by the Beard Estate, for a clear title to the airport and hangar, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

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IN THE MATTER OF
PRINTING TAX FORMS:

Pursuant to the calling of informal bids by the
City Clerk for the printing of tax forms for the
City of Modesto, and it appearing that the bid of Commercial Printing Co. for tax
statements, receipts, assessment blanks, etc. in the amount of \$ 335.85, and for
the tax bills and receipts in the amount of \$ 266.56 is the lowest and best bid
submitted by a local printer, Commissioner Neece introduced

RESOLUTION NO.2796-N.S.

awarding the bid to the Commercial Printing Company at the prices above listed,
which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

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IN THE MATTER OF
ADJOURNMENT:

There being no further business to come before the
meeting, Commissioner Brown introduced

RESOLUTION NO.2797-N.S.

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

Ayes: Councilmen: Neece, Brown, Rogers and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG
CITY CLERK

Council, City of Modesto

January 10th, 1934

The Council of the City of Modesto met in regular session this date, and there were present Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack.

Absent: Councilmen: None

1 IN THE MATTER OF
MINUTES:

The minutes of the special session of January 3rd, 1934, and of the regular session of December 27th, 1934, having been heretofore read by each Councilman, were unanimously approved as so read.

2 IN THE MATTER OF
FIRE PROTECTION
OUTSIDE CITY LIMITS:

Mr. Harry R. Windus appeared before the Council as spokesman for the Modesto Insurance Association and asked the Council to consider the furnishing of fire protection to the Modesto Irrigation District for the pipe yard located just outside the westerly City limits in the same manner in which such protection is furnished to the Barium Products Co., i.e.: in consideration of the payment of \$ 250.00 per annum. He also urged the Council to fix a flat rate for annual payment for such protection for the slaughter houses and meat packing plants on Crows Landing Road. Upon consideration of the matter by the Council Mayor Pack appointed a committee consisting of Fire Chief Geo. E. Wallace, and City Engineer, F. J. Rossi, to confer with Mr. Windus in the matter.

3 IN THE MATTER OF
COMMUNICATION RE:
USE OF BASEBALL
PARK:

A Communication was received from Stanley Sanders of Modesto relative to the use of the new baseball park constructed by the City of Modesto just south of the municipal golf course, asking for certain information in regard to its use, and for concessions at games conducted by him. The said communication was read by the Council, and ordered filed, with instructions to the City Clerk to advise Mr. Sanders that his letter had been received and would be given consideration by the Council in due time.

4 IN THE MATTER OF
CLAIMS FOR THE MONTH
OF DECEMBER, 1933:

The Claims against the City of Modesto for the month of December, 1933, having been heretofore audited and approved by the Council, Commissioner Neece introduced

RESOLUTION NO. 2798-N.S.

ordering that the claims so audited and approved be allowed, with reference being made to the Auditor's Cash Book for further details relative to withdrawals from the various funds as follows:

GENERAL FUND -----	\$ 20,046.55
WATER FUND -----	4,495.67
LIBRARY FUND -----	1,489.61
BOND RED. INT. FUND -----	3,563.82
ST. BOND RED. INT. FUND -----	910.70
TOTAL -----	\$ 30,608.35

Which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

5

IN THE MATTER OF
CLAIM OF LEAGUE OF
MUNICIPALITIES FOR
DUES:

There was on file with the Council a claim in the amount of \$ 75.00 due to the League of California Municipalities for annual membership dues for the

year 1954, and upon consideration of the same by the Council, Commissioner Neece introduced

RESOLUTION NO.2799-N.S.

ordering that the claim be allowed, and instructing the City Clerk and Auditor to draw the warrant therefor, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

6

IN THE MATTER OF
PAYMENT OF 75% OF
CONTRACT FOR CLUB-
HOUSE REMODELLING:

Pursuant to Resoluection No. 2757-N.S. awarding bid to R.T. Bush for the remodeling of the house at the golf course into a clubhouse, and the City

Engineer having filed a certification that the work has been completed, and 75% of the contract price of \$1073.00, being now due and payable to Mr. Bush, Commissioner Neece introduced a resolution, being

RESOLUTION NO.2800-N.S.

authorizing and instructing the City Clerk and Auditor to draw a warrant in the amount of \$804.75 in favor of R.T. Bush, the same being 75% of the contract price for the remodeling of the clubhouse at the golf course as aforesaid, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

7

IN THE MATTER OF
PAYMENT OF CLAIM
FOR EXTRAS AT THE
CLUBHOUSE:

R.T. Bush filed with the Council a claim in the amount of \$ 69.38 covering the cost of extras plus 10% in the remodeling of the clubhouse at

the municipal golf course, setting forth an itemized account thereof. Upon consideration of the claim, Commissioner Rogers introduced a resolution, being

RESOLUTION NO.2801-N.S.

authorizing and directing the City Clerk and Auditor to draw a warrant in the amount of \$ 66.83 for the extras used as aforesaid, striking from the claim the \$ 2.55 which was added as 10% on extra item of \$ 25.48 for lumber, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Brown, Rogers, and Mayor pro tem. Pack

Noes: Councilmen: Neece

Absent: Councilmen: Neece

8

IN THE MATTER OF
DESIGNATING SIGN-
ATORY OFFICIAL IN
APPLYING FOR FEDERAL
FUNDS:

Pursuant to intention of the Council to apply for federal funds through the P.W.A. for the construction of a corporation yard shop, Commissioner

Rogers introduced

RESOLUTION NO.2802-N.S.

designating Mayor pro tem. Pack the representative and signatory official of the

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City of Modesto in the matter of application for federal funds to the P.W.A. for the construction of a corporation yard shop, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

9

IN THE MATTER OF PROPOSAL OF GARBAGE COLLECTORS FOR DUMPS:

By unanimous consent of the Council, further consideration of this matter was laid over to the next regular meeting.

10

IN THE MATTER OF PODESTO-ARATA RIGHT OF WAY ON 9TH ST.:

Pursuant to condemnation suit of the City of Modesto to acquire right of way across property owned by Podesto & Arata on 9th Street, by unanimous consent of the Council further discussion of the matter by the Council was laid over indefinitely, pending the culmination of the suit in the courts of law.

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IN THE MATTER OF AGREEMENT WITH THE RAILWAY EXPRESS AGENCY:

Pursuant to intent of the City of Modesto to acquire rights of way along 9th Street for the purpose of widening said street to conform to highway specifications, the matter of proposed agreement with the Railway Express Agency providing for the relinquishment of right of way to the City of Modesto for a strip of ground eight feet wide, and having a frontage of forty feet on 9th Street in Block 143 was discussed by the Council. The City Engineer reported that the right of way could be obtained for \$960.00, severance damages, and to provide for the reconstruction of the building situated on the right of way at the expense of the City of Modesto, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Neece, Brown, Rogers, and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

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IN THE MATTER OF REMODELLING RAILWAY EXPRESS CO. BLDG:

Pursuant to authorization for the entering into the above proposed agreement with the Railway Express Co. for right of way along forty feet on 9th Street in Block 143 for a width of eight feet, leased by said company from the Southern Pacific Railway Company, Commissioner Rogers introduced a resolution being

RESOLUTION NO. 2504-N.S.

providing for the remodelling of the building occupied by the Railway Express Agency at the cost of not to exceed \$1160.00 to clear the right of way negotiated for, the work to be done by the Department of Public Works of the City of Modesto under "force account", which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

13

IN THE MATTER OF AGREEMENT FOR FIRE PROTECTION TO THE BARIUM PRODUCTS CO.:

Pursuant to provisions heretofore made by the Council for the drafting of an agreement for the furnishing of fire protection to the Barium Products Company plant located just outside the westerly City limits, there was at this

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time presented to the Council for ratification the agreement duly executed and accompanied by a check in the amount of \$ 250.00 as provided for therein, whereupon Commissioner Brown introduced a resolution, being

RESOLUTION NO.2805-N.S.

accepting the agreement as presented, and instructing the Mayor and City Clerk to affix their signatures thereto on behalf of the City of Modesto which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Neece, Brown, Rogers, and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

14

IN THE MATTER OF FINAL ADOPTION OF ORDINANCE 458-N.S.:

Ordinance No. 458-N.S., changing the name of Stanislaus Street to "MAZE BOULEVARD" having been introduced and ordered printed and published

at a regular meeting of the Council of the City of Modesto held on the 27th day of December, 1933, and having been published as required by the Charter of the City of Modesto, coming on for final adoption this 10th day of January, 1934, it was upon roll call adopted this 10th day of January, 1934, it was upon roll call adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

15

IN THE MATTER OF ORD. GOVERNING BASEBALL FIELD:

Commissioner Rogers introduced an ordinance, being

ORDINANCE NO.459-N.S.

designating the baseball field south of the Municipal golf course as Roosevelt Field, and providing and authorizing the adoption of rules and regulations for its use, which ordinance was ordered printed and published by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

16

IN THE MATTER OF APPROPRIATION FOR SEWER BOOSTER:

Commissioner Rogers introduced an ordinance being

ORDINANCE NO.460-N.S.

appropriating the sum of \$ 7,000.00 for the construction of additional sewer facilities for the City of Modesto, which ordinance was regularly adopted and passed to print and publish by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

17

IN THE MATTER OF DEMAND FOR WRITTEN CHARGES AGAINST DISMISSED POLICEMAN:

Hugo McKinley, attorney for W.T. King, who was dismissed from the Police Force January 1, 1934, appearing before the Council together with his

client, pointed out that the City Charter provides that written charges must be filed with the Mayor upon the dismissal of a policeman from the Police Force, and

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in view of the fact that no charges had been filed, he asked that the Chief of Police be required to comply with the Charter, and that a hearing thereof be conducted. Whereupon Mayor pro tem. Pack instructed the Chief of Police to cause such charges to be filed at once, and informed Mr. McKinley that a hearing would be held in the matter.

18

IN THE MATTER OF
REPORT UPON SEWAGE
IN TUOLUMNE RIVER:

Pursuant to a letter of protest having been filed with the Council by J. Murphy stating that the sewage emptied into the Tuolumne River by the City of Modesto is a typhoid menace to a ranch owned by him several miles further down the river, and the matter having been referred to the City Engineer for investigation, at this time he reported that the Assistant State Engineer and the City Sanitary Inspector had made a test of the water along the river and at the ranch in question, and had found it to be free from typhoid germs. He further stated that the matter had been referred to the Health Department of the State and to the local office of the Health Department, the latter having been instructed to make further periodical tests of the water.

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IN THE MATTER OF
MONTHLY REPORTS:

The monthly reports of the various departments for the month of December, 1933, were reviewed by the Council and ordered filed.

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IN THE MATTER OF
ADJOURNMENT:

Commissioner Brown introduced

RESOLUTION NO. 2806-N.S.

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

Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H.E. GRAGG
CITY CLERK

Council, City of Modesto

January 24, 1935

The Council of the City of Modesto met in regular session this date, and there were present: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack

Absent: Councilmen: None

- 1 IN THE MATTER OF MINUTES: The minutes of the regular session of January 10th, 1934, and of the special meeting of January 3rd, 1934, having been heretofore read by each Councilman, were unanimously approved as so read.
- 2 IN THE MATTER OF ANNIVERSARY OF PARK DONATION TO CITY BY W.I.C. Corda Stone, representing the Women's Improvement Club of Modesto, appeared before the Council and in a brief address pointed out the fact that the year 1934 marks the twentieth anniversary of the donation of the park sites of Maze-Wren Park, Graceada Park, Beard Park, and Enslin Park to the City of Modesto by the Women's Improvement Club and admonished the Council not to forget the civic patriotism of this organization in giving to the City one of the most valuable assets of a municipality, namely: that of adequate city parks at suitable locations. Mayor Pack acknowledged the debt of gratitude to the Women's Improvement Club on behalf of the City of Modesto.
- 3 IN THE MATTER OF USE OF THE BASEBALL FIELD: The Municipal baseball field park having been completed, there were several applications made to the Council for the use of the Park and concessions during the summer, as follows:

Stanley Sanders appeared in support of a written communication heretofore filed with the Council asking for the privilege of using the Park, stating that he had his team all ready to start playing, and asked that a definite answer be given to his petition. The Council informed Mr. Sanders that no plans or provisions had been made as yet for the use of the Park by the different teams and organizations, but that at an early date such provisions would be made.

Mr. C.C. Geist filed with the Council a written communication asking permission to use Roosevelt Field for his schedule of baseball games during the summer. Same was read by the Council, ordered filed, and the City Clerk instructed to advise Mr. Geist that his letter would be taken under consideration at some later date.

Mr. Bert Lowry filed with the Council an application for managership and concessions at Roosevelt Field during the baseball season for athletic outdoor events. Same was read by the Council and the City Clerk instructed to inform Mr. Lowry that his application would be considered at some later date.
- 4 IN THE MATTER OF SKATING RINK REMAINING OPEN UNTIL MID-NIGHT: Mr. G.M. Taplin appeared before the Council stating that he was considering conducting a skating rink in the Merrygarden building in partnership with A.E. Alford, and asking that the present ordinance providing that no skating be allowed after ten P.M. be amended with no time restriction for closing. Upon discussion of the matter by the Council, Commissioner Brown introduced a resolution, being

RESOLUTION NO. 2807-N.S.

partially complying with Mr. Taplin's request by granting him permission to keep his

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skating rink open until twelve o'clock P.M. on Wednesday and Saturday nights in contradistinction to provisions of section 14 of Ordinance No.10-N.S., such permission, however, to be revocable at the pleasure of the City Council, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF
MOVING LUNCH WAGON AT
NINTH & I STREETS:

petition asking for
Mrs. F.D. Winfield filed with the Council a written/permission to move the location of her lunch wagon from 9th and H Streets on the Railroad Reservation, to 9th and I Streets,

stating that the widening of Ninth Street makes it imperative to move from the old location, and that she is desirous of building a new wagon to be located at 9th and I Streets on the railroad reservation just off the highway. Whereupon Commissioner Brown introduced a resolution being

RESOLUTION NO.2808-N.S.

granting permission to Mrs. Winfield to establish a lunch wagon at 9th and I Streets as prayed for, when the permission and consent of the American Automobile Association and the Chamber of Commerce is given thereto, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF
CONFERENCE RELATIVE
TO LIQUOR SALES IN
THE STATE:

A Communication was received from the Board of Supervisors of the City and County of San Francisco relative to the conference of the city and county officials of California

in San Francisco on January 25 -1934, discussion the liquor sales control measures.

Whereupon Commissioner Brown introduced

RESOLUTION NO.2809-N.S.

authorizing and instructing the City Attorney, A.J. Carlson, and the Chief of Police, Lee E. Smith, to attend the conference as aforesaid on behalf of the City of Modesto, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF
URGING EXTENSION OF
C.W.A. PROGRAM FOR
RELIEF:

There was on file with the Council a letter from the League of California Municipalities urging the City to send requests by telegraph to President Roosevelt, to the

senators and congressman of this district, and to the Administrator of the C.W.A. at Washington, D.C. asking them to make all efforts to continue with and extend the work of the C.W.A. program for unemployment relief. Whereupon Commissioner Rogers introduced

RESOLUTION NO.2810-N.S.

authorizing and instructing Mayor pro tem. Pack to send the telegrams as set forth above on behalf of the Council of the City of Modesto, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

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IN THE MATTER OF RETURN
OF SECURITIES TO BANKS:

There was on file with the Council a communication from
Bertram and Griswold of Modesto setting forth the ad-

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visability of carrying a return of securities bond to protect securities pledged
by banks and the amount of cost thereof. Whereupon Commissioner Rogers introduced
a resolution, being

RESOLUTION NO.2811-N.S.

rejecting all the proposals that have been made by the various insurance companies
for furnishing a return of securities bond, and authorizing and instructing the City
Clerk to transfer the securities now held in the City vault to safe deposit boxes
in the various banks pledging them, which resolution was regularly adopted by the
following vote:

Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF
CLAIM FOR SHOE RE-
PAIR MATERIALS:

Pursuant to Resolution No. 2771-N.S. providing for the
payment of costs for materials for repairing shoes for
the needy and unemployed through the Modesto Bundle

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Center, which is sponsored by the Modesto Welfare Committee, at this time there was
presented to the Council a claim in the amount of \$ 27.02 by David H. Schwartz for
such materials; whereupon Commissioner Neece introduced

RESOLUTION NO.2812-N.S.

allowing the claim of David H. Schwartz as aforesaid, and instructing the City
Clerk and Auditor to draw the warrant therefor, which resolution was regularly
adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

12

IN THE MATTER OF
CLAIM FOR TRIMMING
TREES:

Mrs. Henry Litt, 418 14th street, filed with the
Council a petition setting forth facts as follows:
that she had asked the City several times to trim

the eucalyptus trees in front of her property and when it was not done, she had
paid \$ 4.50 to have them trimmed; that she is now delinquent in her water account
for three months and would like to have the \$ 4.50 paid for trimming the trees
applied as a credit to her water account. After consideration of the matter by
the Council, and in view of the facts in the case, Commissioner Rogers introduced

RESOLUTION NO.2813-N.S.

authorizing and instructing the City Clerk to credit the water account of Mrs. Litt
with \$ 4.50 in return for the trimming of the trees as set forth in her petition,
which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

13

IN THE MATTER OF
FINAL ADOPTION OF
ORDINANCES:

Ordinance No. 459-N.S., providing for the rules
and regulations of the use of the municipal baseball
park, having been introduced and ordered printed and published at a regular meeting
of the Council held on the 10th day of January, 1934, and having been printed and

3 published as required by the Charter of the City of Modesto, coming on for final adoption at this time, upon roll call the said ordinance was finally adopted by the following vote:

Ayes: Councilmen Brown, Neece, Rogers, and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

14 IN THE MATTER OF
FINAL ADOPTION OF
ORDINANCE:

Ordinance No. 460-N.S., appropriating the sum of

\$ 7,000.00 for an addition to the sewer system, Having

been introduced and ordered printed and published at a regular meeting of the Council of the City of Modesto held on the 10th day of January, 1934, and having been printed and 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: Brown, Neece, Rogers, and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

15 IN THE MATTER OF
PETITION FOR RE*
MOVAL OF TREES:

Leslie A. Cleary filed a written petition with the

Council asking that the City remove two cottonwood

trees on the Northeast side of Wright Street, near the corner of Elmwood Avenue. Said petition was referred to the City Engineer for investigation and action thereon.

16 IN THE MATTER OF
GAREAGE COLLECTORS
PROPOSAL FOR DUMPS:

By unanimous consent of the Council further discussion of the matter of proposal of garbage collectors to supply a new dumps ground to the City of Modesto in return for certain

concession was laid over to the next regular meeting.

17 IN THE MATTER OF
FORGERY INSURANCE
POLICY:

Pursuant to Resolution No. 2768-N.S. authorizing the re-
newal of forgery insurance policy No. DF389154, National

Surety Company, through the local agent, H.R. Windus, and to the subsequent payment of premium of \$ 108.38 therefor, it now being the pleasure of the Council to cancel said policy, Commissioner Neece introduced

RESOLUTION NO. 2814-N.S.

rescinding the action taken under said resolution No. 2768-N.S. and canceling the said policy, instructing the City Clerk to return said policy, instructing the City Clerk to return said policy to the local agent and file a claim for return of premium thereon, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

18 IN THE MATTER OF
CHARGES AGAINST
DISMISSED POLICE
OFFICER:

Pursuant to the matter of written charges to be filed against W.T. King, former police officer of the City of Modesto Police Department, who was dismissed from the

employ of the City January 1st, 1934, having been laid over to this time, Mayor pro tem. Pack read to the Council the written charges filed with him by the Chief of Police.

Through his attorney, Hugo McKinley, Mr. King made a denial of the charges, stating that he had at all time endeavored to fulfill the duties required of a police officer and enforce the provisions of City ordinances. There ensued a discussion of the matter between members of the Council, the Chief of Police, and Mr. King and his attorney:

whereupon by unanimous consent of the Council the matter was laid over for further in-

vestigation to the next regular meeting of the Council.

19 IN THE MATTER OF
ADJOURNMENT:

There being no further business to come before the
Council for consideration, Commissioner Brown introduced

RESOLUTION NO.2815-N.S.

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

Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG
CITY CLERK

1
The Council of the City of Modesto met in special session this 7th day of February, 1934, at 7:00 P.M., at the call of Mayor pro tempore Pack, written notices of the meeting having been duly delivered to the members of the Council, all as provided in Section 2 of Ordinance No. 2-N.S. There were present: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack
Absent: Councilmen: None

2
IN THE MATTER OF
ACQUISITION OF AIR-
PORT OUTSIDE CITY
LIMITS:

The Committee heretofore appointed to investigate the matter of acquisition of the existing airport outside the City limits on Waterford Highway, filed with the Council a written report covering their findings and recommendations in the matter, which report read as follows:

"REPORT ON BEARD AIRPORT MATTER

On Thursday, January 25th, 1934, called at the C.W.A. office in San Francisco with Mr. Silva and Mr. West. Captain Doolan was out of town, but talked the matter over with Miss McDonald, his secretary, and advised her as to the condition of the title of this property, and the fact that it was impossible legally for the City of Modesto to bind itself to complete the purchase of the airport.

Miss McDonald suggested that the application blanks be filled out and that a lease be executed between the Beard Land & Investment Company and the City of Modesto leasing the airport for a period of five years with a definite option on the part of the lessor to sell on or before the expiration of that time and a definite option on the part of the lessor to sell on or before the expiration of that time and a definite commitment on behalf of the City to purchase; that probably other cities were faced with the same legal difficulty and that her impression was that it is the disposition of the Department not to be too particular in the examination of the titles of the lessor.

Also saw Mr. Whipple at the Bank of America with reference to the cost of a release from the Bank, and explained the situation to him, particularly that the City of Modesto cannot pay more than \$ 21,000.00 for the release of this property from the trust deed, and cannot make any payment until December, 1934.

He suggested to Mr. West that he again see Mr. Pulliam and that Mr. Pulliam communicate with Mr. Whipple.

With reference to a lease with the Beards, my thought is to draw a very simple lease whereby the Beards lease the property to the City of Modesto for five years at \$ 1.00 per year, all to be paid in advance, and surrender possession of the property to the City and provide that the City shall have the uninterrupted use of the property as an airport, and to include in this lease an agreement on the part of the Beard people to sell to the City of Modesto upon the payment of \$ 37,000 on or before five years. A copy of this lease could be filed with Captain Doolan.

My thought also is in that connection to have a supplementary memorandum executed by the City to the Beard Investment Company reciting that the \$37,000 is to be paid by giving the Beard estate an acquittance of a bequest in favor of the City, and paying the sum of \$ 21,000 to the Bank of America on or before December 15th, 1934; that the proceedings for the satisfaction of the bequest shall consist of a petition for partial distribution by the City of Modesto, an answer by the executors of the estate setting forth the inability to pay the bequest in cash, a stipulation to be signed by both the City and the executors reciting the conditions that exist, and an agreement on the part of the City to accept the equity of the Beard Investment Company in this property and a corresponding obligation on the part of the executors to secure a conveyance from the Beard Investment Company to the City, and also an agreement by the City assuming the obligation in favor of the Bank of America to the extent of \$ 12,000, but that the probate proceedings must be fully completed prior to such payment, and that in such order as the court may make it be further decreed that the property received by the City in satisfaction of the bequest be relieved from the obligation to use the property for the purposes and in the manner specified in the Will. The Beard estate, or the Beard Land Investment Company, must also assume the obligation of satisfying the Bank as to any excess over \$ 12,500.00.

It must be verbally understood that this whole arrangement is conditional on ability to perform, and that if the City of Modesto should be stopped by proper protests or legal proceedings from carrying out its part of the bargain, the City and its officers should be released from any responsibility or liability for damages or costs by virtue of the arrangement or the agreement. As a matter of fact, such a stipulation should be inserted in the memorandum. The Beard Company should also be relieved from any obligation, but the obligation of the Beard estate to pay the bequest to the City of Modesto should remain unimpaired.

2

It must also be borne in mind that before the \$ 21,000 can be paid to the Bank, an ordinance appropriating the money must be passed and that this ordinance is subject to a referendum and may be held up or defeated altogether."

Signed: A.J. Carlson
City Attorney

Whereupon Commissioner Rogers introduced a resolution, being

RESOLUTION NO.2816-N.S.

instructing the City Attorney to prepare and submit such leases and agreements as are necessary for the leasing of the airport from the Beard Land and Investment Company and to present them to the City Council for approval in the near future, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

2

IN THE MATTER OF
RATIFICATION OF AGREEMENT FOR STATE HIGHWAY ROUTES:

There was filed with the Council by R.E. Pierce, District Engineer of the State Division of Highways, an agreement setting forth the provisions and matters

relating to the acquisition, maintenance and construction of Routes 4, 109 and 110 within the corporate limits of the City of Modesto by the State of California, asking that the Council ratify the agreement and that it be duly executed by the proper officials on behalf of the City; whereupon Commissioner Rogers introduced a resolution, being

RESOLUTION NO.2817-N.S.

ratifying the agreement as presented and instructing Roy E. Pack, Acting Mayor of the City of Modesto, to affix his signature thereto on behalf of the City of Modesto, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers and Mayor pro tem Pack

Noes: Councilmen: None

Absent: Councilmen: None

3

IN THE MATTER OF
USE OF MUNICIPAL
BASEBALL FIELD:

Pursuant to petition made to various members of the Council by Bert Lowry for the use of Roosevelt Field, Commissioner Neece introduced a resolution,

being

RESOLUTION NO.2818-N.S.

providing for the exclusive use of the Roosevelt Field to Bert Lowry during the week beginning March 19, 1934, and ending March 26, 1934, and instructing the Commissioner of Finance to sign such agreement as may be necessary for the above permit, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Neece, Brown, Rogers, and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

4

IN THE MATTER OF
RELOCATION OF LUNCH
WAGON:

A Communication from the Modesto Chamber of Commerce was received by the Council, which communication

stated that the Chamber of Commerce had gone on record as opposed to the location of the existing lunch wagon at 9th and H Street of Mrs. F.D. Winfield being moved to the corner of 9th and I Streets, it being the opinion of the Board of Directors of said organization that it would create a traffic hazard, perhaps

5

create an unsightly and unsanitary condition, and would compete with business men in permanent locations who pay rent and taxes. Said communication was read to the Council and ordered filed.

6
IN THE MATTER OF
RUE DE YOE SEWER
BOOSTER:

Pursuant to intent of the City of Modesto to construct a sewer booster in the Rue de Yoe section of the City, and to obtain federal funds to defray a portion of the cost of the construction thereof, Commissioner Rogers introduced an ordinance, being

ORDINANCE NO. 461-N.S.

approving the agreement in connection with the application of the City of Modesto for a grant of \$ 2100.00 from the United States of America to defray a portion of the expense of improving the municipal sewer system, and granting signatory powers in the matter to the Mayor pro tempore and the City Clerk, which ordinance was passed to print and publish by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

7
IN THE MATTER OF
COMPLETION OF PAY-
MENT TO R.T. BUSH FOR
CLUBHOUSE AT GOLFCOURSE:

Pursuant to the entering into contract with R.T. Bush for the remodelling of the existing house at the municipal golf course into a clubhouse, and to the subsequent payment of 75% of the contract price therefor, to-wit: \$804.75, Commissioner Rogers introduced a resolution, being

RESOLUTION NO. 2819-N.S.

authorizing and instructing the City Clerk and Auditor to draw a warrant on February 14th, 1934, in favor of R.T. Bush in the amount of \$ 268.25, being the remaining portion of the contract price due for the remodelling of the golfcourse clubhouse, providing no liens for labor or material are filed with the City Clerk before that date, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Neece, Cliver, Pack, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

8
IN THE MATTER OF APPLIC-
ATION TO C.W.A. FOR FUNDS
FOR IMPROVEMENT OF AIRPORT:

Pursuant to Negotiations for the lease of the Modesto Airport located outside the City limits on the Waterford Highway, Commissioner Brown introduced

RESOLUTION NO. 2820-N.S.

authorizing and instructing the City Engineer to compile an application to the C.W.A. for federal funds for the improvement of said airport as provided by the National Industrial Recovery Act, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

9

IN THE MATTER OF
ENDORSEING DANCE
GIVEN BY POLICE
DEPARTMENT:

Commissioner Rogers introduced a resolution, being

RESOLUTION NO.2821-N.S.

endorseing the proposed dance to be given by the members
of the Police Department to raise funds for the purchase of a two-way radio commun-
icating system for the Police Department, which resolution was regularly adopted
by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

10

IN THE MATTER OF
ADJOURNMENT:

There being no further business to come before the
meeting, Commissioner Brown introduced

RESOLUTION NO.2822-N.S.

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

Ayes: Councilmen: Brown, Neece, Rogers and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG
CITY CLERK

Council, City of Modesto

February 14th, 1934

The Council of the City of Modesto met in regular session this date, and there were present: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack
Absent: Councilmen: None

1. IN THE MATTER OF
ADJOURNMENT AND AD-
JOURNED SESSION:

Commissioner Brown introduced

RESOLUTION NO. 2823-N.S.

adjourning this Council meeting now in session to Thursday, February 15, 1934, at 7:30 P.M., which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H.E. GRAGG
CITY CLERK

Council, City of Modesto
Adjourned Session
February 15th, 1934
7:30 P.M.

The Council met in adjourned session this date, pursuant to Resolution No. 2823-N.S., and there were present: Councilmen: Brown, Neece, Pack, Rogers and Mayor pro tem. Pack
Absent: Councilmen: None

1. IN THE MATTER OF
APPROVAL OF MINUTES:

The minutes of the regular session of January 24th, 1934, and the special session of February 7th, 1934, having been heretofore read by each Councilman, were unanimously approved as so read.

2. IN THE MATTER OF
CLAIMS:

The claims against the City of Modesto for the month of January 1934, having been heretofore audited and approved by the Council.

Commissioner Neece introduced

RESOLUTION NO. 2824-N.S.

ordering that the claims so audited and approved be allowed, reference being made to the Auditors Cash Book for further details relative to the amounts of withdrawals from the various funds as follows:

GENERAL FUND	-----	\$
WATER FUND	-----	\$
LIBRARY FUND	-----	\$
BOND RED. INT. FUND	-----	\$
ST. BOND RED. INT. FUND	-----	\$
TOTAL	-----	\$

Which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF
CLAIM FOR DAMAGES:

There was filed with the City Council through
Attorneys Hawkins and Hawkins the claim of Lee

Willcuts in the amount of \$ 5,858.30 for damages as a result of a fall at the
alleyway entering Block 84 from I Street near the postoffice. Commissioner
Rogers introduced

RESOLUTION NO.2625-N.S.

rejecting the claim of Mr. Willcuts and instructing the City Clerk to advise his
attorneys of the action taken, which resolution was regularly adopted by the
following vote:

Ayes: Councilmen: Neece, Brown, Rogers, and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF
COMMUNICATIONS:

A communication was received from the Secretary of
the Federal Civil Works Administration acknowledging
on behalf of President Roosevelt, receipt of a telegram from the City Council
urging the continuation of the C.W.A. Program. which communication was read by the
Council and ordered filed.

A communication was received from the Chief of the
Federal Civil Works Administration acknowledging, on behalf of Administrator Harry
Hopkins, receipt of a telegram from the City Council urging the continuation of the
C.W.A. program. Same was read by the Council and ordered filed.

A Communication was received from Senator Hiram T.
Johnson in response to a telegram from the City of Modesto urging the continuation
of the C.W.A. Program, pledging his support to the plan, Same was read by the Council
and ordered filed.

A Communication was received from Representative
Denver S. Church in response to a telegram from the City of Modesto urging the con-
tinuation of the C.W.A. Program, pledging his support to the plan. Same was read by the
Council and ordered filed.

A communication was received from the Modesto Chamber
of Commerce commending action taken by the Council toward the acquisition of the
airport outside the City on Waterford Highway. Same was read by the Council and
ordered filed.

A communication was received from the Mayor of
Grants Pass, Ore. by way of introducing Mr. Ben Kimber, formerly of Grants Pass,
but now the owner of the Modesto Tribune. Same was read by the Council, ordered
filed, and the City Clerk instructed to acknowledge receipt of same.

A Communication was received from the Forni Manufactur-
ing Company relative to a formula for the disposal of garbage. Same was read by the
Council and referred to the City Engineer.

IN THE MATTER OF
PETITION FOR CONCESSION
AT ROOSEVELT FIELD:

A petition for a soda water and peanut concession at
Roosevelt Baseball Field was filed with the Council
by Burdean Thompson, which petition was ordered filed,
and the City Clerk instructed to advise the petitioner that the matter would again
be considered when definite arrangements relative to the use of Roosevelt Field
have been made.

12 IN THE MATTER OF
PETITION FOR FENCE
AROUND JUNK YARD:

A petition was filed with the Council by property owners adjacent to the American Junk Yard at 515 7th Street, asking that a fence be constructed around the said junk yard. Upon consideration of the matter by the Council, Commissioner Brown introduced

RESOLUTION NO.2626-N.S.

authorizing and instructing the City Clerk to write to all junk yards within the City of Modesto and request the owners thereof to provide housing for all junk at their yards or to construct a solid fence not over six feet high around the premises so as to completely hide from view all accumulated junk, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Peck

Noes: Councilmen: None

Absent: Councilmen: None

13 IN THE MATTER OF
PETITION TO OPERATE
A JUNK YARD:

Messrs Hirshel and Friedman filed with the Council a petition in accordance with Ordinance No. 54-N.S. asking permission to open and conduct a junk yard at 1302 9th Street in the City of Modesto. Whereupon Commissioner Rogers introduced

RESOLUTION NO.2627-N.S.

referring the above petition to the Commissioner of Public Health and Safety for investigation and report to the Council his findings in the matter, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Neece, Brown, Rogers, and Mayor pro tem. Peck

Noes: Councilmen: None

Absent: Councilmen: None

14 IN THE MATTER OF
FINAL ADOPTION OF
ORDINANCE 461-N.S.:

Ordinance No. 461-N.S., approving the agreement relative to application of the City of Modesto for a grant of federal funds through the P.W.A. for a sewer booster project,

having been introduced and ordered printed and published at a special meeting of the Council of the City of Modesto held on the 7th day of February, 1934, and subsequently printed and published as required by the Charter of the City of Modesto, coming on for final adoption this 15th day of February, 1934, it was upon roll call adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Peck

Noes: Councilmen: None

Absent: Councilmen: None

15 IN THE MATTER OF
PROPOSAL OF GARBAGE
COLLECTORS FOR DUMPS:

By unanimous consent of the Council further discussion of this matter was laid over to the next regular meeting.

