

SPECIAL COUNCIL MEETING

January 6, 1939

The Council of the City of Modesto met in special session this date at 7:30 P.M., the meeting having been called and convened as set forth in Section 2 of Ordinance No. 2-NS

Present: Councilmen: Barnell, Neece, Oliver, Stanley and Mayor King
Absent : Councilmen: Ncne

1- IN THE MATTER OF CIVIL SERVICE ORDINANCE A general discussion was held by the Council on the adoption of a Civil Service Ordinance.

2- IN THE MATTER OF ADJOURNMENT Commissioner Oliver introduced RESOLUTION NO. 4414-NS adjourning the Council meeting in session, which resolution was regularly adopted by the following vote:

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

ATTEST *H. E. GRACE*
H. E. GRACE, CLERK

COUNCIL MEETING

January 11, 1939

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

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

1- IN THE MATTER OF APPROVAL OF MINUTES The minutes of the regular meeting of December 28, 1938 having been heretofore read by each Councilman were unanimously approved as so read

2- IN THE MATTER OF CLAIMS FOR MONTH OF DECEMBER Claims against the City of Modesto for the month of December, 1938 having been heretofore audited by the Council and found to be correct, Commissioner Neece introduced

RESOLUTION No. 4415-NS

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 amount of withdrawals from the various funds as follows:

GENERAL FUND-----	\$31,006.59
WATER FUND-----	11,400.63
LIBRARY FUND-----	1,738.41
ST. BOND RED. INT. FUND-----	3,250.40
ST. BOND FUND-----	465.75
SPECIAL CAS TAX FUND-----	19.62
	<u>\$47,881.40</u>

which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

5 IN THE MATTER OF COMMUNICATIONS L. K. MADDUX
Communication from L. K. Maddux, expressing appreciation for and 12th & 11th Streets by installation of light in alley between H and G Streets/
the City was read and ordered filed.

4 IN THE MATTER OF PETITION FOR RENTING PROPERTY OF CITY-J.S.CFISWELL
Whereas J. S. Criswell has petitioned the Council to rent the triangle lot at LaLoma Street, 19th Street and H Street, owned by the City, to use it for commercial purposes,
Commissioner Stanley introduced

RESOLUTION NO. 4416-NS

denying request, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

5 IN THE MATTER OF PARKING ON I STREET NEAR ELKS BUILDING
Whereas H. P. Algar has petitioned the Council to establish a parking limit in front of his store located on the southwest corner of 13th and I Streets, Commissioner Stanley introduced

RESOLUTION NO. 4417-NS

establishing two hour parking limit on south side of Eye Street from alley to 13th Street and authorizing the City Engineer to install proper signs, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

6 IN THE MATTER OF GRANT PERMIT TO JUNIOR CHAMBER OF COMMERCE MARK STREETS
Pursuant to request of the Junior Chamber of Commerce to install street markers where deaths had occurred due to traffic accidents, same was discussed and the matter was laid over to a future meeting.

7 IN THE MATTER OF CLERK-CALL FOR BIDS ON FIREHOUSE
Commissioner Barnell introduced

RESOLUTION NO. 4418-NS

authorizing the City Clerk to call for bids on building fire station on Block 81, lots 21 to 23 inc. when the City Engineer furnished necessary data, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

8 IN THE MATTER OF CARAVAN TO WORLD'S FAIR IN SAN FRANCISCO
Whereas the City of Modesto has been requested to send a caravan of citizens to represent the city on the opening day of the World's Fair, February 18, 1939, Commissioner Stanley introduced

RESOLUTION NO. 4419-NS

recommending that the Junior Chamber of Commerce be asked to work with the Mayor in arranging this caravan, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

9- IN THE MATTER OF
ORDINANCE NO. 599-NS
CIVIL SERVICE

Commissioner Neece introduced an ordinance being
ORDINANCE NO. 599-NS

entitled "AN ORDINANCE CREATING A CIVIL SERVICE SYSTEM FOR THE EMPLOYEES OF THE CITY OF MODESTO, CREATING A DEPARTMENT OF PERSONNEL PRESCRIBING ITS DUTIES, SETTLING THE STATUS OF PRESENT EMPLOYEES 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: Barnell, Neece, Oliver, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

10- IN THE MATTER OF
APPOINTMENT OF
PERSONNEL BOARD

Pursuant to provisions of Ordinance No. 599-NS, Commissioner Neece introduced

RESOLUTION NO. 4420-NS

appointing E. T. Taylor, J. R. Pearson and Fred Condit as members of the Personnel Board of the Civil Service System, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

11- IN THE MATTER OF
APPOINTMENT OF
ELMER BLUM CLERK
OF PERSONNEL BOARD

Commissioner Neece introduced

RESOLUTION NO. 4421-NS

appointing Elmer Blum Clerk of the Personnel Board of the Civil Service System, as provided in Ordinance No. 599-NS, salary \$25.00 per month which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

12- IN THE MATTER OF
DEPARTMENTAL
REPORTS

Departmental reports for the month of December were read and ordered filed.

13- IN THE MATTER OF
ADJOURNMENT

Commissioner Oliver introduced

RESOLUTION NO. 4422-NS

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

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST

H. E. Cragg
H. E. CRAGG, CITY CLERK

SPECIAL COUNCIL MEETING

January 18, 1939

The Council of the City of Modesto met in Special session this date at 7:30 P.M., the meeting having been called and convened as set forth in Section 2 of Ordinance No. 2-N.S.

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

Absent: Councilmen: None

1- IN THE MATTER OF
ADPCTION OF ORD.
599-N.S. CIVIL
SERVICE

Whereas provisions of Ordinance No. 599-N.S. entitled "An Ordinance creating a Civil Service System for the Employees of the City of Modesto, Creating a Department of Personnel, Prescribing its duties, settling the status of present employees and providing a penalty for the violation thereof", introduced at a regular meeting of January 11, 1939 does not meet requirements, Commissioner Oliver introduced

RESOLUTION NO. 4423-N.S.

recommending that the ordinance be rewritten to meet requirements and Ordinance No. 599-N.S. be voted down when brought up for final adoption at the regular meeting of January 25, 1939, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

2- IN THE MATTER OF
ORDINANCE RE:
CIVIL SERVICE

Commissioner Neece introduced

ORDINANCE NO. 600-N.S.

entitled: "AN ORDINANCE CREATING A CIVIL SERVICE SYSTEM FOR THE EMPLOYEES OF CITY OF MODESTO, CREATING A DEPARTMENT OF PERSONNEL PRESCRIBING ITS DUTIES, SETTLING THE STATUS OF PRESENT EMPLOYEES 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: Barnell, Neece, Oliver, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

3- IN THE MATTER OF
COMMUNICATION FROM
LABOR COUNCIL

A communication from the Stanislaus County Central Labor Council regarding Ordinance No. 599-N.S. Civil Service, was read, whereupon Commissioner Stanley introduced

RESOLUTION NO. 4424-N.S.

recommending that the City Clerk answer the letter, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

4- IN THE MATTER OF
ORD. re: APPRO-
PRIATION FOR FIRE
HOUSE

Commissioner Stanley introduced an ordinance being

ORDINANCE NO. 601-N.S.

entitled: "AN ORDINANCE APPROPRIATING MONEY FOR THE CONSTRUCTION OF A FIRE STATION 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 vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

5- IN THE MATTER OF
PERMANENT PARKING
SIGN IN FRONT OF
"TAZA'S"-820 12th
STREET

Whereas a moveable "No Parking" sign in front of Taza's, 820 12th Street is being stolen constantly, Commissioner Stanley introduced

RESOLUTION NO. 4425-N.S.

recommending that the City Engineer install a permanent "No Parking" sign, expenses to be paid by Taxa Grollman, owner of property at 820 12th Street, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

6- IN THE MATTER OF
PERMIT OPERATE
JUNK YARD-CLEMENT
AND VOGEL

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

Oliver introduced

RESOLUTION NO. 4426-N.S.

granting permit to applicant providing they abide by all regulations pertaining to operation of junk yards in the City of Modesto, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

7- IN THE MATTER OF
INCREASE SEWER
BUDGET

Whereas the budget for year 1938-39 for sewers is not sufficient to meet expenditures required under the W.P.A. project granted the City of Modesto, Commissioner Oliver introduced

RESOLUTION NO. 4427-N.S.

recommending that the sewer budget for the year 1938-39 be increased \$1500 and the City Auditor and Treasurer be directed to make the necessary entries in his records, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

8- IN THE MATTER OF
RESERVED PARKING
SPACE IN FRONT
OF JUSTICE COURT

Commissioner Stanley introduced

RESOLUTION NO. 4428-N.S.

recommending that a parking space be reserved for the use of the Police Department in front of the Justice Court, 819 11th Street, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

9- IN THE MATTER OF
ADJOURNMENT

Commissioner Barnell introduced

RESOLUTION NO. 4429-N.S.

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

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST

H. E. Gray
CITY CLERK

Council Meeting

January 25, 1939

The Council of the City of Modesto met in regular session

this date:

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

Absent: Councilmen: None

1- IN THE MATTER OF APPROVAL OF MINUTES

The minutes of the regular meeting of January 11, 1939 and of the special meeting of January 6, 1939 having been heretofore read by each Councilman were unanimously approved as so read.

2- IN THE MATTER OF LICENSE OF J. SAMUEL LINDSEY TAXI DRIVER

Whereas J. Samuel Lindsey was convicted of reckless driving on the 5th day of January 1939 and was cited to appear before said Council to show cause why his license to drive taxicab should not be revoked and whereas the Council after considering all of the facts of the case and by reason of authority vested in said Council, determined that license of J. Samuel Lindsey to drive a taxicab in the City of Modesto should not be revoked, Commissioner Stanley introduced

RESOLUTION NO. 4430-N.S.

recommending that license should remain in full force and effect, conditioned upon the future good behavior of the said J. Samuel Lindsey, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

3- IN THE MATTER OF PETITION TO PRINT OFFICIAL ADVERTISING OF THE CITY

Mr. R. Caulkins of the Modesto Journal newspaper appeared before the Council, petitioning that they be permitted to place a bid on the official advertising and printing of the City of Modesto.

He was informed by the Council that the Charter provided that contract be given to lowest bidder "publishing a daily newspaper" and unless the Charter was amended to meet this requirement, they would not be permitted to place a bid on the advertising. He thereupon notified the Council he would circulate a petition to amend the charter and place it on the ballot at the next general election.

4- IN THE MATTER OF PETITION FOR CURB PUMP-D. T. MCFARLAND

A communication from D. T. McFarland requesting that he be permitted to operate a curb pump at his place of business on 10th and E Streets. The matter was referred to City Engineer Rossi and Commissioner Stanley for investigation.

5-

IN THE MATTER OF
COMMUNICATION

A communication from Rev. Thomas C. Maxwell expressing the appreciation of the St. Paul's Church for naming alley in Block 131 "Church Way" was read and ordered filed.

A communication from the League of California Municipalities expressing appreciation of \$100.00 donation was read and ordered filed.

6-

IN THE MATTER OF
TEN MINUTE PARKING
SPACE-CITY HALL

Commissioner Stanley introduced
RESOLUTION NO. 4431-N.S.

recommending that two ten minute parking zones be established in front of the City Hall, 717 10th Street and the City Engineer establish necessary signs, which resolution was regularly adopted by the following vote:

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

7-

IN THE MATTER OF
AUTHORIZE TREASURER
ACCEPT DIFFERENT
SECURITIES

Commissioner Neece introduced
RESOLUTION NO. 4432-N.S.

authorizing the City Treasurer and the City Attorney to accept new and different bonds as security for deposits belonging to the City of Modesto in the Modesto Branch Bank of the American Trust Company, if in their opinion said bonds sought to be substituted by said Bank in the place of the Oakland High School District Bonds are adequate to properly protect said moneys belonging to the City and if said bonds constitute proper security therefor, which resolution was regularly adopted by the following vote:

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

8-

IN THE MATTER OF
CANCEL TAXES ON
S 25th BLOCK 206
PETITION MODESTO
IRRIGATION DIST.

Commissioner Oliver introduced
RESOLUTION NO. 4433-N.S.

requesting the Modesto Irrigation District to cancel all taxes due and delinquent on the southerly 25th strip of Block 206 in the City of Modesto, as this property has been taken over as a public street, which resolution was regularly adopted by the following vote:

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

9-

IN THE MATTER OF
FINAL ADOPTION OF
ORD. NO. 599-N.S.
CIVIL SERVICE

Ordinance No. 599-N.S. having been heretofore introduced and ordered printed and published at the regular meeting of January 11, 1939 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 defeated by the following vote:

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

10-

IN THE MATTER OF
FINAL ADOPTION
OF ORD. NO. 600-N.S.
CIVIL SERVICE

Ordinance No. 600-N.S. having been heretofore introduced and ordered printed and published at the special meeting of January 18, 1939 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 defeated by the following vote:

Ayes: Councilmen: None

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

Absent: Councilmen: None

11 IN THE MATTER OF
FINAL ADOPTION OF
ORD. NO. 601-N.S.
APPROPRIATION OF
FUNDS-FIREHOUSE

Ordinance No. 601-N.S. having been heretofore introduced and ordered printed and published at the special meeting of January 18, 1939 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 adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

12 IN THE MATTER OF
ORDINANCE RE:
CIVIL SERVICE

Commissioner Neece introduced an ordinance being
ORDINANCE NO. 602-N.S.

entitled; "AN ORDINANCE CREATING A CIVIL SERVICE SYSTEM FOR THE EMPLOYEES OF THE CITY OF MODFSTO, CREATING A DEPARTMENT OF PERSONNEL PRESCRIBING ITS DUTIES, SETTLING THE STATUS OF PRESENT EMPLOYEES 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: Barnell, Neece, Oliver, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

13 IN THE MATTER OF
APPOINTMENT OF MURRAY
& PUCGINELLI TO
LIBRARY BOARD

Whereas the terms of W. H. Murray and Fred Condit expire on February 1, 1939, Commissioner Barnell introduced
RESOLUTION NO. 4434-N.S.

appointing W. H. Murray for a term of four years and A. E. Puccinelli for a term of four years from February 1, 1939 to February 1, 1943, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

14 IN THE MATTER OF
LEASE ON BASEBALL
FIELD-MODESTO REIS

Whereas Stanley Sanders, Manager of the Modesto Reds Baseball Club has petitioned the Council to lease the Municipal Baseball field for the State League Season of 1939, Commissioner Neece introduced

RESOLUTION NO. 4435-N.S.

recommending that the City of Modesto lease the Municipal Baseball Field under the same conditions as last year, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

15 IN THE MATTER OF
ACCEPT DEED FROM
MRS. IRIS KEWIN

Commissioner Oliver introduced

RESOLUTION NO. 4436-N.S.

recommending that the City Council accept deed from Iris Kewin on 5' strip on the

south side of La Sombra Street in the La Loma addition to the City of Modesto, extending from the west side of Los Flores Avenue to the westerly side of El Rio, a street when and if the City Attorney approved same, which resolution was regularly adopted by the following vote:

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

16 IN THE MATTER OF Commissioner Oliver introduced
ADJOURNMENT

RESOLUTION NO. 4437-N.S.

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

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

ATTEST  H. E. GRAGG, CITY CLERK

Council Meeting

February 8, 1939

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

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

17 IN THE MATTER OF The minutes of the regular meeting of January 25, 1939 and
APPROVAL OF MINUTES of the special meeting of January 18, 1939, having been heretofore read by each Councilman, were unanimously approved as so read.

2 IN THE MATTER OF Mrs. L. August, 928 5th Street, appeared before the
COMPLAINT BY MRS. Council protesting that the smoke from a grocery store, L. AUGUST located just north of her house, blew into her house because of the faulty construction of the chimney. This matter was referred to Frank Rossi to investigate the building code to determine if the owner of the grocery store can be compelled to correct the chimney on his building.

3 IN THE MATTER OF Claims against the City of Modesto for the month of January
CLAIMS FOR THE MONTH OF JANUARY, 1939 1939, having been heretofore audited by the Council and found to be correct, Commissioner Neece introduced

RESOLUTION NO. 4438-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-----	\$24,282.77
WATER FUND-----	3,932.33
LIBRARY FUND-----	1,691.22
BOND RED. INT. FUND-----	23,693.75
ST. BOND RED. INT. FUND-----	1,966.52
UNAPPORTIONED FUND-----	
TOTAL-----	\$55,566.59

which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

4 IN THE MATTER OF
CLAIMS-PERSHING W.
WETTER AND FOSTER
& KLEISER

Whereas, Foster & Kleiser have made claim for refund of rent in amount \$16.64, paid on lots 5-12 inc, Block 20, owned by the City as they had removed their billboard at the request of the City of Modesto and whereas Pershing Wetter, dba Stockton Fruit Juice Company has made claim for refund of \$15.00 truck license paid from July 1, 1938 to April 1, 1939 as he had a wholesale license, which permitted him to make delivery of merchandise in this city without taking out a truck license also, whereupon Commissioner Neece introduced

RESOLUTION NO. 4439-N.S.

allowing claims and instructing the City Auditor to draw warrants in payment of same, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

5 IN THE MATTER OF
REQUEST OF 20-30
CLUB TO USE MUNI-
CIPAL BASEBALL
FIELD

A communication from the 20-30 Club was read before the Council in which they asked permission to use the Municipal Baseball Field to hold Soft Ball Games. The matter was referred to Commissioner Neece and City Engineer Frank Rossi to work out a plan.

6 IN THE MATTER OF
LOADING ZONE
916 H STREET

Pursuant to request by Jack Young for the Council to establish ten minute parking zone at 916 H Street, Commissioner Stanley introduced

RESOLUTION NO. 4440-N.S.

granting request and instructing the City Engineer to establish the necessary signs, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

7 IN THE MATTER OF
COMMUNICATION FROM
REV. T. C. MAXWELL

A letter from Rev. T. C. Maxwell regarding the building of Episcopal Church at the corner of 17th and I Streets was read and referred to City Attorney for answer.

8 IN THE MATTER OF
COMMUNICATION FROM
SHILOH GRANGE

A resolution from the Shiloh Grange regarding traffic on H Street was read and the City Clerk was instructed to notify them that this matter would be given due consideration.

9 IN THE MATTER OF
BULLETIN FROM LEAGUE
OF CALIFORNIA MUNI-
CIPALITIES

Legislative Bulletin from the League of California Municipalities regarding tax moratorium was laid over to next meeting.

10 IN THE MATTER OF
PERMIT OPEATE
BUSINESS IN RESI-
DENCE ZONE-J.D.
THOMSEN

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

J. D. THOMSEN---to conduct gift shop at
1015 16th Street, portion
lots 8-9-10 Block 123 of the
City of Modesto

and it appearing from affidavits on file that a notice setting forth a time for

hearing any and all protests to the granting of the petition as prayed for and this being the time set forth and whereas the City Clerk reports that no protest either oral or written have been officially filed, Commissioner Oliver introduced

RESOLUTION NO. 4441-N.S.

granting permission to J. D. Thomsen to operate gift shop in dwelling at 1015 16th Street, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

11 IN THE MATTER OF
RENEWAL OF LEASE
TO MODESTO TRAP
SHOOTING CLUB

Whereas lease with the Modesto Trap Club expires on March 1, 1939 and whereas it is the desire of the Council to renew lease for an additional year,

Commissioner Oliver introduced

RESOLUTION NO. 4442-N.S.

authorizing the City Attorney to prepare endorsement to lease extending term to March 1, 1940, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

12 IN THE MATTER OF
PAYMENT TO HARRY
BROWN ON STODDARD
AVENUE BRIDGE

Whereas City Engineer Rossi has filed with this Council a certification of amount due, Harry Brown for construction of Stoddard Avenue Bridge in amount \$3836.10, being 75% of 95% of contract, whereupon Commissioner Oliver introduced

RESOLUTION NO. 4443-N.S.

authorizing payment to contractor Harry Brown, and directing the City Auditor to draw warrant in amount \$3836.10, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

13 IN THE MATTER OF
ACCEPTING AGREEMENT
FROM M. RUSCOE AND
E. G. RAEMSCH

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

RESOLUTION NO. 4444-N.S.

approving agreements as presented and authorizing the City Auditor to draw warrants in amount \$25.00 each to Marion Ruscoe and E. F. Raemsch and directing the City Clerk to record agreements with the County Recorder, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

14
IN THE MATTER OF
ACCEPTANCE OF DEED
FROM D. E. ROWLES
AND HELEN ROWLES

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

El Rio Streets, Commissioner Oliver introduced

RESOLUTION NO. 4445-N.S.

accepting deed from D. E. and Helen Rowles, contingent on the approval of deed
by the City Attorney, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

15
IN THE MATTER OF
ACCEPTANCE OF DEEDS
FROM LOUIS MITCHELL
AND BEARD LAND &
INVESTMENT COMPANY

Commissioner Oliver introduced

RESOLUTION NO. 4446-N.S.

accepting deeds from Louis Mitchell and Beard Land and
Investment Company, conveying to the City of Modesto certain property located in
blocks 218 and 219, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

16
IN THE MATTER OF
AUTHORIZE MAYOR TO
MAKE CONVEYANCE TO
LOUIS MITCHELL

Whereas the City Council has closed and abandoned
Carlson Street between Willow and Grand Street and

alley from Carlson Street to Grand Street and Louis

Mitchell is entitled to grant deed to portion of said abandoned alley and Carlson
Streets, Commissioner Oliver introduced

RESOLUTION NO. 4447-N.S.

ordering conveyance be made by the City of Modesto to Louis Mitchell and the City
Attorney is ordered to prepare deed and the Mayor and Auditor are appointed sig-
natory officials, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

17
IN THE MATTER OF
AUTHORIZE MAYOR
MAKE CONVEYANCE
TO BEARD LAND & IN-
VESTMENT COMPANY

Whereas, the City Council has closed and abandoned
Carlson Street between Willow and Grand Street and

alley from Carlson Street to Grand Street and the

Beard Land & Investment Company is entitled to grant deed to portion of said
abandoned alley and Carlson Street, Commissioner Oliver introduced

RESOLUTION NO. 4448-N.S.

ordering conveyance be made by the City of Modesto to Beard Land and Investment
Company and the City Attorney is ordered to prepare deed and the Mayor and
Auditor are appointed signatory officials, which resolution was regularly adopted
by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

18
IN THE MATTER OF
AMENDING RESOLU-
TION NO. 2226-N.S.
FIRE PROTECTION

Commissioner Stanley introduced

RESOLUTION NO. 4449-N.S.

amending Resolution No. 2226-N.S, entitled "A RESOLUTION AUTHORIZING THE FIRE DEPARTMENT OF THE CITY OF MODESTO TO ANSWER EMERGENCY CALLS FOR FIRE IN NEIGHBORING TOWNS AND SCHOOLS" to authorize the Fire Department to answer emergency calls for fire in schools located in the Modesto Elementary School District, outside of and adjacent to the City limits only, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

19- IN THE MATTER OF
FINAL ADOPTION OF
ORDINANCE NO. 602-N.S.
CIVIL SERVICE

Ordinance No. 602-N.S. having been heretofore introduced and ordered printed and published at a regular meeting of February 8, 1939 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, Barnell and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

20- IN THE MATTER OF
MEETING DATE OF
COUNCIL

Whereas the date of the next regular meeting of the Council comes on February 22, 1939, which is a legal

holiday, by order of the Council, the meeting date was set as Thursday, February 23, 1939.

21- IN THE MATTER OF
F. WORSHEN'S
INSURANCE POLICY

Pursuant to policy being furnished by F. Worshen as required by Ordinance No. 593-N.S, same was accepted

by the Council and ordered filed.

22- IN THE MATTER OF
ADJOURNMENT

Commissioner Oliver introduced
RESOLUTION NO. 4450-N.S.

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

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

Noes: Councilmen: None

Absent: Councilmen: None

H. E. GRIGG, CLERK

February 15, 1939

The Council of the City of Modesto met in Special session this date at 7:30 P.M., the meeting having been called and convened as set forth in Section 2 of Ordinance No. 2-N.S.

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

Absent: Councilmen: None

1 IN THE MATTER OF
CITY MANAGER FORM
OF GOVERNMENT

Commissioner Oliver introduced

RESOLUTION NO. 4451-N.S.

recommending that the question of City Manager form of government for the City of Modesto be placed on the ballot at the next general election to be held on April 11, 1939, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

2 IN THE MATTER OF
OPEN STREET, BLOCK
218-219-MORTON
BOULEVARD

Whereas, the Council has heretofore passed and adopted a resolution declaring that it is the intention of the Council to order work done and improvement made on parcel of land

60 feet in width in Blocks 218 and 219, namely open a street called Morton Boulevard and whereas resolution of Intention No. 224-N.S. was adopted by Council and the Street Superintendent caused to be posted along line of contemplated work, notice of passage of resolution, and whereas no objections have been made to said improvement, Commissioner Oliver introduced

RESOLUTION NO. 787-S.P.

ordering that said work and improvement be made, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

3 IN THE MATTER OF
OPEN STREET IN
BLOCK 501

Whereas the Council has heretofore passed and adopted resolution declaring that it is the intention of the City Council

to order work done and improvement made, which is described as follows; that a certain parcel of land 65 feet in width, situate in Block 501 of the City of Modesto, be opened as a street and for the purpose of using the same as a street and whereas Resolution of Intention No. 225-N.S. was adopted by the Council and the Street Superintendent caused to be posted conspicuously along the line of said contemplated work or improvement notices of the passage of said Resolution and no objections have been made to improvement by any person, Commissioner Oliver introduced

RESOLUTION NO. 788-S.P.

ordering that said work and improvement be made, and that street be opened and maintained, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

4 IN THE MATTER OF
CLOSING ALLEY IN
BLOCK 218

Whereas, the Council has heretofore passed and adopted a resolution declaring that it is the intention of the

Council to order the work done and improvement made, which is described as follows:
That that certain alley located in Block 218 of the City of Modesto be closed and vacated, which resolution of intention was numbered No. 226-N.S. and was adopted by the Council on the 26th day of October, 1938 and the Street Superintendent caused to be posted along the line of said improvement, notice of work to be done and whereas no objections have been made to the said improvement by any person whomsoever and the Council has acquired jurisdiction to order the said work done, Commissioner Oliver introduced

RESOLUTION NO. 789-S.P.

ordering that said work and improvement be made, which is described as follows:
That that certain alley located in Block 218 of the City of Modesto be closed and vacated subject to the right of the City to construct, operate and maintain water and sewer pipes and conduits upon, through, and over the same, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

5 IN THE MATTER OF
ADJOURNMENT

Commissioner Neece introduced

RESOLUTION NO. 4452-N.S.

