

Council Meeting

January 13, 1937

The Council of the City of Modesto met in regular session this date and there were

Present: Councilmen: Neece, Stanley and Mayor King

Absent: Councilmen: Oliver and Pack

1
IN THE MATTER OF
MINUTES

The minutes of the regular session of December 23rd, 1936 having been heretofore read by each Councilman were unanimously approved as so read.

2
IN THE MATTER OF
CITATION FROM CITY
OF SAN FRANCISCO

At this time there appeared before the Council, G.E. Gabrielson, member of committee from the Stanislaus County Boy's Band, with a citation which had been sent to the City of Modesto for their valuable cooperation in commemorating the completion of the World's greatest bridge by sending the band to the celebration.

3
IN THE MATTER OF
INVITATION TO ARBOR
DAY CELEBRATION

Miss Corda Stone appeared before the Council with an invitation to the Council to the Arbor Day celebration which is to be held by the Women's Improvement Club at Graceada Park on March 1st, 1937.

4
IN THE MATTER OF
COMMUNICATION

At this time a letter was read from the Modesto Public Schools in which they petitioned the City Council to install additional hydrants for fire protection at the Junior College and High School as the city funds will permit, whereupon Commissioner Neece introduced

RESOLUTION NO. 3725-N.S.

recommending that the Board of Education assist in this improvement to the extent of furnishing materials satisfactory to the City of Modesto and the labor for excavation and backfilling and that the City furnish the labor for laying the pipe and setting the hydrants, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Neece, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: Pack and Oliver

5
IN THE MATTER OF
CLAIMS

Claims against the City of Modesto for the month of December, 1936 having been heretofore audited by the Council and found to be correct, Commissioner Neece introduced

RESOLUTION NO. 3723-N.S.

directing that all of 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:

GENERAL FUND-----	\$22,688.29
WATER FUND-----	5,614.62
LIBRARY FUND-----	1,594.18
ST. BOND RED. INT. FUND-----	35.50
BOND RED. INT. FUND-----	3,375.00
GASOLINE TAX FUND-----	3,983.28
SEWER SEPTIC FUND-----	125.00
TOTALS-----	\$37,415.87

which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Neece, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: Oliver and Pack

6
IN THE MATTER OF
CLAIM FOR REFUND OF
DEPOSIT

Claim of O. W. Hunsaker, Samuel Greenberg and Wheeler Exterminating Company for refund of deposit as required by Ordinance No. 487-N.S. and of Harvie Gish for refund of building permit because of deed restrictions having been filed with the City Auditor, Commissioner Neece introduced

RESOLUTION NO. 3724-N.S.

allowing the claims as presented and directing the City Clerk and Auditor to draw warrants in amounts as set forth in claim to claimants, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Neece, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: Oliver and Pack

IN THE MATTER OF
COMMUNICATION
R. L. KIMMEL

A letter was received from R. L. Kimmel, Secretary of the Chamber of Commerce relative to problem of annexation of additional area to the city limits in which he requested information as to the policy of the City regarding refund of deposits for water service and time when city service of water, sewage, police protection and fire protection could be furnished, whereupon Commissioner Stanley introduced

RESOLUTION NO. 3726-N.S.

recommending that the city council go on record as being in favor of the proposed annexation of certain areas as follows:

1-No refunds will be made to persons who have paid for water services prior to the date on which the subdivision is vote into the city.

2-The city begin supplying water about August 1, 1937, Police service start at once partial fire protection be provided at once with complete service as soon as fire hydrants are installed. Sewage installation be started after August 1, 1937 for a portion of the area,

which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Neece, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen; Oliver and Pack

IN THE MATTER OF
RESERVED PARKING
SPACES

At this time a communication was read from Singer Sewing Machine Company asking for a reserved parking space on 1026 Eye Street for a loading zone for their merchandise, whereupon Commissioner Stanley introduced

RESOLUTION NO. 3727-N.S.

denying request of applicant for reserved parking space due to the congested traffic conditions and scarcity of parking spaces, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Neece, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: Oliver and Pack

IN THE MATTER OF
PARKING SPACE HELM
CHEVROLET CO.

A letter from the Helm Chevrolet Company was read in which they requested a reserved parking space on 9th Street, Commissioner Stanley introduced

RESOLUTION NO. 3728-N.S.

denying request due to traffic conditions, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Neece, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: Pack and Oliver

IN THE MATTER OF
CHANGE IN BUS
ROUTE

At this time a communication was read from Willis M. Kleinenbroich operator of the Modesto Motor Bus Service in which he requested a change of route for the city bus due to the discontinuance of left turns at 10th and Eye Streets, whereupon Commissioner Stanley introduced

RESOLUTION NO. 3729-N.S.

approving the change as proposed, to discontinue running southerly on 11th Street between J Street and Eye and Westerly on Eye between 11th and 10th Streets, to start running on J Street westerly between 11th and 10th Streets and southerly on 10th Street between J and Eye Streets, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Neece, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: Oliver and Pack

IN THE MATTER OF
VETERANS WELFARE

A letter was received from the Veteran's Welfare Board in which they request the cancellation of second installment of 1936

11 taxes on lots 37 and 38 in Block 467 of the City of Modesto owned by Charles Ray Toomes as title to this property had been vested in the State of California according to the provisions of the Veterans Farm and Home Purchase Act under Chapter 519, Statutes of 1921 whereupon Commissioner Stanley introduced

RESOLUTION NO. 3730-N.S.

granting permit as requested and instructed the City Assessor and Tax Collector to make such entries on their books, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Neece, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: Pack and Oliver

12 IN THE MATTER OF
ACCEPTING DEED ON
FULLER PROPERTY

Whereas there has been delivered to the City of Modesto a deed covering a portion of lot 23, in Block 200 for acceptance

by Raymond E. Fuller et al for the extension of 19th Street, Commissioner Neece introduced

RESOLUTION NO. 3731-N.S.

accepting the deed as presented and directing the City Clerk to record same with the County Recorder, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Neece, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: Pack and Oliver

13 IN THE MATTER OF
NOTICE TO BIDDERS ON
COLLEGE AVENUE BRIDGE

City Engineer Rossi submitted plans on the new bridge to be built across Modesto Irrigation District Lateral No. 4 at

College Avenue, whereupon Commissioner Stanley introduced

RESOLUTION NO. 3732-N.S.

directing the City clerk to advertise for bids on the construction of the bridge to be opened at the regular meeting of the Council to be held on January 27, 1937 and accepting plans as presented by the City Engineer, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Neece, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: Pack and Oliver

14 IN THE MATTER OF
PAYMENT TO J. F.
DICKINSON ON HEAR-
ING PLANT

Whereas City Engineer Rossi has filed with this Council a certification of completion of contract by J. F. Dickinson installing heating plant in City Hall, 717 Tenth Street and

also statement as to progressive payment due J. F. Dickinson in the amount of \$817.50 Commissioner Neece introduced

RESOLUTION NO. 3733-N.S.

accepting the heating plant and authorizing the City Clerk to draw a warrant in amount \$817.50, being 75% of actual amount due on contract, payable to J.F. Dickinson and directing the City Clerk to file notice of completion with the County Recorder, the remaining balance of contract is to be paid after a period of 35 days has elapsed if no liens have been filed, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Neece, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: Pack and Oliver

15
IN THE MATTER OF
SETTLEMENT WITH
THE GRANGE CO.

The matter of settlement with The Grange Company for the right of way on 9th Street was brought up for discussion.

It was the unanimous opinion of the Council that this matter be laid over until the next meeting.

16
IN THE MATTER OF
CANCELLING TAXES
AND TAX SALES ON
LOTS 9 and 10
BLOCK 25

Whereas lots 9 and 10 in Block 25 have been sold to L. Zubani for the sum of \$500.00 at a public sale by the City Tax Collector, Commissioner Stanley introduced

RESOLUTION NO. 3734-N.S.

directing the City Tax Collector and Assessor make such entries on his books as to cancel current assessment for year 1936 No. 1008 and tax sales No. 1617, 1788, 1985, 2210, 2405, 2602, 2765, 3041 3126, 3399, 3912, 4501, 5059, 5480, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Neece, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: Pack and Oliver

17
IN THE MATTER OF
ADVERTISING FOR
BIDS ON AIRPORT
LIGHTING

Commissioner Neece introduced

RESOLUTION NO. 3735-N.S.

authorizing the City Clerk to advertise for bids on the lighting of the airport as provided for in Ordinance No. 539-N.S. whenever the City Engineer sees fit to do so, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Neece, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: Pack and Oliver

18
IN THE MATTER OF
ISSUANCE OF DEED
TO L. ZUBANI

Whereas Resolution No. 3709-N.S. authorizing and directing that property known as lots 9 and 10 in Block 25 of

the City of Modesto be sold at public auction to the highest bidder for cash, which property was heretofore conveyed to the City of Modesto by the Tax Collector for delinquent taxes and the said sale having been held on the 31st day of December, 1936 at this time the City Tax Collector reported that the highest bid received for said property was that of L. Zubani in the amount of \$500.00 and asked that the Council to formally accept or reject same. Whereupon Commissioner Stanley introduced

RESOLUTION NO. 3736-N.S.

accepting the said bid, and authorizing and directing that the deed therefor be duly executed in favor of the said bidder, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Neece, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: Pack and Oliver

19
IN THE MATTER OF
AMENDING ORD. 487-
N.S. penalty

Commissioner Stanley introduced an ordinance being

ORDINANCE NO. 540-N.S.

entitled "AN ORDINANCE AMENDING SECTION 8 of ORDINANCE NO. 487-N.S. OF THE

CITY OF MODESTO 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 SAID LICENSES AND REPEALING CERTAIN ORDINANCES AS AMENDED BY ORDINANCE NO. 532-N.S. OF THE CITY OF MODESTO, AND Moved its adoption and passage to print and publish, which motion being duly seconded, it was upon roll call carried and the ordinance ordered published as above by the following vote:

Ayes: Councilmen: Neece, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: Pack and Oliver

10 IN THE MATTER OF
REPORT ON FREEMAN
GARAGE BY ROSSI

At this time, City Engineer Rossi presented a new petition from Jack Freeman who is conducting an automobile paint shop and fender works at 6th and E Streets which had been re-circulated among the property owners as requested at the Council meeting of December 23, 1936 setting forth the type of business to be conducted. Same will be published in the usual manner and property will be posted.

11 IN THE MATTER OF
REPORT ON BARBER
SHOP PROPOSED
REGULATION

Attorney Fowler and Commissioner Stanley reported that they has not as yet completed their investigation into the advisability of passing an ordinance establishing rates and regulations for the barbershops in this city.

12 IN THE MATTER OF
GAMBLING GAMES
SUPPRESSION

City Attorney Fowler reported that he had not been able as yet to procure an opinion of Attorney General upon the question of the legality of allowing certain card games not prohibited by section 330 Penal Code of the State

13 IN THE MATTER OF
REPORT BY CITY
ENGINEER ON GOLF
COURSE

City Engineer Rossi reported that he had not been able to complete his investigation as yet in regard to the possibility of obtaining W.P.A. labor in constructing a proposed new eighteen hole golf course.

14 IN THE MATTER OF
REPORTS

Reports of the various departments for the month of December 1936 were reviewed by the Council and ordered filed.

15 IN THE MATTER OF
ADJOURNMENT

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

RESOLUTION NO. 3737-N.S.

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

Ayes: Councilmen: Neece, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: Oliver and Pack

ATTEST *H. E. Gragg*
H. E. GRAGO, City Clerk

Special Council Meeting,

January 19, 1937

The Council of the City of Modesto met in Special session this date, the meeting having been called and convened as set forth in section 2 of the Ordinance No. 2-N.S.

Present: Councilmen: Pack, Stanley, Neece and Mayor King

Absent: Councilmen: Oliver

IN THE MATTER OF PENALTIES ON GROSS RECEIPTS Whereas, according to the terms of Ordinance No. 540-N.S. amending Ordinance No. 487-N.S. passed on January, 1937, licensee is only required to pay a penalty on the amount of license owed, over and above credits to which he is entitled as personal property tax, Commissioner Stanley introduced

RESOLUTION NO. 3738-N.S.

authorizing the City Clerk to apply said amendment to Ordinance No. 487-N.S. to those persons now delinquent in the payment of said licenses for the last quarter, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: Oliver

IN THE MATTER OF EXAMINING BOARD FOR POLICE AND FIRE DEPARTMENT EMPLOYEES Whereas it appears to the City Council that the maintenance of an efficient Fire Department and Police Department requires that the members of said departments submit to a physical examination by competent physicians annually, Commissioner Stanley introduced

RESOLUTION NO. 3739-N.S.

requiring the memers of the Police and Fire Departments submit themselves to a thorough physical and mental examination by not less than 2 nor more than 3 competent physicians during the month of February, each year, said first examination to be held in the month of February, each year, said first, examination to be held in the month of February, 1937, costs of examinations to be borne by the City of Modesto and in the event physicians render written report that any member is physically unfit to carry on the duties assigned to them, then said member shall be discharged from said department, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: Oliver

IN THE MATTER OF ADJOURNMENT There being no further business to come before the meeting, Commissioner Neece introduced

RESOLUTION NO. 3740-N.S.

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

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

Noes: Councilmen: None

Absent: Councilmen: Oliver

ATTEST

H. E. GRAGG, CITY CLERK

Council Meeting,
January 27, 1937

The Council of the City of Modesto met in regular session this date and there were

Present: Councilmen: Neece, Pack, Oliver and Mayor King

Absent: Councilmen: Stanley

IN THE MATTER OF MINUTES The minutes of the regular session of January 13th, 1937 having been heretofore read by each Councilman were unanimously approved as so read.

IN THE MATTER OF AWARDING CONTRACT ON COLLEGE AVENUE BRIDGE Pursuant to advertising for the reconstruction of a reinforced concrete bridge within the City of Modesto on College Avenue across the Modesto Irrigation District Lateral No. 4 and the time for opening bids having now arrived, the City Clerk reported receipt of six bids which when opened read as follows:

<u>Name of Bidder</u>	<u>Amount of Bid</u>	<u>Accompanied by</u>
F.O.Bohnett, 150 S.Montgomery St. San Jose	\$3580.00	\$500.00 Cashier's check
F. Kaus, 2726 E Main St. Stockton	2812.00	300.00 Certified check
Cotner, Tomnitz & King, Rt 4-Modesto	3580.00	400.00 Cashier's check
Harry Brown, Modesto	3478.00	370.00 Cashier's check
Western Crane Service Corp 962 Stanford Ave. Oakland	3710.00	375.00 " "
R.G.Clifford 215 Market Street, San Francisco	4600.00	500.00 certified check

whereupon Commissioner Pack introduced

RESOLUTION NO. 3741-N.S.

awarding bid to F. Kaus, if he could qualify as to requirements of furnishing necessary bonds, as being the lowest and best bid and if he could not qualify, the next lowest bidder, Harry Brown would be awarded bid, and directing the City Clerk to return checks to the unsuccessful bidders and authorized City Clerk and Mayor to enter into contract with successful bidder, which motion being duly seconded, it was upon roll call adopted by the following vote:

Ayes: Councilmen: Neece, Pack, Oliver and Mayor King

Noes: Councilmen: None

Absent:Councilmen: Stanley

IN THE MATTER OF ADJOURNMENT There being no further business to come before the meeting at the present time and it being the desire of the Council to meet in adjourned session on Friday the 29th day of January, 1937 at 7:30^{o'clock} P.M., whereupon Commissioner Neece introduced

RESOLUTION NO. 3742-N.S.

providing for the adjourned meeting as above and adjourning the meeting now in session, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Neece, Pack, Oliver and Mayor King

Noes: Councilmen: None

Absent:Councilmen: Stanley

ATTEST H. E. GRAGG, CITY CLERK

January 29, 1937

The Council of the City of Modesto met in adjourned session this date and there were

Present: Neece, Oliver, Pack, Stanley and Mayor King

Absent: None

1 IN THE MATTER OF
REFUND OF DEPOSIT

Claim of Stockton Roofing Company and Philip Hammer for refund of deposit as required by Ordinance No. 487-N.S.

having been filed with the City Auditor, Commissioner Oliver introduced

RESOLUTION NO. 3743-N.S.

allowing the claims as presented and directing the City Clerk and Auditor to draw warrants in amounts as set forth in claim to claimants, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

2 IN THE MATTER OF
COMMUNICATIONS

A letter was read which had been received from the Fisheries Institute regarding legislation controlling fishing industry.

Same was ordered filed.

3 IN THE MATTER OF
HEARING PROTESTS
TO BUILDING IN
RESIDENCE ZONE

Pursuant to the filing of petition with the Council by Jack Freeman for permit to erect and maintain a repair and paint shop for autos on property known as E 50' of lots 17-18,

Block 30 of the City of Modesto and it appearing from affidavit on file that a notice setting forth a time for hearing any and all protests to the granting of the petition has been posted and published as required by Zoning Ordinance No. 364-N.S. and this being the time set forth for such hearing, the City Clerk reported that no protests either oral or written have been filed, whereupon Commissioner Neece introduced

RESOLUTION NO. 3744-N.S.

granting permit to the applicant as prayed for when all provisions relative to building permit fees shall have been complied with, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

4 IN THE MATTER OF
REPORT ON GOLF
COURSE W.P.A.
PROJECT

At this time, City Engineer Rossi submitted a detailed report on the proposition of the City constructing an 18 hole golf course using W.P.A. labor and contributions. No

action was taken on this and report was ordered filed.

5 IN THE MATTER OF
ADVERTISING FOR
BIDS ON MATERIAL
FOR SEWER FARM

Commissioner Pack introduced

RESOLUTION NO. 3745-N.S.

directing the City Clerk to advertise for bids on material to be used in the improvement of sewer farm when the City Engineer submits information and sees fit to do so, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

6
IN THE MATTER OF
FINAL ADOPTION OF
ORDINANCE NO. 540-
N.S. AMEND 487-N.S.

Ordinance No. 540-N.S. having been heretofore introduced and ordered
printed and published at the regular meeting of January 13th, 1937
and thereupon 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 so
finally adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

7
IN THE MATTER OF
FINAL SETTLEMENT
THE GRANGE CO.
RIGHT OF WAY

Commissioner Pack introduced
RESOLUTION NO. 3746-N.S.

recommending that the Council go on record as being willing to make
a settlement with The Grange Company for right of way on widening of State Highway and 9th
on the same basis as they have made with other property owners and if this is agreeable to
the Grange Company that the City of Modesto will pay them \$5093.13, payment to be made
during the next fiscal year, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

8
In the Matter of
PROPOSED ORDINANCE
REGULATING BARBER
SHOPS

At this time City Attorney Fowler and Commissioner Carl Stanley,
Committee appointed by the Council made a report on the constitu-
tionality of a proposed ordinance for the regulation of barber

shops in the City of Modesto. Same was read and as report indicated that the ordinance
would not be constitutional, Commissioner Stanley introduced

RESOLUTION NO. 3747-N.S.

recommending the action on this matter be tabled indefinitely, which resolution was
regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

9
IN THE MATTER OF
REPORT BY CITY
ATTORNEY ON DECISION OF ATTORNEY
GENERAL ON BAMBLING
GAMES

At this time, City Attorney Fowler reported that he had not as yet
been able to learn of the decision of Attorney General Webb in regard
to certain card games permitted to be played by state law.

10
IN THE MATTER OF
REAPPOINTMENT OF
E. R. UTTER ON
LIBRARY BOARD

Whereas, the term of E. R. Utter member of the Board of Library
Trustees of McHenry Public Library does expire on February 1, 1937
Commissioner Oliver introduced

RESOLUTION NO. 3748-N.S.

reappointing E. R. Utter as member of the Board of Library Trustees of McHenry Public
Library for a term of four years, beginning February 1st, 1937 and ending February 1st,
1941, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

11
IN THE MATTER OF
SICK LEAVE

Pursuant to a request of the Mayor to write to several cities

in regard to the matter of handling sick leave of the employees of the city and the replies to these requests having been received by the City Clerk, this matter was referred to the City Attorney with instructions to prepare a resolution to present to the City Council.

IN THE MATTER OF EXAMINING PHYSICIAN FOR POLICE AND FIREMEN

Whereas the City Council has heretofore passed Resolution No. 3739-N.S. requiring members of the Police and Fire Departments of the City of Modesto to submit themselves to physical and mental examinations once yearly, Commissioner Stanley introduced

RESOLUTION NO. 3749-N. S.

appointing Dr. R. E. Maxwell to make such examinations of members of these departments and is hereby empowered to appoint an assistant or assistants to number not more than 2 for the purpose of aiding him in making examinations, which resolution was regularly adopted by the following vote:

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

IN THE MATTER OF TERMITE CONVENTION

Commissioner Pack introduced

RESOLUTION NO. 3750-N.S.

authorizing the attendance of C. L. Baker to a Termite Control convention to be held in San Jose on February 12 and 13, 1937, which resolution was regularly adopted by the following vote:

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

IN THE MATTER OF ADJOURNMENT

There being no further business to come before the meeting at the present time and it being the desire of the Council to meet in adjourned session on Tuesday the 2nd of February, 1937 at 4:30 P.M., whereupon Commissioner Pack introduced

RESOLUTION NO. 3751-N.S.

providing for the adjourned meeting as above and adjourning the meeting now in session, which resolution was regularly adopted by the following vote:

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

ATTEST H. E. GRAGG, CLERK

Adjourned Council Meeting
February 2nd, 1937

The Council of the City of Modesto convened in adjourned session this 2nd day of February, 1937 at 4:30 P.M. and there were
Present: Councilmen: Neece, Pack, Stanley, Oliver and Mayor King
Absent: Councilmen: None

IN THE MATTER OF PENSION SYSTEM FOR FIRE & POLICE DEPARTMENTS

Commissioner Stanley introduced

RESOLUTION NO. 3752-N.S.

Whereas, it appears to the City Council that the members of the Police and Fire Departments of the City of Modesto are now governed by State law in the matter of pensions and disability payments awarded to said members of said Police and Fire Departments: and

Whereas, it appears that by said state law said members of said Police and Fire Departments contribute nothing to the establishment of a fund to pay said pensions and disability payments to said members of said Police and Fire Departments when said members are entitled to the same, and

Whereas it appears to said Council that said members of said Departments should in fairness contribute something to the establishment of a fund out of which pensions or disability payments should be paid to the members of said Departments when and if said members become entitled to the same:

BE IT RESOLVED BY THE COUNCIL of the City of Modesto as follows:

That in the next regular municipal election in and for the City of Modesto to be held on April 13, 1937 there be presented to the people of the City of Modesto for their approval or disapproval as they may see fit, a proposed amendment to the Charter of the City of Modesto to read as follows, to-wit:

"Amend Article III Section 4 of the Charter of the City of Modesto, which reads as follows:

ARTICLE III

POWERS OF THE CITY GENERAL POWERS OF THE CITY

Section 4. Without denial or disparagement of other powers held under the constitution and laws of the State, the City of Modesto shall have the right and power:

by adding a new subdivision thereto to be numbered 64 $\frac{1}{2}$, which subdivision shall read as follows:

"Subd. 64 $\frac{1}{2}$ to establish all laws necessary to create and maintain a disability and retirement fund for the members of the Fire Department and Police Department of the City of Modesto

upon roll call the resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

2 IN THE MATTER OF
AJOURNMENT

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

RESOLUTION NO. 3753-N.S.

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

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

Council Meeting,
February 10, 1937

The Council of the City of Modesto met in regular session that date and there were

Present: Councilmen: Neece, Pack, Stanley, Oliver and Mayor King

Absent: Councilmen: None

1 IN THE MATTER OF
MINUTES

The minutes of the regular session of January 27th, adjourned, meeting of January 29th and February 2nd, 1937 and Special meeting on January 19th, 1937 having been heretofore read by each Councilman were unanimously approved as so read.

2 IN THE MATTER OF
PROTEST TO ORD.
482-N.S.

At this time, Attorney Vernon Gant appeared before the Council in behalf of T. A. Davis, owner of the "Rendevouz" requesting that the Council make some provision whereby the regulations of Ordinance No. 482-N.S. requiring an officer in attendance at dances could be waived to allow Mr. Davis, himself, to be appointed Special Officer and he could act on all nights except on Saturday night and holidays when the crowd was large, at which time he would put up the required deposit and hire a regular officer. This matter was referred to Commissioner Stanley and Chief of Police Arington.

3 IN THE MATTER OF
CLAIM FOR REFUND
OF DEPOSIT

Claim of Crown Electric Co. for refund of deposit as required by Ordinance No. 487-N.S. having been filed with the City Auditor, Commissioner Oliver introduced
RESOLUTION NO. 3754-N.S.
allowing the claim as presented and directing the City Clerk and Auditor to draw warrant in amount \$50.00 as set forth in claim to claimant, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

4 IN THE MATTER OF
CLAIMS

Claims against the City of Modesto for the month of January, 1937 having been heretofore audited by the Council and found to be correct, Commissioner Oliver introduced

RESOLUTION NO. 3755-N.S.

directing that all of 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:

GENERAL FUND-----	\$ 20,133.68
WATER FUND-----	\$ 4,287.13
LIBRARY FUND-----	\$ 1,805.33
ST. BOND RED. INT. FUND-----	\$ 4,267.03
BOND RED. INT. FUND-----	\$ 23,087.50
GASOLINE TAX FUND-----	\$
SEWER SEPTIC FUND-----	62.50
TOTALS-----	\$ 53,643.17

which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

5 IN THE MATTER OF
REFUND TO J. J.
MEHEGAN

Pursuant to provisions of Resolution No. 3720-N.S. all pin ball machines having been removed by J.J.Mehegan,

owner, from public places in this city as of January 1, 1937, Commissioner Oliver introduced

RESOLUTION NO. 3756-N.S

authorizing the City Clerk and Auditor to refund to J.J. Mehegan, license fee in amount \$500.00 as pro rata amount due for cancellation of license issued as of July 1, 1936 for a term of one year, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF COMMUNICATIONS

The League of California Municipalities, Legislative Bulletin #2, regarding "In Lieu" tax on automobile, Legislative Bulletin No. 3 regarding "Franchise Statute" and Legislative Bulletin #4 regarding limitation on city liability were read and the City Clerk instructed to report to the League data asked for in these bulletins.

A communication from W. B. Hogan, President Central Valley Division League of California Municipalities was read in which he advised that he had arranged for a dinner meeting of the Central Valley Division of the League of California Municipalities to be held in Tracy, Friday, March 5th, at 7:00 P.M. at the Tracy Inn. He urged the Council and department heads to be present. Same was read and ordered filed.

A communication from the Modesto Public Schools was read in which they advised the Council they had agreed to table the matter of installing additional Fire Hydrants at the Junior College and High School. Same was read and ordered filed.

A communication from Bert Lowry regarding the activities of the Baseball committee appointed by the Council was read and the City Clerk was directed to write to Mr. Lowry, acknowledging receipt of same.

IN THE MATTER OF NEECE DRIVE

Commissioner Stanley introduced

RESOLUTION NO. 3757-N.S.

designating the new street joining Tuolumne Blvd. with Rouse Avenue, east of Golf Course in Block 308, as "Neece Drive," to honor Geo. F. Neece, Commissioner, who was active in developing the Golf Course and baseball field, and directing that the United States Postoffice be notified of the action taken, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF NAMING "STATE" STREET

Pursuant to request of City Engineer to the Council for naming of new street constructed between Block 206 and 207 connecting

James and Harriet Streets, Commissioner Stanley introduced

RESOLUTION NO. 3758-N.S.

officially designating the above described street as State Street, and directing that the United States Post office be notified of the action taken, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF BIDS ON AIRPORT LIGHTING

Pursuant to advertising for the lighting of the Airport and the time for opening bids having now arrived, the City Clerk

reported receipt of five bids which when opened read as follows:

<u>NAME OF BIDDER</u>	<u>Amount of Bid</u>
Incandescent Supply Company,	\$982.38
Listenwalter & Gough	1123.80
Modesto Electric Company	1030.60
Wastinghouse	1074.32
General Electric Supply Co	1030.60

Whereupon Commissioner Pack introduced

RESOLUTION NO. 3759-N.S.

referring the above bids to the City Engineer for investigation and tabulation as to the lowest and best bid, which resolution was regularly adopted by the following vote:

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

IN THE MATTER OF
CALLING GENERAL
ELECTION;

Pursuant to Charter and Ordinance provisions of the City of Modesto, Commissioner Neece introduced a resolution, being

RESOLUTION NO. 3760-N.S.

providing for a General municipal election in and for the City of Modesto, a Special Election in and for the City of Modesto and a General Election in and for the Modesto City School District, to be held on April 13th, which resolution was regularly adopted by the following vote:

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

IN THE MATTER OF
ORDINANCE RE:
AMEND ORD. 487-N.S.

Commissioner Oliver introduced an ordinance, being

ORDINANCE NO. 541-N.S.

entitled "AN ORDINANCE AMENDING SECTION 101 OF ORDINANCE NO. 487-N.S. OF THE CITY OF MODESTO 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 SAID LICENSES AND REPEALING CERTAIN ORDINANCES". and moved its adoption and passage to print and publish, which motion being duly seconded, it was upon roll call carried and the ordinance ordered published as above by the following vote:

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

IN THE MATTER OF
LEASE TO MODESTO
TRAP AND SKEET
CLUB

Commissioner Pack introduced

RESOLUTION NO. 3761-N.S.

authorizing the City Attorney to draw a lease for a certain portion of property belonging to City of Modesto hereinafter to be designated by the City Engineer for a period of one year to the Modesto Trap and Skeet Club, said property so leased shall be open to the use and enjoyment of any and all responsible persons desiring to use it for the purpose of skeet shooting and trap shooting, subject to any reasonable rules and regulations that said Club may hereinafter invoke, said Modesto Trap and Skeet Club shall procure and keep in force public liability and property damage insurance, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

16 IN THE MATTER OF WHEREAS, W. E. Blackburn has petitioned the Council to be allowed
USED CAR LOT
W. E. BLACKBURN to enter into the business of Used Car Lot operator at 1522 9th
Street and as the necessary bond as required by Ordinance No. 514-N.S. has been furnished
the Council, Commissioner Pack introduced

RESOLUTION NO. 3762-N.S.

approving application and granting permit to the applicant providing that he comply with
the rules and regulations of Ordinances No. 487-N.S. and No. 514-N.S. which resolution
was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

17 IN THE MATTER OF WHEREAS, City Engineer Rossi has filed with this Council, a certi-
PROGRESSIVE PAYMENT fication of amount due, \$421.80 as first progressive payment for
TO F. KAUS-COLLEGE work completed up to and including February 9th, 1937 as follows:
AVENUE BRIDGE

TOTAL AMOUNT OF CONTRACT	\$2812.00
20% of \$2812.00 is	\$562.40
less 25%	140.60
	<u>\$421.80</u>

on the reconstructing of College Avenue Bridge, whereupon Commissioner Pack introduced

RESOLUTION NO. 3763-N.S.

authorizing the City Clerk and Auditor to draw warrant in amount \$421.80 payable to
Contractor F. Kaus, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

18 IN THE MATTER OF PURSUANT TO RESOLUTION NO. 3706-N.S. AUTHORIZING CITY ENGINEER
ACCEPTING EASEMENT to procure an easement on certain real property in La Loma
FROM T. H. KEWIN District at this time there was presented to the Council for
ET AL approval an easement from T. H. Kewin, Iris S. Kewin, Herbert W. Ramont, Hollis
M. Ramont, Frank J. Rossi, Lenora N. Rossi, Robert Lyle Kimmel and Alma W. Kimmel,
whereupon Commissioner Pack introduced

RESOLUTION NO. 3764-N.S.

accepting and approving the easement as presented and authorizing City Clerk to
record same in the office of the County Recorder of Stanislaus County, which resolu-
tion was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

19 IN THE MATTER OF PURSUANT TO COMPLETION OF HEATING SYSTEM IN THE CITY HALL AT
FINAL PAYMENT ON 717 TENTH STREET, AS PER THE TERMS OF CONTRACT AND AS THIRTY
HEATING PLANT, five days will have elapsed on February 17th, since acceptance
J. F. DICKINSON certification has been filed by the City Engineer and it now appearing that final
payment on said contract in amount of \$272.50 will be due on February 17th.

Commissioner Oliver introduced

RESOLUTION NO. 3765-N.S.

authorizing and instructing that warrant be drawn in amount of \$272.50 in full payment of contract of said J. F. Dickinson, providing no liens are filed, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

20

IN THE MATTER OF REPORTS

Reports of the various departments for the month of January 1937 were reviewed by the Council and ordered filed.

IN THE MATTER OF ADJOURNMENT

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

RESOLUTION NO. 3766-N.S.

21

declaring the meeting adjourned, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST  H. E. GRAGG, CITY CLERK

Special Council Meeting,

February 15, 1937

The Council of the City of Modesto met in Special session this date, the meeting having been called and convened as set forth in section 2 of the Ordinance No. 2-N.S.

Present: Councilmen: Pack, Stanley, Oliver, Neece and Mayor King

Absent: Councilmen: None

IN THE MATTER OF AWARD BID ON LIGHTING AIRPORT

Pursuant to advertising for the lighting of the Municipal Airport of the City of Modesto, and the receiving of bids for same and action being postponed thereon until this time and it appearing that the following is the lowest and best bid:

MODESTO ELECTRIC COMPANY \$1030.60

whereupon Commissioner Pack introduced

RESOLUTION NO. 3767-N.S.

awarding bid to the Modesto Electric Company as being the lowest and best bid and authorized City Clerk to return checks to the unsuccessful bidders, which motion being duly seconded, it was upon roll call adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

2

IN THE MATTER OF ADJOURNMENT

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

RESOLUTION NO. 3768-N.S.