16 IN THE MATTER OF
CANCELLATION OF
TAXES ON CERTAIN
PROPERTY:

Pursuant to the purchase of Lots 17 and 18 in Block 314 by the City of Modesto, under action taken by Resolution No. 2661-N.S. on July 26, 1933, from W.J. White, which

lots were located in the center of the former municipal airport in said block, and it appearing that taxes for the year 1933-34 were levied thereon by the City Assessor, which taxes now appear upon the current assessment roll, Commissioner Neece introduced

RESOLUTION NO.2628-N.S.

authorizing and instructing the City Tax Collector and Auditor to make such entries in their books as may be necessary to cancel the assessment levied upon the above

- 16 described property for the year 1933-34, which resolution was regularly adopted by the following vote:
 Ayes: Councilmen: Brown, Neece, Rogers and Mayor pro tem. Pack
 Noes: Councilmen: None
 Absent: Councilmen: None
- 17 **IN THE MATTER OF HEARING OF CHARGES AGAINST W. T. KING:** Pursuant to the matter of hearing of charges against W. T. King, dismissed police officer, having been postponed until this time, by unanimous consent of the Council the same was again laid over to the next regular meeting.
- 18 **IN THE MATTER OF TRAFFIC SIGNALS ON NINTH STREET AND FIRE PROTECTION TO BASEBALL FIELD:** Fire Chief Wallace filed with the Council two letters recommending certain matters as follows:
 (a) That Traffic signals be placed at the intersection of Ninth Street with G and H Streets to prevent serious accidents and delays in responding to Fire Alarms in the West section of the City; and
 (b) That water mains and fire hydrants be installed for fire protection at the newly completed Roosevelt baseball park. Whereupon after consideration of the premises by the Council, Commissioner Rogers introduced
RESOLUTION NO. 2829-N.S.
 referring the above matters to the City Engineer to take such steps as may be necessary toward bringing about the desired improved conditions as outlined in the Fire Chief's recommendation, which resolution was regularly adopted by the following vote:
 Ayes: Councilmen: Brown, Neece, Rogers and Mayor pro tem. Pack
 Noes: Councilmen: None
 Absent: Councilmen: None
- 19 **IN THE MATTER OF APPLICATION TO C.W.A. FOR IMPROVEMENTS TO AIRPORT:** Pursuant to intent of the City of Modesto to enter into a lease agreement with the Beard Land and Investment Co. with option to buy, for a period of five years for the uninterrupted use of the airport located on the Waterford Highway outside the City limits, and to the obtaining of federal funds for the improvement of the landing field thereat. Commissioner Rogers introduced a resolution, being
RESOLUTION NO. 2830-N.S.
 authorizing and instructing the Commissioner of Public Works to make application to the C.W.A. for funds for the above proposed improvement to the airport, and to act as signatory official on behalf of the City of Modesto in filing said application, which resolution was regularly adopted by the following vote:
 Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack
 Noes: Councilmen: None
 Absent: Councilmen: None
- IN THE MATTER OF REPORTS:** The reports of the various departments for the month of January, 1934, having been reviewed by the Council, were ordered filed.

IN THE MATTER OF
ADJOURNMENT:

Commissioner Brown introduced

RESOLUTION NO 2831-N.S.

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

Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG
CITY CLERK

Council, City of Modesto
Special Session
February 23rd, 1934
7:30 P.M.

The Council met this day in special session at the call of
Mayor pro tem. Pack, written notices thereof having been duly delivered to the members
of the Council as provided in Ordinance No. 2-N.S.

There were present: Councilmen: Brown, Neece, Rogers and Mayor pro tem. Pack

Absent: Councilmen: None

I. IN THE MATTER OF
HEARING OF CHARGES
AGAINST DISMISSED
POLICE OFFICER:

Mayor pro tem. Pack informed the Council that they would
proceed to review the charges against W.T. King, dismissed
police officer, pursuant to the filing of written charges

against him by the Police Chief at the regular meeting of January 24, 1934, as provided
by Section 103 of the City Charter. He then read to the Council the written charges filed
as follows:

January 11th, 1934.

To Honorable Roy E. Pack
Mayor pro tem. of the City of Modesto:

Pursuant to Section 103 of the Charter of the City of Modesto
I have to report that on January 1st, 1934, I removed Patrolman King as a member
of the police force of the City of Modesto, and in accordance therewith, file
with you the following written charges against him:

In the four and one-half years during which Patrolman King was a member of the
Police Force of the City of Modesto, and under my constant observation and
efforts to train him, it became obvious that he is not temperamentally fitted
for police work. It seemed to be impossible for him to work in friendly and
efficient cooperation with other members of the Police Force. Not only did he
lack a cooperative spirit, but he was overbearing, disagreeable and sometimes
insolent in his manner towards them to such an extent that they complained
to me; some of them even went so far as to say they would rather quit their
jobs than to work with him.

Furthermore, he was markedly deficient in his official contacts with the public.
Not only was he lacking in those qualities of courtesy, tact and diplomacy
necessary in an officer, which eliminate friction and smoothes out difficulties,
but he was distinctly aggressive, overbearing and officious. For the apparent
purpose of showing his authority he was too much inclined to make arrests for petty,
technical and inconsequential offenses which could and should have been adjusted
otherwise. The successful administration of any police department necessarily
depends upon pleasant relations with and friendly cooperation from the public
which it serves. Patrolman King's contact with the public and his manner of
discharging his duties produced the very opposite results. It seemed to be
impossible for him to understand this. I may add that his attitude towards the
business people on the beats where he was assigned from time to time became
such that I have been requested on many occasions by business people of this
City not to assign him to duty in the part of town where he would come in con-
tact with thier business. I may also state specifically that members of the
police force have been assigned from time to time as special officers at
dances, in accordance with the local dance ordinance, and that I have been
specially asked by the managers of such dances not to send Patrolman King as a

special officer by reason of his unnecessarily disrespectful, officious and often rude conduct.

In these respects I deem that he has been guilty of neglect of duty and of conduct unbecoming a member of the police force, and that his removal from the force was necessary for the good of the force.

Respectfully submitted,

LEE E. SMITH
Chief of Police of the City of
Modesto.

1. Mayor Pack then instructed the City Attorney, the attorney of Mr. King, the witnesses and the members of the Council that no testimony would be heard that did not directly pertain to the charges filed. In the absence of Chief Lee Smith, owing to illness, Captain E.E. Arington represented the Police Department.

Mayor Pack: (To Mr. King, indicating the written charges) Do you deny these charges?

Mr. King: Yes sir.

Mayor Pack: You state at this time that you deny these charges. It is my understanding that these written charges do not contain all the charges that could be introduced by the Chief of Police to warrant your dismissal. Do you wish to hear these further charges?

Mr. King: Yes sir.

The Mayor then announced that Captain Arington would present the further charges against ex-patrolman King, and would introduce witnesses to support them.

Captain Arington: The written charges which you have were compiled as to make it as easy on Mr. King as possible, but we are now bringing out further matters which brought about his dismissal. In the private office of the Chief of Police there is a drawer in his desk which none of the patrolmen ever have any occasion to get into, and the Chief and I are the only ones who have access to it. The Chief asked Patrolman King to stay out of that drawer at least twice in my presence, and I know that he asked him several other times to stay out of there. Some one complained to the Chief that King was carrying a bunch of pass keys. The Chief asked King for his keys and he handed him a ring with a few keys on it and his police whistle on it. The Chief said not that bunch but the other one. Then King handed him a ring containing a bunch of keys such as are used for pass keys and picking locks. (He placed the bunch of keys on the table in view of the Council)

Mayor Pack: (to Councilman Rogers): Mr. Rogers, did you see those keys?

Councilman Rogers: (Passing them to Councilman Neece) Yes.

Captain Arington: Merchants and managers of stores have asked the Chief not to have King assigned to beats on their street. We have an ordinance which prohibits gambling after 12:00 P.M. Sometimes there will be a game in progress and they will play a little over the time limits. In such cases Mr. King would not go to the manager or the proprietor of the establishment, but would take it upon himself to take the cards away from the participants and close the game himself.

Patrolman Dave Cole is next officer in charge after myself, and sometimes during my absence or days off he assumed my duties. He complained to me several times that during my absence he couldn't reach Patrolman King by street phone, and that he was often insolent and insubordinate in his manner.

Other men on the force have come in and complained that when going out on calls with King they could get no information from him as to the nature of the call. He would drive the car and stop two or three doors beyond the place from which the call came, and then go in himself and leave them entirely ignorant of the actual place of the call or what the nature of it was. It is impossible for a policeman to give any cooperation in answering a call unless he knows just what he is going out on.

The Chief spoke to me many times about King, and after he took that bunch of pass keys away from him over a year ago he said he would fire him only work was so scarce he was afraid it would be hard for him to find another job, and kept him on for that reason.

New Year's Eve is always a pretty busy night for us, and during the midnight parade of cars we always try to have men at every intersection. Last New Year's Eve we gave instructions for one car to go out and be on hand to answer street bells and the rest to stay on foot. King raised a big fuss with three of the men over this. And it was this incident that

was the last straw in bringing about his dismissal. I have the patrolmen here that worked with Bill and some other witnesses to bear out what I have said.

(Captain Arington called forward a witness)

Mayor Pack: What is your name?

Witness: F.A. Coggin

Mayor Pack: And your occupation?

Coggin: I work in a bakery

Mayor Pack: All right, tell your story.

1. Coggin: On the night of November 4th, 1933, I was in Rogers Drug Store and bought a package of cigarettes. I spoke to Mr. King in a joking manner, and he made the remark: I don't know the _____ of a _____. There were two other officers present to verify this statement. They were Patrolmen Dunn and Schmit.

Mayor Pack: (to Officers Dunn and Schmit) Were you men present at the time described by the witness?

Dunn & Schmit: Yes sir.

Mayor Pack: Were his statements correct?

Dunn & Schmit: Yes sir.

Captain A. Mr. Gentleman who is a brakeman on the railroad complained to the office that King searched him unnecessarily. He is present and will testify.

Mayor Pack: (to witness): What is your name?

Witness: My name is S. P. Gentleman. I am a railroad man and quit working at all times of the night. I don't remember the exact date or time but it was about three or four o'clock in the morning. I was cutting across the lots just below the Swift and Co. Plant and I saw an automobile stop and two men with flashlights get out and come toward me. I stopped and waited and I recognized King. I didn't know the other one. King ran over and made a dive at my pockets. I asked him what he wanted. He said he wanted me. I started away and then he said: I'll get even with you for this, and went away. There was tall slim fellow with him but I don't know who he was. I know it was King who tried to search me, though.

(here Mayor Pack asked the witness if the tall fellow could have been Patrolman Dunn. The witness believed not, and Patrolman Dunn said he did not recall the incident.)

Captain Arington: Harold Dallas will testify regarding the dance halls.

Dallas: I am manager of the Winter Garden and have been since it reopened. We have tried to run as clean dances as they can be run. When we opened up the Winter Garden I went to the Police office and told the Chief I would be needing an officer there at the dances and asked him to send anyone but King. I had seen him knew how he worked. He was always trying to show his authority and if a fellow had to be taken off the floor he always dragged him out making a big scene. We always noticed that when King was on duty for a dance it would run for two or three weeks and then the crowd would go somewhere else and the hall would close up. We never saw it fail. He had no way of talking to the public and would use straight arm methods of showing authority. I wouldn't have him in my place.

Mayor Pack: All right. (to Captain Arington) Have you any other witnesses?

Arington: I have one of the patrolmen here that can tell you about going on out on calls with King, the New Year's Eve affair and equipment taken from the Chevrolet police car.

Patrolman Crosby: Mr. King was very disagreeable to work with. Going out on calls he would never say where we were going or what for. One night I saw him take an oil can out of the Police Car and take it home.

Mayor Pack: How do you know he took it home?

Patrolman Crosby: I saw him take it and I know he took it home with him.

Mayor Pack: That is all. (to Mr. King) Do you recognize these keys?

King: Yes sir.

Mayor Pack: What were they used for?

King: One time a few years ago I lost the keys to the lock on my garage. I went up to Lacque's and had one made and I got those then and ever since I have carried them as an emergency set.

Mayor Pack: You must have an assortment of locks on your garage. Did you ever use them uptown?

King: The door of the San Francisco Fruit Market was left open once and I couldn't get in touch with the manager, and I used them to lock it.

Mayor Pack: In your experience with police work, if you found keys like that on some one else what would be your opinion of the party you arrested?

King: I would turn them in to the office.

Mayor Pack: (to Captain Arington) These keys are not any part of the police equipment?

Captain Arington: Absolutely not.

Mayor Pack: (to Council) Gentlemen of the Council, you have heard why Mr. King was dismissed from the Police Force. The authority of the Police Commissioner and the Chief of Police is final in matters such as these. It has only been a matter of accommodation that we have allowed this hearing. We will now hear what Mr. King himself has to say about the charges.

King: I never used those keys around the office.

Mayor Pack: You did have them about your person.

King: I never used them at the office.

Mayor Pack: I have been told that you occasionally found doors open on your beat.
King: Yes I did.
Mayor Pack: Did you advise the merchants to that effect in such instances?
King: Yes sir.
Mayor Pack: Do you deny the charges of Mr. Gentleman?
King: I never saw the man.
Mayor Pack: Do you deny the charges of this boy Coggin?
King: I do not remember the exact words of the occasion. I was in the drug store and made a purchase, a bottle of metholatum I think it was. He was in there with two or three other fellows, and if I said anything to him it was in a joking way.
Mayor Pack: Do you deny making the remark?
King: I never made the statement like he said I made it. When he came in I had my back turned and he spoke to the two patrolmen that were there and someone said "aren't you going to speak to Mr. King"? I recognized him as one who was always making joking remarks to the fellows and if I made the statement it was in a joking manner and different than the way it was brought out.
Mayor Pack: What is the pleasure of the Council? You have heard the evidence. The Charter provides that the Chief in dismissing an officer shall file the charges with the Mayor. These charges have been filed. (to King:) If you have anything else directly connected with these charges, but it must pertain to this, to some particular charge and not any personal charges, we will hear them.

(Here Hugo McKinley, attorney for Mr. King, interrupted)
could

McKinley: Mr. Mayor, I would like to ask if we/call some witnesses regarding the dance hall charge. We have three operators of dance halls on the west side of town that promised to be here and testify in favor of Mr. We will hear the witnesses.

Mayor Pack: (Here Mr. McKinley asked Mr. A.E. Alford to step forward. After a few minutes it became apparent that Mr. Alford was not present. Another dance hall operator was summoned and stepped forward.)

Mayor Pack: What is your name.

Witnesses: M.E. Rogers

Mayor Pack: What dance hall did you operate?

Rogers: The California Ball Room.

Mayor Pack: Have you heard these charges?

Rogers: I have heard them.

Mayor Pack: Was King ever at your dances?

Rogers: Yes, two or three times.

Mayor Pack: Was there ever any trouble with him?

Rogers: No, there was never any trouble. I always got along fine with him.

(Mr. McKinley called Mr. J. Mineni as a witness. Mr. Mineni failed to appear. Mr. East was then called.)

Mayor Pack: All right, what are you to testify to?

Mr. East: Mr. King asked to me come here and tell you what I know about him. I saw Mr. King very frequently. He was often around the store because it is a prominent corner and there is a street police phone located there at the corner. I saw him many times answer the phone. As far as I know he was always attending to his duty. I never saw him do anything that was not in his line of duty in all the years that I knew him while he was on the police force, and I also knew him a good many years before he was a policeman. I never saw him do anything unbecoming to an officer. That's all I have to say.

(Mr. McKinley then called as witnesses Mr. Morrow; Mr. Duke; Mr. Demmett and Mr. Alford. None of the witnesses called were present.)

McKinley: All of these men promised to be here. It is five minutes past eight now. Mr. King, have you anything further to say?

King: As far as the charges are concerned, I always tried to work in harmony with the other men. I have seen service where one had to work in harmony..in the army service.

Mayor Pack: Yes, and if you didn't you got a lot worse there than this, didn't you?

King: Yes sir...as far as taking the oil can from the police car...that is absurd.

Mayor Pack: In incidents of this kind, it is unfortunate that there are always two sides to the matter. The Chief dismissed you because of the charges set forth here and in his own opinion you were not fitted for Police work. The Chief has absolute power over men in his Department.

King: Yes, but he waited four and a half years to tell me, I wouldn't think it so hard if he had told me after a year or two, but after four and a half years it seems it took a long time to find it out.

Mayor Pack: This City, or any City, Police Department is always at considerable expense in trying to find men that are qualified for police work, and then in training them to be good officers. If as time goes by it becomes evident that a man doesn't show the qualities necessary for the work, then the only thing to do is to fire him.

King: If I wasn't qualified, why didn't he tell me so the first time he thought it?

Captain Arington: (to King) Now Bill, the Chief has talked to you more than a dozen times in my presence, in this four and a half years. This isn't the first time you were told to mend your ways. The Chief was always trying to correct and help you. And just because he can't come here and defend himself it isn't fair or just for you to say that this is the first time you were told you were unqualified or told to do differently than you were doing. The Chief has always treated you square, Bill, and it will be a long time before you ever work for another man as white as the Chief was with you.

Mayor Pack: I believe this hearing has gone on long enough.

King: I am not denying that the Chief didn't talk to me, Captain. When he called my attention to any fault, I always tried to correct the fault.

Mayor Pack: (to Council) Inasmuch as Commissioner Brown is the Commissioner in charge of the Police Department, I would like to have some other member of the

Council make a resolution in this matter.

Commissioner Neece: I am of the opinion that matter never should have been brought before the Council in the first place. It is a matter between Mr. King, the Police Commissioner, the Police Chief, and the Mayor, and I move that it be passed back to them for action.

Mayor Pack: That is not sufficient. We will have to have a resolution acting in the matter as the Council sees fit.

Commissioner Neece: Then I introduced a resolution

RESOLUTION NO. 2832-N.S.

accepting the charges filed by the Chief of Police in the matter of dismissing Patrolman W.T. King and uphold him in the action taken.

Upon roll call the resolution was adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF
ADJOURNMENT:

There being no further business to come before the meeting,

Commissioner Brown introduced

RESOLUTION NO. 2833-N.S.

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

Ayes: Councilmen: Brown, Neece, Rogers and Mayor Pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRASS
CITY CLERK

Council, City of Modesto

February 28th, 1934

The Council of the City of Modesto met in regular session this date, and there were present Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack
Absent: Councilmen: None

1 IN THE MATTER OF MINUTES: The minutes of the regular session of February 14th, 1934, and of the special session of February 23rd, 1934, having been heretofore read by each Councilman, were unanimously approved as so read.

2 IN THE MATTER OF COMMUNICATIONS: A Communication was received from the California Municipal Utilities Association relative to the adoption of a code for publicly owned utilities, and enclosing a questionnaire relative to prevailing hour and wage schedules now effective in the City of Modesto. Said communication was read by the Council, discussed and ordered filed with no action taken thereon.

3 IN THE MATTER OF CLAIM FOR SHOE REPAIR MATERIALS: A Claim in the amount of \$ 18.80 was filed with the Council by D. Schwartz for shoe repair materials furnished to the Modesto Bundle Shop maintained by the City Welfare Committee. Whereupon pursuant to action authorized by Resolution No. 2771-N.S., Commissioner Neece introduced a resolution, being

RESOLUTION NO. 2834-N.S.

allowing the above mentioned claim, and authorizing the City Clerk and Auditor to draw the warrant therefor, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Neece, Brown, Rogers, and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

4 IN THE MATTER OF CLAIM FILED AGAINST GEO. KEELEY: A Claim in the amount of \$ 50.00 was filed by the Singer Sewing Machine Co. against Geo. Keeley, employee of the City of Modesto Police Department. Mr. Keeley advised the Council that he would take care of the claim and that in the future the Council would not be bothered by his creditors.

5 IN THE MATTER OF PETITION FOR JUNK YARD ON 9TH ST.: Pursuant to petition having been heretofore filed with the Council for a permit to operate and maintain a junk yard at 1302 9th Street by M. Hirshel and J. Friedman, and the said petition having been referred to Commissioner Brown for investigation, at this time he reported to the Council that he had investigated the matter and was in favor of granting the permit, whereupon he introduced a resolution, being

RESOLUTION NO. 2835 -N.S.

granting permission to Messrs Hirshel and Friedman to operate and maintain a junk yard at 1302 9th Street as petitioned, such permission, however, to be revocable at the will and pleasure of the City Council, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

6

IN THE MATTER OF
PERMIT FOR SERVICE
STATION ON 9TH ST.:

Pursuant to the provisions of City Ordinance No. 312-N.S., the Standard Oil Company of California filed a written application with the Council for a permit to erect a super-service station on the Railroad Reservation on the west side of 9th Street between I and J Streets. Whereupon after due consideration of the matter by the Council, Commissioner Rogers introduced a resolution, being

RESOLUTION NO. 2535-N.S.

granting permission as provided by Ordinance No. 312-N.S. to the Standard Oil Co. to erect a super-service station within the City of Modesto as prayed for, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Neece, Brown, Rogers, and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

7

IN THE MATTER OF
DESIGNATING COMMISS-
IONER IN CHARGE OF
ROOSEVELT FIELD:

Pursuant to Ordinance No. 459-N.S. providing for the designation of one or more members of the Council to be Commissioner in charge of the newly completed baseball field known as Roosevelt Field, Commissioner Brown introduced

RESOLUTION NO. 2537-N.S.

designating the Commissioner of Finance and Revenue as the Commissioner in charge of Roosevelt Field, and authorizing and empowering said Commissioner to provide for the enforcement and execution of those rules and provisions set forth in Ordinance No. 459-N.S. pertaining to the use of said Field, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

8

IN THE MATTER OF
ACCEPTING DEED FROM
MODESTO LUMBER CO.
FOR RIGHT OF WAY ON
NINTH STREET:

There was filed with the Council for acceptance a deed duly executed by the Modesto Lumber Company for a right of way for the widening of Ninth Street in Block 137 on the railroad reservation. Whereupon Commissioner

Rogers introduced a resolution, being

RESOLUTION NO. 2538-N.S.

accepting the deed submitted, and ordering the same placed on file in the office of the County Recorder of Stanislaus County, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

9

IN THE MATTER OF
ACCEPTING AGREEMENTS FOR NINTH ST.
RIGHTS OF WAY:

There was filed with the Council for approval agreements duly executed by the Modesto Lumber Co. and the Stanislaus Lumber Co. for the vacating of property occupied by the

said companies on the railroad reservation in order that Ninth Street may be widened to conform to highway specifications, setting forth the amount of compensation for such right of way. Thereupon Commissioner Rogers introduced

RESOLUTION NO. 2839-N.S.

accepting the agreement entered into with the Modesto Lumber Co. for a right of way along Ninth Street as set forth in said agreement, now on file in the office of the City Clerk, which agreement is hereby referred to, and by such reference incorporated in this resolution, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

Commissioner Rogers then introduced

10

RESOLUTION NO. 2840-N.S.

accepting the agreement entered into with the Stanislaus Lumber Co. for a right of way for a right of way along Ninth Street as set forth in said agreement now on file in the office of the City Clerk, which agreement is hereby referred to and by such reference incorporated in this resolution, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

11

IN THE MATTER OF
ACCEPTING LEASE
AND AGREEMENT FOR
AIRPORT AND HANGAR:

There was presented to the Council for approval a lease executed by the Beard Land and Investment Co. covering the aviation landing field owned by said company east

of the City of Modesto, with an option in favor of the City of Modesto to purchase the same on the terms therein specified. Thereupon Councilman Rogers introduced

RESOLUTION NO. 2841A-N.S.

accepting the said lease and directing that the same be filed in the Recorder's Office of Stanislaus County. This resolution was adopted by the following vote:

Ayes: Councilmen: Neece, Brown, Rogers, and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

There was also presented a supplementary agreement between the Beard Land & Investment Co. and the City of Modesto, executed by the Beard Land and Investment Co., setting forth certain additional terms involved in the lease and option to purchase said aviation field. Thereupon Commissioner Rogers introduced

RESOLUTION NO. 2814B-N.S.

ratifying and approving said supplementary agreement, directing its execution by the Mayor pro tempore and City Clerk of the City of Modesto, and directing that it be

filed in the office of the City Clerk, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

12 IN THE MATTER OF
COLLECTION OF RENT
FOR USE OF AIRPORT:

Pursuant to the leasing of aviation field and hangar located approximately two miles East of the City limits on Waterford Road, Commissioner Neece introduced

RESOLUTION NO. 2842-N.S.

authorizing and instructing the City Clerk to proceed to collect the customary rental fees for the use of said aviation field and hangar, pending the adoption of an ordinance providing for same, which resolution was regularly adopted by the following vote:

A yes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

13 IN THE MATTER OF
EXECUTING DEED TRANS-
FERRING CERTAIN PROP-
ERTY TO THE SOUTHERN
PACIFIC RAILWAY CO:

Pursuant to agreement entered into with the Southern Pacific Company providing for the transfer of certain property on 8th Street to the Railway Company in exchange for certain rights of way along 9th Street, Commissioner Rogers intro-

duced

RESOLUTION NO. 2843-N.S.

authorizing and instructing the City Attorney to draw up the necessary deed effecting such transfer of property, and designating Mayor pro tem. Pack and H. E. Gragg, City Clerk, signatory officials in the matter on behalf of the City of Modesto, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Neece, Brown, Rogers, and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

14 IN THE MATTER OF
DRAFTING RULES AND
REGULATIONS FOR USE
OF MUNICIPAL AIRPORT:

Commissioner Rogers introduced

RESOLUTION NO. 2844-N.S.

instructing the City Attorney and the City Engineer to draft an ordinance setting forth rules and regulations for the use of the Modesto Municipal Airport, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Neece, Brown, Rogers, and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

15 IN THE MATTER OF
TRIAL OF JEWELL TEA
CO. REPRESENTATIVE
FOR VIOLATION OF
PEDDLING ORDINANCE:

Pursuant to the arrest of the local representative of the Jewell Tea Company in October, 1933, for violation of City ordinance No. 421-N.S., and approximately four months having now passed without the case having been brought before

the Court, the Council asked the City Attorney the reason for the delay in the matter. The City Attorney reported that the defendant had filed a demurer in the matter, and the Judge of the Police Court had been sitting as Judge in the Superior Court, but that it now

appeared that the case would be set for trial the following week. Whereupon the Council instructed the City Attorney to take all possible action for bringing the case to a speedy trial.

IN THE MATTER OF
ADJUSTING SALARY
OF CITY ATTORNEY:

Commissioner Neece introduced

RESOLUTION NO. 2845-N.S.

16

fixing the salary of the City Attorney at \$ 150.00 per month the same to be effective from and after March 1st, 1934, which resolution was regularly adopted by the following vote.

Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF
APPROPRIATION FOR
WATER MAIN TO
ROOSEVELT FIELD:

Commissioner Rogers introduced

ORDINANCE NO. 462-N.S.

17

appropriating the sum of \$ 4,000.00 or so much thereof as may be necessary for the construction of a water main for fire protection to Roosevelt Field south of the Municipal Golf Course, which ordinance was regularly passed to print and publish by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

18

IN THE MATTER OF
PROPOSAL OF GARBAGE
COLLECTORS FOR DUMPS:

By unanimous consent of the Council further consideration of this matter was laid over to the next regular meeting.

19

IN THE MATTER OF
EXTENSION OF 19TH ST.
THROUGH BLK 133:

The matter of extending 19th Street through Block 133 of the City of Modesto was discussed by the City Council and after due consideration of the facts in the matter, Commissioner Rogers introduced

RESOLUTION NO. 2846-N.S.

instructing the City Engineer and the City Clerk to prepare tentative plans for the extension of 19th Street through Block 133 as proposed, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

20

IN THE MATTER OF
CLEANING OF VACANT
LOTS:

Commissioner Neece introduced

RESOLUTION NO. 2847-N.S.

authorizing and instructing the City Engineer to proceed with the cleaning of weeds and grass from vacant lots in the City of Modesto, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF
CANVASSING RETURNS
OF ELECTION FOR
ANNEXATION OF LALOMA
ADDITION.

Pursuant to election held February 13, 1934, for the
annexation of LaLoma Addition to the City of Modesto,
Commissioner Rogers introduced

RESOLUTION NO. 2848-N.S.

which resolution was in detail as follows:

WHEREAS, this being the time provided for the first regular meeting of the Council next after the date of an election held in the territory proposed to be annexed to the City of Modesto, known as the LaLoma Addition, and described particularly as the following described territory lying and being in the County of Stanislaus, State of California, and contiguous to the City of Modesto, and particularly described as follows, to-wit: All that portion of the northwest quarter of the southeast quarter and of the northeast quarter of the southwest quarter of Section 28, Township South, Range 9 East, M.D.B. & M., lying South and East of Beard Brook; and it appearing that said election was held within the territory proposed to be annexed on the 13th day of February, 1934, in accordance with the resolution of this Council heretofore passed and adopted, and that after the holding of said election the election officers thereof delivered to and deposited with the Clerk of this Council, the ballots, tally sheets and returns of said election, and it appearing and the Council so finding that the proposition submitted at said election was whether or not such new territory, in said resolution and hereinabove described, shall be annexed to, incorporated in and made a part of the municipal corporation of the City of Modesto, and the property therein be, after such annexation subject to taxation equally with the property within such municipal corporation, to pay the bonded indebtedness of such municipal corporation outstanding at the time of the filing of the petition asking that such election be called or theretofore authorized;

THEREFORE, BE IT RESOLVED that the Council of the City of Modesto after having proceeded to canvass the said returns finds that the whole number of votes cast in said territory proposed to be annexed was three, and that the number of votes cast therein in favor of annexation was three, and that the number of votes cast therein against annexation was none;

Which resolution was then regularly adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

Whereupon in conformance with State Statutes, Commissioner

Rogers introduced

ORDINANCE NO. 453-N.S.

approving the annexation of the above described territory known as the "LaLoma Addition" to the City of Modesto, and providing for the required recording of same with the Secretary of State, which ordinance was duly passed to print and publish by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers, and Mayor Pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF
ADJOURNMENT:

There being no further business to come before the
Council, Commissioner Brown introduced a resolution,
being

23

RESOLUTION NO. 2849-N.S.

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

Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG
CITY CLERK

Council, City of Modesto
March 14, 1934

The Council of the City of Modesto met in regular session
this date, at 7:30 P.M.

Present: Councilmen: Brown, Neece, Rogers and Mayor pro tem. Pack

Absent: Councilmen: None

1 IN THE MATTER OF MINUTES: The Council of the City of Modesto minutes for the regular session of February 28th, 1934, having been heretofore read by each Councilman, were amended in certain particulars, and approved as so amended.

2 IN THE MATTER OF REPORT OF ACTIVITIES OF THE SALVATION ARMY: Subsidy having been heretofore granted to the Salvation Army for the months of January, February and March, 1934, Captain S. Houghton advised the Council at this time that a detailed report of the activities carried on as a result of such subsidy was being compiled and would be submitted to the Council in the near future.

3 IN THE MATTER OF PROTEST AGAINST FEES CHARGED AT AIRPORT: Protest against fees charged by the City of Modesto at the newly acquired municipal airport was made by Darrell Olsen, aviator. Upon discussion of the matter, the unanimous decision was that fees charged are not exorbitant or excessive in comparison with those charged in other cities maintaining a municipal airport.

4 IN THE MATTER OF COMMUNICATIONS: Communication from League of California Municipalities reporting on Liquor Sales Conference was received, read and ordered filed by the Council.

5 Communication from Joseph Isaacs seeking information relative to letting of garbage contracts was received by the Council, and the City Clerk instructed to reply thereto.

6 ← Communication was received from the Western Conference on Government relative to conferences to be held in Berkeley from the 28th to 30th of March. Same was read by the Council and ordered filed.

instructing the Auditor of the City of Modesto to forward to the proper state officials a claim for the reimbursement of \$ 500.00 paid for right of way clearance to the Associated Oil Company, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

12 IN THE MATTER OF BIDS FOR RUE DE YOE SEWER PROJECT:

The City Clerk reported receipt of five sealed bids for construction of Rue de Yoe Sewer project; whereupon the Council proceeded to open and declare the bids

as follows:

BIDDER'S NAME:	ITEM 1	ITEM 2	ITEM 3	ITEM 4	ITEM 5	ITEM 6	ITEM 7	ITEM 8	ITEM 9
JOHN PEZANA 1061 71ST AVE OAKLAND, CALIF.	One Pump, motor appurtenances complete. \$1025.00	One dry Pit complete with piping, etc. \$ 225.00	One Wet Pit complete with piping, etc. \$ 200.00	1460.4' C.I.P. line constructed complete \$1975.60	471.9' Vit. Pipe line constructed complete \$ 486.16	861.9' of 6" Vit. Pipe line constructed complete \$ 778.42	12 Y Branches installed on 6" line \$ 12.00	Seven Man-holes constructed \$262.50	One Lamp Hole Constructed. \$20.00
OAKLAND SEWER CONSTR. CO. 9915 Walnut St. Oakland, Calif.	\$ 525.00	\$ 1070.00	\$760.00	\$2230.80	\$ 649.64	\$1066.88	\$ 6.00	\$ 315.00	\$12.00
W. J. TOBIN 3701 Balfour Ave. Oakland, Calif.	\$ 500.00	\$ 400.00	\$450.00	\$2336.00	\$ 376.80	\$ 690.92	\$ 12.00	\$420.00	\$10.00
HARVEY E. CONNER 1222 Whipple Ave. Redwood City Calif.	\$ 650.00	\$ 360.00	\$300.00	\$2200.00	\$ 520.00	\$1225.00	\$ 15.00	\$420.00	\$15.00
GEO. C. DEGOLYER 217 Fed. Telegraph Bldg. Oakland, Calif.	\$ 529.00	\$ 900.00	\$700.00	\$2070.00	\$ 500.00	\$300.00	\$ 10.00	\$ 500.00	\$10.00

Whereupon Commissioner Brown introduced
RESOLUTION NO.2854-N.S.
referring the above listed bids to the City Engineer for tabulation and recommendation, and directing that they be submitted to the P.W.A. offices of the Federal Government as required in agreement for the obtaining of federal funds with which to finance the project, which resolution was regularly adopted by the following vote:
Ayes: Councilmen: Brown, Neece, Rogers, Mayor Pack
Noes: Councilmen: None
Absent: Councilmen: None

- 13 IN THE MATTER OF
PETITION FOR A
PARKING SPACE: Petition of Mrs. M. A. Mumfrey for a parking space in front of the Claremont Hotel on I Street was filed with the Council and referred to the Commissioner of Public Health and Safety and the Chief of Police.
- 14 IN THE MATTER OF
PETITION FOR LEASE
OF BASEBALL FIELD: Petition of Bert Lowry to lease Roosevelt Field for the period beginning February 20th, 1935, was presented to the Council, and after consideration of the same, ordered filed with no action taken thereon.
- 15 IN THE MATTER OF
FINAL ADOPTION OF
ORD. 462-N.S.: Ordinance No. 462-N.S., appropriating funds for the construction of water mains to Roosevelt Field, being introduced and ordered printed and published at the regular meeting of February 28th, 1934, and subsequently published as required by the Charter of the City of Modesto, it was upon roll call adopted by the following vote:
Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack
Noes: Councilmen: None
Absent: Councilmen: None
- 16 IN THE MATTER OF
FINAL ADOPTION OF
ORDINANCE 463-N.S.: Ordinance No. 463-N.S., approving the annexation of LaLoma Addition to the City of Modesto, having been introduced and ordered printed and published as required by the Charter of said City, coming on for final adoption this 14th day of March, 1934, it was finally adopted by the following vote:
Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack
Noes: Councilmen: None
Absent: Councilmen: None
- 17 IN THE MATTER OF
LEASING 25-ACRE
TRACT FOR BUMPS: There was presented to the Council for approval a lease executed by John and Lena Venturini for a 25-Acre Tract south of the Tuolumne River to be used by the City of Modesto for a dumping ground. The said lease appearing to be in conformity with those terms and conditions informally agreed upon, Commissioner Rogers introduced
RESOLUTION NO. 2855-N.S.
accepting the said lease and directing that the same be filed in the Recorder's office of Stanislaus County, which resolution was regularly adopted by the following vote:
Ayes: Councilmen: Neece, Brown, Rogers, and Mayor pro tem. Pack
Noes: Councilmen: None
Absent: Councilmen: None
- 18 IN THE MATTER OF
REPORT OF COMMITTEE
ON EXTENSION OF 19TH
S.T THRU BLK 133; City Engineer, F.J. Rossi, made an oral report to the Council of the findings in the matter of extending of 19th Street through Block 133, reciting that the expense involved in assuming street assessment on Lot 1 in said Block was approximately \$ 137.00. Whereupon after further discussion of the matter, Commissioner Rogers introduced
RESOLUTION NO. 2856-N.S.
authorizing and instructing the Committee heretofore appointed to approach Mr. T. E. Kewin the assessed owner of said property, in an attempt to obtain right of way for the proposed improvement, which resolution was regularly adopted by the following vote:

18 Ayes: Councilmen: Neece, Brown, Rogers, and Mayor pro tem. Pack
Noes: Councilmen: None
Absent: Councilmen: None

19 IN THE MATTER OF REPORT OF COMMITTEE ON PROGRESS OF MUNICIPAL AIRPORT: The Committee heretofore appointed by the Council to draft rules and regulations for the newly acquired Municipal Airport filed a written report of progress made in the matter, together with certain recommendations pertaining thereto, which report was reviewed by the Council and ordered filed.