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

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

H. E. Gragg

Council Meeting

February 23, 1939

The Council of the City of Modesto met in regular session this date at 7:30 P.M., the meeting having been called and convened as set forth in Section 2 of Ordinance No. 2-N.S.

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

Absent: Councilmen: None

1- IN THE MATTER OF
APPROVAL OF MIN-
UTES

The minutes of the regular meeting of February 8, 1939 and of the Special meeting of February 15, 1939, having been heretofore read by each Councilman, were unanimously approved as so read.

2- IN THE MATTER OF
REFUND OF DEPOSIT
D. W. HAYDON

Commissioner Neece introduced

RESOLUTION NO. 4453-N.S.

authorizing the refund of \$50.00 deposit paid by Don W. Haydon as required by Ordinance No. 487-N.S., which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

3 IN THE MATTER OF COMMUNICATION ANDREW L. LARSEN-LUNCH WAGON Whereas, a communication from Andrew L. Larsen requesting permission to operate a lunch wagon on 8th and H Streets has been received by the Council, and whereas it is not the policy of the Council to issue permits to operate lunch wagons in the City of Modesto due to the traffic hazard created by them and due to sanitary conditions, Commissioner Barnell introduced

RESOLUTION NO. 4454-N.S.

denying request of Andrew L. Larsen to operate a lunch wagon on the corner of 8th and H Streets, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

4 IN THE MATTER OF COMMUNICATION RE: TRAFFIC SIGNS A communication from the E. B. Moritz Foundry Company regarding traffic signs was read and ordered filed.

5 IN THE MATTER OF CLAIM-R. W. HOLT Commissioner Neece introduced

RESOLUTION NO. 4455-N.S.

allowing claim of R. W. Holt for \$75.00 for 50 cubic yards of fertilizer, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

6 IN THE MATTER OF GRANT PERMIT F. G. HALL OPERATE GROCERY STORE Whereas, pursuant to the filing of petition with the Council by F. G. Hall for permit to erect and operate a grocery store on property known as 519 12th Street, being lots 6 and 7 in Block 80 of the City of Modesto and it appearing from affidavits on file that a notice setting forth a time for hearing any and all protests to the granting of the petition as prayed for and this being the time set forth and whereas the City Clerk reports that no protests either oral or written have been officially filed, Commissioner Oliver introduced

RESOLUTION NO. 4456-N.S.

granting permission to F. G. Hall 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: Barnell, Neece, Oliver, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

7 IN THE MATTER OF GRANT PERMIT DEWEY BOWMAN OPERATE PLUMBING SHOP Whereas, pursuant to the filing of petition with the Council by Dewey Bowman for permit to erect and operate a plumbing shop on property known as lots 27 and 28 in Block 24 of the City of Modesto, being 720 5th Street, and it appearing from affidavits on file that a notice setting forth a time for hearing any and all protests to the granting of the petition as prayed for and this being the time set forth and whereas the City Clerk reports that no protests either oral or written have been officially filed, Commissioner Oliver introduced

RESOLUTION NO. 4457-N.S.

granting permission to Dewey Bowman to operate plumbing shop 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: Barnell, Neece, Oliver, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

8 IN THE MATTER OF
OPEN BIDS ON BUILD-
ING FIREHOUSE

Plans and specifications having heretofore been filed by the City Engineer with the Council and approved by them for the construction and completion of firehouse on lots 21, 22 and 23 in Block 81 of the City of Modesto and the money for said construction having heretofore been given and published as required by law and bids in accordance with said notice, having been received not later than 7:30 P.M. on Thursday, February 23, 1939 and having been then and there opened by the Council in open meeting (C.F. Bid File #166), whereupon Commissioner Oliver introduced

RESOLUTION NO. 4458-N.S.

rejecting bid of Fraser Furnace Company due to error in bid and referring all other bids to the City Engineer for compilation, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

9 IN THE MATTER OF
ACCEPT DEED FROM
LOUIS MITCHELL
PORTION BLOCK 219

Whereas deed from Louis Mitchell, dated February 8, 1939 for portion of Block 219 has been presented to the Council for acceptance and approval, Commissioner Oliver introduced

RESOLUTION NO. 4459-N.S.

accepting deed and the City Clerk is hereby authorized to record said deed, together with a copy of this resolution, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

10 IN THE MATTER OF
CLOSING CARLSON
STREET IN BLOCK
218 and 219

Whereas the Council has heretofore passed and adopted a resolution declaring that it is the intention of the Council to order work done, namely close and vacate Carlson Street in Blocks 218 and 219 and whereas the Street Superintendent has caused to be posted notices of the work to be done and whereas no objections have been made to said improvement, Commissioner Oliver introduced

RESOLUTION NO. 790-S.P.

ordering the closing of Carlson Street in Blocks 218 and 219 of the City of Modesto, subject to the right of the City of Modesto to construct, operate and maintain water, sewer pipes and conduits upon, through and over the same and that the Mayor and City Clerk execute and deliver to the owners of the adjacent property deeds of conveyance of the property within the limits of the street or portions thereof so closed, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

11 IN THE MATTER OF PURCHASE OF ADDITION AIRPORT FROM BEARD LAND & INVESTMENT COMPANY
The matter of purchasing land from the Beard Land and Investment Company for addition to airport was laid over to a future date.

12 IN THE MATTER OF EMPLOYEES UNDER CIVIL SERVICE
Whereas, by the terms of Ordinance No. 602-N.S. (Civil Service Ordinance), it becomes necessary to set forth the names of those persons now in the employ of said city who have served in their respective positions for more than six months and to thus create a record of the names and positions and/or titles of persons employed by the City who come within the provisions of said Civil Service Ordinance, Commissioner Stanley introduced

RESOLUTION NO. 4460-N.S.

finding and determining that persons (C.F. Resolution No. 4460-N.S.) now occupying the positions and/or employments set opposite their respective names and that all of said persons have been in the employ of said City for more than six months last past and that all of said persons have held the positions opposite their respective names for more than six months last past, which resolution was regularly adopted by the following vote:

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

13 IN THE MATTER OF AUTHORIZING ASSESSOR TO ASSESS PROPERTY AS PER MAPS
Commissioner Barnell introduced
RESOLUTION NO. 4461-N.S.
authorizing City Assessor to assess property in blocks 136, 224, 303 as per maps presented by him to be known as Assessor's maps, which resolution was regularly adopted by the following vote:

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

14 IN THE MATTER OF APPOINT PERSONNEL BOARD FOR CIVIL SERVICE
Commissioner Neece introduced
RESOLUTION NO. 4462-N.S.
appointing Personnel Board of Civil Service System as provided by Ordinance No. 602-N.S. of J. R. Pearson, Fred D. Condit and E. T. Taylor and rescinding Resolution No. 4420-N.S. entitled "A RESOLUTION APPOINTING PERSONNEL BOARD FOR CIVIL SERVICE SYSTEM", which resolution was regularly adopted by the following vote:

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

15 IN THE MATTER OF APPOINT ELMER BLUM SECRETARY OF PERSONNEL BOARD
Commissioner Neece introduced
RESOLUTION NO. 4463-N.S.
appointing Elmer Blum Secretary of Personnel Board of the Civil Service System at a salary of \$25.00 per month from this date and rescinding Resolution No. 4421-N.S. entitled "A RESOLUTION APPOINTING ELMER BLUM CLERK OF THE PERSONNEL BOARD OF THE CIVIL SERVICE SYSTEM AS PROVIDED IN ORDINANCE NO 599-N.S. AT A SALARY OF \$25.00 PER MONTH", which resolution was regularly adopted by the following vote:

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

16

IN THE MATTER OF
CALLING GENERAL
ELECTION FOR APRIL
11, 1939

Pursuant to Charter provisions of the City of Modesto,
Commissioner Stanley introduced

RESOLUTION NO. 4464-N.S.

providing for a General Municipal election in and for the City of Modesto and a General Election in and for the Modesto City School District to be held on April 11th, 1939, three councilmen and mayor to be elected for the City of Modesto and three members of the School Board and which resolution further provides that there be submitted to the people for approval an ordinance increasing the salary of the Mayor to \$75.00 per month and that of the Councilman be increased to \$10.00 per meeting, which resolution was regularly adopted by the following vote:

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

17

IN THE MATTER OF
ESTABLISH 10 MINUTE
PARKING ZONE AT
823 11th STREET

Commissioner Stanley introduced

RESOLUTION NO. 4465-N.S.

recommending that a Ten minute parking zone be established at 823 11th Street in front of the Modesto Irrigation District office and the City Engineer is hereby directed to install necessary signs, which resolution was regularly adopted by the following vote:

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

18

IN THE MATTER OF
AGREEMENT WITH CIVIL
AERONAUTICS AUTHORITY
FOR ELECTRIC SERVICE
AT AIRPORT

Commissioner Oliver introduced

RESOLUTION NO. 4466-N.S.

approving agreement as presented with the Civil Aeronautics Authority for electric service furnished U. S. Airway Communication Station Remote Control Quarters at Modesto Airport, said agreement to remain in full force until further notice, subject to a termination privilege by either party upon sixty days notice in writing, which resolution was regularly adopted by the following vote:

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

19

IN THE MATTER OF
APPROVAL OF SIGN
LOCATIONS-FOSTER
AND KLEISER

Pursuant to provisions of Ordinance No. 302-N.S. Foster and Kleiser petitioned the Council to be permitted to place outdoor advertising sign on portion of Block 146,

lying opposite N Street and outdoor advertising sign on portion Block 147, 9th Street opposite Needham Street, whereupon Commissioner Stanley introduced

RESOLUTION NO. 4467-N.S.

granting permission to Foster and Kleiser to erect the two signs, which resolution was regularly adopted by the following vote:

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

20

IN THE MATTER OF
CONTRACT WITH
MODESTO GARBAGE
COMPANY

Commissioner Oliver introduced

RESOLUTION NO. 4468-N.S.

authorizing the renewal of agreement with the Modesto

Garbage Company for term of three years, ending July 1, 1942, with the provision that agreement may be terminated by the city upon 30 days written notice at any time before three years from the date hereof if and when the City of Modesto install and maintain a municipal garbage collection service, which resolution was regularly adopted by the following vote:

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

21 IN THE MATTER OF DATE OF NEXT REGULAR MEETING

Commissioner Stanley introduced
RESOLUTION NO. 4469-N.S.

recommending that the date of the next regular meeting of the Council be changed to March 9, 1939 instead of March 8, 1939, which resolution was regularly adopted by the following vote:

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

22 IN THE MATTER OF ADJOURNMENT

Commissioner Oliver introduced
RESOLUTION NO. 4470-N.S.

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

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

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

SPECIAL COUNCIL MEETING
February 27, 1939

The Council of the City of Modesto met in Special session this date at 7:30 P.M. the meeting having been called and convened as set forth in Section 2 of Ordinance No. 2-N.S.

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

1 IN THE MATTER OF RULES AND REGULATIONS OF CIVIL SERVICE

Chief P. C. Pifer of the Bakersfield Fire Department discussed rules and regulations of the Civil Service System established in Bakersfield before the Council and the Personnel Board of the Civil Service System of the City of Modesto.

2 IN THE MATTER OF AWARD BID ON BUILDING FIREHOUSE

Commissioner Oliver introduced
RESOLUTION NO. 4471-N.S.

awarding bid on construction of reinforced concrete firehouse to J. C. Meyers, 305 East Weber Avenue, Stockton, California for \$44,836.00, as being the lowest and best bid received and appointing the Mayor and City Clerk as signatory officials on contract and authorizing the City Clerk to return bidding bonds and checks to unsuccessful bidders, which resolution was regularly adopted by the following vote:

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

Absent: Councilmen: None

3- IN THE MATTER OF
ADJOURNMENT

Commissioner Oliver introduced
RESOLUTION NO. 4472-N.S.

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

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK



Council Meeting

March 9, 1939

The Council of the City of Modesto met in regular session this date at 7:30 P.M., the meeting having been called and convened as set forth in Section 2 of Ordinance No. 2-N.S.

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

Absent: Councilmen: None

1- IN THE MATTER OF
APPROVAL OF MIN-
UTES

The minutes of the regular meeting of February 23, 1939 and special meeting of February 27, 1939, having been heretofore read by each Councilman were unanimously approved as so read.

2- IN THE MATTER OF
RENEWAL OF LEASE
WITH PATHFINDERS

As provided by agreement with the Pathfinder's Flying Service, Ltd., they made application for renewal of lease for the municipal airport with several changes for term of one year beginning March 23, 1939, same was taken under advisement by the Council.

3- IN THE MATTER OF
CLAIMS FOR MONTH
OF FEBRUARY, 1939

Claims against the City of Modesto for the month of February, 1939, having been heretofore audited by the Council and found to be correct, Commissioner Neece introduced

RESOLUTION No. 4473-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-----	\$25,653.94
WATER FUND-----	6,212.70
LIBRARY FUND-----	1,699.88
BOND RED. INT. FUND-----	6.62
ST. BOND RED. INT. FUND-----	127.35
SPECIAL GAS TAX FUND-----	<u>3,836.10</u>
TOTAL	\$37,536.59

which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

4- IN THE MATTER OF
CLAIM-CHAMBER OF
COMMERCE

Commissioner Neece introduced

RESOLUTION NO. 4474-N.S.

allowing claim of \$200.00 of the Chamber of Commerce as provided by Ordinance No. 581-N.S. for Civic Promotion Funds, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent:Councilmen: None

5 IN THE MATTER OF
REFUND OF TAXES
MARY A SANDERS

Commissioner Neece introduced

RESOLUTION NO. 4475-N.S.

authorizing the City Auditor to refund \$6.62 taxes paid by Mary A Sanders on Block 802, lots 1 to 7 inc. Block 812, lots 1 to 17 inc. and Block 813, lots 1 to 9 S 23,17 feet in the City of Modesto, as the tax rate of \$1.10 was used whereas rate of 90¢ was correct, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent:Councilmen: None

6 IN THE MATTER OF
OFFER MCKINLEY
THOMPSON FOR BLOCK
512-LOTS 20 and 21

Commissioner Barnell introduced

RESOLUTION NO. 4476-N.S.

refusing offer of McKinley H. Thompson of \$100.00 for Block 512, lots 20 and 21 of the City of Modesto, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent:Councilmen: None

7 IN THE MATTER OF
REPORT OF MODESTO
IRRIGATION DISTRICT
ON PIPE LINE

Commissioner Oliver introduced

RESOLUTION NO. 4477-N.S.

accepting report from the Modesto Irrigation District permitting the City to install water pipe line across Lateral No. 4 at Johnson Street to Helen Avenue and also sewer line across lateral #4 at McHenry Avenue to portion of Leslie-Hugh Tract recently annexed to the City of Modesto, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent:Councilmen: None

8 IN THE MATTER OF
COMMUNICATION
H. T. CROW

Whereas H. T. Crow has requested that the Council investigate the matter of sand being pumped into his hotel water system,

Commissioner Stanley introduced

RESOLUTION NO. 4478-N.S.

recommending that the City Attorney answer communication denying responsibility and/or liability, due to the fact that the recent pump installed by H. T. Crow was not functioning properly, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent:Councilmen: None

9 IN THE MATTER OF
REQUEST GILMORE
OIL COMPANY-SERVICE
STATION

Whereas, Gilmore Oil Company have petitioned the Council to establish a service station at 14th and H Streets, Commissioner Stanley introduced

RESOLUTION NO. 4479-N.S.

refusing request until proper zoning petition was presented, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

10 IN THE MATTER OF
PETITION FOR ANNEXA-
TION-LA LINDA TRACT

Whereas petition for annexation to the City of Modesto
of La Linda District has been presented to the Council
for acceptance, Commissioner Oliver introduced

RESOLUTION NO. 4480-N.S.

referring petition to City Clerk for checking, which resolution was regularly adopted
by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

11 IN THE MATTER OF
GRANT PERMIT CARL
LEWIS BUILD-RESIDENCE
ZONE

Whereas, pursuant to the filing of petition with the
Council by Carl Lewis to build store building at 1118
11th Street, being lots 25 and 26 in Block 86 of the
City of Modesto, and whereas affidavits on file set forth notice for time of
hearing any and all protests to the granting of the petition as prayed for and
whereas the City Clerk reports that no protests either oral or written have been
officially filed, Commissioner Oliver introduced

RESOLUTION NO. 4481-N.S.

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

Noes: Councilmen: None

Absent: Councilmen: None

12 IN THE MATTER OF
GRANT PERMIT-ED
BLAKER BUILD IN
RESIDENCE ZONE

Whereas, pursuant to the filing of petition with the
Council by Ed Blaker to build garage and dwelling at
5th and G Streets, lots 31 and 32 in Block 25 of the
City of Modesto and whereas affidavits on file set forth notice for time of hear-
ing any and all protests to the granting of the petition as prayed for and
whereas the City Clerk reports that no protests either oral or written have been
officially filed, Commissioner Oliver introduced

RESOLUTION NO. 4482-N.S.

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

Noes: Councilmen: None

Absent: Councilmen: None

13 IN THE MATTER OF
REPORT FROM STATE
TRAFFIC CONTROL
SIGNS

Encroachment permits were presented to the Council by
the City Engineer from Division of Highways, State
Department of Public Works for installation of traffic
control signals at Ninth and I Streets and Tenth and J Streets on routes 4 and 109,
State Highways.

14 IN THE MATTER OF
CANCELLATION OF
TAXES-C.E.FROST

Whereas the Veterans Welfare Board having acquired
title to lots 11 and 12, Block 467 and have requested

the cancellation of taxes for the year 1938-1939 assessed to Charles Elbert Frost,
Commissioner Neece introduced

RESOLUTION NO. 4483-N.S.

authorizing the cancellation of taxes as requested and directing the City Auditor
to make such entries on his records, which resolution was regularly adopted by
the following vote:

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

15 IN THE MATTER OF
REPORTS FOR MONTH
OF FEBRUARY

Departmental reports for the month of February 1939 were
read and ordered filed.

16 IN THE MATTER OF
ADJOURNMENT

Commissioner Oliver introduced
RESOLUTION NO. 4484-N.S.

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

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

ATTEST H. E. GRAGG, CITY CLERK



Special Council Meeting
March 14, 1939

The Council of the City of Modesto met in Special session
this date at 7:00 P.M. the meeting having been called and convened as set forth in
section 2 of Ordinance No. 2-N.S.

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

1 IN THE MATTER OF
APPOINTMENT DEPUTY
SANITARY INSPECTOR
NEIL SULLIVAN

Commissioner Oliver introduced
RESOLUTION NO. 4485-N.S.

appointing Neil Sullivan deputy Sanitary Inspector during
the illness of Frank E. Holtham, Sanitary Inspector of the City of Modesto to take
care of the milk inspection beginning March 15, 1939 at a salary of \$50.00 per month,
payable on the last day of each month, which resolution was regularly adopted by the
following vote:

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

2 IN THE MATTER OF
AMEND RESOLUTION
NO. 4464-NS, CALLING
GENERAL ELECTION

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

RESOLUTION NO. 4486-N.S.

amending Resolution No. 4464-N.S. of the City of Modesto by striking therefrom that portion of said resolution which provides that there be submitted to the people of Modesto at the next general municipal election now set for April 11, 1939, an ordinance amending Ordinance No. 139A-N.S., Initiative Ordinance No. 3- to provide a salary for the Mayor of said City in the sum of \$75.00 and to increase the salary of the members of the Council from \$5.00 to \$10.00 per meeting and said question as herein set forth shall not be presented to the people of the City of Modesto for their vote at said election, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

3 IN THE MATTER OF
ADJOURNMENT

Commissioner Oliver introduced

RESOLUTION NO. 4487-N.S.

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

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK



Council Meeting

March 22, 1939

The Council of the City of Modesto met in regular session this date at 7:30 P.M., the meeting having been called and convened as set forth in Section 2 of Ordinance No. 2-N.S.

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

Absent: Councilmen: None

1 IN THE MATTER OF
APPROVAL OF MIN-
UTES

The minutes of the regular meeting of March 9, 1939 and special meeting of March 14, 1939, having been heretofore read by each Councilman, were unanimously approved as so read.

2 IN THE MATTER OF
NATIVE SONS REQUEST
LAY CORNER STONE
NEW FIREHOUSE

Charles D. Blaine, representing the Native Sons of the Golden West, appeared before the Council and requested that the Native Sons be permitted to lay corner stone in the new firehouse being built by the City of Modesto on Block 81, lots 21, 22, 23. The matter was taken under advisement by the Council.

3 IN THE MATTER OF
LICENSE TO SELL
POULTRY IN CITY
PROTEST MADE BY
WALTER ROOS

Walter Roos appeared before the Council protesting to certain individuals buying up poultry and eggs outside the City limits and coming into the City of Modesto and selling it to restaurants and merchants without securing a license to do business in the City. This matter was referred to Commissioner Oliver.

4 IN THE MATTER OF
LICENSE ON MILK TRUCKS

A committee from the truck association of the Milk Producer's appeared before the Council protesting to provisions of Ordinance No. 487-N.S. requiring each individual to take out a license on his truck. The matter was taken under advisement.

5
IN THE MATTER OF
CLAIM DAMAGE TO
TIRES-MORGAN D.
BOYLES

Whereas, Morgan D. Boyles has made claim against the City
of Modesto for \$11.50 for damage to tires on his automobile,
caused by running over large spike in street, Washington and

Locust Streets, whereupon Commissioner Neece introduced

RESOLUTION NO. 4488-N.S.

denying claim, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

6
IN THE MATTER OF
CLAIM-MRS. H.M.
WELLS-REFUND OF
TAXES

Whereas, Mrs. H. M. Wells has made claim for refund of personal
property tax of \$2.20, erroneously assessed for year 1938-1939,
Commissioner Neece introduced

RESOLUTION NO. 4489-N.S.

authorizing refund of \$2.20 personal property tax and directing the City Auditor to draw
check in payment, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

7
IN THE MATTER OF
SELL PROPERTY TO
MCKINLEY H. THOMPSON

Whereas McKinley H. Thompson has offered to purchase lots 20
and 21 of Block 512 of the City of Modesto, same to be free

and clear of all city taxes and assessments levied or assessed prior to the first
Monday in March, 1939 for \$100.00, and whereas McKinley H. Thompson agrees to assume
all due and delinquent taxes from the County, State and Modesto Irrigation District,
Commissioner Barnell introduced

RESOLUTION NO. 4490-N.S.

accepting offer of McKinley H. Thompson and authorizing the City Tax Collector to
prepare a deed for delivery to McKinley H. Thompson and property be and the same is
hereby ordered sold, subject only to unpaid County and Irrigation taxes and the city
taxes and special assessments on the first Monday in March, 1939 and subsequent thereto
and authorizing the Tax Collector to cancel all taxes levied prior to March 6, 1939
against this property, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

8
IN THE MATTER OF
PERMIT GILMORE OIL
COMPANY SERVICE
STATION 14th &
H STREETS

Whereas, pursuant to the filing of petition with the Council
by Gilmore Oil Company to operate and erect service station
at 14th and H Streets in the City of Modesto and it appearing
from affidavits on file that a notice setting forth a time for hearing any and all
protests to the granting of the petition as prayed for, and this being the time set
forth and whereas the City Clerk reports that no protests either oral or written have
been officially filed, Commissioner Oliver introduced

RESOLUTION NO. 4491-N.S.

granting permission and the same is hereby granted, with the understanding that all
provisions relative to building permit fees and provisions of Section 4 of Ordinance
344-N.S, relating to construction of gasoline service stations will be complied with,
to the above named applicant for permit as prayed for in his petition, which resolu-
tion was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

9 IN THE MATTER OF WHEREAS the construction of reinforced concrete bridge on
ACCEPT STODDARD AVENUE
BRIDGE FROM HARRY BROWN Stoddard Avenue across Modesto Irrigation District Lateral
No. 4 in the City of Modesto has been completed by the Contractor Harry Brown and
whereas at the present time there is due contractor Harry Brown an amount of \$201.90
being balance of 75% of contract payment, Commissioner Oliver introduced

RESOLUTION NO. 4492-N.S.

accepting bridge from Contractor Harry Brown and authorizing the City auditor to
draw warrant in amount \$201.90 in payment, which resolution was regularly adopted
by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

10 IN THE MATTER OF WHEREAS lease with the Pathfinder Flying Service expires
RENEWAL OF LEASE
WITH PATHFINDER on March 31, 1939 on the Municipal Airport and whereas
FLYING SERVICE they have expressed their desire to renew lease for
ON AIRPORT another year, Commissioner Oliver introduced

RESOLUTION NO. 4493-N.S.