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

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST  H. E. GRAGG, CITY CLERK

COUNCIL MEETING

February 26, 1937

The Council of the City of Modesto met in regular session this date, there were

Present: Councilmen: Neece, Pack, Stanley, Oliver and Mayor King

Absent: Councilmen: None

1 IN THE MATTER OF MINUTES

The minutes of the regular meeting of February 10th and of Special meeting of February 15, 1937 having been heretofore read by each Councilman were approved with the exception of the vote on Resolution No 3757-N.S. in minutes of February 10th, which is hereby corrected to read as follows:

Ayes: Councilmen: Pack, Stanley, Oliver and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

2 IN THE MATTER OF REFUND DEPOSIT J. VENTURINI

Claim of J. Venturini for refund of deposit required by section 101 of Ordinance No. 487-N.S. having been filed with the City Auditor, Commissioner Oliver introduced

RESOLUTION NO. 3769-N.S.

allowing the claim as presented and directing the City Clerk and Auditor to draw warrant in amount \$50.00 as set forth in claim to claimant, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

3 IN THE MATTER OF PAYMENT TO C.L. BAKER EXPENSES TERMITE CONTROL MEETING

Commissioner Oliver introduced

RESOLUTION NO. 3770-N.S.

authorizing the City Clerk and Auditor to draw warrant in amount \$8.29 payable to C. L. Baker, assistant building inspector for expenses to Termite Control meeting held in Fresno, in accordance with provisions of Resolution No. 3750-N.S. which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

4 IN THE MATTER OF PAYMENT TO MODESTO LUMBER COMPANY FOR CEMENT

Whereas discount of \$10.00 will be allowed on purchase of cement if statement to Modesto Lumber Company is paid at once, Commissioner Oliver introduced

RESOLUTION no. 3711-N.S.

authorizing and instructing City Clerk and Auditor to draw warrant payable to claimant in amount \$259.56, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

5 IN THE MATTER OF COMMUNICATIONS

A communication was read which had been received from the State of California, Division of Real Estate thanking the Council for the use of the City Council Room, which they had used on February 17th, 1937 for a trial in connection with a real estate transaction. Same was ordered filed.

6 IN THE MATTER OF
PROGRESS PAYMENT
TO F. KAUS

Whereas, City Engineer Rossi has filed with this Council,
a certification of amount due of \$738.15 as second progress-
ive payment for work completed on the reconstruction of College Avenue Bridge as
follows:

Total Amount of Contract	\$2812.00	
55% of \$2812.00 is		\$1546.60
Less 25%		386.65
		<u>\$1159.95</u>
Less previous payment		421.80
Payment due		<u>\$ 738.15</u>

whereupon Commissioner Pack introduced

RESOLUTION NO. 3772-N.S.

authorizing the City Clerk and Auditor to draw warrant in amount \$728.15 payable to
F. Kaus, Contractor, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

7 IN THE MATTER OF
HOLIDAYS FOR
LABORERS ON CITY
PAYROLL

Commissioner Neece introduced

RESOLUTION NO. 3773-N.S.

rescinding Resolution No. 2752-N.S. governing holidays
allowed to laborers of the City of Modesto and instructing new one to be written
including Washington birthday, which resolution was regularly adopted by the follow-
ing vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

8 IN THE MATTER OF
ACCEPTING DEEDS
FROM T. H. KEWIN
ET AL

There was presented for acceptance grant deed from T. H.
Kewin and Iris S. Kewin covering portion of lot 1 in Block
235 of La Loma Tract and grant deed from T. H. Kewin, Iris
S. Kewin, Frank J. Rossi, Lenora N. Rossi, Robert Lyle Kimmel and Alma W. Kimmel
covering portion of lot in block 236, whereupon Commissioner Pack introduced

RESOLUTION NO. 3774-N.S.

accepting and approving the grant deeds as presented and authorizing the City
Clerk to record same in the office of the County Recorder of Stanislaus County and
to pay the Modesto Title Company for expenses incurred in preparing deeds, which
resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

9 IN THE MATTER OF
ACCEPTING LEASE ON
CITY PROPERTY TO MODESTO
TRAP AND SKEET CLUB

Whereas, the City Council has heretofore by Resolution No.
3761-N.S. authorized the City Attorney to prepare written
lease of certain property of the City of Modesto to the
Modesto Trap and Skeet Club and at this time lease was presented for approval,
Commissioner Oliver introduced

RESOLUTION NO. 3775-N.S.

approving and ratifying said agreement, which resolution was regularly adopted by
the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

10 IN THE MATTER OF SEWER DISPOSAL AT GALLO WINERY The matter of sewer disposal in Del Esta Addition from the Gallo Winery was laid over until the next meeting.

11 IN THE MATTER OF PERMIT GAS STATION PRINCEVALIE 9th and O STREETS Whereas P. Princevalle has made application to the Council requesting permission to construct, operate and maintain a gasoline service station and greasing rack on lots 29, 30, 31 and 32 of Block 61 located at the corner of 9th and O Streets, whereupon Commissioner Pack introduced

RESOLUTION NO. 3776-N.S.

granting petition as prayed for when all provisions of City Ordinances relative to building permit and the regulations for storage and dispensing of gasoline have been complied with, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

12 IN THE MATTER OF APPLICATION TO STATE BOARD OF PUBLIC HEALTH Commissioner Pack introduced

RESOLUTION NO. 3777-N.S.

recommending that the City make application to the State Board of Public Health of the State of California, pursuant to provision of Public Health Act approved March 23, 1907 by the state for a permit to alter and make additions to the Municipal Sewage disposal plant, serving the entire City by the construction of one Bio Filter, one settling Tank and pumps and conduits. The new units are to be used in conjunction with the existing clarifier and Digestion Tank to improve present method of sewage treatment before the effluent is discharged to the existing drying beds, that the mayor be authorized and directed to cause the necessary data to be prepared and investigations to be made and in the name of the City to sign and file application with the State Board of Public Health, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

13 IN THE MATTER OF QUIT CLAIM DEED BETWEEN C. Y. RY. CO. AND AVIS M. TILLSON The matter of quit claim deed between C. Y. Railway Company and Avis M. Tillson for road purpose on 8th Street, was laid over and referred to Fowler.

14 IN THE MATTER OF BOND ISSUE FOR GARBAGE SYSTEM Commissioner Stanley introduced

RESOLUTION NO. 3778-N.S.

WHEREAS, the City of Modesto is a municipal corporation of and within the State of California; and

WHEREAS, the public interest and necessity of the said City of Modesto and its inhabitants demand the acquisition and construction of the municipal improvements hereinafter specified; and

WHEREAS, the cost of said municipal improvements will be too great to be paid out of the ordinary annual income and revenue of the said City of Modesto; and

WHEREAS, the Council of the City of Modesto is the legislative branch of said municipal corporation, and the Mayor of the City of Modesto is the chief executive officer of said City of Modesto;

NOW THEREFORE, be it resolved by the Council of the City of

Modesto, at a regular meeting thereof duly and regularly had, held and conducted; (And the said City Council so determines and declares)

That the public interest and necessity of the said City of Modesto and the inhabitants thereof demand the acquisition and construction of the municipal improvements hereinafter specified and named; and that the cost of said improvements and any and all thereof will be too great to be paid out of the ordinary annual income and revenue of the said City of Modesto;

That the municipal improvements, the acquisition and construction of which are demanded by public interest and necessity as aforesaid, together with the estimated cost of the same, are as follows, to-wit:

Garbage trucks and any and all equipment, real property and apparatus necessary to carry on the business of the collection and disposal of garbage, swill, trash, and refuse, as specified in the plans and specifications therefor filed with the City Clerk by the City Engineer of the City of Modesto, of the estimated cost of Forty Thousand Dollars (\$40,000.00), which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

12
IN THE MATTER OF
ORD. 542-N.S. PRO-
VIDING FOR SPECIAL
ELECTION ON GARBAGE
BONDS

Pursuant to passage of Resolution No. 3778-N.S. signifying intention of Council to place upon the ballot at the next coming election proposition to enable the voters to vote a \$40,000

bond issue for garbage system, Commissioner Stanley introduced an Ordinance being

ORDINANCE NO. 542-N.S.

entitled "AN ORDINANCE CALLING A SPECIAL ELECTION (TO BE HELD IN CONNECTION WITH THE GENERAL MUNICIPAL ELECTION) TO SUBMIT TO THE QUALIFIED VOTERS OF THE CITY OF MODESTO THE PROPOSITION OF INCURRING A BONDED INDEBTEDNESS FOR THE ACQUISITION AND CONSTRUCTION OF CERTAIN MUNICIPAL IMPROVEMENTS, THE COST OF WHICH WILL BE TOO GREAT TO BE PAID OUT OF THE ORDINARY ANNUAL INCOME AND REVENUE OF SAID CITY: ESTABLISHING ELECTION PRECINCTS AND DESIGNATING ELECTION OFFICERS FOR THE HOLDING OF SAID ELECTION: FIXING THE DATE ON WHICH SAID ELECTION SHALL BE HELD: THE MANNER OF HOLDING THE SAME, AND OF VOTING FOR OR AGAINST THE INCURRING OF SUCH INDEBTEDNESS". who moved its adoption, which motion being duly seconded was carried and the ordinance passed to print by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

16
IN THE MATTER OF
FINAL ADOPTION OF
ORD 541-N.S. AMEND
487-N.S. PROPERTY
OWNERS NOT REQUIRED
DEPOSIT

Ordinance No. 541-N.S. having been heretofore introduced and ordered printed and published at the regular meeting of February 10th, 1937 and thereupon 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 so finally adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

17
IN THE MATTER OF
STATEMENT BY THE
COUNCIL ON THE
GARBAGE SYSTEM

Commissioner Oliver introduced

RESOLUTION NO. 3779-N.S.

that the following statement be spread upon the minutes of the meeting

February 24, 1937

TO THE VOTERS OF MODESTO:

From time to time there has been agitation with a view to having the City take over the Garbage Business.

After careful investigation, we find that there are many and varied ways of handling this business in vogue throughout California and one can usually find some good points in any system. In contacting some of the most able men who handle garbage problems, we have been warned not to try to start a Municipal Garbage System if we are not well financed, as it is only the well financed plants that can be made to pay.

After inspecting various plants operating in town comparable in size to Modesto, we find it will take \$40,000.00 to set up a plant that will operate efficiently and economically. Your present City Council has reduced your taxes 20% in the last two years and in addition, has spent something like \$18,000.00 on your Airport, \$16,000.00 making the dam in the Tuolumne River a permanent one and improving Lake Modesto, as well as spending many thousands of dollars more on parks than any previous City Council. This leaves the City where it does not have a surplus of sufficient size which can be diverted to starting and operating a municipally owned garbage business. In view of this condition, we have put on the April Election Ballot a Bond issue of \$40,000.00. If you want a municipal garbage system in Modesto, vote for the bonds. If you want the garbage business to continue as it is, vote against the bonds.

We feel that we are here to serve the people impartially and can assure you that we will carry out your wishes to the very best of our ability, which ever way you vote.

J. H. KING, MAYOR
CARL J. STANLEY
GEORGE F. NEECE
G. D. OLIVER JR.
ROY E. PACK

which resolution was adopted by the following vote:

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

IN THE MATTER OF
ADJOURNMENT

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

RESOLUTION NO. 3780-N.S.

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

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

H. E. Gragg
ATTEST H. E. GRAGG, CITY CLERK

March 10, 1937

The Council of the City of Modesto met in regular session this date, there were

Present: Councilmen: Neece, Pack, Stanley, Oliver and Mayor King

Absent: Councilmen: None

1 IN THE MATTER OF MINUTES

The minutes of the regular meeting of February 24th, 1937 having been heretofore read by each Councilman were approved as so read.

2 IN THE MATTER OF CITATIONS FOR TAXI DRIVERS

Pursuant to citations being served on Clarence Worden, Leonard Chatham and Carl Bock for traffic violations, they appeared before the Council to show cause why their licenses to operate taxicabs in the city should not be revoked in accordance with section #6 of Ordinance No. 522-N.S. as they had been arrested for traffic violations. After some discussion, Commissioner Stanley introduced

RESOLUTION NO. 3781-N.S.

revoking operators license of above named individuals for traffic violations as per section 6 of Ordinance No. 522 N.S., which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent:Councilmen: None

3 IN THE MATTER OF CLAIMS

Claims against the City of Modesto for the month of February, 1937 having been heretofore audited by the Council and found to be correct, Commissioner Oliver introduced

RESOLUTION NO. 3782-N.S.

directing that all of 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:

GENERAL FUND-----	\$ 21,836.60
WATER FUND-----	\$ 3,318.16
LIBRARY FUND-----	\$ 1,666.41
ST. BOND RED. INT. FUND-----	\$ 363.46
BOND RED. INT. FUND-----	\$
GASOLINE TAX FUND-----	\$ 1,159.95
SEWER SEPTIC FUND	125.00
TOTALS -----	\$ 28,469.58

which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent:Councilmen: None

4 IN THE MATTER OF CLAIM FOR REFUND OF DEPOSIT

Claim of Doc's Magazine Exchange and N. J. Snyder for refund of deposit as required by Ordinance No. 487-N.S. having been filed with the City Auditor, Commissioner Oliver introduced

RESOLUTION NO. 3783-N.S.

allowing the claim as presented and directing the City Clerk and Auditor to draw warrants in amount \$50.00 as set forth in claims for each claimant, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent:Councilmen: None

IN THE MATTER OF
CLAIM FOR PENSION
EMMA SMITH

Claim for \$300.00 for pension due Lee Smith from December 10, 1936 to February 28, 1937 date of his death having been filed by his widow, Emma V. Smith with the City Auditor, Commissioner Oliver introduced

RESOLUTION NO. 3784-N.S.

5/ allowing the claim as presented and directing the City Clerk and Auditor to draw warrant in amount of \$300.00 as set forth in claim to Emma V. Smith, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF
COMMUNICATIONS

Legislative Bulletins #5 and #6 received by the Council from the League of California Municipalities were read and #5

6 Bulletin was ordered filed and #6 Bulletin was referred to City Attorney.

7 At this time a communication from the United States Constitution Sesquicentennial Commission was read in which they requested that the Mayor appoint a Committee to work in conjunction with this Commission in the observance of the 150th anniversary of the formation of the Constitution of the United States, whereupon Commissioner Neece introduced

RESOLUTION NO. 3785-N.S.

recommending that Mayor King appoint a Committee as requested in this communication, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

8 IN THE MATTER OF
HEARING PROTESTS
TO PETITION-VALLEY
MOTOR LINES

Pursuant to the filing of petition with the Council by the Valley Motor Lines for permit to erect operate and maintain a shipping depot of frame, stucco and corrugated iron on property known as 7th and K Streets, being lots 17, 18, 19, 20, 21 and 22 in Block 40 of the City of Modesto and it appearing from affidavit on file that a notice setting forth a time for hearing any and all protests to the granting of the petition has been posted and published as required by Zoning Ordinance No. 364-N.S. and this being the time set forth for such hearing, the City Clerk reported that no protests either oral or written have been filed, whereupon Commissioner Pack introduced

RESOLUTION NO. 3786-N.S.

granting permit to the applicant as prayed for when all provisions relative to building permit fees shall have been complied with, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

9 IN THE MATTER OF
COLLEGE AVENUE
BRIDGE-ACCEPTANCE
PAYMENT TO F. KAUS

Pursuant to completion of reconstruction of the College Avenue Bridge by F. Kaus, contractor and whereas City Engineer Rossi has filed with the Council a certification

of completion of contract, and statement as to progressive payment due F. Kaus, contractor in the amount of \$949.05, Commissioner Pack introduced

RESOLUTION NO. 3787-N.S.

accepting the reconstruction of the College Avenue Bridge and directing the

City Clerk and Auditor to file notice of completion with the County Recorder and draw warrant in amount of \$949.05 payable to the claimant, being 75% of the actual amount due on contract, the remaining balance of contract is to be paid after a period of 35 days has elapsed if no liens have been filed, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

10 IN THE MATTER OF
W.P.A. PROJECT
AT AIRPORT

Commissioner Pack introduced

RESOLUTION NO. 3788-N.S.

Resolved, that for and in consideration of the Federal Funds made available through the Works Progress Administration under Official Project No. 65-3-1936, for the improvement of our municipal airport and landing facilities, the City of Modesto pledge that said airport will at all times be operated and maintained as a municipal airport for the public benefit without unjust discrimination against or in favor of any aircraft operator including any scheduled airline operator and that the City Clerk be instructed to forward a certified copy of this resolution to the Works Progress Administrator in Washington, the State Works Progress Administrator of California and the Secretary of Commerce in Washington, and duplicate certified copies of agreement with the Pathfinder Flying Service, a corporation and the City of Modesto be sent to the district office of the W.P.A. in San Francisco, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

11 IN THE MATTER OF
PARKING IN BLOCK
606

The matter of making a park out of block 606 was brought before the Council and Commissioner Pack introduced

RESOLUTION NO. 3789-N.S.

that the Mayor appoint a committee to make an investigation of the matter and report back to the Council, whereupon Mayor King appointed Commissioners Pack and Stanley to act as Committee which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

12 IN THE MATTER OF
AGREEMENT WITH STATE
ON EXPENDITURE OF
GAS TAX FUNDS

Whereas, there has been presented to this Council for adoption and signature, a project statement relative to the expenditure by the State Department of Public Works of money obtained from the apportionment of the one-quarter cent gasoline tax and also sets forth the obligations of the City of Modesto, Commissioner Pack introduced

RESOLUTION NO. 3790-N.S.

recommending that the Council adopt this statement as a supplement to its budget for the fiscal year ending June 30, 1937 and does herewith designate Mayor J. H. King and City Engineer F. J. Rossi to affix their signatures thereto in behalf of the City of Modesto and said project statement and certified copies of this resolution in duplicate and forwarded to Mr. R. E. Pierce, Engineer of Division X of Highways of the California State Department of Public Works, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF
FINAL ADOPTION OF
ORD. 542-N.S. CALL-
ING FOR SPECIAL
ELECTION

Ordinance No. 542-N.S. having been heretofore introduced
and ordered printed and published at the regular meeting of
February 25th and thereupon printed and published as re-

13

quired by the Charter of the City of Modesto coming on for final adoption at this time,
it was upon roll call so finally adopted and ordered to be printed and published once
a day for at least seven days in some newspaper published at least six days a week
within the City of Modesto by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

14

IN THE MATTER OF
SEWERAGE DISPOSAL
AT GALLO WINERY

The matter of sewerage disposal at the Gallo Winery in the
Del Este Addition, adjacent to the easterly city limits was
laid over to a future meeting.

15

IN THE MATTER OF
QUIT CLAIM DEED
AVIS TILLSON

Whereas the City of Modesto has heretofore conveyed by deed
certain premises to the Central Pacific Railway Co. and
said property was conveyed with reservation of right therein to Avis M. Tillson and
C.R. Tillson, her husband and whereas the Central Pacific Railway Company is now
entitled to said property without reservation, Commissioner Pack introduced

RESOLUTION NO. 3791-N.S.

authorizing and empowering the Mayor and City Auditor to execute a quit claim deed
to said Central Pacific Railway Company conveying full and complete title to said
premises to them, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

16

IN THE MATTER OF
REPORTS

Reports of the various departments for the month of February
1937 were reviewed by the Council and ordered filed.

17

IN THE MATTER OF
ADJOURNMENT

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

RESOLUTION NO. 3792-N.S.

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

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST  H. E. GRACE, City Clerk

March 24, 1937

The Council of the City of Modesto met in regular session this date,
there were

Present: Councilmen: Neece, Pack, Stanley, Oliver and Mayor King

Absent: Councilmen: None

1 IN THE MATTER OF MINUTES The minutes of the regular meeting of March 24th, 1937 having been heretofore read by each Councilman were approved as so read.

2 IN THE MATTER OF ORAL PETITIONS Mr. Van Rogers appeared before the Council petitioning them to adopt an ordinance whereby it would be necessary to obtain a license to operate teams in the City of Modesto similar to Ordinance No. 495-N.S. on trucks. This matter was taken under advisement.

3 Pursuant to revoking of taxi-cab operator's license of Carl Bock, he appeared before the Council petitioning them to place him on probation as this was his first offense. The Council will take this matter under consideration.

4 IN THE MATTER OF CLAIMS FOR REFUND OF DEPOSITS Claim of Fred Kaus and John H. Lash for refund of deposit as required by Ordinance No. 487-N.S. having been filed with the City Auditor, Commissioner Oliver introduced

RESOLUTION NO. 3793-N.S.

allowing the claims as presented and directing the City Clerk and Auditor to draw warrants in amount \$50.00 as set forth in claims for each claimant, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

5 IN THE MATTER OF CLAIM FOR REFUND REGISTRATION FEE Pursuant to request by Charles G. Nowlin that registration fee of \$5.00 be refunded because he had not operated under this license and was going out of business, whereupon Commissioner Neece introduced

RESOLUTION NO. 3794-N.S.

allowing request and directing the City Clerk and Auditor to draw warrant in the amount of \$5.00 payable to petitioner, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

6 IN THE MATTER OF SALE OF SAFE TO L.W. ZIMMERMAN Pursuant to provisions of Resolution No. 3085-N.S. L.W. Zimmerman has offered to purchase Hall Safe in the office of the City Clerk for \$100.00 and as it no longer suits the needs of the City of Modesto and as this bid is the highest and best offer made for the purchase of the safe, Commissioner Pack introduced

RESOLUTION NO. 3795-N.S.

recommending that the Council accept this offer of \$100.00 and the City Clerk is authorized to prepare a bill of sale and upon receipt of payment, deliver the safe to L.W. Zimmerman who will remove same at his own cost, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

7
IN THE MATTER OF
ACME TAXI COMPANY
REQUEST PARKING
SPACE 10th & I STS.

At this time a communication was read from the Acme Taxi Company in which they protested to the City Council depriving them of one parking space for taxi-cab at Tenth and I Streets and giving it to a party whose taxi business had previously been purchased by them and they begged for the restoration of the stand. This communication was taken under advisement by the Council.

8
IN THE MATTER OF
BILLBOARD APPROVAL
FOSTER & KLEISER

Pursuant to application by Foster & Kleiser for billboards at the following locations:

Lease #3901-B and Morton Blvd. N.W.-1 panel

Lease #3901-D St. S. Line 125' west of 13th street-1 panel

Lease #3896 7th St. west line opposite B St. 1 or 2 panels

Lease #3902-7th St. and Tuolumne Blvd. southwest one panel

Lease #3930-7th St. east line 200' north of C Street 2 panels

Lease #3896-Grand St. 100' west of Carlson 2 panels

and whereas applications presented are in accordance with requirements set forth by Ordinance No. 528-N.S. and Ordinance No. 302-N.S. and the City Engineer has determined that all locations, with the exception of Lease No. 3902, 7th St. and Tuolumne Boulevard, southwest comply with Ordinances No. 302-N.S. and No. 528-N.S. whereupon Commissioner Pack introduced

RESOLUTION NO 3796-N.S.

approving applications with the exception of the one named above which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Oliver, Stanley, Pack and Mayor King

Noes: Councilmen: Neece

Absent: Councilmen: None

9
IN THE MATTER OF
CALLING FOR BIDS
ON CULVERTS-H ST.
LALOMA STREET
BRIDGE REPAIRS

Commissioner Pack introduced

RESOLUTION NO. 3797-N.S.

authorizing the City Clerk to advertise for bids for construction and repair of culverts on H Street and LaLoma Street bridge when the City Engineer submits information and deems it necessary to do so, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

10
IN THE MATTER OF
ADOPTING MEMO. OF
AGREEMENT FOR YEAR
1936-1937-STREETS
MAJOR IMPORTANCE

Whereas there has been presented to this Council for adoption and signature, an agreement relative to expenditures by the State Department of public works of money obtained from the apportionment of the one-quarter cent gasoline tax; and also sets forth obligations of the City of Modesto in connection therewith, Commissioner Pack introduced

RESOLUTION NO. 3798-N.S.

approving this agreement as the budget for the fiscal year ending June 30, 1937 and designating Mayor J. H. King to affix his signature thereto on behalf of the City of Modesto and that the agreement and certified copies of this resolution in duplicate be forwarded to Mr. R. E. Pierce, District Engineer of the Division of Highways of the California State Department of Public Works, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

11
IN THE MATTER OF
PENSION PAYMENT
TO WIDOW OF TOM
MCCARTHY

Pursuant to suit being filed in the Superior Court by widow
of Tom McCarthy, Maude McCarthy vs. City of Modesto and Board
of Police Pension Fund Commissioners in which it was alleged

that Thomas McCarthy died on September 15, 1934 and was at that time a member of the
Police Department and had been a member of said Department since July 1, 1919 and
made claim for \$1000.00 by virtue of the provisions of Statutes of 1889 of the State
of California as set forth in Act 6012, Deering's General Laws 1931 and whereas trial
was held in the Superior Court on November 10, and 16, 1936 and judgment in the amount of
\$1000.00 was awarded Mrs. McCarthy, Commissioner Oliver introduced

RESOLUTION NO. 3799-N.S.

directing the City Auditor to draw warrant in amount of \$1000.00 payable to Maude
McCarthy, plaintiff and Griffin & Boone, Attorneys for said plaintiff and to receive
from Griffin & Boone, a satisfaction of judgment in this case, which resolution was
regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

12
IN THE MATTER OF
TRADING ELGIN
SWEEPER FOR STEEL
SHEET PILING

Whereas the Associated Equipment Company has offered to trade
one lot of used steel sheet piling of approximate value of
\$800.00 to the City of Modesto for one 1925 Model Elgin Street

Sweeper, which has been discarded as unfit for further use by the City and whereas
this sweeper has been previously advertised for sale and no bids were offered,
Commissioner Pack introduced

RESOLUTION NO 3800-N.S.

authorizing the City Engineer to negotiate the trade of the discarded sweeper for the
usable steel sheet piling, which resolution was adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

13
IN THE MATTER OF
ORDINANCE RE:
AMEND ORD. NO
10-N.S. SKATING
RINKS

Commissioner Stanley introduced an ordinance being
ORDINANCE NO 543-N.S.

entitled "AN ORDINANCE AMENDING SECTION 14 of ORDINANCE NO 10-N.S.

ENTITLED "AN ORDINANCE RELATING TO THE OFFENSE OF MISDEMEANOR: SPECIFYING ACTS AND OMISSIONS
WHICH, WITHIN THE CITY OF MODESTO CONSTITUTE THE SAME, AND FIXING THE PENALTY THEREOF" AND
moved its adoption and passage to print and publish which motion being duly seconded, it was
upon roll call carried and the ordinance ordered published as above by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

14
IN THE MATTER OF
ORDINANCE RE:
SALE OF OLD JUNK

Commissioner Neece introduced a Resolution being
RESOLUTION NO. 3800A-N.S.

entitled A RESOLUTION PROVIDING FOR THE SALE OF USELESS PERSONAL PROPERTY and moved its
adoption, which motion being duly seconded it was upon roll call carried.

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

Noes: Councilmen: None

Absent: Councilmen: None

15 IN THE MATTER OF
TRANSFER OF FUNDS
WATER TO GENERAL
FUND

Commissioner Oliver introduced

RESOLUTION NO. 3801-N.S.

authorizing and directing City Treasurer and Auditor to
make such entries on their books as may be necessary to transfer \$50,000 from
the Water to the General Fund of the City of Modesto, which was regularly adopted
by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

16 IN THE MATTER OF
REPORTS

Annual report of the Stanislaus County Health Department
for the year 1936 was reviewed by the Council and ordered
filed.

17 IN THE MATTER OF
ADJOURNMENT

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

RESOLUTION NO. 3802-N.S.

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

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST  H. E. GRAGG, CITY CLERK

SPECIAL COUNCIL MEETING

March 31, 1937

The Council of the City of Modesto met in Special session this date, the meeting having been called and convened as set forth in section 2 of the Ordinance No. 2-N.S.

Present: Councilmen: Pack, Stanley, Oliver, Neece and Mayor King

Absent: Councilmen: None

1 IN THE MATTER OF
RENEWAL OF PATH-
FINDERS FLYING
SERVICE LEASE

Whereas the lease between the Pathfinder's Flying Service and the City of Modesto does expire on March 31, 1937 and Whereas they have filed notice electing to continue as the lessee of the premises described in said lease for an additional year commencing on April 1st 1937 and ending on March 31, 1938, Commissioner Pack introduced

RESOLUTION NO. 3803-N.S.

authorizing the Mayor of the City of Modesto on behalf of the City to accept said notice of election and endorse on said original notice the acceptance of the City thereof, which motion being duly seconded it was upon roll call adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

2 IN THE MATTER OF
TAXICABS

The matter of reinstating the taxi-cab operator's license of Leonard Chatham and Carl Bock was brought up for discussion and it was the decision of the Council that at the present time no action should be taken to reinstate them.

3 The matter of allowing the Acme Taxi Company an additional parking space for taxicabs at Tenth and I Streets was brought up again, having been laid over at the last regular meeting, after discussion of the matter it was decided not to allow the Acme Taxi Company an additional parking space as they requested.

4 IN THE MATTER OF
ORDINANCE RE: 10
MINUTE PARKING
ZONE

Commissioner Stanley introduced an ordinance being
ORDINANCE NO 54~~3~~⁴-N.S.
entitled "AN ORDINANCE PROVIDING FOR 10 MINUTE PARKING ZONES IN THE CITY OF MODESTO" and moved its adoption and passage to print and publish, which motion being duly seconded, it was upon roll call carried and the ordinance ordered published as above by the following votes:

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

Noes: Councilmen: None

Absent: Councilmen: None

5 IN THE MATTER OF
REMOVAL OF PARKING
RESTRICTION ON
GRAND STREET

Pursuant to petition by the Lane Grocery Store for removal of "No Parking" restriction on south side of Grand Street across from their store, it was the unanimous opinion of the Council that there be no change in the parking regulation on this street but that a letter be written to them notifying them of this decision and offering to discuss with them the proposition of rearranging the curb in front of their place of business to allow additional parking room.

6 IN THE MATTER OF PHONE INSTALLED AT ROOSEVELT FIELD City Engineer Rossi was instructed to have a telephone installed at Roosevelt Field Park at once.

7 IN THE MATTER OF ENTERING INTO AGREEMENT WITH MODESTO REDS-ROOSEVELT PARK Commissioner Oliver introduced RESOLUTION NO. 3804-N.S. authorizing the City of Modesto to enter into an agreement for the rental of Roosevelt Field Park for the coming baseball season with Stanley Sanders, manager of the Modesto Reds, which resolution was ^{regularly adopted} by the following vote:
Ayes: Councilmen: Neece, Pack, Stanley, Oliver and Mayor King
Noes: Councilmen: None

8 IN THE MATTER OF ADJOURNMENT There being no further business to come before the meeting Commissioner Oliver introduced RESOLUTION NO. 3805-N.S. adjourning this meeting now in session, which resolution was regularly adopted by the following vote:
Ayes: Councilmen: Neece, Pack, Stanley, Oliver and Mayor King
Noes: Councilmen: None
Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

Council Meeting
April 14, 1937

The Council of the City of Modesto met in regular session this date, there were
Present: Councilmen: Neece, Pack, Stanley, Oliver and Mayor King
Absent: Councilmen: None

1 IN THE MATTER OF MINUTES The minutes of the regular meeting of March 24th, 1937 and of the Special meeting of March 31, 1937 having been heretofore read by each Councilman were approved as so read.

2 IN THE MATTER OF CLAIMS Claims against the City of Modesto for the month of March 1937 having been heretofore audited by the Council and found to be correct, Commissioner Oliver introduced RESOLUTION NO. 3806-N.S.

directing that all of 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:

GENERAL FUND-----	\$ 24,663.74
WATER FUND-----	7,200.89
LIBRARY FUND-----	1,535.31
ST. BOND RED. INT. FUND-----	50.28
BOND RED. INT. FUND-----	
GASOLINE TAX FUND-----	949.05
SEWER SEPTIC FUND-----	62.50
TOTALS-----	\$ 34,461.77

which resolution was regularly adopted by the following vote:
Ayes: Councilmen: Neece, Stanley, Oliver, Pack and Mayor King
Noes: Councilmen: None
Absent: Councilmen: None

3 IN THE MATTER OF FINAL PAYMENT TO F. KAUS-COLLEGE Avenue Bridge Pursuant to completion of reconstructing of College Avenue Bridge, as per the terms of the contract and as thirty five

days have elapsed since acceptance certification has been filed by the City Engineer and it now appearing that final payment on said contract in amount of \$703.00 is due Contractor F. Kaus and as no liens have been filed, Commissioner Pack introduced

RESOLUTION NO. 3807-N.S.

authorizing and instructing the City Clerk and Auditor to draw warrant in the amount of \$703.00 payable to contractor, F. Kaus which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

4 IN THE MATTER OF
ADJOURNMENT

It being the desire of the Council to meet in adjourned session on Thursday, April 15th 1937 at 7:30 Commissioner

Stanley introduced

RESOLUTION NO. 3808-N.S.

providing for the adjourned meeting as above and adjourning the meeting now in session, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

H. E. Gragg
ATTEST H. E. GRAGG, CITY CLERK

Adjourned Council Meeting

April 15, 1937

The Council of the City of Modesto met in adjourned session this 15th day of April, 1937 at 7:30 P.M. and there were

Present: Councilmen: Neece, Pack, Stanley, Oliver and Mayor King

Absent: Councilmen: None

1 IN THE MATTER OF
REFUND DEPOSIT
PHILIP HAMMER

Claim of Philip Hammer for refund of deposit required by section 101 of Ordinance No. 487-N.S. having been filed

with the City Auditor, Commissioner Oliver introduced

RESOLUTION NO. 3809-N.S.

allowing the claim as presented and directing the City Clerk and Auditor to draw warrant in amount \$50.00 as set forth in claim to claimant, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

2 IN THE MATTER OF
REFUND-FOSTER &
KLEISER

Claim of Foster & Kleiser for refund of application fee of \$1.00 paid to the City of Modesto with application for

billboard, lease No. 3902-N.S. which permit was not granted, as per resolution No. 3796-N.S. whereupon Commissioner Oliver introduced

RESOLUTION NO. 3810-N.S.

authorizing City Clerk and Auditor to draw warrant in amount \$1.00 in payment of claim, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

3 IN THE MATTER OF COMMUNICATIONS At this time a letter was read from the Modesto Public Schools in which they extended their appreciation for the reconstruction of College Avenue Bridge by the City of Modesto. Same was read and City Clerk instructed to acknowledge receipt and file.