20 IN THE MATTER OF PLACING AIRPORT UNDER JURISDICTION OF PUBLIC WORKS DEPT: Commissioner Neece introduced
RESOLUTION NO. 2857-N.S.
placing the newly acquired municipal airport under the jurisdiction of the Department of Public Works, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Neece, Brown, Rogers, and Mayor pro tem. Pack
Noes: Councilmen: None
Absent: Councilmen: None

21 IN THE MATTER OF REPORTS FOR MONTH OF FEBRUARY, 1934: Reports of the various departments for the month of February, 1934, were reviewed by the Council and ordered filed.

22 IN THE MATTER OF ADJOURNMENT: No further business coming before the Council at this time, Commissioner Brown introduced
RESOLUTION NO. 2858 -N.S.
adjourning the Council meeting in session, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack
Noes: Councilmen: None
Absent: Councilmen: None

ATTEST: H.E. GRAGG

CITY CLERK

March 28th, 1934

The Council of the City of Modesto met in regular session this date at 7:30 P.M.

Present: Councilmen: Neece, Brown, Rogers, and Mayor pro tem. Pack

Absent: Councilmen: None

1 IN THE MATTER OF MINUTES: The minutes of the regular session of March 14th, 1934, having been heretofore read by each Councilman, were unanimously approved as so read.

2 IN THE MATTER OF OPEN FRONT FOOD STORE: There appeared before the Council Mr. Silvia, manager of Espindola's Stores, requesting permission to operate an open front food store at 1107 I Street. By unanimous order of the Council the request was referred to the Sanitary Inspector, F.E. Holtham, and to Commissioner of Public Health and Safety, A.N. Brown.

3 IN THE MATTER OF REPORT OF SALVATION ARMY ACTIVITIES AND PETITION FOR SUBSIDY: There was filed with the Council by the Salvation Army a written report of activities carried on during the months of January, February, 1934, setting forth a deficit in the amount of \$ 135.54. Mr. W.L. Marr, member of the Modesto Advisory Board of said organization, supplemented the written report with an oral report disclosing the fact that to date 1,342 meals and 260 beds had been furnished to indigents, and that the demand made upon the shelter is at this time greater than in the past. He requested the Council to consider donating \$ 37.50 per month during the months of April, May and June. Action upon the matter was laid over to the next regular meeting.

4 IN THE MATTER OF BANNER ON STREET: W.H. Murray made an oral petition to the Council for permission to stretch a banner across the City street as petitioned, which resolution was regularly adopted by the following vote:
Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack
Noes: Councilmen: None
Absent: Councilmen: None

5 IN THE MATTER OF COMMUNICATION: A Communication was received from Public Management Publishing Company relative to subscription for the magazine "Public Management". Same was read by the Council and ordered filed.

6 A Communication was received from the California Municipal Utilities Association relative to benefits derived from municipally owned public utilities, and the collection of 2% franchise tax for use of City streets by private utility companies. Upon consideration of the material therein presented, and in view of the fact that the City of Modesto has been contemplating for some time the enforcement of collection of 2% franchise tax from the Pacific Gas & Electric Company, Commissioner Rogers introduced

RESOLUTION NO. 2850-N.S.

authorizing and instructing the City Attorney to make a trip to Los Angeles as soon as possible to investigate the matter of procedure followed in that City to enforce the collection of franchise tax, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

- 7 IN THE MATTER OF LUNCH STAND NEAR R. R. RESERVATION: A Communication was received from the Southern Pacific Company calling attention to the fact that the lunch stand located at Ninth and E Street near the Railroad Reservation partially obstructs the view of the tracks from motorists and possibly would be the indirect cause of serious accidents at the crossings. Upon consideration of the matter by the Council, Commissioner Rogers introduced

RESOLUTION NO. 2861-N.S.

instructing the City Engineer to advise the Southern Pacific Co. that in the opinion of the Council the lunch stand does not constitute a traffic hazard, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

- 8 IN THE MATTER OF CLAIMS: D. Schwartz filed with the Council a claim in the amount of \$ 19.67 for shoe repair materials furnished to the Bundle Shop maintained by the Modesto Welfare Committee, and the said claim having been approved by O.O. Osborne, chairman of said Committee, Commissioner Neece introduced

RESOLUTION NO. 2862-N.S.

allowing the above mentioned claim and instructing that the warrant be drawn therefor, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

- 9 A claim in the amount of \$ 297.50 was filed with the Council by J. R. Estes for moving and replacing the arch at 9th and I Street, the said amount being the City's portion of the expense. Whereupon Commissioner Rogers introduced

RESOLUTION NO. 2863-N.S.

allowing the above mentioned claim and instructing that the warrant be drawn therefor, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Neece, Brown, Rogers, and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

- 10 IN THE MATTER OF PETITION FOR EXPERIENCED PLAYGROUND SUPERVISORS: There was filed with the Council by the Parent-Teachers Council a petition asking that experienced competent and trained persons be appointed Playground Supervisors this year. Commissioner Rogers introduced

RESOLUTION NO. 2864-N.S.

referring the said petition to the Commissioner of Finance, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

11

IN THE MATTER OF
PETITION FOR SER-
VICE STATION:

A petition was filed with the Council by Virgil Blackburn asking for permission to erect a service station on Lots 24 to 28 inc. in Block 48 of the City of Modesto. Upon consideration of said petition, Commissioner Rogers introduced

RESOLUTION NO.2865-N.S.

granting permission for the erection of the service station as prayed for, when the plans and specifications have been duly presented to and approved by the City Engineer, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

12

IN THE MATTER OF
AWARD OF CONTRACT
FOR SEWER CONSTRUCTION:

There having heretofore been received by the Council bids for the construction of the Rue de Yoe Sewer project, and it appearing that the bid of John Pestana of Oakland, California, is the lowest and best bid in the total amount of \$ 4,964.68, Commissioner Rogers introduced a resolution, being

RESOLUTION NO.2866-N.S.

accepting the bid of John Pestana as aforesaid, and authorizing the Mayor and City Clerk to enter into a contract for the said construction, the contract to be subject to approval by the Federal P.W.A. officials, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

13

IN THE MATTER OF
ADVERTISING FOR BIDS
FOR WATER PIPE:

Pursuant to appropriation for installing water mains to the Roosevelt Field and golf course, Commissioner Rogers introduced

RESOLUTION NO.2867-N.S.

instructing the City Clerk to advertise for bids for water pipe as per specifications to be furnished by the City Engineer, the said bids to be opened at the regular meeting of April 11, 1934, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

14

IN THE MATTER OF
ORDINANCES:

Commissioner Brown introduced

ORDINANCE NO.464-N.S

providing for the licensing and regulating the business of selling farm produce at wholesale in the City of Modesto, which ordinance was duly passed to print and publish by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

15

IN THE MATTER OF
PROPOSED ORDINANCE:

Commissioner Brown introduced

RESOLUTION NO.2868-N.S.

instructing the City Attorney to prepare an ordinance regulating picketing in the City of Modesto, which resolution was regularly adopted by the following vote:
Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack
Noes: Councilmen: None
Absent: Councilmen: None

16

Commissioner Neece introduced

RESOLUTION NO.2869-N.S.

instructing the City Attorney to prepare a general business license ordinance for the City of Modesto, which resolution was regularly adopted by the following vote:
Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack
Noes: Councilmen: None
Absent: Councilmen: None

17

IN THE MATTER OF
EXTENSION OF 19TH ST.:

Pursuant to plans for the extension of 19th Street from its present termination through Lot 2, Block

204, to the present roadway through Block 206 connecting with new bridge over Dry Creek, the City Attorney reported that it is impossible to negotiate with the owners of Lot 2 in Block 204 for right of way required, the price demanded being entirely out of reason; he further stated that the right of way could be acquired either through a condemnation suit or through the creation of an improvement district, the costs to be charged against the property. The latter method of procedure was recommended. He further reported that T. H. Kewin is willing to grant the right of way through the triangular cut-off through Block 133, providing the City assumed the street improvement assessed against Lot 1 in said Block. Whereupon Commissioner Rogers introduced

RESOLUTION NO.2870-N.S.

instructing the City Attorney to obtain from a title Company a report on the T.H. Kewin property, which resolution was regularly adopted by the following vote:
Ayes: Councilmen: Neece, Rogers, Brown and Mayor pro tem. Pack
Noes: Councilmen: None
Absent: Councilmen: None

IN THE MATTER OF
ADJOURNMENT:

Commissioner Brown introduced

RESOLUTION NO.2871-N.S.

18
adjourning this Council meeting now in session, which resolution was regularly adopted by the following vote:
Ayes: Councilmen: Neece, Rogers, Brown and Mayor pro tem. Pack
Noes: Councilmen: None
Absent: Councilmen: None

ATTEST: H.E. GRAGG
CITY CLERK

April 11th, 1934

The Council of the City of Modesto met in regular session this date, and there were present: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack
Absent: Councilmen: None

1 IN THE MATTER OF MINUTES: The minutes of the regular session of March 28th, 1934, having been heretofore read by each Councilman and corrected in certain particulars, were unanimously approved as so corrected and read.

2 IN THE MATTER OF DAMAGES TO PROPERTY RESULTING FROM DAM IN TUOLUMNE RIVER: D.E. Rowles appeared before the Council representing that a strip of land owned by him near the junction of Jennie St. with Dry Creek has been damaged by the resultant high water from dam constructed in the Tuolumne River by the City of Modesto to such an extent that he can no longer operate the gravel pits thereon, In discussion of this matter, the Council could obtain no figures as to the income derived from the sale of gravel, but a flat price of \$ 1,000 was asked by Mr. Rowles in event the City intends to maintain the high water level existing at the present time. The Council declined to buy the land, but offered a counter proposition that the Department of Public Works would haul the gravel out of the pits with City labor and equipment, and asked Mr. Rowles to give the matter consideration.

3 IN THE MATTER OF COMMUNICATIONS: Communication was received from Mrs. McCormick relative to blanket schedules of insurance for buildings of the City of Modesto. Same was read by the Council and ordered filed.

4 Communication was received from Bert Lowery withdrawing application filed with the Council March 30th, 1934, for control of Roosevelt Field during the period beginning February 10th, 1935, and extending to and including April 1, 1935. Same was read by the Council and ordered filed.

5 Communication was received from the local agent of the Metlox Manfg. Company, Mr. Walter H. Grant, proposing to supply a Neon sign in the Arch at the corner of 9th and I Streets, setting forth the cost of installation of same. The proposal was read by the Council and ordered filed.

6 IN THE MATTER OF CLAIMS FOR MONTH OF MARCH, 1934: Claims against the City of Modesto for the month of March, 1934, having been heretofore audited and approved by the Council, Commissioner Neece introduced

RESOLUTION NO. 2872-N.S.

ordering that the claims so audited and approved be allowed, reference being made to the Auditor's Cash Book for further details relative to amounts of withdrawals from the various funds as follows:

GENERAL FUND -----	\$ 18,996.48
WATER FUND -----	3,448.51
LIBRARY FUND -----	1,334.59
BOND RED. INT. FUND -----	12.50
ST. BOND RED. INT. FUND -----	163.04
TOTAL -----	\$ 23,955.12

Which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers and Mayor pro tem. Pack
Noes: Councilmen: None
Absent: Councilmen: None

IN THE MATTER OF
SUBSIDY TO THE
SALVATION ARMY:

Pursuant to discussions heretofore had relative to
the granting of further subsidy to the Salvation

Army for transient relief, the matter was again brought before the Council for
action. Commissioner Rogers introduced

RESOLUTION NO. -----N.S.

denying petition of the Salvation Army for the continuation of a \$ 37.50 per
month subsidy for the months of April, May and June and providing for the issuance
of tickets by the Police Department to stranded transients, the tickets to
be redeemed by the City Treasurer as in the past. Upon roll call the Resolution was
defeated by a tie-vote as follows:

AYES: Councilmen: Brown, Rogers
NOES: Councilmen: Neece, Mayor pro tem. Pack
Absent: Councilmen: None

Commissioner Neece advised the Council that the granting of a flat subsidy as
petitioned was more economical than the method proposed by Commissioner Rogers.
After considerable discussion of the matter no further action was taken at this time.

8

IN THE MATTER OF BIDS FOR
WATER PIPE AND FITTINGS:

Pursuant to the advertising for bids for water
pipe and fittings for the extension of City

water mains to Roosevelt Field, this being the time set forth in such notice
for opening of bids, there were reported on file ten bids, which the Council
proceeded to open and declare, as follows:

ITEM:	BIDDERS						
	Western Pipe & Steel Co.:	Calif. Corrug. Pulvert Co.:	Orane Company:	Federal Pipe & Supply Co.:	Montague Pipe & Steel Co.:	Kensselaer Valve Co.:	Walworth Calif. Co.:
2100'-8" Pipe Asbestos of Fabric Wrappd	\$1575.00	\$ 1239.00	\$ ---	\$ ---	\$ 1459.50	\$ ---	\$ ---
3400'-6" Pipe Asbestos or Fabric Wrappd	\$1598.00	\$ 1309.00 or: 1394.00	---	---	1479.00	---	---
1- 8" Hub Gate Valve	34.30	36.96	33.26	33.26	36.96	36.96 or: 33.26	33.26
1- 6" Hub Gate Valve	120.00	144.12	120.12	120.12	141.12 or: 120.12	141.12	120.12
1- 4" Hub Gate Valve	10.66	12.88	11.70	11.70	12.88 or: 11.70	12.88	11.70
1- 8" Dia. 6" Elbow	6.75	14.29	---	---	8.40	---	---
1- 6" Tee F&D Flanged	8.02	9.05	---	---	6.50	---	---
1- 6" Blind Flange	1.28	2.57	---	---	2.50	---	---
4- 45° 6" Elbow	15.20	15.04	---	---	17.00	---	---
1- 6" x 4" x 6" Tee both banded	4.89	11.95	---	---	3.10	---	---
1- 8" x 6" x 6" Tee both banded	7.47	12.90	---	---	4.40	---	---
1- 8" x 6" x 6" Tee line end banded	7.35	10.08	---	---	4.00	---	---
1- 8" Tee one end flanged	11.85	13.41	---	---	8.60	---	---
1- 8" Tee Blind flanged	2.00	3.94	---	---	2.00	---	---
1- 8" 15° Elbow	4.50	4.20	---	---	5.20	---	---
2- 8" 22½° Elbow	9.00	8.40	---	---	10.40	---	---
1- 10" x 8" Reducer	6.75	14.89	---	---	6.75	---	---
86 - 1" Nipples	61.92	64.50	---	---	34.40	---	---

Note: Bids of Commercial Iron Works
Enterprise Foundry Co.
Waterworks Supply Co. Disqualified a/c no certified checks

Whereupon it being apparent that three of the bidders, namely: Commercial Iron Works, Enterprise Foundry Co. and Water Works Supply Co. failed to enclose certified check as specified in the notice to bidders, Commissioner Rogers introduced

RESOLUTION NO. 2873-N.S.

disqualifying the above listed bids unaccompanied by a certified check, and referring the remaining seven bids to the City Engineer for tabulation, report and recommendation at the next regular meeting of the Council, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

9 IN THE MATTER OF
PETITION FOR BEER
LICENSE:

There was on file with the Council application of the Modesto Brewery for wholesale license to sell beer of 3.2% alcoholic content in the City of Modesto, which application having been investigated and approved by Commissioner Brown, be introduced

RESOLUTION NO. 2874-N.S.

approving said application and instructing the City Clerk to issue license therefor, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

10 IN THE MATTER OF
PETITIONS FOR PARK-
ING SPACES:

There having been made petitions for restricted parking spaces in front of their places of business as follows:

HOTEL CLAREMONT 904 I St.
MODESTO MALT CO. 416 I ST.

Commissioner Brown introduced

RESOLUTION NO. 2875-N.S.

denying the petitions for parking spaces of the above petitioners, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

11 IN THE MATTER OF
APPROVAL OF BOND OF
PLUMBER:

There was presented to the Council for approval personal bond of George and Robert Hansen, plumbers, complying with provisions of City Ordinance 276-O.S., the said bond being substituted for one heretofore carried with bonding firm of San Francisco, California. The bond appearing to be in due and proper form, Commissioner Rogers introduced

RESOLUTION NO. 2876-N.S.

approving bond of George and Robert Hansen for conducting the business of plumbing in the City of Modesto, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

12 IN THE MATTER OF APPROVING BOND OF SEWER CONTRACTOR: Pursuant to award of contract for the construction of extension to sanitary sewer system on 19th Street to John Pestana, there was at this time filed with the Council for approval bond of said contractor for faithful performance and for labor and material; whereupon it appearing the said bonds were in due and proper form, Commissioner Rogers introduced

RESOLUTION NO.2877-N.S.

approving the bonds of John Pestana submitted for faithful performance of sewer contract and for labor and materials, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

13 IN THE MATTER OF FINAL ADOPTION OF ORDINANCE 464-N.S.: Ordinance No. 464-N.S., regulating and licensing the wholesale peddling of vegetables and produce, 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 March, 1934, and having been so printed and published, coming on for final adoption this 11th day of April, 1934, it was upon roll call finally adopted by the following vote:

Ayes: Councilmen: Neece, Brown, Rogers, and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

14 IN THE MATTER OF PROPOSED ORDINANCE: Proposed Ordinance regulating picketing in the City of Modesto was by unanimous order of the Council laid over to the next regular meeting.

15 Proposed Ordinance imposing a general business license in the City of Modesto was by unanimous order of the Council laid over to the next regular meeting.

16 IN THE MATTER OF BILLING STATE FOR CERTAIN NINTH ST. RIGHTS OF WAY: Pursuant to entering into agreement with the State of California for the expending of gas tax funds for the acquisition of rights of way and improvement of Ninth Street within the corporate limits, Commissioner Rogers introduced

RESOLUTION NO.2878-N.S.

authorizing and instructing the obtaining of a title report of the rights of way obtained by the City of Modesto from the Modesto Lumber Company and the Stanislaus Lumber Company, and instructing the City Clerk to forward said title report together with claim of the City of Modesto for the said amounts of moneys set forth in Resolution No. 2839-N.S. and No. 2840-N.S. to be paid to said Modesto Lumber Company and the Stanislaus Lumber Company which resolution was regularly adopted by the following vote:

Ayes: Councilmen: NBrown, Neece, Rogers, and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

- 17 IN THE MATTER OF WATER EASEMENT IN BLOCK 48 : The Modesto Terminal Co. tendered to the City Council water easement through Blocks "T" and 48 of the City of Modesto; whereupon Commissioner Rogers introduced
- RESOLUTION NO. 2879-N.S.
- accepting the deed of conveyance for water easement through said Blocks, and ordering that the same be filed and recorded in the office of the County Recorder of Stanislaus County, which resolution was regularly adopted by the following vote:
- Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack
 Noes: Councilmen: None
 Absent: Councilmen: None
- 18 IN THE MATTER OF DEED TO PORTION OF BLOCK 133 for EXTENSION OF 19TH ST.: By unanimous order of the Council further action in the matter of obtaining deed to Block 133 for the purpose of extending 19th Street on a curve to H Street was laid over to some future meeting.
- 19 IN THE MATTER OF SALARY ADJUSTMENT FOR PERCY HOPPER: Pursuant to Resolution No. 2714-N.S. providing for the payment of \$ 20.00 per month to Percy Hopper, Secretary of the National Unemployment Relief, it now appearing that federal activities in this respect have been lessened and the duties of the secretary not so many as in the past, Commissioner Rogers introduced
- RESOLUTION NO. 2880-N.S.
- adjusting salary paid by the City to Percy Hopper to \$10.00 per month, the said adjustment to be effective from and after April 1st, 1934, which resolution was regularly adopted by the following vote:
- Ayes: Councilmen: Brown, Neece, Rogers and Mayor pro tem. Pack
 Noes: Councilmen: None
 Absent: Councilmen: None
- 20 IN THE MATTER OF APPLICATION TO PLW .A. FOR MACHINE SHOP: Pursuant to the filing of application for federal grant of 30% of cost for the building of a corporation yard and machine shop at the corner of 8th and L Streets on the 24th day of January, 1934, and no acknowledgement or word as to disposition of the said application having been made to the City, Commissioner Rogers introduced
- RESOLUTION NO. 2881-N.S.
- instructing the City Clerk to address an inquiry to Mr. F. E. Trask, State Engineer of the P.W.A., 614 State Building, San Francisco, asking that the disposition of the application has been and if it will be given consideration in view of the limiting of such federal activities by congressional legislation, which resolution was regularly adopted by the following vote:
- Ayes: Councilmen: Brown, Neece, Rogers and Mayor pro tem. Pack
 Noes: Councilmen: None
 Absent: Councilmen: None
- 21 IN THE MATTER OF LETTER OF THANKS FOR CIVIC INTEREST: Commissioner Neece introduced
- RESOLUTION No. 2882-N.S.
- instructing the City Clerk to write on behalf of the Council of the City of Modesto the appreciation and gratitude of the City of Modesto for the participation of the Stanislaus County Boys' Band in dedication ceremonies at Roosevelt Field on April 1st, 1934; and also to write a letter of thanks to Mrs.

21 Bertha Severin, 225 Park Avenue, expressing appreciation of the City of Modesto for the tree donated to the municipal golf course; which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

22 IN THE MATTER OF DENYING PETITION OF SOUTHERN PACIFIC RY. TO BLOCK I STREET: The Southern Pacific Railway Co. having petitioned the Chief of Police for permission to block I Street for a period of ten minutes each evening during the stop of an evening express train at the depot, the matter was presented to the Council for consideration. After discussion of the petition, Commissioner Brown introduced

RESOLUTION NO. 2883-N.S.

denying the Southern Pacific Ry. Company the right to block traffic on I Street as prayed for, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

23 IN THE MATTER OF CONDEMNATION OF BUILDINGS: Fire Chief Geo. E. Wallace recommended to the Council that buildings located at 1114 N Street, 1209 6th Street and 1009 Sixth Street be condemned as fire hazards. No action was taken in the matter at this time.

24 IN THE MATTER OF REPORTS: The regular monthly reports of the various departments for March, 1934, were reviewed by the Council and ordered filed.

25 IN THE MATTER OF ADJOURNMENT: Commissioner Brown introduced RESOLUTION 2884-N.S.

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

Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG
CITY CLERK

April 18th, 1934

The Council of the City of Modesto convened in special session this date at 2:00 P.M., the meeting having been called by Acting Mayor Roy E. Pack as provided by Section 2 of Ordinance No. 2-N.S.

Present: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack

Absent: Councilmen: None

2 IN THE MATTER OF
GARBAGE CONTRACT:

Contract with J. Venturini for garbage disposal was presented to the Council for approval; whereupon after consideration of same, and certain corrections ordered, Commissioner Rogers introduced

RESOLUTION NO. 2885-N.S.

approving said contract, the same to be effective from and after May 1st, 1934, and authorizing Mayor and City Clerk to affix their signatures thereto on behalf of the City of Modesto, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

3 IN THE MATTER OF
BIDS FOR PIPE AND
FITTINGS; AWARD OF
CONTRACT:

Pursuant to receiving of bids for pipe, valves and fittings for the extension of City Water mains to Roosevelt Field, and action thereon having been postponed until this time, at this time findings and awards were made as follows:

The bid of the California Corrugated Culvert Company for pipe and fittings being the lowest and best bid, Commissioner Rogers introduced

RESOLUTION NO. 2886-N.S.

accepting the bid of California Corrugated Culvert Co. for pipe and fittings at a total price of \$ 2974.78, rejecting all other bids and directing that certified checks be returned to the unsuccessful bidders, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

The bid of Crane Company being adjudged the lowest and best bid for valves, Commissioner Rogers introduced

RESOLUTION NO. 2887-N.S.

accepting the bid of Crane Company for valves at the total price of \$ 169.21, rejecting all other bids submitted, and directing that certified checks be returned to the unsuccessful bidders, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

5 IN THE MATTER OF
APPLICATION TO P.W.A.
FOR MACHINE SHOP:

Commissioner Rogers introduced

RESOLUTION NO. 2888-N.S.

directing the City Clerk to write to Congressman Denver S. Church at Washington, D.C., and ask him to use all possible influence in obtaining immediate action on the City of

Modesto's application for federal P.W.A. funds with which to construct Machine Shop at the corporation yard, which application is now before the P.W.A. Administrator in Washington pending consideration, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

- 6 IN THE MATTER OF Mr. H. T. Crow appeared before the Council reciting
INVITATION TO SONS that there is to be a state encampment of the
OF VETERANS TO HOLD California Division of Sons of Veterans of the
CONVENTION IN MODESTO: Civil War and affiliated organizations this year, and asked the Council to extend
an official invitation to the organization to hold the encampment in Modesto. Where-
upon Commissioner Rogers introduced

RESOLUTION NO. 2889-N.S.

extending an invitation to the California Division of Sons of Veterans of the Civil War to hold their annual encampment of 1934 in the City of Modesto, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

- 7 IN THE MATTER OF Commissioner Brown introduced
ADJOURNMENT:

RESOLUTION NO. 2890-N.S.

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

Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

April 25th, 1935

The Council of the City of Modesto convened in regular session this date, and there were present Councilmen: Brown, Neece, Rogers and Mayor pro tem. Pack
Absent Councilmen: None

1 IN THE MATTER OF MINUTES: The minutes of the regular session of April 11th, 1934, and of the special session of April 18, 1934, having been heretofore read by each Councilman, were unanimously approved as so read.

2 IN THE MATTER OF COMMUNICATIONS: Communication was received from the City of Pasadena relative to the organization of a Municipal Park Department of the League of California Municipalities. Said Communication was read by the Council, ordered filed, and the City Clerk instructed to advise the City of Pasadena that the City of Modesto is entirely in sympathy with the movement proposing such organization.

3 Communication was received from the Third National Traffic Safety Contest of 1934 asking the City of Modesto to enter into contest for purpose of reducing automobile accidents in the United States. Same was read by the Council and entry blank ordered forwarded to the headquarters of said organization.

4 Pursuant to entering into contract with John Pestana for construction of sanitary sewer unit in the Rue de Yoe District, at this time City Engineer filed certification of percentage of contract price due to Mr. Pestana, namely: \$1148.57. Whereupon Commissioner Rogers introduced

RESOLUTION NO. 2891-N.S.

directing the City Clerk and Auditor to draw a warrant in amount of \$1148.57 as above stated in favor of John Pestana as aforesaid, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

5 IN THE MATTER OF SUBSIDY TO THE SALVATION ARMY: Pursuant to discussions heretofore had in the matter of subsidy to the Salvation Army for transient relief, at this time Commissioner Neece introduced

RESOLUTION NO. 2892-N.S.

granting a \$ 37.50 final subsidy to the Salvation Army for the City's portion of relief work expense for the past winter, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Neece, Brown, and Mayor pro tem. Pack

Noes: Councilmen: Rogers

Absent: Councilmen: None

6 IN THE MATTER OF PETITION FOR PERMIT TO ERECT STORE BUILDING: Mr. E. E. Burt filed with the Council a petition to erect a store building in residence zone at the corner of College and Needham Avenues, namely: Lots 17 and 19 in Block 509 as provided in Ordinance No. 364-N.S.; whereupon Commissioner Rogers introduced

6 instructing the City Clerk to proceed to post and publish notices as set forth in said Ordinance, fixing the time of hearing of protests to such erection at 7:30 o'clock P.M. on Wednesday, May 9th, 1934, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

7 IN THE MATTER OF MOVABLE LUNCH WAGONS: It having been called to the attention of the Council that a movable lunch wagon has recently been installed on Tenth Street near K Street on private property, and such structures being considered undesirable, the matter was referred to the City Attorney with instructions to study the situation with the view of prohibiting the growth of such structures in the City.

8 IN THE MATTER OF PROPOSED ORDINANCE: Proposed Ordinance regulating picketing was by unanimous consent laid over for consideration at the next regular meeting.

8-A Proposed Ordinance for a general business license was by unanimous consent laid over to the next regular meeting.

9 IN THE MATTER OF PARKING ON CITY STREET: The matter of parking of motor vehicles in the downtown business section was brought before the Council for consideration with a view of crating more room on the streets for moving vehicles. The matter of parallel parking being rejected as unfeasible, the Council instructed the City Engineer to experiment with a change of parking angle for accomplishing the same results as proposed by parallel parking.

10 IN THE MATTER OF ADJOURNMENT: Commissioner Brown introduced RESOLUTION NO.2894-N.S. adjourning this Council meeting now in session, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG
CITY CLERK

The Council of the City of Modesto met in special session this date at 7:30 P.M., the meeting having been called by Acting Mayor Roy E. Pack as provided by Ordinance No. 2-N.S.

Present: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack

Absent: Councilmen: None

IN THE MATTER OF
APPLICATION FOR
WHOLESALE BEER
LICENSE:

There was filed with the Council application of Frank Amaral and Tony Furtado, doing business under the name of Stanislaus County Beer Distributors, for license to sell beer containing

3.2% alcohol at wholesale in the City of Modesto. The application having been heretofore investigated and approved by the Commissioner of Public Health and Safety, A.N. Brown, he introduced

RESOLUTION NO. 2895-N.S.

approving the application and instructing the City Clerk to issue license therefor, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF
RESOLUTION SUPPORT-
ING S.E.R.A. PROGRAM:

There was received by the Council a communication from the League of California Municipalities urging the adoption of a

resolution expressing approval and sympathy with program by the League for the support of a works program of the State Employment Relief Administration rather than a direct relief program; whereupon Commissioner Rogers introduced

RESOLUTION NO. 2896-N.S.

approving said program of the League of California Municipalities for supporting a works program of the State Employment Relief Administration rather than a direct relief program, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF
CHANGING RATE FOR
USE OF ROOSEVELT FIELD:

It being the policy of the City of Modesto to charge 20% of the gross receipts for use of Roosevelt Field, and many

protests to this charge having been made by the Modesto Reds Baseball Club on the basis that it is out of proportion to charges made in other cities, at this time Mr. John E. Condrey appeared before the Council on behalf of the Club showing how the percentage charge of the City compares with the charges in other cities of the same size as Modesto, and the loss sustained by the Club in paying such high rental. After due consideration of the matter by the Council, Commissioner Rogers introduced

RESOLUTION NO. 2897-N.S.

providing for the charge of a flat rate rental fee of \$ 20.00 per game for the use of Roosevelt Field and a tax of 5¢ for each grandstand ticket sold, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF
ADJOURNMENT:

Commissioner Brown introduced

RESOLUTION NO.2898-N.S.

adjourning this Council meeting now in session, which
resolution was regularly adopted by the following vote:
Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack
Noes: Councilmen: None
Absent: Councilmen: None

ATTEST: H.E. CRAGG
CITY CLERK

Council, City of Modesto
May 9th, 1934

The Council of the City of Modesto convened in regular
session this date. Present: Councilmen: Brown, Neece, Rogers and Mayor pro tem. Pack
Absent: Councilmen: None

1 IN THE MATTER OF MINUTES: The minutes of the regular session of April 25, 1934, and of the special session of May 3rd, 1934, having been heretofore read by each Councilman, were corrected in certain particulars, and unanimously approved as so corrected and read.

2 IN THE MATTER OF PETITION FOR PARKING SPACE: E. Gallagher, 1113 10th Street, appeared before the Council petitioning permission to mark off parking space in front of vacant car lot operated by him at the above address. In lieu of granting the petition, the Council advised the placing of a temporary curb approach and movable no-parking sign during the business hours.

3 IN THE MATTER OF COMMUNICATIONS: (1) Communication was received from Denver S. Church relative to application of the City of Modesto for P.W.A. funds for construction of a machine shop at the corporation yard, citing reasons for delay in approving such grant. Same was read by the Council and ordered filed.