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

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

Noes: Councilmen: None

Absent: Councilmen: None

11 IN THE MATTER OF Commissioner Neece introduced
PAYMENT AUTHORIZED
J. C. MEYERS ON
FIREHOUSE

RESOLUTION NO. 4494-N.S.

authorizing progress payment to J. C. Meyers on March
30, 1939, as provided by contract, which resolution was regularly adopted by the
following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

12 IN THE MATTER OF Commissioner Neece introduced
APPROVING CHANGE OF
SECURITIES AT BANK

RESOLUTION NO. 4495-N.S.

approving change of bonds by City Auditor at the Bank of America held as security
for the repayment to the City of Modesto of certain deposits made by said City
in said bank, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

13 IN THE MATTER OF WHEREAS S. G. and Anne Adams have petitioned the Council
WATER SERVICE APRICOT COLONY

to be granted temporary water service in Apricot Colony on the north side of Lucerne Avenue at El Cajon, just outside of the City limits, whereupon Commissioner Oliver introduced

RESOLUTION NO. 4496-N.S.

granting temporary water service and the City Attorney is hereby instructed to draw up a contract for water service for a period of six months, which resolution was regularly adopted by the following vote:

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

14 IN THE MATTER OF
ORDINANCE RE: REGULATION OF DEVICES INTERFERING WITH RADIO BROADCASTING

Commissioner Neece introduced an ordinance being
ORDINANCE NO. 603-N.S.

entitled: "AN ORDINANCE REGULATING THE USE OF DEVICES, APPLIANCES, EQUIPMENT OR APPARATUS WHICH INTERFERES WITH RADIO BROADCASTING RECEPTION, AND PROVIDING PENALTIES FOR 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: Barnell, Neece, Oliver, Stanley and Mayor King
Noes: Councilmen: None
Absent: Councilmen: None

15 IN THE MATTER OF
ADJOURNMENT

Commissioner Oliver introduced
RESOLUTION NO. 4497-N.S.

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

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

ATTEST H. E. GRAGG, CITY CLERK



SPECIAL COUNCIL MEETING
March 27, 1939

The Council of the City of Modesto met in Special session this date at 7:30 P.M. the meeting having been called and convened as set forth in Section 2 of Ordinance No. 2-N.S.

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

1 IN THE MATTER OF
AGREEMENT WITH
20-30 CLUB LEASE
PORTION BASEBALL
PARK

Commissioner Neece introduced
RESOLUTION NO. 4498-N.S.

recommending that the City of Modesto enter into an agreement with the 20-30 Club for a period of two years beginning March 27, 1939, with an option of renewal of one year for rental of portion of Modesto Municipal Baseball Park, to be used as soft ball diamond, at a yearly rental of \$1.00, which resolution was regularly adopted by the following vote:

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

2- IN THE MATTER OF
POLES AND FIXTURES
INSTALLED ON SOFT
BALL DIAMOND

Commissioner Neece introduced

RESOLUTION NO. 4499-N.S.

recommending that the Council go on record as recognizing the fact that the City of Modesto has no right or title to any electric light poles or fixtures being placed by the 20-30 Club on portion of Modesto Municipal Baseball Park, leased by them and furnishing electric energy to the soft ball field and that they may be removed at any time as far as the City of Modesto is concerned, providing the ground is put back in proper condition, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

3 IN THE MATTER OF
ADJOURNMENT

Commissioner Oliver introduced

RESOLUTION NO. 4500-N.S.

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

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK



Special Council Meeting

April 10, 1939

The Council of the City of Modesto met in Special session this date at 7:30 P.M., the meeting having been called and convened as set forth in section 2 of Ordinance No. 2-N.S.

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

Absent: Councilmen: None

1- IN THE MATTER OF
CIVIL SERVICE

A general discussion was held on rules and regulations for Civil Service system

2- IN THE MATTER OF
ADJOURNMENT

Commissioner Stanley introduced

RESOLUTION NO. 4500A-N.S.

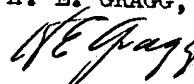
adjourning this Council now in session, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK



Council Meeting

April 12, 1939

The Council of the City of Modesto met in regular session this date at 7:30 P.M., the meeting having been called and convened as set forth in Section 2 of Ordinance No. 2-N.S.

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

Absent: Councilmen: None

1- IN THE MATTER OF APPROVAL OF MINUTES

The minutes of the regular meeting of March 22, 1939 and of the Special meeting of March 27, 1939 having been heretofore read by each Councilman, were unanimously approved as so read.

2- IN THE MATTER OF CLAIMS FOR MONTH OF MARCH, 1939

Claims against the City of Modesto for the month of March, 1939, having been heretofore audited by the Council and found to be correct, Commissioner Neece introduced

RESOLUTION NO. 4501-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-----	\$29,336.63
WATER FUND-----	4,216.94
LIBRARY FUND-----	1,419.24
BOND RED. INT. FUND-----	
ST. BOND RED. INT. FUND-----	
SPECIAL GAS TAX FUND-----	<u>1,155.38</u>
TOTAL-----	\$36,128.19

which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen; None

3- IN THE MATTER OF COMMUNICATION

Communication from R. G. DeLappe, Architect regarding program of the Public Works Administration was read and ordered filed and the Clerk was instructed to acknowledge receipt of same.

4-

Communication from the Salvation Army was read and ordered filed.

5-

Communication from J. S. Longwell, Vice Chairman of the Membership Committee of the American Water Works Association was read and ordered filed.

6-

Communication from the City of Los Banos regarding celebration to be held at that City on April 30, 1939 was read and the City Clerk was instructed to acknowledge receipt of same.

7-

Communication from the Modesto Real Estate Board regarding budget expenditures of the State of California was read and ordered filed.

8

Legislative Bulletin #6 from the League of California Municipalities was ordered filed.

9

IN THE MATTER OF ELECTION FOR ANNEXATION COLDWELL-OLIVEWOOD TRACT

Whereas there has been presented to the Council petition requesting that an election be called in the Coldwell Olive-wood tract to consider the proposition of annexation to the City of Modesto, whereupon Commissioner Oliver introduced

RESOLUTION NO 4502-N.S.

accepting petition for annexation and declaring that it is the intention of the City Council to hold an election in said Coldwell Olivewood Tract for the purpose of submitting to the voters the question of annexation to the City of Modesto on July 11, 1939

and the time for hearing protests by persons owning property in the within described tract is set for May 3, 1939 at the City Hall which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

10- IN THE MATTER OF
ANNEXATION OF LA
LINDA TRACT

Annexation of La Linda Tract to the City of Modesto was laid over to a future meeting.

11- IN THE MATTER OF
REQUEST ERECT
SERVICE STATION
9th & J STREETS

Whereas Wieland Bros. have petitioned the Council to be permitted to erect service station on corner of Ninth and J Streets on lots 29, 30, 31, 32 and part of lots 28, Block 56 in the City of Modesto, pursuant to Ordinance No. 344-N.S. and whereas the plans having been heretofore checked and approved by the City Engineer, Commissioner Oliver introduced

RESOLUTION NO. 4503-N.S.

granting permit to Wieland Bros. to erect, operate and maintain a service station when all provisions of city ordinance relative to building permit and the regulations for storage and dispensing of gasoline have been complied with, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

12- IN THE MATTER OF
HEAR PROTEST BUILD
STORE & APARTMENT
HOUSE-N.G. GOLEMIS

Whereas pursuant to the filing of petition with the Council by N. G. Golemis for permit to erect and maintain a store and apartment house at 13th & L Streets, being lots 30, 31, 32 in Block 108 of the City of Modesto and it appearing from affidavits on file that a notice setting forth a time for hearing any and all protests to the granting of the petition as prayed for and this being the time set forth and whereas the City Clerk reports that protests have been filed, Commissioner Stanley introduced

RESOLUTION NO 4504-N.S.

denying permission to applicant because of protests made, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

13- IN THE MATTER OF
PETITION OF GIRL
SCOUTS RE: ELECTRI-
CITY IN SCOUT HOUSE

Whereas the Girl Scouts have petitioned the Council to be relieved of paying electric bill for Girl Scout Clubhouse located in the Beard Brook Park, Commissioner Stanley introduced

RESOLUTION NO. 4505-N.S.

denying request, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

14- IN THE MATTER OF
REQUEST TOWNSEND
CLUB PICNIC IN
LEGION PARK

Whereas the Townsend Club have petitioned the Council to be permitted to hold a picnic in Legion Park early

in May with a public speaker, Commissioner Neece introduced

RESOLUTION NO. 4506-N.S.

denying request as reservations are not made for Legion Park and Public speakers are not permitted in the Parks of the City, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

15 IN THE MATTER OF
CLUBHOUSE OF BOY'S
BROTHERHOOD

Whereas Frank C. Damrell, Chairman of the Board of Directors of the Boy's Brotherhood Republic has made a request to the Council that the City lease a portion of Elk Park to be used by the Boy's Brotherhood Republic for a building site for their clubhouse, whereupon Commissioner Stanley introduced

RESOLUTION NO. 4507-N.S.

denying request as section 4, subdivision 11 of the Charter prohibits leasing of public parks to any corporations or individuals, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

16 IN THE MATTER OF
PROGRESSIVE PAY-
MENT ON FIREHOUSE

Whereas contract with John C. Meyers on construction of firehouse for the City of Modesto provides for progressive payments and whereas there is due at this time a payment of \$3429.40, Commissioner Oliver introduced

RESOLUTION NO. 4508-N.S.

authorizing payment and directing the City Auditor to draw warrant in above amount payable to John C. Meyers, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

17 IN THE MATTER OF
DEDICATION OF FIRE
HOUSE

Commissioner Oliver introduced

RESOLUTION NO. 4509-N.S.

granting permit to the Native Sons to hold dedicatory services at the firehouse being constructed and appointing a committee of City Engineer Frank Rossi and Fire Chief Wallace to make arrangements with the Native Sons on the program, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

18 IN THE MATTER OF
BUDGET FOR 1/2
EXPENDITURES ON
HIGHWAYS

Commissioner Barnell introduced

RESOLUTION NO. 4510-N.S.

authorizing the Mayor and City Engineer to sign budget for 1/2 gas tax expenditures for biennium beginning July 1, 1939, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

19 IN THE MATTER OF
AUTHORIZE PAYMENT
ELECTION OFFICIALS
AND RENT FOR POLLING
PLACES

Commissioner Barnell introduced
RESOLUTION NO. 4511-N.S.

authorizing payment of \$5.00 to each official who served in the General Municipal Election held April 11, 1939 within the City and \$3.00 to each official who served outside the city and \$5.00 for each polling place and \$1.00 to H. W. Little, O. H. DeForest, James Lee Curtis and Omer C. Glass for installing booths, which resolution was regularly adopted by the following vote:
Ayes: Councilmen: Barnell, Neece, Oliver, Stanley and Mayor King
Noes: Councilmen: None
Absent: Councilmen: None

20 IN THE MATTER OF
PERMIT FOSTER &
KLEISER INSTALL
SIGN

Commissioner Oliver introduced
RESOLUTION NO. 4512-N.S.

granting permit to Foster & Kleiser to install outdoor advertising sign at Block 15, lots 31 and 32 in the City of Modesto as provided by Ordinance No. 302-N.S. as amended by Ordinance No. 528-N.S. which resolution was regularly adopted by the following vote:
Ayes: Councilmen: Barnell, Oliver, Stanley and Mayor King
Noes: Councilmen: Neece
Absent: Councilmen: None

21 IN THE MATTER OF
FINAL ADOPTION
ORD. #603-N.S.
RADIO INTERFERENCE

Ordinance No. 603-N.S. having been heretofore introduced and ordered printed and published at the regular meeting of March 22, 1939 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, Barnell, Oliver, Stanley and Mayor King
Noes: Councilmen: None
Absent: Councilmen: None

22 IN THE MATTER OF
10' PARKING SPACE
9th & H STREETS
TURNER HARDWARE
COMPANY

Commissioner Stanley introduced
RESOLUTION NO. 4513-N.S.
authorizing the installation of proper signs at 9th and H Streets in front of Turner Hardware & Implement Company establishing a 10 minute parking space, which resolution was regularly adopted by the following vote:

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

23 IN THE MATTER OF
REPORT BY COMMISSION-
ER OLIVER ON POULTRY
SOLD IN CITY

The matter of report by Commissioner Oliver on poultry sold in the city without a license was laid over to a future meeting.

24 IN THE MATTER OF
PERMIT ONE DEPOSIT
POSTED FOR DRIVERS
MILK PRODUCERS
ASSOCIATION

Whereas milk drivers hauling to Milk Producers Association in the City of Modesto are now no longer employed by said Milk Producers Association, but maintain and own routes and trucks; and whereas said drivers are now subject to local license laws of the City of Modesto and said license law requiring a \$50.00 deposit for each of said drivers would prove a hardship, Commissioner Oliver introduced

RESOLUTION NO. 4514-N.S.

granting the Secretary of said drivers to deposit \$50.00 with the City Clerk to guarantee to the City all registration fees and mill tax to become due under the general business license ordinance. In the event any of the drivers in said association default in paying any of said licenses or registration fees within the next six months, said Fifty dollar deposit will be forfeited to City of Modesto, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

25 IN THE MATTER OF
PRESENTATION OF
TOKEN FOR SERVICES
OF G. D. OLIVER JR.

At this time Commissioner Neece presented to Commissioner G. D. Oliver Jr. a token for services rendered the city for the past four years.

26 IN THE MATTER OF
APPROVING AGREEMENTS
WITH 20-30 CLUB

Commissioner Oliver introduced
RESOLUTION NO. 4515-N.S.

approving agreements with the 20-30 Club and Modesto Lumber Company and agreement with City of Modesto and Modesto Irrigation District on the leasing of portion of baseball field to the 20-30 club, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

27 IN THE MATTER OF
LEAVE OF ABSENCE
FROM COUNCIL MEETING
ALLOWED G. D. OLIVER JR.

At this time a leave of absence was granted G. D. Oliver, Jr. for balance of Council meeting.

28 IN THE MATTER OF
CANVASSING RETURNS
OF GENERAL ELECTION

Pursuant to General Municipal Election held on April 11th, 1939 for the election of Mayor, two councilmen for four year term and one councilman for 2 year term and 3 members of the Modesto City Board of Education, 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 Neece introduced

RESOLUTION NO. 4516-N.S.

WHEREAS, a general municipal election in the City of Modesto, together with a general school election in and for the Modesto City School District, was held on the 11th day of April, 1939; and,

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

NOW, THEREFORE, BE IT RESOLVED, CERTIFIED AND DECLARED by the Council of the City of Modesto that the said general municipal election in and for the City of Modesto and the general election in and for the Modesto City School District were regularly called, held and conducted as required by law. That the proper and complete returns thereof have been made and received by said Council; that the same have been properly canvassed; that from the returns so canvassed, as aforesaid, it appears, and the said Council so finds, that at said general municipal election in and for the City of Modesto the total number of votes cast at the regular polling places designated was and is 4465; that the number of votes received by the one and only candidate for the office of Mayor of the City

of Modesto was and is as follows:

CARL W. SHANNON-----3071 votes

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

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

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

CARL W. SHANNON-----3082 total
votes, including absentee ballots

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

RONALD E. BATES-----2555 votes;

CARL J. STANLEY-----2367 votes;

A.N.(Ad) Brown-----1667 votes;

Y. G. BARNELL-----2002 votes;

HAROLD L. ROGERS-----1699 votes;

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

RONALD E. BATES-----8 absentee votes:

CARL J. STANLEY-----8 absentee votes;

A.N.(AD) BROWN-----6 absentee votes;

Y. G. BARNELL-----7 absentee votes

HAROLD L. ROGERS-----5 absentee votes;

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

RONALD E. BATES-----2563 total votes,
including absentee ballots;

CARL J. STANLEY-----2375 total votes
including absentee ballots;

A.N. (AD) BROWN-----1673 total votes
including absentee ballots;

Y. G. BARNELL-----2009 total votes
including absentee ballots;

HAROLD L. ROGERS-----1704 total votes
including absentee ballots

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

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

That the number of votes received by Ronald E. Bates and Carl J. Stanley is greater than one-half of the ballots cast at said election, and that the said

29 IN THE MATTER OF
DEPARTMENTAL REPORTS

Departmental reports for the month of March were read
and ordered filed.

30 IN THE MATTER OF
ADJOURNMENT

Commissioner Neece introduced
RESOLUTION NO. 4517-N.S.

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

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

ATTEST H. E. GRAGG, CITY CLERK



Special Council Meeting
April 19, 1939

The Council of the City of Modesto met in special
session this date at 10:30 A.M. the meeting having been called and convened as
set forth in Section 2 of Ordinance No. 2-N.S.

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

1- IN THE MATTER OF
FACTORY LOCATION
FOR TRANS-AIR CORP.

Whereas the Trans-Air Corporation desire to build a
factory for the manufacture of aircraft in the City of
Modesto and whereas the location of such a factory near the City of Modesto would
benefit the citizens in numerous ways, Commissioner Oliver introduced

RESOLUTION NO. 4518-N.S.

empowering the Mayor to secure an extension of a certain option now held by the
City from D. E. Rowles and Helen H. Rowles, his wife which gives the City the
right to purchase approximately twenty six acres of land adjoining and south
of the Modesto Municipal Airport. The Mayor is further authorized to enter into
a contract for the purchase of said real property from the said D. E. Rowles and
Helen H. Rowles, his wife and to thereafter make a lease to the Trans-Air Corpora-
tion for a nominal sum, when and if said Trans-Air Corporation can properly assure
said City Council of the City of Modesto that when and if said City Council purchases
said real property and leases the same to said Trans-Air Corporation, the latter
will build and maintain upon said premises so leased a modern airplane manufacturing
plant, which resolution was regularly adopted by the following vote:

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

2- IN THE MATTER OF
PERMIT GRANTED TO
GOODRICH TIRE CO.
HOLD SAFETY DEMONSTRATION

Fred Marshall appeared before the Council and petitioned
them to permit the Goodrich Tire Company to hold a safety
demonstration on April 24, 1939 at 4 P.M. on west I Street.

By order of the Council permit was granted.

3- IN THE MATTER
OF ADJOURNMENT

Commissioner Oliver introduced
RESOLUTION NO. 4519-N.S.

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

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

Ronald E. Bates and Carl J. Stanley were elected to the office of member of the City Council of the City of Modesto for the period of four (4) years, and that a Certificate of Election be issued to them under the hand and seal of the City Clerk of the City of Modesto.

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

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

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

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

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

E. F. SODERSTROM-----	0 absentee votes
HUBERT J. WELLMAN-----	0 absentee votes
D. POWER BOOTHE-----	0 absentee votes
DOROTHEA M. MCVAY-----	2 absentee votes
FRANCIS WORSHEN-----	0 absentee votes

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

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

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

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

Noes: Councilmen: None

Absent: Councilmen: Oliver

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

COUNCIL MEETING

April 26, 1939

The Council of the City of Modesto met in regular session this date at 7:30 P.M. the meeting having been called and convened as set forth in Section 2 of Ordinance no. 2-N.S.

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

Absent: Councilmen: None

1 IN THE MATTER OF MINUTES

The minutes of the special meeting of April 19, 1939 and of the regular meeting of April 12th, having been heretofore read by each Councilman were unanimously approved as so read with the exception of the total vote cast for Carl W. Shannon, as Mayor in Resolution No. 4516-N.S., which is hereby corrected to read "3082 total votes, including absentee ballots"

2 IN THE MATTER OF COMMUNICATIONS

League of California Municipalities Legislative Bulletin #8 was read and ordered filed.

3 A communication from Will Collias was read and ordered filed.

4 A communication from Marshall Tire & Battery Service was read and ordered filed.

5 A communication from Joe Starnes, Member of Congress regarding P.W.A. Appropriation Act was read and ordered filed.

6 IN THE MATTER OF APPLICATIONS FOR SANITARY INSPECTOR

Commissioner Stanley introduced RESOLUTION NO. 4520-N.S.

recommending that all applications on file for the position of City Sanitary Inspector be placed with the City Clerk and Action be taken on the appointment of a successor to Mr. Holtham by the Council at a future date, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

7 IN THE MATTER OF GRANTING PERMIT LLOYD McNEILLY OPERATE WAREHOUSE

Whereas, pursuant to the filing of petition with the Council by Lloyd McNeilly to conduct a store for wholesale groceries and storage of same on property known as 516 14th Street, being lots 23 and 24, Block 116 and it appearing from affidavits on file that notice setting forth a time for hearing any and all protests to the granting of the petition as prayed for, and this being the time set forth and whereas the City Clerk reports that no protests either oral or written have been officially filed, Commissioner Oliver introduced

RESOLUTION NO. 4521-N.S.

granting permission to Lloyd McNeilly to erect and operate store 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: Barnell, Neece, Oliver, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

8
IN THE MATTER OF
GRANT PERMIT HUGO
TURNOW OPERATE
WALL PAPER BUSINESS

Whereas, pursuant to the filing of petition with the Council by Hugo Turnow to conduct a wall paper business on property known as 210 Sunset Boulevard, being lots 35 and 36 in Block 325 of the City of Modesto and it appearing from affidavits on file that a notice setting forth a time for hearing any and all protests to the granting of the petition as prayed for, and this being the time set forth and whereas the City Clerk reports that no protests either oral or written have been officially filed, Commissioner Oliver introduced

RESOLUTION NO. 4522-N.S.

granting permission to Hugo Turnow to operate a wall paper business 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: Barnell, Neece, Oliver, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

9
IN THE MATTER OF
PARKING ON 8th &
H STREETS

Commissioner Stanley introduced

RESOLUTION NO. 4523-n.S.

recommending that one hour parking be established on 8th and H Streets near the B & T Market, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

10
IN THE MATTER OF
CROSSING CAMPUS
WAY-TIDEWATER
RAILWAY

Whereas the City of Modesto requires that a crossing be maintained over the Tidewater Southern Railway

Company's tracks, which crossing constitutes a portion of Campus Way in the said City of Modesto and whereas application is now prepared fully setting forth a description of the land included in said crossing and is in proper order for presentation to the honorable Railroad Commission of the State of California, Commissioner Oliver introduced

RESOLUTION NO. 4524-N.S.

recommending that the Mayor of the City of Modesto be empowered to sign said application and forward the same to the said Railroad Commission, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

11
IN THE MATTER OF
RE-EVALUATING
PROPERTY IN CITY

Whereas, there has been printed in The Modesto Bee, a newspaper printed in the City of Modesto under date of April 25, 1939, an article inferring that the City Council is planning a boost in assessments, and whereas certain statements by one Walter H. Field in said article are incorrect insofar as they apply to the actions and declarations of the present City Council, it is deemed advisable to place on record the true position of the present City Council so that the citizens of the City of Modesto may by the examination of public records of the City of Modesto ascertain the

true position of said City Council, whereupon Councilman Oliver introduced

RESOLUTION NO. 4525-N.S.

recommending that the Council go on record as stating that said City Council has never discussed any plan to increase taxes on real property in the City of Modesto; that it has not discussed nor planned to lower the evaluation of residential property for the purpose of transferring the burden of taxes and placing a higher tax on business property; that any evaluation of the real property of the City was last made in 1922 as it generally applied to all real property in the City. That since said date there have been changes in the values of the City property in this, that certain buildings, both residences and business buildings, have depreciated in value, while others have increased in value. That for said reasons it is only fair and equitable that there be a new evaluation of all of the real property in the City of Modesto, so that each owner of property in said City will be called upon to bear his just share of said taxes. That no greater income in the form of taxes is contemplated by this City Council or has ever been discussed by this Council, and that the only point involved has been that the City Council is of the opinion that there should be a re-evaluation of the property of the City for the purposes hereinabove stated. That this Council has not the power now nor right to change the tax rates for the next year, or to re-evaluate the property in said City of Modesto, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

12 IN THE MATTER OF Commissioner Oliver introduced
PROGRESSIVE PAYMENT
J. C. MEYERS ON
FIREHOUSE

RESOLUTION NO. 4526-N.S.

authorizing progressive payment to J. C. Meyers, contractor on firehouse being constructed on Block 81, lots 21, 22, 23 and directing the Auditor to draw warrant in payment in amount \$1026.50, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

13 IN THE MATTER OF Commissioner Oliver introduced
FINAL PAYMENT
HARRY BROWN-STOD-
DARD AVENUE BRIDGE

RESOLUTION NO. 4527-N.S.

authorizing final payment of \$1346.00 on construction of Stoddard Avenue Bridge and directing the Auditor to draw warrant in payment to contractor Harry Brown, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

14 IN THE MATTER OF Commissioner Oliver introduced
SIGNING BUDGET FOR
EXPENDITURE $\frac{1}{4}$
GAS TAX

RESOLUTION NO. 4528-N.S.

appointing the Mayor and City Engineer signatory officials on budget for expenditure of $\frac{1}{4}$ Gas Tax Fund for streets of major importance, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

15 IN THE MATTER OF
CALLING FOR BIDS
ON PETROLEUM PRO-
DUCTS

Commissioner Oliver introduced
RESOLUTION NO. 4529-N.S.

authorizing the City Clerk to advertise for bids on petroleum products for year, bids to be opened at City Hall 717 10th Street on May 24, 1939, which resolution was regularly adopted by the following vote:
Ayes: Councilmen: Barnell, Neece, Oliver, Stanley and Mayor King
Noes: Councilmen: None
Absent: Councilmen: None

16 IN THE MATTER OF
CALLING FOR BIDS
INCANDESCENT LAMPS

Commissioner Oliver introduced
RESOLUTION NO. 4530-N.S.

authorizing the City Clerk to advertise for bids on incandescent lamps for municipal lighting for a period of one year beginning July 1, 1939, amount to be purchased will be approximately \$1,100.00 bids to be opened May 24, 1939 at City Hall, 717 10th Street at 7:30 P.M., which resolution was regularly adopted by the following vote:
Ayes: Councilmen: Barnell, Neece, Oliver, Stanley and Mayor King
Noes: Councilmen: None
Absent: Councilmen: None

17 IN THE MATTER OF
CALLING FOR BIDS
ON PAVING

Commissioner Oliver introduced
RESOLUTION NO. 4531-N.S.

calling for bids for furnishing asphaltic concrete paving material and for furnishing and placing A. C. pavement for trench cuts and patches as requested by the City Engineer, bids to be opened at 7:30 P.M. on May 24, 1939 at City Hall, which resolution was regularly adopted by the following vote:
Ayes: Councilmen: Barnell, Neece, Oliver, Stanley and Mayor King
Noes: Councilmen: None
Absent: Councilmen: None

18 IN THE MATTER OF
USED CAR LOT
JOHN NOBLE

Whereas a protest has been made against appearance of Used car lot operated by John Noble at 616 7th Street, City Engineer Rossi has been appointed by Council to make an investigation of premises of used car lot.