4 At this time letters were read which had been received from the Toast Mistresses Club, America Association of University Women and the Enslin P.T.A. wishing to go on record as being in favor of a municipal swimming pool in the City of Modesto, Same was read and City Clerk instructed to acknowledge receipt and file.

5 IN THE MATTER OF CHARTER AMENDMENT Commissioner Stanley introduced the following

RESOLUTION NO. 3811-N.S.

Whereas the Council of the City of Modesto did by resolution No. 3760-N.S. adopted on the 10th day of February, 1937 call a general election to be held on the 13th day of April, 1937 for the purpose of voting upon the question of the ratification of a certain amendment to the Charter of the City of Modesto proposed by the City Council upon its own motion, and

Whereas, the provisions of law prerequisite to the calling of said election have been duly complied with, and a notice of said election has been duly given, all as required by law, and the said general election was held on the said 13th day of April, 1937 and was conducted and held in all respects in conformity with the laws of the State of California, and the ordinances of the City of Modesto and

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

Whereas, it appears from the canvass of the returns of said election that a total of 2722 votes were cast at said election and that the said proposition voted upon received in its favor the votes of more than one-half of the voters voting at said election.

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

That the results of said general election and the votes cast for the proposition submitted thereto are as follows:

TOTAL NUMBER OF VOTES CAST 2722

(1) On the proposed Charter Amendment No. 1 amending Article 3, Section 4 of the Charter of the City of Modesto by adding a new subdivision thereto to be numbered subdivision 64½ reading as follows, to-wit:

PROPOSED CHARTER AMENDMENT

Amend Article 3 Section 4 of the Charter of the City of Modesto, which reads as follows:

ARTICLE 3

POWERS OF CITY
GENERAL POWERS OF CITY

Section 4. Without denial or disparagement of other powers held under the Constitution and laws of the State, the City of Modesto shall have the right and power by adding a new subdivision thereto to be numbered 64½ which subdivision shall read as follows, to-wit:

Subd. 64½. To establish all laws necessary to create and maintain a disability and retirement fund for the members of the Fire Department and Police Department of the City of Modesto

As set forth in the resolution calling the election----- 1641
votes were cast for the amendment and 1081 votes were cast against the amendment.

That sufficient votes were cast in favor of said amendment to carry the same.

BE IT FURTHER RESOLVED that the Mayor and City Clerk certify to the legislature of the State of California, which is now in session, the results of said election, to the end that the said Legislature may, in the manner provided by law, approve said amendment to the Charter, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

6 IN THE MATTER OF Pursuant to General Municipal Election held on April 13th, 1937
CANVASSING RETURNS
OF GENERAL ELECTION for the election of two Councilmen, two members of the Modesto
City Board of Education and approve or reject amendment to Charter and to vote bonds
for the installation of municipal Garbage system, appearing on the ballot, at this
time the Council resolved itself into a canvassing board and proceeded to determine
the results of the election Commissioner Pack introduced

RESOLUTION NO. 3812-N.S.

WHEREAS, a General Municipal Election, together with a Special Municipal Election, to-
gether with a General School Election in and for the Modesto City School District,
was held on the 13th day of April, 1937 and

WHEREAS, at the said Special Election a certain ordinance was proposed to the qualified
electors of the City of Modesto, and

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

NOW THEREFORE, BE IT RESOLVED, CERTIFIED AND DECLARED BY the Council of the
City of Modesto that the said General Municipal Election in and for the City of
Modesto, the said General School Election, in and for the Modesto City School District,
and the said Special Municipal Election, were regularly called, held and conducted
as required by law; that the proper and complete returns thereof have been made and
received by said Council: that the same have been properly canvassed; that from the
returns so canvassed as aforesaid, it appears, and the said Council so finds, that
at said General Municipal Election in and for the City of Modesto, the total number
of votes cast was 2983; that the number of votes received by the respective candidates
for the office of Councilman in the City of Modesto were and are as follows, to-wit:

George Neece-----1324 votes:
Barney H. Bond-----1134 votes:
A.N. (Ad) Brown-----1026 votes:
Y. G. Barnell-----1017 votes;
Fred H. Petersen----- 864 votes;

That none of said candidates for the office of Councilman received the required
number of votes for election thereto, to-wit, more than one-half of the votes cast,
and that George Neece, Barney H. Bond, Ad. Brown and Y. G. Barnell were and are the
four persons receiving the highest number of votes for said office and are entitled
to be placed upon the ballot for a second election for the office of Councilman (there
being two Councilmen to be elected).

The City Council, sitting as such canvassing board, as aforesaid, finds and
declares that at said Special Municipal Election the following ordinance, to-wit:

For the incurring of an indebtedness for the acquisition and
construction of certain municipal improvements by the City of
Modesto, to-wit, garbage trucks, and any and all equipment, real
property and apparatus necessary to carry on the business of the
collection and disposal of garbage, swill, trash and refuse, as
specified in the plans and specifications therefor filed with the
City Clerk of the City of Modesto by the City Engineer of said
City----- \$40,000.00

received 503 votes in its favor, and that 2500 votes were cast against the adoption
of said ordinance.

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

The said City Council sitting as such canvassing board, as aforesaid,

further finds and declares that at said General School Election in and for the Modesto City School District the total number of votes cast was 3493; that the number of votes received by each of the candidates for election to the office of member of the Board of Education of said Modesto City School District are as follows:

W. C. SHACKELFORD-----2360 votes:
Mrs. Rhoda Sturtevant-----1695 votes:
Mrs. Viola W. Field-----1057 votes:
C. A. Harrington----- 903 votes:

That the number of votes received by W.C.Shackelford is greater than one-half of the ballots cast at said election, and that said W.C.Shackelford was elected to the office of member of the Board of Education of the Modesto City School District, and that a Certificate of Election be issued to him under the hand and seal of the City Clerk.

That of the remaining candidates for the office of member of the Board of Education of the Modesto City School District none thereof received the required number of votes for election thereto, to-wit, more than one-half of the votes cast, and that Mrs. Rhoda Sturtevant and Mrs. Viola W. Field were the two persons receiving the highest number of votes (excepting the said W.C.Shackelford) for said office and are entitled to be placed upon the ballot for a second election for the office of member of the Board of Education of Modesto City School District (there being one such member to be hereafter elected), which resolution was regularly adopted by the following vote:

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

7 IN THE MATTER OF CALLING SECOND GENERAL ELECTION Pursuant to the General Municipal election held on the 13th day of April, 1937, at which time no candidate for the office of Councilmen received a majority of votes cast and only one candidate received a majority of votes for member of School Board, at this time, Commissioner Stanley introduced

RESOLUTION NO 3813-N.S.

providing for a second general municipal election to be held on the 27th day of April, 1937 to fill the office of two Councilmen of the City of Modesto and that the names of Y. G. Barnell, Barney Bond, A.N. (Ad) Brown and Geo. Neece be placed upon the ballot to be voted on at such election for the office of Councilman and the names of Rhoda Sturtevant and Viola Field be placed upon the ballot to be voted on at such election for the office of member of School Board, only one to be elected, which resolution was regularly adopted by the following vote:

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

8 IN THE MATTER OF CLAIM-EMMA SMITH A claim for \$1000.00 by Emma V. Smith was filed with the Council. Application for claim being based on the ground that her husband, Lee E. Smith, deceased was a member of the Police Department of the City of Modesto for a period over ten years. It was the order of the Council that the City Attorney be authorized to let this matter come before the court for their decision.

9 IN THE MATTER OF FINAL ADOPTION OF ORD. 543-N.S. SKATING RINK Ordinance N o. 543-N.S. having been heretofore introduced and ordered printed and published at the regular meeting of April 14, 1937 and thereupon 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 so finally adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

10 IN THE MATTER OF FINAL ADOPTION OF ORDINANCE NO. 544-N.S. TRAFFIC REGULATION

Ordinance No. 544-N.S. having been heretofore introduced and ordered printed and published at the regular meeting of April 14, 1937 and thereupon 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 so finally adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

11 IN THE MATTER OF LEASE WITH MODESTO REDS-ROOSEVELT FIELD

At this time a lease was presented to the Council for approval between the City of Modesto and the Modesto Reds Baseball Team, for rental of Roosevelt Field, whereupon Commissioner Oliver

introduced

RESOLUTION NO. 3814-N.S.

approving lease as presented with the exception of clause to be added only allowing concession privileges to the Modesto Red Baseball Team on the days they actually play at the field, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

12 IN THE MATTER OF LEASING ROOSEVELT FIELD TO OTHERS

Commissioner Oliver introduced

RESOLUTION NO. 3815-N.S.

authorizing the leasing of Roosevelt Field to other teams on the same basis as the Modesto Reds Baseball Team, 5¢ per ticket sold rent to be paid to the City of Modesto, on the days the field will not be used by the Modesto Reds, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

13 IN THE MATTER OF REPORTS

Reports of the various departments for the month of March, 1937 were reviewed by the Council and ordered filed.

14 IN THE MATTER OF ADJOURNMENT

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

RESOLUTION NO. 3816-N.S.

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

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRACE, CITY CLERK

Council Meeting

April 28, 1937

The Council of the City of Modesto met in regular session this date, there were

Present: Councilmen: Neece, Pack, Stanley, Oliver and Mayor King

Absent: Councilmen: None

1 IN THE MATTER OF MINUTES

The minutes of the regular meeting of April 14th and of the adjourned meeting of April 15th, 1937 having been heretofore read by each Councilman were approved as so read.

2 IN THE MATTER OF ORAL PETITIONS

Mr. Jim Sagres appeared before the Council protesting the payment of \$4.00 fee for the hiring of an officer and the requirement of taking out a dance license on his place of business on the 99 highway. No action was taken on this matter.

3 Mr. Hugh Wallis and Mr. Nye appeared before the Council to discuss the proposition of installing a public market in the City of Modesto. He was instructed by the Council to put his proposition in writing and submit it to the City Attorney.

4 IN THE MATTER OF CLAIMS-HENLEY

Claim for refund of \$50.00 deposit required by Section 101 of Ordinance No. 487-N.S. having been filed by F. J. Henley with the City Auditor, Commissioner Oliver introduced

RESOLUTION NO. 3817-N.S.

authorizing the City Clerk and Auditor to draw warrant in amount \$50.00 in payment of claim to F. J. Henley, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

5 IN THE MATTER OF CLAIM-GRINER

Claim of L. A. Griner for refund of City taxes for year 1936 on improvements on Blk 23, Beg. at Ely corner lot 17, th NWly 90 ft. SWly 45 ft. SEly 90 ft. NEly to beg. as improvements were taken off before March 1, 1936 in amount \$11.75 having been filed with the City Auditor, Commissioner Oliver introduced

RESOLUTION NO. 3818-N.S.

authorizing the City Clerk and Auditor to draw warrant in amount \$11.75 payable to claimant, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

6 IN THE MATTER OF COMMUNICATIONS VETERANS WELFARE BOARD

A communication from the Veterans Welfare Board advising of change of ownership of the following property to the Veterans' Welfare Board through provisions of the Veterans' Farm and Home Purchase Act, was read

HOWARD ANDERSON, Lots 20, 21 and N 5 ft 22 in Block 467
Whereupon Commissioner Oliver introduced

RESOLUTION NO. 3819-N.S.

directing the City Tax Collector and Assessor to make such entries on his books,

which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

7 IN THE MATTER OF COMMUNICATION- CHAMBER OF COMMERCE At this time a letter was read which had been received from the Traffic Committee of the Modesto Chamber of Commerce regarding suggestions to improve the traffic conditions in the City. This matter was turned over to the Commissioner of Health & Safety, Carl Stanley.

8 IN THE MATTER OF COMMUNICATION A communication was received from the Modesto Bee thanking the City Council for the cooperation of the City of Modesto in the tenth annual Stanislaus County tennis tournament. Same was read and ordered filed.

9 A letter from the Los Angeles Harbor Department regarding federal legislation was read and ordered filed.

10 A letter from Dennett & Zion, attorneys for the Modesto Terminal Company was read in which they enclosed a copy of resolution adopted by the Modesto Terminal Company approving of the fencing by the United Lumber Yards Inc. of Block 73. Same was referred to Attorney Fowler.

11 A letter from the Golden Gate International Exposition regarding Assembly Bill #252 now before the legislature at Sacramento was read and City Attorney Fowler was instructed to write to the League of California Municipalities before taking any action on adopting resolution approving its adoption by the legislature.

12 IN THE MATTER OF 10 MINUTE PARKING ZONES Pursuant to provisions of Ordinance No. 544-N.S. providing for marking 10 minute parking zones in the business district between the hours of 9:00 A.M. and 6:00 P.M. Commissioner Stanley introduced

RESOLUTION NO. 3820-N.S.

providing for the marking of certain zones as set forth in copy of resolution, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

13 IN THE MATTER OF HEARING PROTEST L. G. FRISTROM Whereas pursuant to the filing of petition with the Council as follows:

L.G. Fristrom: to erect and maintain a music studio on property known as lots 31 and 32, Block 584 on High Street in the City of Modesto

and it appearing from affidavits on file that a notice setting forth a time for hearing any and all protests to the granting of the petition as prayed for and this being the time set forth and as there have been no protests either oral or written filed, Commissioner Pack introduced

RESOLUTION NO. 3821-N.S.

granting permit to L.G. Fristrom to erect, operate and maintain a music studio as petitioned when all provisions of City ordinances relative to building permit have been complied with, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

14 IN THE MATTER OF
VOTE OF APPRECIATION-ROY E. PACK

Commissioner Stanley introduced

RESOLUTION NO. 3822-N.S.

expressing appreciation of the City Council of the City of Modesto to Roy E. Pack for his invaluable service to the City of Modesto during the past four years in which time he acted as Acting Mayor and City Councilman, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

15 IN THE MATTER OF
GRANTING MAYOR
LEAVE OF ABSENCE

Mayor King petitioned for leave of absence from the state for a period of 30 days or less, whereupon Commissioner Neece

introduced

RESOLUTION NO. 3823-N.S.

granting leave of absence as requested, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

16 IN THE MATTER OF
BIDS ON SEWER WORKS
MATERIAL

Pursuant to advertising for material for Sewage Works and the time for opening bids having now arrived, the City Clerk

reported receipt of five bids which when opened read as follows:

<u>NAME OF BIDDER</u>	<u>Item 1</u>	<u>Item 2</u>	<u>Item 3</u>	<u>Item 4</u>
California Corrugated Culvert Co. 5th & Parker St. Berkeley				\$580.03
Fairbanks, Morse & Co. Spear & Harrison St. S.F.		\$1190.35 (Item 2 and 3)		
Victor Equipment Co. 1010 E 62nd St. L.A.		\$932.93	\$565.31	
Dorr Company 811 W 7th St. L.A.	\$5043.00			
Water Works Supply Co. 501 Howard St. S.F.	\$4500.00			

Whereupon Commissioner Pack introduced

RESOLUTION NO. 3824-N.S.

referring the above bids to the City Engineer for investigation and tabulation as to the lowest and best bid, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

17 IN THE MATTER OF
PARKING CONDITIONS
ON 10th St. BETWEEN
E AND F STREETS

The Stanislaus Implement & Hardware Company petitioned the Council to make an investigation of the parking conditions on 10th Street between E and F Streets and on F Street

near their place of business. This matter was referred to Stanley.

18 IN THE MATTER OF
ACCEPTING MAP OF
COLLEGE TRACT

At this time a map of the resubdivision of College Tract located in block 502 and 503 was presented for acceptance

and approval, Commissioner Pack introduced

RESOLUTION NO. 3825-N.S.

accepting map as presented, and authorizing the Mayor and City Clerk to sign same, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

19 IN THE MATTER OF
ADOPTING BUDGET
OF STREETS OF MAJOR
IMPORTANCE

Commissioner Pack introduced
RESOLUTION NO. 3826-N.S.

approving and accepting project statement relative to expenditures by the State Department of Public Works of money obtained from the apportionment of the one-quarter cent gasoline tax on streets of Major importance in the City of Modesto as presented for the period ending June 30, 1938 and does herewith designate Mayor J. H. King and City Engineer F. J. Rossi to affix their signatures thereto in behalf of the City of Modesto, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

20 IN THE MATTER OF
ADOPTING BUDGET
FOR HIGHWAYS

Commissioner Pack introduced
RESOLUTION NO. 3827-N.S.

approving and accepting project statement relative to expenditures by the State Department of Public Works of money obtained from the apportionment of the one-quarter cent gasoline tax on highways in the City of Modesto as presented for the period ending June 30, 1939 and Mayor and City Engineer to affix their signatures thereto, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

21 IN THE MATTER OF
CANVASSING RETURNS
OF SECOND GENERAL
MUNICIPAL ELECTION

Pursuant to holding of Second General Municipal Election on April 27th, 1937 for the purpose of electing two councilmen and one member of the Board of Education, the Council

proceeded to resolve itself into a canvassing board for purpose of determining result of said election, Commissioner Pack introduced

RESOLUTION NO. 3828-N.S.

determining the result of election in detail as follows:

Whereas, the Council of the City of Modesto did by Resolution No. 3813-N.S. adopted on the 15th day of April, 1937 call a general municipal election to be held on the 27th day of April, 1937 for the purpose of voting for the selection of two members of the City Council of the City of Modesto, and on said 15th day of April, 1937 by said Resolution likewise called a general election in and for the Modesto City School District to select one member of the Board of Education of said Modesto City School District; and

WHEREAS, the provisions of law prerequisite to the calling of said election have been duly complied with, and notice of said election has been duly given, all as required by law, and that said elections were held on the said 27th day of April, 1937, and were held and conducted in all respects in conformity with the laws of the State of California, and the ordinances of the City of Modesto; and

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

WHEREAS it appears from the canvass of the returns of said election that a total number of votes cast within the City of Modesto, including absentee ballots, was and is 2448 votes, and that that total number of votes cast in the said City of Modesto and within the confines of the Modesto City School District, including absentee ballots, was and is 3,093; and

WHEREAS, it appears from said canvass that George Neece, candidate for City Councilman, secured a total number of 1,599 votes; that

Barney H. Bond, candidate for City Councilman, secured a total number of 1219 votes; that Ad Brown candidate for City Councilman, secured a total number of 1,193 votes that Y. G. Barnell, candidate for City Councilman, secured a total number of 207 votes; and that one vote was cast for the election of Fred Peterson to said City Council; and

WHEREAS, it appears by said canvass that Mrs. Rhoda Sturtevant, candidate for member of Board of Education of Modesto City School District, secured a total number of 1,957 votes; and that Viola W. Field, candidate for member of Board of Education of Modesto City School District, secured a total number of 963 votes;

NOW THEREFORE, the City Council of the City of Modesto sitting as a canvassing board to canvass the returns of said election, does hereby declare that George Neece and Barney H. Bond were and are elected as Councilmen of and to membership as Councilmen in the City Council of the City of Modesto, and that Mrs. Rhoda Sturtevant has been and is elected to membership on the Board of Education of Modesto City School District, and the City Clerk of the City of Modesto is hereby empowered and ordered to deliver unto the said George Neece, Barney H. Bond, and Mrs. Rhoda Sturtevant certificates of election, evidencing the election of said candidates to the respective offices herein described, to which each of said candidates has been elected.

Which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

22 IN THE MATTER OF
PAYMENT OF ELECTION
OFFICIALS AND FOR
POLLING BOOTHS:

Commissioner Neece introduced

RESOLUTION NO. 3829-N.S.

authorizing and directing the City Clerk and Auditor to pay to election officials serving in the first and second general municipal elections held on April 13, 1937 and April 27, 1937 the sum of \$5.00 for each time they served for members of the Board within the City limits and \$3.00 per election for election officials and O.H. DeForest, James L. Curtis, Omer C. Glass and Hubert W. Little to receive \$1.00 each election additional for setting up election booths outside the City of Modesto and for the rental of each polling booth which it is necessary to pay for the sum of \$5.00 for each election, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

23 IN THE MATTER OF
RESOLUTION RE:
INDIGENT CAMP

At this time a resolution protesting the establishment of an indigent camp on the Beard property across the Waterford Road Bridge which had been adopted by the City Planning Commission was read before the Council. Same was ordered filed.

24 IN THE MATTER OF
GOLF TOURNAMENT
EXCHANGE CLUB

A communication from O.O. Osborne, Chairman of Golf Committee of the Exchange Club was read in which he requested that the Exchange Club be allowed to hold a golf tournament on Thursday afternoon of May 13th, 1937 at the Municipal Golf Course, at which time the State Convention of the Exchange Club will be held in Modesto, whereupon Commissioner Oliver introduced

RESOLUTION NO. 3830-N.S.

granting request as prayed for, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

25 IN THE MATTER OF
ADJOURNMENT

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

RESOLUTION NO. 3851-N.S.

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

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

Council Meeting,

May 12, 1937

The Council of the City of Modesto met in regular session this 12th day of May, 1937

Present: Councilmen: Oliver, Stanley, Neece, Bond and Mayor King

Absent: Councilmen: None

1 IN THE MATTER OF ORGANIZATION

Pursuant to the General Municipal Election of April 13th, 1937

and the Second General Municipal Election of April 27, 1937,

the certificates of election and oaths of office of Councilman George Neece and Councilman Barney H. Bond were duly declared filed with the City Clerk and the Council proceeded to organize as provided by Section 33 and 34 of the City Charter.

2 IN THE MATTER OF ASSIGNING COMMISSIONS

Commissioner Stanley introduced a resolution being

RESOLUTION NO. 3832-N.S.

designating the commissionerships of the members of the Council as follows: Councilman Barney H. Bond be hereby designated as Commissioner of Public Works, that Councilman George F. Neece be and he is hereby designated Commissioner of Finance and Revenue, that Councilman G. D. Oliver, Jr. be and he is hereby designated Commissioner of Public Supplies and that Councilman C. J. Stanley shall continue in his present Commissionership as the Commissioner of Public Health and Safety. Be it further resolved that the said Council does hereby determine and assign the duties of the several Commissioners and departments as the same are determined and assigned by the Charter and by the previous ordinances and resolution of the City Council. Reference is hereby particularly made to Resolution No. 2655-N.S. which is continued in full force and effect and reference is also made to Ordinance No. 377-N.S. as amended by Ordinance 439-N.S. which includes in the duties of the Commissioner of Finance and Revenue, the supervision of the parks of the City of Modesto;; provided however that in addition to having jurisdiction over the parks, the Commissioner of Finance and Revenue as a part of the park department of said city, shall also have jurisdiction and control over the trees growing along and upon the streets of the City of Modesto, with power to assign and delegate to the City Engineer the immediate control and supervision thereof, including the power to employ and discharge the necessary assistance and labor in carrying out the duties and functions pertaining to the parks and the street trees., which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

3 IN THE MATTER OF APPROVAL OF MINUTES

The minutes of the regular session of April 28th, 1937

having been heretofore read by each Councilman were unanimously approved as so read.

4 IN THE MATTER OF PETITION OF TRUCK OWNERS
 Attorney Ronald E. Bates appeared before the Council with a petition signed by four truck owners requesting that a time and place be set when the Truck Owners and Operators may meet with the City Council of Modesto for the purpose of proposing and discussing an amendment to Ordinance No. 487-N.S. to remedy the "present inequitable situation". This matter was taken under advisement.

5 IN THE MATTER OF PETITION STOP SIGN 14th & E STREETS
 W. D. Case of 502 14th Street appeared before the Council petitioning the Council to establish a stop sign at E and 14th Street. This matter was referred to Commissioner Stanley and Chief of Police Arington.

6 IN THE MATTER OF CLAIMS
 The claims against the City of Modesto for the month of April, 1937 having been heretofore audited and approved by the Council, Commissioner Neece introduced

RESOLUTION NO. 3833-N.S.

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

GENERAL FUND-----	\$24,713.64
WATER FUND-----	\$ 6,053.11
LIBRARY FUND-----	\$ 1,509.45
BOND RED. INT. FUND-----	\$ 39.97
ST. BOND RED. INT. FUND-----	\$ 391.72
UNAPPORTIONED FUND-----	\$
GASOLINE TAX FUND-----	\$ 1,401.30
ST. BOND RED. INT. FUND SPECIAL	\$.35
TOTAL-----	\$34,109.54

which resolution was regularly adopted by the following vote:
 Ayes: Councilmen: Oliver, Bond, Stanley, Neece and Mayor King
 Noes: Councilmen: None
 Absent: Councilmen: None

7 IN THE MATTER OF CLAIM-FRANCIS, GILMOUR LINDGREN & SWINERTON, INC.
 Claims for refund of \$50.00 deposit required by section 101 of Ordinance No. 487-N.S. having been filed by the following:

ELEANOR FRANCIS
 WM. G. AND A. GILMOUR
 LINDGREN & SWINERTON, INC.

with the City Auditor, Commissioner Neece introduced

RESOLUTION NO. 3834-N.S.

authorizing the City Clerk and Auditor to draw warrants in amount \$50.00 for each claimant, which resolution was regularly adopted by the following vote:

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

8 IN THE MATTER OF CLAIMS-DR. HARRIS
 Claim having been filed by Dr. Allan D. Harris for \$2.59 overpayment of mill and one-half license paid in July 30, 1936 and May 10, 1937 with the City Auditor, Commissioner Neece introduced

RESOLUTION NO. 3835-N.S.

allowing claim as presented and authorizing the City Clerk and Auditor to draw a warrant in amount of \$2.59 in payment of claim, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

9 IN THE MATTER OF
CLAIMS-MRS. CLARA
SAYERS

Claim having been filed with the City Auditor for \$5.00 by Mrs. Clara Sayers for refund of registration fee as provided by provisions of Resolution No. 3302-N.S. as the gross income received from her trade or calling was less than \$25.00 a quarter, Commissioner Neece introduced

RESOLUTION NO. 3836-N.S.

allowing claim as presented and authorizing City Clerk and Auditor to draw warrant in amount \$5.00 in payment of claim, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

10 IN THE MATTER OF
CLAIM-FRED BENNETTS

Claim having been filed by Fred Bennetts for \$3.50 personal property tax paid on household furniture (receipt #1497-E) because of the fact the household goods taxed were purchased on April 7, 1937 which is after assessment date. Commissioner Neece introduced

RESOLUTION NO. 3837-N.S.

allowing claim as presented and authorizing the City Clerk and Auditor to draw a warrant in amount \$3.50 in payment, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

11 IN THE MATTER OF
REFUND TRUCK LICENSE
STINNETT'S TRANSFER

Claims having been filed by Stinnett's Transfer for refund of truck and trailer license in amount \$7.50 for quarter ending June 30, 1937 paid to the City License Collector on April 12th, because of the fact the claimant does not intend to operate in this city, Commissioner Neece introduced

RESOLUTION NO. 3838-N.S.

allowing claim as presented and authorizing the City Clerk and Auditor to draw warrant in amount \$7.50 as refund of license to Stinnett's Transfer, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

12 IN THE MATTER OF
LETTER OF THANKS
CHAMBER OF COMMERCE

A communication received from the Aviation Committee of the Modesto Chamber of Commerce was read in which they expressed their appreciation of the cooperation of the City Council and the various departments of the City government in providing necessary facilities and arrangements for the 11th and 31st Bombardment Squadrons in their recent visit to the City of Modesto. Same was read and ordered filed.

13 IN THE MATTER OF
PETITION FOR FRANCHISE
TO OPERATE MOTOR BUS
W. KLEINENBROICH

Pursuant to expiration of franchise of Willis M.
Kleinenbroich to operate motor buses upon the

streets of Modesto, he presented a petition to be allowed to continue this service over the same routes. Same was referred to City Attorney Fowler.

14 IN THE MATTER OF
PETITION FOR ESTABLISH-
ING OF PARK

A petition was presented with the signatures of 273
persons to the City Council for the establishment

of a park on tract of land immediately east of the John Muir School ground on property owned by the Cemetery, Association which may not, by reason of city ordinance be devoted to cemetery purposes. Mr. Paul Bomberger appeared before the Council urging that this action be taken, making a park out of this property for the benefit of the neighborhood and the City as a whole. This matter was referred to Commissioner of Finance and Revenue Neece

15 IN THE MATTER OF
BID ON PAVEMENT
OVER CULVERTS

Plans and specifications having heretofore been
filed by the City Engineer with the Council and

approved by them for the paving over of culverts at the intersection of 1st, 2nd, 3rd and 4th Streets on H Street and money for said construction having heretofore been duly appropriated and being now available and notice to bidders having heretofore been given and published as required by law and bids in accordance with said notice having been received not later than 7:30 P.M. on Wednesday, May 12th and having been then and there opened by the Council in open meeting and it appearing that the bid of Stewart M. McGaw for the work specified was the only one received and that Stewart M. McGaw is a responsible bidder, whereupon Commissioner Bond introduced

RESOLUTION NO. 3839-N.S.
asphaltic concrete @ \$15.75

awarding bid to Stewart McGaw for 400 tons, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

16 IN THE MATTER OF
AWARDING BID ON
SEWAGE DISPOSAL
PLANT

Pursuant to advertising for the sewage disposal
plant equipment and the receiving of bids from
same and action being postponed thereon until

this time and it appearing that the following are the lowest and best bids:

Item #1	\$4503.00	Dorr Co. Inc,
Items #2 and #3	1190.35	Fairbanks Morse & Co.
Item #4	580.03	California Corrugated Culvert Co.

whereupon Commissioner Neece introduced

RESOLUTION NO. 3840-N.S.

awarding bid to above named concerns and authorized City Clerk to return checks to the unsuccessful bidders, which motion being duly seconded, it was upon roll call adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

17 IN THE MATTER OF
REAPPOINTMENT OF
PARK COMMISSIONER
KEELEY

Commissioner Oliver introduced

RESOLUTION NO. 3841-N.S.
reappointing Park Commissioner Howard Keeley for

a term of three years from May 10, 1937, which resolution was regularly adopted

by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

18 IN THE MATTER OF
APPOINTING BOND
EX-OFFICIO MEMBER
PLANNING COMMISSION

Commissioner Neece introduced
RESOLUTION NO. 3842-N.S.

appointing Commissioner Bond, ex-officio member of

Planning Commission, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

19 IN THE MATTER OF
ORDINANCE RE:
APPROPRIATION FOR
TRACTOR

Commissioner Oliver introduced an ordinance being
ORDINANCE NO. 545-N.S.

entitled "AN ORDINANCE APPROPRIATING \$3200 FOR PURCHASE
OF TRACTOR" and moved its adoption and passage to print and publish which motion being
duly seconded, it was upon roll call carried and the ordinance ordered published as
above by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

20 IN THE MATTER OF
PAYMENT OF PENSION
TO EMMA SMITH

Pursuant to suit being filed in the Superior Court by
widow of Lee E. Smith, Emma Smith vs. City of Modesto

and Board of Police Pension Fund in which it was alleged that Lee E. Smith was at the
time of his death a member of the Police Department and made claim for \$1000.00 by
virtue of the provisions of Statutes of 1889 of the State of California as set forth
in Act 6012, Deering's General Laws 1931, Commissioner Stanley introduced

RESOLUTION NO. 3843-N.S.

directing the City Auditor to draw warrant in amount of \$1000.00 payable to Emma Smith
plaintiff and A. J. Carlson, attorney for said plaintiff and to receive from A. J.
Carlson, a satisfaction of judgment in this case, which resolution was regularly
adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

21 IN THE MATTER OF
FENCING BLOCK 73

The matter of fencing by the United Lumber Yards, Inc.
of Block 73 in the City of Modesto was laid over until

a future date.

22 IN THE MATTER OF
APPLICATION FOR
BILLBOARDS

Pursuant to application by Foster & Kleiser for bill-
boards at the following locations:

Lease #3929, Location: 9th St. west line 200' north of
E Street.

Lease #1482, Location 7th St. west line 25' south of G St

Lease # Location H St. north line 90' east of 4th St

Lease #3896, Location: Grant St. north line 200' west of
Carlson

and whereas applications presented are in accordance with requirements sets forth by
Ordinance No. 528-N.S. and Ordinance No. 302-N.S. and the City Engineer has determined
that all locations comply with above named ordinances, whereupon Commissioner Oliver

introduced

RESOLUTION NO 3844-N.S.

approving applications as presented, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Oliver, Stanley, Bond and Mayor King

Noes: Councilmen: Neece

Absent: Councilmen: None

23 IN THE MATTER OF
ORDINANCE REGULATING WATER

Commissioner Oliver introduced an ordinance being
ORDINANCE NO. 546-N.S.

entitled AN ORDINANCE AMENDING SECTION 1 of ORDINANCE NO 124-N.S. OF THE CITY OF MODESTO ENTITLED: AN ORDINANCE REGULATING THE USE OF WATER FOR IRRIGATION PURPOSES WITHIN THE CITY OF MODESTO" and moved its adoption and passage to print and publish which motion being duly seconded, it was upon roll call carried and the ordinance ordered published as above by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

24 IN THE MATTER OF
REPORTS

Reports of the various departments for the month of April, 1937 were reviewed by the Council and ordered filed.

25 IN THE MATTER OF
REPORTS-CITY PROMOTION FUND

At this time a report was presented to the Council by the Chairman of the Retail Merchants Bureau Committee, S. E. Loshier upon the City Promotion Fund, which had been granted the merchants by the Council under Ordinance No. 527-N.S. Same was read and ordered filed.