4 (2) Communication was received from the Federal Relief Administration relative to unemployment relief administration in the various states. Same was read by the Council and ordered filed.

5 (3) Communication was received from the League of California Municipalities relative to completion of C.W.A. Projects under the State Employment Relief Administration. Same was read by the Council and ordered filed.

6 (4) Communication was received from the Southern Pacific Company requesting the removal of lunch stand located on railroad reservation and portion of H Street at 8th Street. Same was read by the Council and referred to City Engineer, F.J. Rossi.

7 (5) Communication was received from Walter H. Grant, local agent of the Metloc Manfg. Co., proposing to install Neon letters in the I St. Arch at a reduced price. Same was read by the Council, and no action taken thereon.

8

IN THE MATTER OF CLAIMS:

(4) The claims against the City of Modesto for April, 1934, having been heretofore audited and approved by the Council, Commissioner Neece introduced

RESOLUTION NO. 2899-N.S.

ordering the said claims allowed, with reference being made to the Auditor's Cash Book for amounts of withdrawals from the various funds as follows:

GENERAL FUND -----	\$ 16,683.90
WATER FUND -----	4,503.25
LIBRARY FUND -----	1,395.54
BOND RED.INT.FUND -----	- - - -
ST. BOND RED.INT.FUND -----	24.01
TOTAL -----	\$ 24,606.70

Which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

9

(2) Certification of claim of John Pestana for progressive payment on sewer contract in amount of \$1126.00 was filed with the Council by the City Engineer; whereupon Commissioner Rogers introduced

RESOLUTION NO. 2900-N.S.

ordering the warrant drawn for said claim as per certification on file, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

9A

IN THE MATTER OF ORDINANCE REGULATING WHOLESOME PRODUCE DEALERS AND PEDDLERS:

Pursuant to adoption of Ordinance No. 464-N.S. regulating and licensing the business of wholesale produce dealers and peddlers there was filed with the Council the following protests and

approvals of said ordinance:

9B

Mr. C. O. Walker appeared before the Council protesting against said ordinance on grounds that it discriminated against small dealers. Protests heard, and no action taken.

9B1

Letters of written protest from the Hobbs-Parson Company of Stockton and from the Levy-Zentner Company of Stockton relative to license fee exacted from out-of-town dealers and expressing the intention of testing the legality of the ordinance. Said communications were read by the Council and referred to the City Attorney.

9C

H. B. Wright, local produce dealer, appeared before the Council and voiced approval of said ordinance.

10

IN THE MATTER OF PETITION FOR PAYMENT OF DELINQUENT TAXES ON INSTALLMENT PLAN:

Robt. E. Smith addressed a written petition to the Council for the payment of certain delinquent taxes on the installment basis. After due consideration of the matter by the Council,

Commissioner Neece introduced

RESOLUTION NO. 2901-N.S.

denying petition of R.E. Smith for payment of delinquent taxes on installment basis, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Neece, Brown, Rogers, and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

- 11 IN THE MATTER OF APPLICATION FOR BEER LICENSE: Application of Comer Lee and C.A.Green for a beer license at 625 Seventh Street was filed with the Council, and the same having been investigated and approved by Commissioner of Public Health and Safety, A.N.Brown, he introduced

RESOLUTION NO.2902-N.S.

approving said application and directing the City Clerk to issue license therefor, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

- 12 IN THE MATTER OF GRANTING PERMIT FOR BUILDING AT NEEDHAM AND COLLEGE: This being the time set forth for hearing of protests to erection of a store building at the corner of College and Needham Avenues as petitioned by E.E.Burt and there being no oral or written protests made to the Council, Commissioner Rogers introduced

RESOLUTION NO.2903-N.S.

granting permission for erection of the building as petitioned when all provisions of the Building Code relative to permit fee have been complied with, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

- 13 IN THE MATTER OF APPOINTING MEMBER OF PARK COMMISSION: Pursuant to the term of Frederick Knorr, member of the City Park Commission, expiring on the 10th day of May, 1934, by unanimous consent of the Council the matter of appointment of a member of the Park Commission was laid over to the next regular meeting.

- 14 IN THE MATTER OF ORDINANCES: Commissioner Brown introduced
- PICKETING: ORDINANCE NO.465-N.S.
regulating and prohibiting picketing, besetting, assembling and congregation for the purpose of interfering with persons employed or who seek employment, which ordinance was duly passed to print and publish by the following vote:
- Ayes: Councilmen: Brown, Neece, Rogers and Mayor pro tem. Pack
- Noes: Councilmen: None
- Absent: Councilmen: None

- 15 IN THE MATTER OF USE OF LAKE MODESTO: Commissioner Brown also introduced
- ORDINANCE NO.466-N.S.
amending Section 1 of Ordinance No. 448-N.S. relative to use of Lake Modesto, which ordinance was regularly passed to print and publish by the following vote:
- Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack
- Noes: Councilmen: None
- Absent: Councilmen: None

16 IN THE MATTER OF
PROPOSED ORDINANCE
FOR BUSINESS LICENSE:

Proposed ordinance to impose a general business license in the City of Modesto was laid over to the next regular meeting.

17 IN THE MATTER OF
EXTENSION OF 19TH
STREET THROUGH BLK
133:

Pursuant to intent to extend 19th Street on curve to H Street through portion of Block 133, and it being necessary to obtain right of way through and across a certain parcel of land; and for the City of Modesto to set forth certain terms of agreement in relation to a deed of conveyance from T.H.Kewin, the legal owner of said parcel of land, relative to existing mortgage on land, street improvement assessments, and county or irrigation taxes, Commissioner Rogers introduced

RESOLUTION NO.2904-N.S.

specifying the terms of agreement on behalf of the City of Modesto with relation to said deed of conveyance from T.H.Kewin, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

18

Thereupon the deed of conveyance being in due and proper form, Commissioner Rogers introduced

RESOLUTION NO.2905-N.S.

accepting said deed from T.H.Kewin for right of way over and across a certain portion of Block 133 subject to certain incumbrances set forth in detail in Resolution No. 2904-N.S. and ordering the same placed on record in the office of the Recorder of Stanislaus County, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

19 IN THE MATTER OF
CLAIM AGAINST MODESTO
GAS COMPANY FOR FRANCHISE:

Pursuant to intent of City of Modesto to collect claim against the Modesto Gas Company for the use of City streets for distribution of gas by said company for heating purposes, Commissioner Rogers introduced

RESOLUTION NO.2906-N.S.

instructing the City Attorney to proceed as heretofore informally instructed by the Council in commencing action against said Modesto Gas Company, ratifying and approving and making a matter of record such instructions, and approving the action of the City Attorney in filing and commencing action against the Modesto Gas Company which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

20 IN THE MATTER OF
WATER SERVICE OUT-
SIDE THE CITY;

Mrs. Forrest Brown having petitioned water service from the City of Modesto at her residence just outside the City limits on Sycamore Avenue, proposing to pay the \$ 150 service charge required by Section 4 of Ordinance No. 432-N.S. on installment basis of \$25 down and \$ 5.00 per month with interest at the rate of 7% on deferred payments; whereupon Commissioner Rogers introduced

RESOLUTION NO.2907-N.S.

20 accepting the proposal of Mrs. F. Brown for water service, and instructing the City Engineer to enter into contract therefor on behalf of the City of Modesto, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

21 IN THE MATTER OF PARKING ON J ST.: Pursuant to referring matter of parallel parking in the business area of the City to the City Engineer for experimentation with changing the angle of parking to relieve congested traffic, at this time a verbal report was made of his finding, with the recommendation that the parking on J Street from 9th to 17th Street be made parallel to the curb; - whereupon Commissioner Brown introduced

RESOLUTION NO.2908-N.S.

prohibiting angle parking in favor of parallel parking on J Street from 9th to 17th Street, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

22 IN THE MATTER OF REPORTS: Monthly reports of the various departments for the month of April, 1934, were reviewed by the Council and ordered filed.

23 IN THE MATTER OF ADJOURNMENT: Commissioner Brown introduced

RESOLUTION NO.2909-N.S.

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

Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG
CITY CLERK

May 23rd, 1934

The Council of the City of Modesto convened in regular session this date;

Present: Councilmen: Brown, Neece, Rogers and Mayor pro tem. Pack

Absent: Councilmen: None

2 IN THE MATTER OF COMMUNICATIONS:

Communication was received from Denver S. Church, Congressman, assuring the Council of his support of Senate Bill No. 2297 favoring a public works program rather than a direct relief system for alleviating unemployment.

3 (2) Communication was received from the Chairman of the Livermore Rodeo inviting the Mayor to attend Mayor's Day at the Rodeo on June 9th. Same was read by the Council and referred to Mayor pro tem. Pack

4 (3) Communication was received from the California State Automobile Association relative to the placing of their signs on streets and highways and the opposition being raised thereto by rival organizations. Same was read by the Council and ordered filed.

5 (4) Communication was received from the State Industrial Accident Commission notifying the City of Modesto of the Repeal of the General Lighting Safety Orders by the Commission. Same was read by the Council and ordered filed.

6 (5) Communication was received from State Sales Tax Administrator of Stockton, H.E. Hoffman, wanting the amount of sales tax collected in the City of Modesto during the last ensuing quarter in reply to request for such data by the City Clerk. Same was read by the Council and ordered filed.

7 (6) Communication in the form of a resolution was received from the American Legion, Modesto Post No. 74, requesting that a trained and skilled Playground Supervisor and trained directors be employed during the summer months. Same was read by the Council and ordered filed.

8 (7) Communication was received from Ed Lacque petitioning the Council to permit trap shooting and the installation of traps on property leased by the City of Modesto for municipal airport. Same was read by the Council and no action taken thereon at this time.

9 (8) Communication was received from A.W. Hanneman, Grand Marshall of the Memorial Day Parade inviting the City officials to participate in said parade; whereupon Commissioner Brown introduced

RESOLUTION NO. 2910-N.S.

accepting the invitation and instructing the City Clerk to acknowledge the same, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

10 IN THE MATTER OF SALARY OF PERCY HOPPER:

There was received by the Council from W.J. Silva, Chairman of the Reemployment Committee, a petition asking the Council to reconsider the action heretofore taken in reducing the salary of Percy Hopper, reemployment

10 office secretary, to \$10.00 per month and to restore the amount to the \$20.00 originally allowed by Resolution No. 2714-N.S. in view of the increased duties and activities of the office; whereupon after consideration of the matter Commissioner Rogers introduced

RESOLUTION NO.2911-N.S.

providing that \$20.00 per month be paid to Percy Hopper, reemployment officer, the same to be effective June 1st, 1934, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

11 IN THE MATTER OF REAPPOINTMENT OF MEMBER OF PARK COMMISSION:

The term of Frederick Knorr, member of the City Park Commission, having expired May 10th, 1934, Commissioner

Neece introduced

RESOLUTION NO.2912-N.S.

reappointing Mr. Frederick Knorr a member of the Park Commission to serve a term of office from May 10th, 1934, to May 10th, 1937, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

12 IN THE MATTER OF LETTER FROM GARDEN CLUB:

A Communication from the Modesto Garden Club urging the reappointment of Mr. Knorr was read by the

Council and ordered filed.

13 IN THE MATTER OF APPLICATION FOR BEER LICENSE:

Application of Nicholas Angelo for a license to sell beverages of 3.2% alcoholic content at 913½ H Street, having been duly investigated and approved by Commissioner Brown, be introduced

RESOLUTION NO.2913-N.S.

approving said application and directing the City Clerk to issue license to the applicant, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

14 IN THE MATTER OF NEW ROADWAY TO AIRPORT:

There was filed with the Council a resolution adopted by the Planning Commission urging that an adequate

and improved roadway be provided extending northerly from the northwesterly corner of the Municipal Airport to the Waterford Road; whereupon Commissioner Rogers introduced

RESOLUTION NO.2914-N.S.

concurring in the said resolution of the Planning Commission and requesting the Stanislaus County Board of Supervisors to take the necessary steps to acquire a strip of land not less than 60 feet in width beginning at the northwesterly corner of the Modesto Municipal Airport and extending northerly to the Waterford Road for road purposes, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack

Noes: Councilmen: None
Absent: Councilmen: None

- 15 IN THE MATTER OF CANCELLATION OF TAXES ON AIRPORT: Pursuant to the acquisition of the Modesto Municipal Airport through lease, and the City of Modesto, pursuant to said lease, will be ultimately the legal owner thereof in fee simple, Commissioner Neece introduced
RESOLUTION NO.2915-NS.
directing that the County of Stanislaus and the Modesto Irrigation District be petitioned to cancel all taxes levied for the current year on said property, which resolution was regularly adopted by the following vote:
Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack
Noes: Councilmen: None
Absent: Councilmen: None
- 16 IN THE MATTER OF PROPOSED ORDINANCE: Proposed ordinance for the imposition of a general business license tax in Modesto was laid over for further consideration.
- 17 IN THE MATTER OF FINAL ADOPTION OF ORDINANCE: Ordinance No. 465-N.S., regulating and prohibiting picketing, etc., having been introduced and ordered printed and published at a regular meeting of the Council held on the 9th day of May, 1934, and having been published as required by the Charter of the City of Modesto, and now coming on for final adoption, it was upon roll call so finally adopted by the following vote:
Ayes: Councilmen: Brown, Neece, Rogers and Mayor pro tem. Pack
Noes: Councilmen: None
Absent: Councilmen: None
- 18 Ordinance No. 466-N.S., amending Ordinance No. 448-N.S. regulating the use of Lake Modesto, having been introduced and ordered printed and published at a regular meeting of the Council held on the 9th day of May, 1934, and having been published as required by the Charter of the City of Modesto, and now coming up for final adoption, it was upon roll call so finally adopted by the following vote:
Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack
Noes: Councilmen: None
Absent: Councilmen: None
- 19 IN THE MATTER OF AMENDING ORD.464-N.S.: Commissioner Neece introduced
ORDINANCE NO.467-N.S.
relative to the licensing of wholesale dealers of produce, which ordinance was duly passed to print and publish by the following vote:
Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack
Noes: Councilmen: None
Absent: Councilmen: None
- 20 IN THE MATTER OF PROHIBITING SOLICITING AND CANVASSING: Commissioner Rogers introduced
ORDINANCE NO.468-N.S.
prohibiting soliciting and/or canvassing in the City of Modesto, which ordinance was duly passed to print and publish by the following vote:
Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack
Noes: Councilmen: None
Absent: Councilmen: None

21 IN THE MATTER OF Commission~~r~~ Brown introduced
ADJOURNMENT: RESOLUTION NO.2916-N.S.

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

Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack
Noes: Councilmen: None
Absent: Councilmen: None

ATTEST: H.E. GRAGG
CITY CLERK

Council, City of Modesto
Special Session
June 1st, 1934

1 The Council of the City of Modesto met in regular session this date, at 2:00 P.M. the meeting being called by Acting Mayor, Roy E. Pack, and written notices thereof having been duly delivered to each member of the Council as specified in Ordinance 2-N.S.

Presents: Commissioners: Neece, Rogers, and Mayor pro tem. Pack
Absent: Councilmen: Brown

2 IN THE MATTER OF Pursuant to application to the Emergency Relief
DESIGNATING ACTING Administration of the State of California (SERA)
MAYOR ROY E. PACK
SIGNATORY OFFICIAL: for relief workers and certain material, equipment
and supplies for municipal sewer farm, Commissioner Rogers introduced

RESOLUTION NO.2917-N.S.

designating Mayor Pro tempore, Roy E. Pack, signatory official of the City of Modesto in connection with all matters connected with or incidental to execution of application of the City of Modesto, and the entering into contract pursuant thereto, relative to the above mentioned public improvement, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Neece, Rogers, and Mayor pro tem. Pack
Noes: Councilmen: None
Absent: Councilmen: Brown

#3 IN THE MATTER OF
ADJOURNMENT: Commissioner Rogers introduced

RESOLUTION NO.2918-N.S.

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

Ayes: Councilmen: Neece, Rogers and Mayor pro tem. Pack
Noes: Councilmen: None
Absent: Councilmen: Brown

ATTEST: H.E. GRAGG
CITY CLERK

Council, City of Modesto

Special Session

June 8th, 1934

1 The Council of the City of Modesto met this day in special session at 2:00 P.M., the meeting having been called by Acting Mayor Roy E. Pack, pursuant to Section 2 of Ordinance No. 2-N.S., and special notices of said meeting having been delivered to each member of the Council as specified in said ordinance.

Present: Councilmen: Brown, Neece, Rogers and Mayor pro tem. Pack

Absent: Councilmen: None

2 IN THE MATTER OF PROPOSED BUSINESS LICENSE ORDINANCE:

There having heretofore been proposed an ordinance imposing a general business license in the City of Modesto, at this time the City Council discussed the various methods of fixing the license charges, but postponed further action in the matter until the next regular meeting.

3 IN THE MATTER OF CONDEMNATION SUIT FOR 9TH ST. RIGHTS OF WAY:

Pursuant to Resolution No. 2627-N.S. providing for the taking into court for settlement the matter of Ninth Street Right of Way through Block 229 from Modesto & Arata, at this time the matter was brought up for discussion and the advisability of settling out of court considered. It was the unanimous opinion of the Council that the suit be settled in court as provided in the above named resolution.

4 IN THE MATTER OF APPROVAL OF BOND AND APPLICATION OF PLUMBER:

There was filed with the Council for approval application and bond of Mark Ross for carrying on the business of plumbing in the City of Modesto, and the said application and bond being in proper form and complying with provisions of Ordinance 276 of the City of Modesto, Commissioner Rogers introduced

RESOLUTION NO. 2919-N.S.

approving the bond and application of Mark Ross for conducting the business of plumbing in the City of Modesto, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

5 IN THE MATTER OF ADJOURNMENT:

Commissioner Brown introduced RESOLUTION NO. 2920-N.S. adjourning this Council meeting now in session, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H.E. GRAGG
CITY CLERK

COUNCIL, CITY OF MODESTO

June 13th, 1934

The Council of the City of Modesto convened in regular session this date.

Present: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack

Absent: Councilmen: None

- 1 IN THE MATTER OF MINUTES: The minutes of the regular session of May 23rd, 1934, and of the special meeting of June 1st, 1934, and June 6th, 1934, having been heretofore read by each Councilman, were unanimously approved as so read.
- 2 IN THE MATTER OF CRAL PETITION FOR BOAT RACES IN LAKE MODESTO: Mr. Darrell Hill appeared before the Council seeking permission to hold boat races in Lake Modesto as a part of the Fourth of July celebration activities. Upon considerable discussion of the matter, Commissioner Neece introduced
RESOLUTION NO. 2921 - N.S.
denying permission to the Fourth of July Celebration Committee to hold boat races in Lake Modesto, deeming it a menace to public safety to waive existing speed limit for boats in the Lake, which resolution was adopted by the following vote:
Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack
Noes: Councilmen: None
Absent: Councilmen: None
- 3 IN THE MATTER OF PETITION FOR FAVORABLE CONSIDERATION OF PROPOSED ORDINANCE: Mr. M. Harris appeared before the Council and filed a petition duly signed by merchants of Modesto asking that proposed ordinance to prohibit door-to-door canvassing and peddling be favorably considered by the Council. Mayor Pack informed Mr. Harris that the Council was awaiting final arbitration in the matter among the various factions in favor of and opposed to the measure before action was taken by the Council.
- 4 IN THE MATTER OF VERBAL INVITATION TO COUNCIL TO TAKE PART IN FLAG DAY PARADE: E. C. Rasmussen appeared before the Council asking the various members thereof to participate in a Flag Day parade sponsored by the Elks organization to be held June 14th, 1934, at 7:30 P.M. Whereupon Commissioner Brown introduced
RESOLUTION NO. 2922 - N.S.
accepting the invitation extended by Mr. Rasmussen, which resolution was regularly adopted by the following vote:
Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack
Noes: Councilmen: None
- 5 IN THE MATTER OF COMMUNICATIONS: Communication was received from the League of California Municipalities submitting questionnaire to ascertain what topics should be discussed at the League convention in Pasadena this fall. Same was read by the Council and ordered filed.
- 6 Communication was received from the Northern California Business Council relative to proposed amendment to Wright Act providing for more stringent liquor control by the State. Same was read by the Council and ordered filed.

7

Communication was received from the County Clerk reporting that in pursuance of request of the City Council to the Board of Supervisors for a new road entrance to the Municipal Airport on Waterford Road surveys had been ordered and if rights of way can be obtained without cost, the work on the road will be done by the County.

8

Communication was received from the 1915 Improvement Bond Act Committee relative to Cities' obligations in the matter of delinquencies under the Improvement Bond Act of 1915, and requesting the City to contribute \$100 toward expense of litigation involving court decisions in the matter. Same was read by the Council and referred to the City Attorney.

9

Communication was received from the Southern Pacific Railway Company relative to lunch stand now being operated on H Street, setting forth the traffic hazard and menace to public safety and demanding its removal. The matter was referred to the City Engineer with recommendation that the stand be given a location fronting on 6th Street rather than on H Street.

10

Communication was received from the Chamber of Commerce relative to traffic hazard created by narrow bridge over irrigation canal on College Avenue. Same was read to the Council and referred to the City Engineer for consideration.

11

Communication was received from Bert Lowry petitioning the exclusive use of Roosevelt Field during the period September 4th to November 4th, 1934; and also from January 1, 1935, to December 1, 1935. Same was read by the Council and ordered filed with no action taken.

12

IN THE MATTER OF
REGULAR MONTHLY
CLAIMS:

Claims against the City of Modesto for the month of May, 1934, having been heretofore audited and approved by the

Council, Commissioner Neece introduced

RESOLUTION NO. 2923-N.S.

ordering that the said claims so audited and approved be allowed, reference being made to the Auditor's Cash Book for further details relative to withdrawals from the various funds as follows:

GENERAL FUND -----	\$ 20,070.07
WATER FUND -----	7,715.70
LIBRARY FUND -----	1,264.16
BOND RED. INT. -----	.38
ST. BOND RED. INT. -----	187.43
TOTAL -----	\$ 29,237.74

Which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF
CLAIM FOR REFUND OF
LICENSE FEE:

There was filed with the Council communication from Nat Brown, attorney for Ben Vogel, requesting the refund of

\$100.00 license fee paid by his client in 1929 inasmuch as the ordinance exacting the fee was never enforced. Upon being advised by the City Attorney that the claim is now outlawed, Commissioner Neece introduced

RESOLUTION NO. 2924-N.S.

13 rejecting the claim of Ben vogel for refund of license fee as above stated, which resolution was regularly adopted by the following vote:
Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack
Noes: Councilmen: None
Absent: Councilmen: None

14 IN THE MATTER OF CLEARING VACANT LOTS IN CITY: Pursuant to the clearing of certain vacant lots by the Department of Public Works, Commissioner Rogers introduced

RESOLUTION NO. 2925-N.S.

instructing the City Engineer to furnish the City Clerk with list of properties so cleaned and directed the City Clerk to bill the assessed owner of such properties for the expense involved in such clearing, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem Pack
Noes: Councilmen: None
Absent: Councilmen: None

15 IN THE MATTER OF SUBSIDY FOR BOYS' BAND: There was filed with the Council petition of the Stanislaus Boys' Band for \$ 500.00 for financing a series of municipal band concerts in the City Parks during the summer. Whereupon Commissioner Neece introduced

RESOLUTION NO. 2926-N.S.

allowing a subsidy of \$ 500.00 for the Stanislaus Boys' Band for a series of concerts in the City parks during the summer months, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack
Noes: Councilmen: None
Absent: Councilmen: None

16 IN THE MATTER OF SUBSIDY TO FOURTH OF JULY COMMITTEE: There was filed with the Council a petition of the Chamber of Commerce for subsidy of \$ 250 to defray expenses of the Fourth of July celebration; together with request that a carnival be allowed to operate for the week of the Fourth of July in the City of Modesto without the license fee of \$1000.00 imposed by City ordinance, the carnival to be located on 8th Street between J and K Streets. Upon discussion of the matter by the Council, Commissioner Neece introduced

RESOLUTION NO. 2927-N.S.

allowing a subsidy of \$ 200.00 to the Fourth of July Celebration Committee, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem Pack
Noes: Councilmen: None
Absent: Councilmen: None

17 In the matter of remitting carnival license the Council engaged in lengthy discussion of the matter and upon being advised of the illegality of setting aside the ordinance provision, Commissioner Rogers introduced

ORDINANCE NO.-----
providing for the amendment of existing ordinance so as to allow a license fee of \$250.00 per quarter for the operation of a carnival in the City limits, with provision that the City have the right to name the location upon which the carnival

would be allowed to operate, which ordinance was DEFEATED by the following tie-vote:

Ayes: Councilmen: Rogers and Mayor pro tem. Pack

Noes: Councilmen: Brown and Neece

Absent: Councilmen: None

18 IN THE MATTER OF
ACCEPTANCE OF RUE
DE YOE SEWER
PROJECT:

John Pestana, contractor, having completed the Rue de Yoe
Sewer project, Commissioner Rogers introduced

RESOLUTION NO. 2928-N.S.

accepting the completed sewer project when the City Engineer shall have filed a certificate of acceptance with the City Clerk, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

19 The City Engineer having filed a certification of payment due John Pestana, Rue de Yoe Sewer contractor, as per provisions of his contract, in amount of \$ 1463.94, Commissioner Rogers introduced

RESOLUTION NO. 2929-N.S.

providing for the issuing of warrant in amount of \$ 1463.94 to said John Pestana as aforesaid, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

20 IN THE MATTER OF
ADVERTISING NOTICES
TO BIDDERS:

Commissioner Rogers introduced

RESOLUTION NO. 2930-N.S.

authorizing and instructing the City Clerk to advertise for bids for lamp globes for the City of Modesto during the next ensuing fiscal year ending June 30, 1935, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

21 Commissioner Neece introduced

RESOLUTION NO. 2931-N.S.

authorizing and instructing the City Clerk to advertise for bids for printing and advertising for the ensuing fiscal year ending June 30th, 1935, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

22 IN THE MATTER OF RESIGNATION
OF MRS. EDDY FROM PLANNING
COMMISSION:

Mrs. A. G. Eddy tendered the Council her resignation from the City Planning Commission because of pro-

posed absence from the City; whereupon Commissioner Rogers introduced

RESOLUTION NO. 2932-N.S.

accepting with regret the resignation of Mrs. Eddy from the City Planning Commission, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

23

IN THE MATTER OF APPOINTMENT OF MEMBER OF PLANNING COMMISSION TO FILL VACANCY:

There being a vacancy on the City Planning Commission caused by the resignation of Mrs. A. G. Eddy, Commissioner Rogers introduced

RESOLUTION NO.2933-N.S.

appointing Mr. G. N. Hilburn a member of the Planning Commission to fill the unexpired term of Mrs. Eddy, to-wit: effective from this date to January 1st, 1937, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Neece, Brown, Rogers and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

24

IN THE MATTER OF VIOLATION OF ORD. 464-N.S.:

Pursuant to the apprehension of Vessey & Co. of Salinas, California, for violating terms of Ordinance No. 464-N.S., the Council requested the City Attorney to take such action required for prosecution of the violators; whereupon the City Attorney reported that he had notified by mail the violators that if the wholesale license imposed by said ordinance was not received within seven days, warrants would be issued for their arrest.

25

IN THE MATTER OF FINAL ADOPTION OF ORD. 467-N. S.

Ordinance No. 467-N.S. having been heretofore introduced and ordered printed and published, and having been published as required by the Charter of the City of Modesto, coming on for final adoption this 13th day of June, 1934, it was finally adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

26

IN THE MATTER OF FINAL ADOPTION OF ORD. 468-N.S.:

By unanimous consent of the Council the final adoption of Ordinance No. 468-N.S. prohibited door-to-door canvassing and soliciting, was laid over to the next regular meeting.

27

IN THE MATTER OF PROPOSED ORDINANCE TO REGULATE ENTERTAINMENT IN CITY:

There was filed with the Council a copy of ordinance of the City of San Jose regulating type of entertainment in the said City, together with letter from Mrs. Chas. Higbee urging the adoption of a similar ordinance by the City of Modesto. Same was read by the Council and no action taken.

28

IN THE MATTER OF STATE COMPENSATION INSURANCE:

The compensation insurance policy carried with the City of Modesto in the State Compensation Insurance Fund expiring on the 1st day of July, 1934, and there having been submitted claim for renewal of such policy in the amount of \$2293.34, Commissioner Neece introduced

RESOLUTION NO.2934-N.S.

authorizing the renewal of the said compensation insurance policy and providing for the payment of the premium due therefor in the amount of \$ 2293.34 on the 5th day of August, 1934, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem Pack

Noes: Councilmen: None

Absent: Councilmen: None

- 29 IN THE MATTER OF BUDGETS FOR YEAR 1934-35: Department budgets of expenditures for the fiscal year ending June 30th, 1935, were filed with the Council for consideration and action thereon laid over to the next regular meeting.
- 30 IN THE MATTER OF REPORTS: F.J. Rossi filed a report with the Council of proceedings at a meeting held by cities of the North San Joaquin Valley for the purpose of organizing a Divisional Branch of the League of California Municipalities. Same was reviewed by the Council and ordered filed.
- 31 IN THE MATTER OF ADJOURNMENT: Commissioner Brown introduced
RESOLUTION NO. 2935-N.S.
adjourning this Council meeting now in session, which resolution was regularly adopted by the following vote:
Ayes: Councilmen: Brown, Neece, Rogers and Mayor pro tem. Pack
Noes: Councilmen: None
Absent: Councilmen: None

ATTEST: H.E. GRAGG
CITY CLERK

1 The Council of the City of Modesto convened in regularly called special session this date at 2:00 P.M., the meeting having been called by Acting Mayor, Roy E. Pack.

Present: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack

Absent: Councilmen: None

2 IN THE MATTER OF PROPOSED BUSINESS LICENSE: Pursuant to a general discussion of the imposing of a general business license in the City of Modesto, and it being the desire of the Council to obtain data from all possible sources in drafting this ordinance, Commissioner Rogers introduced

RESOLUTION NO. 2936-N.S.

authorizing and instructing the Mayor and City Clerk and stenographer to go to Fresno, expenses paid, on Friday, June 22nd, 1934, for the purpose of obtaining all possible information, data, and forms from the officials of Fresno relative to the business ordinance in effect in that City, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

3 IN THE MATTER OF PODESTO-ARATA CONDEMNATION SUIT: Pursuant to condemnation proceedings for acquisition of right of way through Block 301 from J.B. Podesto and G. Arata, Commissioner Rogers introduced

RESOLUTION NO. 2937-N.S.

authorizing and instructing the City Clerk to deposit with the County Clerk the sum of \$ 36.00 for jury service at the trial to be held June 28th, 1934, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

4 IN THE MATTER OF ADJOURNMENT: Commissioner Brown introduced

RESOLUTION NO. 2938-N.S.

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

Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H.E. GRAGG
CITY CLERK

Council, City of Modesto

Special Session - 2:00 P.M.

June 26th, 1934

1 The Council of the City of Modesto convened in special session, date and time above given, the meeting having been called by Acting Mayor Pack.

Present: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack

Absent: Councilmen: one

2 IN THE MATTER OF PROPOSED BUSINESS LICENSE: Pursuant to Resolution No. 2936-N.S., Mayor Pack and City Clerk, H.E. Gragg, filed a written report of data obtained from the City of Fresno relative to business license tax levy. The report was reviewed by the Council, and a general discussion had of matters pertaining to the proposed business license in Modesto, with no final action thereon being taken at this time.

3 IN THE MATTER OF ADJOURNMENT: There being no further business to come before the meeting,

Commissioner Brown introduced

RESOLUTION NO. 2938A-N.S.

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

Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H.E. GRAGG
CITY CLERK

Council, City of Modesto

June 27th, 1934

The Council of the City of Modesto met in regular session this date.

Present: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack

Absent: Councilmen: None

1 IN THE MATTER OF MINUTES: The minutes of the regular meeting of June 13th, 1934, and of the special session of June 19th, 1934, and of June 26th, 1934, having been heretofore read by each Councilman were unanimously approved as so read.

2 IN THE MATTER OF COMMUNICATIONS: Communication was received by the Council from the STATE CONTROLLER relative to State apportionment of hard liquor licenses to the City of Modesto in amount of \$ 2836.33. Same was read by the Council and ordered filed.

3 Communication was received by the Council from Haskell, Scott and Geyer proposing a plan for municipal refinancing for the City of Modesto. Same was read by the Council and ordered filed.

4 Communication was received by the Council from the National Safety Council urging the adoption of a resolution urging the public to co-operate in the National Traffic Safety Contest of 1934 in which the City is participating. Whereupon Commissioner Brown introduced

RESOLUTION NO. 2939-N.S.

4. adopting the resolution submitted by the National Safety Council, which resolution was regularly adopted by the following vote:
Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack
Noes: Councilmen: None
Absent: Councilmen: None

5. IN THE MATTER OF CLAIMS: There was on file with the Council claims as follows:
Mrs. Lora Brown ... in amount of \$ 11.35
for cash paid out for miscellaneous supplies for playgrounds;
Roy E. Pack in amount of \$ 5.40
for expenses incurred in making trip to Fresno as per Res. No. 2936-N.S.
H.E. Gragg, City Clerk.. in amount of ... \$ 6.05
for expenses incurred in making trip to Fresno as per Res. No. 2936-N.S.

Whereupon Commissioner Neece introduced

RESOLUTION NO. 2940-N.S.

ordering the said claims approved and instructing the City Clerk and Auditor to draw the checks therefor, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers and Mayor pro tem. Pack
Noes: Councilmen: None
Absent: Councilmen: None

6. IN THE MATTER OF PETITIONS: There was filed with the Council a petition from the Enslin Parent Teachers Association for a new bridge providing protection to children crossing the bridge over the M.I.D. canal on Sycamore Avenue. Upon consideration of the matter, the City Clerk was instructed to advise the petitioners that if the M.I.D. and the County of Stanislaus would cooperate with the City in sharing one-third of the expense in the matter some relief might be afforded.

7. There was filed with the Council a petition from the Modesto Council of Parent Teachers for the placing of rope markers in the children's swimming area in Lake Modesto indicating the safe depths of water. Commissioner Neece reported to the Council that plans are now in formulation for the placing of such markers; whereupon the City Clerk was instructed to so advise the petitioners.

8. Petition was received from the Turlock American Legion Post No. 88 requesting the City to refuse licenses to rival carnivals during the Turlock Melon Carnival festival. The Council ordered the City Clerk to advise the petitioners that the City of Modesto has no jurisdiction over the granting of carnival licenses outside the City limits.