19 IN THE MATTER OF
ORDINANCE REGULATE
OPERATION OF BUTANE
GAS

A discussion was held by the Council on adoption of Ordinance for control of Butane gas. The matter was laid over to a future meeting.

20 IN THE MATTER OF
ADOPTION OF CIVIL
SERVICE RULES &
REGULATIONS

Commissioner Oliver introduced
RESOLUTION NO. 4532-N.S.

adopting Civil Service Rules and Regulations of the City of Modesto as prepared by the Personnel Board appointed by the Council, which resolution was regularly adopted by the following vote:
Ayes: Councilmen: Barnell, Neece, Oliver, Stanley and Mayor King
Noes: Councilmen: None
Absent: Councilmen: None

21 IN THE MATTER OF
ADOPTION OF CIVIL
SERVICE DATA

Commissioner Oliver introduced
RESOLUTION NO. 4533-N.S.

adopting "Classified List of positions, position duties and position qualifications" as prepared by the Personnel Board of the Civil Service System appointed

by the Council of the City of Modesto, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

22 IN THE MATTER OF
LAYING CORNER STONE
AT NEW FIREHOUSE

City Engineer Rossi reported that the committee on arrangements for the program of the laying of the corner stone at the new firehouse had decided on holding the ceremonies on May 27, 1939 at 3:00 P.M.

23 IN THE MATTER OF
PETITION FROM
EXCHANGE CLUB
USE AIRPORT

Pursuant to request by the Exchange Club of Modesto and the Modesto Junior Chamber of Commerce to use the Modesto Municipal Airport on Sunday, May 14, 1939 for the purpose of holding a Power Motor Airplane and Auto Contest, Commissioner Oliver introduced

RESOLUTION NO. 4534-N.S.

granting permission with the understanding they were to abide by the conditions set forth in Resolution No. 4335-N.S. entitled "A Resolution acknowledging request of Modesto Chamber of Commerce to hold an Air Show at the Modesto Municipal Airport, and Granting Permission for the holding of said air show upon certain conditions" adopted by the Council on the 5th day of October, 1938, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

24 IN THE MATTER OF
ATTORNEY PREPARE
AGREEMENT PURCHASE
LAND

Commissioner Oliver introduced

RESOLUTION NO. 4535-N.S.

authorizing the City Attorney to prepare option to lease all of lots 4 of the La Rio Park Tract, Stanislaus County, California containing 25.482 acres more or less from D. E. Rowles and Helen H. Rowles with the right to purchase over a period of four years from the date of the making of the lease at the price of \$300.00 per acre, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

25 IN THE MATTER OF
NOTIFYING TRANS-AIR
CORPORATION WHEN
OPTION IS SECURED

Commissioner Stanley introduced

RESOLUTION NO. 4536-N.S.

recommending that when option had been secured from D.E. Rowles and Helen H. Rowles on property described in Resolution No. 4535-N.S., the City Clerk should notify officials of the Transair Corporation so that arrangements could be made with them for leasing land for building of airplane factory, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

26

IN THE MATTER OF
EXPRESSING APPRECIATION
OF COUNCIL TO
MAYOR KING AND
COUNCILMAN OLIVER

Whereas, Mayor J. H. King has been the Mayor of the City of Modesto for the four years last past and G. D. Oliver, Jr. has been a member of the City Council of the City of Modesto likewise for four years last past and whereas J. H. King and G.D. Oliver, Jr. are attending their last regular meeting of the Council in their respective capacities as Mayor and Councilman and are voluntarily retiring from their respective office on May 1, 1939 and whereas the said Mayor James H. King and Councilman G. D. Oliver, Jr. have rendered valuable service to the citizens of the City of Modesto, giving liberally of their time and efforts toward the betterment of said City and working always harmoniously with the other members of said City Council of said City, Commissioner Neece introduced

RESOLUTION NO. 4537-N.S.

recommending that the remaining members of said City Council of the City of Modesto do by this Resolution express their thanks and appreciation, both as individuals and as representatives of the said City of Modesto to the said Mayor James H. King and Councilman G. D. Oliver, Jr. for the valuable service heretofore rendered by them and each of them to the citizens of the City of Modesto and to the remaining members of this Council, which resolution was regularly adopted by the following vote:

- Ayes: Councilmen: Barnell, Neece, Stanley
- Noes: Councilmen: None
- Absent: Councilmen: None

Whereupon Commissioner Oliver expressed his appreciation of the resolution adopted, Short talks were made by Police Chief Arington, City Engineer Rossi, Fire Chief Wallace, City Clerk Gragg and Commissioner Stanley regarding their pleasure in working with the Mayor and Commissioner Oliver.

27

IN THE MATTER OF
ADJOURNMENT

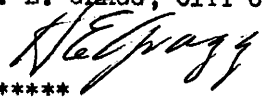
Commissioner Oliver introduced

RESOLUTION NO. 4538-N.S.

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

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

ATTEST H. E. GRAGG, CITY CLERK



Special Council Meeting
April 28, 1939

The Council of the City of Modesto met in special session this date at 10:30 A.M. the meeting having been called and convened as set forth in Section 2 of Ordinance No.2-N.S.

- Present: Councilmen: Stanley, Neece, Barnell and Mayor King
- Absent: Councilmen: Oliver

1

IN THE MATTER OF
AUTHORIZE CITY ENTER
CONTRACT TRANSAIR
CORPORATION

Whereas, the Transair Corporation, has signified its intention to enter into a lease with the City of Modesto to lease from said City portion lot 4 of La Rio Park Tract, containing 17 acres more or less and whereas the contract has been

prepared by the said corporation and the City of Modesto binding the City to lease to said corporation said described property when and if the option to lease the same from said City is exercised by said Corporation on or before the date set forth in said contract, and whereas said contract and all the terms thereof are satisfactory to said City, Commissioner Stanley introduced ;

RESOLUTION NO. 4539-N.S.

resolving that said contract is satisfactory to said City Council and does by this resolution empower and order the Mayor of said City and the City Auditor to duly execute said contract dated the 28th day of April, 1939, binding the said City of Modesto to perform the terms and conditions in said contract and be it further resolved that a copy of this resolution be mailed to the office of the Transair Corporation, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: Oliver

2 IN THE MATTER OF
ADJOURNMENT

Commissioner Neece introduced

RESOLUTION NO. 4540-N.S.

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

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

Noes: Councilmen: None

Absent: Councilmen: Oliver

ATTEST H. E. GRAGG, CITY CLERK



SPECIAL COUNCIL MEETING

May 3, 1939

The Council of the City of Modesto met in Special session this date at 10:30 A.M. the meeting having been called and convened as set forth in Section 2 of Ordinance No. 2-N.S.

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

Absent: Councilmen: None

1- IN THE MATTER OF
AMEND RES. NO. 4525-N.S.
RE-EVALUATE PROPERTY
IN CITY

Commissioner Stanley introduced

RESOLUTION NO. 4541-N.S.

Correcting paragraph 2 of Resolution No. 4525-N.S. entitled "A RESOLUTION SETTING FORTH POSITION OF PRESENT CITY COUNCIL IN THE MATTER OF RE-EVALUATING PROPERTY IN THE CITY OF MODESTO" to read as follows: "Whereas certain statements alleged to have been made by one Walter H. Field", which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

2- IN THE MATTER OF
PROTEST LIABILITY
LIMITS POLICY FOR
AIRSHOW

Whereas the Exchange Club and Junior Chamber of Commerce have protested to requirements set up by the Council under Resolution No. 4534-N.S. granting them permit to hold Power Motor Airplane and Auto Contest at Municipal Airport on May 14, 1939

and have requested that limits of insurance required in policy to be furnished the City be reduced, whereupon Commissioner Stanley introduced

RESOLUTION NO. 4542-N.S.

recommending that the property damage insurance required be reduced from \$50,000 to \$10,000 but that the liability insurance remain at \$100,000, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

3- IN THE MATTER OF
PUSH CARTS-TRAFFIC
HAZARD

A protest was filed by various concerns on the ice cream push carts selling in the business section. They contended that they were a traffic hazard. The matter was taken under advisement.

4- IN THE MATTER OF
FREE WATER SERVICE
GRANTED TO W.B.SCOTT

Commissioner Barnell introduced

RESOLUTION NO. 4543-N.S.

granting free water service to W. B. Scott, 116 H Street, until such a time as his health has improved sufficiently to enable him to return to work and cancelling account on books at the present time, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

5- IN THE MATTER OF
ANNEXATION OF COLD-
WELL-OLIVEWOOD TRACT

Whereas petition has been presented to the Council in the proper form asking that the City of Modesto annex the Coldwell Oliverwood Tract, Commissioner Stanley introduced

RESOLUTION NO. 4544-N.S.

authorizing the holding of and calling an election in the above described territory as provided by law, on the 11th day of July, 1939 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: Neece, Bates, Barnell, Stanley and Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

6- IN THE MATTER OF
EASEMENT STORM
SEWER SOUTHERN
PACIFIC-L STREET

Commissioner Bates introduced

RESOLUTION NO. 4545-N.S.

approving and accepting easement for storm sewer from the Southern Pacific Company in L Street, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

7- IN THE MATTER OF
LEAVE OF ABSENCE
GRANTED MAYOR SHANNON

Commissioner Barnell introduced

RESOLUTION NO. 4546-N.S.

granting leave of absence to Mayor Shannon to leave state for a period of 30 days beginning May 9, 1939, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

8 IN THE MATTER OF
ADJOURNMENT

Commissioner Bates introduced

RESOLUTION NO. 4547-N.S.

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

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

Noes : Councilmen: None

Absent:Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

H. E. Gragg

Council meeting

May 10, 1939

The Council of the City of Modesto met in regular session this date at 7:30 P.M., the meeting having been called and convened as set forth in Section 1 of Ordinance No. 2-N.S.

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

Absent: Councilmen: Mayor Shannon

1- IN THE MATTER OF
ORGANIZATION OF
COUNCIL

Whereas, section 19 of Article VI of the Charter of the City of Modesto provides that a Vice President of the Council

be appointed to act in the capacity of Mayor pro tempore in cases when the mayor through absence or disability is unable to carry on the duties of his office,

Commissioner Neece introduced

RESOLUTION NO. 4548-N.S.

appointing Carl J. Stanley, Vice President of the Council of the City of Modesto and does further empower said Carl J. Stanley to sign any and all checks on behalf of said City, warrants, or evidence of debt, to sign all agreements on behalf of said City and to carry on all of the functions and acts belonging to the Mayor of said City, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Bates, Barnell, Neece

Noes: Councilmen: None

Absent:Mayor Shannon

Not Voting: Mayor pro tem Stanley

2- IN THE MATTER OF
APPOINTMENTS OF
COUNCILMEN TO
COMMISSIONS

Whereas, this is the first regular meeting following the general municipal election of April 11, 1939, at which election there was elected a new mayor of the said City of Modesto, to-wit, Carl W. Shannon and three Councilmen, Ronald E. Bates and Carl J. Stanley incumbent and Y. G. Barnell, incumbent and whereas by the terms of section 35 of the Charter at the first regular meeting of said Council after the election of its members said Council by a majority vote shall appoint various members thereof to various commissionerships, whereupon Commissioner Neece introduced

RESOLUTION NO. 4549-N.S.

designating and appointing Commissioner of Public Works, Councilman Y.G.Barnell, Commissioner of Public Supplies, Councilman Ronald E. Bates, Commissioner of Public Health and Safety, Councilman Carl J. Stanley and Commissioner of Finance and Revenue, Councilman George F. Neece, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent:Councilmen: Mayor Shannon

3 IN THE MATTER OF
COMMUNICATION

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

RESOLUTION NO. 4550-N.S.

accepting invitation of the City of Turlock and recommending that the Mayor pro tem appoint a committee to make arrangements for trip, which resolution was regularly adopted by the following vote:

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

Whereupon Mayor pro tem Stanley appointed Commissioner Bates and City Engineer Rossi as committee.

4 IN THE MATTER OF
APPOINTMENTS

Commissioner Neece introduced:

RESOLUTION NO. 4550A-N.S.

reappointing Frank J. Rossi, as City Engineer, Superintendent of Sewers, City Electrician, Building Inspector, Superintendent Water Department, Superintendent Parks, Superintendent Corporation Yard, Superintendent of Streets; and H. E. Gragg as City auditor, City Clerk, Treasurer, Assessor, License Collector, and Tax Collector, Robert B. Fowler, as City Attorney and E. E. Arington as Chief of the Police Department and Geo. E. Wallace as Chief of the Fire Department, which resolution was regularly adopted by the following vote:

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

IN THE MATTER OF
CLAIMS FOR MONTH
OF APRIL, 1939

Claims against the City of Modesto for the month of April, 1939 having been heretofore audited by the Council and found to be correct, Commissioner Neece introduced

RESOLUTION NO. 4551-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-----	\$29,336.63
WATER FUND-----	4,216.94
LIBRARY FUND-----	1,419.24
BOND RED. INT. FUND-----	
ST. BOND RED. INT. FUND-----	
UNAPPORTIONED FUND-----	
GASOLINE TAX FUND-----	1,155.38
TOTAL-----	36,128.19

which resolution was regularly adopted by the following vote:

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

5 IN THE MATTER OF
PROGRESSIVE PAYMENT
J. C. MEYERS

Commissioner Barnell introduced

RESOLUTION NO. 4552-N.S.

authorizing progressive payment of \$1189.15 to J. C. Meyers, contractor of new firehouse as provided by contract, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Mayor Shannon

6
IN THE MATTER OF
LEGISLATIVE BULLETIN
NO 10 FROM LEAGUE
CALIFORNIA MUNI.

Legislative Bulletin No. 10 from the League of California
Municipalities was read and discussed, whereupon Commissioner
Bates introduced

RESOLUTION NO. 4553-N.S.

recommending that the City Attorney and City Clerk communicate with State Senator
Garrison and Assemblyman Donnelly, protesting the adoption of Bill AB1709, which
requires City to pay prevailing wages on maintenance work, Bill No. AB1234 providing
for election of Councilmen by Districts, Bill AB471, Judicial Review of Administrative
decisions and Bill No. AB1031, governing age qualifications under civil service, which
resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Mayor Shannon

7-
IN THE MATTER OF
COMMUNICATION UNITED
STATES FLAG ASS'N

A communication from the United States Flag Association regard-
ing appointment of Committee by the Mayor to assist in the
observance of Flag Week, whereupon Commissioner Bates introduced

RESOLUTION NO. 4554-N.S.

recommending that the appointment of committee be deferred until May 24, 1939, which
is the next regular meeting date, which resolution was regularly adopted by the follow-
ing vote:

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

Noes: Councilmen: None

Absent: Mayor Shannon

8
IN THE MATTER OF
AUTHORIZE CLERK
ADVERTISE FOR BIDS
ON PAVING

Commissioner Barnell introduced

RESOLUTION NO. 4555-N.S.

authorizing the City Clerk to advertise for bids on widening
the pavement on the northerly side and paving on the southerly side of Grand Street
from D Street to the Beard Brook Bridge. Said bids to be opened at City Hall, 717
10th Street, May 24, 1939, which resolution was regularly adopted by the following
vote:

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

Noes: Councilmen: None

Absent: Mayor Shannon

9-
IN THE MATTER OF
MEMO OF AGREEMENT
1/2 GAS TAX FUND

Whereas a memorandum of Agreement has been presented to be
entered into with the State of California in accordance
with a project statement for expenditure of the 1/2 gas tax for the fiscal year 1940
allocated for Streets of Major Importance in the City of Modesto, whereupon Commission-
er Barnell introduced

RESOLUTION NO. 4556-N.S.

resolving that said project statement be adopted as the budget of proposed expenditures
of the 1/2 gas tax allocated for Streets of Major Importance and said agreement be and
the same is hereby approved and the Mayor and City Clerk are directed to sign the
same on behalf of the City, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Mayor Shannon

10 IN THE MATTER OF
APPOINT BARNELL TO
PLANNING COMMISSION

Commissioner Neece introduced

RESOLUTION NO. 4557-N.S.

appointing Commissioner Barnell as member of Planning Commission during his term as Commissioner of Public Works, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Mayor Shannon

11 IN THE MATTER OF
APPOINT HERBERT
REMONT PLANNING
COMMISSION

Commissioner Neece introduced

RESOLUTION NO. 4558-N.S.

reappointing Herbert Ramont to Planning Commissioner for a term of four years from January 9, 1939, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Mayor Shannon

12 IN THE MATTER OF
APPOINTMENT MRS.
BENKENDORF-PARK
COMMISSION

Commissioner Neece introduced

RESOLUTION NO. 4559-N.S.

reappointing Mrs. G. H. Benkendorf on the Park Commission for a term of 3 years from May 10, 1939, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Mayor Shannon

13 IN THE MATTER OF
ORDINANCE RE: AMEND
ORD. 2-N.S.SPECIAL
MEETINGS

Commissioner Bates introduced

ORDINANCE NO. 604-N.S.

entitled: "AN ORDINANCE AMENDING ORDINANCE NO. 2-N.S.

OF THE CITY OF MODESTO ENTITLED: "AN ORDINANCE FIXING THE TIME AND PLACE OF HOLDING THE REGULAR MEETINGS OF THE COUNCIL OF THE CITY OF MODESTO, AND PRESCRIBING THE MANNER IN WHICH ITS SPECIAL MEETINGS MAY BE CALLED", 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: Barnell, Bates, Neece and Mayor Pro Tem Stanley

Noes: Councilmen: None

Absent: Mayor Shannon

14 IN THE MATTER OF
REGULATION OF PUSH
CARTS

The matter of traffic hazard caused by push carts selling ice cream on the streets of the City of Modesto was laid over to a later meeting.

15 IN THE MATTER OF
10 MINUTE PARKING
ZONE 9th & K STREETS
RAILWAY EXPRESS
AGENCY

Whereas the Railway Express Agency has petitioned the Council of the City of Modesto to install 10 minute parking zone in front of their place of business on

9th & K Streets, Commissioner Barnell introduced

RESOLUTION NO. 4560-N.S.

granting request and directing the City Engineer to install proper signs designating the parking time as 10 minutes, which resolution was regularly adopted by

the following vote:

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

Noes: Councilmen: None

Absent: Mayor Shannon

16 IN THE MATTER OF
HOUR PARKING LIMIT
8th AND H STREETS

Commissioner Barnell introduced

RESOLUTION NO. 4561-N.S.

limiting parking on west side of 8th Street from H to I Streets and north side of H Street from 8th Street to alley to one hour and recommending that the City Engineer install proper signs designating limit of parking after July 1, 1939 after the new budget goes into effect, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Mayor Shannon

17 IN THE MATTER OF
DEPARTMENTAL REPORTS
FOR MONTH APRIL-1939

Reports for month of April, 1939 for the various departments were read and ordered filed.

18 IN THE MATTER OF
ADJOURNMENT

Commissioner Bates introduced

RESOLUTION NO. 4562-N.S.

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

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

Noes: Councilmen: None

Absent: Mayor Shannon

ATTEST H. E. GRAGG, CITY CLERK



SPECIAL COUNCIL MEETING

May 12, 1939

The Council of the City of Modesto met in Special session this date at 10:00 A.M. the meeting having been called and convened as set forth in Section 2 of Ordinance No. 2-N.S.

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

Absent: Mayor Shannon

19 IN THE MATTER OF
ORDINANCE RE:
PUSH CARTS

Commissioner Neece introduced an ordinance being

ORDINANCE NO. 605-N.S.

entitled "AN ORDINANCE PROHIBITING THE SELLING OF MERCHANDISE FROM PUSH CARTS UPON THE STREETS AND SIDEWALKS OF THE CITY OF MODESTO, AND PROHIBITING THE SALE OF CONFECTIONS, FROZEN FOODS AND SOFT DRINKS FROM ANY PUSH CART, MOTOR DRIVEN VEHICLES, WAGON, TRAY, BASKET OR OTHER CONTAINER WITHIN THREE HUNDRED FEET OF CITY SCHOOLS PLAY GROUNDS AND PARKS IN SAID CITY", 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: Barnell, Bates, Neece, Mayor pro tem Stanley

Noes: Councilmen: None

Absent: Mayor Shannon

2- IN THE MATTER OF
RESCIND RES. 4561-N.S.
ONE HOUR PARKING

Whereas the R. B. MacBride Company have protested the
establishment of one hour parking on 8th Street between
H and I Streets as provided by Resolution No. 4561-N.S.

Commissioner Barnell introduced

RESOLUTION NO. 4563-N.S.

rescinding Resolution No. 4561-N.S. and declaring it null and void, which resolu-
tion was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Mayor Shannon

3- IN THE MATTER OF
ONE HOUR PARKING
NEAR B & T MARKET

Commissioner Barnell introduced

RESOLUTION NO. 4564-N.S.

establishing one hour parking on the west side of H Street from Eighth Street to
alley and on Eighth Street from H Street to north boundary line of the B & T Market,
and directing the City Engineer to install proper parking signs after the new
budget goes into effect, which resolution was regularly adopted by the following
vote:

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

Noes: Councilmen: None

Absent: Mayor Shannon

4- IN THE MATTER OF
ADJOURNMENT

Commissioner Bates introduced

RESOLUTION NO. 4565-N.S.

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

Ayes: Councilmen: Barnell, Bates, Neece Mayor Pro Tem Stanley

Noes: Councilmen: None

Absent: Mayor Shannon

ATTEST H.E. CRAGG, CITY CLERK



SPECIAL COUNCIL MEETING

May 18, 1939

The Council of the City of Modesto met in Special
session this date at 10:30 A.M., the meeting having been called and convened
as set forth in Section 2 of Ordinance No. 2-N.S.

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

Absent: Mayor Shannon

A- IN THE MATTER OF
MOSQUITO ABATEMENT
DISTRICT

Commissioner Neece introduced

RESOLUTION NO. 4566-N.S.

recommending that the City Council endorse the establishment of Mosquito Abate-
ment District for which petition has been presented to the Stanislaus County
Board of Supervisors and that the City Clerk be instructed to inform the Super-
visors individually of this action, which resolution was regularly adopted by the
following vote:

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

Noes: Councilmen: None

Absent: Mayor Shannon

2 IN THE MATTER OF
ADJOURNMENT

Commissioner Bates introduced

RESOLUTION NO. 4567-N.S.

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

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

Noes: Councilmen: None

Absent: Mayor Shannon

ATTEST H. E. GRAGG, CITY CLERK



COUNCIL MEETING

May 24, 1939

The Council of the City of Modesto met in regular session this date at 7:30 P.M., the meeting having been called and convened as set forth in Section 1 of Ordinance No. 2-N.S.

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

Absent: Councilmen: None

1 IN THE MATTER OF
MINUTES

The minutes of the regular meetings of April 26th and May 10, 1939 and special meetings of April 28th, May 3rd, 12th and 18th, 1939, having been heretofore read by each Councilman were unanimously approved as so read.

2 IN THE MATTER OF
CIVIL SERVICE

E.T. Taylor, Chairman of Civil Service Personnel Board appeared before the Council to petition them to have a representative of the State Personnel Board come to Modesto to explain method of giving examination under Civil Service and setting up eligible list of employees. By order of the Council, Mr. Taylor was given authority to contact Mr. F. R. Coop of the State Personnel Board and ask him to come to Modesto and appear before the Council.

3 IN THE MATTER OF
PROTEST FINAL
ADOPTION ORD. 605-
N.S. PUSH CARTS

Paul Wilkie, operator of the White Castle Ice Cream Company, appeared before the Council with signed petitions protesting the final adoption of Ord. 605-N.S. prohibiting selling of ice cream from Push Carts.

4 IN THE MATTER OF
EXPENSES ROBERT
B. FOWLER TO SAN
FRANCISCO

Commissioner Neece introduced

RESOLUTION NO. 4568-N.S.

allowing claim of Robert B. Fowler, City Attorney for expenses incurred in going to San Francisco and return on May 24, 1939, in re: Transair Corporation conference, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

5 IN THE MATTER OF
LEGISLATIVE BULLE-
TIN #11

Legislative Bulletin #11 from the League of California Municipalities was read and Commissioner Stanley introduced

RESOLUTION NO 4569-N.S.

recommending that Assemblyman Donnelly and Senator Garrison be contacted and a protest filed against the adoption of bill AB2170 permitting all "for hire" trucks the use of all public streets, whether prohibited to do so by local ordinance or not,

which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

6 IN THE MATTER OF
COMMUNICATION MRS.
T. H. PREWETT

A communication from Mrs. T. H. Prewett protesting to the parking of cars from the Surplus Commodities Depot of the W.P.A., near her store and apartment house blocking up driveways and keeping customers away from her store by using all parking spaces. This matter was laid over to a future meeting.