26 IN THE MATTER OF
CUTTING FLOWERS
IN THE PARKS

Commissioner Oliver introduced
RESOLUTION NO. 3845-N.S.

WHEREAS, demands and requests have been repeatedly made upon the City Council of the City of Modesto for supply of flowers from the City Parks and gardens; and WHEREAS the Council desires hereby to declare its policy regarding such matters, Be it hereby resolved that no flowers from the public parks shall be furnished for private purposes, but the Commissioner of Finance and Revenue may authorize the use of flowers from city parks and gardens in connection with the shows of the Modesto Garden Club or for use in connection with decoration in case of conventions or organizations and meeting of state-wide importance, the sessions of which are held in Modesto and cutting and amount of such flowers for such purposes shall be under the supervision of Commissioner of Finance and Revenue, to whom requests for such flowers shall be made, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

27 IN THE MATTER OF
GRANT PERMIT RICHFIELD OIL COMPANY

There was filed with the Council for approval the application of the Richfield Oil Company to erect, operate and maintain a service station on property described as southwest 80 feet of lots 31 and 32 and the southwest 80 feet of the northwest 10 feet of lot 30 all in Block 2 of the City of Modesto, whereupon Commissioner Bond introduced

RESOLUTION NO. 3846-N.S.

approving plans as presented and granting permit to the Richfield Oil Company when

all provisions of City ordinance relative to building permit have been complied with, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

29 IN THE MATTER OF ADJOURNMENT There being no further business to come before the Council, Commissioner Oliver introduced

RESOLUTION NO. 3847-N.S.

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

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

SPECIAL COUNCIL MEETING

MAY 21, 1937

The Council of the City of Modesto met in Special session this date, the meeting having been called and convened as set forth in section 2 of the Ordinance No. 2-N.S. Present: Councilmen: Bond, Stanley, Neece and Mayor King Absent: Councilmen: Oliver

IN THE MATTER OF PROTEST BY TRUCK OPERATORS TO MILL AND ONE-HALF LICENSE Vic Ramos, W. Amerine, Bob Fitch and Attorney Bates appeared before the Council protesting to the mill and one-half license on truck operators inside the City limits. They contended that it was unfair as they were compelled to pay the "IN LIEU" tax to the State on their equipment and were not allowed credit by the City on their mill and one-half license. This matter was to be taken under consideration by the Council and to be brought before the council again at a future date.

1 IN THE MATTER OF ADJOURNMENT There being no further business to come before the Council, Commissioner Bond introduced

RESOLUTION NO. 3848-N.S.

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

Ayes: Councilmen: Bond, Neece, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: Oliver

ATTEST H. E. GRAGG, CITY CLERK

May 26, 1937

The Council of the City of Modesto met in regular session this 26th day of May, 1937

Present: Councilmen: Oliver, Stanley, Neece, Bond and Mayor King

Absent: Councilmen: None

1 IN THE MATTER OF APPROVAL OF MINUTES

The minutes of the regular meeting of May 12th, 1937 and Special meeting of May 21, 1937 having been heretofore read by each Councilman were unanimously approved as so read.

2 IN THE MATTER OF PARK IN BLOCK 606

A group of citizens appeared before the Council petitioning the Council to establish a park in Block 606 east of John Muir School. Mr. Carol Fulkerth spoke on the subject and requested that this be given careful consideration. The Council advised the group that the matter would be taken under advisement.

3 IN THE MATTER OF RIFLE RANGE

Mr. Beane appeared before the Council requesting the the City establish a rifle range near the Trap grounds at the Airport. This matter was referred to Councilman Bond and City Engineer Rossi for investigation.

4 IN THE MATTER OF MOTORCYCLE CLUB

Mr. E. B. Gregg representing the Motorcycle Club petitioned the Council to rope off Eye Street from 10th to 12th Streets on Sunday night July 4th so that they could hold a stunt program with motorcycles in connection with their convention which will be held on July 4th and 5th in this city, whereupon Commissioner Stanley introduced

RESOLUTION NO. 3849-N.S.

denying request as the nature of the program was too hazardous for the general public and church services will be going on in the Court House Park at that time, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

5 IN THE MATTER OF CLAIMS-TERHEYDEN

Claim for refund of \$50.00 deposit required by section 101 of Ordinance No. 487-N.S. having been filed by Terheyden & Bros. with the City Auditor, Commissioner Neece introduced

RESOLUTION NO. 3850-N.S.

authorizing the City Clerk and Auditor to draw warrant in amount \$50.00 for claimant, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

6 IN THE MATTER OF CLAIMS-HOPKINS AND BENSON

Claims having been filed by J. R. Hopkins for \$192.00 for cutting weeds on vacant lots and Laurence Benson for \$6.75 for cutting weeds on skeet traps with the City Auditor, Commissioner Bond introduced

RESOLUTION NO. 3851-N.S.

authorizing the City Clerk and Auditor to draw warrants in amounts designated for each claimant, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

7 IN THE MATTER OF
CLAIMS-AIKEN & MCNEIL

Claim having been filed by Aiken & McNeil for \$6.25,
being one-half reporter's fee for case of City of Modesto
v. Mensinger in the Superior Court, with the City Auditor, Commissioner Neece introduced

RESOLUTION NO. 3852-N.S.

authorizing the City Clerk and Auditor to draw warrant in this amount as payment of the
claim, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

8 IN THE MATTER OF
COMMUNICATIONS

A letter expressing appreciation of cooperation of the
City of Modesto in making the State Convention of the
Exchange Club a success and thanking the Council for the donation of the golf course
for the tournament which they held was read and ordered filed.

9 An expression of appreciation from the Townsend Club
for the use of Beard Park on Sunday, May 23rd, was read. Same was ordered filed.

10 A letter from the Stanislaus County Boy's Band was read
in which they thanked the City Council for the support in past years of the summer
concerts and requesting that the Council give consideration to budgeting an amount
of \$1000.00 for the next season's concerts. Same was read and ordered filed.

11 A communication from the State Compensation Insurance
Fund regarding experience on the compensation policy of the City of Modesto was
received. Same was read and ordered filed.

12 Legislative bulletins from the League of California
Municipalities were received. Same was read and ordered filed.

13 IN THE MATTER OF
PAYMENT OF TAXES
LOTS 26-27 BLK 17
MRS. LESLIE BAKER

An agreement signed by Harriet Baker to pay one-half
of the ~~City Taxes~~ ^{City Taxes and one-half of the} County Taxes for lots 26 and 27 in Block 17
of the City of Modesto was brought before the Council
for consideration. Commissioner Neece introduced

RESOLUTION NO. 3853-N.S.

that the Council of the City of Modesto agrees to accept the sum of \$348.18, being
one-half of the amount of city taxes due on above described property if the Board
of Supervisors of the County agree to accept one-half of the taxes owing to them and
if said agreement is approved by the Comptroller of the State of California, which
resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

14 IN THE MATTER OF
PERMIT BUSINESS
BUILDING-DR. F.R.
DELAPPE

Pursuant to the filing of petition with the City Council
by Dr. F.R. DeLappe for permit to erect and maintain
an architect and doctor's office on property known as
South 85' of lots 1 and 2, Block 579 of the City of Modesto and it appearing from
affidavits on file that a notice setting forth a time for hearing any and all protests
to

the granting of the petition as prayed for, and this being the time set forth and whereas no protests either oral or written have been officially filed, Commissioner Bond introduced

RESOLUTION NO. 3854-N.S.

granting permission with the understanding that all provision relative to building permit fees be complied with, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

15 IN THE MATTER OF
ADVERTISING FOR
BIDS FOR ROCK
AND LUMBER-SEWAGE
FARM

Commissioner Bond introduced

RESOLUTION NO. 3855-N.S.

authorizing the City Clerk to advertise for bids for

the following items:

1-80 cu. yds. of crushed rock or approved gravel graded to pass a $3\frac{1}{2}$ inch screen and retained upon a 3 inch screen

2-620 cu. yds. of crushed rock or approved gravel graded to pass a $2\frac{1}{2}$ inch screen and retained upon a $1\frac{1}{2}$ inch screen

3-13000 Bd. Ft. of 2" x 4" x 16' rough common structural redwood for construction at the Municipal Sewer Farm.

Said bids to be opened at 717 10th Street, City Hall at 7:30 P.M. Wednesday, June 9, 1937, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

16 IN THE MATTER OF
BUS LINE FRANCHISE
W.M.KLEINENBROICH

The matter of franchise for operation of bus in the City of Modesto petitioned for by W.M.Kleinenbroich

was brought before the Council, whereupon Commissioner Neece introduced

RESOLUTION NO. 3856-N.S.

granting temporary permit to use the streets of the City for this bus line until such time as the matter can be gone over thoroughly by the Council, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

17 IN THE MATTER OF
FINAL ADOPTION
ORD 545-APPROPRIA-
TION FOR TRACTOR

Ordinance No. 545-N.S. having been heretofore introduced and ordered printed and published at the regular meeting of May 12, 1937 and thereupon 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 so finally adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

18

IN THE MATTER OF
FINAL ADOPTION
ORD 546-N.S.
REGULATE USE OF
WATER

Ordinance No. 546-N.S. having been heretofore intro-
duced and ordered printed and published at the regular
meeting of May 12, 1937 and thereupon 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 so finally adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

19

IN THE MATTER OF
FREE WATER GRANTED
W.P.A.

WHEREAS the W.P.A. organization has petitioned that the
City of Modesto grant free water service at warehouse

#43 of the Modesto Terminal Company at 228 11th Street Commissioner Bond introduced

RESOLUTION NO. 3857-N.S.

granting free water service at this location until August 30th, 1937 which resolution
was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

20

IN THE MATTER OF
PETITION FOR
ANNEXATION-HIGH ~~Home~~
TRACT

A petition was filed with the Council requesting that the
following described property be annexed to the municipal
corporation of the City of Modesto and that the necessary

proceedings in that behalf be taken by the Council:

Starting at the north boundary line of the City of Modesto, County of Stanislaus,
easterly boundary line of McHenry Avenue intersections the northerly boundary
line of Lateral No. 4 of the Modesto Irrigation District; thence continuing
along and upon said northerly boundary line of said Lateral No. 4 to the point
intersecting the northerly property line of the Leslie High Tract, extended and
produced; thence westerly and parallel with said northerly boundary line to the
easterly boundary line of said McHenry Avenue; thence south along and upon the
easterly boundary line of said McHenry Avenue to the point of beginning.

Said annexation to be made with the express understanding that the signers shall not
be subject to taxation for bonded indebtedness now owned by the City or owing by
said municipal corporation at the time said territory is finally incorporated in the
City of Modesto. This matter was laid over to a future date.

21

IN THE MATTER OF
FENCING OF BLOCK
73-UNITED LUMBER
YARDS

The matter of fencing of Block 73 of the City of Modesto
by the United Lumber Yards was laid over to a future
meeting.

22

IN THE MATTER OF
ADJOURNMENT

There being no further business to come before the
Council, Commissioner Oliver introduced

RESOLUTION NO. 3858-N.S.

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

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST *H. E. Gragg*
H. E. GRAGG, CITY CLERK

SPECIAL COUNCIL MEETING

June 2, 1937

The Council of the City of Modesto met in Special session this date, the meeting having been called and convened as set forth in section 2 of the Ordinance No. 2-N.S.

Present: Councilmen: Bond, Neece, Oliver, Stanley and Mayor King

Absent: Councilmen: None

IN THE MATTER OF TAXI-CAB ORDINANCE

A general discussion relative to possible adoption of ordinance regulating operations of taxi-cabs in the City of Modesto was held.

IN THE MATTER OF ADJOURNMENT

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

RESOLUTION NO. 3858-N.S.

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

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

SPECIAL COUNCIL MEETING

June 8, 1937

The Council of the City of Modesto met in Special session this date, the meeting having been called and convened as set forth in section 2 of the Ordinance No. 2-N.S.

Present: Councilmen: Bond, Neece, Oliver, Stanley and Mayor King

Absent: Councilmen: None

IN THE MATTER OF BUDGETS

A general discussion on the budgets for year 1937-1938 was held.

IN THE MATTER OF ADJOURNMENT

Commissioner Bond introduced

RESOLUTION NO. 3859-N.S.

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

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

June 9, 1937

The Council of the City of Modesto met in regular session this 9th day of June, 1937

Present: Councilmen: Bond, Neece, Oliver, Stanley and Mayor King

Absent: Councilmen: None

1 IN THE MATTER OF APPROVAL OF MINUTES

The minutes of the regular meeting of May 26, 1937 and of the Special meeting of June 2nd, 1937 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 May, 1937 having been heretofore audited and approved by the Council, Commissioner Neece introduced

RESOLUTION NO. 3860-N.S.

ordering that all of the said claims so audited and approved be allowed, 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-----	\$	24,175.78
Water Fund-----	\$	6,445.68
Library Fund-----	\$	1,639.06
Bond Red. Int. Fund-----	\$	
St. Bond Red. Int. Fund-----	\$	7.70
Unapportioned Fund-----	\$	3.50
Gasoline Tax Fund-----	\$	475.08
Total-----	\$	\$32,746.80

which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

3 IN THE MATTER OF CLAIMS-COULTER AND BLACKBURN

Claim for refund of \$50.00 deposit required under section 101 of Ordinance No. 487-N.S. having been filed by W. E. Blackburn and claim of \$5.40 for refund on water bill at 2217 Morris Avenue having been filed by J. A. Coulter with the City Auditor, Commissioner Neece introduced

RESOLUTION NO. 3861-N.S.

authorizing the City Clerk and Auditor to draw warrants in amount of \$50.00 payable to W. E. Blackburn and of \$5.40 to J. A. Coulter which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

4 IN THE MATTER OF COMMUNICATIONS

Legislative Bulletins #14 and #15 from the League of California Municipalities were read and ordered filed. A communication from Edward Arps regarding oiling streets was read and ordered filed.

5 A communication from the Veterans Welfare Board advising of change of ownership of the following property to the Veterans' Welfare Board through provisions of the Veterans' Farm and Home Purchase Act, was read:

6 FRED W. HILTON, lots 38 and 39 in Block 456 of the City of Modesto

Whereupon Commissioner Neece introduced

RESOLUTION NO. 3962-N.S.

directing the City Tax Collector and assessor to make such entries on his books which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

1 IN THE MATTER OF BUS FRANCHISE FOR WILLIS M. KLEINENBROICH

Application was presented by Willis M. Kleinenbroich for franchise to operate motor bus in the City of Modesto. Same was in proper form and was referred to the City Attorney.

8 IN THE MATTER OF PLUMBER LICENSE JOHN A. MILLER

Whereas application and bond of John A. Miller for carrying on the business of plumbing in the City of Modesto having been submitted to the Council for approval pursuant to provisions of Ordinance No. 276-O.S. Commissioner Bond introduced

RESOLUTION NO. 3863-N.S.

approving application and bond and authorized the city clerk to issue license to John A. Miller to carry on the business of plumbing in the City of Modesto when all provisions of Ordinance No. 487-N.S. relative to payment of license fee shall have been complied with, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

9 IN THE MATTER OF BIDS ON ROCK & LUMBER AT SEWER FARM

Pursuant to advertising for material for Sewage Works and the time for opening bids having now arrived, the City Clerk reported receipt of

five bids which when opened read as follows:

<u>NAME OF BIDDER</u>	<u>Item 1</u>	<u>Item 2</u>	<u>Item 3</u>
Putnam Sand & Gravel Co	\$247.29	\$1820.00	
Ground Lumber Co	Alternate "		\$728.04 788.00 757.76
Ross Lumber Co			870.00
Stanislaus Lumber Co	Alternate "		737.16 791.44 776.65
United Lumber Yards, Inc.			636.01 716.35 769.91 746.49

whereupon it was the decision of the Council that the bids be referred to the City Engineer for tabulation as to the best and lowest bid.

10 IN THE MATTER OF ADVERTISING FOR BIDS ON TRACTOR

Commissioner Bond introduced
RESOLUTION NO. 3864-N.S.

authorizing City Clerk to advertise for bids on

- 1-One Tracklayer Type Tractor powered with a Diesel engine of approximately 35 H.P. at the Drawbar, the gauge width, center to center of tracks is to be 60 inches.
- 2-One set of wide street plates for the 60 inch gauge tractor
- 3-Alternate to Item 1, one tracklayer type Tractor powered with a Diesel engine of approximately 35 H.P. at the Drawbar. The gauge width, center to center of tracks is to be not less than 44 inches.
- 4-Alternate. One set of Street plates for the narrow gauge tractor described under item 3.

Bids to be opened at the next regular council meeting June 23, 1937 at 7:30 P.M. which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

11 IN THE MATTER OF CLAIMS-S.M.MCGAW

Claim of \$1955.00 for 340 tons Asphalt Concrete @ \$5.75 per ton was filed with the City Auditor by S.M.McGaw

used on the culverts on H Streets and whereas claim is in accordance with award of bid made to claimant, Commissioner Bond introduced

RESOLUTION NO. 3865-N.S.

allowing claim as presented and authorizing City Clerk and Auditor to draw warrant in amount of \$1955.00 in payment of claim, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

12 IN THE MATTER OF APPROVAL OF AGREEMENT EXPENDITURE GAS TAX FUND

Whereas the State of California has presented a memorandum of agreement in accordance with a project statement

submitted by the City for expenditure of the $\frac{1}{4}\%$ gas tax for the year 1939 biennium allocated for State Highways in the City of Modesto, Commissioner Bond introduced

RESOLUTION NO. 3866-N.S.

approving said agreement for expenditure of $\frac{1}{4}\%$ gas tax allocated for State Highways and the Mayor and City Clerk are directed to sign the same on behalf of said City, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

13 IN THE MATTER OF APPROVAL OF AGREEMENT EXPENDITURE GAS TAX FUND

Whereas the State of California has presented a memorandum of agreement in accordance with a project

statement submitted by the City for expenditure of the $\frac{1}{4}\%$ gas tax for the fiscal year 1937-1938 allocated for streets of Major Importance in the City of Modesto, Commissioner Bond introduced

RESOLUTION NO. 3867-N.S.

approving agreement for expenditure of $\frac{1}{4}\%$ gas tax allocated for streets of major importance and designated the Mayor and City Clerk as signatory official on behalf of the City of Modesto, which resolution was regularly adopted by the following vote:

Ayes; Councilmen: Bond, Neece, Oliver, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

14 IN THE MATTER OF PETITION FOR CLOSING ALLEY IN BLOCK 73

Whereas the United Lumber Company having made oral application, in brief as follows: That alley in

Block 73 be closed and fenced off, and whereas the applicant owns all of Block 73 except lots 14, 15 and 16, which is owned by the Modesto Terminal Company, and whereas consent to the fencing by the United Lumber Yards, Inc. of Block 73 has been filed with this Council, Commissioner Bond introduced

RESOLUTION NO. 777-S.P.
RESOLUTION OF INTENTION NO. 221

providing for the closing of alley in Block 73 of the City of Modesto, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

15 IN THE MATTER OF
PETITION BY PLUMBERS FOR
NEW ORDINANCE

A petition was presented by a group of plumbers requesting that the Council adopt a new plumbing code for the City of Modesto and recommending that the code known as the Standard Plumbing Code sponsored by the Pacific Coast Plumbing Inspectors Association be adopted. Same was laid over to the next regular meeting.

16 IN THE MATTER OF PETITION TO
ANNEX CERTAIN TERRITORY
LESLIE-HUGH TRACT

Whereas petition has been presented to the Council in the proper form asking that the City of Modesto annex certain territory described as follows:

Starting at the north boundary line of the City of Modesto, County of Stanislaus, State of California at the point where the easterly boundary line of McHenry Avenue intersects the northerly boundary line of Lateral No. 4 of the Modesto Irrigation District; thence continuing along and upon said northerly boundary line of said Lateral No. 4 to a point intersecting the northerly property line of the LESLIE-HUGH TRACT extended and produced; thence westerly and parallel with said northerly boundary line to the easterly boundary line of said McHenry Avenue; thence south along and upon the easterly boundary line of said McHenry Avenue to the point of beginning.

Whereupon Commissioner Bond introduced

RESOLUTION NO. 3868-N.S.

authorizing the holding of and calling an election in the above described territory, as provided by law, on the 13th day of July 1937, submitting the question of such annexation to the qualified electors residing within the above described territory, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

17 IN THE MATTER OF
SIGNALS FOR TRAFFIC
ON 14th STREET

Whereas the Council had appointed Commissioner Stanley, Chief of Police Arington and City Engineer Rossi to make an investigation of the traffic conditions in the City, at this time, Commissioner Stanley reported that they offered for approval the suggestion that "SLOW--CROSS STREET" signs be installed on the entering side of Fourteenth Street at E, F. and G Streets and that "25 MILES LIMIT" signs be placed on 14th Street at D and F Streets, whereupon Commissioner Bond introduced

RESOLUTION NO. 3869-N.S.

approving suggestions and authorizing the Public Works Department to install signs as set forth, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

18 IN THE MATTER OF
REPORTS

Reports of the various departments for the month of May, 1937 were reviewed by the Council and ordered filed.

19 IN THE MATTER OF
ADJOURNMENT

Commissioner Bond introduced

RESOLUTION NO. 3870-N.S.

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

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

Special Council Meeting

June 22, 1937

The Council of the City of Modesto met in Special Session this date, the meeting having been called and convened as set forth in section 2 of the ordinance No. 2-N.S.

Present: Councilmen: Bond, Neece, Oliver, Stanley and Mayor King

Absent: Councilmen: None

1 IN THE MATTER OF TAXICABS

After some discussion Mayor King appointed the Council to act as a committee on the taxicab regulation. It was decided to hold a meeting on Monday at 7:30 June 28th for further discussion.

2 IN THE MATTER OF AWARDING BIDS ON GRAVEL & LUMBER FOR SEWER FARM

Pursuant to advertising for the sewer farm material of gravel and lumber to be used in construction and the receiving of bids from same and action being postponed thereupon until this time and it appearing that the following are the lowest and best bids:

<u>Bidder</u>	<u>Commodity</u>	<u>Amount</u>
United Lumber Yards	Irrigation Grade RW. Ro. 13000 Bd Ft 2" x 4" x 16'	\$769.91
Putnam Sand & Gravel Co.	80 yds crushed rock 3-3 1/2"	\$3.00 per cu. yd.
"	620 Cu. yds crushed rock 1 1/8"-2 1/2"	2.25 per cu. yd.

whereupon Commissioner Bond introduced

RESOLUTION NO. 3871-N.S.

awarding bids to above named concerns and authorized City Clerk and treasurer to return checks to the unsuccessful bidders, which motion being duly seconded, it was upon roll call adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

3 IN THE MATTER OF ADJOURNMENT

There being no further business to come before the Council, Commissioner Neece introduced

RESOLUTION NO. 3872-N.S.

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

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. BRAGO CITY CLERK

Council Meeting,

June 23, 1937

The Council of the City of Modesto met in regular session this 23rd day of June, 1937

Present: Councilmen: Bond, Neece, Oliver, Stanley and Mayor King

Absent: Councilmen: None

IN THE MATTER OF MINUTES The minutes of the regular meeting of June 9th, 1937 and of the Special meeting of June 22nd, 1937 having been heretofore read by each Councilman were unanimously approved as so read.

IN THE MATTER OF CLAIMS Claim for refund of \$50.00 deposit required under section 101 of Ordinance No. 487-N.S. having been filed by Abel P. Pulido and B. F. Hußelson with the City Auditor and whereas the deposit had been retained by the City for the required length of time and all mill and one-half license paid, Commissioner Neece introduced

RESOLUTION NO. 3873-N.S.

authorizing the City Clerk and Auditor to draw warrants in amount of \$50.00 for each claimant which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

2 IN THE MATTER OF CLAIM-COMPENSATION INSURANCE Whereas claim was filed with the City Auditor for \$3167.72 for renewal of Compensation Insurance for year July 1, 1937 to July 1, 1938 by the State Compensation Insurance Fund, Commissioner Neece introduced

RESOLUTION NO. 3874-N.S.

authorizing City Clerk and Auditor to draw warrant in payment after July 15, 1937, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

3 IN THE MATTER OF COMMUNICATION A communication from C. C. Eastin, County Clerk requesting that the County be given permission to construct and maintain an aerial from the northwest corner of H and 12th Streets to a pole in the rear of the County Jail, said aerial to be at a height of 108 feet, whereupon Commissioner Bond introduced

RESOLUTION NO. 3875-N.S.

granting permission to construct aerial under the supervision of the City Engineer, which resolution was regularly adopted by the following vote;

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

Noes: Councilmen: None

Absent: Councilmen: None

4 IN THE MATTER OF COMMUNICATION H. COOPER A communication from H. Cooper protesting to the use of Roselawn Street by large trucking outfits was read. Same was taken under consideration by the Council.

5 IN THE MATTER OF COMMUNICATION-LEAGUE OF CALIFORNIA MUNI. Legislative Bulletin #16 from the league of California Municipalities was received. Same was read and ordered filed.

6 IN THE MATTER OF
COMMUNICATION PENTE-
COSTAL ASSEMBLY CHURCH

A communication from the Pentecostal Assembly Church of 610
Sixth Street requesting they be permitted to erect a Gospel
Tent on the corner of Vine & Madison Streets for revival purposes for about 30 days was
read, whereupon Commissioner Bond introduced

RESOLUTION NO. 3876-N.S.

granting permit as requested when they had complied with the regulations of Zoning Ordinance
No. 364-N.S. and obtained the necessary signatures to petition, which resolution was regu-
larly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

7 IN THE MATTER OF
REQUEST FOR WATER
SERVICE OUTSIDE
CITY-R. A. SYLVA

At this time a request was presented by R. A. Sylva for water
service on lot six of Block 803 of the new Campus Tract just
outside of the City Limits, whereupon Commissioner Bond intro-

duced

RESOLUTION NO. 3877-N.S.

denying request to petitioner and directing that no further water connections outside city
limits be made until application for service had been approved by the Council, which re-
solution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

8 IN THE MATTER OF
REQUEST FOR REMOVAL
OF POPCORN WAGON
10th & J. STREETS

At this time communications from John N. Pappas owner of
property located at 1001 10th Street and R. J. Schotsal,
Walgreen Co. District Manager, lessee of property was read in

which they protested to the popcorn concession located in front of the building and
requested that new license due July 1st be denied them and that they be compelled to
moved their popcorn wagon. Same was laid over to next meeting.

9 IN THE MATTER OF
BIDS FOR PRINTING
AND ADVERTISING

Pursuant to notice to bidders for printing and advertising
contract for fiscal year ending June 30, 1938, and this

being the time set forth for the receiving of said bids, the City Clerk reported that
there was on file one bid, which when opened read as follows:

THE MODESTO BEE	For all official printing and advertising not including delinquent lists, the sum of (for first insertion)	65¢ per sq.
	each subsequent insertion	40¢ per sq.
	For the publication of delinquent assessment lists for street work the sum of (for first insertion)	70¢ per sq.
	Each subsequent insertion	40¢ per sq.

whereupon Commissioner Oliver introduced

RESOLUTION NO. 3878-N.S.

accepting the bid of the Modesto Bee at the prices above stated and directing the Mayor
and City Clerk to enter into a contract therefor on behalf of the City of Modesto, which
resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

10 IN THE MATTER OF
BID ON DIESEL
TRACTOR

Pursuant to advertising for bids for Diesel Tractor and 1 set
of street plates for the 60" gauge Tractor and this being

the time set forth for receiving of such bids, the City Clerk reported that there were on
file four bids, which the Council proceeded to open and declare as follows:

BIDDER	Item 1	Item 2	Item 3	Item 4
Valley Tractor & Equipment Co.	\$3146.65	\$51.50	\$2987.00	\$51.50
	Trade in allowance		\$755.00	
J. D. Adams Co.			3060.00	55.00
	Trade in allowance		\$750.00	
Green & Berry	\$3084.85	73.13	2961.25	73.13
	Trade in allowance		\$675.00	
Stanislaus Implement & Hdw. Co.	3020.00	66.25	2920.00	66.25
	Trade in allowance		\$750.00	

Whereupon Commissioner Oliver introduced

RESOLUTION NO. 3879-N.S.

referring these bids to the City Engineer and Commissioner Bond for tabulation and recommendation as to the lowest and best bid, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

11 IN THE MATTER OF RENEWAL OF ARCHERY RANGE LEASE

The matter of renewal of lease on Archery Range near Beard Brook Park with the Beard Land & Investment Company was discussed, whereupon Commissioner Bond introduced

RESOLUTION NO. 3880-N.S.

authorizing City Attorney to make arrangements to renew this lease, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

12 IN THE MATTER OF AGREEMENT WITH THE CENTRAL PACIFIC RAILWAY CO.

An agreement with the Central Pacific Railway Company and the City of Modesto for the relocation of the electroliers on their property on 9th Street at the City's Expense was presented for approval, whereupon Commissioner Bond introduced

RESOLUTION NO. 3881-N.S.

accepting the agreement and authorizing Mayor King and City Clerk H. E. Gragg as signatory officials, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

13 IN THE MATTER OF APPOINTMENT OF ROY PACK AS LIBRARY TRUSTEE

As the term of L. L. Dennett on the Library Board will expire on July 1, 1937, Commissioner Neece introduced

RESOLUTION NO. 3882-N.S.

appointing Roy Pack for a term of 4 years from July 1, 1937, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

14 IN THE MATTER OF FRANCHISE FOR BUS

Whereas Willis M. Kleinenbroich has made application to the Council for renewal of franchise for operation of a bus line in the City in accordance with Ordinance No. 306-N.S. Commissioner

Bond introduced

RESOLUTION NO. 3883-N.S.

authorizing the renewal of the franchise for a term of three years, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

15 IN THE MATTER OF
COMMITTEE ON NEW
PLUMBING ORDINANCE

Commissioner Bond introduced

RESOLUTION NO. 3884-N.S.

appointing D. R. Hoffman, R. Rhien, Clyde R. Allbritten, Arthur Friedman, Chairman and Mrs. Jessie Trueblood as a committee to draw up a new plumbing ordinance, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

16 IN THE MATTER OF
BICYCLE RACK ON
10th & I STREETS
POSTAL TELEGRAPH CO.

The Postal Telegraph Company requested that they be permitted to install a bicycle rack at 10th & I Streets in front of their place of business. This matter was referred to the Chief of Police and City Engineer for investigation.

17 IN THE MATTER OF
ADJOURNMENT

As the Council wished to meet in adjourned session on June 28, 1937 at 7:30 P.M. on Monday night, Commissioner Neece introduced

RESOLUTION NO. 3885-N.S.

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

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

Adjourned Council Meeting

June 28, 1937

The Council of the City of Modesto met in adjourned session this 28th day of June, 1937 at 7:30 P.M. and there were

Present: Neece, Bond, Stanley, Oliver and Mayor King

Absent: None

IN THE MATTER OF
BIDS ON TRACTOR

Pursuant to advertising for tracklayer type tractor powered with Diesel engine and one set of wide street plates and bids being referred to the Commissioner of Public Works and City Engineer for tabulation at this time Commissioner Bond introduced

RESOLUTION NO. 3886-N.S.

awarding bid to Stanislaus Implement & Hardware Company as being the lowest and best bid at a net price of \$2095.50 after deduction for trade in had been made, directing City Clerk and Auditor to return bidding checks to unsuccessful bidder, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent:Councilmen: None

2 IN THE MATTER OF Commissioner Stanley introduced an ordinance being
AMENDMENT TO ORD. ORDINANCE NO. 547-N.S.
146-N.S. TAXICABS

entitled "AN ORDINANCE AMENDING ORDINANCE NO. 146-N.S. ENTITLED AN ORDINANCE RELATING TO AUTOMOBILE BUSES, JITNEYS AND TAXICABS IN THE CITY OF MODESTO, FIXING A LICENSE FEE FOR THE OPERATION THEREOF, AND REGULATING THE OPERATION OF THE SAME" AS THEREAFTER AMENDED BY ADDING NEW SECTIONS THERETO" and moved its adoption and passage to print and publish, which motion being duly seconded, it was upon roll call carried and the ordinance ordered published as above by the following vote:

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

Noes: Councilmen: None

Absent:Councilmen: None

3 IN THE MATTER OF Whereas claim for cutting weeds on vacant lots in amount \$40.00
CLAIM-J.R. HOPKINS was presented to the Council by J.R. Hopkins, Commissioner
Stanley introduced

RESOLUTION NO. 3887-N.S.

allowing claim as presented and authorizing City Clerk and Auditor to draw warrant in amount of \$40.00 payable to claimant, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent:Councilmen: None

4 IN THE MATTER OF Pursuant to claim being filed with the City Auditor for
CLAIM-W.P.BARRY \$150.00 for revising recapitulation Modesto Public Buildings
and Equipment by William P. Barry, Building Appraiser, Commissioner Neece introduced

RESOLUTION NO. 3888-N.S.

authorizing City Auditor to draw warrant in payment on July 15, 1937, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent:Councilmen: None

5 IN THE MATTER OF Commissioner Stanley introduced an ordinance being
ORDINANCE NO. 548-N.S. ORDINANCE NO. 548-N.S.
TRAFFIC

entitled: "AN ORDINANCE PROHIBITING U TURNS AT INTERSECTION OF ALLEYS AND STREETS WITHIN CERTAIN AREA IN THE CITY OF MODESTO AND PROVIDING A PENALTY FOR VIOLATION WHEREOF" and moved its adoption and passage to print and publish, which motion being duly seconded it was upon roll call carried and the ordinance ordered published as above by the following vote:

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

Noes: Councilmen: None

Absent:Councilmen: None

6 IN THE MATTER OF Whereas the Postal Telegraph Company have petitioned the
REQUEST FOR BICYCLE Council to be permitted to install a bicycle rack in front
RACK IN FRONT OF of their place of business at 10th & I Streets and the matter was
POSTAL TELEGRAPH CO. referred to Chief of Police and City Engineer for investigation and whereas

they now report it inadvisable to grant request due to traffic conditions, Commissioner Stanley introduced

RESOLUTION NO. 3889-N.S.

denying request, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

7

IN THE MATTER OF
ADJOURNMENT

Commissioner Oliver introduced

RESOLUTION NO. 3890-N.S.