9. Petition was received from R.R. Miller for permit to operate a gasoline pump at 813 $\frac{1}{2}$ 13th Street, approximately 12' from the curb line. Commissioner Rogers introduced

RESOLUTION NO. 2941-N.S.

referring the petition to the City Engineer for investigation and report in the premises at the next regular meeting. Which resolution was regularly adopted by the following vote:

14

IN THE MATTER OF
BIDS FOR PRINTING
AND ADVERTISING:

Pursuant to advertising for bids for printing and advertising contract for the year 1934-35, this being the time set forth for the receiving of bids, the City Clerk reported

receipt of one sealed bid, which the Council proceeded to open and declare as follows:

THE MODESTO BEE ... For each non-pareil square first insertion not including delinquent tax lists for street work	65¢
For each subsequent insertion	40¢
For each non-pareil square first insertion, for delinquent tax lists and delinquent street work....	70¢
For each subsequent insertion	40¢

Whereupon Commissioner Neece introduced

RESOLUTION NO.2945-N.S.

accepting the bid of the Modesto Bee for printing and advertising and instructing the Mayor and City Clerk to enter into contract therefor on behalf of the City of Modesto, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

15

IN THE MATTER OF
LUNCH WAGON:

Pursuant to the many protests of the Southern Pacific Railway Company to the location of lunch wagon to Mrs. F.D. Winfield at the corner of H at 8th Street, at this time

the City Engineer reported that an agreeable compromise had been effected by all parties concerned by the moving of the lunch wagon around the corner fronting on 8th Street.

16

IN THE MATTER OF
APPROVAL OF ELECTRICIAN'S BOND:

There was submitted to the Council for approval personal surety bond of H. A. Trueblood for conducting the

business of electrical contractor in the City of Modesto; whereupon Commissioner Rogers introduced

RESOLUTION NO.2946-N.S.

approving the bond submitted, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

17

IN THE MATTER OF
APPLICATION FOR BEER
LICENSES:

There were on file with the Council applications for licenses to sell beverages containing 3.2% alcohol in

the City as follows:

E. Fuller & L. McFall.....	938 Tenth
Dania Lodge No.14	416 1/2 I St.
John Masserdoti	701 7th

and the same having been investigated and approved by Commissioner of Public Health and Safety, A.W. Brown, he introduced

RESOLUTION NO.2947-N.S.

approving the said applications and directing that licenses be issued accordingly, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

18

IN THE MATTER OF
19TH ST. PROJECT:

Pursuant to plans for the opening of 19th Street to Downey Avenue, the City Engineer reported that rights of way were

all arranged for with the exception of that property of Margaret Masters abutting Block "K", the owner of said property desiring a refund of taxes paid thereon for the period during which it has been in her possession. The matter was taken under advisement by the Council.

18

The City Engineer also reported that work was ready to proceed with the widening of 19th Street through Block 133 on a curve to H Street, and southward through Blocks 204 and 206 to the Tuolumne River although all rights of way have not yet been obtained. Whereupon Commissioner Rogers introduced

RESOLUTION NO.2948-N.S.

authorizing and instructing the City Engineer to proceed with the extension plans under the advice of the City Attorney as to trespassing upon property over which no rights of way have been obtained with an idea of obtaining such rights of way through condemnation proceedings, which resolution was introduced by the following vote:

Ayes; Councilmen: Brown, Neece, Rogers and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

19

IN THE MATTER OF
ORDINANCES:

The proposed general business license ordinance was discussed by the Council and laid over for further consideration at the

next regular meeting.

20

The matter of final adoption of Ordinance No. 468-N.S. prohibiting and soliciting in the City of Modesto coming before the Council at this time, Commissioner Rogers introduced

RESOLUTION NO.2949-N.S.

directing that the ordinance be submitted to a committee of its proponents and opponents for arbitration, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

21

IN THE MATTER OF
REGULATION OF SLOT
MACHINES:

There was submitted to the Council for consideration proposed ordinance to regulate slot machines in the City of Modesto; whereupon Commissioner Neece introduced

ORDINANCE NO.469-N.S.

regulating the business of distributing slot machines in the City of Modesto, which ordinance was duly passed to print and publish by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

22

IN THE MATTER OF
BULK HEAD IN RIVER
AT BEARD BROOK PARK:

The matter of construction of bulk head in the Tuolumne River along the Beard Brook Park frontage was discussed by the

Council and final action in the matter laid over to the next regular meeting.

23

IN THE MATTER OF
BUDGETS:

The budgets of expenditures for the various departments for the year 1934-35 were laid over to the next regular meeting.

24 IN THE MATTER OF
FIXING SALARY OF
CITY ATTORNEY:

Commissioner Neece introduced

RESOLUTION NO.2950-N.S.

fixing the salary of the City Attorney at \$ 250 per
month effective from and after June 1st,1934, which resolution was regularly adopted
by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

25 IN THE MATTER OF
REPORT OF FINANCE
COMMISSIONER:

Annual report of the Commissioner of Finance and Revenue
on the City's finances and on the City parks was read

by the Council and ordered filed.

26 IN THE MATTER OF
ADJOURNMENT:

Commissioner Brown introduced

RESOLUTION NO.2951-N.S.

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

Ayes: Councilmen: Brown, Neece, Rogers and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H.E. GRAGG
CITY CLERK

Council, City of Modesto
Special Session
July 2nd, 1934

1

The Council of the City of Modesto convened this day in special session, the meeting having been called by Acting Mayor Roy E. Pack pursuant to provisions of Ordinance 2 -N.S.

Present Councilmen: Brown, Neece, Rogers and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

2

IN THE MATTER OF
BUDGETS:

The annual budgets of the various departments for the fiscal year ending June 30th, 1935, were reviewed by the Council, the various items corrected and approved; whereupon Commissioner Neece introduced

RESOLUTION NO. 2952-N.S.

adopting the various budgets as corrected and approved, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

3

IN THE MATTER OF
ADJOURNMENT:

There being no further business to come before the meeting, Commissioner Brown introduced

RESOLUTION NO. 2953-N.S.

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

Ayes: Councilmen: Brown, Neece, Rogers and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

Attest; H.E. GRAY
City Clerk

July 11, 1934

The Council of the City of Modesto met in regular session this date, and there were present Councilmen: Brown, Neece, Rogers and Mayor pro tem Pack.

Absent: Councilmen: None

- 1 IN THE MATTER OF MINUTES: The minutes of the regular session of June 27th, 1934, and of the special session of July 1st, 1934, having been heretofore read by each Council, were unanimously approved as so read.
- 2 IN THE MATTER OF PETITION FOR USE OF STREET CAR FOR LUNCH STAND: Mr. E. L. Dustin appeared before the Council and made a verbal request for permission to use a street car for a lunch stand at the corner of 10th and D Street. Permission was so granted when all provisions of City ordinances relative to sanitation have been complied with.
- 3 IN THE MATTER OF COMMUNICATIONS: Communication was received from the Modesto Chamber of Commerce thanking the City officials for their cooperation and financial assistance in making the Fourth of July celebration a success. Same was read by the Council and ordered filed.
- 4 Communication was received from the District Engineer, Division of Highways relative to certain claims of the City of Modesto for Ninth Street rights of way stating warrants for the payment thereof would be issued in the near future. Same was read by the Council and ordered filed.
- 5 Communication was received from E. F. Huggins expressing approval of the proposed business license ordinance, and urging a study of the joint county and city tax assessment and collection for the purpose of initiating such method in this City. Same was read by the Council and ordered filed.
- 6 Communication was received from the Southern California League of Municipalities urging the City to obtain signatures to a petition providing for the placing of an initiative measure on the ballot to allocate 25% of state gasoline tax to the municipalities, 33-1/3 to the Counties; and 41-2/3% to the State. Same was read by the Council and ordered filed with no action taken thereon.
- 7 Communication was received from the League of California Municipalities relative to circular sent out by the Southern California League of Municipalities advising that this circular letter and its proposal was in no way affiliated with or endorsed by the State League. Same was read by the Council and ordered filed.
- 8 Communication was received from the League of California Municipalities relative to bids to public bodies for goods or services under Code Authority. Same was read by the Council and ordered filed.

Communication was received from the League of California Municipalities relative to obtaining a refund from the state for sales tax paid by municipalities during the year 1933-34 and requesting statement of total amount of tax money paid out by the City of Modesto in that time. Whereupon Commissioner Rogers introduced

RESOLUTION NO.2954-N.S.

authorizing and instructing the City Auditor to compile the data requested, with an expression of the opinion of the City Council that this refund should not be requested by municipalities as it might establish a precedent for other bodies which would tend to defeat the purpose and intent of the sales tax measure, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack
Noes: Councilmen: None
Absent: Councilmen: None

10

IN THE MATTER OF Claims against the City of Modesto for the month of June, 1934,
CLAIMS FOR MONTH OF JUNE, 1934: having been heretofore audited and approved by the Council,

Commissioner Neece introduced

RESOLUTION NO.2955-N.S.

ordering that the said claims be allowed, reference being made to the Auditor's Cash Book for further details relative to amount of withdrawals from the various funds as follows:

GENERAL FUND	\$ 17,789.84
WATER FUND	4,760.90
LIBRARY FUND	780.66
BOND RED. INT. FUND	1,000.00
ST. BOND RED. INT. FUND10
SEARD PARK IMP. FUND	112.25
	<u>\$ 24,443.75</u>

Which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack
Noes: Councilmen: None
Absent: Councilmen: None

11

IN THE MATTER OF There was filed with the Council claim of E.E. Gould against
CLAIM AGAINST GEO. KEELEY: Geo. Keeley, motor police officer, for \$ 43.57; whereupon

Commissioner Rogers introduced

RESOLUTION NO.2956-N.S.

directing that Geo. Keeley deliver a written order for payment of the above claim to the City Auditor with the alternative of taking a leave of absence from the police force until the matter be straightened out, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack
Noes: Councilmen: None
Absent: Councilmen: None

12

IN THE MATTER OF T.E. Edwards filed a written petition and appeared personally
PETITION FOR ABATE- before the Council in support of said petition, for the abate-
MENT OF NUISANCE:

ment of nuisance caused by his neighbors, Mr. and Mrs. Martin Goosby, 214 Spruce Street, alleging that loud and unnecessary noises and music are continually disturbing the peace and quiet until late at night. Mr. Goosby was called before the Council to reply to the charges and made denial of the allegations of Mr. Edwards. The Council admonished Mr. Goosby to remedy the situation complained of or the City would find it necessary to take further steps in the matter.

13

IN THE MATTER OF
PETITION FOR GAS
PUMP:

R.R. Miller having heretofore filed with the Council a petition for the installation of a gas pump 12' from the curb at 313½ 13th Street, at this time the City Engineer reported that the granting of such permit was governed by city zoning ordinance; whereupon Commissioner Rogers introduced

RESOLUTION NO.2957-N.S.

authorizing and instructing the City Clerk to cause notices to be posted on the property and published as required by Ordinance No. 364-N.S. setting the 25th day of July, 1934, as the time for hearing any protests to the granting of the permit, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

14

IN THE MATTER OF
PETITION FOR GROWERS
LICENSE TO BELL PRO-
DUCE AT WHOLESALE:

There was on file with the Council petition addressed to the City Clerk from the Calavo Growers of California requesting growers free license for the selling of avocados in the City at wholesale. Same was referred to the City Attorney.

15

IN THE MATTER OF
AWARD OF CONTRACT
FOR LAMP GLOBES:

Pursuant to receiving of bids for lamp globes and postponement of action thereon until this time, it appearing that the bid of H.A. Trueblood for Champion Lamps at the price of \$ 1320.53 is the lowest and best bid, Commissioner Rogers introduced

RESOLUTION NO.2958-N.S.

accepting the bid of H.A. Trueblood and authorizing and instructing the Mayor and City Clerk to enter into contract for said lamp globes on behalf of the City of Modesto, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen : None

16

IN THE MATTER OF
ORDINANCES:

Pursuant to proposed plans for the construction of a bulk head in the Tuolumne River, Commissioner Neece introduced

ORDINANCE NO.470-N.S.

appropriating the sum of \$ 2,000.00 for construction of a bulk head in front of Legion Park on Tuolumne River, which ordinance was duly passed to print and publish by the following vote:

Ayes: Councilmen: Brown, Neece and Mayor pro tem. Pack

Noes: Councilmen: Rogers

Absent: Councilmen: None

17

Pursuant to proposed project for construction of a Machine Shop at the corporation yard at 8th and L Street with 30% of the cost to be appropriated by federal funds, Commissioner Rogers introduced

ORDINANCE NO. 471-N.S.

appropriating the sum of \$ 10,000.00 for the construction of the machine shop as aforesaid, which ordinance was duly passed to print and publish by the following vote:

Ayes: Councilmen: Brown, Rogers and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: Neece

18

IN THE MATTER OF
FINAL ADOPTION OF
ORDINANCE: S

Ordinance No. 469-N.S., regulating slot machines in the City, having been introduced and duly passed to print and publish at the regular meeting of June 27th, 1934, and having been published as required by the Charter of the City of Modesto, it was upon roll call finally adopted at this time by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

19

Final adoption of Ordinance No. 468-N.S., prohibiting peddling and/or canvassing in the City was by unanimous consent of the Council laid over to the next regular meeting.

20

IN THE MATTER OF
PROPOSED ORDINANCE:

An Ordinance having been heretofore proposed to license business in the City of Modesto was laid over to the next regular meeting by unanimous consent of the Council.

21

IN THE MATTER OF
APPLICATION FOR SLOT
MACHINE LICENSE:

Ordinance No. 469-N.S. having become effective upon its final passage and adoption, J.J. Mehegan filed with the Council an application for slot machine license, and the same being in proper form, accompanied by the license fee stipulated, and reported by the Commissioner of Public Health and safety to be approved, said Commissioner introduced

RESOLUTION NO. 2959-N.S.

authorizing and instructing the City Clerk to grant license to the applicant, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

22

IN THE MATTER OF
REPORTS:

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

23

IN THE MATTER OF
ADJOURNMENT:

Commissioner Brown introduced

RESOLUTION NO. 2960-N.S.

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

Ayes: Councilmen: Brown, Neece, Rogers and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG
CITY CLERK

July 25th, 1934

The Council of the City of Modesto met this day in regular session. There were present: Councilmen: Brown, Neece, Rogers and Mayor pro tem. Pack
Absent: Councilmen: None

1 IN THE MATTER OF CLERK PRO TEM.: In the absence of H. E. Gragg, City Clerk, Commissioner Rogers moved that A. J. Carlson be designated to act as Clerk pro tem. of the Council for this meeting. The motion being duly seconded, the resolution

RESOLUTION NO. 2961-N.S.

was upon roll call adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

2 IN THE MATTER OF MINUTES: The minutes of the special meeting of July 2nd, 1934, and of the regular meeting of July 11th, 1934, having been previously read by members of the Council, and there being no objections or corrections thereto, they were unanimously approved as so read.

3 IN THE MATTER OF BANNER ON I STREET: Mr. Wm. Nelson appeared before the Council on behalf of the Disabled War Veterans and applied for permission to place a banner across I Street for a period of three days commencing approximately three weeks hence to advertise a boxing bout, the said banner to be installed under the supervision of the Police Commissioner. Thereupon Commissioner Neece introduced

RESOLUTION NO.N.S.

providing that the request of the Disabled War Veterans for installation of a banner across I Street be denied and that the Council adopt as a policy the rule that hereafter no banners be stretched across any street in the City for advertising purposes. The roll being called the Resolution received the following vote:

Ayes: Councilmen: Neece and Mayor pro tem. Pack

Noes: Councilmen: Rogers and Brown

Absent: Councilmen: None

Thereupon the Mayor declared that the resolution failed to carry.

Commissioner Rogers introduced

RESOLUTION NO. ----N.S.

4 granting permission to the Disabled War Veterans to place a banner across I Street under the direction and supervision of the Commissioner of Public Health and Safety as embodied in the request of Mr. Nelson above stated. It was thereupon suggested by Mayor Pack that inasmuch as the banner would not be required to be placed for approximately three weeks and another meeting of the Council would be held in the interim, the matter be postponed until the next meeting of the Council. Thereupon Commissioner Rogers withdrew his resolution.

5 IN THE MATTER OF COMMUNICATIONS: Certain communications from the League of California Municipalities regarding the sales tax measure were

received and ordered placed on file.

6

IN THE MATTER OF
PETITION FOR GAS
PUMP:

The application of R. R. Miller for the installation of
a curb gas pump at 813½ 13th Street coming on regularly

for hearing at this time, Commissioner Rogers offered a resolution, being

RESOLUTION NO.2962-N.S.

granting said permit, which resolution was adopted by the following vote:

Ayes: Councilmen: Brown, Rogers and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

7

IN THE MATTER OF
APPLICATIONS FOR
EXCLUSION FROM
RESIDENCE ZONE:

Applications for construction of buildings to be used for
business purposes within a residence zone were called to the
attention of the Council as follows:

Redwood Theatres, Inc. - to erect a theatre building
on Lots 17 to 23 inc.-Block 107

W.J. Brown - to erect a store building on Lots 17 to 19
inc., the Wly 100' -Block 87

And the applications being in due and proper form as set forth in Ordinance No. 364-N.S.
and the necessary consent of the property owners of adjacent property having been
obtained as set forth in Section 3 of said Ordinance No. 364-N.S., Commissioner Rogers
introduced

RESOLUTION NO.2963-N.S.

setting a time for hearing of any and all protests to the granting of permits as
petitioned for August 8th, 1934, at 7:30 P.M., and directing that notices thereof be
given as required by Section 3 of said Ordinance, which resolution duly adopted by
the following vote:

Ayes: Councilmen: Brown, Neece, Rogers and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

8

IN THE MATTER OF
CLOSING OF PORTION
OF WILLOW STREET:

The Modesto Terminal Company having filed its application,
in brief as follows: That Willow Street be closed for the

reason that it has never been opened as a public street and its use as a public street
serves no useful or necessary purpose, and that closing of the said street would be of
benefit to the industrial region of the City; whereupon Commissioner Rogers introduced

RESOLUTION NO.776-S.P.
RESOLUTION OF INTENTION NO.219

providing for the closing of Willow Street between Blocks 220 and 221 of the City of
Modesto, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

9

IN THE MATTER OF
FEEDING HOGS AT THE CITY DUMPS:

J. Venturini having made application for permission
to feed hogs at the City, which application is now be-

fore the City Council for consideration, Commissioner Rogers introduced

RESOLUTION NO.2964-N.S.

denying the request of Mr. Venturini, setting forth in support of the action the fact
that the granting of same was liable to establish a precedent and might eventually lead
to confusion between Mr. Venturini and other licensed garbage collectors in the City of
Modesto, which resolution was regularly adopted by the following vote:

9 Ayes: Councilmen: Brown, Rogers and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

10 IN THE MATTER OF RENEWAL OF CONCESSION LEASE: The application of Leo Plagg for renewal of his lease of concessions for maintenance of landing pier and the handling of boats at Beard Brook Park having been called to the attention of the Council, the matter was unanimously laid over for further consideration at the next regular meeting of the Council.

11 IN THE MATTER OF PURCHASING GASOLINE IN 10,000 GALLON LOTS: It was called to the attention of the Council that storage facilities for gasoline are now completed for the purchase of gasoline in 10,000 gallon lots and that the purchase of gasoline in such manner would mean a saving of 2½¢ per gallon over the regular price now paid, and that it would be necessary to appropriate the necessary funds for such purchasing; whereupon Commissioner Rogers introduced
ORDINANCE NO. 473-N.S.

appropriating the sum of \$ 6,000.00 or so much thereof as may be necessary for the purchasing of gasoline in 10,000 gallon lots during the current fiscal year for the motor vehicle equipment of the City of Modesto, which ordinance was duly passed to print and publish by the following vote:

Ayes: Councilmen: Brown, Rogers and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

12 IN THE MATTER OF APPOINTMENT OF MEMBER OF LIBRARY BOARD: Notice having been received of the transition of Honorable Judge L.W. Fulkereth, member of the Board of Library Trustees, creating a vacancy in that position during the balance of his term which would expire February 1st, 1935, Commissioner Rogers introduced

RESOLUTION NO. 2965-N.S.

designating Fred Condit a member of the Board of Library Trustees of McHenry Public Library to fill the vacancy resulting from the transition of Judge Fulkereth, this appointment to expire February 1st, 1935, and directing the City Clerk to notify Mr. Condit of his appointment, specifying that this appointment was made on recommendation of Mayor Pack, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

13 IN THE MATTER OF LIQUOR LICENSES: The following applications for licenses to sell beverages containing 3.2% alcohol were received by the Council, to-wit:

General Brewing Corp. - Stockton	Wholesale
W.A. Ergo - 1014 H St.	On-Sale Retail
G. Parto - 622 9th	On-Sale Retail
Haack & Bolgheroni - 813 10th	On-Sale Retail

It appearing that said applications were accompanied by the necessary license fees and that they had been examined and approved by the Commissioner of Public Health and Safety, Commissioner Brown introduced

RESOLUTION NO. 2966-N.S.

providing that the licenses be granted the applicants as aforesaid. Whereupon H.T. Crow filed a written protest against the granting of the license to Wm. Ergo, but the application being in proper form and duly investigated and approved by the Commissioner of Public Health and Safety, Mr. Crow was advised that his protest could be filed but that no action could be taken thereon. Thereupon the resolution was adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

14

IN THE MATTER OF
REFUND OF LICENSE
FEE:

E.F. Oman filed application with the Council for the refund of \$10.00 on his liquor license fee heretofore paid, and

it appearing that he does not conduct an off-sale trade but only an on-sale trade, and therefore is not liable for the \$10.00 off-sale fee, Commissioner Brown introduced

RESOLUTION NO. 2967-N.S.

directing that the sum of \$ 10.00 be refunded to Mr. Oman as petitioned, and instructing the City Auditor to issue City warrant therefor, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

15

IN THE MATTER OF
NINTH STREET
RIGHTS OF WAY:

Pursuant to Resolution No. 2840-N.S. and Resolution No.

2839-N.S., providing for the payment of the sum of \$4,000.00

to the Stanislaus Lumber Company and the sum of \$ 8000.00 to the Modesto Lumber Company out of funds received from the State of California as the City's allocation of gasoline tax funds, and there having now been paid into the General Fund of the City of Modesto the sum of \$12,860.00 by the State Department of Public Works for such allocation, Commissioner Rogers introduced

RESOLUTION NO. 2968-N.S.

authorizing and instructing the City Auditor to issue a warrant to the Stanislaus Lumber Company in amount of \$ 4500.00; to the Modesto Lumber Company in the sum of \$ 8000.00 and to the Security Title Insurance and Guaranty Company in amount of \$ 50.00 for title search on said rights of way, all as more fully outlined in the above named resolution, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

16

IN THE MATTER OF MAP
OF LALOMA ADDITION:

The owners of the property or tract of land known as Laloma Addition to the City of Modesto, annexed to said

City pursuant to proceedings of December, 1933, and of February, 1933, having filed a map of such property and said map having been approved by the City Engineer and it being the desire of the said owners of said property to obtain the official approval of the City Council of said map, Commissioner Rogers introduced

RESOLUTION NO. 2969-N.S.

approving said map and directing the mayor and city clerk to execute a proper certification to be attached thereto, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

17 IN THE MATTER OF Commissioner Brown introduced
PROHIBITING CANVASSING AND SOLICITING: ORDINANCE NO. 465-N.S.

entitled "An Ordinance declaring certain practices to be a nuisance and providing the punishment therefor, which ordinance was duly passed to print and publish by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

18 IN THE MATTER OF Ordinance No. 470-N.S., appropriating funds for a
FINAL ADOPTION OF bulkhead in Tuolumne River, having come on for final
ORDINANCE: adoption, and it appearing that the same has been printed and published as required

by the Charter of the City of Modesto, Commissioner Brown moved its adoption, and the ordinance was so finally adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

19 Ordinance No. 471-N.S., appropriating funds for
machine shop at corporation yard, having come on for
final adoption and it appearing that the same has been printed and published as
required by the Charter of the City of Modesto, Commissioner Rogers moved its
adoption, and the ordinance was duly adopted by the following vote:

Ayes: Councilmen: Brown, Rogers and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: Neece

20 IN THE MATTER OF It appearing to the Council that the City of Modesto
CONSTRUCTION OF CORPORATION YARD: has heretofore made an application to the Government of the

United States pursuant to Title II of the National Recovery Act for a grant in an amount equal to 30% of the cost of labor and materials to finance the construction of a project, consisting of a one-story machine shop building at the municipal corporation yard for the storage and repair of municipal equipment and supplies, and that said application has been granted, and that the United States of America has submitted to the City of Modesto a grant agreement containing the stipulations and covenants to be entered into by the City of Modesto and the United States of America with respect thereto. The agreement, which has been filed in the office of the City Clerk, was thereupon read in full at this meeting of the Council.

Whereupon Councilman Rogers introduced an ordinance, being

ORDINANCE NO. 472-N.S.

entitled "An ordinance approving a loan and grant agreement between the City of Modesto and the United States of America and authorizing its execution", which ordinance was duly passed to print and publish by the following vote;

Ayes: Councilmen: Brown, Neece, Rogers and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

Handwritten note: Resolution 4704-N.S.
12-17-34 and

Councilman Rogers thereupon introduced

RESOLUTION NO.2970-N.S.

21 approving a loan and grant agreement between the City of Modesto and the United States of America and authorizing its execution, designating Mayor pro tem. Pack signatory official in executing said agreement on behalf of the City of Modesto, which resolution was duly and regularly adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

22 IN THE MATTER OF
FIRE PROTECTION
OUTSIDE THE CITY
LIMITS:

The application of John Cuneo for the extension of fire protection to the premises adjoining the City of Modesto known as the Dryden Poultry Farm coming on for hearing and being duly con-

sidered by the Council, Commissioner Brown introduced

RESOLUTION NO.2971-W.S.

granting to Mr. Cuneo the fire protection as petitioned and authorizing the Mayor and City Clerk to enter into a contract with Mr. Cuneo and the Dryden Poultry Farm for extension of fire protection to the buildings and improvements owned by them in accordance with the form of contract heretofore adopted providing for fire protection outside the City of Modesto, and further providing that the fee to be charged for such protection be the sum of \$ 100.00 per annum payable in advance, the water to be furnished by the owners of said property, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

23 IN THE MATTER OF
FIRE HOSE:

Geo. E. Wallace, Chief of the Fire Department, advised the Council that some of the present fire hose is now too old to

guarantee efficiency and that the best interest of the City require that 450' of hose be purchased at this time, the approximate cost being \$1.00 per foot, whereupon

Commissioner Brown introduced

RESOLUTION NO.2972-N.S.

authorizing the Fire Chief to purchase for the City of Modesto 450' of 2½" fire hose with couplings complete at a price not to exceed \$1.00 per foot, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

24 IN THE MATTER OF FIRE
PROTECTION FOR TIDEWATER
RAILWAY BUILDINGS:

It appearing that the Tidewater Southern Railway Company has a group of approximately 11 warehouses, packing sheds,

etc. in a certain area west of Ninth Street and North of Tully Road adjacent to the City limits, and has facilities for water for fighting fire but is without the necessary fire-fighting equipment and that the City of Modesto is willing to extend the service of the Fire Department on certain conditions, Commissioner Brown introduced

RESOLUTION NO.2973-N.S.

directing the Chief of the Fire Department to approach the owners of the said property with an offer on behalf of the City of Modesto to extend fire protection to the certain

24 group of buildings not to exceed eleven in number for the sum of \$ 500.00 per annum payable in advance, the water to be furnished by the Tidewater Southern Railway Co. and that the condition of service is to be in accordance with the form of contract heretofore adopted by the Council, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers and Mayor pro tem. Peck

Noes: Councilmen: None

Absent: Councilmen: None

25 IN THE MATTER OF PROPOSED BUSINESS LICENSE ORDINANCE: By unanimous consent of the Council further action in this matter was laid over to the next regular meeting.

26 IN THE MATTER OF REPORTS: The annual reports of the Fire Department and of McHenry Public Library were reviewed by the Council and ordered filed.

27 IN THE MATTER OF ADJOURNMENT: There being no further business to come before the meeting Commissioner Neece introduced

RESOLUTION NO. 2974-N.S.

providing that this Council meeting now in session adjourn to the next regular meeting which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers and Mayor pro tem. Peck

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG
CITY CLERK

Board of Equalization

City of Modesto

August 6th, 1934

Pursuant to Section 49, Article IX of the Charter of the City of Modesto the Council met this date to sit as a Board of Equalization for the purpose of hearing complaints to strike out, correct, modify or raise any assessments on the Tax Roll for the current fiscal year, to-wit: 1934-35. There were present: Commissioners Brown, Neece, Rogers, and Mayor pro tem. Pack

Absent: Councilmen: None

There were filed with the Board the following petitions for adjustments of assessments:

Mrs. Corda Stone - Oral petition for reduction of assessment on vacant lots known as Lots 6 and 7 in Block 112

Ella Olegart - Oral petition for reduction of assessment on improvements on Lot 3 in Block 554, McHenry Ave.

Mrs. R.W. Mitchell - Written petition for adjustment of tax valuations on property at 1621 H Street known as Lots 13 to 16 inc., the NE 45.66', in Block 126.

The said petitions were taken under advisement by the Board and there being no further business before the meeting, upon motion duly made, seconded and unanimously carried, the meeting was adjourned to Tuesday, August 7, 1934, at the appointed time and place.

August 7th, 1934

Pursuant to adjournment of August 6th, 1934, the Board of Equalization of the City of Modesto convened in regular session this date, and there were present Commissioners Brown, Neece, Rogers and Mayor pro tem. Pack

Absent: Councilmen: None

There were filed with the Board the following petitions for adjustment of assessments:

R.E. Edgar & T.B. Donan - Oral petition for reduction of assessment on property known as Lots 3 and 4 in Block 113 of the City of Modesto

H.J. Downey - Written petition for reduction of assessment on property known as Lots 1 and 2 & N $\frac{1}{2}$ of 3 in Block 534 of the City of Modesto

The said petitions were taken under advisement and there being no further business to come before the Board, upon motion duly made, seconded and unanimously carried, the meeting was adjourned to Wednesday, August 8th, 1934, at the appointed time and place.

Board of Equalization
August 8th, 1934

Pursuant to adjournment of August 7th, 1934, the Board of Equalization of the City of Modesto convened in regular session this date, and there were present: Commissioners: Brown, Neece, Rogers and Mayor pro tem. Pack

Absent: Councilmen: None

There was filed with the Board the following petition for adjustment of assessment:

The said petition was taken under advisement; and there being no further
business to come before the Board, upon motion duly made, seconded and unanimously
carried, the meeting was adjourned to meet again Thursday, August, 1934, at the
appointed time and place.

* * * * *

August 9th, 1934

Pursuant to adjournment of August 8th, 1934, the Board of
Equalization of the City of Modesto convened in regular session this date, and
there were present Councilmen: Brown, Neece, Rogers and Mayor pro tem. Pack
Absent: Councilmen: None

There was filed with the Board the following petition for
adjustment of assessment:

Mrs. K.L. Palmerlee - Oral petition for adjustment of assessment
on improvements known as Lots 5 to 9 inc. in Block 453.

The said petition was taken under advisement, and there being no further business to
come before the Board, upon motion duly made, seconded and unanimously carried, the
meeting was adjourned to Friday, August 10th, 1934, at the appointed time and place.

August 10th, 1934

Pursuant to adjournment of August 9th, 1934, the Board of
Equalization of the City of Modesto convened in regular session this date, and there
were present: Commissioners Brown, Neece, Rogers and Mayor pro tem. Pack
Absent: Councilmen: None

There being no further petitions filed with the Board for
reductions of assessments, and the petitions heretofore filed having been duly
considered and a careful check made of the valuation surveys and estimates in each
instance, Commissioner Neece introduced

RESOLUTION NO. 2975-N.S.

denying the petitions for reductions of assessments of: Mrs. Corda Stone, Mrs. R. W.
Mitchell, R. E. Edgar, & T. B. Donan, H. J. Downey, and Ava Thornton; and providing for
reductions to be made in assessments of improvements on the 1934-35 tax roll as
follows:

Property of Ella Olegart - Net assessed valuation of
improvements to be \$ 2625.00

Property of Mrs. K. Palmerlee - Net assessed Valuation of
improvements to be \$ 2725.00

which resolution was regularly adopted by the following vote:
Ayes: Councilmen: Brown, Neece, Rogers and Mayor pro tem. Pack
Noes: Councilmen: None
Absent: Councilmen: None

There being no further business to come before the Board
and it having met and conducted its meetings as required by State Statute and the
City Charter, upon motion of Commissioner Brown, Seconded by Commissioner Rogers, the
meeting was adjourned sine die.

ATTEST: H. E. GRAGG
CITY CLERK

August 6th, 1934

The Council of the City of Modesto met in regular session this date, and there were present: Councilmen: Brown, Neece, Rogers and Mayor pro tem. Pack

Absent: Councilmen: "one

1 IN THE MATTER OF MINUTES: Approval of the minutes of the regular session of July 25th, 1934, was by unanimous consent of the Council laid over to the next regular meeting.

2 IN THE MATTER OF PROTEST TO SWIMMING IN CANAL: There appeared before the Council Messers E.W. Reddick, R. L. Campbell, and O.W. Brill protesting to the nuisance created by swimmers in the M.I.D. Canal at Olive and Wright Street who disturb the peace and quiet of the neighborhood, and petitioning the Council to prohibit swimming in that vicinity; whereupon Commissioner Brown introduced

RESOLUTION NO. 2976-N.S.

authorizing and instructing the City Clerk to address a communication to the Modesto Irrigation District to the effect that the City Council will co-operate to the fullest extent in any attempt they may make to correct the nuisance complained of, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

#3 IN THE MATTER OF BANNER ACROSS I ST.: Pursuant to petition made by the Disabled War Veterans at the last regular meeting for permit to stretch a banner across I Street advertising a boxing event, Mr. J. L. Rice appeared before the Council again supporting the original petition for the said banner. Whereupon Commissioner Rogers introduced

(Not Adopted)

RESOLUTION NO. ----N.S.

granting permission to the Disabled Veterans' Organization to stretch a banner across the Street as petitioned, which resolution was defeated by the following vote:

Ayes: Councilmen: Brown and Rogers

Noes: Councilmen: Neece and Mayor pro tem. Pack

Absent: Councilmen: None

Thereupon Mayor Pack declared that the resolution failed to carry.