7 IN THE MATTER OF
COMMUNICATION HOTEL
MADDUX

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

RESOLUTION NO. 4570-N.S.

denying request and directing the City Clerk to notify Mr. Maddux of the decision of the Council, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

8 IN THE MATTER OF
HEAR PROTEST TO
BUSINESS IN RESI-
DENCE ZONE-BASSO

Whereas, pursuant to the filing of petition with the Council by Angelo Basso for permit to erect and operate a refreshment stand on property known as 5th and K Streets, being lots 15 and 16, 5' of lot 14, Block 19 of the City of Modesto and it appearing from affidavit on file that a notice setting forth a time for hearing and all protests to the granting of the petition as prayed for and this being the time set forth and whereas the City Clerk reports that no protests either oral or written have been officially filed, Commissioner Barnell introduced

RESOLUTION NO. 4571-N.S.

granting permission to Angelo Basso 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: Barnell, Bates, Neece, Stanley and Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

9 IN THE MATTER OF
COLLIER'S OFFER
PURCHASE BLOCK 59
LOTS 27 and 28

Whereas, Frank B. Collier has offered to purchase from the City, lots 27 and 28, Block 59, free and clear of City taxes and assessments, except taxes and assessments since first Monday in March, 1939, Commissioner Neece introduced

RESOLUTION NO. 4572-N.S.

recommending that no action be taken at the present time until an investigation could be made by the Council, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

10 IN THE MATTER OF
WATER SERVICE JOHN
W.F. STEWART

Whereas, John W. F. Stewart has made application for water service on the north one half of lot 62, in the Coldwell-

Olivewood Tract, whereupon Commissioner Barnell introduced

RESOLUTION NO. 4573-N.S.

granting service, pending outcome of election to be held in this district on July 11, 1939 for annexation, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

11 IN THE MATTER OF
BIDS-PETROLEUM
PRODUCTS-LAMPS
ASPHALTIC MATERIAL

Bids were opened by the Council on petroleum products and incandescent lamps for the fiscal year July 1, 1939 to June 30, 1940 inc., and bid for furnishing asphaltic material

and referred to the City Engineer for tabulation and recommendation.

12 IN THE MATTER OF
BIDS ON PAVING
GRAND STREET

Whereas, the City Clerk has been authorized by the Council to call for bids for paving of portion of Grand Street and

notice to bidders having heretofore been given and published as required by law and bids in accordance with said notice, having been received not later than 7:30 P.M. and having been then and there opened by the Council in open meeting and it appearing that the bid of S. M. McGaw for the widening of pavement on the northerly side and paving on the southerly side of Grand Street from D Street to the Beard Brook Bridge was the only bid received and that S. M. McGaw is a responsible bidder, Commissioner Barnell introduced

RESOLUTION NO. 4574-N.S.

awarding bid to S. M. McGaw, at a total price of \$3995.80 and the City Clerk and Mayor are hereby designated as signatory officials for the contract, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

13 IN THE MATTER OF
OBSERVANCE FLAG
WEEK

Whereas request has been made by the United States Flag Association to observe Flag week, it was decided by the

Council that the Mayor should issue a proclamation declaring June 8 to 14th, inc, 1939 as Flag Week.

14 IN THE MATTER OF
MEMO AGREEMENT
GAS TAX FUND STATE
HIGHWAYS

Commissioner Barnell introduced

RESOLUTION NO. 4575-N.S.

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

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

Noes: Councilmen: None

Absent: Councilmen: None

15 IN THE MATTER OF
PAYMENT DUE J. C.
MEYERS

Commissioner Barnell introduced

RESOLUTION NO. 4576-N.S.

authorizing progressive payment to J. C. Meyers of \$3848.55 on construction of firehouse, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

16
IN THE MATTER OF
ORDINANCE-STORAGE
OF BUTANE

Commissioner Stanley introduced an ordinance being
ORDINANCE NO. 606-N.S.

entitled: "AN ORDINANCE REGULATING THE STORAGE AND/OR INSTALLATION OF PLANTS
AND AUTOMOBILE FILLING STATIONS HANDLING AND/OR DEALING IN BUTANE AND OTHER
LIQUIFIED PETROLEUM GASES, AND PROVIDING A PENALTY FOR THE VIOLATION OF THIS
ORDINANCE" 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: Barnell, Bates, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

17
IN THE MATTER OF
FINAL ADOPTION OF
ORD. 604-N.S.
SPECIAL COUNCIL
MEETINGS

Ordinance No. 604-N.S. having been heretofore introduced
and ordered printed and published at the regular meeting
of May 10, 1939 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: Barnell, Bates, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

18
IN THE MATTER OF FINAL
ADOPTION OF ORD. 605-N.S.
PROHIBIT PUSH CARTS
SELLING ICE CREAM ON
STREETS, ETC.

Ordinance No. 605-N.S. having been heretofore introduced
and ordered printed and published at the special meeting
of May 12, 1939 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: Barnell, Bates, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

19
IN THE MATTER OF
APPOINTMENT OF
SANITARY INSPECTOR

Commissioner Stanley introduced
RESOLUTION NO. 4577-N.S.

appointing M. J. Landquist, Sanitary Inspector at a salary of \$200.00 per month,
with the stipulation that he furnish his own car, the city to pay for the gas
and oil used by him, starting date of employment to be June 16, 1939, which reso-
lution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

20
IN THE MATTER OF
DISMISSAL OF NEIL
SULLIVAN

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

Commissioner Stanley introduced

RESOLUTION NO. 4578-N.S.

dismissing Neil Sullivan as of June 15, 1939, as Milk Inspector for the City of
Modesto, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

21 IN THE MATTER OF City Attorney Fowler reported on conference with attorney
REPORT BY CITY ATTOR- George Herrington of the Transair Corporation regarding
NEY ON CONFERENCE leasing of portion of land recently leased by the City from
WITH TRANSAIR ATTOR- D. E. Rowles. He reported that Attorney Herrington would appear soon before the
NEY Council to discuss arrangements with them for the agreement to be drawn up with the
City and the Transair Corporation on the leasing of land from the City for the
building of airplane factory.

22 IN THE MATTER OF Commissioner Bates introduced
ACCEPTING PETITION RESOLUTION NO. 4579-N.S.
FOR ANNEXATION OF
ESGAR TRACT accepting petition for annexation of Esgar Tract to the City
of Modesto conditioned upon the fact that the persons whose names appear thereon are
registered voters, which resolution was regularly adopted by the following vote;
Ayes: Councilmen: Barnell, Bates, Neece, Stanley, Mayor Shannon
Noes: Councilmen: None
Absent: Councilmen: None

23 IN THE MATTER OF Commissioner Bates introduced
LETTER OF THANKS RESOLUTION NO. 4580-N.S.
L. J. NEVRAUMONT directing the City Attorney to write a letter of appreciation to L. J. Nevraumont for
his services in accompanying City Attorney Fowler to San Francisco for conference with
the attorney of the Transair Corporation, which resolution was regularly adopted by
the following vote:
Ayes: Councilmen: Barnell, Bates, Neece, Stanley, Mayor Shannon
Noes: Councilmen: None
Absent: Councilmen: None

24 IN THE MATTER OF Commissioner Bates introduced
TRIP TO TURLOCK RESOLUTION NO. 4581-N.S.
OF COUNCIL recommending that the Council go in a body to Turlock to inspect the new Municipal
Sewage Disposal Plant on May 25, 1939 at 1:30 P.M., which resolution was regularly
adopted by the following vote:
Ayes: Councilmen: Barnell, Bates, Neece, Stanley, Mayor Shannon
Noes: Councilmen: None
Absent: Councilmen: None

25 IN THE MATTER OF Commissioner Stanley introduced
AGREEMENT FOR FIRE RESOLUTION NO. 4582-N.S.
PROTECTION FOR GALLO granting fire protection to the Gallo Winery located
WINERY near the easterly city limits of Modesto, under the same arrangements as other
concerns outside the city and the Mayor and City Clerk are authorized to sign
for the City of Modesto, which resolution was regularly adopted by the following
vote:
Ayes: Councilmen: Barnell, Bates, Neece, Stanley, Mayor Shannon
Noes: Councilmen: None
Absent: Councilmen: None

26 IN THE MATTER OF Commissioner Stanley introduced
ADJOURNMENT RESOLUTION NO. 4583-N.S.
adjourning this Council meeting now in session, which resolution was regularly
adopted by the following vote:
Ayes: Councilmen: Barnell, Bates, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK



Special Council Meeting

June 2, 1939

The Council of the City of Modesto met in Special session this date at 7:30 P.M., the meeting having been called and convened as set forth in Section 2 of Ordinance No. 2-N.S.

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

Absent: Councilmen: None

1- IN THE MATTER OF APPOINTMENT OF SECRETARY PRO TEM OF COUNCIL

Elmer J. Blum was appointed Secretary pro tem of Council for this meeting due to absence of City Clerk.

2- IN THE MATTER OF DISCUSSION OF CIVIL SERVICE SYSTEM

Mr. F. R. Coop of the State of California Personnel Board appeared before the Council and discussed the matter of the City of Modesto entering into contract with the State of California to give examinations and to prepare classification plan and rules and regulations governing the classified service.

3- IN THE MATTER OF CITY ENTERING INTO CONTRACT WITH STATE

Commissioner Stanley introduced

RESOLUTION NO. 4584-N.S.

recommending that the City of Modesto enter into two contracts with the State Personnel Board, one for preparation of a classification plan and the rules and regulations governing the classified service and one for preparation and rating of examination material for such classifications as may be mutually agreed upon by the City and the Board, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

4- IN THE MATTER OF PERSONNEL BOARD WORK WITH STATE

Commissioner Bates introduced

RESOLUTION NO. 4585-N.S.

authorizing the Personnel Board of the City of Modesto to work with the State Personnel Board as per contracts, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

5- IN THE MATTER OF AMENDMENT TO RULE 7 OF RULES & REGULATIONS

Commissioner Barnell introduced

RESOLUTION NO. 4586-N.S.

recommending that an amendment to Rule 7 of Civil Service Rules and Regulations of the City of Modesto be made by adding section 7, which

will require that a fee of 50¢ be paid by each person taking examination for positions with the City of Modesto, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

6 IN THE MATTER OF
PURCHASE PROPERTY
FOR STREET PURPOSES

Commissioner Barnell introduced

RESOLUTION NO. 4587-N.S.

recommending that the City of Modesto purchase easterly 60' of westerly 117.14' of lot 42 of High Tract at a purchase price of \$100.00 from Mrs. T. H. Kewin to be used for street purposes and the City Attorney is hereby instructed to draw up deed and the City Auditor is authorized to draw warrant in payment, which resolution was regularly adopted by the following vote:

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

Absent: Councilmen: None

Noes: Councilmen: None

7 IN THE MATTER OF
ADJOURNMENT

Commissioner Bates introduced

RESOLUTION NO. 4588-N.S.

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

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

H. E. Gragg
Council Meeting

June 14, 1939

The Council of the City of Modesto met in regular session this date at 7:30 P. M., the meeting having been called and convened as set forth in section 1 of Ordinance No. 2-N.S.

Present: Councilmen: Barnell, Bates, Neece and Mayor Shannon

Absent: Councilmen: Stanley

1 IN THE MATTER OF
MINUTES

The minutes of the regular meeting of May 24th, 1939 and special meeting of June 2, 1939, having been heretofore read by each Councilman were unanimously approved as so read.

2 IN THE MATTER OF
ORAL COMMUNICATIONS

Attorney J. W. Hawkins appeared before the Council representing Paul Wilkie, owner of White Castle ice cream wagons, protesting the provisions of Ordinance No. 605-N.S. governing the operation of ice cream wagons, No. action was taken on this matter by the Council.

3 IN THE MATTER OF
RADIO BROADCASTING

Cecil Lynch and William Bates Jr. of the KTRB Radio Station appeared before the Council and offered free broadcasting time to any department of the City. They were thanked by the Council.

4 IN THE MATTER OF
CLAIMS FOR THE
MONTH OF MAY

Claims against the City of Modesto for the month of May, 1939, having been heretofore audited by the Council

and found to be correct, Commissioner Neece introduced

RESOLUTION NO. 4589-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-----	\$30,118.48
WATER FUND-----	6,314.48
LIBRARY FUND-----	1,627.62
BOND RED. INT. FUND-----	
ST. BOND RED. INT. FUND-----	69.48
UNAPPORTIONED FUND-----	
TOTAL-----	\$38,130.06

which resolution was regularly adopted by the following vote:

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

5 IN THE MATTER OF APPLICATION FOR CHANGE OF ROUTE OF CITY BUS
Whereas, Willis M. Kleinenbroich, operator of motor bus in the City of Modesto has notified the Council that he has changed route of bus as set forth in franchise, the City Clerk was authorized to communicate with Willis M. Kleinenbroich advising him that he must comply with the provisions of Ordinance No. 306-N.S. and make application in proper form to the Council for permission to change the route of his bus.

6 IN THE MATTER OF PETITION OF FIRST BRETHERN CHURCH ERECT TENT
Whereas the First Brethren Church have petitioned the Council to erect a tent for church services on Downey Avenue between Kimble and Semple Streets, the City Clerk was authorized to advise Earl B. Studebaker, Moderator of the church to circulate petition as provided in the Zoning Ordinance No. 364-N.S. before request could be granted for erection of tent.

7 IN THE MATTER OF PETITION FROM RESIDENTS OF HIGH HOMES TRACT
Pursuant to receipt of letter by the Council from residents of the Lesliehugh Tract, recently annexed to the City of Modesto requesting immediate installation of sewage system, street lighting and water mains in the Lesliehugh Tract, the City Engineer was instructed to answer same.

8- IN THE MATTER OF RENEWAL OF LEASES TO DEPARTMENT OF COMMERCE
Commissioner Bates introduced
RESOLUTION NO. 4590-N.S.
authorizing the renewal of leases with the Department of Commerce for the rental of Airways Remote Control quarters and Radio Range Station site at the Modesto Municipal Airport for a period of one year beginning July 1, 1939, which resolution was regularly adopted by the following vote:
Ayes: Councilmen: Barnell, Bates, Neece and Mayor Shannon
Noes: Councilmen: None
Absent:Councilmen: Stanley

9 IN THE MATTER OF AWARD OF BID ON ASPHALTIC CONCRETE PAVING MATERIALS
Commissioner Bates introduced
RESOLUTION NO. 4591-N.S.
awarding bid on furnishing Asphaltic Concrete(out back type) paving material and for furnishing and placing A.C. Pavement for trench cuts and patches to S.M.McGaw and authorizing the City of Modesto to enter into contract with successful bidder, which resolution was regularly adopted by the following vote:
Ayes: Councilmen: Barnell, Bates, Neece and Mayor Shannon
Noes: Councilmen: None

Absent: Councilmen: Stanley

10 IN THE MATTER OF
AWARD BID ON IN-
CANDESCENT LAMPS

Commissioner Bates introduced

RESOLUTION NO. 4592-N.S.

awarding bid to Wille Electric Company for incandescent lamps for the year beginning July 1, 1939 and authorizing the City of Modesto to enter into contract with successful bidder and authorizing the City Clerk to return bidding checks and bonds to unsuccessful bidders, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: Stanley

11 IN THE MATTER OF
AWARD BIDS ON PE-
TROLEUM PRODUCTS

Commissioner Bates introduced

RESOLUTION NO. 4593-N.S.

awarding bids on petroleum products as follows:

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

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

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

Item 4, Approximately 3000 gallons of Stove oil to the Modesto Petroleum Company

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

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

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

for the fiscal year beginning July 1, 1939 and authorizing the City of Modesto to enter into contract with successful bidders and authorizing the City Clerk to return bidding bond and bidding checks to unsuccessful bidders, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: Stanley

12 IN THE MATTER OF
AUTHORIZE BIDS ON
ADVERTISING FOR YEAR
ENDING JUNE 30, 1940

Commissioner Barnell introduced

RESOLUTION NO. 4594-N.S.

authorizing the City Clerk to advertise for bids on official printing and advertising for the fiscal year ending June 30, 1940, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: Stanley

13 IN THE MATTER OF
AUTHORIZE BIDS ON
TRAFFIC SIGNAL

Commissioner Barnell introduced

RESOLUTION NO. 4595-N.S.

authorizing the City Clerk to advertise for bids on four one-way Traffic Control Signal Heads with controller and appurtenances according to plans and specifications, said bids to be opened on Wednesday, June 28, 1939, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: Stanley

14- IN THE MATTER OF
AUTHORIZE BIDS ON
TRAFFIC SIGNALS

Commissioner Barnell introduced

RESOLUTION NO. 4596-N.S.

authorizing the City Clerk to advertise for bids on four two way Traffic Control Signal Heads with controller and appurtenances according to plans and specifications, said bids to be opened on Wednesday, June 28, 1939, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: Stanley

15- IN THE MATTER OF
CLERK ADVERTISE
BIDS RESURFACING
10th STREET F TO K

Commissioner Barnell introduced

RESOLUTION NO. 4597-N.S.

authorizing the Clerk to advertise for bids on resurfacing Tenth Street from F to K Streets, said bids to be opened on Wednesday, June 28, 1939 at City Clerk's office, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: Stanley

16- IN THE MATTER OF
COLLIER'S OFFER
PURCHASE PROPERTY

Frank B. Collier's offer to purchase Block 59, lots 27 and 28 was laid over to a later date.

17- IN THE MATTER OF
PARKING ON 11th
& NEEDHAM AVENUE

Mrs. T. H. Prewett's protest against cars parking near her store and apartment house at 11th near Needham, was laid over to a future meeting.

18- IN THE MATTER OF
PROGRESSIVE PAYMENT
TO JOHN C. MEYERS
ON FIREHOUSE

Commissioner Barnell introduced

RESOLUTION NO. 4598-N.S.

authorizing progressive payment to John C. Meyers of \$3381.94 due on construction of firehouse, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: Stanley

19- IN THE MATTER OF
ANNEKATION OF ESGAR
TRACT

Whereas petition has been presented to the Council in the proper form asking that the City of Modesto annex the Coldwell Olivewood Tract, Commissioner Barnell introduced

RESOLUTION NO. 4599-N.S.

authorizing the holding of and calling an election in the above described territory as provided by law, on the 5th day of September, 1939 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: Barnell, Bates, Neece and Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Stanley

20- IN THE MATTER OF
FINAL ADOPTION OF
ORD. 606-N.S. BUTANE
STORAGE

The matter of the final adoption of Ordinance No. 606-N.S. regulating storage of Butane Gas was laid over to a future

meeting.

21 IN THE MATTER OF
DEPARTMENTAL REPORTS
FOR MONTH OF MAY 1939

Departmental reports for the month of May were read and ordered filed.

22 IN THE MATTER OF AMEND
RESOLUTION NO. 4044-N.S.
GOLF RULES AND REGULA-
TIONS

Commissioner Neece introduced
RESOLUTION NO. 4600-N.S.

amending Rule 3 of Resolution No. 4044-N.S. entitled

"A RESOLUTION ADOPTING RULES AND REGULATIONS FOR THE USE OF THE MODESTO MUNICIPAL GOLF COURSE" to change the greens fee per player to the sum of 35¢ for each round of nine holes and 70 cents for eighteen hole to be played consecutively, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: Stanley

23 IN THE MATTER OF
ADJOURNMENT

Commissioner Bates introduced

RESOLUTION NO. 4601-N.S.

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

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

Noes: Councilmen: None

Absent: Councilmen: Stanley

ATTEST H. E. GRAGG, CITY CLERK

H. E. Gragg

SPECIAL COUNCIL MEETING

June 21, 1939

The Council of the City of Modesto met in Special session this date at 7:30 P.M., the meeting having been called and convened as set forth in Section 2 of Ordinance No. 2-N.S.

Present: Councilmen: Barnell, Bates, Neece, Stanley

Absent: Councilmen: Mayor Shannon

1 IN THE MATTER OF
DISCUSSION OF BUDGET

A general discussion of the budget was held.

2 IN THE MATTER OF
ADJOURNMENT

Commissioner Neece introduced

RESOLUTION NO. 4602-N.S.

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

Ayes: Councilmen: Barnell, Bates, Neece, Stanley

Noes: Councilmen: None

Absent: Councilmen: Mayor Shannon

ATTEST H. E. GRAGG, CITY CLERK

H. E. Gragg

Special Council Meeting

June 26, 1939

The Council of the City of Modesto met in Special session

this date at 7:30 P.M. the meeting having been called and convened as set forth in Section 2 of Ordinance No. 2-N.S.

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

Absent: Councilmen: None

1 IN THE MATTER OF BUDGET A general discussion was held by the Council on the budget for the fiscal year ending June 30, 1940.

2 IN THE MATTER OF ZONING CITY FOR STORAGE OF BUTANE Commissioner Bates introduced RESOLUTION NO. 4603-N.S.

recommending that the City of Modesto be zoned by the Fire Marshall for the storage of Butane, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

3 IN THE MATTER OF ADJOURNMENT Commissioner Neece introduced RESOLUTION NO. 4604-N.S.

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

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK



Council Meeting

June 28, 1939

The Council of the City of Modesto met in regular session this date at 7:30 P.M., the meeting having been called and convened as set forth in Section 1 of Ordinance No. 2-N.S.

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

Absent: Councilmen: None

1 IN THE MATTER OF MINUTES The minutes of the regular meeting of June 14th, 1939 and special meeting of June 21, 1939, having been heretofore read by each Councilman were unanimously approved as so read.

2 IN THE MATTER OF COMPENSATION POLICY Commissioner Bates introduced RESOLUTION NO. 4605-N.S.

authorizing the payment of \$3418.58 for renewal of compensation policy for year beginning July 1, 1939, payment to be made after the beginning of the fiscal year, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

3 IN THE MATTER OF COMPENSATION Commissioner Bates introduced RESOLUTION NO. 4606-N.S.

authorizing payment of premium on compensation policy for fiscal year ending June 30, 1940 in amount \$3418.58, which resolution was regularly adopted by the

following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

4 IN THE MATTER OF
COMMUNICATIONS

A communication from the Order of Railroad Telegraphers
expressing appreciation of the use of the American Legion

Park on June 18th, 1939 was read and ordered filed.

5 IN THE MATTER OF
BIDS ON TRAFFIC
SIGNALS

Commissioner Bates introduced

RESOLUTION NO. 4607-N.S.

referring all bids on four two way traffic signals and four one way traffic signals
to City Engineer for tabulation and recommendation, which resolution was regularly
adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

6 IN THE MATTER OF
BIDS ON RESURFAC-
ING TENTH STREET

Commissioner Bates introduced

RESOLUTION NO. 4608-N.S.

referring all bids on resurfacing Tenth Street from F to K Streets to City Engineer
Rossi for tabulation and recommendation, which resolution was regularly adopted by
the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

7 IN THE MATTER OF
BID ON ADVERTISING
FOR YEAR 1939-40

Commissioner Bates introduced

RESOLUTION NO. 4609-N.S.

awarding bid on advertising and printing for year 1939-1940 to the Modesto Bee,
which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

8 IN THE MATTER OF
PROGRESSIVE PAYMENT
J.C. MEYERS ON
FIREHOUSE

Whereas City Engineer Rossi has filed with this Council
a certification of amount due J. C. Meyers as progressive
payment for work completed up to and including June

28, 1939, Commissioner Barnell introduced

RESOLUTION NO. 4610-N.S.

authorizing the City Clerk and Auditor to issue warrant in amount of \$4017.60 to J.C.
Meyers for progressive payment on contract of construction of firehouse, which reso-
lution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

9 IN THE MATTER OF
FINAL ADOPTION OF
ORDINANCE NO. 606-N.S.
BUTANE REGULATION

The final adoption of Ordinance No. 606-N.S. Butane regulation
was laid over to a future meeting.

10 IN THE MATTER OF
COMMITTEE TO CONFER
ON STORAGE OF BUTANE

Commissioner Stanley introduced

RESOLUTION NO 4611-N.S.

recommending that Fire Chief Wallace and City Engineer Rossi be appointed as a committee

to confer with concerns selling Butane in the City of Modesto and to make report and recommendations to the Council, which resolution was regularly adopted by the following vote:

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

11- IN THE MATTER OF
CLOSE CITY OFFICES
MONDAY, JULY 3, 1939

Commissioner Neece introduced
RESOLUTION NO. 4612-N.S.

closing city offices on Monday, July 3, 1939, which resolution was regularly adopted by the following vote:

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

12- IN THE MATTER OF
REPORT ON FIRE
PROTECTION ON
SLAUGHTER HOUSE

Pursuant to report made by Fire Chief Wallace on the failure of certain slaughter houses to install necessary equipment to enable the Fire Department of the City of Modesto to properly protect them against fire and recommendation by him of cancellation of agreements for fire protection and pursuant to report by Fire Chief on the failure of B. Zeff and Arnopole Meat Company to pay \$25.00 charge made by the City of Modesto for fire protection afforded on June 3, 1939 at a grass fire, Commissioner Stanley introduced

RESOLUTION NO. 4613-N.S.

authorizing the City Attorney to write a letter to the Modesto Packing Company, B. Zeff Packing Company and the Modesto Tallow Works advising them that they must comply with the request of Fire Chief Wallace and install hydrants and water facilities for fighting fires and also to write to the B. Zeff Packing Company and the Arnopole Meat Company that they must pay the charge of \$25.00 at once for fire protection afforded on June 3, 1939 as per agreements, which resolution was regularly adopted by the following vote:

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

13- IN THE MATTER OF
ADJOURNMENT

Commissioner Bates introduced
RESOLUTION NO. 4614-N.S.

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

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

ATTEST H. E. GRAGG, CITY CLERK

H. E. Gragg

Special Council Meeting

July 5, 1939

The Council of the City of Modesto met in special session this date at 4:00 P.M., the meeting having been called and convened as set forth in Ordinance No. 2-N.S.

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

Absent: Councilmen: None

IN THE MATTER OF
PROTEST ANNEXATION
ESGAR TRACT

Whereas, pursuant to provisions of Resolution No. 4579-N.S. the Council met in special session to hear protests to annexation of EsGAR Tract to the City of Modesto. No protests were filed.