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

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST *H. E. Gragg*
H. E. GRAGG, CITY CLERK

SPECIAL COUNCIL MEETING

July 6, 1937

The Council of the City of Modesto met in Special session this date, the meeting having been called and convened as set forth in section 2 of the ordinance No. 2-N.S.

Present: Councilmen: Bond, Neece, Oliver, Stanley and Mayor King

Absent: Councilmen: None

IN THE MATTER OF
REQUEST BY M.I.D.
CONSTRUCT TOWERS

Whereas, the Modesto Irrigation District has petitioned the City Council for permission to construct and maintain its power

lines over and above Beard Brook Park from a steel tower located on the easterly side of Beard Brook to a steel tower located at or near the corner of 12th street and Morton Boulevard. The Council concurred in granting this request to the Modesto Irrigation District.

IN THE MATTER OF
REFUSAL TO ACCEPT
DEED FROM W.R. MENSINGER
ON LOT

Whereas judgment was entered in the case of the City of Modesto v W.R.Mensinger et al giving the City of Modesto, the alternative to supply water to the Mensinger Tract #2 or to refuse the same

and whereas the cost of extending water mains into said tract owned by said W.R.Mensinger is prohibitive and the City has heretofore by resolution declared its intention to cease supplying water to residents outside of said City and whereas acceptance of a deed from said W.R.Mensinger et al would make it necessary for the City to extend water mains into said Mensinger Tract #2, Commissioner Bond introduced

RESOLUTION NO. 3891-N.S.

refusing acceptance of said deed and directing the City Attorney to return the deed to W.R.Mensinger or his attorney, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

2

3 IN THE MATTER OF
SENDING CITY ATTORNEY
FOWLER TO BAKERSFIELD
RE: PENSION SYSTEM

Commissioner Stanley introduced

RESOLUTION NO. 3892-N.S.

providing for the City Attorney to go to Bakersfield to confer with Mr. Phifer of the Bakersfield Fire Department on the pension system to be set up by the City of Modesto and that all expenses incurred should be paid by the City, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

4 IN THE MATTER OF
ADJOURNMENT

Commissioner Neece introduced

RESOLUTION NO. 3893-N.S.

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

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

Council Meeting,

July 14, 1937

The Council of the City of Modesto met in regular session this 14th day of June, 1937

Present: Councilmen: Bond, Neece, Oliver, Stanley and Mayor King

Absent: Councilmen: None

1 IN THE MATTER OF
APPROVAL OF MINUTES

The minutes of the regular meeting of June 23, 1937 and Special meetings of June 28th, 1937 and July 6, 1937

having been heretofore read by each Councilman were unanimously approved as so read.

2 IN THE MATTER OF
ORAL COMMUNICATIONS

Mrs. Wilcox appeared before the Council in behalf of the Women's Improvement Club Salvage Shop. She requested that the shop be exempted from paying the business license tax provided for by Ordinance No. 487-N.S. She was informed that it would not be possible to grant her request as no exemption could be made.

3 IN THE MATTER OF
CLAIMS

The claims against the City of Modesto for the month of June, 1937 having been heretofore audited and

approved by the Council, Commissioner Neece introduced

RESOLUTION NO. 3894-N.S.

ordering that all of the said claims so audited and approved be allowed, 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-----	\$28,480.40
WATER FUND-----	6,381.99
LIBRARY FUND-----	1,750.59
BOND RED. INT. FUND-----	2,312.50
ST. BOND RED. INT. FUND-----	
UNAPPORTIONED FUND-----	
GASOLINE TAX FUND-----	1,955.00
Sewer Repair Fund-----	5,046.93
TOTAL-----	\$45,927.41

which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

4 IN THE MATTER OF
CLAIMS-REFUND OF
DEPOSIT-ORD 487-N.S.

Claims for refund of \$50.00 deposit required by section
101 of Ordinance No. 487-N.S. having been filed by the

following

HENRY BROWN
CHUCK & WALT'S
W. C. ROWE
S. M. MCGAW

Commissioner Neece introduced

RESOLUTION NO. 3895-N.S.

authorizing the City Clerk and Auditor to draw warrants in amount of \$50.00 payable to
each claimant, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

5 IN THE MATTER OF
BULLETINS FROM
LEAGUE OF CALIF-
ORNIA MUNICIP-
ITITES

At this time legislative bulletins #17 and #18 from the League
of California Municipalities were read. Same were ordered filed.

6 IN THE MATTER OF
STATE BOARD OF
EQUALIZATION

A communication from the State Board of Equalization relative
to amendments to the Alcoholic Beverage Control Act, effective

July 2, 1937 providing for the participation of city councils in the regulation of the
Act was read. This matter was laid over to a future date.

7 IN THE MATTER OF
CANVASSING VOTE OF
ANNEXATION OF
LESLIEHUGH TRACT

Commissioner Stanley introduced

RESOLUTION NO. 3896-N.S.

postponing the canvassing of the ballots on the LESLIEHUGH TRACT
until Saturday Morning at 11:00 A. M. at which time an adjourned meeting will be held, which
resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

8 IN THE MATTER OF
PAYMENT OF ELECTION
OFFICIALS AND FOR
POLLING BOOTH

Commissioner Bond introduced

RESOLUTION NO. 3897-N.S.

authorizing and directing the City Clerk and Auditor to pay to
election officials serving in the LESLIEHUGH Tract annexation election held on July 13,
1937 the sum of \$5.00 for each member and \$5.00 for the rental of polling place, which
resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

9 IN THE MATTER OF
PROJECT STATEMENT
 $\frac{1}{4}$ GAS TAX EX-
PENDITURE

Whereas there was presented for adoption and signature project
statement relative to expenditure by the State Department of
Public Works of money obtained from apportionment of $\frac{1}{4}$ gas-
oline tax, Commissioner Bond introduced

RESOLUTION NO. 3898-N.S.

directing that the Council adopt this statement as a budget for expenditure of $\frac{1}{4}$ funds
upon streets of major importance and herewith designates Mayor J. H. King and City
Engineer F. J. Rossi to affix their signatures thereto in behalf of the City, which
resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

10 IN THE MATTER OF
FINAL ADOPTION OF
ORD. 547-N.S.
TAXICABS

Ordinance No. 547-N.S. having been heretofore introduced and ordered printed and published at the Special meeting of June 28, 1937 and thereupon 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 so finally adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

11 IN THE MATTER OF
FINAL ADOPTION OF
ORD. 548-N.S.
TRAFFIC

Ordinance No. 548-N.S. having been heretofore introduced and ordered printed and published at the Special meeting of June 28, 1937 and thereupon 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 so finally adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

12 IN THE MATTER OF
USE OF ROSELAWN
AVENUE BY LARGE
TRUCKS

A protest made by H. Cooper to the using of Roselawn Avenue by large trucking outfits was laid over until a future meeting.

13 IN THE MATTER OF
REPORTS

Reports of the various departments for the month of June, 1937 were reviewed by the Council and ordered filed.

14 IN THE MATTER OF
ADJOURNMENT

Commissioner Oliver introduced

RESOLUTION NO. 3899-N.S.

adjourning the Council meeting now in session until Saturday Morning at 11:00 A.M. July 17, 1937, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

H. E. Gragg
ATTEST H. E. GRAGG, CITY CLERK

SPECIAL COUNCIL MEETING

July 15, 1937

The Council of the City of Modesto met in Special session this date, the meeting having been called and convened as set forth in section 2 of the ordinance No. 2-N.S.

Present: Councilmen: Bond, Neece, Stanley and Mayor King

Absent: Councilmen: Oliver

1 IN THE MATTER OF
ADOPT SALARY
SUPPLEMENT TO
BUDGET FOR YEAR
1937-1938

Commissioner Neece introduced

RESOLUTION NO. 3900-N.S.

adopting and approving supplement to budget for fiscal year 1937-1938 covering salaries paid to all employees, both weekly and monthly as presented by the various departments and on file in the office of the City Clerk, same to be effective as of August 1st, 1937, with the exception of the City Clerk, Auditor, Assessor, Treasurer, Collector, Attorney, Engineer, Chief of Police, Fire Chief, Street Superintendent, Building Inspector and sewer Inspector, which are to

be taken care of by Ordinance as provided for by Section 36 of Article VIII of the City Charter, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Neece, Bond, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: Oliver

2 IN THE MATTER OF
CLAIM-EXPENSES OF
CITY ATTORNEY TO
BAKERSFIELD

Commissioner Stanley introduced

RESOLUTION NO. 3901-N.S.

allowing claim as presented by City Attorney for expenses to Bakersfield in connection with Pension System to be established for the Fire and Police Departments in amount \$16.23 (C.F. Res. No. 3892-N.S.) which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Neece, Bond, Stanley and Mayor King

Noes: Councilmen; None

Absent: Councilmen: Oliver

3 IN THE MATTER OF
ADJOURNMENT

Commissioner Stanley introduced

RESOLUTION NO. 3902-N.S.

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

Ayes: Councilmen: Neece, Bond, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: Oliver

H. E. Gragg
ATTEST H. E. GRAGG, CITY CLERK

ADJOURNED COUNCIL MEETING,

July 17, 1937

The Council of the City of Modesto met in adjourned session this 17th day of July, 1937 at 11:00 A.M. and there were

Present: Councilmen: Neece, Bond, Stanley and Mayor King

Absent: Councilmen: Oliver

IN THE MATTER OF
CANVASSING VOTE
ON ANNEXATION

Pursuant to LESLIEHUGH TRACT election for annexation to the

City of Modesto held on July 13, 1937, at this time the Council

resolved itself into a canvassing board and proceeded to determine the results of the election, Commissioner Stanley introduced

RESOLUTION NO. 3903-N.S.

"This being the time provided for the first regular meeting of the Council next after the expiration of three days and within four days from and after the date of an election held in the territory proposed to be annexed to the City of Modesto, known as the "LESLIEHUGH TRACT" and described particularly as the following described territory lying and being in the County of Stanislaus, State of California, and near to the City of Modesto, and particularly described as follows, to-wit:

Starting at the North boundary line of the City of Modesto, County of Stanislaus, State of California, at the point where the easterly boundary line of McHenry Avenue, intersects the Northerly boundary line of Lateral No. 4 of the Modesto Irrigation District; thence continuing along and upon said Northerly boundary line of said Lateral No. 4 to a point intersecting the Northerly property line of the

LESLIEHUGH TRACT extended and produced; thence Westerly and parallel with said Northerly boundary line to the easterly boundary line of said McHenry Avenue; thence South along and upon the easterly boundary line of said McHenry Avenue to the point of beginning:

And it appearing that said election was held within the territory proposed to be annexed, on the 14th day of July, 1937 in accordance with the resolution of this Council heretofore passed and adopted and that after the holding of said election the election officers thereof delivered to and deposited with the Clerk of this Council the ballots, tally sheets, and returns of said election, and it appearing, and the Council so finding, that the proposition submitted at said election was whether or not such new territory, in said resolution and hereinabove described, shall be annexed to, incorporated in and made a part of the municipal corporation of the City of Modesto, and that said property shall not be subject to any bonded or other indebtedness owed by said City prior to the date of the filing of the petition asking that such election be called on theretofore authorized. The Council thereupon proceeded to canvass the said returns, and upon such canvass finds that the whole number of votes cast in said territory proposed to be annexed was 65, that the number of votes cast therein in favor of annexation was 34 and that the number of votes cast therein against annexation was 31, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Neece, Stanley, Bond and Mayor King

Noes: Councilmen: None

Absent: Councilmen: Oliver

2
IN THE MATTER OF
DECLARING ELECTION
ON ANNEXATION VOID

Whereas the description of the property to be annexed in the LESLIEHUGH TRACT was faulty and is not contiguous to the City of Modesto, Commissioner Bond introduced

RESOLUTION NO. 3904-N.S.

declaring election held on July 13, 1937 to be null and void and authorizing the publication in the Modesto Bee of the following statement:

"Upon a further check of the description contained in the petition for annexation of the LESLIEHUGH Tract, which description as contained in said election petition was thereafter used in the proclamation of election, it becomes apparent that said description is faulty in this: That the property sought to be annexed by said election is in fact not contiguous to the City of Modesto. It is a requirement of the law that property sought to be annexed to a municipal corporation, for the purposes at hand at least, must be contiguous to the municipal corporation to which it is sought to annex said property. Unfortunately in the matter of the LESLIEHUGH Tract it has been determined that the property described in the petition for annexation is not contiguous to said municipal corporation but is distant from the city limits of the City of Modesto several feet.

It is clear that the error in said description is a fatal defect and that the election for that reason is void. The City Council, though regretting the situation, is of the opinion that it would be improper to complete the attempted annexation of said territory, incurring the expenses necessary thereto". which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Neece, Stanley, Bond and Mayor King

Noes: Councilmen: None

Absent: Councilmen: Oliver

3

IN THE MATTER OF
ORDINANCE RE:
FIXING THE SALARIES
OF CITY OFFICIALS

Commissioner Neece introduced an ordinance being
ORDINANCE NO. 549-N.S.

entitled "AN ORDINANCE FIXING THE COMPENSATION OF THE CITY
OFFICIALS OF THE CITY OF MODESTO" and moved its adoption and passage to print and publish,
which motion being duly seconded, it was upon roll call carried and the ordinance ordered
published as above by the following vote:

Ayes: Councilmen: Neece, Stanley, Bond and Mayor King

Noes: Councilmen: None

Absent: Councilmen: Oliver

4

IN THE MATTER OF
ADJOURNMENT

Councilmen Neece introduced
RESOLUTION NO. 3905-N.S.

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

Ayes: Councilmen: Neece, Stanley, Bond and Mayor King

Noes: Councilmen: None

Absent: Councilmen: Oliver

ATTEST H. E. GRAGG CITY CLERK

Council Meeting,
July 28, 1937

The Council of the City of Modesto met in regular session this
28th day of July, 1937

Present: Councilmen: Bond, Neece, Stanley and Mayor King

Absent: Councilmen: Oliver

1

IN THE MATTER OF
APPROVAL OF MINUTES

The minutes of the regular meeting of July 14th, Special
meeting of July 15, 1937 and adjourned meeting of July 17,
1937 having been heretofore read by each Councilman were unanimously approved as so read.

2

IN THE MATTER OF
APPOINTING CITY
ATTORNEY SECRETARY
PRO TEM

Commissioner Neece introduced
RESOLUTION NO. 3906-N.S.
appoint City Attorney Fowler, Secretary pro tem of the Council

during the absence of City Clerk, H. E. Gragg, which resolution was regularly adopted by
the following vote:

Ayes: Councilmen: Neece, Stanley, Bond and Mayor King

Noes: Councilmen: None

Absent: Councilmen: Oliver

3

IN THE MATTER OF
ORAL COMMUNICATION

Mr. Ben Kimber of the Modesto Tribune appeared before the
Council petitioning them to amend Ordinance No. 487-N.S.

to provide for the reduction of license fee on distribution of circulars to \$50.00 per
year, payable at one time. This matter was laid over to a future meeting.

4

IN THE MATTER OF
CLAIMS

Claim for refund of \$50.00 deposit required by Section 101
of Ordinance No. 487-N.S. having been filed by the following

E. W. EHLER
GEORGE R. PATTERSON

Commissioner Neece introduced

RESOLUTION NO. 3907-N.S.

authorizing the City Clerk and Auditor to draw warrants in amount of \$50.00 payable to each claimant, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Neece, Bond, Stanley and Mayor King

Noes: Councilmen: None

Absent:Councilmen: Oliver

5 IN THE MATTER OF
CLAIMS-SCHMIDT &
MORTON

Claims for expenses while attending Police School at San Jose having been filed with the City Auditor by

Emil Schmidt for \$36.50 and R. H. Morton for \$42.30, Commissioner Stanley introduced

RESOLUTION NO. 3908-N.S.

authorizing the City Clerk and Auditor to draw warrants in amounts named above to each claimant, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Stanley, Neece, Bond and Mayor King

Noes: Councilmen: None

Absent:Councilmen: Oliver

6 IN THE MATTER OF
COMMUNICATION

A communication from Geo. B. Horigan regarding the Anker Meat Company fire was read and referred to Mayor King

to answer.

7 A communication from the Central Vally Council regarding a celebration, to be held on the ground of the old Fishermen's Club on Sunday, August 8th at 11:00 A.M. of the Maze Road Bridge was read and same was ordered filed.

8 An acknowledgment of receipt of telegram from the City Council by Senator W.G.McAdoo was read. Same was ordered filed.

9 A Bulletin from the League of California Municipalities covering monthly salaries paid in various cities in California was reviewed. Same was ordered filed.

10 A communication from Fred L. Cottle suggesting that the City consider widening 11th Street between I and K Streets in this year budget was read. City Clerk was instructed to inform Mr. Cottle that his idea was meritorious but was too expensive at this time.

11 IN THE MATTER OF
GRANTING PERMIT
TO CONSTRUCTION
OF REEFERS BY J.W.
HARRISON

Pursuant to the filing of petition with the City Council by J. W. Harrison for permit to erect and maintain four reefers to be used for storage for wholesale distribut-

ing on property known as lots 41 and 42 in Block 582 of the City of Modesto and it appearing from affidavits on file that a notice setting forth a time for hearing any and all protests to the granting of the petition as prayed for and this being the time set forth and whereas no protests either oral or written have been officially filed, Commissioner Bond introduced

RESOLUTION NO. 3909-N.S.

denying request of applicant as it appears to the City Council of the City of Modesto that it is against the public interest and welfare to allow the placing of said reefers at said location, which location was regularly adopted by the following vote:

Ayes: Councilmen: Neece, Stanley, Bond and Mayor King

Noes: Councilmen: None

Absent:Councilmen: Oliver

12 IN THE MATTER OF
FILIPINO CLUB

Nathan McVay appeared before the Council and invited

them to visit the Filipino Club in Stockton with the idea of permitting one to be started in this City. Mayor King declined the invitation to visit the Club but agreed to appoint a committee to make an investigation and report back to Mr. McVay.

13
IN THE MATTER OF
FINAL ADOPTION OF
ORD. 549-N.S.
SALARIES PAID CITY
OFFICIALS

Ordinance No. 549-N.S. having been heretofore introduced and ordered printed and published at the adjourned meeting of July 17, 1937 and thereupon 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 so finally adopted by the following vote:

Ayes: Councilmen: Neece, Bond, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: Oliver

14
IN THE MATTER OF
APPROVAL OF BOND
& APPLICATION OF
HARRY STEVENS FOR
USED CAR LOT

Whereas Harry Stevens has presented application and bond as required by Ordinance No. 514-N.S. for the conducting of a Used Car lot at 8th and I Streets, Commissioner Bond introduced

RESOLUTION NO. 3910-N.S.

approving bond and application as presented, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Neece, Stanley, Bond and Mayor King

Noes: Councilmen: None

Absent: Councilmen: Oliver

15
IN THE MATTER OF
ORDINANCE RE: AMEND.
ORD. #496-N.S. PIN
BALL MACHINES

Commissioner Stanley introduced an ordinance being

ORDINANCE NO. 550-N.S.

entitled: "AN ORDINANCE AMENDING SECTIONS 2, 3 and 5 OF ORDINANCE NO. 492-N.S. OF THE CITY OF MODESTO, ENTITLED 'AN ORDINANCE REGULATING AND LICENSING CERTAIN AMUSEMENT DEVICES AND PROHIBITING SLOT MACHINES AND GAMBLING DEVICES' AS THEREAFTER AMENDED" and moved its adoption and passage to print and publish, which motion being duly seconded, it was upon roll call carried and the ordinance ordered published as above by the following vote:

Ayes: Councilmen: Neece, Stanley, Bond and Mayor King

Noes: Councilmen: None

Absent: Councilmen: Oliver

16
IN THE MATTER OF
APPROVAL OF BOND AND
APPLICATION FOR USED CAR
LOT PATCHETT & WIGHT

Whereas, Patchett & Wight have presented application and bond as required by Ordinance No. 514-N.S. for the conducting of a Used car lot at 1111 10th Street and 1120 10th Street,

Commissioner Bond introduced

RESOLUTION NO. 3911-N.S.

approving bond and application as presented, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Neece, Stanley, Bond and Mayor King

Noes: Councilmen: None

Absent: Councilmen: Oliver

17
IN THE MATTER OF
RESERVED PARKING
SPACE IN FRONT OF
EUROPA HOTEL

Commissioner Stanley introduced

RESOLUTION NO. 3912-N.S.

directing the Public Works Department to arrange for marking

of loading zone in front of the Europa Hotel on 9th & F Streets, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Neece, Stanley, Bond and Mayor King

Noes: Councilmen: None

Absent: Councilmen: Oliver

18
IN THE MATTER OF
ALLOWING \$100.00
EXPENSES FOR CONVEN-
TION OF FIRE CHIEFS

Commissioner Stanley introduced

RESOLUTION NO. 3913-N.S.

authorizing City Clerk and Auditor to draw warrant when requested by Chief Wallace for \$100.00 for expenses for convention of Fire Chiefs at Spokane on August 11th to 14th, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Neece, Stanley, Bond and Mayor King

Noes: Councilmen: None

Absent: Councilmen: Oliver

19
IN THE MATTER OF .
ANNUAL REPORTS

Annual reports for the Fire Department, Police Department, Police Court, Health Department for the year July 1, 1936 to June 30, 1937 were reviewed by the Council and ordered filed.

20
IN THE MATTER OF
ADJOURNMENT

There being no further business before the meeting,
Commissioner Neece introduced

RESOLUTION NO. 3914-N.S.

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

Ayes: Councilmen: Neece, Stanley, Bond and Mayor King

Noes: Councilmen: None

Absent: Councilmen: Oliver

ATTEST

NE Gray
CITY CLERK

City of Modesto, Board of Equalization,

August 2, 1937

THE Council of the City of Modesto met this 2nd day of August, 1937 at 10:00 A.M. in the Council Chambers of the City Hall to sit as a Board of Equalization for the purpose of hearing complaints and to correct, modify strike out or raise any assessments on the Assessment Roll of the City Assessor, pursuant to Section 49, Article IX of the City Charter,

Present: Councilmen: Oliver, Bond, Stanley and Mayor King

Absent: Councilmen: Neece

IN THE MATTER OF
ADJOURNMENT:

There being no complaints to come before the Board, upon motion duly made by Commissioner Oliver, duly seconded and unanimously carried, the meeting was adjourned to Tuesday, August 3rd, 1937 at 10:00 A.M.

---o00---

BOARD OF EQUALIZATION

August 3, 1937

Pursuant to adjournment of August 2nd, 1937 the Council of the City of Modesto met this 3rd day of August, 1937 at 10:00 A.M. sitting as a Board of Equalization in and for the City of Modesto

Present: Councilmen: Oliver, Stanley, Neece, Bond and Mayor King

Absent: Councilmen: None

IN THE MATTER OF
ADJOURNMENT

There being no complaints filed for the consideration of the Board, upon motion duly made by Commissioner Oliver duly seconded and unanimously carried, the meeting was adjourned to Wednesday, August 4th, 1937 at 10:00 A.M.

---o0o---

BOARD OF EQUALIZATION

August 4, 1937

Pursuant to adjournment of August 3rd, 1937, the Council of the City of Modesto met this date at 10:00 A.M. sitting as a Board of Equalization in and for the City of Modesto.

Present: Councilmen: Neece, Bond and Mayor King

Absent: Councilmen: Stanley and Oliver

IN THE MATTER OF
ADJOURNMENT

As no complaints had been filed for the consideration of the Board of Equalization, Commissioner Bond moved that the meeting be adjourned to Thursday, August 5th, 1937 at 10:00 A.M., which motion being duly seconded, it was unanimously adopted and the meeting declared adjourned.

---o0o---

BOARD OF EQUALIZATION

August 5, 1937

Pursuant to adjournment of August 4th, 1937 the Council of the City of Modesto met this date at 10:00 A.M. sitting as a Board of Equalization in and for the City of Modesto.

Present: Councilmen: Bond, Stanley and Mayor King

Absent: Councilmen: Neece, Oliver

IN THE MATTER OF
ADJOURNMENT

There being no complaints filed for the consideration of the

of the Board, upon motion duly made by Bond, duly seconded and unanimously carried, the meeting was adjourned to Friday, August 6th, 1937 at 10:00 A.M.

---oOo---

BOARD OF EQUALIZATION
August 6, 1937

Pursuant to adjournment of August 5th, 1937 the Council of the City of Modesto met this 6th day of August, 1937 at 10:00 A.M. sitting as a Board of Equalization in and for the City of Modesto.

Present: Councilmen: Stanley, Bond and Neece

Absent: Councilmen: Oliver and Mayor King

IN THE MATTER OF
ADJOURNMENT

The Board of Equalization having convened and conducted its meeting as required by State Statute and the Charter of the City of Modesto and there being no unfinished business pending before the Board, Commissioner Neece introduced

RESOLUTION NO. 3914A-N.S.

adjourning the Board of Equalization for the year 1937 and moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Stanley, Bond and Neece

Noes: Councilmen: None

Absent; Councilmen: Oliver and Mayor King

ATTEST H. E. GRAGG, CITY CLERK



Council Meeting
August 11, 1937

The Council of the City of Modesto met in regular session this 11th day of August, 1937

Present: Councilmen: Bond, Neece, Stanley, Oliver and Mayor King

Absent: Councilmen; None

IN THE MATTER OF
APPROVAL OF MINUTES

The minutes of the regular meeting of July 28th, 1937 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 July, 1937 having been heretofore audited and approved by the Council, Commissioner Neece introduced

RESOLUTION NO. 3915-N.S.

ordering that all of the said claims so audited and approved be allowed, 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-----	\$27,884.22
WATER FUND-----	6,119.32
LIBRARY FUND-----	1,732.69
BOND RED. INT. FUND-----	6,393.75
ST. BOND. RED. INT. FUND-----	34,133.20
UNAPPORTIONED FUND-----	
GASOLINE TAX FUND-----	314.45
SEWER SEPTIC FUND-----	314.45
TOTAL-----	\$76,577.63

which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

2 IN THE MATTER OF CLAIMS-REFUND OF DEPOSIT-ORD 4876N.S. Claim for refund of \$50.00 deposit required by section 101 of Ordinance No. 487-N.S. having been filed by Haas & Haas,

Commissioner Neece introduced

RESOLUTION NO. 3916-N.S.

authorizing the City Clerk and Auditor to draw warrant in amount of \$50.00 payable to claimant, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

4 IN THE MATTER OF CONVENTION OF LEAGUE OF CALIFORNIA MUNICIPALITIES Commissioner Bond introduced

RESOLUTION NO. 3917-N.S.

authorizing the attendance of City Attorney Fowler, City Clerk Gragg, City Engineer Rossi and City Inspector Holtham and any member of the Council that were able, to the League of California Municipalities convention which is to be held in San Jose on September 13 to 16 inc, 1937, all expenses to be borne by the City of Modesto, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

5 IN THE MATTER OF GRANTING PERMIT TO CONSTRUCTION OF SUBSTATION Pursuant to the filing of petition with the City Council by Modesto Irrigation District for permit to erect and maintain a substation on property known as 12th Street between E and F Streets, being lots 8 to 16 in Block 80 of the City of Modesto and it appearing from affidavits on file that a notice setting forth a time for hearing any and all protests to the granting of the petition as prayed for and this being the time set forth and whereas no protests either oral or written have been officially filed, Commissioner Bond introduced

RESOLUTION NO. 3918-N.S.

granting request of applicant with the understanding that all provisions relative to building permit fees be complied with, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

6 IN THE MATTER OF WATER SERVICE TO R. SYLVA-CAMPUS TRACT Commissioner Bond introduced

RESOLUTION NO. 3919-N.S.

extending water service to R. Sylva in lot 1 of Block 803 of the Campus Tract on the N.W. corner of Myrtle and Caldwell Avenues, as per map on file in the office of the City Engineer, until such time as annexation election of the Campus Tract will be held and if this election does not result in the annexation of this territory, water service is to be discontinued, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

1 IN THE MATTER OF
APPROVAL OF TENTA-
TIVE MAP OF LALOMA
TERRACE

Whereas there has been presented to the City Council
for approval, a tentative map of the LaLoma Terrace
addition of the City of Modesto, Commissioner Bond

introduced

RESOLUTION NO. 3920-N.S.

approving map as presented, which resolution was regularly adopted by the follow-
ing vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

8 IN THE MATTER OF
ACCEPTANCE OF DEED
FROM THE GRANGE CO.

Whereas there has been presented for acceptance deed
on right of way on State Highway from The Grange Company,

Commissioner Bond introduced

RESOLUTION NO. 3921-N.S.

accepting deed as presented and approving payment of \$5093.13 as provided for by
Resolution No. 3746-N.S. upon presentation of certificate of title, said amount to
be paid from the State Gasoline tax fund of State Highways, which resolution was
regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

9 IN THE MATTER OF
ADOPTION OF BUDGET

The budget of expenditures of the various departments
for the fiscal year beginning July 1, 1937 and ending

June 30th, 1938, having been heretofore audited and approved by the Council,

Commissioner Neece introduced

RESOLUTION NO. 3922-N.S.

adopting the budgets of the various departments as so audited and approved, reference
being made to the said budgets now on file in the office of the City Clerk for
further particulars, and moved its adoption, which motion being duly seconded, it was
upon roll call carried and the resolution adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

10 IN THE MATTER OF
POLICE COURT RENT
TO BE PAID DIRECT
TO COUNTY

Commissioner Stanley introduced

RESOLUTION NO. 3923-N.S.

authorizing the payment of \$50.00 per month direct to
the Stanislaus County Treasurer for the city's share of rent of the Police Court,
if after City Attorney makes an investigation and finds it advisable, instead of
to L.W. Zimmerman, lessor of building, which resolution was regularly adopted by
the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

11 IN THE MATTER OF
TAX RATE FOR
1937-1938 ORDINANCE

Commissioner Neece introduced an ordinance being

ORDINANCE NO. 551-N.S.

entitled "AN ORDINANCE FIXING THE RATE OF TAXATION IN AND FOR THE CITY OF MODESTO FOR THE FISCAL YEAR 1937-1938" and moved its adoption and passage to print and publish, which motion being duly seconded, it was upon roll call carried and the ordinance ordered published as above by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

12 IN THE MATTER OF
FINAL ADOPTION OF
ORD. 550-N.S. REGULATING
AMUSEMENT DEVICES

Ordinance No. 550-N.S. having been heretofore introduced and

ordered printed and published at the regular meeting of

July 28, 1937 and thereupon 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 so finally adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

13 IN THE MATTER OF
APPROPRIATION OF
\$2400 TO MERCHANTS
OF CITY

Commissioner Neece introduced an ordinance being

ORDINANCE NO. 552-N.S.

entitled "AN ORDINANCE APPROPRIATING MONEY FOR PURPOSES OF

PROMOTING THE GENERAL WELFARE OF THE CITIZENS OF MODESTO" and moved its adoption and passage to print and publish, which motion being duly seconded, it was upon roll call carried and the ordinance ordered published as above by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

14 IN THE MATTER OF
AMEND ORD. 487-N.S.
DISTRIBUTION OF
CIRCULARS

Commissioner Stanley introduced an ordinance being

ORDINANCE NO. 553-N.S.

entitled: AN ORDINANCE AMENDING SECTION 117 OF ORDINANCE NO. 487-N.S. OF THE CITY OF MODESTO, 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" and moved its adoption and passage to print and publish, which motion being duly seconded, it was upon roll call carried and the ordinance ordered published as above by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

15 IN THE MATTER OF
APPROVING APPLICATION
OF JOHN NOBLE FOR AUTO
WRECKING YARD

Whereas John Noble has made application to the Modesto City

Council for a permit to operate an auto wrecking and Parts

Sales yard at 602 Seventh Street to be known as JUSTAWRECKER,

whereupon Commissioner Bond introduced

RESOLUTION NO. 3924-N.S.

granting permit as requested, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

16 IN THE MATTER OF
CITATION FROM FIRE,
MARSHALL TO WREN
AND SMITH

Whereas citation has been served on Messrs, T.L.Wren
Henry O. Smith and Russell U. Smith by the Fire Marshall,
George Wallace in accordance with provisions of Ordinance
No. 507-N.S. to remove building at 618 Seventh Street, this matter was laid over until
the return of the Fire Chief to the City.

17 IN THE MATTER OF
PAYING EXTRA HELP
WHILE JANITOR ON
VACATION

Commissioner Neece introduced
RESOLUTION NO. 3925-N.S.
authorizing the City Clerk and Auditor to draw a warrant
in amount of \$17.50 payable to J. W. Clark, janitor at City Hall, as salary for extra
help hired while he was on vacation, which resolution was regularly adopted by the
following vote:

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

18 IN THE MATTER OF
REPORTS

Departmental reports for the various departments for the
month of July, 1937 having been presented, same were
read and ordered filed.

19 IN THE MATTER OF
CLOSING WEST STREET

Mayor King appointed Commissioners Neece and Bond and
City Engineer Rossi to investigate the advisability of
closing West Street in the City of Modesto.