4 IN THE MATTER OF COMMUNICATIONS: Communication was received from the Stockton Convention Bureau asking the City of Modesto to co-operate with the City of Stockton in bidding for the 1935 Convention of the League of California Municipalities. Whereupon by unanimous order of the Council the City Clerk was instructed to advise the Stockton Convention Bureau that in event any delegates attend the convention of the League they will be instructed by the Council to favor Stockton as the convention City for 1935.

5 IN THE MATTER OF CLAIMS: Claims for the month of July, 1934, against the City of Modesto, having been heretofore audited and approved by the Council,

Commissioner Neece introduced

RESOLUTION NO. 2977-N.S.

directing that the said claims, so audited and approved, be allowed, reference being made to the Auditor's Cash Book for further details relative to amounts of withdrawals from the various funds as follows:

5	General Fund -----	\$ 37,637.24
	Water Fund -----	4,791.87
	Library Fund -----	1,771.84
	Bond Red.Int. Fund -----	7,731.25
	St. Bond Red.Int. Fund -----	48,735.64
	Unapportioned Fund -----	.92
	Total -----	\$100,668.76

Which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

6 IN THE MATTER OF Pursuant to completion of sewer construction by John
FINAL PAYMENT TO Pestana as per the terms of contract for the Rue de Yoe
J. PESTANA FOR SEWER Sewer Booster project, and thirty-five days having elapsed
CONTRACT: since acceptance certification has been filed by the City Engineer, it now appearing
that final payment on said contract in amount of \$1246.17 is now due, Commissioner
Rogers introduced

RESOLUTION NO. 2978-K.S.

authorizing and instructing that warrant be drawn in amount above stated in full
payment of contract of said John Pestana, which resolution was regularly adopted by the
following vote:

Ayes: Councilmen: Brown, Neece, Rogers and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

7 IN THE MATTER OF Pursuant to notice setting forth time for hearing of pro-
HEARING OF PROTESTS tests to erection of certain buildings in residential
TO ERECTION OF BUILDINGS: zones of the City of Modesto, as follows:

Redwood Theatres, Inc - Theatre Bldg at the corner
of 13th and J Streets on property known as
Lots 7 to 23 inc. in Block 107

W.H. Brown - Store Building at the corner of 12th
and K Streets on property known as the Wly 100'
of Lots 17 to 19 inc. in Block 87

and this being the time set for such hearing and it appearing that there are no pro-
tests either oral or written on file with the Council, Commissioner Rogers introduced

RESOLUTION NO. 2979-N.S.

granting permits for the buildings as above named when all provisions relative to
permit application and permit fees shall have been complied with, which resolution was
regularly adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

8 IN THE MATTER OF Pursuant to expiration of lease of Leo Plagg for
RENEWAL OF LEASE OF maintenance of Tuolumne Dam at Beard Brook Park and
CONCESSIONS AT PARK: the boat landing and boat concession at said park, and the renewal of said
lease having come up for consideration at this time, by unanimous consent of the
Council further action in the matter was laid over to the next regular meeting.

- 9 IN THE MATTER OF Ordinance No. 468-N.S., declaring certain practices(FINAL ADOPTION OF canvassing and soliciting) to be a nuisance, having been ORDINANCE 468-N.S.: introduced and ordered printed and published at a regular meeting of the Council of the City of Modesto held on the 25th day of July, 1934, and having been published as required by the Charter of the City of Modesto, regularly coming on for final adoption at this time, it was upon roll call finally adopted by the following vote:
- Ayes: Councilmen: Brown, Neece, Rogers and Mayor pro tem Pack
Noes: Councilmen: None
Absent: Councilmen: None
- 10 IN THE MATTER OF Ordinance No. 472-N.S., entitled "An Ordinance Approving Loan FINAL ADOPTION OF and Grant Agreement between the City of Modesto and United States ORDINANCE NO. 472-NS: of America, and authorizing its Execution", was called up for final action. The Ordinance was read to the Council. It appears from the affidavit of the publisher of the Modesto Bee, the official newspaper of the City of Modesto, that said ordinance has been published in full at least once at least three days prior to this date, and that the proof of such publication is on file with the City Clerk. Councilman Rogers thereupon moved that the Ordinance be finally adopted. The motion being duly seconded, the roll was called and the motion carried and the Ordinance finally carried by the following vote:
- Ayes: Councilmen: Brown, Neece, Rogers and Mayor pro tem. Pack
Noes: Councilmen: None
Absent: Councilmen: None
- 11 IN THE MATTER OF Commissioner Rogers introduced ORD. APPROPRIATING ORDINANCE NO. 474-N.S. FUNDS FOR TRAFFIC SIGNAL: appropriating the sum of \$1500.00 or so much thereof as may be necessary for the installation of an automatic traffic signal at 9th and H Streets, which ordinance was duly passed to print and publish by the following vote:
- Ayes: Councilmen: Brown, Neece, Rogers and Mayor pro tem. Pack
Noes: Councilmen: None
Absent: Councilmen: None
- 12 IN THE MATTER OF Proposed Ordinance imposing a business license tax in the PROPOSED ORDINANCES: City of Modesto was upon unanimous consent of the Council laid over to the next regular meeting.
- 13 Proposed ordinance prohibiting the sale of contraceptive devices except by duly registered pharmacists was by unanimous consent of the Council laid over to the next regular meeting.
- 14 IN THE MATTER OF The improvement of the newly acquired municipal airport was IMPROVEMENT OF discussed by the Council and the City Engineer instructed to AIRPORT: contact the SERA officials in an attempt to speed up the work of improving the airport with federal and state relief funds.

15 IN THE MATTER OF SETTLEMENT OF RIGHT OF WAY SUIT OF ARATA AND PODESTO: Pursuant to decision of the court providing for payment by the City of Modesto of the sum of \$ 5,600.00 for right of way and severance damages in property of Podesta & Arata in Block 229 for Ninth Street Bridge and highway, and pursuant to the heretofore advanced sum of \$ 6500.00 being held by the Court pending settlement of the suit, at this time Commissioner Rogers introduced

RESOLUTION NO.2980-N.S.

providing for the payment of the sum of \$ 100.00 additional to the deposit held by the Court plus interest, to the Superior Court in final settlement of the said condemnation suit, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

16 IN THE MATTER OF BEER LICENSE: There being on file the application of Geo. Kounias for license to sell beverages containing 3.2% alcohol in the City of Modesto at wholesale, and the same having been duly investigated and approved by the Commissioner of Public Health and Safety, Commissioner Brown introduced

RESOLUTION NO.2981-N.S.

authorizing and instructing the City Clerk to issue license to the applicant for permission to sell beverages as prayed for, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

17 IN THE MATTER OF REPORTS: The annual report of the Police Department and of the Public Works Department was reviewed by the Council and ordered filed.

The regular monthly reports of the various departments for the month of July, 1934, were reviewed by the Council and ordered filed.

18 IN THE MATTER OF ADJOURNMENT: There being no further business to come before the meeting, Commissioner Brown introduced

RESOLUTION NO.2982-N.S

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

Ayes: Councilmen: Brown, Neece, Rogers and Mayor Pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H.E. GRAGO
CITY CLERK

Council, City of Modesto

August 22, 1934

The Council of the City of Modesto met in regular session this date, and there were present: Councilmen: Brown, Rogers and Mayor Pro tem. Pack

Absent: Councilmen: Neece

- 1 IN THE MATTER OF MINUTES: The minutes of the regular session of August 8, 1934, and of the Board of Equalization meetings from August 6, 1934 to August 10, 1934, inclusive, having been heretofore read by each Councilman, were corrected in certain particulars and unanimously approved as so corrected and read.
- 2 IN THE MATTER OF PETITION FOR REDUCTION OF ELECTRICIAN'S LICENSE: C. A. Wille appeared before the Council presenting a petition signed by electrical contractors in Modesto requesting that the present Ordinance imposing license fee for carrying on the business of electrical contracting be amended so as to provide for a \$50.00 fee for the first year issued and \$ 5.00 for each year thereafter. The petition was ordered filed by the Council and the matter taken under advisement.
- 3 IN THE MATTER OF COMMUNICATIONS: A Communication was received from the Pacific Coast Association of Fire Chiefs inviting the Fire Chief of Modesto to attend the convention of that organization to be held in Pasadena Sept. 11 to 14, 1934. Same was read by the Council and ordered filed.
- 4 A Communication was received from L. L. Dennett urging the City of Modesto to file a suit in line with other suits filed to restrain the City and County of San Francisco from diverting from the Tuolumne River water which it intends to divert in view of the riparian rights of the City of Modesto along the Tuolumne River. The communication was read, and the matter taken under advisement.
- 4A A Communication was read from Geo. F. Neece, Commissioner of Finance and Revenue, setting forth for record his inability to attend the Councilmen because of illness.
- 5 IN THE MATTER OF PETITION FOR BEER LICENSE: There was filed with the Council application of E. Moretti to sell beverages containing 3.2% alcohol at his place of business at 915 H Street, and the same appearing to be in proper form, duly approved by the Commissioner of Public Health and Safety, Commissioner Brown introduced
- RESOLUTION NO. 2983-N.S.
- approving the application of E. Moretti as aforesaid and directing that the City Clerk issue the license as prayed for, which resolution was regularly adopted by the following vote:
- Ayes: Councilmen: Brown, Rogers, and Mayor pro tem. Pack
- Noes: Councilmen: None
- Absent: Councilmen: Neece

5 IN THE MATTER OF PETITION FOR BEER LICENSE: There was filed with the Council the application of E. Moretti to sell beverages containing 3% alcohol at his place of business at 915 H Street, and the same appearing to be in proper form, duly approved by the Commissioner of Public Health and Safety, Commissioner Brown introduced a resolution, being

RESOLUTION NO.2983-N.S.

approving the application of E. Moretti as aforesaid and directing that the City Clerk issue the license as prayed for, which resolution was duly adopted by the following vote:

Ayes: Councilmen: Brown, Rogers and Mayor pro tem. Pack
Noes: Councilmen: None
Absent: Councilmen: Neece

6 IN THE MATTER OF PETITION FOR REFUND OF BEER LICENSE: There was filed with the Council petitions of the following parties requesting the refund of \$10.00 license fee paid on off-sale handling of alcoholic beverages for the current fiscal year:

I. AYERS

MISSION BILLIARDS

and it appearing that the above named parties do not conduct the business in question and it further appearing that they have paid the license fee imposed by city ordinance and are accordingly entitled to refund of such fee, Commissioner Brown introduced

RESOLUTION NO.2984-N.S.

directing the City Clerk and Auditor to issue warrants to the above named parties in the amount of \$10.00 each for the refund as stated, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Brown, Rogers and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: Neece

7 IN THE MATTER OF RENEWAL OF LEASE OF LEO PLAGG FOR CONCESSIONS: Pursuant to expiration of lease of Leo Plagg for concessions at Beard Brook Park, and the matter coming before the Council at this time, it was by unanimous consent of the Council laid over to the next regular meeting.

8 IN THE MATTER OF PARKING LIMIT: In view of congested traffic conditions existing throughout the City and more particularly in the business section, Commissioner Brown introduced

RESOLUTION NO.2985-N.S.

providing that Section 32 of Traffic Ordinance No. 345-N.S. relative to a parking limit of one hour be enforced in the business district and more particularly on 9th Street between H and J Streets and directing the City Engineer to cause the traffic signs throughout the City to be changed to read from "9:00 A. M. to 6:00 P.M." instead of as at present "10:00 A.M. to 6:00 P.M.", and further directing that such signs be placed on both sides of Ninth Street between H and J Streets, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Brown, Rogers and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: Neece

9
IN THE MATTER OF
PARALLEL PARKING
ON H STREET:

In view of the congested traffic on H Street in the City of Modesto, and the narrowing of the said street by angle parking of vehicles thereon, Commissioner Brown introduced

RESOLUTION NO.2986-M.S.

providing for parallel parking of vehicles on H Street from Franklin Avenue at the southerly City limits to Downey Avenue in the northerly section of the City, and directing the City Engineer to change the parking lines accordingly, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Brown, Rogers and Mayor Pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: Neece

10
IN THE MATTER OF
GRANT FOR SEWER
CONSTRUCTION:

Pursuant to agreement between the P.W.A. of the federal government and the City of Modesto for the construction of a sewer booster system in the Rue de Yoe Section of the City,

Commissioner Rogers introduced

RESOLUTION NO.2986-M.S.

authorizing Roy E. Pack, Acting Mayor of Modesto, to execute final application for the grant of construction costs for the said sewer booster system as per the various agreement forms, reports, etc. heretofore made by the City of Modesto to the P.W.A., which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Brown, Rogers and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: Neece

11
IN THE MATTER OF
IMPROVEMENT TO
AIRPORT:

Pursuant to application heretofore approved by the Federal Emergency Relief Administration and/or the Civil Works Administration for certain labor and material for the

improvement of new airport of the City, and to the discontinuance of the Civil Works Administration Program before the said work was completed, Commissioner Rogers introduced

RESOLUTION NO.2987-M.S.

directing that the City of Modesto make application to the Emergency Relief Administration of the State of California for the allocation of the sum of \$1085.00 to be used for the purchase of road oil to treat the graded areas partially completed on the airport and providing that the Mayor pro tem. of the City be designated the signatory official in the execution of said application, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Brown, Rogers and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: Neece

12
IN THE MATTER OF
TRIMMING TREES:

The matter of trimming trees around private utility power poles was brought up for discussion by the Council, and

by unanimous consent of the Council action thereof was laid over to the next regular meeting.

- 13 IN THE MATTER OF Ordinance No. 473-N.S., appropriating the sum of
FINAL ADOPTION OF \$ 5,000.00 for the purchase of gasoline in 10,000 gallon
ORD. 473-N.S.: lots, having been introduced and ordered printed and published at the regular meeting
of the Council of the City of Modesto held on the 25th day of July, 1934, and having
been so printed and published as required by the City Charter, coming up for final
adoption at this time, it was so finally adopted by the following vote:
Ayes: Councilmen: Brown, Rogers, Mayor pro tem. Pack
Noes: Councilmen: None
Absent: Councilmen: Neece
- 14 IN THE MATTER OF Ordinance No. 474-N.S., appropriating the sum of
FINAL ADOPTION OF \$1500.00 for the purchase of an electric traffic signal
ORD. 474-N.S. to be installed at the corner of Ninth and H Streets, having been introduced and
ordered printed and published at the regular meeting of the Council of the City of
Modesto held on the 8th day of August, 1934, and having been so printed and published
as required by the City Charter, coming up for final adoption at this time, it was
so finally adopted by the following vote:
- 15 IN THE MATTER OF Proposed Ordinance to impose a business license in the
PROPOSED ORDINANCES: City of Modesto was laid over to the next regular meeting
for further study and revision.
- 16 Proposed Ordinance to prohibit the sale of contraceptive
devices except by registered pharmacists was by unanimous consent of the Council
laid over indefinitely.
- 17 IN THE MATTER OF Commissioner Rogers introduced
FIXING TAX RATE: ORDINANCE NO. 475-N.S.
fixing the tax rate of the City of Modesto @ \$1.30 per hundred dollars valuation for
the fiscal year 1934-35 and directing that it be published and printed as required by
the City Charter, which ordinance was duly passed to print and publish by the follow-
ing vote:
Ayes: Councilmen: ~~Alammon~~ Brown, Rogers and Mayor pro tem. Pack
Noes: Councilmen: None
Absent: Councilmen: Neece
- 18 IN THE MATTER OF It having been called to the attention of the Council
RENTAL OF ROOSE- that the Modesto Reds Baseball Club has defaulted in
VELT FIELD: payment of the \$ 20.00 flat rate rental for use of Roosevelt Field for the past
three weeks, after discussion of the matter, it was referred to the Commissioner of
Public Works for his recommendation.
- 19 IN THE MATTER OF Commissioner Brown introduced
ADJOURNMENT: adjourning this Council RESOLUTION NO. 2959-N.S.
resolution was regularly adopted by the following vote: meeting now in session, which res-
Ayes: Councilmen: Brown, Rogers and Mayor pro tem. Pack
Noes: Councilmen: None
Absent: Councilmen: Neece

ATTEST: H. E. GRAGG
CITY CLERK

September 12, 1934

The Council of the City of Modesto convened in regular session in the Council Chamber of the City Hall of said City on Wednesday, Sept 12th, 1934 at 7:30 o'clock P.M. The meeting was called to order by Mayor pro tem. Pack. The following members were present:

Councilmen: Brown and Rogers. Absent: Councilman: Neece

IN THE MATTER OF MINUTES:

The minutes of the regular session of August 22nd, 1934, having been heretofore read by each Councilman, were unanimously approved as so read.

IN THE MATTER OF COMMUNICATIONS:

A communication from the California Municipal Utilities Association soliciting a membership fee from the City of Modesto for maintaining a lobbying service at Sacramento in the interest of municipalities was received by the Council, read, and ordered referred to City Attorney Carlson for recommendation.

A communication was received from the League of California Municipalities urging that delegates from the City of Modesto be sent to the convention of that organization in Pasadena, September 24th to 27th; whereupon Commissioner Rogers introduced

RESOLUTION NO 2990-N.S.

directing that City Engineer, F. J. Rossi; City Attorney, A. J. Carlson; and City Clerk, H. E. Gragg, be named delegates of the City of Modesto to attend the said convention; and further providing that the expenses incurred in attending said convention be paid out of the General Fund of the City of Modesto when claims therefor shall have been filed with the City Auditor in the usual manner, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Brown, Rogers and Mayor pro tem. Pack
Noes: Councilmen: None
Absent: Councilmen: Neece

A Communication was received from the Central Valley Branch of the League of California Municipalities announcing the next meeting of the organization to be held at Stockton, September 14th, 1934. The City Clerk was instructed to advise the secretary of the organization that Mayor Pack, Commissioner Brown, City Engineer Rossi, City Attorney Carlson, and City Clerk Gragg are planning to attend the meeting.

A communication was received from W. L. Pollard, attorney for Mr. and Mrs. Fred Ekstein, stating intention of bringing suit against the City of Modesto for damages for unlawful conversion of property for a roadway in Block 133 to which they hold trust deed. Same was read by the Council and referred to the City Attorney.

IN THE MATTER OF CLAIMS:

Claims against the City of Modesto for the month of August 1934, having been heretofore audited and approved by the Council,

Commissioner Rogers introduced

RESOLUTION NO. 2991-N.S.

ordering that the claims so audited and approved be allowed, reference being made to the Auditor's Cash Book for further details relative to amounts of withdrawals from the

various funds as follows:

GENERAL FUND-----	\$22,606.31
WATER FUND-----	5,872.53
LIBRARY FUND-----	1,709.35
ST. BOND RED. INT FUND-----	<u>2,895.55</u>
TOTAL-----	\$32,993.74

which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Brown, Rogers and Mayor pro tem Pack

Noes: Councilmen: None

Absent: Councilmen: Neece

7 IN THE MATTER OF
SUBSIDY TO BOYS'
BAND

There having been filed with the Council claim of the Stanislaus County Boys' Band in amount of \$500.00 for concerts given in the various City parks throughout the summer of 1934, and there having been made budget provision for this subsidy, Commissioner Rogers introduced

RESOLUTION NO 2992-N.S.

providing for the payment of \$250.00 to the Stanislaus Boys' Band in partial payment of the claim presented, the remainder to be paid at some future date, which resolution was regularly adopted by the following vote:

Ayes: Councilmen; Brown, Rogers, and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: Neece

8 IN THE MATTER OF
PETITION FOR LIGHT
IN ALLEY

There was filed with the Council by Mrs. S. Hain a petition for the installation of a light in the alley in Block 103 between 12th and 13th Streets and G and F Streets, Same was referred to the City Engineer.

9 IN THE MATTER OF
PETITION FOR BEER
LICENSE(WHOLSESALE):

There was filed with the Council the application of the S&J Distributing Co. for a license to sell beer at wholesale in the City of Modesto and the said application having been accompanied by the required license fee and having been approved by the Commissioner of Public Health and Safety, Commissioner Rogers introduced

RESOLUTION NO. 2994-N.S.

approving the application and directing that the City Clerk issue the license as prayed for, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Brown, Rogers, and Mayor pro tem Pack

Noes: Councilmen: None

Absent: Councilmen: Neece

10 IN THE MATTER OF
APPLICATION FOR
SLOT MACHINE LICENSE

Application for a slot machine license having been heretofore filed with the Council by D. D. Patton and Harry K. Hines, at this time the petitioners appeared before the Council and asked to withdraw their petition until such time as it might be again presented in the future. By unanimous consent of the Council the request was granted.

11 IN THE MATTER OF
PETITION TO NAME
ROSE ARBOR

A petition from the Stanislaus County Federation of Womens' Clubs was filed with the Council asking that the rose arbor in Graceeada Park be named "Zander Arbor" and a plaque with such inscription be placed over the arbor, in commemoration of Mrs. Zander, Modesto pioneer who planted the roses and carried water to them to make them grow. Commissioner Rogers introduced

RESOLUTION NO 2995-N.S.

approving of the suggestion of the Women's Clubs and officially naming the arbor in Graceada Park "Zander Arbor"; and granting permission for the placing on the arbor of a plaque bearing that name, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Brown Rogers, and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: Neece

IN THE MATTER OF
PETITION FOR LUNCH
WAGON:

There was filed with the Council petition by Burdean Thompson for permit to establish a lunch wagon in Block 503 one hundred-twenty five feet West from the intersection of College and Stoddard Avenues; and the said petition having been signed by the required number of adjacent property owners as set forth in Zoning Ordinance No. 364-N.S. Commissioner Rogers introduced

RESOLUTION NO. 2996-N.S.

directing that notices of a time for hearing of protests to the granting of said permit as prayed for be posted and published as set forth in said Ordinance No. 364-N.S., which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Brown, Rogers, and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: Neece

IN THE MATTER OF
PETITION FOR FIRE
PROTECTION

There was filed with the Council, pursuant to Resolution No. 2973 N.S. providing for the granting of fire protection to the Tidewater Southern Railway Company to eleven warehouses outside the northerly City limits for the sum of \$500.00, at this time there was filed petition of said Tidewater Southern Railway Company for such protection to be granted on a basis of \$100.00 per fire, with a graded amount if the fire should be of great magnitude, in lieu of the \$500.00 per annum fee. After consideration of the petition, Commissioner Brown introduced

RESOLUTION NO 2997-N.S.

denying the petition of the Tidewater Southern Railway for fire protection under the terms prayed for, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Brown, Rogers, and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: Neece

IN THE MATTER OF
RENEWAL OF CONCESSION
LEASE AT PARK:

Pursuant to expiration of lease of Leo Plagg on boat concessions in Beard Brook Park, and the matter having been up for consideration before the Council for renewal of said lease, at this time Commissioner Rogers introduced

RESOLUTION NO 2998-N.S.

directing that the Mayor and City Clerk enter into an agreement with Leo Plagg for renewal of the concession lease as per the agreement presented, which resolution was regularly adopted by the following vote;

Ayes: Councilmen: Brown, Rogers and Mayor Pro tem Pack

Noes: Councilmen: None

Absent: Councilmen: Neece

IN THE MATTER OF
CLOSING PORTION
OF WILLOW STREET

Pursuant to Resolution of intention No. 219 providing for the closing of Willow Street between Block 220 and 221 and pursuant to notice of time set for hearing of protests to the closing of said street, and this being the time set forth for such hearing, it appeared that no protests either oral or

written were filed; whereupon Commissioner Rogers introduced

RESOLUTION NO 777-S.P.

closing Willow Street as set forth in the Resolution of Intention No. 219 (reference being hereby made to the records on file in office of the City Clerk for the details embraced in said Resolution No 777-S.P. and Resolution No. 219), which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Brown, Rogers, and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: Neece

IN THE MATTER OF
NOTICE TO BIDDERS
FOR GASOLINE

Commissioner Rogers introduced

RESOLUTION NO. 2999-N.S.

directing the City Clerk to advertise for bids for gasoline purchased in quantity lots of 10,000 to 12,000 gallons, the said bids to be opened Wednesday, September 26th, 1934, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Brown, Rogers, and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: Neece

IN THE MATTER OF
NOTICE TO BIDDERS
FOR FLEET AUTOMOBILE
INSURANCE

Commissioner Rogers introduced

RESOLUTION NO. 3000-N.S.

directing the City Clerk to advertise for bids for furnishing fleet automobile insurance to the City of Modesto during the period October 13th 1934 to October 13, 1935 which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Brown, Rogers, and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: Neece

IN THE MATTER OF
PROPOSED BUSINESS
LICENSE ORDINANCE

By unanimous consent ^{of} the Council of the consideration of business license ordinance was laid over to a special meeting to be held within the coming week.

IN THE MATTER OF
FINAL ADOPTION OF
ORDINANCE

Ordinance No. 475-N.S. fixing the tax rate for the fiscal year 1934-35, having been introduced and ordered printed and published at a regular meeting of the Council held on the 22nd day of August 1934, and coming on for final adoption at this time, upon roll call it was so finally adopted by the following vote:

Ayes: Councilmen: Brown, Rogers, and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: Neece

IN THE MATTER OF
TRAFFIC SIGNALS
ON NINTH STREET:

Pursuant to the placing of flasher signals furnished by the State Department of Public Works on Ninth Street Highway at the intersections of B, I and K Streets, Commissioner Rogers introduced

RESOLUTION NO. 3001-N.S.

expressing willingness and intention of the City of Modesto to maintain the said signals; and directing that a certified copy of this resolution be forwarded to R.E. Pierce, District Engineer, of the State Department of Public Works, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Brown, Rogers and Mayor pro tem Pack

Noes: Councilmen: None

Absent: Councilmen: Neece

IN THE MATTER OF
APPROPRIATIONS:

Commissioner Rogers introduced

ORDINANCE NO 476-N.S.

appropriating funds out of the General Fund of the City of Modesto for the following materials and equipment:

\$750.00 for one lightweight automobile

\$1500.00 for one truck

\$8000.00 for water pipe

\$1000.00 for sewer pipe

which ordinance was regularly passed to print and publish by the following vote:

Ayes: Councilmen: Brown, Rogers and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: Neece

IN THE MATTER OF
DEED FROM MRS. E.
VACCARO:

Pursuant to intent to obtain quit claim deed from Mrs. E.

Vaccaro to straighten the existing curve at the intersection of Maze Boulevard, Washington and Fifth Streets, the matter was by unanimous consent of the Council, laid over to the next regular meeting.

IN THE MATTER OF
TRIMMING TREES
AROUND UTILITY POLES

Pursuant to the matter of trimming trees around public utility

poles in the City of Modesto, City Engineer Rossi submitted a written report recommending that the Council adopt an ordinance designated to protect trees from companies or corporations maintaining pole line circuits upon the City streets, which ordinance would require regulation of pole line construction and maintenance allowing the City to exercise control in regard to location of such poles, which report was accepted and ordered filed by the Council; whereupon Commissioner Rogers introduced

RESOLUTION NO' 3002-N.S.

instructing the City Attorney to draft an ordinance in line with the suggestions proffered by the City Engineer in his report, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Brown, Rogers, and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: Neece

IN THE MATTER OF
DISPOSITION OF
CASE AGAINST JEWELL
TEA COMPANY

Pursuant to suit having been brought by the City of Modesto against the Jewell Tea Company for violation of peddling ordinance No 421-N.S. at this time the City Attorney reported

to the Council that the briefs had been filed in the matter and there is now pending the decision of the judge.

IN THE MATTER OF
PROHIBITING TAXI
DANCE HALLS

Commissioner Brown introduced

ORDINANCE NO 477-N.S.

amending Ordinance No. 434-N.S. so as to prohibit the operation of jitney dance halls in the City of Modesto, which ordinance was duly passed to print and publish by the following vote:

Ayes: Councilmen: Brown, Rogers, and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: Neece

IN THE MATTER OF
CALLING FOR BIDS
FOR MACHINE SHOP
Construction

Commissioner Rogers introduced

RESOLUTION NO. 3003-N.S.

directing and instructing the City Clerk to advertise for bids for the construction of a machine and repair shop located at 8th and L Streets, as per the plans and specifications on file in the office of the City Engineer, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Brown, Rogers, and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: Neece

IN THE MATTER OF
CONSTRUCTION OF
MACHINE SHOP AT
CORPORATION YARD

It appearing to the Council that the City of Modesto has heretofore made an application to the Government of the United States pursuant to the Title 11 of the National Recovery Act for a grant in an amount equal to 30% of the cost of labor and materials to finance the construction of a project, consisting of a one-story machine shop building at the municipal corporation yard, for the storage and repair of municipal equipment and supplies and that said application has been granted, and that the United States of America has submitted to the City of Modesto a grant agreement containing the stipulations and covenants to be entered into by the City of Modesto and the United States of America with respect thereto. The agreement, which has been filed in the office of the City Clerk, was thereupon read in full at this meeting of the Council; thereupon Councilman Rogers introduced;

RESOLUTION NO. 3004-N.S.

entitled: "A Resolution Approving a Grant Agreement Between the City of Modesto and the United States of America and authorizing its Execution." The resolution is as follows:

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MODESTO:

Section 1. That the Grant Agreement between the City of Modesto a municipal corporation, chartered under the laws of the State of California, and the United States of America under and subject to the terms of, which the United States of America will by grant not exceeding in the aggregate the sum of \$3000.00 aid said City of Modesto in financing the construction of a unit of corporation yard, a copy of which Grant Agreement is filed among the public records of the City of Modesto in the office of the City Clerk, and which Grant Agreement is hereby made a part hereof, be and the same is hereby in all respects approved.

Section 2 That the Mayor pro tem. of said City be and he is hereby authorized and directed to execute such Grant Agreement in triplicate on behalf of the City of Modesto, and the City Clerk of said City be and he is hereby authorized and directed to impress or affix the official seal of said City to each of said three copies of said Grant Agreement and to attest such seal.

Section 3. That said City Clerk be and he is hereby authorized and directed to forthwith forward three copies of said Grant Agreement as executed on behalf of said City to the Federal Emergency Administration of Public Works, Washington, D. C.

Section 4. That the Mayor pro tem. and City Clerk be and they are hereby authorized and empowered on behalf of said City to request and consent to, modifications of or changes in the said Grant Agreement as may be required, in order to comply with the requirements of law, and to execute in the same manner as said Grant Agreement any further instruments that may be found desirable in connection with such modifications or changes.

Section 5 That said City Clerk be and he is hereby authorized and directed to forthwith send to said Federal Emergency Administration of Public Works two certified copies of this Resolution and two certified copies of the proceedings of the City Council in connection with the adoption of this Resolution, and such further documents or proofs in connection with the approval and execution of said Grant Agreement as may be requested by said Federal Emergency Administration of Public Works."

The Resolution was read in full to the Council. Councilman Rogers thereupon moved the adoption of the Resolution. The motion to adopt was duly seconded by Councilman Brown, and the roll upon the adoption of the resolution was called, with the following result:

Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: Neece

28
29
IN THE MATTER OF
REPORTS:

Mayor Pack filed an annual report of the City's finances with recommendations designed to govern the policy of the administration in the future. Same was reviewed by the Council and ordered filed.

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

30
IN THE MATTER OF
ADJOURNMENT

There being no further business to come before the Council, Commissioner Brown introduced

RESOLUTION NO. 3005-N.E.

adjourning this Council meeting now in session to meet again in adjourned session Wednesday, September 19th, 1934, at the usual time and place, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Brown, Rogers, and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG,
City Clerk

The Council of the City of Modesto met this day in
Special session at the call of Mayor Pack, written notices
thereof having been given each member of the Council, as required by Ordinance No.

1 2-N.S. There were present:

Council: ^{new} Brown, Rogers, and Mayor Pro tem. Pack

Absent: Councilmen: Neece

2
IN THE MATTER OF
BUSINESS LICENSE
ORDINANCE:

Pursuant to consideration of an ordinance levying a business license in the City of Modesto, and the same having been drafted in its final form, at this time the Council after further consideration of the need for reducing the tax levy on common property by new methods of taxation was unanimous in approving of such license measure. Whereupon the ordinance, being

ORDINANCE NO. 478-N.S.

entitled: An Ordinance Providing for Licensing and Regulating the Carrying on of Certain Professions, Trades, Callings and Occupations in the City of Modesto, Providing the Method of Collecting Such Licenses, and Repealing Certain Ordinances" was read in full to the Council. Councilman Brown thereupon moved the adoption of the ordinance and passage to print and publish. The motion was duly seconded by Councilman Rogers, and the roll upon the adoption of the ordinance and passage to print was called, with the following result:

Ayes: Councilmen: Brown, Rogers and Mayor pro tem. Pack

Noes: Councilmen None

Absent Councilmen: Neece

3
IN THE MATTER OF
ADJOURNMENT:

There being no further business to come before the meeting, Commissioner Brown introduced

RESOLUTION NO. 3006-N.S.

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

Ayes: Councilmen: Brown, Rogers and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: Neece.

ATTEST H. E. CRAGG,
City Clerk

The Council met in adjourned session this date, pursuant to Resolution No.

3005-N.S at 7:30 P.M. There were present: Councilmen: Brown, Rogers and Mayor Pro tem Pack

Absent: Councilmen: Neece

1
IN THE MATTER OF
FINAL ADOPTION OF
ORDINANCE NO 477-
N.S.:

Ordinance No. 477-N.S., amending Ordinance 434-N.S. so as to prohibit jitney dance halls, having been introduced at the regular meeting of the Council held on the 12th day of September, 1934,

and having been printed and published as required by the City Charter, coming on for final adoption at this time, upon roll call it was so finally adopted by the following vote:

Ayes: Councilmen: Brown, Rogers, and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: Neece

2
IN THE MATTER OF
FINAL ADOPTION OF
ORDINANCE NO 478-
N.S.

Ordinance No. 478-N.S., providing for the licensing and regulating the carrying on of certain professions, trades, callings and occupations in the City of Modesto, providing for the method of collecting such licenses, and repealing certain ordinances, having been introduced and passed to print and publish at a special meeting of the Council held on the 13th day of September, 1934, coming on for final adoption at this time, Mayor pro tem. Pack declared that a hearing of any and all protests to the adoption of the Ordinance would be heard by the Council.

3
Attorney T.B.Scott, representing the business and professional men's interests, addressed the Council demanding that the license measure be dropped entirely; further stating that in its present form it is unjust, unnecessary, oppressive and discriminatory. Mayor Pack informed the spokesman that the Council was willing to meet with a representation of merchants and adjust any undesirable features of the ordinance. Mr. Scott declared that no modification of the ordinance is favored by the group he represents, and wishes elimination of the ordinance. He was upheld in this demand by Mr. C.S.Browne and D. P. Boothe.