2 IN THE MATTER OF
ADJOURNMENT

Commissioner Neece introduced

RESOLUTION NO. 4615-N.S.

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

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK



Council Meeting

July 12, 1939

The Council of the City of Modesto met in regular session this date at 7:30 P.M. the meeting having been called and convened as set forth in Section 1 of Ordinance No. 2-N.S.

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

Absent: Councilmen: None

IN THE MATTER OF
ORAL COMMUNICATIONS
E. C. PECKHAM

E. C. Peckham, representing the Works Progress Administration, appeared before the Council and outlined the W.P.A. Recreation project and asked that a Recreation Board be appointed by the City of Modesto. The matter was taken under advisement.

2 IN THE MATTER OF
CLAIMS FOR MONTH
OF JUNE

Claims against the City of Modesto for the month of June, 1939 having been heretofore audited by the Council and found to be correct, Commissioner Neece introduced

RESOLUTION NO. 4616-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-----	\$31,158.41
WATER FUND-----	6,240.39
LIBRARY FUND-----	1,722.74
BOND RED. INT. FUND-----	687.50
UNAPPORTIONED FUND-----	.99

TOTAL-----\$39,810.03

which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

3 IN THE MATTER OF
PROGRESSIVE PAYMENT
TO J. C. MEYERS ON
FIREHOUSE

Whereas City Engineer Rossi has filed with this Council a certification of amount due J. C. Meyers as progressive payment for work completed up to and including July 12, 1939 on construction of firehouse, Commissioner Barnell introduced

RESOLUTION NO. 4617-N.S.

authorizing the City Clerk and Auditor to issue warrant in amount of \$626.59 to J. C. Meyers for progressive payment on contract as aforesaid, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

4 IN THE MATTER OF
PAYMENT TO S.M. MCGAW-
PAVEMENT ON GRAND ST.

Whereas City Engineer Rossi has filed with this Council a certification of amount due contractor S.M. McGaw on paving Grand Street, being 75% of contract or \$3782.96, Commissioner Barnell introduced

RESOLUTION NO. 4618-N.S.

accepting the work as completed and authorizing the City Clerk and Auditor to draw warrant in amount \$3782.96 and record with the County Recorder notice of completion of work, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

5 IN THE MATTER OF
COMMUNICATION FROM
PERSONNEL BOARD

A communication from the Personnel Board submitting salary schedules as prepared by the department heads for employees of the City under Civil Service was read and ordered filed.

6 IN THE MATTER OF
COMMUNICATIONS
H. W. MATTHEIS

A communication from H. W. Mattheis regarding air in water pipes at his house at 1319 Morris Avenue was read and referred to the City Engineer for answer.

7 IN THE MATTER OF
NATIONAL LEAD CO.
REQUEST PARKING
SPACE

Pursuant to request by the National Lead Company for loading zone between their store, 1019 H Street and the alley, the matter was referred to City Engineer Rossi for investigation.

8 IN THE MATTER OF
REQUEST DONATION
HUMANE SOCIETY

A request for funds was received from the Modesto and Stanislaus County Humane Society. By order of the Council the City Clerk was instructed to answer letter.

9 IN THE MATTER OF
HEARING PROTEST
ESTABLISH BUSINESS
RESIDENCE ZONE
MELLIS BROS.

Whereas, pursuant to the filing of petition with the Council by Mellis Bros. to establish store at 315 McHenry Road in the residence zone and it appearing from affidavits on file that a notice setting forth the time for hearing any and all protests to the granting of the petition as prayed for and this being the time set forth and whereas the City Clerk reports that no protests either oral or written have been officially filed, Commissioner Barnell introduced

RESOLUTION NO. 4619-N.S.

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

Noes: Councilmen: None

Absent: Councilmen: None

10 IN THE MATTER OF
HEAR PROTEST ERECT
TENT-FIRST BROTHERS
CHURCH

Whereas pursuant to the filing of petition with the Council by First Brethren Church to erect tent in Block 579, lots 3 and 4 and it appearing from affidavits on file that a notice setting forth the time for hearing any and all protests to the granting of the petition as prayed for and this being the time set forth and whereas the City Clerk reports that no protests either oral or written have been officially filed, Commissioner Bates introduced

RESOLUTION NO. 4620-N.S.

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

Noes: Councilmen: None

Absent: Councilmen: None

11 IN THE MATTER OF
ESTABLISH USED CAR
LOT-EDWARD DARNER

Whereas Edward Darner has petitioned the Council to establish a used car lot at the corner of 7th & H Streets and whereas bond and application have been presented in proper form, Commissioner Barnell introduced

RESOLUTION NO. 4621-N.S.

approving bond and application and granting permission to Edward Darner to establish used car lot as prayed for, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

12 IN THE MATTER OF
AWARD BID ON RESUR-
FACING TENTH STREET

Pursuant to provisions of Resolution No. 4608-N.S. authorizing the referring of all bids on resurfacing 10th Street between F to K Streets to the City Engineer for tabulation and recommendation, Commissioner Barnell introduced

RESOLUTION NO. 4622-N.S.

awarding bid to Hayward Building Material Company at a unit price of .03¢ per square foot, total price \$4140.00 and that a contract be entered into by the City of Modesto and that the Mayor and the City Clerk be and they are hereby authorized and directed to enter into said contract, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

13 IN THE MATTER OF
BIDS ON TRAFFIC
SIGNALS

Pursuant to provisions of Resolution No. 4607-N.S. providing for the referring of all bids on furnishing the City of Modesto four two way traffic signals and four one way traffic signals to the City Engineer for consideration, Commissioner Barnell introduced

RESOLUTION NO. 4623-N.S.

rejecting all bids submitted and authorizing the City Clerk to readvertise for four one way traffic signals and four two way traffic signals, bids to be opened at the City Hall on July 26, 1939, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

14 IN THE MATTER OF
OPTICN ON ROWELL
PROPERTY

Commissioner Bates introduced

RESOLUTION NO. 4624-N.S.

authorizing the City Attorney to draw up agreement between D. E. Rowles and Helen H. Rowles and the City of Modesto for the purchase of all of Lot 4 of the LaRio Park Tract, containing 25.482 acres more or less for the sum of \$7644.60, the sum of \$3822.30 to be paid immediately upon proof of title given by sellers through the Stanislaus Abstract & Escrow Company and the balance to be paid on or before the 1st day of July, 1940, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

15 IN THE MATTER OF
APPOINTMENT OF
MARK LANDQUIST ON
PLUMBING BOARD

Commissioner Stanley introduced

RESOLUTION NO. 4625-N.S.

appointing Mark Landquist, Sanitary Inspector on the Plumbing Board as required by Ordinance No. 569-N.S. which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

16 IN THE MATTER OF
FINAL ADOPTION
ORD. 606-N.S.
BUTANE STORAGE

Ordinance No. 606-N.S. having been heretofore introduced and ordered printed and published at the regular meeting of May 24, 1939 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 defeated by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

17 IN THE MATTER OF
PAYMENT TO ELECTION
OFFICIALS

Commissioner Bates introduced

RESOLUTION NO. 4626-N.S.

authorizing the City Clerk and Auditor to draw warrants in amount \$5.00 for each official serving at the special election held on July 11, 1939 for the annexation of the Coldwell-Olivewood Tract, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

18 IN THE MATTER OF
DEPARTMENTAL REPORTS

Departmental reports for the month of June, 1939 were read and ordered filed.

19 IN THE MATTER OF
ADJOURNMENT

Commissioner Bates introduced

RESOLUTION NO. 4627-N.S.

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

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG * CITY CLERK

Clerk as signatory officials, which resolution was regularly adopted by the following vote:

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

6 IN THE MATTER OF
AUTHORIZE CITY CLERK
ADVERTISE FOR BIDS
FIRE ALARM EQUIPMENT

Commissioner Barnell introduced
RESOLUTION NO. 4629-N.S.

authorizing the City Clerk to advertise for bids on furnishing fire alarm equipment according to specifications on file in the office of the City Engineer, bids to be opened at City Hall on Wednesday, July 26, 1939, which resolution was regularly adopted by the following vote:

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

7 IN THE MATTER OF
PETITION W. H. CAPPS
OPERATE SOFT DRINK
STAND

W. H. Capps appeared before the Council and requested that he be permitted to install and maintain a soft drink stand on lots 13 and 14 in Block 345, 321 California Street, whereupon he was advised by the Council that it would be necessary for him to go through the regular procedure of obtaining permit to operate a business in the residence district.

8 IN THE MATTER OF
ADJOURNMENT

Commissioner Neece introduced
RESOLUTION NO. 4630-N.S.

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

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

ATTEST H. E. GRAGG, CITY CLERK



COUNCIL MEETING
July 26, 1939

The Council of the City of Modesto met in regular session this date at 7:30 P.M. the meeting having been called and convened as set forth in Section 1 of Ordinance No. 2-N.S.

Present: Councilmen: Barnell, Bates, Neece, Stanley, Mayor Shannon
Absent: Councilmen: None

9 IN THE MATTER OF
APPROVAL OF MINUTES

The minutes of the regular meetings of June 28th and July 12th, 1939 and of special meeting of July 5, 1939 having been heretofore read by each Councilman were approved with the exception of Resolution No. 4606-N.S. adopted at regular meeting of June 28, 1939, which was a duplication of Resolution No. 4605-N.S. calling for payment of compensation premium for year ending June 30, 1940. By order of the Council, Resolution No. 4606-N.S. was struck from the minutes.

10 IN THE MATTER OF
ORAL COMMUNICATION

E. C. Peckham, representing the Works Progress Administration appeared before the Council to determine the decision

of the Council in the matter of appointing a Recreation Committee to work with the W.P.A. This matter was laid over to a later meeting.

3. IN THE MATTER OF PROGRESSIVE PAYMENT TO JOHN C. MEYERS

Whereas City Engineer Rossi has filed statement with the Council setting forth percentage of contract completed on the construction of the Central Firehouse by Contractor John C. Meyers and statement of payment due and payable this date of \$3105.38,

Commissioner Barnell introduced

RESOLUTION NO. 4631-N.S.

authorizing payment of \$3105.38 to contractor John C. Meyers and directing the City Clerk to draw warrant in payment, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

4. IN THE MATTER OF FIRE PREVENTION

A communication from the National Fire Company No. 1, regarding "The Longest Fire Engine Run in History" was

read and referred to Chief Wallace.

5. IN THE MATTER OF REQUEST FOR WATER SERVICE-ROBERT CARLSON

A communication from H. L. Chamberlain requesting water service for Robert Carlson on lots 22 and 23 and all of lot 24 except the N 5' in Block 725 of the M & G Olivewood

Tract, outside the City limits was laid over.

6. IN THE MATTER OF REQUEST FOR WATER SERVICE-ANNA L. PEEBLER

Whereas Anna L. Peebler has made a request for water service at her house at Lucern Avenue and El Cajon, just outside the city limits pending the outcome of the election for the annexation of the Esgar Tract to the City of Modesto, Commissioner Barnell introduced

RESOLUTION NO. 4632-N.S.

granting temporary service pending the outcome of the election to be held on September 5, 1939 and recommending that the City of Modesto enter into an agreement with Mrs. Anna L. Peebler for the water service, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

7. IN THE MATTER OF LETTER-INTERNATIONAL ASS'N ELECTRICAL INSPECTORS

A communication was read from the Public Relations Committee of the International Association of Electrical Inspectors urging the attendance of the Chief Electric Inspector of the City to the annual convention of the Southwestern Section of the International Association of Electrical Inspectors to be held in San Francisco on August 14th to 17th, 1939,

whereupon Commissioner Barnell introduced

RESOLUTION NO. 4633-N.S.

authorizing the attendance of H. C. Moore, Chief Electrical Inspector to this convention and recommending that he be allowed \$25.00 for expenses, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

8. IN THE MATTER OF HEARING PROTEST ESTABLISH BUSINESS

Whereas, pursuant to the filing of petition with the Council

RESIDENCE DISTRICT
W. H. CAPPS

by W. H. Capps for permit to erect and maintain a soft drink stand on property known as 321 California Street, being lots 13 and 14 in Block 345 of the City of Modesto and it appearing from affidavit on file that a notice setting forth a time for hearing any and all protests to the granting of the petition as prayed for and whereas Mr. Capps notified the Council that the description of the property had been in error, it was the order of the Council that new petition be circulated and notice of hearing of protests be held at a later date.

9
IN THE MATTER OF
OPEN BIDS ON 4
TWO WAY TRAFFIC
SIGNS

Whereas the City Clerk was authorized to advertise for bids on four two way traffic signals to be opened at the City Hall on July 26, 1939, at this time, it was reported that five bids had been received, whereupon Commissioner Bates introduced

RESOLUTION NO. 4634-N.S.

directing that all bids be referred to the City Engineer for tabulation and recommendation, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

10
IN THE MATTER OF
OPEN BIDS ON FOUR
ONE WAY TRAFFIC
SIGNALS

Whereas the City Clerk was authorized to advertise for bids on four one way traffic signals to be opened at the City Hall on July 26, 1939, at this time it was reported that five bids had been received, whereupon Commissioner Bates introduced

RESOLUTION NO. 4635-N.S.

directing that all bids be referred to the City Engineer for tabulation and recommendation, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

11
IN THE MATTER OF
OPEN BIDS ON FIRE
ALARM EQUIPMENT

Whereas the City Clerk was authorized to advertise for bids on fire alarm equipment as per specification on file at the City Engineer's office, bids to be opened at the City Hall on July 26, 1939, at this time it was reported that one bid has been received from the Gamewell Company for \$3788.00, whereupon Commissioner Bates introduced

RESOLUTION NO. 4636-N.S.

recommending that the bid of the Gamewell Company be accepted for \$3788.00 and the City Clerk be authorized to notify them of acceptance and payment to be made immediately upon delivery of equipment and acceptance by the City Engineer, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

12
IN THE MATTER OF
APPROVE MEMO. OF
AGREEMENT $\frac{1}{4}$ GAS
TAX-HIGHWAYS

Whereas the State of California, has presented a first supplemental memorandum of agreement in accordance with a project statement submitted by the City for expenditure of the $\frac{1}{4}$ gas tax for the 1939-41 biennium allocated for State Highways in the City of Modesto, Commissioner Barnell introduced

RESOLUTION NO. 4637-N.S.

recommending that the City Council approve said agreement for expenditure of the ~~1/2~~ gas tax allocated for state highways and the Mayor and the Assistant City Clerk are directed to sign the same on behalf of the city, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

13 IN THE MATTER OF
SECRETARY OF PLUMB-
ING BOARD

Pursuant to provision of Ordinance No. 569-N.S. Plumbing regulation, Commissioner Stanley introduced

RESOLUTION NO. 4638-N.S.

appointing Chester C. Chandler on the Plumbing board to succeed Fred Hill and also appointing him as Secretary of the Plumbing Board, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

14 IN THE MATTER OF
CALLING ELECTION
ANNEX-ESGAR TRACT

Whereas petition has been presented to the Council in the proper form asking that the City of Modesto annex the Esgar Tract, Commissioner Bates introduced

RESOLUTION NO. 4639-N.S.

authorizing the holding of an election in the above described territory as provided by law, on the 5th day of September 1939, 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: Barnell, Bates, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

15 IN THE MATTER OF
REQUEST FOR "NO
U TURN SIGN AT
10th & G STREETS

A communication from Fred A. Seely signed by a number of property owners requesting that a "No U turn" sign be established at 10th and G Streets was referred to a committee appointed by Mayor Shannon composed of Chief Arington, Commissioner Stanley and City Engineer Rossi for investigation and recommendation.

16 IN THE MATTER OF
CANVASS VOTES ON
ELECTION-COLDWELL
OLIVEWOOD TRACT

Whereas, a special election was held on the 11th day of July, 1939 in the Coldwell Olivewood Tract, near the City of Modesto and whereas the City Council is now sitting as a canvassing board to canvass the results of said election and has received all of the returns from said election and finds that the same are now in proper form and have opened and canvassed the same and ascertained the results of said election as hereinafter stated, Commissioner Bates introduced

RESOLUTION NO. 4640-N.S.

certifying and declaring that the said special election held in said territory to determine whether or not said territory should be annexed to and become a part of the said City of Modesto, was regularly called, held and conducted as required by law, That the proper and complete returns thereof have been made and received by said Council; that the same have been properly canvassed; that from the returns so canvassed as aforesaid it appears and the Council so finds that at said special election, the total number of votes cast at the polls was and is 65; that the number

of votes cast at said polls in favor of annexation was and is 31, and that the number of votes cast at said polls opposed to annexation of said territory was and is 34. Said City Council, sitting as a canvassing board further finds that there were cast at said election a number of absentee ballots or votes; that the total number of absentee votes so cast was and is three; that the number of said absentee ballots or votes cast in favor of said annexation was and is 3; that the total number of absentee ballots or votes opposed to said annexation was and is none; that the total number of votes, both absentee and those votes cast at the polls at said election was and is 68; that the total number of votes, both absentee and those cast at the polls in favor of the annexation of said territory to the City of Modesto was and is 34; that the total number of votes, both those cast at the polls and absentee opposed to said annexation was and is 34; that said City Council, sitting as such canvassing board further finds that the measure to-wit, "shall the Coldwell Olivewood Tract be annexed to the City of Modesto"? did not receive the necessary plurality in favor thereof, and that therefore said measure was defeated, which resolution was regularly adopted by the following vote:
Ayes: Councilmen: Barnell, Bates, Neece, Stanley, Mayor Shannon
Noes: Councilmen: None
Absent: Councilmen: None

IN THE MATTER OF
ELECTION FOR ANNEX-
ATION OF COLDWELL
OLIVEWOOD TRACT

RESOLUTION NO. 4641A-N.S.

This being the time provided for the first regular meeting of the Council next after the expiration of three days from and after the date of an election held in the territory proposed to be annexed to the City of Modesto, known as the Coldwell Olivewood Tract, and described particularly as the following described territory lying and being in the County of Stanislaus, State of California and contiguous to the City of Modesto and particularly described as follows, to-wit:

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

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

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

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

and it appearing that said election was held within the territory proposed to be
annexed on the 11th day of July 1939, in accordance with the resolution of this
Council heretofore passed and adopted, and that after the holding of said election
the election officers thereof delivered to and deposited with the Clerk of this
Council the ballots, tally sheets and returns of said election, and it appearing
and the Council so finding that the proposition submitted at said election was
whether or not such new territory, in said resolution and hereinabove described,
shall be annexed to, incorporated in, and made a part of the municipal corporation
of the City of Modesto, and the property therein be not, after such annexation,
subject to taxation equally with the property within such municipal corporation,
to pay the bonded indebtedness of such municipal corporation outstanding at the
time of the filing of the petition asking that such election be called or thereto-
fore authorized. The Council thereupon proceeded to canvass the said returns and
upon such canvass finds that the whole number of votes cast in said territory
proposed to be annexed was 65, that the number of votes cast therein in favor of
annexation was 31, and that the number of votes cast therein against annexation
was 34. The Council of the City of Modesto further finds that the whole number
of absentee ballots or votes cast at said election was 3, that the number of
absentee ballots or votes cast therein in favor of annexation was 3; and that
the number of absentee ballots or votes cast therein against annexation was 0.
That the total number of votes, both absentee and those cast by the voters at the
polls in said territory proposed to be annexed was 68; that the total number of
votes cast in favor of annexation 34; and that the total number of votes cast
therein against annexation was 34. Thereupon, upon motion of Councilman Bates, second-
ed by Councilman Neece and adopted by the unanimous vote of the Council, it was
ordered that the foregoing record of said canvass be made and entered upon the
minutes of said Council at this meeting.

18 IN THE MATTER OF
ORD. RE: APPROPRIATE
MONEY PURCHASE REAL
PROPERTY ADDITION
TO AIRPORT

Commissioner Bates introduced an ordinance being

ORDINANCE NO. 609-N.S.

entitled: "AN ORDINANCE APPROPRIATING MONEY FOR THE
PURCHASE OF REAL PROPERTY BY 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: Barnell, Bates, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

19 IN THE MATTER OF
FINAL ADOPTION OF
ORD. NO. 607-N.S.
APPROPRIATE MONEY
PURCHASE ROWLES
PROPERTY

Ordinance No. 607-N.S. having been heretofore introduced
and ordered printed and published at the special meeting
of July 18, 1939 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: Barnell, Bates, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

20 IN THE MATTER OF
FINAL ADOPTION OF
ORD. NO. 608-N.S.
BUTANE ORDINANCE

Ordinance No. 608-N.S. having been heretofore intro-
duced and ordered printed and published at the special
meeting of July 18, 1939 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: Barnell, Bates, Neece, Stanley, Mayor Shannon
Noes: Councilmen: None
Absent: Councilmen: None

21 IN THE MATTER OF
REPORT BY CITY
ENGINEER ON LOAD-
ING ZONE REQUEST
BY NATIONAL LEAD
COMPANY

Pursuant to order of the Council, Engineer Rossi re-
ported on the request of the National Lead Company
for loading zone on H Street in front of their place
of business, near the alley between 10th and 11th
Street, whereupon the Mayor referred this matter to a committee consisting of
City Engineer Rossi, Chief Arington, and Commissioner Stanley.

22 IN THE MATTER OF
UNITED AIR LINE
SERVICE TO CITY
OF MODESTO

City Engineer Rossi reported that officials of the
United Airlines had visited the Modesto Airport and
discussed the matter of establishing Modesto as a
stopping point on the regular route through the valley. He stated that a hearing
would be held in San Francisco on August 7,8,9-1939, before the Civil Aeronautic
authority and that the United Airlines had requested that the Council adopt a
resolution indicating their desire to have a passenger, mail express and property
air service to and from Modesto and that they own, operate and maintain the
airport at Modesto, whereupon Commissioner Barnell introduced

RESOLUTION NO. 4641-N.S.

expressing the willingness of the City of Mode to to have this service and inform-
ing the Civil Aeronautic Authority that the City owns and operates their own
airport and recommending that two certified copies of this resolution be taken
to the hearing to be held in San Francisco on August 7,8,9-1939 and one certified
copy be sent to Captain R. W. Munson, United Airline official at Chicago, which
resolution was regularly adopted by the following vote:

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

23 IN THE MATTER OF
ADJOURNMENT

Commissioner Bates introduced

RESOLUTION NO. 4642-N.S.

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

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

ATTEST 
H. E. GRAGG, CITY CLERK

BOARD OF EQUALIZATION

August 7, 1939

The Council of the City of Modesto met this 7th day of August, 1939 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: Barnell, Bates, Neece, Stanley, Mayor Shannon

Absent: Councilmen: None

IN THE MATTER OF
COMPLAINT-HENRY
CROW

There was filed with the Board the following petition for adjustment:

Henry T. Crow: Oral petition for reduction of assessment on building and improvements on lots 10, 11, 12, 13, 14, 15, 16, Block 69, 11th & H Streets

This petition was taken under advisement by the Board and there being no further business before the meeting, upon motion duly made, seconded and unanimously carried, the meeting was adjourned to Tuesday, August 8, 1939, at the appointed time and place.

August 8th, 1939

Pursuant to adjournment of August 7, 1939, the Board of Equalization of the City of Modesto convened in regular session this date, and there were

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

Absent: None

There being no complaints filed for the consideration of the Board, upon motion duly made, seconded and unanimously carried, the meeting was adjourned to Wednesday, August 9, 1939, at the appointed time and place.

August 9th, 1939

Pursuant to adjournment of August 8, 1939, the Board of Equalization of the City of Modesto convened in regular session this date, and there were

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

Absent: None

There being no complaints filed for the consideration of the Board, upon motion duly made, seconded and unanimously carried, the meeting was adjourned to Thursday, August 10, 1939, at the appointed time and place.

August 10th, 1939

Pursuant to adjournment of August 9th, 1939, the Board of Equalization of the City of Modesto convened in regular session this date, and there were

Present: Councilmen: Barnell, Bates, Stanley

Absent: Councilmen: Neece and Mayor Shannon

There being no further complaints filed for the consideration of the Board, upon motion duly made, seconded and unanimously carried, the meeting was adjourned to Friday, August 11, 1939, at the appointed time and place.

August 11th, 1939

Pursuant to adjournment of August 10th, 1939 the Board of Equalization of the City of Modesto convened in regular session this date, and there were

Present: Councilmen: Barnell, Bates, Stanley
Absent: Councilmen: Neece and Mayor Shannon

There being no further petitions filed with the Board for reductions of assessments, and the petition heretofore filed having been duly considered and a careful check made of the valuation surveys and estimates, Commissioner Stanley introduced a resolution, being

RESOLUTION NO. 4643-N.S.

providing for reduction to be made in assessments of improvements on the 1939-1940 Tax Roll as follows:

Henry T. Crow: net assessed valuation of improvements on lots 13, 14, 15, 16, Block 69 to be \$87,425.00

which resolution was regularly adopted by the following vote:

Ayes: Commissioners: Barnell, Bates, Stanley
Noes: Commissioner: None
Absent: Commissioners: Neece and Mayor Shannon

There being no further business to come before the Board, and it having met and conducted its meetings as required by State Statute and the City Charter, upon motion of Commissioner Stanley, seconded by Commissioner Bates, the meeting was adjourned sine die.

APPROVED: CARL W. SHANNON, MAYOR

ATTEST: H. E. GRAGG, CITY CLERK



Council Meeting
August 9, 1939

The Council of the City of Modesto met in regular session this date at 7:30 P.M. the meeting having been called and convened as set forth in Section 1 of Ordinance No. 2-N.S.

Present: Councilmen: Barnell, Bates, Neece, Stanley, Mayor Shannon
Absent: Councilmen: None

1- IN THE MATTER OF APPROVAL OF MINUTES

The minutes of the regular meeting of July 26th, 1939 and of the Special meeting of July 18, 1939 having been heretofore read by each Councilman were approved, as so read.