20 IN THE MATTER OF
ADJOURNMENT

There being no further business to come before the meet-
ing, Commissioner Oliver introduced
RESOLUTION NO. 3926-N.S.

adjourning this Council now in session, which resolution was regularly adopted by
the following vote:
Ayes: Councilmen: Neece, Bond, Stanley, Oliver and Mayor King
Noes: Councilmen: None
Absent: Councilmen: None

ATTEST *St. Gray* CITY CLERK

SPECIAL COUNCIL MEETING
August 24, 1937

The Council of the City of Modesto met in Special session
this date, the meeting having been called and convened as set forth in section 2 of
the ordinance No. 2-N.S.

Present: Councilmen: Stanley, Neece, Bond and Mayor King
Absent: Councilmen: Oliver

IN THE MATTER OF
PICKETING ORDINANCE

Commissioner Stanley introduced an ordinance being
ORDINANCE NO. 554-N.S.

entitled "AN ORDINANCE TO REGULATE AND PROHIBIT PICKETING IN THE CITY OF MODESTO,
AND OTHER MATTERS RELATING THERETO: FIXING A PENALTY FOR THE VIOLATION THEREOF, AND
REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT THEREWITH" and moved its
adoption and passage to print and publish, which motion being duly seconded, it was
upon roll call carried and the ordinance ordered published as above by the following
vote:

Ayes: Councilmen: Neece, Stanley, Bond and Mayor King

Noes: Councilmen: None

Absent: Councilmen: Oliver

2 IN THE MATTER OF
ADJOURNMENT

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

RESOLUTION NO. 3927-N.S.

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

Ayes: Councilmen: Neece, Stanley, Bond and Mayor King

Noes: Councilmen: None

Absent: Councilmen: Oliver

ATTEST

[Signature]
CITY CLERK

COUNCIL MEETING

August 25, 1937

The Council of the City of Modesto met in regular session
the 25th day of August, 1937

Present: Councilmen: Neece, Stanley, Oliver, Bond and Mayor King

Absent: Councilmen: None

1 IN THE MATTER OF
APPROVAL OF MIN-
UTES

The minutes of the regular meeting of August 11th, 1937
having been heretofore read by each Councilman were
unanimously approved as so read.

2 IN THE MATTER OF
ORAL COMMUNICATIONS
BOAT LANDING

A petition was presented to the Council requesting that
the present boat dock at Beard Brook Park be moved to a
more convenient location above Legion Park, east of the sandbar by members of the
Lake Modesto Aquatic Club and they agreed to pay a rental of \$12.00 to \$15.00 per
year each. This matter was discussed informally by the Council and it was decided
that an investigation would be made of the cost and a report made at a later date.

3 IN THE MATTER OF
WASTE PAPER RE-
CEPTACLES

Burdean Thompson appeared before the Council requesting that
he be given permission to install at street corners in various
parts of the city, receptacles for waste paper. These receptacles would bear an ad-
vertisement of the Thompson Beauty Parlor. This matter was laid over to the next meeting.

4 IN THE MATTER OF
ROUTING TRUCKS IN
CITY

Commissioner Stanley asked that a committee be appointed
to study the problem of routing trucks through the city.
Mayor King appointed Commissioner Stanley, Commissioner Bond and City Engineer Rossi and
Chief of Police Arington.

5 IN THE MATTER OF
COMMUNICATION
MODESTO IRRIGATION
DISTRICT

A communication was received from the Modesto Irrigation
District in which they requested cancellation of city taxes
on property recently purchased on 12th Street. This matter
was laid over to the next meeting.

6 IN THE MATTER OF
COMMUNICATION
VALLEY EXPRESS CO

A letter was read from the Valley Express Co. in which they
request permission to place a sign prohibiting parking on

K Street between Seventh and Eighth Streets in front of their place of business,
Commissioner Stanley introduced

RESOLUTION NO. 3928-N.S.

refusing request for the present time, which resolution was regularly adopted by
the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF
ADVERTISING FOR
BIDS ON IMPROVING
H & I STREETS

Commissioner Bond introduced

RESOLUTION NO. 3929-N.S.

authorizing City Clerk to advertise for bids on improving

H and I Streets as set forth in agreement with the State for expenditure of $\frac{1}{4}$
gas tax fund for streets of major importance, as soon as the City Engineer sees
fit to do so, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF
ADVERTISING FOR
BIDS ON LALOMA
BRIDGE

Commissioner Bond introduced

RESOLUTION NO. 3930-N.S.

authorizing City Clerk to advertise for material for

Laloma Bridge construction when the City Engineer sees fit to do so, which
resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF
RENT ON POLICE
COURT

A resolution signed by L.W. Zimmerman authorizing the
City to pay their share of the rent of the Police Court

to the Stanislaus County direct instead of to him, was presented, whereupon

Commissioner Stanley introduced

RESOLUTION NO. 3931-N.S.

authorizing the City Clerk to draw warrant payable to Stanislaus County for \$50.00
for rent on Police Court (rent to be paid the month following instead of in
advance), the first meeting of each month along with the regular claims, which
resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF
LEASE ON ARCHERY
RANGE

Commissioner Neece introduced

RESOLUTION NO. 3932-N.S.

authorizing the City Attorney to procure a lease from the Beard Land Investment
Company for a term of one year for the rental of the Archery range in Beard
Brook Park, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

11 IN THE MATTER OF
LIMITING LOAD ON
LALOMA BRIDGE

Commissioner Bond introduced

RESOLUTION NO. 3933-N.S.

limiting maximum gross load per vehicle on LaLoma Bridge to 12 tons and rate of speed of vehicle to not over 15 miles per hour for loads over 10 tons and authorized the Public Works Department to install a sign to this effect, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

12 IN THE MATTER OF
CHANGING LEASE
ON AIRPORT

Whereas, the City of Modesto has purchased additional land to be used as a municipal airport since the original lease

was entered into by the City of Modesto with the Pathfinder Flying Service, Commissioner Bond introduced

RESOLUTION NO. 3934-N.S.

directing that the description be corrected and brought up to date in this lease by endorsement, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

13 IN THE MATTER OF
MEMO. OF AGREEMENT
EXPENDITURE OF
GAS TAX FUND

Whereas the State of California has presented a second supplemental memorandum of agreement in accordance with a project statement submitted by the City for expenditure of the $\frac{1}{4}$ gas

tax for the fiscal year 1937 allocated for streets of major importance in the City of Modesto Commissioner Bond introduced

RESOLUTION NO. 3935-N.S.

approving agreement for expenditure and appointing Mayor and City Clerk as signatory officials, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

14 IN THE MATTER OF
ORD. AMEND TAXI
ORDINANCE 547-N.S.

Commissioner Stanley introduced an ordinance being

ORDINANCE NO. 555-N.S.

entitled "AN ORDINANCE AMENDING SECTION 18 OF ORDINANCE NO. 547-N.S.

ENTITLED AN ORDINANCE AMENDING ORDINANCE NO. 146-N.S. ENTITLED "AN ORDINANCE RELATING TO AUTOMOBILE BUSES, JITNEYS AND TAXICABS IN THE CITY OF MODESTO, FIXING A LICENSE FEE FOR THE OPERATION THEREOF, AND REGULATING THE OPERATION OF THE SAME" AS THEREAFTER AMENDED BY ADDING NEW SECTIONS THERETO" and moved its adoption and passage to print and publish, which motion being duly seconded, it was upon roll call carried and the ordinance ordered published as above by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

15 IN THE MATTER OF
FINAL ADOPTION
ORDINANCE NO. 551-N.S.
TAX RATE 1937-38

Ordinance No. 551-N.S. having been heretofore introduced and ordered printed and published at the regular meeting of August 11, 1937 and thereupon 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 so finally adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

16
IN THE MATTER OF
FINAL ADOPTION
ORD. NO. 552-N.S.
APPROPRIATE \$2400
TO MERCHANTS

Ordinance No. 552-N.S. having been heretofore introduced and ordered printed and published at the regular meeting of August 11, 1937 and thereupon 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 so finally adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

17
IN THE MATTER OF
FINAL ADOPTION OF
ORD. 553-N.S. AMEND
ORD. 487-N.S. DISTRI-
BUTION OF SAMPLES

Ordinance No. 553-N.S. having been heretofore introduced and ordered printed and published at the regular meeting of August 11, 1937 and thereupon 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 so finally adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

18
IN THE MATTER OF
LIABILITY ON AIR-
SHOW

There was presented the following resolution from the Modesto Chamber of Commerce "BE IT RESOLVED by the Board of Directors of the Modesto Chamber of Commerce in regular session August 23, 1937 that the Chamber of Commerce assume all responsibility and liability for the operation of the Modesto Air Races during the period of 6 A.M. to 9 P.M. September 19, 1937 and that it be further understood that a public liability insurance policy to cover all spectators be secured by the committee in charge" whereupon Commissioner Bond introduced

RESOLUTION NO. 3936-N.S.

accepting resolution as presented, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

19
IN THE MATTER OF
RETURN SECURITIES
BOND

Commissioner Neece introduced

RESOLUTION NO. 3937-N.S.

authorizing the securing of a "Return of Securities Bond" for \$140,000 for a term of 3 years, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

20
IN THE MATTER OF
CONDEMNING MINENI
BUILDING ON 7th ST.

City Engineer Rossi requested that building located at 623 Seventh Street, being lots 4 and 5 in Block 31 of the City of Modesto be declared a public nuisance as Joe Mineni, the owner had been requested by the City Engineer to repair the building and had refused to do so and as the premises now stand they are dangerous and constitute a menace

to the welfare, health and safety of the citizens of the City of Modesto,
Commissioner Bond introduced

RESOLUTION NO. 3938-N.S.

condemning premises as unfit and unsafe and directing the city attorney to commence proper proceedings for the abatement of said wooden structure as a nuisance or upon such other grounds as said city attorney may deem fit and proper in the circumstances, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

21 IN THE MATTER OF
ADJOURNMENT

It being the desire of the Council to meet in adjourned session on Monday August 30, 1937 at 7:30 P.M. Commissioner

Neece introduced

RESOLUTION NO. 3939-N.S.

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

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST

H. G. Guff
CITY CLERK

ADJOURNED COUNCIL MEETING

August 30, 1937

The Council of the City of Modesto met in adjourned session this 30th day of August, 1937 at 7:30 P.M.

Present: Councilmen: Neece, Bond, Stanley, Oliver and Mayor King

Absent: Councilmen: None

IN THE MATTER OF
FINAL ADOPTION OF
ORD. 554-N.S.
PICKETING

Ordinance No. 554-N.S. having been heretofore introduced and ordered printed and published at the special meeting of August 24, 1937 and thereupon 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 so finally adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

2 IN THE MATTER OF
REFUSING DEMAND
OF COUNTY TO PAY
OVER CERTAIN MONEYS

Whereas, Leslie A. Cleary, District Attorney of the County of Stanislaus, by authority of the Board of Supervisors has made a demand upon the City Council, and

WHEREAS, said demand recites that an opinion recently rendered by the Attorney General of the State of California holds that monies collected in a Police Court, where said Police Court and Justice Court are presided over by one individual, such as is the case in the City of Modesto and which said monies have been collected in the form of fines imposed upon misdemeanants for violation of state laws prosecuted in said Police Court should be paid into the County treasury; and

WHEREAS, it has been the practice in the City of Modesto to pay into the city Treasury monies collected for the prosecution of all crimes in said Police Court and

WHEREAS, a proper decision of the question as to whether monies collected in fines for prosecution of individuals violating State laws in the Police Court should be paid into the County treasury or City Treasury is vital to the people of the City of Modesto, and to other cities whose government is similar thereto, whereupon commissioner Neece introduced

RESOLUTION NO. 3940-N.S.

refusing to comply with the demand of the Board of Supervisors and said District Attorney and does by this resolution give notice to said Board of Supervisors and said District Attorney that it will not pay over to the County monies heretofore collected in the form of fines from persons convicted of violation of State laws in the Police Court of the City of Modesto, unless ordered so to do by a court of competent jurisdiction, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

3
IN THE MATTER OF
ABATE NUISANCE OF
STANDARD PAVING
COMPANY

Whereas a verbal complaint has been filed with the mayor against the Standard Paving Company plant situated in Block 146 in the City of Modesto, citing that the plant discharges dust and dirt to a great extent in the air endangering the public health of persons living adjacent to and in the vicinity of the plant, Commissioner Bond introduced

RESOLUTION NO. 3941-N.S.

declaring the plant constitutes a nuisance and authorizing the city Attorney to proceed forthwith to abate the same under and by virtue of the laws of the State of California, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

4
IN THE MATTER OF
PARADE ON LABOR
DAY

At this time a letter from the Stanislaus County Central Labor Council was read in which they requested permission to parade on Labor Day, September 6, 1937, H. T. Pitner also appeared before the Council representing this organization requesting that they be allowed to parade, whereupon Commissioner Stanley introduced

RESOLUTION NO. 3942-N.S.

granting request providing the parade be under the strict supervision of the Commissioner of Public Health and Safety and the Chief of Police and in the event the C.I.O. organization endeavored to parade or cause a disturbance to give up their plans to parade, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

5
IN THE MATTER OF
COMMUNICATION FROM
G. N. HILBURN

At this time a letter was read from G. N. Hilburn offering to purchase lots 9, 10, 11 in Block 588 for the sum

\$250.00 depositing 10% of the purchase price with this offer and balance to be paid on delivery of deed. The offer was subject to all taxes chargeable against said property and now assessed to be cancelled and he to assume all taxes from and after date of deed. This matter was referred over to City Attorney Fowler.

6 IN THE MATTER OF
LEAVE OF ABSENCE

WHEREAS, Mayor King has petitioned the Council for a leave of absence of 60 days, Commissioner Neece introduced

RESOLUTION NO. 3943-N.S.

granting leave of absence as requested dating from September 9th, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Neece, Stanley, Bond and Oliver

Noes: Councilmen: None

Absent: Councilmen: None

7 IN THE MATTER OF
CONDEMNING MCWHIR-
TER BUILDINGS

Whereas complaint has been made against buildings located at 1421 H Street, lots 15, and 16 Block 113 and 807 15th Street,

lots 12 and 13 Block 113 owned by Bessie L. McWhirter and whereas the owner of the buildings has refused to repair them and as the premises now stand they are dangerous and constitute a menace to the welfare, health and safety of the citizens of the City of Modesto, Commissioner Stanley introduced

RESOLUTION NO. 3944-N.S.

condemning premises as unfit and unsafe and directing the city attorney to commence proper proceedings for the abatement of said structures as a nuisance or upon such other grounds as said city attorney may deem fit and proper in the circumstances, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

8 IN THE MATTER OF
ADJOURNMENT

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

RESOLUTION NO. 3945-N.S.

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

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST

 City Clerk

SPECIAL COUNCIL MEETING

September 1, 1937

The Council of the City of Modesto met in Special session this date, the meeting having been called and convened as set forth in section 2 of the Ordinance No. 2-N.S.

Present: Councilmen: Oliver, Stanley, Bond, Neece and Mayor King

Absent: Councilmen: None

1 IN THE MATTER OF ORDINANCE REGULATING PENSION SYSTEM

A general discussion of the Pension Ordinance as prepared by the City Attorney was held. Various corrections and additions were made to the ordinance and it was referred back to the city attorney for rewriting.

2 IN THE MATTER OF REPORT OF TRAFFIC Committee

The committee composed of Commissioner Stanley, Commissioner Bond and City Engineer Rossi and Chief of Police Arington appointed at the council meeting of August 25, 1937 to study the problem of routing trucks through the city presented a report.

3 IN THE MATTER OF ADJOURNMENT

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

RESOLUTION NO. 3946-N.S.

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

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST *H. E. Grago*, CITY CLERK

Council Meeting,
September 8, 1937

The Council of the City of Modesto met in regular session this date, the Meeting having been called and convened as set forth in section 2 of the Ordinance No. 2-N.S.

Present: Councilmen: Oliver, Stanley, Bond, Neece and Mayor King

Absent: Councilmen: None

1 IN THE MATTER OF APPROVAL OF MINUTES

The minutes of the regular meeting of August 25, 1937 and of the special meetings of August 24, 1937 and September 1, 1937 and adjourned meeting of August 30, 1937 having been heretofore read by each Councilman were unanimously approved as so read.

2 IN THE MATTER OF COMPLAINT-MRS. STEELE

Mrs. Steel appeared before the Council and made a complaint about the Modesto Electric Company working in the alley between 9th and 10th Streets and I and J Streets as the noise disturbed her tenants in the rooming house adjoining the alley. This matter was referred to the Police Department for investigation and correction.

3 IN THE MATTER OF CLAIMS

Claims against the City of Modesto for the month

of August, 1937 having been heretofore audited by the Council and found to be correct, Commissioner Neece introduced

RESOLUTION NO. 3947-N.S.

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

GENERAL FUND-----	\$26,820.22
WATER FUND-----	6,110.24
LIBRARY FUND-----	2,034.87
SEWER SEPTIC-----	4,937.33
TOTAL-----	39,902.66

which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

4
IN THE MATTER OF
CLAIMS-MODESTO CHAMBER
OF COMMERCE

Whereas Ordinance No. 552-N.S. provided for the appropriation of money for purposes of promoting the general welfare of the citizens of Modesto, there was presented for payment statements from the Chamber of Commerce for A.P.P.B. convention and badges purchased for Grange & Farm Bureau conventions in amount \$500.00 and from the Retail Merchants Bureau for July Bargain Harvest Program in amount \$500.00, Commissioner Neece introduced

RESOLUTION NO. 3948-N.S.

allowing claims as presented and directing the City Clerk and Auditor to draw warrants in these amounts, payable to claimants when and at which time the ordinance is in full force and effect, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

5
IN THE MATTER OF
CLAIM NATIONAL
INSTITUTE OF MUSIC

Whereas, there has been filed with the Council a claim for refund of \$50.00 deposit required under section 101 of Ordinance No. 487-N.S. heretofore paid to the City License Collector by the National Institute of Music and Arts, Commissioner Neece introduced

RESOLUTION NO. 3949-N.S.

authorizing City Clerk and Auditor to draw warrant in amount of \$50.00 payable to claimant, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

6
IN THE MATTER OF
OFFER TO BUY LOTS
BY SILVERIA

Whereas M. B. Silveria has offered to purchase lots 1 and 2 in Block 421 providing all taxes chargeable against this property be liquidated and cancelled of record except taxes chargeable against said property for the fiscal year ending June 30, 1937 and thereafter. It was the general opinion of the Council that this matter be laid over.

7
IN THE MATTER OF
R. C. CHRISTENSEN
PLUMBERS LICENSE

Whereas R. C. Christensen has presented application to the Council to conduct the business of plumber in this City, Commissioner Bond introduced

RESOLUTION NO. 3950-N.S.

approving application as presented, which resolution was regularly

adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

8

IN THE MATTER OF
ACCEPTING DEED FROM
GRANGE WHSE & STG. CO

The matter of accepting deed from the Grange Ware-
house & Storage Company for right of way on 9th

Street was laid over to a later meeting.

9

IN THE MATTER OF
CLOSING WEST STREET

Commissioner Neece introduced

RESOLUTION NO. 3951-N.S.

denying request of The Grange Company to close West Street, which resolution was
regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

10

IN THE MATTER OF
REMOVAL OF BOAT LANDING

The matter of removing the boat landing from Beard
Brook Park to the Legion Park was laid over.

11

IN THE MATTER OF
PROPOSED PENSION
ORDINANCE

The matter of pension ordinance adoption was
laid over.

12

IN THE MATTER OF
FINAL ADOPTION OF
ORDINANCE NO. 555
N.S. TAXICABS

Ordinance No. 555-N.S. having been heretofore
introduced and ordered printed and published at
the regular meeting of August 25th, 1937 and

thereupon 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 so finally adopted
by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

13

IN THE MATTER OF
LICENSE FOR POP
CORN WAGON

Commissioner Stanley introduced

RESOLUTION NO. 3952-N.S.

directing the license collector to refuse to issue

a license for a popcorn wagon on the northwest corner of 10th & J Streets when the
present one runs out on October 1, 1937 which resolution was regularly adopted by
the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

14

IN THE MATTER OF
CANCELLATION OF
TAXES M.I.D.

City Clerk was instructed to investigate the
matter of cancellation of taxes on property

purchased by the Modesto Irrigation District on 12th Street.

15

IN THE MATTER OF
WASTEPAPER RECEPTACLES

Whereas, Burdean Thompson has petitioned the
Council to place wastepaper receptacles over the

city at various street corners, Commissioner Stanley introduced

RESOLUTION NO. 3953-N.S.

denying request of applicant, which resolution was regularly adopted by the
following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

16 IN THE MATTER OF WREN & SMITH PROPERTY ON 7th STREET Commissioner Stanley introduced RESOLUTION NO. 3954-N.S.

directing the City Attorney to give the tenants, T. L. Wren, Henry O. Smith and Russell U. Smith of property located at 618 Seventh Street, notice that they must cease using building as an oil refinery as of November 1, 1937, as this building is creating a fire hazard and dangerous to public welfare, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

17 IN THE MATTER OF RENEWAL OF LEASE ON ARCHERY RANGE The matter of renewal of lease on archery range near Beard Brook Park was laid over to a later meeting.

18 IN THE MATTER OF OFFER FROM S. F. DEYOE TO PURCHASE CERTAIN PROPERTY A communication from S. F. DeYoe was received by the Council in which he offered to purchase certain properties under tax sales. This matter was laid over.

19 IN THE MATTER OF REPORTS Fire Chief Wallace tendered a report on his recent attendance at the Pacific Coast Association of Fire Chiefs held on August 11th to 14th, 1937 at Spokane, Washington, Same was ordered filed.

20 IN THE MATTER OF ADJOURNMENT There being no further business to come before the meeting, Commissioner Oliver introduced

RESOLUTION NO. 3955-N.S.

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

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGO, CITY CLERK

COUNCIL MEETING,
September 22, 1937

The Council of the City of Modesto met in regular session this date, the meeting having been called and convened as set forth in section 2 of the Ordinance No. 2-N.S.

Present: Councilmen: Oliver, Bond, Neece and Mayor pro tem Stanley

Absent: Councilmen: Mayor King

1 IN THE MATTER OF MINUTES The minutes of the regular meeting of September 8th, 1937 having been heretofore read by each Councilman were unanimously approved as so read.

2 IN THE MATTER OF COMPLAINT AGAINST GARBAGE COMPANY Mr. J. W. Moore appeared before the Council protesting to the noise and odor emanating from the garbage dumps. Supervisor Hammett and Assistant District Attorney Collier called on the Council, as a committee appointed by Stanislaus County to investigate this matter. They interviewed the Council and were advised by them as to just what was being done to alleviate the condition of odors and noise at the garbage dump and they agreed to make a personal trip to view the dumps and talk with the proprietors of the Modesto Garbage Company as to their method in handling the garbage and the machinery used.

3 IN THE MATTER OF MODESTO ICE DELIVERY ZONING PERMIT A representative of the Modesto Ice Delivery called on the Council and advised them that they had sold their present business location and were contemplating starting up in a new location and that they had circulated a petition to obtain permit of the residents in the new location for the establishing of their business but one of the owners of adjacent property was absent from town and they could not secure his signature until a later date and they petitioned the Council for permission to proceed with the building without obtaining this signature. They were advised that Ordinance No. 364-N.S. would not permit the Council to grant this request.

4 IN THE MATTER OF N.Y.A. TOY LIBRARY Mr. Jamison of the N.Y.A. appeared before the Council in behalf of the establishment of a Toy Library in the City and asked that the Council sponsor this project. He presented a report of the N.Y.A. which was turned over to a committee appointed by Mayor pro tem Stanley consisting of Commissioners Bond, Oliver and City Engineer Rossi to take this matter under advisement.

5 IN THE MATTER OF CLAIMS Claim against the city of Modesto for expenses of delegates appointed by Resolution No. 3917-N.S. to League of California Municipalities Convention at San Jose on September 13th to 17th, 1937 were presented to the Council for payment, whereupon Commissioner Neece introduced

RESOLUTION NO. 3956-N.S.

authorizing the City Clerk to draw warrants in payment of claims as follows:

Frank E. Holtham, meals and registration fee	\$7.00
F. J. Rossi " " " "	14.05
Robert B. Fowler " " " "	10.15
H. E. Gragg " " " "	12.50
Hotel DeAnza room rent	43.35

which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Neece, Bond, Oliver and Mayor pro tem Stanley

Noes: Councilmen: None

Absent: Mayor King

6 IN THE MATTER OF
CLAIM-THORSEN

Whereas a claim has been presented for payment covering a booster pump purchased from A. R. Thorsen in amount \$187.78, Commissioner

Bond introduced

RESOLUTION NO. 3957-N.S.

authorizing payment of this claim and directing the City Clerk and auditor to draw warrant in payment of same to claimant, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Neece, Bond, Oliver and Mayor pro tem Stanley

Noes: Councilmen: None

Absent: Mayor King

7 IN THE MATTER OF
CLOSING ALLEY IN
BLOCK 220

A petition was received by the Council from the Modesto Terminal Company requesting that alley in block 220 be closed up and abandoned.

This matter was laid over.

8 IN THE MATTER OF
CLAIM-HOBART BEAUTY
PARLOR

Pursuant to claim being filed by Hobart Beauty Salon for refund of deposit of \$50.00 filed with the City License Collector as required

by Ordinance No. 487-N.S. Commissioner Neece introduced

RESOLUTION NO. 3958-N.S.

allowing claim and directing the City Auditor to draw warrant payable to claimant, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Neece, Oliver, Bond and Mayor pro tem Stanley

Noes: Councilmen: None

Absent: Mayor King

9 IN THE MATTER OF
CANCELLATION OF
TAXES-HYSLOP

Whereas the State of California Veterans Welfare Board has made application to the City Council for cancellation of city taxes on lots 18 and 19 in Block 553, owned by Charles Arthur Hyslop in accordance with provisions of the Veterans' Farm and Home Purchase Act under Chapter 519, Statutes of 1921, as amended, Commissioner Oliver introduced

RESOLUTION NO. 3959-N.S.

granting request and directing the City Tax Collector and Assessor to make such entries on his books, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Neece, Oliver, Bond and Mayor pro tem Stanley

Noes: Councilmen: None

Absent: Mayor King

10 IN THE MATTER OF
COMMUNICATIONS

A bulletin to all city councils and Boards of Supervisors in California was received from the League of California Municipalities regarding the new laws governing public deposits of money. Same was ordered filed.

11 IN THE MATTER OF
TAXI STAND FOR
A. B. HART

Whereas A. B. Hart has made application to the Council for transfer of taxi stand assigned to John Duckart on 10th & I Streets, as he had purchased this business, Commissioner Oliver introduced

RESOLUTION NO. 3960-N.S.

granting request providing that applicant comply with all regulations relative to business license and chauffeur licenses, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Neece, Oliver, Bond and Mayor pro tem Stanley

Noes: Councilmen: None

Absent: Councilmen: Mayor King

12
IN THE MATTER OF
PARKING LIMIT AT
10TH & K STREETS

Letters from J. W. Frederick, owner of building at 10th & K Streets and Safeway Stores, tenant of building, requesting that one hour parking be installed in this block. This matter was referred to City Engineer Rossi, Police Chief Arington and Commissioner Oliver.

13
IN THE MATTER OF
GRANTING PERMIT
LUTHERAN CHURCH

Whereas pursuant to the filing of petition with the Council by the Emmanuel Lutheran Church for permit to erect and maintain a church on property described as lots 17 and 18 in Block 451 of the City of Modesto and it appearing from affidavits on file that a notice setting forth a time for hearing any and all protests to the granting of the petition as prayed for, and this being the time set forth and as the City Clerk reports that no protests either oral or written have been officially filed, Commissioner Bond introduced

RESOLUTION NO. 3961-N.S.

granting permission with the understanding that all provisions relative to building permit fees be complied with, to the above named applicant for permit as prayed for in their petition, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Neece, Oliver, Bond and Mayor pro tem Stanley

Noes: Councilmen: None

Absent: Councilmen: Mayor King

14
IN THE MATTER OF
DEPOSIT OF CITY
FUNDS

Whereas the City Council recognized that a conflict between state and Federal laws now exists, relative to deposit of city funds in banks, Commissioner Neece introduced

RESOLUTION NO. 3962-N.S.

authorizing the City Treasurer, during the existence of such conflicting provisions between such Federal law and the provisions of the state act to determine what amount of money shall be deposited as inactive deposits and the rate of interest thereon and shall determine what amount of money shall be deposited as active deposits and shall enter into such contract with such depositaries as in his judgment will be to the public advantage so to do, which contracts shall fix the duration of deposits and the rate of interest thereon, if any, and provide conditions for the withdrawal and repayment thereof, and, within the requirements of section 4 of said state act, prescribe the security therefor, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Neece, Bond, Oliver and Mayor pro tem Stanley

Noes: Councilmen: None

Absent: Councilmen: Mayor King

IN THE MATTER OF
BIDS ON TRUCK

Commissioner Bond introduced

RESOLUTION NO. 3963-N.S.

authorizing the City Clerk to advertise for bids for one dump truck for the Department of Public Works, to be paid for with the Gasoline Tax Fund, said bids to be opened at the regular meeting of the Council to be held on October 13, 1937, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Neece, Oliver, Bond and Mayor pro tem Stanley

Noes: Councilmen: None

Absent: Councilmen: Mayor King

16 IN THE MATTER OF REPORT ON SEWER OF ENSLEN SCHOOL The matter of reporting on the sewer system at Enslen School was laid over to a future meeting.

17 IN THE MATTER OF CLOSING ALLEY IN BLOCK 73 The matter of closing of alley in Block 73 was referred to the City Attorney and Engineer.

18 IN THE MATTER OF PENSION ORDINANCE The matter of adoption of pension ordinance was laid over to a later meeting.

19 IN THE MATTER OF ORDINANCE RE: TWO HOUR PARKING LIMIT Commissioner Oliver introduced an ordinance being
 ORDINANCE NO. 557-N.S.
 entitled: AN ORDINANCE PROHIBITING THE PARKING OF VEHICLES FOR OVER TWO HOURS ON A PORTION OF THIRTEEN STREET BETWEEN I AND J STREETS' and moved its adoption and passage to print and publish, which motion being duly seconded, it was upon roll call carried and the ordinance ordered published as above by the following vote:
 Ayes: Councilmen: Neece, Oliver, Bond and Mayor pro tem Stanley
 Noes: Councilmen: None
 Absent: Mayer King

20 IN THE MATTER OF ORDINANCE APPROPRIATING FUND Commissioner Bond introduced an ordinance, being
 ORDINANCE NO. 556-N.S.
 entitled: AN ORDINANCE APPROPRIATING MONEY AND PROVIDING FOR THE PURCHASE OF NEW EQUIPMENT FOR THE DEPARTMENTS OF PUBLIC WORKS AND PARKS OF THE CITY OF MODESTO AND APPROPRIATING MONEY AND PROVIDING FOR THE CONSTRUCTION OF A NEW PUMPING STATION, A WADING POOL IN WEST SIDE PARK, AN ADDITION TO THE CLUB HOUSE AT THE GOLF COURSE, A STORM DRAIN ON SOUTH AVENUE AND ADDITIONAL MONEY FOR IMPROVEMENTS AT THE SEWER FARM, and moved its adoption and passage to print and publish, which motion being duly seconded, it was upon roll call carried and the ordinance ordered published as above by the following vote:
 Ayes: Councilmen: Neece, Bond, Oliver and Mayor pro tem Stanley
 Noes: Councilmen: None
 Absent; Councilmen: Mayer King

21 IN THE MATTER OF LOADING ZONES ON NINTH STREET Whereas, increasing traffic and the use of large trucks and trailers upon Ninth Street is causing difficulty in the parking of said trucks for the purpose of loading and unloading goods, wares, merchandise, Commissioner Oliver introduced
 RESOLUTION NO. 3964-N.S.
 creating on the easterly side of said Ninth Street two "loading zones" as provided for in Section 31 of Ordinance No. 345-N.S. of the City of Modeste, said loading zones are to be located as follows:
 "That certain space on the easterly side of Ninth Street commencing fifty-one(51) feet southerly of the property line of I Street on the easterly side of Ninth Street running in a southerly direction for a distance of forty (40) feet; and
 That certain space commencing on the easterly side of Ninth Street, fifty-six(56) feet northerly of the property line of H Street running in a northerly direction for a distance of forty (40) feet."
 and also authorizing City Engineer to mark said loading zones, which resolution was regularly adopted by the following vote:
 Ayes: Councilmen: Neece, Bond, Oliver and Mayor pro tem Stanley
 Noes: Councilmen: None
 Absent: Mayer King

22 IN THE MATTER OF Commissioner Bond introduced
DELEGATE TO BUILD- RESOLUTION NO. 3965-N.S.
ING CONFERENCE
appointing C. L. Baker as delegate to a building conference to be held in Los Angeles
on October 4, to 7th 1937, which resolution was regularly adopted by the following vote:
Ayes: Councilmen: Neece, Oliver, Bond and Mayor pro tem Stanley
Noes: Councilmen: None
Absent: Mayor King

23 IN THE MATTER OF . . . The matter of accepting audit of the fiscal year 1936-1937
ACCEPTING AUDIT FROM AUDITORS from the Auditors and authorizing payment of claim was laid
over to a later meeting.

24 IN THE MATTER OF Commissioner Neece introduced
CANCELLING WARRANTS RESOLUTION NO. 3966-N.S.
cancelling the following warrants:
9529 to Mrs. L. E. Drake, amount \$10.00 dated Sept. 2, 1926
A236 to Modesto Paint & Wallpaper Co \$1.01 dated 2-9-1927
2131 to Pacific Silicate Co. for \$18.41 dated May 9, 1928,
which resolution was regularly adopted by the following vote:
Ayes: Councilmen: Neece, Oliver, Bond and Mayor pro tem Stanley
Noes: Councilmen: None
Absent: Mayor King

25 IN THE MATTER OF Mrs. Steele appeared before the Council and reported on the
NOISE IN ALLEY BETWEEN I AND J various times disturbances had been made in the alley near her
AND 9TH AND 10TH STS. rooming house on I Street between 9th and 10th Streets by
the Modesto Electric Company since she had last appeared before the Council. This
matter was referred to the Chief of Police.