4
After attempts to show the advantage of the license tax in reducing tax on real property, and in view of the unconciliatory and prejudiced attitude of the representatives of merchants and professional men present, it was the unanimous opinion of the Council that the ordinance in its present form should be laid over indefinitely, pending further study of city finances and license legislation; whereupon Commissioner Brown introduced

RESOLUTION NO 3007-N.S.

laying over indefinitely the final adoption of Ordinance No. 478 N.S., which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Brown, Rogers, and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF
ADJOURNMENT:

There being no further business to come before the meeting
Commissioner Brown introduced

RESOLUTION NO 3008-N.S.

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

Ayes: Councilmen: Brown, Rogers, and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: Neece

ATTEST H. E. GRAGG
CITY CLERK

September 26th, 1934

The Council of the City of Modesto convened in regular session this day, and there were present: Councilmen: Brown, Rogers, and

Mayor Pro tem. Pack

Absent: Councilman, Neece

1
IN THE MATTER OF
MINUTES:

The minutes of the regular meeting of September 12th, 1934; of the special session of September 12th, 1934; and of the adjourned session of September 19, 1934, having been heretofore read by each Councilman, were un-
2
animously approved as so read.

3
IN THE MATTER OF
COMMUNICATIONS:

A Communication was received from the League of California Municipalities reviewing action of the State Legislature in Special session affecting cities. Same was read by the Council and ordered filed.

A Communication was received from T. H. Kewin lauding the action of the Council in attempting to enact a business license measure in order to relieve the tax burden on real property. Same was read by the Council and ordered filed.

A Communication was received from Edward Arps relative to the proposed business license measure. Same was read by the Council and ordered filed.

A Communication was received from "John Doe" stating that he had signed a petition circulated at the Modesto Milk Producer's Association Plant protesting against the proposed business license ordinance under threat of losing his job if he refused to sign the petition. Same was read by the Council and ordered filed.

5
6
IN THE MATTER OF
HEARING PROTESTS
TO LUNCH WAGON:

Pursuant to the filing of petition with the Council by Burdean Thompson for the establishment of a lunch wagon at the corner of Stoddard & College Avenues in Block 503, and pursuant to posting and publishing of notices setting forth a time for hearing of any protests to the granting of the permit as petitioned, this being the time set forth in said notice, it was revealed that no protests either written or oral have been filed with the Council; whereupon Commissioner Rogers introduced

RESOLUTION NO. 3009-N.S.

granting a permit to Burdean Thompson for the establishment of a lunch wagon as prayed for in his petition when all provisions of city ordinances relative to operation thereof shall have been complied with, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Brown, Rogers, and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilman Neece

IN THE MATTER OF
BIDS FOR GASOLINE:

Pursuant to advertising for bids for gasoline in quantity lots, and this being the time set forth for the opening of such bids, it was revealed that there were on file nine bids, which the Council proceeded to open and declare as follows:

NAME OF BIDDER	PRODUCT	POSTED PRICE	NET MAXIMUM PERIOD 90-DAY	3000 to 10,000 Gals per month	Over 10,000 Gals. per month
GILMORE OIL CO.	Red Lion Blu-Green	\$.16 .14	\$.1550 .1350	\$.1925 .1675	\$.18625 .16125
RICHFIELD OIL COMPANY	H1-Octane	.16	.135	.1925	.1612
SHELL OIL CO	Super-Shell	.16	.135	.1925	.1612
SIGNAL OIL & CAOLINE CO.	Purr-Pull	.02½ per gal less than posted tank wagon price at time of delivery		.01	.02
UNION OIL CO.	Union 76	.16	.13½	.1925	.1612
SMYTHE OIL CO.	Pink-Proof	.14	-	.1675	.00½
STANDARD OIL CO	No. Cert. Check	.16	.145	-	.1437
J.S. WEST & CO. & GENERAL PETROLEUM CO	Mobilgas Metro Gen. Ethyl	- - -	- - -	.1925 .1675 .2175	.01 .00½ .01
ASSOCIATED OIL COMPANY	Flying A	.02½ discount from service station price at time of delivery-100 gal. lots		.01	.02

Whereupon it appearing that the bids of the Smythe Oil Company; of the Standard Oil Company of California; of the J.S. West Co. in conjunction with the General Petroleum Company of California; and of the Associated Oil Company were unaccompanied by certified checks or bidding bonds as specified in the notice to bidders, Commissioner Rogers introduced

RESOLUTION NO. 3010 N.S.

rejecting the said bids of the Smythe Oil Company; Standard Oil Company of California; J. S. West & Co.; General Petroleum Co.; and Associated Oil Company and directing that they be returned to the bidders by the City Clerk together with letter of explanation of their rejection; and providing that the remaining qualified bids be referred to the City Engineer for tabulation and report at the next regular meeting, which resolution was regularly adopted by the following vote:

- Ayes: Councilmen: Brown, Rogers, and Mayor pro tem. Pack
- Noes: Councilmen: None
- Absent: Councilmen: Neece

IN THE MATTER OF BIDS FOR FLEET AUTOMOBILE INS.: Pursuant to advertising for bids for fleet automobile insurance, and this being the time set forth for the

for the opening of such bids, it appeared that there were on file eleven bids, which the Council proceeded to open and declare as follows:

THE GRANGE COMPANY	Pacific Indemnity Co.	\$1000.99
Haack Ins. Agency	Employers' Liability Co.	1192.36
King & Giddings	Pacific Indemnity Co.	1000.99
Jas. McCormick	Western Casualty Co.	920.90
L. T. Moss Agency	St. Paul Mercury Indem. Co.	1088.95
W. H. Murray	Western Casualty & Surety	831.11
R. Purdy	General Ins. Co. of America	1421.62
W.D. Toomes	Central Surety & Ins. Corp	895.32
Fred Weber	Aetna Casualty & Surety Co. & Underwriters at Lloyd's	1123.64
H. R. Windus	Metropolitan Casualty Co.	845.15

Whereupon Commissioner Rogers introduced

RESOLUTION NO 3011-N.S.

referring the above named bids to the City Attorney, the City Clerk, and the Commissioner of Finance and Revenue for tabulation and report at the next regular meeting of the Council, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Brown, Rogers, and mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: Neece

9
IN THE MATTER OF
PETITION FOR CAN-
CELLATION OF ASS-
ESSMENT AND TAX
SALE:

There was filed with the Council by the Beard Land & Investment Company a petition for the cancellation of an assessment and tax sale affecting lots 5 to 8 inclusive, Block 29, of the City of Modesto; which petition was taken under advisement by the Council pending the decision of the City Attorney in the matter.

10
IN THE MATTER OF
DEED FOR RIGHT OF
WAY

The matter of accepting deed from Mrs. E. Vaccaro for strip of land in Lot 5 Block 19, for the purpose of eliminating curve at the intersection of Maze Boulevard with 5th Street and Washington Street, was by unanimous consent of the Council laid over to the next regular meeting.

11
IN THE MATTER OF
FINAL ADOPTION OF
ORDINANCE

Ordinance No. 476-N.S. appropriating money for the purchase of water and sewer pipe and motor equipment for the Public Works Department coming on for final adoption pursuant to its publication, it was upon roll call adopted by the following vote:

Ayes: Councilmen: Brown, Rogers and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: Neece

12
IN THE MATTER OF
ADJOURNMENT:

There being no further business to come before the meeting
Commissioner Brown introduced

RESOLUTION NO. 3012-N.S.

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

Ayes: Councilmen: Brown, Rogers, and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: Neece

ATTEST H. E. GRAGG
City Clerk

October 10th, 1934

The Council of the City of Modesto met in regular session this date, and there were present Councilmen: Brown Neece Rogers and Mayor pro tem. Pack
 Absent: Councilmen: None

IN THE MATTER OF MINUTES: The minutes of the regular session of September 26th, 1934, having been heretofore read by each Councilman, were unanimously approved as so read.

IN THE MATTER OF CLAIMS: The claims against the City of Modesto for the month of September, 1934, having been heretofore audited by the Council, Commissioner Neece introduced

RESOLUTION NO. 3013-N.S.

ordering that all of the said claims so audited and approved be allowed with reference being made to the Auditor's Cash Book for further details relative to the amounts of withdrawals from the various funds as follows:

GENERAL FUND-----	\$18,574.95
WATER FUND-----	4,262.41
LIBRARY FUND-----	1,541.63
BOND RED. INT. FUND-----	12.50
ST. BOND RED. INT. FUND-----	2,324.79
UNAPPORTIONED FUND-----	2.73
	<u>\$26,719.01</u>

which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers, and Mayor Pro tem. Pack
 Noes: Councilmen: None
 Absent: Councilmen: None

IN THE MATTER OF BIDS FOR MACHINE SHOP Pursuant to advertised notice to contractors for bids or proposals for the construction of a Machine and Repair Shop at the corporation yard situated at 8th and L Streets, and this being the time set forth in such notices for the opening of said bids, it was revealed that there were on file four bids which were opened and declared as follows:

BIDDER	AMOUNT	ALTERNATE #1	ALTERNATE #2	ALTERNATE #3
Ernest Green	\$8,670.00	\$9,850.00	\$8,750.00	\$9,870.00
H. Tennyson	9,700.00	10,900.00	9,700.00	10,960.00
L. Ubels	9,025.00	10,175.00	8,950.00	10,125.00
Valley Constructors	10,000.00	11,750.00	10,000.00	11,372.00

Whereupon Commissioner Rogers introduced

RESOLUTION NO. 3014-N.S.

directing that the above listed bids be referred to the City Engineer for tabulation and report thereon at the next regular meeting of the Council which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack
 Noes: Councilmen: None
 Absent: Councilmen: None

4
IN THE MATTER OF
BID FOR FLEET AUTO
INSURANCE

Pursuant to the receiving of bids for fleet automobile insurance on September 26th, 1934, and action thereon having been laid over until this time, there was filed with the Council report of the committee to which the bids were referred setting forth their findings, and it appearing that the bid of W.H. Murray for \$831.11 is lower than that of Harry Windus for \$845.15, the former bid not covering hired automobiles, and the latter covering same; Commissioner Neece introduced

RESOLUTION NO. 3015-N.S.

accepting the bid of W. H. Murray in amount of \$831.11 for fleet automobile insurance, and directing that the City Clerk return to the unsuccessful bidders their certified checks accompanying their bid, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

5
IN THE MATTER OF
BIDS FOR GASOLINE:

Pursuant to the receiving of bids for gasoline in quantity lots on September 26th, 1934, and action thereon having been laid over to this time, there was filed with the Council verbal report of the City Engineer of his findings in the matter; and it appearing that each bid is for the same amount, it was the opinion of the Council that the bid should be awarded equally among those oil companies maintaining plants within the City limits. Whereupon Commissioner Rogers introduced

RESOLUTION NO. 3016-N.S.

directing that the contract for gasoline to be used by the City of Modesto during the coming year be awarded on a quarterly basis to the Shell Oil Company; the Richfield Oil Company; and the Signal Oil and Gas Company, and directing that the City Clerk return to the unsuccessful bidders their certified checks accompanying their bids, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

6
IN THE MATTER OF
PETITION FOR PARK
CONCESSION:

There was filed with the Council petition of the Girl Scouts through their leader, Mrs. Matilda Schafer, for certain concession rights in Beard Brook Park for the Girl Scout's organization exclusively, namely: the constructing of a small landing pier for boats on the northwesterly bank of Beard Brook opposite the old spillway, the clearing of bushes from this bank, the construction of an outdoor fireplace and grill, and the construction of a small building for locker room for Girl Scout supplies, with or without rest room. And upon consideration of the petition it was the unanimous opinion of the Council that same should be granted; whereupon Commissioner Neece introduced

RESOLUTION NO. 3017-N.S.

granting concession rights to the Girl Scouts in Beard Brook Park as petitioned, providing that any and all buildings be constructed under the supervision of the City Engineer, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF
PETITION FOR CAN-
CELLATION OF TAX
SALES

There was filed with the Council a petition by the Bear
Land and Investment Company for the cancellation of tax
sales for the years 1929, 1930, and 1931 on the assessment

of improvements of Ernest Ruiz upon property known as lots 5 to 8 inclusive in
Block 29 setting forth in detail the tenets of the claim, and upon consideration
of the same by the Council, Commissioner Neece introduced

RESOLUTION NO. 3018-N.S.

ordering the assessments against Ernest Ruiz, the tax liens thereof, the certifi-
cates of sale and the tax deeds pursuant thereto for the years 1929, 1930 and
1931, evidenced by tax sales certificates No. 3012, 3211 and 3275 cancelled in so
far as same apply to Lots 5, 6, 7 and 8 in Block 29 of the City of Modesto, and to
all other improvements upon said lots, and directing that the County Recorder make
the proper entries on his records cancelling same, which resolution was regularly
adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem Pack

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF
PETITION FOR ELIM-
INATION OF PARALLEL
PARKING ON WEST H ST.

There was filed with the Council by Messrs Thrasher, Bassi,
and Zubani a petition signed by approximately 160 residents
of West Modesto asking that parallel parking on West H

Street be eliminated on the ground that it impairs parking facilities to such an
extent as to injure business and that it is not necessary to maintain parallel
parking to insure traffic safety. The petition was taken under advisement by the
Council, with instructions to the Chief of Police to attempt to correct the con-
dition complained of by routing traffic over I Street as much as possible so as
to avoid a congestion of parked cars on H Street.

IN THE MATTER OF
PETITIONS FOR BEER
LICENSES:

There were on file with the Council petitions for the sale
of beverages containing 3.2% alcohol in the City of Modesto

as follows:

CHAS. H. MOOREA
E. R. MOOREA

WHOLESALE
RETAIL

Merced, Calif.
1014 H St. Modesto

and it appearing that the said applications have been investigated and approved by
the Commissioner of Public Health and Safety, it was the unanimous opinion of the
Council that the applications should be approved; whereupon Commissioner Brown
introduced

RESOLUTION NO. 3019-N.S.

approving the above named applications and directing that the City Clerk issue the
licenses as prayed for, which resolution was regularly adopted by the following
vote:

Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF
DEED TO STRAIGHTEN
CURVE AT FIFTH &
WASHINGTON:

Pursuant to the matter of deed from Mrs. E. Vaccaro to
portion of Lot 5 in Block 19 for the purpose of eliminating
sharp curve at the intersection of Washington, Fifth

and Maze Boulevard having been laid over to this time, and it appearing that the deed is not ready for submission, by unanimous consent of the Council further action in the matter was laid over to the next regular meeting.

11
IN THE MATTER OF
CONVENTION OF PLUMB-
ING INSPECTORS:

It being called to the attention of the Council that a convention of plumbing inspectors of various cities throughout the State is to be held in Stockton in the near future, Commissioner Rogers introduced

RESOLUTION NO. 3020-N.S.

authorizing assistant plumbing inspector, G. E. Baker, to take part in said convention on behalf of the City of Modesto, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

12
IN THE MATTER OF
PARALLEL PARKING
ON 10th and 11th:

Pursuant to congested traffic conditions existing in the downtown area of the City, the opinion of the Council was that parallel parking might alleviate this condition; whereupon Commissioner Brown introduced

RESOLUTION NO. 3021-N.S.

directing that angle parking on 10th and 11th Streets between G & K Streets be abolished, and that parallel parking spaces be marked off by the Department of Public Works, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

13
IN THE MATTER OF
STOP SIGN AT 7th
AND I STREET:

Commissioner Brown introduced

RESOLUTION NO. 3022-N.S.

directing that the stop sign be eliminated at the corner of 7th and I Streets, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

14
IN THE MATTER OF
TAX COMPROMISE FOR
RIGHTS OF WAY IN
BLOCK 133:

Pursuant to notice given to the City of Modesto by W.L. Pollard attorney for Mr. and Mrs. Fred Ekstein who are the holders of trust deed to property in Block 133, to which T.H. Kewin holds fee title, that the deed for right of way executed by said T.H. Kewin was unlawful and that the City of Modesto had unlawfully converted a portion of their property for roadway purposes, at this time the City Attorney recommended that a compromise agreement be made with Mr. and Mrs. Ekstein for the cancellation of certain delinquent taxes against their property in question, in exchange for the 80' roadway right of way through and across their property. Whereupon Commissioner Rogers introduced

RESOLUTION NO. 3023-N.S.

directing the City Attorney to make a proposal to Mr. and Mrs. Fred Ekstein whereby the City Council will cancel delinquent tax sales No. 3994 and No. 4587 affecting Lots 1 to 11 inc. and Lots 19 to 32 inc. in Block 133, in return for quit claim deed from Mr. and Mrs. Ekstein for roadway right of way through Lots 1 to 8 inc. in Block 133 and the

property lying east of the southerly boundary line of said right of way, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

15
IN THE MATTER OF
APPLICATION FOR
PERMIT FOR SERVICE
STATION:

Dan Soranna appeared before the Council requesting permit to construct, operate and maintain a gasoline service station on lots 31 and 32 in Block 49 located at the corner of 9th and C Streets; whereupon Commissioner Rogers introduced

RESOLUTION NO 3024-N.S.

directing the City Clerk to cause a notice of the application to be posted on said property as provided in Ordinance No. 344-N.S. setting forth the next regular meeting of the Council as the time and place when and where any protests to the granting of the permit as prayed for will be heard, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

16
IN THE MATTER OF
REPORT

There was filed with the Council reports of A.J. Carlson, F. J. Rossi and H. E. Gragg, covering the convention of the League of Municipalities held at Pasadena. Same were read by the Council and ordered filed.

The reports of the various departments for the month of September, 1934 were reviewed by the Council and ordered filed.

17
IN THE MATTER OF
ADJOURNMENT:

Commissioner Brown introduced

RESOLUTION NO. 3025-N.S.

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

Ayes: Councilmen Brown, Neece, Rogers and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG,
City Clerk

COUNCIL, City of Modesto

October 24th, 1934

The Council of the City of Modesto met in regular session this date, and there were present: Councilmen: Brown, Neece, Rogers and Mayor pro tem Pack
Absent: Councilmen: None

1 IN THE MATTER OF MINUTES

The minutes of the regular session of October 10th, 1934, having been heretofore read by each Councilman, were unanimously approved as so read.

2 IN THE MATTER OF COMMUNICATION:

A communication was received from the Central Valley Council of the California State Chamber of Commerce relative to annual convention of that organization in San Francisco, October 25th to 26th, 1934. Same was read by the Council and ordered filed.

3 IN THE MATTER OF CLAIM:

There was filed with the Council claim of Bancroft-Whitney Company in the amount of \$12.00 for 1934 Supplement "McQuillin Municipal Corporations" statute book furnished to the City Attorney; whereupon Commissioner Neece introduced

RESOLUTION NO. 3026-N.S.

ordering the above claim approved, and directing the Clerk and Auditor to issue check to the claimant in amount above stated, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

4 IN THE MATTER OF PERMIT FOR GAS STATION, 9th & O:

Pursuant to application of Dan Soranna for permit to erect, operate and maintain a gasoline service station on property known as Lots 31 and 32 in Block 49 of the City of Modesto, and it appearing from affidavit on file that the City Clerk did post a notice as required by Ordinance No. 344-N.S. setting forth a time for hearing of any protests to the granting of said permit to the petitioner; and this being the time set forth for such hearing, and there being no protests either oral or written on file with the Council, Commissioner Rogers introduced

RESOLUTION NO. 3027-N.S.

granting permit to the applicant for erection, operation and maintenance of service station on the above described property, when all provisions of city ordinances relative to building permit fees have been complied with, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

5 IN THE MATTER OF AWARD OF CONTRACT FOR MACHINE SHOP:

Pursuant to receiving of bids for the erection of a machine shop at the corporation yard at 8th and L Streets and the award of contract for the construction of said machine shop having been laid over to this time, the City Engineer reports the bid of Ernest Green, alternate No. 1 in amount of \$9850.00, to be the lowest and best bid; whereupon Commissioner Rogers introduced

RESOLUTION NO. 3028-N.S.

accepting the bid of Ernest Green, proposal Alternate No. 1 in amount of \$9850.00 for the construction of machine shop, and directing the Mayor and City Clerk to enter into contract with the said Ernest Green on behalf of the City of Modestp; and further directing that the certified checks be returned to the unsuccessful bidders, which motion being duly seconded by Commissioners Neece, the resolution was regularly adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem; Pack
Noes: Councilmen: None
Absent: Councilmen: None

IN THE MATTER OF
BIDS FOR WATER
PIPE:

Pursuant to appropriation for the purchase of water pipe, Commissioner Rogers introduced

RESOLUTION NO. 3029-N.S.

6 instructing the City Clerk to advertise for bids for water pipe as per the specifications to be furnished by the City Engineer, the said bids to be received at the regular meeting of November 14th, 1934, which resolution was regularly adopted by the following vote:

A yes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack
Noes: Councilmen: None
Absent: Councilmen: None

IN THE MATTER OF
BIDS FOR AUTOMOBILE
EQUIPMENT:

Pursuant to appropriation for the purchase of certain automobile equipment for the City of Modesto, Commis-

7 ioner Rogers introduced

RESOLUTION NO. 3030-N.S.

instructing the City Clerk to advertise for bids for one light weight coupe and one dump truck as per the specifications to be furnished by the City Engineer, the said bids to be received at the regular meeting of November 14th, 1934, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack
Noes: Councilmen: None
Absent: Councilmen: None

IN THE MATTER OF
PETITION FOR FREE
WATER:

There was filed with the Council petition of the Stanislaus County Welfare Department seeking free

8 water service to the following named persons who are receiving county aid, and who are unable to pay the water service charges;

Frank Vetro -- 220 Spencer St.
J. B. Tobias -- 115 Redwood St.
E. Fernandes -- 1213 7th Street

and it being the unanimous opinion of the Council that leniency should be shown in the matter; commissioner Neece introduced

RESOLUTION NO. 3031-N.S.

granting free water service to the above named indigents until such time as they are able to pay for same, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack
Noes: Councilmen: None
Absent: Councilmen: None

9 IN THE MATTER OF
POLICE PENSION
FUND:

There was filed with the Council request of Attorneys Griffin and Boone seeking in behalf of Mrs. Thos. G.

McCarthy, widow of Patrolman McCarthy, the pension allowed by the Police Pension Fund Act of 1889 in the amount of \$1000.00. The matter was by unanimous consent of the Council referred to the City Attorney for investigation and recommendation.

IN THE MATTER OF
PETITION TO USE
COUNCIL ROOM FOR
MEETINGS:

There was filed with the Council the request of the Chairman of the Modesto National Housing Act Committee to use the Council Chambers for the purpose of conducting a series of public meetings for the purpose of explaining the National Housing Act Plan. It appearing from record that on the 23rd day of March, 1932, the Council directed the City Clerk to discontinue the practice of permitting public gatherings in the Council Chambers owing to the inaccessibility of same, by unanimous consent of the Council the previous order was permitted to stand.

IN THE MATTER OF
DEED FROM MRS. E.
VACCARO:

Pursuant to the matter of deed from Mrs. E. Vaccaro for right of way for the purpose of eliminating curve at the intersection of Washington and Fifth Streets and Maze Boulevard having been laid over to this time, and the said deed together with agreement relative to installation of curbing and paving on the said right of way having been presented to the Council for acceptance, Commissioner Rogers introduced

RESOLUTION NO. 3032-N.S.

providing that the agreement tendered in connection with Edna and F.B. Vaccaro for a portion of lots 5 and 6 in Block 19 of the City of Modesto covering a parcel of property jutting into the intersection of Fifth Street and Washington Street at the junction of Maze Boulevard be accepted, providing that the City will at its own cost construct the necessary curbs, gutters, sidewalks with incidental paving, and reconstruct the driveway from Fifth Street of the same dimensions as at present, and will assume the liability for the taxes and assessments against the property conveyed to the City for the fiscal year beginning July 1, 1934, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers and Mayor pro tem. Pack,
Noes: Councilmen: None
Absent: Councilmen: None

Whereupon Commissioner Rogers introduced

RESOLUTION NO. 3033-N.S.

accepting the deed from Edna and Frank Vaccaro for portion of lots 5 and 6 in Block 19 of the City of Modesto as part of the intersection of Washington and Fifth Street, and directing that the same be recorded in the office of the County Recorder, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack
Noes: Councilmen: None
Absent: Councilmen: None

IN THE MATTER OF
TRANSFER OF FUNDS

Commissioner Neece introduced

RESOLUTION NO. 3034-N.S.

transferring the sum of \$50,000.00 from the Water Fund to the General Fund, and directing the Auditor and Treasurer to make the necessary entries on their records to effect such transfer, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack
Noes: Councilmen: None
Absent: Councilmen: None

IN THE MATTER OF
RADIO INTERFERENCE:

Pursuant to proposed ordinance to regulate radio interference in the City of Modesto having been tabled by the Council on the 26th day of November, 1932, at this time a committee of radio dealers composed of Messrs Gada and Warren asked the Council to again take the ordinance under consideration, Whereupon the same was referred to the City Engineer for investigation and recommendation.

IN THE MATTER OF
GOLF COURSE FEES:

Pursuant to reopening of golf course to the public after having been closed for certain improvements, Commissioner Neece introduced

RESOLUTION NO. 3035-N.S.

amending Resolution No. 2743-N.S. fixing the fees to be charged for the use of the Municipal Golf Course, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF
AMENDING ORD. 434-
N.S. TO EXEMPT
LODGE DANCES:

There appeared before the Council representative of the Dania Lodge, Ladies of the Woodcraft, Native Daughters of California, and Daughters of Pechahantas protesting against the license fee and fee for special police officer imposed upon lodges for conducting benefit dances in the City of Modesto. The Council, after hearing the protests of the various speakers was of the opinion that some relief should be afforded in the matter; whereupon Commissioner Neece introduced

RESOLUTION NO. 3036-N.S.

directing the City Clerk to confer with the City Attorney in drafting an amendment to the present ordinance to correct the protested issue.

IN THE MATTER OF
ADJOURNMENT:

There being no further business to come before the meeting, Commissioner Brown introduced

RESOLUTION NO. 3037-N.S.

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

Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG
CITY CLERK

November 14, 1934

The Council of the City of Modesto met in regular session this date, and there were present: Councilmen: Brown, Neece, Rogers, and Mayor pro tem Pack

Absent: Councilmen: None

1 IN THE MATTER OF MINUTES:

The minutes of the regular session of October 24, 1934, having been heretofore read by each Councilman were unanimously approved as so read.

2 IN THE MATTER OF USE OF STREETS FOR HOLIDAY DECORATIONS:

C. A. Wille appeared before the Council on behalf of the Modesto Merchants Ass'n and petitioned permission to decorate the City streets for the Christmas holiday season; to hold a merchant's open-house night on November 30th and a Kiddie Parade on December 8th with the Police Department aiding in directing traffic. Whereupon Commissioner Brown introduced

RESOLUTION NO 3038-N.S.

granting permission for the decoration of the streets as petitioned and directing that the Fire and Police Departments cooperate with the Merchants Association to the fullest extent in carrying out the above plans, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

3 IN THE MATTER OF PROTEST TO OIL ON SIDEWALK:

Miss Corda Stone appeared before the Council protesting against an accumulation of oil on the sidewalk in front of service station at the corner of 11th and H Street. The matter was by order of the Council referred to the City Engineer for adjustment.

4 IN THE MATTER OF PROTESTS TO SYSTEM *of Parallel Parking*

Pursuant to adoption of a system of parallel parking on 10th and 11th Sts. between G and K Streets, there were on file with the Council the following protests:

5 Verbal complain of E. H. Zion representing a client who maintains a place of business on 11th Street;

6 Written communication from Gratton Grange No. 528 objecting to parallel parking because of lack of parking spaces;

7 Copy of resolution adopted by the Claus-Riverbank-Dry Creek Farm Bureau Center opposing the system of parallel parking or in event it is pursued asking that the City provide free parking lots near the downtown section;

8 Copy of resolution adopted by Prescott Grange No. 519 asking the restoration of angle parking in the downtown district;

9 Communication from the Stanislaus County Farm Bureau endorsing action of the Claus-Riverbank-Dry Creek Farm Bureau center in protesting against the system of parallel parking;

Whereupon after due consideration of the various protests by the Council they were ordered filed and their content to be again considered later in the meeting.

10 IN THE MATTER OF COMMUNICATIONS:

Communication was received from the Central Valley

Division of the League of California Municipalities relative to meeting of that organization to be held November 15, 1934 in Lodi. Same was read by the Council and Mayor Pack, City Attorney Carlson, and City Clerk Cragg, together with State Senator J.C. Garrison, expressed intent of attending same.

Communication was received from J. H. Bradley, Superintendent of Modesto City Schools, praising and endorsing the Recreational Hobby Activity Project which is being sponsored by the Modesto Council Parent-Teachers Association, to be financed through Federal Aid under F.E.R.A. Whereupon Commissioner Rogers introduced

RESOLUTION NO. 3039-N.S.

concurring in the sentiments expressed by Mr. Bradley and adding the approval of the City Council in the attempt of the Modesto Council Parent-Teachers Association through the F.E.R.A. to further the cause of educating adults for better use of leisure time, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF CLAIMS:

Claims against the City of Modesto for the month of October, 1934, having been heretofore audited and approved by the Council, Commissioner Neece introduced

RESOLUTION NO. 3040-N.S.

directing that all of the said claims so audited and approved be allowed, with reference being made to the Auditor's Cash Book for further details relative to amounts of withdrawals from the various funds as follows:

GENERAL FUND-----	\$20,320-51
WATER FUND-----	3,755.88
LIBRARY FUND-----	1,623.73
BOND RED. INT FUND-----	-
ST. BOND RED. INT. FUND-----	7.70
UNAPPORTIONED FUND-----	-
TOTAL-----	\$25,707.82

which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

A Claim in amount of \$75.00 together with letter pertaining to same, was filed with the Council by the League of California Municipalities for services maintaining a legislative bureau at Sacramento during the time the California State Legislature is in session. Upon discussion of the matter it was the unanimous opinion of the Council that the claim should be allowed in view of the benefits to be obtained by a legislative lobby for municipalities; whereupon Commissioner Rogers introduced

RESOLUTION NO. 3041-N.S.

allowing the said claim in amount above stated, and directing the City Clerk and Auditor to issue warrant therefor, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF
PETITION FOR TAX
SETTLEMENT:

14
Petition was received by the Council from John H. Thomsen, attorney for Ina M. Sutliff, requesting that redemption penalties be remitted on delinquent tax sales standing against property known as Lots 11 and 12 in Block 430 of the City of Modesto in order that a loan might be obtained on the property to redeem all delinquent taxes. Upon consideration of the matter by the Council, and upon being informed by the City Auditor that the total amount required to redeem the tax sales is \$272.41, of which \$167.03 was the original amount of the tax sale, by unanimous consent of the Council the City Auditor was directed to inform Mr. Thomsen that the City would accept the lump sum of \$225.00 in full redemption of the delinquent tax sales.

15
IN THE MATTER OF
SIGN BOARD APPLI-
CATION:

Petition of Foster Kleiser Company was filed with the Council for permit to erect two small sign boards, size 5'x10', on property known as Lots 3 to 7 inc. in Block 443, and on property in Block 8 of the City of Modesto. It appearing that due consent of the property owners and approval of the City Engineer had been obtained as required by City Ordinance No. 302-N.S., Commissioner Rogers introduced

RESOLUTION NO. 3042-N.S.

granting permission to the Foster Kleiser Company to erect the sign boards as petitioned, subject to license fees imposed by City ordinance, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack.

Noes: Councilmen: None

Absent: Councilmen: None

16
IN THE MATTER OF
APPROVAL OF BONDS
OF ERNEST GREEN:

Pursuant to award of contract for corporation yard machine shop to Ernest Green, there was filed with the Council bonds of the said contractor as follows: American Employers Insurance Company of Boston, Mass., in amount of \$5000.00 for equipment labor and materials; and in amount of \$10,000.00 for faithful performance of contract. Whereupon the said bonds having been approved as to content and form by the City Attorney, Commissioner Rogers introduced

RESOLUTION NO. 3043-N.S.

approving the bonds above set forth, which motion being duly seconded by Commissioner Brown, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

17
IN THE MATTER OF
ORDINANCES

LICENSING GAMES
OF SKILL:

Pursuant to certain games of skill being conducted in the City of Modesto, and it being deemed advisable to fix a license fee for conducting of same, Commissioner Brown introduced

ORDINANCE NO. 479-N.S.

providing for the regulation and licensing of certain games of skill in the City of Modesto, which ordinance was duly passed to print and publish by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

18
APPROPRIATION FOR
CASH REGISTER

Commissioner Neece introduced

ORDINANCE NO 480-N.S.

appropriating the sum of \$1300.00 or so much thereof as may be necessary for the purchase of a cash register for the City Clerk's office, which ordinance was duly passed to print and publish by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

APPROPRIATION FOR
AIRPORT

Pursuant to action heretofore taken by the City Council in acquiring title to certain real property

for airport purposes, being

$\frac{N}{2}$ of the Southeast Quarter of Section 34, Twp 38. Range 9E. and according to terms of agreement with Beard Land and Investment Company, owners of said property, a payment of \$12,000.00 will be due in January, Commissioner Neece introduced

ORDINANCE NO. 481-N.S.

appropriating the sum of \$12,000.00, or so much thereof as may be necessary, out of the General Fund of the City of Modesto for the fiscal year beginning July 1st, 1934, for the purpose of completing the purchase of the real property above described for airport purposes, which ordinance was duly passed to print and publish by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF
BIDS FOR AUTOMOBILE
EQUIPMENT:

Pursuant to advertising for bids for one lightweight automobile and one dump truck for the Public Works

Dept., the City Clerk reported receipt of nine sealed bids, which the Council proceeded to open and declare as follows:

(See Supplementary sheet attached)

It appearing that the bid of Federal Knuckey Truck Company was not accompanied by a certified check as called for in the notice to bidders, Commissioner Rogers introduced

RESOLUTION NO. 3044-N.S.

Declaring the bid of Federal Knuckey Truck Company disqualified, and referring the remaining bids to the City Engineer for tabulation and report at the next regular meeting, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF
BIDS FOR WATERPIPE:

Pursuant to advertising for bids for certain water pipe and fittings, the City Clerk reported receipt

of seven sealed bids, which the Council proceeded to open and declare as follows:

(See Supplementary sheet attached)

Whereupon Commissioner Rogers introduced

RESOLUTION NO. 3044A-N.S.

referring the said bids to the City Engineer for tabulation and report at the next regular meeting of the Council, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack,

Noes: Councilmen: None

Absent: Councilmen: None

22
IN THE MATTER OF
M.I.D. TAX CLAIM
TO CERTAIN PROPERTY:

Pursuant to acquisition of title from Mrs. E.V. Plummer to property known as Lots 21 to 24 in Block 36 of the City of Modesto, the City Clerk reported to the Council that the Modesto Irrigation District now claims an unredeemed tax title to said property exists upon their delinquent tax records. The matter was, by unanimous consent of the Council, referred to the City Attorney for the necessary action to clear the title to said property.