2- IN THE MATTER OF CLAIMS FOR MONTH OF JULY

Claims against the City of Modesto for the month of July, 1939, having been heretofore audited by the Council and found to be correct, Commissioner Neece introduced

RESOLUTION NO. 4644-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-----	\$37,777.51
WATER FUND-----	7,998.44
LIBRARY FUND-----	1,787.23
BOND RED. INT. FUND-----	5,481.25
UNAPPORTIONED FUND 1-9-----	74.62
STREET BONDS-----	<u>14,558.30</u>
	\$67,677.35

which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

3 IN THE MATTER OF COMMUNICATION

A communication from the San Benito County Junior Chamber of Commerce regarding sales program for apricots was referred to the Chamber of Commerce.

4 IN THE MATTER OF PARKING ON TENTH STREET BETWEEN E AND F STREETS

A communication from the Milk Producers Association protesting to the two hour parking limit on west side of Tenth Street between E and F Streets, as provided by

Resolution No. 4193-N.S. was read, whereupon Commissioner Stanley introduced

RESOLUTION NO. 4645-N.S.

amending Resolution No. 4193-N.S. removing parking restrictions from the westerly side of Tenth Street between E and F Streets, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

5 IN THE MATTER OF PAYMENT OF REGISTRATION FEE BY DRIVERS OF MILK PRODUCERS ASSOCIATION

The matter of payment of registration fee by each and every driver working for the Milk Producers Association was discussed and City Attorney was directed to write

to the Driver's Association.

6 IN THE MATTER OF APPOINTMENT OF DELEGATES TO THE LEAGUE CONVENTION

Commissioner Neece introduced

RESOLUTION NO. 4646-N.S.

appointing City Engineer, City Clerk, City Attorney, Sanitary Inspector, Chief of Police, Mayor Shannon, Commissioners Stanley, Neece, Bates and Barnell as delegates to the convention of the League of California Municipalities to be held in Oakland on September 18, 19, 20, 21, 1939, each delegate limited to \$25.00 for expenses, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

7 IN THE MATTER OF PETITION AMEND ORD. NO. 512-N.S. REGULATIONS OF DOGS

A petition was presented to the Council requesting the amendment of Ordinance No. 512-N.S. regulating of dogs

in the City of Modesto so that dogs which are properly licensed and vaccinated against rabies be allowed to run at large as long as they do not become a public nuisance. This matter was laid over to a future meeting.

8 IN THE MATTER OF AWARD BIDS ON TRAFFIC SIGNALS

Commissioner Barnell introduced

RESOLUTION NO. 4647-N.S.

awarding bid on four one-way signal heads for traffic regulation to the Wille Electric

Company for \$441.46 and four two-way signal heads for \$615.02, subject to approval by the State Highway Commission and directing the City Clerk to return checks to unsuccessful bidders and to make payment on equipment when delivered and approved by the City Engineer, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

9 IN THE MATTER OF
PROGRESSIVE PAYMENT
J. C. MEYERS ON
FIREHOUSE

Whereas statement has been filed with the Council by John L. Mason, Assistant City Engineer showing per cent of work completed as of August 9, 1939 by contractor John C. Meyers on firehouse, and amount due and payable this date of \$1431.75, whereupon Commissioner Barnell introduced

RESOLUTION NO. 4648-N.S.

accepting report and authorizing the City Clerk and Auditor to draw warrant in amount of \$1431.75 payable to John C. Meyers, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

10 IN THE MATTER OF
RESURFACING TENTH
STREET FROM F TO
K STREETS

Whereas statement of completion of contract has been filed with the Council by John L. Mason for crack sealing, planing and resurfacing Tenth Street from F to K Streets by the Hayward Building Material Company and amount due as provided by contract of \$3105.00 being 75% of contract, whereupon Commissioner Barnell introduced

RESOLUTION NO. 4649-N.S.

accepting work as completed by the Hayward Building Material Company and authorizing payment of \$3105.00 and directing the Clerk and Auditor to draw warrant and to file notice of completion with the County Recorder, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

11 IN THE MATTER OF
ACCEPTANCE OF LAND
FROM MODESTO IRRIG-
ATION DISTRICT

The matter of acceptance by the City of Modesto of a 20 foot strip of land on the north side of the Modesto Irrigation District Lateral #4, located between Sycamore Avenue and McHenry Avenue from the Modesto Irrigation District was laid over to a future meeting.

12 IN THE MATTER OF
ORDINANCE RE:
APPROPRIATE MONEY
WELL-WATER PIPE

Commissioner Barnell introduced an ordinance being
ORDINANCE NO. 610-N.S.

entitled: "AN ORDINANCE APPROPRIATING MONEY AND PROVIDING FOR THE PURCHASE OF MATERIALS FOR THE DEPARTMENT OF PUBLIC WORKS OF THE CITY OF MODESTO AND APPROPRIATING MONEY AND PROVIDING FOR THE CONSTRUCTION OF A WELL." 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 following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

Ordinance No. 609-N.S. having been heretofore introduced and ordered printed and published at the regular meeting of July 26, 1939 and thereupon printed and published as

13 IN THE MATTER OF FINAL ADOPTION OF ORD. NO. 609-N.S. APPROPRIATE MONEY FOR AIRPORT

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: Barnell, Bates, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

Departmental reports for the month of July were read and ordered filed.

14 IN THE MATTER OF DEPARTMENTAL REPORTS FOR MONTH OF JULY

Commissioner Neece introduced

RESOLUTION NO. 4650-N.S.

15 IN THE MATTER OF ADJOURNMENT

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

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

COUNCIL MEETING

August 23, 1939

The Council of the City of Modesto met in regular session this date at 7:30 P.M. the meeting having been called and convened as set forth in Section 1 of Ordinance No. 2-N.S.

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

Absent: Councilmen: None

1 APPROVAL OF MINUTES

The minutes of the regular meeting of August 9, 1939 and of the Board of Equalization of August 7, 8, 9, 10, 11, 1939, having been heretofore read by each Councilman were approved as so read.

2 IN THE MATTER OF INSURANCE ON CITY EMPLOYEES

A B. Downing, representing the Aetna Group Life Insurance Company appeared before the Council and outlined a plan of group insurance for the employees of the City of Modesto.

This matter was taken under advisement.

3 IN THE MATTER OF REFUND TAXES DEWITT MARSHALL

Commissioner Bates introduced

RESOLUTION NO. 4651-N.S.

allowing soldier's exemption and refunding excess amount of taxes and penalties paid, because of failure to allow Soldier's exemption for year 1936 in amount \$12.04; on lots 21 and 22, Block 455, lots 9 and 10, Block 457, lots 42 and 43, Block 466, lots 31 to 34 Block 468 to Dewitt Marshall and the Auditor is hereby authorized to draw warrant in payment to the Modesto Title Company, representative of DeWitt Marshall, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

4 IN THE MATTER OF
PARKING NEAR CHRIS-
TIAN SCIENTIST CHURCH

A letter from the First Church of Christ Scientist requesting that diagonal parking be established near their church on 14th and H Streets was referred to Commissioner Stanley for investigation.

5 IN THE MATTER OF
LETTER FROM F.
KNORR RE: REGULA-
TIONS OF DOGS

A communication relative to regulations of dogs in the city from F. Knorr was read and ordered filed.

6 IN THE MATTER OF
GRANT PERMISSION
W.W. GIDDINGS JR.
ERECT AND MAINTAIN
SERVICE STATION
9th & G STREETS

Whereas there has been filed with the Council petition of W. W. Giddings Jr. for the erection, maintenance and operation of a super-service station of all steel construction in Block 54, westerly 80 feet lots 17, 18,

19 and 20, Commissioner Barnell introduced

RESOLUTION NO. 4652-N.S.

granting request providing that the building comply with all city regulations in this particular zone and shall be located and constructed in accordance with set backs and other regulations ~~in this particular zone and shall be located and constructed in accordance with set backs and other regulations~~ prescribed by the City Engineer, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

7 IN THE MATTER OF
ACCEPTANCE BY THE
CITY OF 20' STRIP
OF LAND FROM M.I.D.

The offer of the Modesto Irrigation District to turn over to the City of Modesto the 20' strip of land adjoining the Lateral No. 4 between Sycamore Avenue and McHenry Road was refused.

8 IN THE MATTER OF
PROGRESSIVE PAY-
MENT TO J. C. MEYERS

Commissioner Barnell introduced

RESOLUTION NO. 4653-N.S.

authorizing the City Auditor to draw warrant to J. C. Meyers, contractor of the firehouse in amount \$4126.45 as progressive payment, which resolution was regularly adopted by the following vote;

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

Noes; Councilmen: None

Absent: Councilmen: None

9 IN THE MATTER OF
ACCEPT DEED FROM
BEARD LAND & IN-
VESTMENT CO.

Whereas the City of Modesto entered into a contract with the Beard Land & Investment Company for the purchase of lots 1 and 2 in Block 2141 of Sierra Subdivision No. 2 and whereas a deed has been prepared conveying said property to the City of Modesto, Commissioner Bates introduced

RESOLUTION NO. 4654-N.S.

accepting deed and authorizing the City Auditor to draw warrant in amount \$1366.80 in payment, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

10 IN THE MATTER OF
FINAL PAYMENT S.M.
MCGAW PAVING GRAND
STREET

Whereas the City Engineer has filed with the Council,
statement of \$1260.99 due S.M.McGaw as final payment
for paving of Grand Street from D Street to Beard

Brook Bridge and whereas the necessary 35 days have elapsed and no claims have been
filed against the contractor, Commissioner Barnell introduced

RESOLUTION NO. 4655-N.S.

authorizing the City Clerk and Auditor to draw warrant in amount \$1260.99 in payment
to S. M. McGaw, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

11 IN THE MATTER OF
W.P.A. AND P.W.A.
PROJECTS

Commissioner Barnell introduced

RESOLUTION NO. 4656-N.S.

authorizing the Mayor to make, sign and execute application to the W. P.A. and/or
P.W.A. for work projects and for the allocations to said projects and during the
temporary absence of the Mayor, the Mayor pro tem shall act in the place of the
Mayor and the City Engineer shall act as the sponsor's agent in making applications
and the performance of contracts entered into, which resolution was regularly adopted
by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

12 IN THE MATTER OF
ADVERTISE FOR
WATER PIPE

Commissioner Barnell introduced

RESOLUTION NO. 4657-N.S.

authorizing the City Clerk to advertise for bids on water pipe, said bids to be
opened at the City Hall at 7:30 P.M. on Wednesday September 13, 1939, which reso-
lution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

13 IN THE MATTER OF
PARKING SPACE 11th
STREET NEAR HOTEL
COVELL

George Covell appeared before the Council requesting
an additional parking space be allowed him on 11th
Street in front of Hotel Covell, between J and K

Streets. This matter was referred to Commissioner Stanley and City Engineer Rossi.

14 IN THE MATTER OF
PARALLEL PARKING
TENTH STREET AT
J STREET

Commissioner Stanley introduced

RESOLUTION NO. 4658-N.S.

recommending that parallel parking be established on
10th Street at the J Street intersection for a distance of approximately 75 feet from
each corner, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

15 IN THE MATTER OF
RECREATION COMMISSION

Commissioner Neece introduced

RESOLUTION NO. 4659-N.S.

creating a Recreation Commission prescribing the terms of the members thereof,
organization and powers and duties of said commission, which resolution was
regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

16 IN THE MATTER OF
ACCEPT DEED FROM
IRIS KEWIN AND
AUTHORIZE PAYMENT

Whereas, Iris S. Kewin has presented deed covering the easterly 60 feet of the Westerly 117.14 feet of Lot 42 of the High Homes Tract, which purchase was authorized by Resolution No. 4587-N.S. and whereas deed is in proper form, Commissioner Bates introduced

RESOLUTION NO. 4660-N.S.

accepting deed from Iris S. Kewin and authorizing the City Auditor to draw warrant in amount \$200.00, being the full purchase price (one half of which purchase price was paid to the City of Modesto on August 17, 1939 by W.E. Scoon); directing the City Clerk to record deed with the County Recorder, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

17 IN THE MATTER OF
ORDINANCE RE:
RAX RATE 1939-40

Commissioner Neece introduced an ordinance being

ORDINANCE NO. 611-N.S.

entitled: "AN ORDINANCE FIXING THE RATE OF TAXATION IN AND FOR THE CITY OF MODESTO FOR THE FISCAL YEAR 1939-1940", 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: Barnell, Bates, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

18 IN THE MATTER OF
ORDINANCE RE:
APPROPRIATION
OF MONEY

Commissioner Barnell introduced an ordinance, being

ORDINANCE NO. 612-N.S.

entitled, "AN ORDINANCE APPROPRIATING MONEY AND PROVIDING FOR THE PURCHASE OF MATERIALS FOR THE DEPARTMENT OF PUBLIC WORKS 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: Barnell, Bates, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

19 IN THE MATTER OF
ADOPT BUDGET FOR
1939-1940

Pursuant to provisions of Section 48 of the Charter budget of estimated expenditures of the various departments of the City of Modesto for the fiscal year beginning July 1, 1939 and ending June 30, 1940 having been submitted to the Council for approval and adoption and whereas the Council has heretofore audited the said proposed budgets and made such corrections and revisions as were deemed advisable, Commissioner Neece introduced

RESOLUTION NO. 4661-N.S.

adopting budgets of the various departments as so corrected and revised, reference being made to the original copies now on file in the City Clerk's office for greater detail, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

20 IN THE MATTER OF
REQUEST FOR SEWER
SERVICE

H. E. Love appeared before the Council requesting sewer service on South Avenue outside the city limits. By order of the Council request was denied.

21 IN THE MATTER OF
TEMPORARY APPOINTMENT
OF CLERK IN POLICE
DEPARTMENT

Whereas all applicants for the position of Clerk in the Police Department have failed in the City Civil Service examination, Chief of Police Arington requested permission to retain the present employee Gladys Eller for a period not to exceed 90 days or until new examination could be given and position filled by the Council, whereupon Commissioner Bates introduced

RESOLUTION NO. 4662-N.S.

granting request of Chief Arington, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

22 IN THE MATTER OF
PAYMENT OF EXPENSES
OF H. C. MOORE
AT CONVENTION

Commissioner Neece introduced

RESOLUTION NO. 4663-N.S.

allowing expenses of \$25.00 to Harry Moore while attending Electrical Inspectors Convention as per Resolution No. 4633-N.S., which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

23 IN THE MATTER OF
CANCEL BALANCE OF
TAX SALE #2984

Commissioner Bates introduced

RESOLUTION NO. 4664-N.S.

cancelling balance of 18¢ on tax sale #2984, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

24 IN THE MATTER OF
TRAFFIC COUNT ON
9th & B STREETS

Commissioner Barnell introduced

RESOLUTION NO. 4665-N.S.

recommending that the City Engineer continue the project of making traffic survey at 9th & B Streets, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

25 IN THE MATTER OF
REPORT BY ROSSI ON
APPROVAL BY STATE
OF AWARD OF BID

Engineer Rossi reported that the State Department of Public Works had approved of award of bid of the Council on the Traffic control signals to be erected at 10th & J Streets and 9th & I Streets.

26 IN THE MATTER OF
10 MINUTE PARKING
ZONE ON H STREET

Commissioner Stanley introduced

RESOLUTION NO. 4666-N.S.

recommending the establishment of a ten minute loading zone on the first parallel parking space on the northeast corner of alley on H Street between 10th & 11th Street, which resolution was regularly adopted by the following vote;

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

Noes: Councilmen: None

Absent: Councilmen: None

27 IN THE MATTER OF
FINAL ADOPTION
ORD. NO. 610-N.S.
APPROPRIATE MONEY

Ordinance No. 610-N.S. having been heretofore

introduced and ordered printed and published at the regular meeting of August 9, 1939, and thereupon print-

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

Noes: Councilmen: None

Absent: Councilmen: None

28 IN THE MATTER OF
ADJOURNMENT

Commissioner Bates introduced

RESOLUTION NO. 4667-N.S.

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

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK



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Special Council Meeting

August 28, 1939

The Council of the City of Modesto met in special session this date at 4:30 P.M., the meeting having been called and convened as set forth in Ordinance No. 2-N.S.

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

Absent: Councilmen: None

1- IN THE MATTER OF
GRANT EXPENSION OF
TIME ON COMPLETION
OF CONTRACT TO
J. C. MEYERS

Commissioner Barnell introduced

RESOLUTION NO. 4668-N.S.

granting an extension of time for completion of contract on firehouse to J. C. Meyers, Contractor until September 15, 1939, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

2- IN THE MATTER OF
REFUSING ANGLE PARK-
ING ON 14th & H
STREETS AND ADDITION-
AL PARKING SPACE NEAR
HOTEL COVELL

Commissioner Stanley introduced

RESOLUTION NO. 4669-N.S.

refusing request of the Christian Scientist Church

for angle parking near their church on Fourteenth and H Streets and also refusing request of George Covell for additional parking space on 11th Street in front of Hotel Covell, which resolution was regularly adopted by the following vote:

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

3 IN THE MATTER OF
ADJOURNMENT

Commissioner Bates introduced
RESOLUTION NO. 4670-N.S.

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

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

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

Council Meeting,
September 13, 1939

The Council of the City of Modesto met in regular session this date at 7:30 P.M. the meeting having been called and convened as set forth in Section 1 of Ordinance No. 2-N.S.

Present: Councilmen: Barnell, Bates, Neece, Stanley, Mayor Shannon
Absent: Councilmen: None

IN THE MATTER OF
APPROVAL OF MIN-
UTES

The minutes of the regular meeting of August 23, 1939 and special meeting of August 28, 1939 having been heretofore read by each Councilman were approved as so read.

2 IN THE MATTER OF
CLAIMS FOR MONTH
OF AUGUST

Claims against the City of Modesto for the month of August, 1939, having been heretofore audited by the Council and found to be correct, Commissioner Bates introduced

RESOLUTION NO. 4671-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-----	\$34,150.47
WATER FUND-----	6,603.71
LIBRARY FUND-----	1,652.72
BOND RED. INT. FUND-----	18.75
SPECIAL GAS TAX-----	3,105.00
STREET BONDS-----	186.18
BEARD PARK IMPROVEMENT FUND-----	3,822.30
TOTAL	<u>\$49,539.13</u>

which resolution was regularly adopted by the following vote:

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

3 IN THE MATTER OF
RENTAL OF MUNICIPAL
BASEBALL PARK

Pursuant to communication from Bert Lowry requesting the exclusive use of the Municipal Ball Park for the period February 15, 1940 to March 31, 1940 for the purpose of playing a series of exhibition baseball games, it was the decision of the Council to refuse request as it was not the

policy of the Council to lease the Baseball Park exclusively to any one individual.

4 IN THE MATTER OF
REQUEST 10 MINUTE
PARKING ZONE-L. M.
MORRIS

A communication from L. M. Morris Company requesting that a 10 minute parking zone be established in front of their store at 924 Eye Street was read. The City Clerk was directed to write to L.M. Morris Company and advise them that it was not the policy of the Council to establish ten minute parking zones in the middle of the block and that they did not desire to change their system of 10 minute parking zones and/or loading zones.

5 IN THE MATTER OF
CONFERENCE TO PACI-
FIC COAST BLDG.
OFFICIALS

Commissioner Barnell introduced
RESOLUTION NO. 4672-N.S.

appointing C. L. Baker delegate to the convention of the Pacific Coast Building Officials Conference to be held in Oakland from October 3rd to 6th, 1939 and allowing him expenses not to exceed \$25.00, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent:Councilmen: None

6 IN THE MATTER OF
NATIONAL CONSTITU-
TION DAY COMMITTEE

A communication from the National Constitution Day Committee regarding Constitution Day Proclamation was referred to Attorney Fowler.

7 IN THE MATTER OF
INTERNATIONAL ASS'N
CHIEFS OF POLICE

Commissioner Stanley introduced
RESOLUTION NO. 4673-N.S.

authorizing the attendance of Police Chief E. E. Arington to the International Association of Chiefs of Police convention to be held in San Francisco, October 9,10,11 and 12, 1939 and allowing expenses of \$50.00 to Chief Arington, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent:Councilmen: None

8 IN THE MATTER OF
GEO. E. WALLACE
ATTENDANCE CONVEN-
TION

Commissioner Stanley introduced
RESOLUTION NO. 4674-N.S.

appointing Fire Chief Geo. E. Wallace delegate to the Pacific Coast Fire Chief's convention to be held in San Francisco on September 18 and 19 and the International Fire Chief's Association convention to be held in San Francisco, September 20, 21, 22, 23, 1939, and allowing him \$50.00 for expenses, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent:Councilmen: None

9 IN THE MATTER OF
PROTEST TO SERVICE
STATION 14th & H
STREETS

A petition was presented to the Council by residents near the Gilmore Oil Service Station at 14th & H Streets requesting that the noise and odors from the recapping machine at this station be considered a nuisance and that same be abated. Petition was turned over to the City Attorney for investigation.

10 IN THE MATTER OF
OPEN BIDS ON WATER
PIPE

Whereas notice to bidders having heretofore been given and published as required by law for the purchase of 2500 feet of water pipe, 6" class 150 "Transite", 2000 feet of 6 inch

class 150 seal-coated cement lined Bell and Spigot Cast Iron Water Pipe and bids in accordance with said notice to bidders having been received not later than 7:30 P.M. on Wednesday, September 13, 1939 and having been then and there opened by the Council (see BP file #177 for details of bids), whereupon Commissioner Bates introduced

RESOLUTION NO. 4675-N.S.

awarding bid on item 1 to Johns-Manville Company for \$1725.00, plus sales tax and on item 2 to the American Cast Iron Pipe Company for \$1440.00, plus sales tax, as being the lowest and best bid and authorizing the Clerk to return checks to unsuccessful bidders and to make payment on equipment as soon as delivery is made and goods accepted by the City Engineer, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

11 IN THE MATTER OF
PAYMENT TO JOHN C.
MEYERS ON FIREHOUSE

Whereas the City Engineer has filed a report with the Council of progressive payment due John C. Meyers, contractor on the firehouse in amount \$3047.97, Commissioner Barnell introduced:

RESOLUTION NO. 4676-N.S.

authorizing the payment of \$3047.07 to John C. Meyers and directing the City Clerk and Auditor to draw warrant in payment, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

12 IN THE MATTER OF
FINAL PAYMENT TO
HAYWARD BUILDING
MATERIAL COMPANY

Commissioner Barnell introduced

RESOLUTION NO. 4677-N.S.

authorizing final payment on resurfacing Tenth Street from F Street to K Street to Hayward Building Material Company, contractor, in amount \$1035.00, as 35 days lien period required by law has expired and no claims have been filed against the contractor, and authorizing the City Clerk and Auditor to draw warrant in payment, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

13 IN THE MATTER OF
ADVERTISING FOR
BIDS ON H STREET
IMPROVEMENT

Commissioner Barnell introduced:

RESOLUTION NO. 4678-N.S.

authorizing the City Clerk to advertise for bids on paving from existing pavement to existing gutters on H Street from Yosemite Avenue to West City Limits, said bids to be opened on September 27, 1939 at 7:30 P.M. at the City Hall, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

14 IN THE MATTER OF
ADVERTISING FOR
CLAY SEWER PIPE

Commissioner Barnell introduced

RESOLUTION NO. 4679-N.S.

authorizing the City Clerk to advertise for bids on vitrified Clay sewer pipe, said

bids to be opened on September 27, 1939 at 7:30 P.M. at the City Hall, which

resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

15 IN THE MATTER OF
ORDINANCE-PROHIBIT
U TURN-10th & G
STREETS

Commissioner Stanley introduced an ordinance being
ORDINANCE NO. 616-N.S.

entitled: "AN ORDINANCE AMENDING SECTION 19 OF ORDINANCE NO. 345-N.S. (TRAFFIC ORDINANCE) AND RESCINDING ORDINANCE NO. 359-N.S. ENTITLED "AN ORDINANCE AMENDING SECTION 19 OF ORDINANCE NO. 345-N.S." 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: Barnell, Bates, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

16 IN THE MATTER OF
USE OF OLD FIREHOUSE
BY RECREATION COM-
MISSION

The matter of granting permission to the Recreation Commission to use the old firehouse building after the new one is completed was laid over.

17 IN THE MATTER OF
APPOINTMENT ON
RECREATION COM-
MISSION

Commissioner Neece introduced
RESOLUTION NO. 4680-N.S.

appointing Leo Hammett from the Board of Supervisors of Stanislaus County, Mrs. Elizabeth Benkendorf of the Park Commission, and H. J. Wellman of the Modesto Board of Education to the Recreation Commission as provided by Resolution No. 4659-N.S. which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

18 IN THE MATTER OF
HOLIDAYS FOR EM-
PLOYEES NOT UNDER
CIVIL SERVICE

Commissioner Bates introduced
RESOLUTION NO. 4681-N.S.

amending Resolution No. 4192-N.S., entitled "A RESOLUTION PROVIDING FOR SICK LEAVE, VACATIONS, AND HOLIDAYS FOR EMPLOYEES OF THE CITY OF MODESTO". and recommending that all regular and permanent employees, whether under Civil Service or not should be granted, without loss of compensation, vacations, sick leave and holidays as set forth in the Rules and Regulations of the Civil Service of the City of Modesto adopted by the Council; which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

19 IN THE MATTER OF
PARALLEL PARKING
TENTH STREET-EAST
SIDE-BETWEEN K AND
L STREETS

Commissioner Stanley introduced
RESOLUTION NO. 4682-N.S.

establishing parallel parking on east side of Tenth Street, between K and L Streets, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

20 IN THE MATTER OF
PARALLEL PARKING
TENTH & F STREETS

Commissioner Stanley introduced

RESOLUTION NO. 4683-N.S.

establishing parallel parking on northeast and northwest corners of 10th & F Streets for a distance of approximately two cars, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

21 IN THE MATTER OF
STOP SIGN ON FIFTE
AND H STREET

Commissioner Stanley introduced

RESOLUTION NO. 4684-N.S.

authorizing the City Engineer to contact the State Highway Commission with regard to establishing a stop sign on the northwest corner of Fifth and H Streets, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

22 IN THE MATTER OF
ACCEPT DEED FROM
FRANK KELLEY FOR
WIDENING MORTON
BOULEVARD

Commissioner Barnell introduced

RESOLUTION NO. 4685-N.S.

accepting deed from F. S. Kelley and Amy Kelley on Block 239, lots 1, 2, 3, 4 for the continuation of Morton Boulevard, and authorizing the City Clerk to record same with County Recorder, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

23 IN THE MATTER OF
PAYMENT TO ELEC-
TION OFFICIALS

Commissioner Bates introduced

RESOLUTION NO. 4686-N.S.

authorizing payment of \$5.00 to each official serving in the election for annexation of Esger Tract to the City of Modesto and \$5.00 for rental of polling place and directing the City Clerk and Auditor to draw warrant, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

24 IN THE MATTER OF
CANVAS VOTE OF
ELECTION FOR ANNEX-
ING ESGAR TRACT

Commissioner Bates introduced

RESOLUTION NO. 4687-N.S.