26 IN THE MATTER OF The matter of final acceptance of deed from the Grange
ACCEPTANCE OF DEED Warehouse & Storage Company on the right of way on 9th Street
FROM THE GRANGE CO. was laid over to a future meeting.

27 IN THE MATTER OF The City Clerk having made investigation as to cancellation of
CANCELLATION OF city taxes for the Modesto Irrigation District on property
TAXES which they recently purchased, being lots 11, 12 and 13, Block 80 and lots 14, 15
and 16, Block 80 in the City of Modesto and found same to be in order, Commissioner
Bond introduced

RESOLUTION NO. 3967-N.S.
authorizing cancellation of city taxes, subject to street improvements and directing
the City Tax Collector and Assessor to make such entries on his records, which
resolution was regularly adopted by the following vote ;
Ayes: Councilmen: Neece, Bond, Oliver and Mayor pro tem Stanley
Noes: Councilmen: None
Absent: Mayor King

28 IN THE MATTER OF The matter of the renewal of archery range lease was laid over
RENEWAL OF ARCHERY RANGE LEASE to a later meeting.

29 IN THE MATTER OF A letter was presented to the Council by S.F.DeYoe in which
OFFER TO BUY TAX SALES-DeYOE he set forth an offer to buy certain properties providing
all taxes be liquidated and cancelled. Same was taken under advisement.

30
IN THE MATTER OF
ADJOURNMENT

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

RESOLUTION NO. 3968-N.S.

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

Ayes: Councilmen: Neece, Bond, Oliver and Mayor pro tem Stanley

Noes: Councilmen: None

Absent: Councilmen: Mayor King

ATTEST NEGRUFF CITY CLERK

Council meeting,
October 13, 1937

The Council of the City of Modesto met in regular session
this date, the meeting having been called and convened as set forth in section 2 of the
Ordinance No. 2-N.S.

Present: Councilmen: Oliver, Bond, Neece, Stanley and Mayor King

Absent: Councilmen: None

1
IN THE MATTER OF
MINUTES

The minutes of the regular meeting of September 22nd, 1937
having been heretofore read by each Councilman were unani-
mously approved as so read.

2
IN THE MATTER OF
MEMORIAL TO WOMEN'S
IMPROVEMENT CLUB
AT GRACEADA PARK

Corda Stone appeared before the Council with various plans for
installing a memorial to the Women's Improvement Club at
Graceada Park. Same were turned over to City Engineer Rossi
for study.

3
IN THE MATTER OF
CLAIMS FOR MONTH
OF SEPTEMBER

Claims against the City of Modesto for the month of September,
1937 having been heretofore audited by the Council and found to
be correct, Commissioner Neece introduced

RESOLUTION NO. 3969-N.S.

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

GENERAL FUND-----	\$24,356.28
WATER FUND-----	6,834.54
LIBRARY FUND-----	1,868.93
ST. BOND RED. INT. FUND-----	639.47
UNAPPORTIONED FUND-----	
SEWER SEPTIC-----	688.25
	<u>\$34,387.47</u>

which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

4
IN THE MATTER OF
CLAIM-AUDITOR
ACCEPTANCE OF AUDIT

Whereas there was presented for acceptance, audit of records of
the City of Modesto for the fiscal year ending June 30, 1937,
by Robert M. Gane & I. W. Fiscalini, Public Accountants, Commissioner Neece introduced

RESOLUTION NO. 3970-N.S.

accepting audit as presented and authorizing the City Clerk and Auditor to draw warrant in amount of \$450.00 for services in connection with the examination of the accounts, which resolution was regularly adopted by the following vote:
Ayes: Councilmen: Neece, Stanley, Bond, Oliver and Mayor King
Noes: Councilmen: None
Absent: Councilmen: None

5
IN THE MATTER OF
CLAIMS

Whereas claims have been filed with the City Auditor for refund of deposit of \$50.00 by George Roek and Schrader Iron Works, as required by Ordinance 487-N.S. and C. C. Mudgett for refund of \$5.00 truck license paid for period October 1, 1937 to December 31, 1937, as he has stopped hauling on September 30, 1937 and sold out his business, Commissioner Neece introduced

RESOLUTION NO. 3972-N.S.

allowing claims as presented and authorizing City Clerk and Auditor to draw warrants in amounts stated above payable to claimants, which resolution was regularly adopted by the following vote:

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

6
IN THE MATTER OF
APPROPRIATION TO
STANISLAUS COUNTY
BOYS BAND

Whereas there has been presented for payment to the Council a claim of \$400.00 by the Stanislaus County Boys Band for one half of the amount budgeted by the City for the summer concerts for the year 1937, Commissioner Neece introduced

RESOLUTION NO 3973-N.S.

allowing claim and authorizing the City Clerk and Auditor to draw warrant in payment of claim to W. A. Harter, Treasurer Stanislaus County Boys Band, which resolution was regularly adopted by the following vote:

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

7
IN THE MATTER OF
CLAIM OF STANISLAUS
COUNTY FOR COURT FINES

Whereas there has been presented to the Council an account prepared by the District Attorney of Stanislaus County setting forth the amounts of money collected by the Police Court of the City of Modesto in the form of fines imposed upon persons convicted of misdemeanors *committed in the City of Modesto and which misdemeanors* are made such by State law only and not by local ordinance and

WHEREAS, the said District Attorney has filed with this account a demand that there be paid into the Treasury of the County of Stanislaus by the City of Modesto the total amount of fines collected by the said Police Court, imposed upon persons convicted in said Police Court of said misdemeanors committed with the City of Modesto, in the sum of \$4399.00 and

WHEREAS, the Police Court of the City of Modesto has collected for and on behalf of the City of Modesto fines imposed upon persons convicted of misdemeanors made such by State law for a number of years and

WHEREAS, no question has been raised by any person as to the propriety of said Police Court paying said fines into the Treasury of the City of Modesto and

WHEREAS, the demand by said District Attorney has raised a legal question, the determination of which is vital to the citizens of the City of Modesto, and to other cities in the State of California functioning under a type of city government similar to that adopted by the citizens of the City and

WHEREAS, the propriety of the claim made by said District Attorney is questionable under the laws of the State of California and the Charter of the City of Modesto; Commissioner Neece introduced

RESOLUTION NO. 3974-N.S.

refusing the request to pay over into the Treasury of Stanislaus County the sum of \$4399.00 and/or any sum collected by the Police Court of the City of Modesto in the form of fines imposed upon persons convicted of misdemeanors within the City of Modesto, which misdemeanors are made such only by State law, be it further resolved that the City Attorney of the said City of Modesto is hereby empowered and ordered to defend any suit that may be brought by the District Attorney of Stanislaus County for the collection of said moneys, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

8 IN THE MATTER OF
ARMISTICE DAY PARADE

Whereas, the American Legion Post No. 74 has invited the City Council to participate in their 20th Armistice day Parade and celebration on November 11th, 1937, City Clerk was instructed to write to them accepting their invitation to take part.

IN THE MATTER OF
HEARING REQUEST ON
DISCHARGE-KEELEY

Whereas, George M. Keeley was dismissed from the Police Department of the City of Modesto and he is now petitioning for a public hearing and as all the provisions of the Charter of the City of Modesto have been complied with in this dismissal and whereas there is no provision in the law as contained in the Charter of the City of Modesto which permits a public hearing in matters of this kind, Commissioner Stanley introduced

RESOLUTION NO. 3975-N.S.

denying petition of George M. Keeley for a public hearing on the reasons for his dismissal from the Police Department, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

10 IN THE MATTER OF
PETITION OF TAXICAB
OWNERS FOR INCREASE
IN RATE

Taxicab operators of the city petitioned the City Council to amend ordinance governing the minimum charge for taxi fare as 15¢ to 20¢. Same was laid over to a future meeting.

11 IN THE MATTER OF
HEARING PROTESTS
TO MODESTO ICE
DELIVERY TO ERECT
BUILDING

Whereas, pursuant to the filing of petition with the Council by Modesto Ice Delivery to conduct a building for cash and carry ice business on property known as 12th & L Streets, lots 14,15,16 Block 87 of the City of Modesto and it appearing from affidavits on file that a notice setting forth a time for hearing any and all protests to the granting of the petition as prayed for, and this being the time set forth and as the City Clerk reports that no protests either oral or written have been officially filed, Commissioner Bond introduced

RESOLUTION NO. 3976-N.S.

granting permit as prayed for with the understanding that all provisions relative to building permit fees be complied with, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

12 IN THE MATTER OF Pursuant to advertising for bids on resurfacing of H Street
OPENING BID ON RE- from 3rd Street to 5th Street and I Street from 5th Street
SURFACING STREETS to 8th Street and the time for opening bids having now arrived, the City Clerk report-
ed receipt of two bids which when opened read as follows:

	Bid 1	Alternate 2	Alternate 3
STEWART M. MCGAW	\$7592.50	\$7407.00	\$6892.20
CALROCK ASPHALT CO.	8941.99		

Whereupon by order of the Council the matter was referred to the City Engineer to determine the best and lowest bid and to report back to the Council.

13 IN THE MATTER OF Pursuant to advertising for bids on materials for repair
OPENING BID FOR of La Loma Bridge and the time for opening bids having now
REPAIR LALOMA BRIDGE arrived, the City Clerk reported receipt of 8 bids, which when opened read as follows:

California Steel products Co.	\$1158.70
Valley Steel & Welding Works	1261.75
BETHLEHEM STEEL CO.	1112.40
Kyle & Company	1580.95
Golden Gate Iron Works	1150.00
Herrick Iron Works	994.98
Judson-Pacific Co.	1055.75
Alternate	1478.05
Schrader Iron Works, Inc.	1225.70

whereupon by order of the Council, the matter was referred to the Commissioner of Public Works and the City Engineer for tabulation and recommendation as to the best and lowest bid and to report back to the Council.

14 IN THE MATTER OF Pursuant to advertising for bids on dump truck to be used
BIDS ON DUMP TRUCK in the Public Works Department and the time for opening
bids having now arrived, the City Clerk reported 9 bids, which when opened read as follows:

J. Dave Davenport	not accompanied by check
Ray A. Pike	\$3392.82
John W. Croker	3496.85
Alternate	3393.85
Alternate	3156.95
Alternate	3053.95
General Motor Truck Sales	3500.00
Alternate	3400.00
Alternate	3300.00
James L. Singleton	2553.08
Alternate	3498.95
Alternate	2141.03
Alternate	2986.90
R.B. MacBride	3322.27
Alternate	2476.12
Frank Paradis	2544.10
Alternate	3492.12
William J. Silva	3189.40
Alternate	3499.34
Frederic F. Webber	3459.00
Alternate	3043.00

whereupon by order of the Council, the matter was referred to the Commissioner of Public Supplies for investigation as to the best and lowest bid and to report back to the Council.

15 IN THE MATTER OF
CLOSING ALLEY IN
BLOCK 220

Pursuant to application by the Modesto Terminal Company

for the closing of alley in Block 220 and whereas the

Pacific Grape Products Company have built a building over this alley and as the City of Modesto owns sewer and water line in this alley and can no longer make use of same and whereas the Pacific Grape Products Company have presented to the City Council their check for \$250.00 for loss of use of water line under buildings in alley in Block 220, Commissioner Bond introduced

RESOLUTION NO. 3977-N.S.

accepting check as presented and authorizing the City Attorney to prepare plans for the closing of the alley, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

16 IN THE MATTER OF
2 HOUR PARKING
LIMIT-10th STREET

Commissioner Stanley introduced

RESOLUTION NO. 3978-N.S.

limiting parking of vehicles on 10th Street between K and L Streets and directing the Public Works Department to install the necessary signs, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

17 IN THE MATTER OF
REPORT ON SEWER
ENSLER SCHOOL

City Engineer Rossi reported that the matter of sewer at Enslar School was being taken care of by the Public Works

Department.

18 IN THE MATTER OF
CLOSING ALLEY IN
BLOCK 73

The matter of closing alley in Block 73 was laid over to a future meeting.

19 IN THE MATTER OF
ACCEPTANCE OF DEED
OF GRANGE WAREHOUSE
& STORAGE COMPANY

This matter was referred to the City Attorney

20 IN THE MATTER OF
APPROVAL OF SUPPLE-
MENT TO LEASE ON AIRPORT

Supplement agreement to lease with the Pathfinder Flying Service for the Municipal Airport having been presented for approval to the City Council, Commissioner Bond introduced

RESOLUTION NO. 3979-N.S.

approving supplement agreement as presented and appointing Mayor King as signatory official and requesting the City Clerk to communicate with the Pathfinder Flying Service to obtain a copy of resolution adopted by their Board of Directors authorizing the entering into agreement with the city, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

21 IN THE MATTER OF
RENEWAL OF ARCHERY
LEASE

The matter of the renewal of the Archery lease was laid over to a later meeting.

22 IN THE MATTER OF
PROPOSED PENSION
ORDINANCE

The matter of adoption of pension ordinance was laid over.

23 IN THE MATTER OF
ORDINANCE RE:
BOULEVARD STOPS

Commissioner Stanley introduced an ordinance being

ORDINANCE NO. 558-n.s.

entitled: "AN ORDINANCE AMENDING SECTION 23 of ORDINANCE NO. 345-N.S. of THE CITY OF MODESTO, AS THEREAFTER AMENDED" AND MOVED its adoption and passage to print and publish, which motion being duly seconded, it was upon roll call carried and the ordinance ordered published as above by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

24 IN THE MATTER OF Ordinance No. 556-N.S. having been heretofore introduced
FINAL ADOPTION OF and ordered printed and published at the regular meeting
ORDINANCE NO. 556-N.S. of September 22nd, 1937 and thereupon printed and pub-
APPROPRIATIONS FOR lished as required by the Charter of the City of Modesto, coming on for final
PUBLIC WORKS DEPT. adoption at this time, it was upon roll call so finally adopted by the following
vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

25 IN THE MATTER OF Ordinance No. 557-N.S. having been heretofore introduced
FINAL ADOPTION OF and ordered printed and published at the regular meeting
ORDINANCE NO. 557-N.S. of September 22nd, 1937 and thereupon printed and pub-
PARKING LIMIT 2 HOURS lished as required by the Charter of the City of Modesto, coming on for final adop-
PORTION 13th STREET tion at this time, it was upon roll call so finally adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

26 IN THE MATTER OF Commissioner Bond introduced
CITY COOPERATING RESOLUTION NO. 3980-N.S.
WITH COUNTY ON
TAX SALES authorizing City Tax Collector to cooperate with the
County Tax Collector in the sale of certain property subject to tax deed in the
City of Modesto, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

27 IN THE MATTER OF Mayor King acting in his capacity as President of the
MEETING OF CENTRAL Central Division of the League of California Municipal-
DIVISION OF LEAGUE called a meeting of this division to be held at Hotel
OF CALIFORNIA MUNI-
CIPALITIES Hughson at 7:00 P.M. Tuesday, November 2nd, 1937.

28 IN THE MATTER OF Jack Beaty, owner of the Beaty Building on 11th & J
LOADING ZONE IN FRONT Streets made petition to the Council for loading zone
OF BEATY BUILDING in front of his building, whereupon Commissioner Stanley introduced

RESOLUTION NO. 3 981-N.S.

granting request and instructing the Public Works Department to install the ne-
cessary signs designating parking space as a loading zone, which resolution was
regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

entitled: AN ORDINANCE APPROPRIATING MONEY AND PROVIDING FOR THE PURCHASE OF AN AUTOMOBILE FOR THE POLICE DEPARTMENT OF THE CITY OF MODESTO and moved its adoption and passage to print and publish which motion being duly seconded, it was upon roll call carried and the ordinance ordered published as above by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

3. IN THE MATTER OF
AWARDING BID ON
DUMP TRUCK

Whereas specifications have heretofore been filed by the City Engineer with the Council and approved by the Council for dump truck to be used by the Public Works Department and money for said truck having been heretofore been appropriated and notice to bidders having been given and published as required by law and bids in accordance with said notice having been received not later than 7:30 P.M. on Wednesday, October 13, 1937 and having been then and there opened by the Council in open meeting and referred to Commissioner of Public Supplies, Oliver, for recommendation as to the best and lowest bids, Commissioner Oliver introduced

RESOLUTION NO. 3984-N.S.

awarding bid to James L. Singleton for International model D-50 purchase price complete \$3498.95, as being the lowest and best bid and authorizing the City Clerk to return check to the unsuccessful bidders, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

4. IN THE MATTER OF
AWARDING BID ON
STEEL FOR REPAIR
OF LALOMA BRIDGE

Whereas specifications have heretofore been filed by the City Engineer with the Council and approved by the Council for steel to be used in repair of LaLoma Street Bridge and money has been appropriated for same and notice to bidders has been given and published as required by law and bids in accordance with said notice having been received not later than 7:30 P.M. Wednesday, October 13, 1937 and having been then and there opened by the Council in open meeting and referred to the Commissioner of Public Works and City Engineer for tabulation and recommendation with order to report back to the Council, at this time, Commissioner Oliver introduced

RESOLUTION NO. 3985-N.S.

awarding bid to Herrick Iron Works, for \$994.98, F.O.B. Modesto, sales tax included as being the lowest and best bid and authorizing the City Clerk to return checks to unsuccessful bidders, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

5. IN THE MATTER OF
WATER SERVICE
OUTSIDE CITY

Whereas, A. L. Young, Helen Avenue, J. G. Bruce, 1735 Francis Avenue and H. Reed Hicken, 1730 Helen Avenue of the High Homes Tract have made application to the Council for water service

for their houses outside the city limits, Commissioner Bond introduced

RESOLUTION NO. 3986-N.S.

granting water service temporarily for six months period from this date, renewal of service to be passed upon by Council at expiration date, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

6 IN THE MATTER OF
AWARDING BID ON
RESURFACING STREETS

This matter was laid over to a future meeting.

7 IN THE MATTER OF SETTING
UP PENSION FUND

Commissioner Stanley introduced

RESOLUTION NO. 3987-N.S.

appointing Bob Fitch to establish system of handling pension fund for the Police and Fire Departments as provided for by Ordinance No. 559-N.S., which motion was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

8 IN THE MATTER OF
ADJOURNMENT

There being no further business to come before the meeting,

Commissioner Oliver introduced

RESOLUTION NO. 3988-N.S.

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

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST

CITY CLERK

Council Meeting,

October 27, 1937

The Council of the City of Modesto met in regular session this date, the meeting having been called and convened as set forth in section 2 of the Ordinance No. 2-N.S.

Present: Councilmen: Oliver, Bond, Neece, Stanley and Mayor King

Absent: Councilmen: None

1 IN THE MATTER OF
MINUTES

The minutes of the regular meeting of October 13, 1937 and of the Special meeting of October 18, 1937 having been heretofore

read by each Councilman were unanimously approved as so read.

2 IN THE MATTER OF
CANCELLING CONDEM-
NATION SUIT AGAINST
THE GRANGE COMPANY

Commissioner Bond introduced

RESOLUTION NO. 3989-N.S.

authorizing the City Attorney to cancel condemnation suit against The Grange Company as provided for in Resolution No. 2534-N.S. for the widening of Ninth Street and the 99 highway, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

3 IN THE MATTER OF
CONDEMNING BUILDING
USED FOR OIL REFINERY
618 SEVENTH STREET

W. L. Stephenson, owner of building at 618-7th Street and T. L. Wren, lessor appeared before the Council and stated that the building had been cleaned up and all fire hazards removed and petitioned the Council to be permitted to continue operating at this location. Fire Chief Wallace and Commissioners Bond and Stanley were appointed as a committee to investigate the matter and report back to the Council at the next meeting.

4 IN THE MATTER OF
CLAIM FOR DUMP
TRUCK

Commissioner Oliver introduced
RESOLUTION NO. 3990-N.S.

allowing claim of James L. Singleton for \$3498.95 for dump truck and authorizing the City Auditor to draw warrant in payment, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

5 IN THE MATTER OF
CLAIM-MODESTO CHAMBER
OF COMMERCE

Whereas the Modesto Chamber of Commerce have presented claims for \$650.00 for donations to the Farm Bureau Convention in amount of \$475.00 and to the Grange Convention for \$175.00 and whereas Ordinance has been adopted providing for this appropriation, Commissioner

Neece introduced

RESOLUTION NO. 3991-N.S.

allowing claim as presented and directing the City Auditor to draw warrant in payment, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

6 IN THE MATTER OF
CLAIMS-FOWLER AND
OGDEN

Whereas Carl L. Ogden has presented claim for over-payment on 1936-1937 taxes in amount \$10.00, as he had signed soldier's exemption and was not allowed credit and Robert B. Fowler has presented claim for \$4.00 for use of automobile for trip to Attorney General's office in San Francisco, Commissioner Oliver introduced

RESOLUTION NO. 3992-N.S.

allowing claims as presented and authorizing City Auditor to draw warrants in payment of claims, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

7 IN THE MATTER OF
CLAIM-PUTNAM &
CLARK FURNITURE
FOR POLICE DEPT.

Pursuant to claim being presented to the City Council by Putnam-Clark Furniture Company in amount \$123.38 for furniture furnished the Police Department, Commissioner

Stanley introduced

RESOLUTION NO. 3993-N.S.

allowing claim and authorizing the City Auditor to draw warrant in payment of

same, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

8 IN THE MATTER OF
FREE WATER SERVICE

Pursuant to communication from W.P.A. requesting free water service for their local office located at 2301 H Street,

Commissioner Bond introduced

RESOLUTION NO. 3994-N.S.

granting permit for free water service from October 15, 1937 until such time as they close their office, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

9 IN THE MATTER OF
AWARDING BID ON
RESURFACING STREETS

The matter of awarding bid on resurfacing streets was laid over to a later date.

10 IN THE MATTER OF
CALLING FOR BIDS
AUTOS, TRACTOR
AND WATER PIPE

Commissioner Bond introduced

RESOLUTION NO. 3995-N.S.

authorizing City Clerk to advertise for bids on the following equipment:

1-one Automobile Coupe, not to exceed \$775.00 in cost including sales tax

2-One Pickup Truck, not to exceed \$750.00 in cost including sales tax

3-One industrial type tractor equipped with rubber tires and a sickle bar mower attachment not to exceed \$1250.00 in cost including sales tax. The mower may be driven by an independent motor.

4-1000 feet of 4 inch, 1000 feet of 6", 1700 feet of 8", and 160 feet of 12 inch, class 150 bell and spigot cast iron water pipe or equal.

Said bids to be received by the City Council at the City Hall not later than 7:30 P.M. on Wednesday, November 10, 1937, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

11 IN THE MATTER OF
CALLING FOR BIDS
GOLF COURSE BUILD-
ING

Whereas plans and specifications have been presented by the City Engineer for addition to present structure at the Golf Course and approved by the Council, Commissioner Neece introduced

RESOLUTION NO. 3996-N.S.

authorizing the City Clerk to advertise for bids which will be opened at the next Council meeting on November 10, 1937, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

12 IN THE MATTER OF
CLOSING ALLEYS IN
BLOCKS 73 and 220

The matter of closing alleys in blocks 73 and 220 was laid over until a future meeting.

13 IN THE MATTER OF
ACCEPTING DEED FROM
GRANGE WHESE & STG. CO.

Whereas a deed has been delivered to the Mayor by the Grange Warehouse & Storage Company on a portion of lots 1 and 2 in Block 443 of the City of Modesto to be used for right of way in widening 99 highway

and whereas deed is in proper form, Commissioner Bond introduced

RESOLUTION NO. 3997-N.S.

accepting said deed and authorizing the City Attorney of the City of Modesto to record said deed, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

14
IN THE MATTER OF
FINAL ADOPTION
ORD. 558-N.S.
BOULEVARD STOPS

Ordinance No. 558-N.S. having been heretofore introduced and ordered printed and published at the regular meeting of October 13, 1937 and thereupon 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 so finally adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

15
IN THE MATTER OF
FINAL ADOPTION
ORD. 559-N.S.
PENSION SYSTEM.

Ordinance No. 559-N.S. having been heretofore introduced and ordered printed and published at the Special meeting of October 18, 1937 and thereupon 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 so finally adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

16
IN THE MATTER OF
FINAL ADOPTION
ORD. 560-N.S.
APPROPRIATE MONEY
POLICE DEPARTMENT

Ordinance No. 560-N.S. having been heretofore introduced and ordered printed and published at the special meeting of October 18, 1937 and thereupon 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 so finally adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

17
IN THE MATTER OF
PROPOSED PLUMBING
ORDINANCE

At this time a proposed plumbing ordinance was presented, by the committee appointed by the Council to draw

up ordinance, for discussion. This matter was referred to the City Engineer and City Attorney for consideration.

18
IN THE MATTER OF
ORD. RE: APPROPRIATION
FOR FIRE EQUIPMENT

Commissioner Stanley introduced an ordinance being
ORDINANCE NO. 561-N.S.

entitled "AN ORDINANCE APPROPRIATING MONEY AND PROVIDING FOR THE PURCHASE OF EQUIPMENT FOR THE FIRE DEPARTMENT OF THE CITY OF MODLSTO" and moved its adoption and passage to print and publish, which motion being duly seconded, it was upon roll call carried and the ordinance ordered published as above by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

19 IN THE MATTER OF
LOADING ZONE AT
ST. MARY'S HOSPI-
TAL

Pursuant to request by St. Mary's Hospital for loading zone
at ambulance entrance to the hospital, Commissioner Stanley
introduced

RESOLUTION NO. 3998-N.S.

granting request as petitioned and directing the Public Works Department to mark parking
space in front of the hospital accordingly, which resolution was regularly adopted by
the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

20 IN THE MATTER OF
TOY LOAN LIBRARY

City Engineer Rossi reported on "Toy Loan Library project. It
was the unanimous decision of the Council that the City of
Modesto act as cosponsor with the National Youth Administration on this project.

21 IN THE MATTER OF
MEMORIAL AT GRACE-
ADA PARK

Corda Stone appeared before the Council with another plan for
a memorial to the "Women's Improvement Club to be placed at
Graceada Park and the Council gave their consent to the placing of this in the park.

22 IN THE MATTER OF
ORD. REGULATION
& USE OF FUEL OIL

Mayor King appointed Fire Chief Wallace and City Engineer
Rossi as a committee to prepare an ordinance for adoption by
the Council on regulation and use of fuel oil in the City of Modesto.

23 IN THE MATTER OF
CALLING FOR BIDS
ON POLICE CAR

Commissioner Stanley introduced

RESOLUTION NO. 3999-N.S.

authorizing City Clerk to advertise for bids on one 6 cylinder touring sedan for which
the cost including sales tax shall not exceed the trade in allowance for one 1935
Ford Sedan and \$1000.00 for the Police Department, said bids to be opened at the next
regular meeting, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

24 IN THE MATTER OF
CANCEL OPERATOR'S
LICENSE-LYLOTT

Commissioner Stanley introduced

RESOLUTION NO. 4000-N.S.

cancelling operator's license No. 83 of Stanley Lylott to drive taxicab in this city
because of infraction of Ordinance No. 522-N.S. which resolution was regularly
adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

25 IN THE MATTER OF
ADJOURNMENT

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

RESOLUTION NO. 4001-N.S.

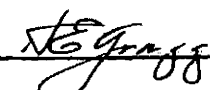
adjourning this Council meeting now in session, which resolution was regularly adopted
by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST

 City Clerk

The Council of the City of Modesto met in regular session this date, the meeting having been called and convened as set forth in section 2 of the Ordinance No. 2-N.S.

Present: Councilmen: Oliver, Bond, Neece, Stanley and Mayor King

Absent: Councilmen: None

1 IN THE MATTER OF MINUTES The minutes of the regular meeting of October 27, 1937 having been heretofore read by each Councilman were unanimously approved as so read.

2 IN THE MATTER OF ACCEPTING MAP Whereas the City Engineer has presented for approval and acceptance, map of LaLoma Terrace, being a subdivision of Blocks 206, 226, portion of Blocks 207, 209, 212 and 227, whereupon Commissioner Bond introduced

RESOLUTION NO. 4002-N.S.

approving and accepting map as presented and appointing Mayor King and City Clerk as signatory officials, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

3 IN THE MATTER OF CLAIMS FOR MONTH OF OCTOBER Claims against the City of Modesto for the month of October, 1937 having been heretofore audited by the Council and found to be correct, Commissioner Neece introduced

RESOLUTION NO. 4003-N.S.

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

GENERAL FUND-----	\$25,476.75
WATER FUND-----	4,040.54
LIBRARY FUND-----	1,684.53
BOND RED. INT. FUND-----	2.10
ST. BOND RED. INT. FUND----	18.35
SP. ST. BOND RED. INT. FUND-	.30
SEWER SEPTIC-----	389.09
GAS TAX FUND-----	3,498.95
	<u>\$35,110.71</u>

which resolution was regularly adopted by the following vote:

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

Noes; Councilmen: None

Absent: Councilmen: None

4 IN THE MATTER OF CLAIMS-KING & W.M. HOLLAND Whereas claim for expenses of Secretary of California League of Municipalities in attending the Central Valley Division of League held in Modesto, November 2nd, 1937 paid by Mayor J. H. King, in amount of \$12.00, and claim for refund of deposit required by Ordinance No. 487-N.S. by W.M. Holland, in amount of \$50.00, having been filed with the City Auditor, Commissioner Neece introduced

RESOLUTION NO. 4004-N.S.

allowing claims as presented and authorizing City Clerk and Auditor to draw warrants in payment of same, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

5 IN THE MATTER OF WHEREAS the bid of Calrock Asphalt Company for resurfacing streets in the
RETURN OF CHECK
TO CALROCK ASPHALT City of Modesto was rejected, Commissioner Bond introduced
CO.

RESOLUTION NO. 4005-N.S.

authorizing the City Clerk to return the Certified check which accompanied the bid in amount
\$900.00, which resolution was regularly adopted by the following vote:

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

NOES: Councilmen: None

Absent: Councilmen: None

6 IN THE MATTER OF WHEREAS on October, 1937 Ord. 553-N. S. Provided for the entire annual
REFUND OF LICENSE
ORD. NO. 553-N.S. license fee for distributing handbills was made payable in advance and
whereas all other licenses are payable on July 1st and it is desired that such precedent
should be continued in all cases, commissioner Neece introduced

RESOLUTION NO. 4006-N. S.

authorizing the City Clerk to refund to the Western Union and Modesto Tribune \$25.00
each so that the expiration of license will coincide with all other licenses, which
resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

7 IN THE MATTER OF Pursuant to request of Dennis Keene of 426 Melrose Street for the
COMMUNICATION RE:
REMOVAL OF TREES removal of diseased tree near his home, the City Clerk was instruc-
ted to write petitioner and notify him that the City would remove this tree as soon
as possible.

8 IN THE MATTER OF WHEREAS Walter E. Samways has petitioned the Council for permission to
PETITION TO OPERATE
USED CAR LOT operate a used car lot at 910 G Street and whereas he has presented
application and bond in conformance with requirements of Ordinance No. 514-N. S.,
Commissioner Stanley introduced

RESOLUTION NO. 4007-N. S.

Granting request to operate used car lot, which resolution was regularly adopted by
the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

9 IN THE MATTER OF WHEREAS, Pursuant to the filing of petition with the Council as
HEARING PROTESTS
TO GRANT PERMIT
TO GEO. LEISZ
OPERATE GARAGE
FOLLOWS:
GEORGE LEISZ to operate a garage for the purpose of repairing
shop on property known as 510 Melrose, lots 29 and 30 in Block
591 of the City of Modesto

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

RESOLUTION NO. 4008-N.S.

refusing petition as prayed for as the location was in a residence zone and it was
believed that it would not be for the best interest and welfare of the surrounding
territory, which resolution was regularly adopted by the following Vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

10 IN THE MATTER OF Whereas the Modesto Irrigation District have petitioned the
PLACING POWER LINE
ACROSS BEARD BROOK City of Modesto to place a power line across Beard Brook to
PARK BY M. I. D.

substation to be erected on 12th & E Streets, Commissioner

Neece introduced

RESOLUTION NO. 4009-N. S.

granting request in accordance with their letter of July 6, 1937 which resolution
was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

11 IN THE MATTER OF Whereas a petition was filed with the City Council for the
REMOVAL OF TREE

removal of a tree on 11th Street in 700 block on the left side,

facing north because of obscuring neon signs of business concern nearby Commissioner

Neece introduced

RESOLUTION NO. 4010-N. S.

ordering the removal of the tree by the City under the supervision of the City
Engineer, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

12 IN THE MATTER OF
BIDS ON AUTOS-
TRACTOR & PIPE

Whereas specifications having heretofore been filed by the
City Engineer with the Council and approved by the Council for

the purchase of 1 Coupe, 1 Pickup Truck, 1 Industrial Tractor and water pipe and
money for purchase of this equipment having been duly appropriated and being now
available and notice to bidders having heretofore been given and published as
required by law and bids in accordance with said notice having been received not
later than 7:30 P.M. on Wednesday, November 10, 1937 and having been then and there
opened by the Council in open meeting, City Clerk reported 18 bids received C.F.
Bid File No. 148 for details of bids, whereupon Commissioner Bond introduced

RESOLUTION NO. 4011-N.S.

referring bids to the City Engineer and Commissioner of Public Works for tabulation
and recommendation as to the lowest and best bid, which resolution was regularly
adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

13 IN THE MATTER OF
BID ON POLICE
AUTO

Whereas specifications having heretofore been filed by the
Police Department with the Council and approved for the pur-

chase of a Sedan patrol car and money having been duly appropriated and being now
available and notice to bidders having heretofore been given and published as
required by law and bids in accordance with said notice having been received not
later than 7:30 P.M. on Wednesday, November 10, 1937 and having been then and there
opened by the Council in open meeting, City Clerk reported 6 bids received, C.F.
Bid File No. 150 for details of bids, whereupon Commissioner Stanley introduced

RESOLUTION NO. 4012-N. S.

referring bids to the City Engineer and Commissioner of Health and Safety for tabulation and recommendation as to the lowest and best bid, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

14 IN THE MATTER OF WHEREAS plans and specifications having heretofore been filed by the
BIDS ON ADDITION TO GOLF COURSE Public Works Department with the Council and approved by them for the
addition to building at golf course and money having been appropriated and being now
available and notice to bidders having heretofore been given and published as required
by law and bids in accordance with said notice having been received not later than
7:30 P.M. on Wednesday November 10, 1937 and having been then and there opened by the
Council in open meeting, City Clerk reported 3 bids received, C.F. Bid File No. 149
for details of bids, whereupon Commissioner Bond introduced

RESOLUTION NO. 4013-N.S.

referring bids to the City Engineer and Commissioner of Public Works for tabulation and recommendation as to the lowest and best bid, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

15 IN THE MATTER OF THE matter of awarding bid on resurfacing streets in the City of
BIDS ON RESURFACING STREETS Modesto was laid over until a future meeting.