23
IN THE MATTER OF
POLICE PENSION:

Pursuant to notification from Attorneys Griffin and Boone of claim of Mrs. Thos. McCarthy, widow of the late Patrolman McCarthy, to \$1000.00 pension provided by state legislation, and to the subsequent referring of same to the City Attorney, at this time he reported that it was his recommendation that no further action be taken in the matter pending further petition of Mrs. McCarthy's attorneys.

24
IN THE MATTER OF
PROPOSED ORDINANCES:

RADIO INTERFERENCE:
Pursuant to the matter of proposed ordinance to regulate radio interference having been referred to the City Engineer, at this time he reported that he had met with a conference of radio dealers and that further deliberations would be made in the matter before any recommendations could be made.

25
AMENDMENT TO
DANCE ORD. RE:
LODGES:

Pursuant to matter of amending ordinance No. 432-N.S. so as to exempt lodges from regulations and license fees imposed upon public dances having been brought before the Council for consideration, by unanimous consent of the Council the proposed ordinance was laid over indefinitely.

26
IN THE MATTER OF
GOLF COURSE FEES:

Pursuant to recent amendments to Resolution No. 2743-N.S. by Resolution No. 3035-N.S., making certain changes in fees charged at the Municipal Golf Course, at this time it was called to the attention of the Council that the fee for monthly ticket for one single person should be \$3.50 per month rather than the family-rate ticket of \$4.00 per month; whereupon Commissioner Neece introduced

RESOLUTION NO. 3045-N.S.

amending Resolution No. 2743-N.S. as amended by Resolution No. 3035-N.S., providing for a monthly ticket of \$3.50 for a single person, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem Pack

Noes: Councilmen: None

Absent: Councilmen: None

27
IN THE MATTER OF
ROADWAY IN BLOCK
206

Pursuant to property known as Block 206 of the City of Modesto having been deeded to the State of California for delinquent taxes and also to the City of Modesto for delinquent City taxes, and it being the desire of the City of Modesto to acquire the northerly 25 feet of said Block 206 for public Street purposes, at this time an agreement between the City of Modesto and the Stanislaus County Board of Supervisors was tendered the City Council for ratification providing for the purchase of said property for the sum of \$10.00, following the giving of notices as provided by law in such matters, whereupon Commissioner Rogers introduced

RESOLUTION NO. 3046-N.S.

approving the said agreement and instructing the Mayor and City Clerk to affix their signatures thereto in behalf of the City of Modesto, which resolution was regularly

adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF
BUSINESS LICENSE
ORDINANCE:

Pursuant to consideration of the matter of a business license ordinance in and for the City of Modesto

for the purpose of raising sufficient revenue to abolish personal property tax assessments and to lower the real estate tax rate by the Council, at this time Commissioner Rogers introduced

RESOLUTION NO. 3047-N.S.

appointing a committee consisting of the following residents of Modesto to draft a business license ordinance as aforesaid: G.H. Benkendorf, Manager of Modesto Milk Producers Ass'n.; Ray Ward, Ward Furniture Co.; L. L. Dennett, former mayor of Modesto and attorney; Richard Fair, packer of dried fruits; Fred Condit, member of McHenry Library Board of Trustees and groceryman; T. H. Kewin, president of the United Lumber Yards; Geo. F. Covell, proprietor of Covell Hotel; C. C. Nunally, vice-president of California Federation of Labor; R.G. Benson, Modesto Title and Abstract Co.; and providing for the cooperation of the City Attorney and all other City departments with the said committee in accomplishing its purpose, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF
PARKING IN THE
CITY OF MODESTO:

Pursuant to the matter of protests to the instigation of a system of parallel parking in Modesto on 10th and

11th Streets between K and G Streets, at this time the Council discussed the traffic situation in general and the various protests which have been made; whereupon Commissioner Brown introduced

RESOLUTION NO. 3048-N.S.

providing that angle parking be resumed on 10th and 11th Streets between G and K Streets during the holiday season, but that parallel parking on said streets be resumed January 1st, 1935; and instructing the Chief of Police in the interim to strictly enforce existing traffic ordinances prohibiting double parking and enforcing parking limits; and further directing the City Clerk to reply to all written protests made to the Council, informing the protestants of the action taken in the matter, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF
REPORTS:

The regular monthly reports of the various departments for the month of October, 1934, were reviewed

by the Council and ordered filed.

IN THE MATTER OF
ADJOURNMENT:

Commissioner Brown introduced

RESOLUTION NO. 3049-N.S.

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

Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack,

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST. H. E. GRAGG, City Clerk

It is noted bids of pipe and automobiles on pages 357 & 358

COUNCIL, City of Modesto

November 28th, 1934

The Council of the City of Modesto met this day in regular session, and there were present; Councilmen:

Brown, Neece, Rogers and Mayor pro tem. Pack

Absent: Councilmen: None

1
IN THE MATTER OF
MINUTES

The minutes of the regular session of November 14th, 1934 having been heretofore read by each Councilman, were

unanimously approved as so read.

2
IN THE MATTER OF
COMMUNICATIONS:

Communication was received from the SAN FRANCISCO JUNIOR CHAMBER OF COMMERCE asking the mayor to be present at the airport at 1:10 P.M., December 3rd to officially greet a flying delegation from San Francisco which will extend an invitation to the residents of Modesto and vicinity to visit the United States Fleet upon its arrival in San Francisco December 8th. The City Clerk was instructed to advise the communicator that the Mayor would meet the delegation as outlined on behalf of the City of Modesto.

3
Communication was received from the League of California Municipalities acknowledging receipt of \$75.00 paid by the City in support of a municipal legislative lobby bureau. Same was read by the Council and ordered filed.

4
IN THE MATTER OF
CLAIMS:

Claim of the Stanislaus Boys' Band for balance of \$250.00 subsidy apportioned in the City of Modesto Budget for

1934-35 was filed with the Council whereupon Commissioner Neece introduced

RESOLUTION NO. 3050-N.S.

authorizing and instructing the City Clerk to issue warrant in amount of \$250.00 to the Stanislaus Boys' Band for subsidy as aforesated, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

5
IN THE MATTER OF
PROGRESSIVE PAYMENT
ON MACHINE SHOP:

City Engineer Rossi filed with the Council certification of amount due Ernest Green as progressive payment of

\$587.55 being 75% of amount of bid for quantities of work completed on construction of machine shop at corporation yard; whereupon Commissioner Rogers introduced

RESOLUTION NO. 3051-N.S.

authorizing and instructing the City Clerk and Auditor to issue warrant in amount of \$587.55 to Ernest Green for progressive payment on contract as aforesated, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF
AWARD OF BID FOR
AUTO EQUIPMENT:

Pursuant to advertising for bids for one dump truck and one standard light weight coupe and to the referring of said bids to the City Engineer for tabulation, it appears that the bid of General Motors Truck Agency for one 3-Ton Dump Truck at a price of \$1497.85 is the best bid; and that the bid of the Helm Chevrolet Company for one standard 1934 Chevrolet coupe in amount of \$642.01 is the lowest and best bid; whereupon Commissioner Rogers introduced

RESOLUTION NO. 3052-N.S.

awarding the bid for dump truck to the General Motors Agency as aforesaid and the bid for one lightweight coupe to the Helm Chevrolet Motor Company as aforesaid, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Paak

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF
AWARD FOR PIPE
AND FITTINGS:

Pursuant to advertising for bids for water pipe and fittings for water mains to be constructed in the Mensinger Addition and to the subsequent receiving of bids and referring of same to the City Engineer for tabulation, it appears that the bid of the United States Foundry Company for 1400' of 4"; 1200' of 6"; and 1300' of 10" pipe in amount of \$3027.00 is the lowest and best bid; and that the bid of Grinnel Company for 1800' of 12" pipe in amount of \$2937.00, and for fittings in amount of \$231.11 less 2% in ten days is the lowest and best bid. Whereupon Commissioner Rogers introduced

RESOLUTION NO. 3053-N.S.

accepting proposal of United States Foundry Company as above stated in amount of \$3027.00; and accepting the bids of Grinnel Company for pipe in amount of \$2937.00 and for fittings in amount of \$231.11, the latter subject to 2%/10 discount; and rejecting all other bids with directions to 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: Brown, Neece, Rogers, and Mayor pro tem. Paak

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF
PETITION FOR BEER
WHOLESALE'S
LICENSE:

There was filed with the Council application of Mr. H. Wood, 1108 B Street, for a license to sell 3.2% beer at wholesale in the City of Modesto, and the said application having been investigated and approved by Commissioner of Public Health and Safety, A. N. Brown, he introduced

RESOLUTION NO. 3054-N.S.

approving said application and directing the City Clerk to issue the license as prayed for, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Paak

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF
ADJUSTMENT OF DEL-
INQUENT TAXES:

Robert E. Smith of Hanford filed petition with the City Council asking that an adjustment be made of the delinquent taxes standing against property in the City controlled by him known as lots 31 and 32 in Block 118 and tendering \$50.00 as part payment of the delinquent

taxes which have accrued thereon. Upon due consideration of the matter by the Council, Commissioner Neece introduced a resolution, being

RESOLUTION NO. 3055-N. S.

denying the petition for remitting of delinquent penalties, but authorizing the City Clerk to accept the \$50.00 tendered as part payment of the tax delinquencies, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

10
IN THE MATTER OF
FINAL ADOPTION OF
ORDINANCES:

ORDINANCE NO. 479-N.S., licensing and regulating games
of skill in the City of Modesto, having been introduced

at a regular meeting of the Council held November 14, 1934, and having been printed and 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: Brown, Neece, Rogers, and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

OR DINANCE NO. 480-N.S. appropriating funds for

the purchase of a cash register, having been introduced at a regular meeting of the Council held November 14, 1934, and having been printed and 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: Brown, Neece, Rogers, and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

ORDINANCE NO. 481-N.S., appropriating funds for the

2
payment on airport purchase, having been introduced at a regular meeting of the Council held on the 14th day of November, 1934, and having been printed and 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: Brown, Neece, Rogers, and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

13
IN THE MATTER OF
PROPOSED ORDINANCE:

Proposed Ordinance to regular radio interference in
Modesto was by unanimous consent of the Council laid

over to the next regular meeting of the Council for consideration.

Proposed Ordinance to amend Dance Ordinance No. 434-N.S.

14
so as to license each dance hall rather than the individuals conducting the dances in such halls was considered by the Council, and the City Attorney ordered to draft an amendment to the ordinance with such provision and submit the same at the next regular meeting.

15
IN THE MATTER OF
AGREEMENT FOR USE
OF ROOSEVELT FIELD:

Agreement with Bert Lowry for the use of Roosevelt Field
for period beginning February 15th, 1935, and ending

April 1st, 1935, was tendered the Council for approval, and the same having been approved by the City Attorney as to form and content, Commissioner Neece introduced

RESOLUTION NO. 3056-N.S.

approving said agreement for use of Roosevelt Field as aforesaid, which resolution

was regularly adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF
GIRL SCOUT CONCESSION
IN BEARD BROOK
PARK:

Pursuant to Resolution No. 3017-N.S. granting
concession right to Girl Scouts for the erection
of a clubhouse in Beard Brook Park opposite the

old spillway, at this time Commissioner Neece introduced

RESOLUTION NO. 3057-N.S.

amending said Resolution No. 3017- N.S., providing for the site of the Clubhouse
to be in Trestle Glen in Beard Brook Park, which resolution was regularly adopted
by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack

Noes: Councilmen: None

Ebsent: Councilmen: None

IN THE MATTER OF
DISTRIBUTION OF
BEARD BEQUEST:

Pursuant to the last will and testament of T.K.
Beard bequest of \$25,000 was bequeathed to the City upon

certain conditions which conditions have been complied with and such bequest not
having been distributed by the Beard Estate, Commissioner Rogers introduced

RESOLUTION NO. 3058-N.S.

authorizing the City Attorney to file in the Superior Court a petition for distribution o
of bequest of \$25,000 to the City for park purposes by the T.K. Beard Estate execu-
tors, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF
ADJOURNMENT:

Commissioner Brown introduced

RESOLUTION NO. 3059-N.S.

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

Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG,
City Clerk

TABULATION OF BIDS FOR MEETING OF November 14, 1936

ITEM	American CRST IRON PIPE CO.	ENTERPRISE FOUNDRY CORP	GRINNEL CO.	R. E. OLSON CO.	PACIFIC STATES CAST IRON PIPE COMPANY	U. S. PIPE & FOUNDRY CO	UTILITIES SUPPLY CO.
1400' -4" Pipe	\$630.00	-	-	-	\$658.00	\$688.00	\$754.60
1200' 6" Pipe	816.00	-	769.20	-	852.00	762.00	936.00
1300' 10" pipe	1794.00	-	1682.20	-	1885.00	1677.00	1944.80
1800' 12" Pipe	3150.00	-	2937.60	-	3294.00	2952.00	3465.00
TOTAL BID ON PIPE	\$6390.00	-	\$5389.00	-	6689.00	5979.00	7100.40
2-10"x10"x6" Tees	31.60		22.86	(28.40) 31.70	35.20	24.64	(28.50) 31.00
3-12"x12"x6" "	61.80		41.31	(54.75) 61.95	68.70	48.09	(55.95) 61.50
1-12" x12"x12" "	23.05		19.12	20.70 23.05	25.60	17.92	21.30 22.60
2-4"x4"x4" "	11.50		8.54	11.00 11.60	12.80	8.96	10.80 12.10
3-4"x4"x6" "	32.70		17.13	19.05 21.00	28.50	24.00	19.05 20.55
3-6"x6"x6" "	27.00		20.10	6.75 27.00	30.00	21.00	22.65 26.55
1-6"x6"x4" "	8.25		5.71	22.50 8.30	9.15	6.40	6.65 8.20
1-10"x10"x10"x12"	34.20		24.20	18.25 22.20	24.65	28.85	18.65 22.30
1-12"x12"x4"x4"	21.90		13.45	19.05 20.70	24.30	17.01	19.55 21.50
4-10" Slip Sleeves	22.20		22.12	22.20	35.20	19.68	22.20
1-12" " "	7.85		7.83	7.85	11.15	6.96	7.75
3-6" " "	9.30		9.18	8.85	13.05	8.16	9.30
3-12" plugs -2"	10.20		9.00	9.00	10.20	8.70	8.70
2-10" Plugs-2"	5.80	Omitted	4.92	5.50	5.60	4.84	4.60
3-6" Plugs -2"	5.10		3.21	5.40	4.80	4.38	4.35
3-4" Plugs-2"	4.20		2.43	4.50	3.90	3.66	3.50
TOTAL BID ON FITTINGS	\$816.65	\$339.75	\$231.11	\$290.80	\$356.15	\$253.25	\$286.80
	Sales tax on material from Calif.-Net	Net	2% disc. on fittings-no tax	no tax net	no tax net	no tax-net	Sales tax on fittings net

BIDDER:

ITEM ONE LIGHTWEIGHT COUPE

ITEM ONE DUMP TRUCK

JOHN W. CROKER GARAGE

Reo Truck
166" Wheelbase \$1414.50 Sales
alt 1424.75 Tax
alt 1491.37 Incl

GENERAL MOTORS TRUCKS & TRAILERS

G.M.C. Truck:
3-Ton \$1497.85 Sales
2-Ton 1274.20 Tax
Incl.

HELM CHEVROLET CO.

Chevrolet:
1934 Standard \$642.01

Chevrolet;
131 Wheelbase \$1211.65 Sales
157 1242.86 tax
Incl.

R. B. MACBRIDE

Dodge Coupe 745.00
Plymouth " 685.00

Dodge
5975 Lbs. 1268.00 Sales
Tax Incl.

FRANK PARADIS COMPANY

Ford
V-8 Stand. Coupe \$680.90

Ford V-8
157" Wheel. 1283.68 Sales
alt 1307.90 tax incl.

SILVA MOTOR CAR CO.

Studebaker:
165" Wheel. 1495.00

JAS. L. SINGLETON

International
160" Wheel. 1500.00 Sales
Tax
Incl.

FRED F. WEBBER

Diamond T
168½" Wheel 1494.28 Sales
tax
Incl.

Council, City of Modesto

December 12th, 1934

The Council of the City of Modesto met in regular session this date, and there were present Councilmen: Brown, Neece, Rogers and Mayor pro tem. Pack
Absent: Councilmen: None

1
IN THE MATTER OF
MINUTES:

The minutes of the regular session of November 28th, 1934, having been heretofore read by each Councilman, were ordered corrected in certain particulars and approved as so corrected.

2
IN THE MATTER OF
CLAIMS:

Claims against the City of Modesto for November, 1934, having been heretofore audited and approved by the Council, Commissioner Neece introduced

RESOLUTION NO. 3060-N.S.

ordering that the claims so audited and approved be allowed, reference being made to the Auditor's Cash Book for further details relative to amounts of withdrawals from the various funds as follows:

GENERAL FUND-----	\$22,303.98
WATER FUNDS-----	2,642.97
LIBRARY FUND-----	1,488.42
BOND RED. INT. FUND-----	2.26
ST. BOND RED. INT. FUND-----	376.48
TOTAL-----	\$26,814.11

which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

3
IN THE MATTER OF
PROGRESSIVE PAYMENT
ON MACHINE SHOP:

City Engineer Rossi filed certification of amount due Ernest Green, contractor for construction of machine shop, as per the terms of contract for 75% of amount bid for quantities of the work completed, the said amount being \$1015.67; whereupon Commissioner Rogers introduced

RESOLUTION NO. 3061-N.S.

directing the City Clerk and auditor to draw a warrant in amount of \$1015.67 in favor of contractor Ernest Green as aforesaid, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

4
IN THE MATTER OF
PETITION FOR
TAX REFUND:

Petition was filed with the Council by Geo. L. Bare and Tax Research, Inc. for refund of taxes paid by Geo. L. Bare for the fiscal year 1931-32 in amount of \$74.04; for the fiscal year 1932-33 in amount of \$62.17; and for the fiscal year 1933-34 in amount of \$62.51; all of said taxes having been paid upon property occupied by the Western Union Telegraph Co., a public utility corporation, the property of which is assessed upon the operative tax roll. By order of the Council, the matter was referred to the City Attorney for investigation and report at the next regular meeting.

5
IN THE MATTER OF
PETITION FOR TAX
SETTLEMENT:

Pursuant to petition of R. E. Smith, filed with the Council November 28th, 1934, seeking settlement of

delinquent taxes and the payment of same in installments, tendering \$50.00 as good faith in the matter, the petitioner addressed a communication to the Council, setting forth his intentions in the matter. Same was read by the Council and ordered filed.

IN THE MATTER OF
WATER AND SEWER
CONNECTION OF LESLIE
BAKER:

Leslie Baker filed with the Council a petition for permission to connect a proposed new residence just outside the City limits on Sycamore Avenue with the City water and sewerlines without paying the rates for connection as set forth in City ordinances to apply to connections outside the City limits, in lieu of deeding to the City a strip of land for alley purposes. After due consideration of the matter, the Council was of the opinion that such concession could not be granted; whereupon Commissioner Rogers introduced

RESOLUTION NO 306 2-N.S.

denying the petition in view of the provisions of Ordinance No. 432-N.S. which makes a specific fee of \$150.00 for a water connection outside the City limits and Ordinance No. 276-D.S. which names a specific fee for a sewer connection outside the City limits, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF
PETITION FOR REFUND
OF DANCE FEE:

Fire Chief Geo. E. Wallace appeared before the Council petitioning refund of \$5.00 dance license fee paid by the Fire Department for conducting its annual benefit dance; whereupon Commissioner Neece introduced

RESOLUTION NO. 3063-N.S.

directing the City Clerk and Auditor to refund the license fee as prayed for by the petitioner, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF
COMPENSATION INS.
FOR GOLF COURSE
EMPLOYEES

Communication from the State Compensation Insurance Fund relative to liability of the City of Modesto in event of injury to assistant professional and caddies at the municipal golf course. Same was referred to the City Attorney for investigation and report at the next regular meeting.

IN THE MATTER OF
LETTER OF THANKS TO
GARDEN CLUB FOR
SHRUBS:

Commissioner Neece introduced

RESOLUTION NO. 3064-N.S.

Directing the City Clerk to address a letter of appreciation and thanks to the Modesto Garden Club committee headed by Mrs. Will Davison in charge of donating certain shrubs and plants to the City Parks, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF
ACCEPTING OFFER OF
COMPROMISE IN DIS
tribution of T.K.
Beard Estate:

Pursuant to last will and testament of T.K. Beard, admitted to probate in the Superior Court of

of Stanislaus County, California, June 1st, 1936, requesting the sum of \$25,000.00 to the City of Modesto for the development and improvement of its parks, requesting that particular attention be given Dry Creek Park, the said sum becoming available upon the City making a like appropriation of \$ 25,000.00; and pursuant to Ordinance No. 289-N.S., appropriating the sum of \$25,000.00 for such purposes; and pursuant to Resolution No. 3058-N.S. directing the City Attorney to file a petition in the Superior Court for the distribution of the said bequest of T. K. Beard, it appears that the executors of the estate of said T. K. Beard filed and answering petition setting forth that on or about February 20, 1934, the Beard Land & Investment Co. and the City of Modesto entered into an agreement providing for the purchase by the City of Modesto the following described real property;

N $\frac{1}{2}$ of SE $\frac{1}{4}$ of Section 34, Township 3 South,
Range 9E, M.D.B & M.

for the sum of \$37,000.00 payable as follows: \$25,000.00 cash to Beard Land and Investment Co. and \$12,000.00 to be paid to the Bank of America to release mortgage on said property; and asking that the City of Modesto accept the said property and pay the encumbrance thereon to the Bank of America, the \$25,000.00 payment to be waived and considered as payment by the Estate of the distribution of said bequest. The Council being of the opinion that the best interests of the City demand the acceptance of said offer of compromise, Commissioner Rogers introduced

RESOLUTION NO 3065-N.S.

accepting the compromise for distribution of the Beard bequest in lieu of deed to the above described real property to be used for a municipal airport, subject to a lien of \$12,000.00 mortgage held by the Bank of America and directing the City Attorney to prepare such further papers as may be necessary for effecting such compromise, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF
WARRANT FOR MORTGAGE
ON AIRPORT:

Pursuant to agreement for settlement of Beard Estate
bequest for title to the existing airport on Waterford

road, subject to a \$12,000.00 mortgage held by the Bank of America at this time

Commissioner Rogers introduced

RESOLUTION NO 3066-N.S.

directing the City Clerk and Auditor to draw a warrant in amount of \$12,000.00 in favor of the Bank of America, in payment of the mortgage lien as aforesated, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF
ROUTE OF MAZE BLVD.
THROUGH CITY

There was filed with the Council a resolution adopted
by the City Planning commission recommending that the

highway route of Maze Boulevard through the City of Modesto be south on Fifth Street and thence northeasterly through the City over H Street or I Street. After discussion of the matter by the Council further action thereon was laid over to the next regular meeting.

IN THE MATTER OF

IN THE MATTER OF
PROPOSED ORD. TO
ZONE AREA NEAR
AIRPORT:

The matter of zoning area around the Municipal Airport
on Waterford road having been brought up for consi-
deration by the Council, it was deemed advisable to
tentatively draft a copy of ordinance for presentation to the Stanislaus County
Board of Supervisors for adoption; whereupon Commissioner Rogers introduced

RESOLUTION NO. 3067-N.S.

13
instructing the City Attorney to draw up the proposed ordinance and submit it to the
Council for approval in order that it might be recommended for adoption by the
Stanislaus County Board of Supervisors, which resolution was regularly adopted by
the following vote:

Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack
Noes: Councilmen: None
Absent: Councilmen: None

IN THE MATTER OF
DANCE ORDINANCE:

Commissioner Brown introduced

ORDINANCE NO 482-N.S.

14
regulating the opening, conducting and carrying on of dances within the City of
Modesto, and repealing Ordinance No. 432-N.S. which ordinance was duly passed
to print and publish by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack
Noes: Councilmen: None
Absent: Councilmen: None

IN THE MATTER OF
ADDITION TO AIRPORT:

15
It being deemed advisable by the Council to purchase
6.82 acres of land adjacent to the municipal airport
on Waterford Road Commissioner Rogers introduced

ORDINANCE NO. 483-N.S.

appropriating the sum of \$1200.00 for the purchase of property adjacent to the Muni-
cipal Airport on Waterford road known as:

The North 150' of lots 1, 2 and 3 of
La Rio Park Tract in Section 34, Twp
3, South R.9E, M.D.B & M as shown on
official Map filed June 18, 1910, Vol
5 of Maps, Page 9 - Stanislaus Co.
Records.

which ordinance was duly passed to print and publish by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack
Noes: Councilmen: None
Absent: Councilmen: None

AUTHORIZE OPTION

Thereupon Commissioner Rogers introduced

RESOLUTION NO. 3068- N.S.

16
authorizing and instructing the City Attorney and the City Engineer to take the
necessary steps to take option on purchase from Emma Brun of the property above
described, which resolution was regularly adopted by the following vote:

IN THE MATTER OF
RESIGNATION OF
F. KNORR FROM CITY
PARK COMMISSION:

17
Frederick Knorr tendered the Council his written
resignation from the Park Commission of the City
of Modesto. Whereupon Commissioner Neece introduced

RESOLUTION NO. 3069-N.S.

accepting with regret the resignation of Mr. Knorr, and directing the City Clerk to
address a communication to him expressing the appreciation of the City Council for
his efforts in behalf of the park system of the City, which resolution was regularly

adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF REPORTS

The regular monthly reports of the various departments for the month of November were reviewed and ordered filed.

IN THE MATTER OF ADJOURNMENT:

Commissioner Brown introduced

RESOLUTION NO. 3070-N.S.

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

Ayes: Councilmen: Brown, Neece, Rogers, and Myor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG
City Clerk

Council, City of Modesto

December 26th, 1934

The Council of the City of Modesto met in regular session this date, and there were present: Councilmen: Brown, Neece,

Rogers, and Mayor pro tem. Pack

Absent: Councilmen: None

IN THE MATTER OF MINUTES

The minutes of the regular session of December 12th, 1934, having been heretofore read by each Councilman were unan-

imously approved as so read.

IN THE MATTER OF COMMUNICATIONS:

A Communication was received from the Modesto Chamber of Commerce thanking the City of Modesto for its cooperation in helping to decorate City Streets and direct traffic during parades sponsored during the holiday season. Same was read by the Council and ordered filed.

A Communication was received from the League of California Municipalities relative to acquisition of ownership of the magazine "Western City" by the League. Same was read by the Council and ordered filed.

A Communication was received from the League of California Municipalities relative to the resignation of Mr. J. W. Charleyville from the position of Secretary of the League. Same was read by the Council and ordered filed.

A Communication was received from the League of California Municipalities relative to a meeting of the Executive Committee of the League held November 17 and 18, 1934, and the policy of the organization in certain proposed legislation which will come before the State Legislature in January. Same was read by the Council and ordered filed.

A Communication was received from the State Board of Equalization enclosing schedule of distribution of liquor license fees apportioned to various cities by the State. Same was reviewed by the Council and ordered filed.

IN THE MATTER OF
CLAIM OF E. GREEN
FOR PAYMENT ON
MACHINE SHOP:

The City Engineer having filed certification of
payment in amount of \$1854.00 due to contractor
Ernest Green for 75% of work completed on machine

shop as per agreement, Commissioner Rogers introduced

RESOLUTION NO. 3071-N.S.

authorizing and instructing the City Clerk to issue warrant in the amount stated
as per the said certification, which resolution was regularly adopted by the
following vote:

Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Paak

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF
BIDS FOR CASH
REGISTER:

Pursuant to advertising for bids for one cash
register for the City Clerk's Office, and this being

the time set forth in said notice for the opening of the bids, the City Clerk
declared there was on file one bid, which when opened read as follows:

National Cash Register Co.- Cash Register as
per notice to Bidders f.o.b. Modesto @ \$1271.25
less discount of \$123.94.

Whereupon Commissioner Neece introduced

RESOLUTION NO. 3072-N.S.

accepting the bid of the National Cash Register Company as above set forth, and
directing the City Clerk to complete negotiations for the purchase thereof, which
resolution was regularly adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers and Mayor pro tem. Paak

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF
PETITION FOR USE OF
ROOSEVELT FIELD:

Stanley Sanders filed a written petition with the
Council on behalf of the Modesto Reds Baseball team

for use of Roosevelt Field for the season starting April 1st, 1935, and agreeing
that in event the Council decides to permit a professional Class D League team
to use the Field for the season of 1935, any agreement made with the Modesto Reds
would be cancelled. Whereupon Commissioner Neece introduced

RESOLUTION NO. 3073-N.S.

authorizing the agreement with the Modesto Reds be entered into for the use of
Roosevelt Field for regularly scheduled games of the California State League
during the season beginning April 1st, 1935, with the stipulation that in event
the Council wishes to rent the Field to a professional Class D team for the
season of 1935 this permit shall be null and void and directing the commissioner
of Finance & Revenue to act as signatory on behalf of the City of Modesto, which
resolution was regularly adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Paak

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF
PETITION OF GEO
BARE FOR REFUND
OF TAXES:

Pursuant to the filing of a petition with the
Council on December 12th, 1934, by Geo. Bare and

and supplementary petition by Tax Research Inc. for refund of taxes paid for the fiscal year 1931-32, 1932-33, and 1933-34 on property assessed in the name of Geo. Bare which is occupied by the Western Union Telegraph Company, a public utility which was also assessed upon the Operative Tax Roll, at this time the City Attorney reported that after consideration of the tenets involved, it was his recommendation that the petition be denied; whereupon Commissioner Neece introduced

RESOLUTION NO. 3074-N.S.

denying the petition of Geo. Bare and Tax Research Inc. for refund of taxes as afore-stated, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

11 IN THE MATTER OF
PETITION FOR SUBSIDY
FOR SHOE REPAIR
MATERIALS:

The Citizens' Relief Committee having petitioned the Council for subsidy for carrying on relief work to indigents by supplying materials needed for shoe repair work, Commission

er Neece introduced

RESOLUTION NO. 3075-N.S.

Providing for the co-operation of the City of Modesto with the Citizen's Relief Committee in supplying materials for shoe repairs for indigents as in the past two years, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

12 IN THE MATTER OF
FINAL ADOPTION OF
ORDINANCE NO. 482-N.S:

Ordinance No. 482-N.S., providing for the licensing and regulating of dances conducted 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 12th day of December, 1934, and coming on for final adoption at this time, upon roll call it was so finally adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

13 IN THE MATTER OF
FINAL ADOPTION OF
ORDINANCE 483-N.S.

Ordinance No. 483-N.S., appropriating funds for the purchase of an addition to the Municipal Airport,

having been introduced and ordered printed and published at a regular meeting of the Council of the City of Modesto held on the 12th day of December, 1934, and coming on for final adoption at this time, upon roll call it was so finally adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

14 IN THE MATTER OF
ROUTING OF MAZE BLVD.
THROUGH THE CITY:

Pursuant to receiving resolution from the City Planning Commission recommending to the City Council that the

present highway routing of Maze Boulevard on L Street to Ninth Street be changed to a routing over 5th Street to H Street and H Street to 9th Street, reciting certain advantages of such routing, and the matter having been laid over to this time,

RESOLUTION NO. 3076-N.S.

adopting the recommendation of the Planning Commission and directing the City Engineer to take such steps as may be necessary to have the proper state officials designate the above proposed routing as the highway for Maze Boulevard traffic through the City of Modesto, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Neece, Rogers, and Mayor pro tem Pack

Noes: Councilmen: Brown

Absent: Councilmen: None

In explanation of his negative vote on the above proposition, Commissioner Brown issued the following statement, asking that it be spread upon the minutes of the meeting: "I am voting 'no' on this proposition for one reason only, and that is on account of this Anonymous letter which I have here in my pocket, threatening me if I vote 'No'. I have never been influenced by a dare since I have been a member of this City Council. I intended to vote 'yes' on the proposition but since I have been threatened I am going to prove to the writer of this anonymous letter that I have nerve enough to vote 'no' on this proposition, and that is more than he has by not signing his name to this letter I hold."

IN THE MATTER OF ACCEPTING DEED TO AIRPORT:

Pursuant to negotiations with the Beard Land and Investment Company for acquisition of the Aviation

Field on Waterford Road, at this time a deed to the said property known as

The North Half of the Southeast 1/4 of Section 34, Twp 3 South, Range 9E., M.D.B & M. Excepting therefrom all that portion lying north of the south line of the Right of Way of Lateral No. 1 of the Modesto Irrigation District, and also excepting therefrom a strip of land running along the east side of the northeast quarter of the southeast quarter of Section 34, above township and range being 19' at the south end and 25 feet wide at the north end and tapering uniformly throughout. Also excepting therefrom rights of way for roads and ditches:

was presented to the City Council for acceptance; whereupon Commissioner Rogers introduced

RESOLUTION NO. 3077-N.S.

accepting the above deed and ordering the City Clerk to cause the same to be recorded in the office of the Recorder of Stanislaus County, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF REVENUE STAMPS AND CLAIM FOR TITLE SEARCH ON ABOVE DEED:

Pursuant to acceptance of deed from Beard Land and Investment Company for the Aviation Landing Field on Waterford Road as aforesaid, the matter

of revenue stamps upon the same and payment of claim of Modesto Title Company in amount of \$20.00 for certificate of title upon same was brought to the attention of the Council; whereupon Commissioner Rogers introduced

RESOLUTION NO 3078-N.S.

authorizing and directing the City Clerk to procure revenue stamps in amount of \$25.00 to be placed upon said deed if it is necessary to do so, and authorizing the payment of claim of Modesto Title Company in amount of \$20.00 for certificate

of title to the said property, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

18
IN THE MATTER OF
AMENDMENT TO ORD.
377-N.S.:

An Amendment to Ordinance No. 377-N.S. creating a Board of Park Commissioners was presented to the Council for consideration, and by unanimous consent laid over indefinitely.

19
IN THE MATTER OF
APPOINTING MEMBER
OF PARK COMMISSION:

Pursuant to resignation of F. Knorr from the Park Commission, the matter of appointing a successor to Mr. Knorr was considered by the Council, and action thereon laid over to some future date.

20
IN THE MATTER OF
ADJOURNMENT

Commissioner Brown introduced
RESOLUTION NO. 3079-N.S.
adjourning this Council meeting now in session which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, City Clerk