16 IN THE MATTER OF Commissioner Stanley introduced
CALLING FOR BIDS ON MATERIAL FOR
FIRE DEPARTMENT RESOLUTION NO. 4014-N. S.

authorizing the City Clerk to advertise for bids on the following material for the fire department:

- 1-One front mounted centrifugal fire pump, capacity 400 gallons, complete with accessories mounted on chasis
 - 2-Water tank of 100 gallons capacity, to be constructed throughout of 10 gauge steel.
- Said bids to be received at the office of the City Clerk not later than seven-thirty P.M. on Wednesday, December 8, 1937, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

17 IN THE MATTER OF WHEREAS the Modesto Terminal Company, owner of Block 220 have
PETITION FOR CLOSING ALLEY IN BLOCK 220 petitioned the City Council to abandon alley in this block as
the property abutting upon said alley is all industrial property and its use will
be greatly enhanced by the closing and abandoning, whereupon Commissioner Bond
introduced

RESOLUTION NO. 779-S.P
RESOLUTION OF INTENTION NO. 221

Providing for the closing of alley in Block 220 of the City of Modesto, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

18 IN THE MATTER OF APPROVING CONTRACT WITH UNITED LUMBER YARDS, INC. Whereas on June 9, 1937 the Council passed Resolution No. 778-S.P.R.I. No. 220, providing for the closing and abandoning

of alley in Block 73 in the City of Modesto and whereas at this time a contract was presented for acceptance and approval by the Council between the City of Modesto and the United Lumber Yards, Inc., providing for entering upon property for maintaining pipes and conduits now located in alley by the City at all times and for the payment by the United Lumber Co. of all expenses incurred in closing alley, whereupon Commissioner Bond introduced

RESOLUTION NO. 4015-N. S.

accepting contract as presented and appointing Mayor King and City Clerk as signatory officials, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

19 IN THE MATTER OF CLOSING 25' END STATE STREET Whereas it is deemed for the best interest of the City of Modesto that a 25 foot strip at east end of State Street be

closed as it is the end of the street and it abuts on private property, causing a dead end street, Commissioner Bond introduced

RESOLUTION NO. 780-S.P.
RESOLUTION OF INTENTION NO. 222

providing for the closing of 25' strip at the east end of State Street which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

20 IN THE MATTER OF PROPOSED PLUMBING ORDINANCE This matter was laid over to a future meeting.

21 IN THE MATTER OF FINAL ADOPTION ORD. 561-N.S. APPROPRIATE MONEY FOR FIRE DEPT. Ordinance No. 561-N.S. having been heretofore introduced and ordered printed and published at the regular meeting of October 27, 1937 and thereupon 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 so finally adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

22 IN THE MATTER OF CITY ATTORNEY FILE CLAIM V. COUNTY Whereas there is now pending in the Superior Court an action in which the County of Stanislaus is plaintiff and City of Modesto

defendant and whereas a demurrer heretofore filed by the City of Modesto to the complaint has been overruled by the Superior Court with ten days' leave to answer said complaint and whereas, if legally the County of Stanislaus is entitled to the sum of \$4399.00 which amount constitutes the total sum collected by the Police Court from and including September 28, 1933 to and including September 28, 1937, the said City of Modesto is in turn entitled to receive from the County of Stanislaus the sum of \$2245.60, which sum has been expended by the City of Modesto in feeding certain prisoners lodged in the County Jail of Stanislaus County for vie-

lation of State laws committed within said city, Whereupon Commissioner Stanley introduced

RESOLUTION NO. 4016-N.S.

authorizing the City Attorney to file a cross complaint against said County for the purpose of recovering said sum of \$2245.50 for moneys expended in feeding prisoners in jail during the period heretofore set forth, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

23 IN THE MATTER OF The Committee appointed by the Council composed of Fire Chief REPORT BY COMMITTEE Wallace, Commissioners Bond and Stanley reported that the condition of the building at 618 7th Street used as an oil refinery would meet with the necessary requirements and that fire hazards had been removed.

24 IN THE MATTER OF Pursuant to petition being filed with the Council by George PETITION-GEORGE KEELEY Keeley for a public hearing on his discharge from the Police Department of the City of Modesto, Commissioner Stanley introduced

RESOLUTION NO. 4017-N.S.

denying request, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

25 IN THE MATTER OF Whereas there has been presented to the City Council a petition ANNEXATION OF SOUTHERN CAMPUS TRACT requesting that an election be called in the Southern Campus Tract for annexation by the City and whereas it appears to the City Council that said petition is in order with one exception to-wit; that said Council is unable at this time to determine that the persons signing have the legal right so to do, whereupon Commissioner Bond introduced

RESOLUTION NO. 4018-N.S.

accepting petition subject to a determination by the City Clerk that those persons signing said petition have the legal right to sign the same and be it further resolved that when and if the City Clerk of said city determines that the persons signing said petition have the legal right so to do than and in such event the City Attorney is ordered to prepare the necessary documents and notices for the holding of an election in said territory sought to be annexed to determine whether or not the voters living in said territory desire said territory to be annexed to and to become a part of the corporate limits of the City of Modesto, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

26 IN THE MATTER OF Bert Lowry made application to the City Council for the leasing LEASE ON ROOSEVELT FIELD of Roosevelt Field for the period from February 1, 1938 to and including the first Sunday in April, 1938. This matter was laid over.

27 IN THE MATTER OF Reports of the various departments for the month of October, DEPARTMENTAL REPORTS 1937 were reviewed by the Council and ordered filed.

28

IN THE MATTER OF Commissioner Bond introduced
ADJOURNMENT

RESOLUTION NO. 4019-N. S.

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

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

Special Council Meeting,
November 17, 1937

The Council of the City of Modesto met in Special Session this date, the meeting having been called and convened as set forth in section 2 of the Ordinance No. 2-N.S.

Present: Councilmen: Neece, Stanley, Oliver, Bond and Mayor King

Absent: Councilmen: None

IN THE MATTER OF Pursuant to bids for autos, tractor and pipe for the Public
AWARDING BID ON PICKUP TRUCK-ETE. Works Department as per advertised Notice to Bidders and the subsequent referring of all bids received to a committee for investigation and recommendation, at this time they recommended the purchase of the following equipment:

- ITEM 1 Bid of Helm Chevrolet Company- 1 1938 Chevrolet Coupe, at the net price of \$ 752.51
- ITEM 2 Bid of John Crocker - 1 1938 Reo Pickup demonstrator at a net price of 708.12
- ITEM 3 All bids rejected-New bids to be called for at later date
- ITEM 4 Bid of Pacific States Pipe and Foundry Co. on cast iron pipe, net cost to City 3691.11

whereupon Commissioner Oliver introduced

RESOLUTION NO. 4020-N.S.

accepting bids as above set forth as being the lowest and best bids and upon delivery and acceptance of equipment, the City Clerk and Auditor be authorized to draw warrants in payment, and the City Clerk authorized to return to the unsuccessful bidders the certified checks accompanying their bids, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF Whereas bids for addition to golf course Clubhouse as per
AWARDING BID ON ADDITION TO GOLF COURSE CLUBHOUSE advertised Notice to Bidders and the subsequent referring of all bids received to a committee for investigation and recommendation as to the lowest and best bid, Commissioner Oliver introduced

2

RESOLUTION NO. 4021-N.S.

awarding bid to Jarvis Brothers for \$1057.00 as being the lowest and best bid and Mayor and City Clerk be authorized to enter into contract with said Jarvis Brothers on behalf of the City of Modesto for the construction of building and that the City

Clerk be authorized to return to the unsuccessful bidders their certified checks and bidding bonds accompanying their bids, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

3
IN THE MATTER OF AWARDING BID ON POLICE AUTO Whereas bids for auto for the Police Department as per advertised Notice to Bidders and the Subsequent referring of all bids received to a committee for investigation and recommendation, at this time Commissioner Oliver introduced

RESOLUTION NO. 4022-N.S.

awarding bid to R. B. MacBride for Plymouth, 1938 model Patrol car for \$961.83, less credit of \$310.00 for trade in on Ford Sedan making a net amount of \$651.83, as being the lowest and best bid and upon delivery and acceptance of equipment, the City Clerk and Auditor be authorized to draw warrant in payment and to return certified check to unsuccessful bidders, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

4
IN THE MATTER OF HEARING PROTESTS TO GRANT PERMIT TO JOAQUINITA VICTORIA Whereas, pursuant to the filing of petition with the Council as follows:

JOAQUINITA VICTORIA for permit to maintain a Tamale Parlor on property known as 513 12th Street, being lots 8, 9, 10 in Block 80 of the City of Modesto

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

RESOLUTION NO. 4023-N.S.

granting petition as prayed for with the understanding that all provisions relative to building permit fees will be complied with, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

5
IN THE MATTER OF LEASING ROOSEVELT FIELD TO BERT LOWRY Whereas Bert Lowry has petitioned the Council for permission to lease Roosevelt Field for the Spring Training season of 1938, Commissioner Oliver introduced

RESOLUTION NO. 4024-N.S.

granting request and appointing committee of Commissioners Oliver, Bond and Neece to make arrangements for the lease and management of the field, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

6

IN THE MATTER OF
PETITION TO ANNEX
SOUTHERN CAMPUS
TRACT TO CITY OF
MODESTO

Whereas petition has been presented to the Council in the pro-
per form asking that the City of Modesto annex certain territory
described as follows:

Beginning at College Avenue and Coldwell Avenue where a 1" iron pipe marks the
Southwest corner of the Southeast quarter of the Southwest quarter of Section 20,
T. 3, S-R 9E M.D.B & M; thence easterly along the line common to sections 20 and
29, said line being the North corporate limits of the City of Modesto a distance
of 660.33 feet; thence at an angle to the left of 92°12" in a northerly direction a
distance of 833.69 feet; thence at an angle to the left 110°0' in a southwesterly
direction a distance of 361.93 feet; thence at an angle to the right 20°0' in a
westerly direction a distance of 319.74 feet; thence at an angle to the left 90°0'
in a Southerly direction a distance of 684.92 feet to the point of beginning.

whereupon Commissioner Bond introduced

RESOLUTION NO. 4025-N.S.

authorizing the holding of and calling an election in the above described territory
as provided by law, on the 21st day of December 1937, submitting the question of
such annexation to the qualified electors residing within the above described
territory, which resolution was regularly adopted by the following vote:

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

1

IN THE MATTER OF
ADJOURNMENT

Commissioner Oliver introduced

RESOLUTION NO. 4026-N.S.

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

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

ATTEST *H. E. Gragg* CITY CLERK

SPECIAL COUNCIL MEETING
November 22, 1937

The Council of the City of Modesto met in Special Session this
date, the meeting having been called and conveyed as set forth in section 2 of the
Ordinance No. 2-N.S.

- Present: Councilmen: Neece, Stanley, Oliver, Bond and Mayor King
- Absent: Councilmen: None

IN THE MATTER OF
EMPLOYING RAY GADA
IN ELECTRICAL DEPT.

Commissioner Bond introduced

RESOLUTION NO. 4027-N.S.

employing Ray Gada in the Electrical Department of the City of Modesto at a Salary
of \$1.00 per year to meet requirements of the Federal Radio Bureau, which resolution
was regularly adopted by the following vote:

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

2

IN THE MATTER OF
DISCUSSION OF CIVIL
SERVICE

Mr. O. W. Campbell, representative from the League of California
Municipalities spoke on civil service.

IN THE MATTER OF Commissioner Oliver introduced
ADJOURNMENT

RESOLUTION NO. 4028-N.S.

3
adjourning this Council meeting now in session, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST *H. E. BRAGG* CITY CLERK

Council Meeting,

November 24, 1937

The Council of the City of Modesto met in regular session this date, the meeting having been called and convened as set forth in section 2 of the Ordinance No. 2-N.S.

Present: Councilmen: Oliver, Neece, Stanley and Mayor King

Absent: Councilmen: Bond

1
IN THE MATTER OF The minutes of the regular meeting of November 10th and Special
MINUTES meeting of November 17th, 1937 having been heretofore read by each Councilman were unanimously approved as so read.

2
IN THE MATTER OF Whereas claim has been filed by Ernest W. Rettig for refund of
CLAIMS-RETTIG personal property tax paid in amount of \$1.10, as property
AND HOLTHAM assessed had been removed prior to assessment date and claim has been filed by F. E. Holtham on expenses to convention of Milk Inspectors and Health Officers in Oakland in amount of \$6.60 with the City Auditor, Commissioner Stanley introduced

RESOLUTION NO. 4029-N.S.

allowing claim as presented and authorizing the City Clerk and Auditor to draw warrants in payment of Claims, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: Bond

3
IN THE MATTER OF Pursuant to request for free water service at warehouse #43,
FREE WATER SERVICE TO W.P.A. WAREHOUSE located at 228 11th Street by the W. P. A. during the operation of their sanitation project, Commissioner Neece introduced

RESOLUTION NO. 4030-N.S.

granting free water service until such time as project is completed, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: Bond

4
IN THE MATTER OF Communication, which read as follows, was received by the Council
COMMUNICATION FROM GEORGE KEELEY from George Keeley:

"Request is hereby made upon you to reinstate the undersigned as Captain of Police of the City of Modesto, and pay to the said undersigned the sum of \$793.33, due as compensation since the 17th day of July, 1937.

Dated this 20th day of November, 1937

G. W. KEELEY^o

whereupon Commissioner Stanley introduced

RESOLUTION NO. 4031-N.S.

denying request, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: Bond

5
IN THE MATTER OF
HEARING PROTESTS
TO OPERATE STORE
MRS. O. N. HAYDEN

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

Mrs. O. N. Hayden: To operate and maintain a general retail
store in residence at present store building to be constructed
later on property known as Rosemont & Center Streets, Block 328,
lots 37 and 38

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

RESOLUTION NO. 4032-N.S.

granting permission with the understanding that all provisions relative to build-
ing permit fees be complied with, which resolution was regularly adopted by the
following vote:

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

Noes: Councilmen: None

Absent: Councilmen: Bond

6
IN THE MATTER OF
CORRECTING RESO-
LUTION NO. 4016-N.S.

Commissioner Oliver, introduced

RESOLUTION NO. 4033-N.S.

correcting the total amount claimed by the City of Modesto as set forth in Reso-
lution No. 4016-N.S. against the County of Stanislaus to \$3614.25, which resolution
was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilman: Bond

7
IN THE MATTER OF
ADJOURNMENT

Commissioner Oliver introduced

RESOLUTION NO. 4034-N.S.

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

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

Noes: Councilmen: None

Absent: Councilmen: Bond

ATTEST H. E. GRAGG, CITY CLERK

Council Meeting
December 8, 1937

The Council of the City of Modesto met in regular session
this date, the meeting having been called and convened as set forth in section 2
of the Ordinance No. 2-N.S.

Present: Councilmen: Oliver, Bond, Neece, Stanley and Mayor King

Absent: Councilmen: None

1 IN THE MATTER OF MINUTES The minutes of the Special meeting of November 22, 1937 and regular meeting of November 24, 1937 having been heretofore read by each Councilman were unanimously approved as so read.

2 IN THE MATTER OF FARM BUREAU BUILDING A. J. Sturtevant and T. J. Halford, representing the Farm Bureau appeared before the Council and petitioned the Council to provide a building site in the City of Modesto which could be used by the Farm Bureau to build a meeting hall. The Mayor appointed Commissioner Bond, Stanley and City Engineer Ressi as a committee to investigate the possibility of granting this request.

3 IN THE MATTER OF CLAIMS FOR MONTH OF NOVEMBER Claims against the City of Modesto for the month of November, 1937 having been heretofore audited by the Council and found to be correct, Commissioner Neece introduced

RESOLUTION NO. 4035-N.S.

ordering that all of the said claims so audited and approved be and the same are hereby allowed with reference being made to the Auditor's Cash Record for further details relative to the amounts of withdrawals from the various funds as follows:

GENERAL FUND-----	\$24,838.50
WATER FUND-----	5,045.96
LIBRARY FUND-----	1,628.01
BOND RED. INT. FUND-----	18.95
ST. BOND. RED. INT. FUND----	34.74
SEWER SEPTIC FUND-----	<u>286.14</u>
TOTAL	\$31,852.30

which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

4 IN THE MATTER OF CLAIM FOR REFUND DEPOSIT Whereas claim for refund of deposit as required by Ordinance No. 487-N.S. has been filed with the City Auditor by the following:

J. GREENBERG
MODESTO AMBULANCE CO.
C. COY SMITH

Commissioner Neece introduced

RESOLUTION NO. 4036-N.S.

allowing claims as presented and authorizing City Clerk and Auditor to draw warrants in payment of same, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

5 IN THE MATTER OF CLAIM FOR REFUND REGISTRATION FEE Whereas claim for refund of registration fee of \$5.00 has been filed by J. M. Brunette because of non operation with the City Auditor, Commissioner Neece introduced

RESOLUTION NO. 4037-N.S.

authorizing refund and directing the City Clerk and Auditor to draw warrant in amount of \$5.00 payable to claimant, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF
REFUND TAXES
VERTREES-STANIS-
LAUS COUNTY TITLE
COMPANY

Whereas the Stanislaus County Title Company have made claim for \$2.69 for erroneous assessment on personal property in Block 403, lots 9 and 11 and Roy Vertrees has made claim for \$9.14 for over assessment of \$435.00 for years 1936-37 and 1937-38 on Block 466, lots 9 and 10 and South $\frac{1}{2}$ of lot 8, Commissioner Neece introduced

RESOLUTION NO. 4038-N.S.

allowing claims as presented and directing the City Clerk and Auditor to draw warrants in payment of claims, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF
CLAIM MODESTO
CHAMBER OF COMMERCE

Whereas the Retail Merchants Bureau of the Modesto Chamber of Commerce have filed a claim for \$600.00 for Christmas Program including street decorations, lighting, entertainment and special events and where- as Ordinance No. 552-N.S. provides for the appropriation, Commissioner Neece intro- duced

RESOLUTION NO. 4039-N.S.

allowing claim as presented and directing the City Clerk and Auditor to draw warrants in payment of claims, which resolution was regularly adopted by the follow- ing vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF
LETTER FROM CALIF-
ORNIA STATE AUTO
ASSOCIATION

A communication from the California State Automobile Associa- tion asking the support of the City to adopt a progressive policy of forbidding left turns at times and places where to do so will reduce traffic accidents, was reviewed and ordered filed.

IN THE MATTER OF
CLAIM AGAINST CITY
EMPLOYEE

A communication from Dr. J. A. Porter making claim against City employee B. Fairfield for medical services rendered was read,

Commissioner Bond introduced

RESOLUTION NO. 4040-N.S.

carrying this matter over to the next meeting, which resolution was regularly adop- ted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF
GRANTING PERMIT
TO J. S. CRISWELL

Whereas J. S. Criswell has made application to the Council for the use of vacant lots owned by the City of Modesto at the corner of LaLoma and H Streets until December 24, 1937 to sell Christmas trees, whereupon Commissioner Bond introduced

RESOLUTION NO. 4041-N.S.

granting request with the stipulation that the lot is to be cleaned up and left in good condition, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

11 IN THE MATTER OF
BID ON FIRE EQUIP-
MENT

Whereas plans and specifications having heretofore been filed by the Fire Chief with the Council and approved by them for the purchase of front mounted centrifugal fire pump and water tank of 100 gallons capacity and notice to bidders having heretofore been given and published as required by law and bids in accordance with said notice having been then and there opened by the Council in open meeting and it appearing that the bid of P. E. Van Pelt was the only bid received and that he is a responsible bidder, Commissioner Stanley introduced

RESOLUTION NO. 4042-N.S.

accepting bid of P. E. Van Pelt for \$654.05 for fire pump and \$97.85 for water tank, as set forth in bid file No. BP152 which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

12 IN THE MATTER OF
ADOPT SUPPLEMENT TO
BUDGET-PROJECT
STATEMENT OF 11-30-37

Whereas there has been presented to this Council for adoption a project statement relative to expenditures by the State Department of Public Works of $\frac{1}{4}$ cent funds for highway for additional devices warning of the proximity of the Tidewater Southern Railway trestle to the north approach of the Tuolumne river bridge, Commissioner Bond introduced

RESOLUTION NO. 4043-N.S.

adopting statement as a supplement to the budget for expenditure upon Highways within the City of Modesto for the biennial period ending June 30, 1938, and does herewith designate Mayor J. H. King and City Engineer F. J. Rossi to affix their signatures thereto in behalf of the City of Modesto and that certified copies of this Resolution be forwarded to R. E. Pierce, Engineer of Division X of Highways of the California State Department of Public Works, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

13 IN THE MATTER OF
ORDINANCE RE:
PROHIBITING ELECTRIC
FENCES IN CITY

ORDINANCE NO. 562-N.S.

Commissioner Stanley introduced an ordinance being entitled "AN ORDINANCE PROHIBITING THE CONSTRUCTION, ERECTION AND MAINTENANCE OF ELECTRIFIED FENCES IN THE CITY OF MODESTO, AND PROVIDING A PENALTY FOR THE VIOLATION THEREOF," and moved its adoption and passage to print and publish, which motion being duly seconded, it was upon roll call carried and the ordinance ordered published as above by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

14 IN THE MATTER OF
ORDINANCE CREATING
PAYROLL FUND

ORDINANCE NO. 563-N.S.

Commissioner Neece introduced an ordinance being entitled "AN ORDINANCE CREATING A FUND TO BE KNOWN AS 'PAYROLL FUND' OF CITY OF MODESTO AND AUTHORIZING CITY AUDITOR TO PAY CITY EMPLOYEES OUT OF SAID FUND", and moved its adoption and passage to print and publish, which motion being duly seconded it was upon roll call carried and the ordinance ordered published as above by the

following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

15 IN THE MATTER OF
RULE & REGULATIONS
FOR USE OF GOLF
COURSE

Commissioner Neece introduced
RESOLUTION NO. 4044-N.S.

adopting rules and regulations for the use of the Modesto
Municipal Golf Course and rescinding resolutions No. 2743-N.S., No. 3055-N.S. and
No. 3382-N.S, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

16 IN THE MATTER OF
DRIVEWAY MARKED
OFF ON G STREET

Commissioner Stanley introduced
RESOLUTION NO. 4045-N.S.

directing the Public Works Department to so mark driveway on G Streets between 10th
and 11th Streets leading into Valley Tractor & Equipment Building so that it can be
used by tenants of Tully apartments and not as a parking space for the public, which
resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

17 IN THE MATTER OF
LEFT HAND TURN ON
10TH & J STREETS
PROHIBITED DURING
CHRISTMAS SEASON

Commissioner Stanley introduced
RESOLUTION NO. 4046-N.S.

prohibiting left hand turns on corner of 10th & J Streets in
the City of Modesto during the Christmas shopping season, which resolution was
regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

18 IN THE MATTER OF
REPORTS

Reports of the various departments for the month of November,
1937 were reviewed by the Council and ordered filed.

19 IN THE MATTER OF
ADJOURNMENT

Commissioner Oliver introduced
RESOLUTION NO. 4047-N.S.

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

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

Council Meeting
December 22, 1937

The Council of the City of Modesto met in regular session this
date, the meeting having been called and convened as set forth in section 2 of the

Ordinance No. 2-N.S.

Present: Councilmen: Oliver, Bond, Neece, Stanley and Mayor King

Absent: Councilmen: None

1 IN THE MATTER OF MINUTES The minutes of the regular meeting of December 8, 1937 having been heretofore read by each Councilman were unanimously approved as so read.

2 IN THE MATTER OF PETITION FROM J.C. LANE FOR PARKING ON SIDEWALK A communication from J. C. Lane, operator of a grocery store at 101 Grand Street, requesting that he be permitted to use the sidewalk to park his automobile on until he could remodel his store building. Same was taken under advisement and petition ordered filed.

3 IN THE MATTER OF CLAIMS Whereas claim for refund of deposit as required by Ordinance No. 487-N.S. has been filed with the City Auditor by the following

NEW MODESTO SHOPPER
JOHN PAULSON

Commissioner Neece introduced

RESOLUTION NO. 4048-N.S.

allowing claims as presented and authorizing City Clerk and Auditor to draw warrants in payment of same, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

7 IN THE MATTER OF CLAIMS-HELM CHEV-ROLET CO. AND ROBT DARLING Whereas claim for purchase of 1-1936 Chevrolet Pickup for the Water Department from the Helm Chevrolet Company for \$500.00 and claim for painting exterior of pumping station No. 9 by Robert Darling for \$35.00 having been filed with the City Auditor, Commissioner Oliver introduced

RESOLUTION NO. 4049-N.S.

allowing claims as presented and authorizing the City Clerk and Auditor to draw warrants in payment of claims, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

5 IN THE MATTER OF CALLING FOR BIDS ON PARK TRACTOR Commissioner Bond introduced

RESOLUTION NO. 4050-N.S.

authorizing the City Clerk to advertise for bids on 1-Industrial type tractor equipped with rubber tires, steering brakes and a five foot sickle bar mower attachment. The cost of the Tractor and mower complete f.o.b. Modesto, including sales tax shall not exceed \$1250.00. Said bids to be received at the office of the City Clerk not later than seven-thirty P. M. on Wednesday, January 12, 1938, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

6 IN THE MATTER OF Whereas the terms of J. Ekstein and Nathan McVay on the Plan-
APPOINTMENT ON ning Commission expires on January 9, 1938, Commissioner Neece
PLANNING COMMISSION introduced

RESOLUTION NO. 4051-N.S.

reappointing Nathan McVay and appointing J. E. Steiger for a term of 4 years from
January 9, 1938, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

7 IN THE MATTER OF Ordinance No. 562-N.S. having been heretofore introduced and
FINAL ADOPTION OF *at the regular meeting of*
ORD. NO. 562-N.S. ordered printed and published as required by the Charter of
ELECTRIC FENCES *December 8, 1937 and thereupon printed & published*
the City of Modesto coming on for final adoption at this time,

it was upon roll call so finally adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

8 IN THE MATTER OF Ordinance No. 563-N.S. having been heretofore introduced and
FINAL ADOPTION OF
ORD. NO. 563-N.S. ordered printed and published at the regular meeting of Decem-
PAYROLL FUND ber 8, 1937 and thereupon 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 so finally adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

9 IN THE MATTER OF Commissioner Oliver introduced an Ordinance being
ORDINANCE RE: APPRO- ORDINANCE NO. 564-N.S.
PRIATION FOR MILLING
MACHINE

entitled "AN ORDINANCE APPROPRIATING MONEY AND PROVIDING FOR
THE PURCHASE OF A MILLING MACHINE FOR THE MACHINE SHOP" and moved its adoption
and passage to print and publish, which motion being duly seconded, it was upon
roll call carried and the ordinance ordered published as above by the following
vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

10 IN THE MATTER OF Commissioner Stanley introduced an ordinance being
ORDINANCE RE: ORDINANCE NO. 565-N.S.
AMEND CR D. 559-N.S.
PENSION SYSTEM

entitled "AN ORDINANCE AMENDING SECTION 4 OF ORDINANCE NO.
559-N.S. KNOWN AS THE PENSION ORDINANCE OF THE CITY OF MODESTO, BY ADDING A NEW
SUBDIVISION THERETO" and moved its adoption and passage to print and publish, which
motion being duly seconded, it was upon roll call carried and the ordinance ordered
published as above by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

11 IN THE MATTER OF Commissioner Stanley introduced
APPOINTING RAY GADA
IN POLICE DEPARTMENT RESOLUTION NO. 4052-N.S.
RESCIND RES. 4027-N.S.

cancelling Resolution No. 4027-N.S. employing Ray Gada in the Electrical Department of the City of Modesto at a salary of \$1.00 and employing him in the Police Department at a salary of \$1.00 per year to meet Federal requirements, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

12 IN THE MATTER OF Whereas Ordinance No. 558-N.S. provided for the City Council to
STOP SIGNS 19TH
& BURNEY STREETS order the erection and maintenance of stop signs at specified
entrances to highways in the City, Commissioner Stanley introduced

RESOLUTION NO. 4053-N.S.

authorizing the installation of stop signs at 19th and Burney Streets by the Public Works Department, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

13 IN THE MATTER OF Whereas Attorney General of the State of California has decreed
"IN LIEU TAX FUND" that all "In lieu tax moneys" can be expended by cities only for
the purposes specified in the act creating such in lieu tax, to-wit, law enforcement
and the regulation and control and fire protection of highway traffic, Commissioner
Stanley introduced

RESOLUTION NO. 4054-N.S.

creating a fund to be known as the "In lieu tax fund" and all moneys allocated to the City of Modesto by the State of California pursuant to the laws of the State creating said "in lieu tax" shall be placed in said fund and that all moneys placed in this fund shall be expended and disbursed therefrom solely and exclusively for "law enforcement and the regulation and control and fire protection of highway traffic", which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

14 IN THE MATTER OF Whereas section 37 of the Alcoholic Beverage Control Act provides
ALCOHOLIC BEVERAGE
CONTROL LICENSE for the allocation to the cities in the state of a proportion of
FEE FUND certain fees collected in the enforcement of such act; and cer-
tain moneys have been delivered to the City of Modesto under and pursuant to the
provisions of said act, Commissioner Stanley introduced

RESOLUTION NO. 4055-N.S.

creating a fund to be known and designated as Alcoholic Beverage Control license fee fund and all moneys allocated to the City be placed in said fund and disbursed therefrom solely and exclusively for the purpose of the enforcement of the provisions of said act and to inform against and diligently prosecute all persons who have offended against the provisions of said act, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

15 IN THE MATTER OF Whereas, a resolution was presented by the Baseball Commission
RESIGNATION OF BASE-
BALL COMMISSION appointed by Resolution No. 3535-N.S. for the training season
of 1937 tendering their resignation effective immediately, Commissioner Neece
introduced

RESOLUTION NO. 4056-N.S.

accepting resignation and extending a vote of thanks to each member for his ser-
vices and directing the City Clerk to write to each member and express the appre-
ciation of the Council for their work on this committee, which resolution was
regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

16 IN THE MATTER OF Commissioner Neece introduced
PAYMENT OF ELEC-
TION OFFICIALS

RESOLUTION NO. 4057-N.S.

authorizing and directing the City Clerk and Auditor to pay to election officials
serving in the Southern Campus Tract annexation election held on December 21, 1937,
the sum of \$5.00 for each member, which resolution was regularly adopted by the
following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

17 IN THE MATTER OF Commissioner Stanley introduced
ACCEPTING REPORTS
FROM POLICE & PUB-
LIC WORKS DEPARTMENTS

RESOLUTION NO. 4058-N.S.

accepting schedules of possible expenditures of the In Lieu
Tax Funds for Traffic Control from the Department of Public Works and the Police
Department, schedule of the percentage of miscellaneous expense on traffic and li-
quor enforcement (c.f. December 1937 minutes file for schedules), which resolution
was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

18 IN THE MATTER OF Commissioner Oliver introduced
PROTESTS TO SALE
OF LOTS 26-27 BLK.
17 BY COUNTY TREAS-
URER & TAX COLLECTOR

RESOLUTION NO. 4059-N.S.

protesting to the sale of tax deed on lots 26 and 27 in Block
17 to Leslie F. Baker et ux by County Tax Collector, Ed. Whitmore, and directing
the City Clerk to write a letter to the County Tax Collector notifying him of the
action of the City Council, which resolution was regularly adopted by the following
vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

19 IN THE MATTER OF There being no further business to come before the meeting,
ADJOURNMENT Commissioner Oliver introduced

RESOLUTION NO. 4060-N.S.

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

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST *H. E. Gragg* H. E. GRAGG, CITY CLERK

Special Council Meeting,
December 28, 1937

The Council of the City of Modesto met in Special Session this date, the meeting having been called and convened as set forth in section 2 of the Ordinance No. 2-N.S.

Present: Councilmen: Neece, Stanley, Bond, Oliver and Mayor King

Absent: Councilmen: None

IN THE MATTER OF FIRE PROTECTION TO TURLOCK CO-OPERATIVE GROWERS CANNERY At this time the committee appointed by Mayor King to investigate the advisability of the City of Modesto furnishing fire protection to the Turlock Cooperative Growers Cannery made a report of their findings, whereupon Commissioner Stanley introduced

RESOLUTION NO. 4061-N.S.

recommending that the report of the committee be accepted and fire protection be denied the Turlock Cooperative Growers Cannery and the City Clerk be instructed to notify them of the decision of the Council in this matter, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

1 IN THE MATTER OF ADJOURNMENT There being no further business to come before the meeting Commissioner Oliver introduced

RESOLUTION NO. 4062-N.S.

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

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST *H. E. Gragg* H. E. GRAGG, CITY CLERK