IN THE MATTER OF THE ELECTION FOR THE ANNEXATION OF ESGAR TRACT. This being the time provided for the first regular meeting of the Council next after the expiration of three days from and after the date of an election held in the territory proposed to be annexed to the City of Modesto, known as the Esger Tract, and described particularly as the following described territory lying and being in the County of Stanislaus, State of California and contiguous to the City of Modesto and particularly described as follows, to-wit:

Beginning on the section line between Sections 21 and 28, T. 3S

R 9E., M.D.B & M, at the Northeasterly City Limits corner in the

intersection of Lucern Avenue, so called, and El Vecino Avenue, so called; thence N 89° 57' W, 659.26 feet, along the said section line between Sections 21 and 28, and the Northerly City Limits, in said Lucern Avenue; thence N 0° -48'-30" W, 267.24 feet; thence S 89° 47' E, 659.41 feet, to the center line of Orange Avenue, so called; thence Northerly along the said center line of Orange Avenue, a distance of 64.18 feet, to its intersection with the Northerly line of the Southerly one half of lot 3 of the Rice Colony; thence Easterly along the said Northerly line of the Southerly one half of Lots 3 of the Rice Colony, a distance of 359.74 feet; thence Southerly to a point on the said section line between Sections 21 and 28, in said Lucern Avenue, the said point being at a distance of 359.74 feet Easterly from the beginning; thence Easterly along the said section line between Section 21 and 28, in said Lucern Avenue, a distance of 474.70 feet; thence Southerly to a point on the Southerly property line of Morris Avenue, extended and produced, the said point being at a distance of 834.44 feet Easterly from the Easterly City Limits; thence Westerly along the said Southerly property line of Morris Avenue, extended and produced a distance of 834.44 feet, to the said Easterly City Limits; thence Northerly along the said Easterly City Limits, in the said El Vecino Avenue, to the beginning.

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

and it appearing that said election was held within the territory proposed to be annexed on the 5th day of September, 1939, in accordance with the resolution of this Council heretofore passed and adopted, and that after the holding of said election the election officers thereof delivered to and deposited with the Clerk of this Council the ballots, tally sheets and returns of said election, and it appearing and the Council so finding that the proposition submitted at said election was whether or not such new territory, in said resolution and hereinabove described shall be annexed to, incorporated in, and made a part of the municipal corporation of the City of Modesto, and the property therein be not, after such annexation, subject to taxation equally with the property within such municipal corporation, to pay the bonded indebtedness of such municipal corporation outstanding at the time of the filing of the petition asking that such election be called or theretofore authorized. The Council thereupon proceeded to canvass the said returns, and upon such canvass finds that the whole number of votes cast in said territory proposed to be annexed was 11; that the number of votes cast therein in favor of annexation was 11; and that the number of votes cast therein against annexation was 0.

The Council of the City of Modesto further finds that the whole number of absentee ballots or votes cast at said election was 0; that the number of absentee ballots or votes cast therein in favor of annexation was 0; and that the number of absentee ballots or votes cast therein against annexation was 0. That the total number of votes, both absentee and those cast by the voters at the

polls in said territory proposed to be annexed was 11; that the total number of votes cast in favor of annexation was 11; and that the total number of votes cast therein against annexation was 0.

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

25 IN THE MATTER OF
DETERMINING RE-
SULT OF ELECTION

Whereas, a special election was held on the 5th day of September, 1939, in the Esgar Tract, near the City of Modesto, County of Stanislaus, State of California, and contiguous to the City Limits of said City, and which territory is specifically described in a resolution canvassing the vote in said territory of even date herewith; and

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

RESOLUTION NO. 4688-N.S.

NOW THEREFORE, BE IT RESOLVED, CERTIFIED AND DECLARED by the Council of the City of Modesto that the said special election held in said territory to determine whether or not said territory should be annexed to and become a part of the said City of Modesto, was regularly called, held and conducted as required by law, that the proper and complete returns thereof have been made and received by said Council; that the same have been properly canvassed; that from the returns so canvassed as aforesaid it appears and the Council so finds that at said special election, the total number of votes cast at the polls was and is 11; that the number of votes cast at the said polls in favor of annexation was and is 11, and that the number of votes cast at said polls opposed to annexation of said territory was and is 0.

Said City Council, sitting as a canvassing board, further finds that there were cast at said election a number of absentee ballots or votes; that the total number of absentee votes so cast was and is 0; that the number of said absentee ballots or votes cast in favor of said annexation was and is 0; that the total number of absentee ballots or votes opposed to said annexation was and is 0; that the total number of votes, both absentee and those votes cast at the polls at said election was and is 11; that the total number of votes, both absentee and those cast at the polls in favor of the annexation of said territory to the City of Modesto was and is 11; that the total number of votes, both those cast at the polls and absentee, opposed to said annexation was and is 0;

That said City Council, sitting as such canvassing board, further finds that the measure, to-wit, "Shall the Esgar Tract be annexed to the City of Modesto"? did receive the necessary plurality in favor thereof, and that therefore said measure carried, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

26 IN THE MATTER OF
WATER SERVICE TO
RESIDENTS OF ESGAR
TRACT

Commissioner Barnell introduced

RESOLUTION NO. 4689-N.S.

granting water service to residents in Esgar Tract

temporarily until such time as annexation is final providing they enter into agreement with the City of Modesto to this effect, which resolution was regularly adopted by the following vote:

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

27
IN THE MATTER OF
ORDINANCE RE PUR-
CHASE OF MATERIALS

Commissioner Bates introduced an ordinance being
ORDINANCE NO. 613-N.S.

entitled, "AN ORDINANCE APPROPRIATING MONEY AND PROVIDING FOR THE PURCHASE OF MATERIALS FOR THE DEPARTMENT OF PUBLIC WORKS 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: Barnell, Bates, Neece, Stanley, Mayor Shannon
Noes: Councilmen: None
Absent: Councilmen: None

28
IN THE MATTER OF
ORDINANCE RE: ANNEX-
ING ESGAR TRACT

Commissioner Bates introduced an ordinance being
ORDINANCE NO. 614-N.S.

entitled: "AN ORDINANCE APPROVING THE ANNEXATION OF CERTAIN TERRITORY TO 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: Barnell, Bates, Neece, Stanley, Mayor Shannon
Noes: Councilmen: None
Absent: Councilmen: None

29
IN THE MATTER OF
ORDINANCE RE:
APPROPRIATE MONEY
GENERAL WELFARE
OF CITIZENS

Commissioner Bates introduced an ordinance, being
ORDINANCE NO. 615-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: Barnell, Bates, Neece, Stanley, Mayor Shannon
Noes: Councilmen: None
Absent: Councilmen: None

30
IN THE MATTER OF
FINAL ADOPTION OF
ORDINANCE NO. 611-NS
TAX RATE

Ordinance No. 611-N.S. having been heretofore introduced and ordered printed and published at the regular meeting of August 23, 1939 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: Barnell, Bates, Neece, Stanley, Mayor Shannon
Noes: Councilmen: None
Absent: Councilmen: None

31 IN THE MATTER OF
FINAL ADOPTION OF
ORD. NO. 612-N.S.
PURCHASE SEWER PIPE

Ordinance No. 612-N.S. having been heretofore introduced and ordered printed and published at the regular meeting of August 23, 1939 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: Barnell, Bates, Neece, Stanley, Mayor Shannon
Noes: Councilmen: None
Absent: Councilmen: None

32 IN THE MATTER OF
WATER BILL-C.J.
CONLEE

Unpaid water bill of G. J. Conlee, 443 Colorado Street, bill of \$9.20 was discussed by the Council and turned over to City Engineer for investigation.

IN THE MATTER OF
REPORT OF RECREATION
COMMISSION

Report of the meeting held on September 7, 1939 by the Recreation Commission was read and ordered filed.

34 IN THE MATTER OF
ACCEPTING AUDIT
FOR YEAR 1938-1939

Commissioner Neece introduced
RESOLUTION NO. 4690-N.S.

accepting audit of account of the City of Modesto for the year 1938-1939 as made by R. E. Brotherton, which resolution was regularly adopted by the following vote:

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

35 IN THE MATTER OF
LEAVE OF ABSENCE
GRANTED TO MAYOR
SHANNON

Commissioner Bates introduced
RESOLUTION NO. 4691-N.S.

granting leave of absence to Mayor Carl W. Shannon for a period of one month beginning September 26, 1939, which resolution was regularly adopted by the following vote:

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

36 IN THE MATTER OF
DEPARTMENTAL REPORTS

Departmental reports for month of August, 1939 were read and ordered filed.

37 IN THE MATTER OF
ADJOURNMENT

Commissioner Bates introduced
RESOLUTION NO. 4692-N.S.

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

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

ATTEST, H. E. GRAGG, CITY CLERK

By *Charles J. Blum*
Assistant City Clerk

Council Meeting

September 27, 1939

The Council of the City of Modesto met in regular session this date at 7:30 P.M. the meeting having been called and convened as set forth in section 1 of Ordinance No. 2-N.S.

Present: Councilmen: Barnell, Bates, Neece, Mayor Pro Tem Stanley

Absent: Mayor Shannon

1 IN THE MATTER OF APPROVAL OF MINUTES

The minutes of the regular meeting of September 13, 1939 having been heretofore read by each Councilman were approved as so read.

2 IN THE MATTER OF ORAL PETITIONS

Miss Corda Stone appeared before the Council and requested that certain trees at the southwest corner of 12th and L Streets be removed and that a permit be granted to build a curb along the sidewalk. This matter was referred to City Engineer Rossi.

3 IN THE MATTER OF BICYCLE RACK

The manager of the Modesto Theatres Inc. appeared before the Council and petitioned that they be permitted to place bicycle racks in the parking spaces next to loading zone in front of the Strand and Lyric Theatres. The matter of placing the rack off city property when not in use, was discussed and Acting Mayor Stanley appointed a committee of Commissioners Bates and Neece and Police Chief Arington and Fire Chief Wallace.

4 IN THE MATTER OF CLAIMS

Commissioner Neece introduced

RESOLUTION NO. 4693-N.S.

allowing claims of Ronald Bates for \$6.65, H. E. Gragg, for \$21.05, F. J. Rossi for \$25.00 and E. E. Arington for \$12.03, delegates to the convention of the League of California Cities and authorizing the City Clerk and Auditor to draw warrants in payment, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: Mayor Shannon

5 IN THE MATTER OF COMMUNICATIONS

A communication from Fred A Seely requesting the installation of stop warning signs in the alley between their places of business on Ninth and Tenth Streets and between F and G Streets was discussed by the Council. The matter was turned over to City Engineer Rossi and Police Chief Arington for investigation.

A communication from the Salvation Army requesting they be permitted to use a "No Parking" sign for one parking space on H Street near 9th Street to hold their services from 7:00 to 9 P.M. daily. The Council ruled that the Salvation Army should place their automobile in the third space on the northwest side of H and 9th Streets each day prior to time of service to reserve it for them to hold services.

6 IN THE MATTER OF HEARING PROTEST TO BEAUTY PARLOR-ADRIAN PERKINS

Whereas, pursuant to the filing of petition with the Council of Adrian Perkins to operate and maintain a beauty parlor at 120 McHenry Avenue, being S 37.5 feet of the N 87.5 feet of lots 44 to 49 inc., Block 568 of the City of Modesto and it appearing from affidavits on file that a notice setting forth a time for hearing any and all protests to the granting of the petition as prayed for and this being the time set forth and the City

Clerk reports that no protests either oral or written have been officially filed, whereupon Commissioner Barnell introduced

RESOLUTION NO. 4694-N.S.

granting permission to Adrian Perkins to conduct a beauty Parlor at 120 McHenry Avenue with the understanding that all provisions relative to building permit fees will be complied with, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Mayor Shannon

7
IN THE MATTER OF
BIDS ON SEWER PIPE

Whereas notice to bidders having heretofore been given and published as required by law for 1750 feet of 8 inch, 400 feet of 10 inch and 2400 feet of 12 inch Vitrified Clay Sewer Pipe and bids, in accordance with said notice having been received not later than 7:30 P.M. on Wednesday September 27, 1939 and having been then and there opened by the Council in open meeting, Commissioner Barnell introduced

RESOLUTION NO. 4695-N.S.

referring all bids to the City Engineer for tabulation and recommendation, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Mayor Shannon

8
IN THE MATTER OF
BIDS ON PAVING

Whereas notice to bidders having heretofore been given and published as required by law for extending existing pavement to curb on H Street from Yosemite Avenue to west city limits and bids in accordance with said notice having been received not later than 7:30 P.M. on Wednesday, September 27, 1939 and having been then and there opened by the Council in open meeting, Commissioner Barnell introduced

RESOLUTION NO. 4696-N.S.

referring all bids to the City Engineer for tabulation and recommendation, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Mayor Shannon

9
IN THE MATTER OF
APPROVAL AGREEMENTS
WATER SERVICE IN
ESGAR TRACT

Commissioner Barnell introduced

RESOLUTION NO. 4697-N.S.

approving application of M. L. Alcorn, Boyd Looney and Ella Taylor for water service in the EsGAR Tract, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Mayor Shannon

10
IN THE MATTER OF
WATER SERVICE CENTRAL
VALLEY PROJECT

Commissioner Bates introduced

RESOLUTION NO. 4698-N.S.

appointing Mayor pro tem and City Clerk as signatory officials on contract for water service between the United States Department of the Interior, Bureau of Reclamation and the City of Modesto at its garage located at 809 13th Street,

which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Mayor Shannon

IN THE MATTER OF
REPORT ON OLD
FIREHOUSE

City Engineer Rossi made a report on the request of the Recreation Commission to use the old firehouse. The

matter was laid over until the next meeting.

IN THE MATTER OF
FINAL ADOPTION OF
ORD. NO. 613-N.S.
WATER PIPE, ETC.

Ordinance No. 613-N.S. having been heretofore introduced and ordered printed and published at the regular meeting of September 13th, 1939 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: Barnell, Bates, Neece, Mayor pro tem Stanley

Noes: Councilmen: None

Absent: Mayor Shannon

IN THE MATTER OF
FINAL ADOPTION
ORD. NO. 614-N.S.
ESGAR TRACT

Ordinance No. 614-N.S. having been heretofore introduced and ordered printed and published at the regular meeting of September 13, 1939 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: Barnell, Bates, Neece, Mayor pro tem Stanley

Noes: Councilmen: None

Absent: Mayor Shannon

IN THE MATTER OF
FINAL ADOPTION
ORD. NO. 615-N.S.
APPROPRIATE \$24.00

Ordinance No. 615-N.S. having been heretofore introduced and ordered printed and published at the regular meeting of September 13, 1939 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: Barnell, Bates, Neece, Mayor pro tem Stanley

Noes: Councilmen: None

Absent: Mayor Shannon

IN THE MATTER OF
FINAL ADOPTION
ORD. 616-N.S. PRO-
HIBIT "U" TURN
G STREET

Ordinance No. 616-N.S. having been heretofore introduced and ordered printed and published at the regular meeting of September 13, 1939 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: Barnell, Bates, Neece, Mayor pro tem Stanley

Noes: Councilmen: None

Absent: Mayor Shannon

IN THE MATTER OF
WHOLESALE PRODUCE
LICENSE -R. V. NORRIS

R. V. Norris petitioned the Council to be permitted to pay the \$75.00 wholesale produce license required for

selling limes in the City of Modesto over a period of time at \$5.00 per week. Request was denied by the Council.

IN THE MATTER OF
REPORTS

City Attorney Fowler reported on complaint filed with the Council on service station at 14th & H Streets.

The matter was laid over to a later meeting.

Commissioner Bates, Mark Landquist, Sanitary Inspector, H. E. Gragg, City Clerk and Frank J. Rossi, City Engineer reported on the convention of the League of California Cities held in Oakland on September 18 to 21 inc, 1939.

Fire Chief Wallace reported on conventions of Fire Chiefs held in San Francisco on September 18 to 23 inc, 1939

IN THE MATTER OF
ADJOURNMENT

Commissioner Neece introduced
RESOLUTION NO. 4699-N.S.

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

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

Noes: Councilmen: None

Absent: Mayor Shannon

ATTEST

H. E. Gragg
CITY CLERK
By Charles J. Blum Asst. City Clerk

Special Council Meeting

September 28, 1939

The Council of the City of Modesto met in Special session this date at 1:30 P.M. the meeting having been called and convened as set forth in Section 2 of Ordinance No 2-N.S.

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

Absent: Mayor Shannon

IN THE MATTER OF
ACCEPT FIREHOUSE
FROM CONTRACTOR

Whereas a contract has heretofore been entered into with John C. Meyers for construction of firehouse upon 11th Street between F and G Streets in the City of Modesto and whereas all work has been completed except installation of certain slide poles to be used by the firemen and whereas slide poles cannot be installed until the Fire Department is ready to move from its present location on 10th Street to the building completed by the said John C. Meyers, Commissioner Barnell introduced

RESOLUTION NO. 4700-N.S.

accepting the firehouse constructed by John C. Meyers conditioned upon the fact that at such time as is designated by the City Engineer John C. Meyers shall install in said firehouse the slide poles called for by the plans and specifications. Be it further resolved that there be paid at this time to John C. Meyers the sum of \$850.12, which completes the 75% contract price, save and except the sum of \$200.00, which latter amount is withheld until said slide poles are installed, and be it further resolved that the City Clerk record Notice of Completion with the County Auditor, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Mayor Shannon

IN THE MATTER OF
ORD. APPROPRIATE
MONEY PURCHASE
OF TRACTOR

Commissioner Barnell introduced an ordinance being
ORDINANCE NO. 617-N.S.

entitled: "AN ORDINANCE APPROPRIATING MONEY FOR THE PURCHASE OF A TRACTOR BY 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: Barnell, Bates, Neece, Mayor pro tem Stanley

Noes: Councilmen: None

Absent: Mayor Shannon

IN THE MATTER OF
AWARD BIDS ON
SEWER PIPE

Commissioner Bates introduced

RESOLUTION NO. 4701-N.S.

awarding bid on Vitriified Clay sewer pipe to N. Clark and Sons at a price of \$2321.65 delivered trenchside, as being the lowest and best bid and authorizing the Clerk to return checks to unsuccessful bidders and to draw check in payment of merchandise as soon as delivery has been made and approved by the City Engineer, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Mayor Shannon

IN THE MATTER OF
AWARD BID ON PAVING
H STREET

Commissioner Bates introduced

RESOLUTION NO. 4702-N.S.

awarding bid on paving H Street from existing pavement to curb from Yosemite Avenue to west city limits to S. M. McGaw at a price of \$3313.50, as being the lowest and best bid and authorizing the entering into contract with successful bidder and directing the City Clerk to return checks to unsuccessful bidders, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Mayor Shannon

IN THE MATTER OF
REQUEST OF SEELEY
FOR SIGNS IN ALLEY

Commissioner Neece introduced

RESOLUTION NO. 4703-N.S.

denying request of Fred Seeley for installation of signs in the alley between F and G Streets and Ninth and Tenth Streets, between his two auto sales yards, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: Mayor Shannon

IN THE MATTER OF
ADJOURNMENT

Commissioner Bates introduced

RESOLUTION NO. 4704-N.S.

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

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

Noes: Councilmen: None

Absent: Mayor Shannon

ATTEST

H. E. GRASS
CITY CLERK

By *Ernest J. Blum* Assistant City Clerk

SPECIAL COUNCIL MEETING

September 30, 1939

The Council of the City of Modesto met in special session this date at 11:00 A.M., the meeting having been called and convened as set forth in Section 2 of Ordinance No. 2-N.S.

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

Absent: Mayor Shannon

IN THE MATTER OF
ORD. AMEND ORD.
432-N.S. WATER

Commissioner Barnell introduced an ordinance being
ORDINANCE NO. 618-N.S.

entitled: "AN ORDINANCE AMENDING ORDINANCE NO. 432-N.S. ENTITLED: "AN ORDINANCE TO PROVIDE FOR THE ADMINISTRATION OF THE WATER DEPARTMENT OF THE CITY OF MODESTO, ESTABLISHING RULES AND REGULATIONS AND FIXING THE RATES TO BE CHARGED FOR WATER SERVICE", BY CONSOLIDATING SUBSECTIONS C AND D OF SECTION 4 (INSTALLATION COSTS) and BY RENUMBERING CERTAIN SECTIONS", 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: Barnell, Bates, Neece, Mayor pro tem Stanley

Noes: Councilmen: None

Absent: Mayor Shannon

IN THE MATTER OF
WATER SERVICE RE-
QUEST FOR LA LINDA
TRACT

James D. Chreese petitioned the Council to grant water service to the La Linda Tract in anticipation of annexation to the City of Modesto. The matter was taken under advisement by the Council.

IN THE MATTER OF
INSURANCE ON EMPLOYEES
ON S. R. A. WHILE WORK-
ING FOR CITY OF MODESTO

The City Attorney was instructed to contact the insurance carriers of the City of Modesto to determine whether or not the liability and compensation policies now in force for the City of Modesto would cover employees of the State Relief Administration working on projects for the City.

IN THE MATTER OF
ADJOURNMENT

Commissioner Bates introduced
RESOLUTION NO. 4705-N.S.

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

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

Noes: Councilmen: None

Absent: Mayor Shannon

ATTEST H. E. GRADY
CITY CLERK
By Blum Assistant Clerk

~~Council Meeting~~

~~October 11, 1939~~

~~The Council of the City of Modesto met in regular session this date at 7:30 P.M. the meeting having been called and convened as set forth in section 1 of Ordinance No. 2-N.S.~~

~~Present: Councilmen: Barnell, Bates, Neece, Mayor pro tem Stanley~~

~~Absent: Mayor Shannon~~

The Council of the City of Modesto met in regular session this date at 7:30 P.M. the meeting having been called and convened as set forth in section 1 of Ordinance No. 2-N.S.

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

Absent: Mayor Shannon

IN THE MATTER OF APPROVAL OF MINUTES

The minutes of the regular meeting of September 27th, 1939 and of the special meetings of September 28th and 30th, 1939 having been heretofore read by each Councilman were approved as so read.

IN THE MATTER OF CLAIMS

Claims against the City of Modesto for the month of September, 1939, having been heretofore audited by the Council and found to be correct, Commissioner Neece introduced

RESOLUTION NO. 4706-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-----	\$30,163.92
WATER FUND-----	8,777.11
LIBRARY FUND-----	1,480.53
BOND RED. INT. FUND-----	
SPECIAL GAS TAX-----	1,035.00
STREET BONDS-----	

\$41,456.56

which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Mayor Shannon

IN THE MATTER OF CHANGE OF BUS ROUTE W. KLEINENBROICH

Whereas Willis M. Kleinenbroich has made application to the Council for change in the bus route which he is now operating under franchise granted under provisions of Ordinance No. 306-N.S. and whereas he has made application to the Council in proper form for change in route, Commissioner Neece introduced

RESOLUTION NO. 4707-N.S.

approving change of route and granting request as prayed for, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Mayor Shannon

IN THE MATTER OF COMMUNICATIONS

A communication from J. J. Garibaldi, Secretary of the Central Valley Division of the League of California Municipalities urging attendance of the Council and employees of the City to meeting at Hotel Clark in Stockton on October 19, 1939 was read and the Acting Mayor appointed Frank Rossi, Elmer Arington, H. E. Gragg as committee to make arrangements.

A communication from the American Legion regarding the annual Armistice Parade on November 11, 1939 was read and the Acting Mayor appointed

a committee of Geo. E. Wallace, Ronald E. Bates and Mark Landquist to make arrangements for the participation of the City in the parade. The matter was to be reported on at the next regular meeting of the Council.

A communication from the Board of Fire Underwriters of the Pacific regarding the leasing of the old firehouse was read and ordered filed.

A communication from the Valley Bedding and Furniture Company protesting the payment of the truck license required by Ordinance No. 495-N.S. was read and the Clerk was directed to answer letter setting forth the provisions of the Ordinance and advising them it would be necessary to pay, the license.

IN THE MATTER OF
HEARING PROTEST TO
ERECTION TENT IN
RESIDENCE ZONE
GRACE BAPTIST
CHURCH

Whereas, pursuant to the filing of petition with the Council by the Grace Baptist Church for permit to erect tent for religious purposes on property known as Block 326, lots 41, 42, 43, 44 Sierra Drive and Sunset Blvd. of the City of Modesto and it appearing from affidavit on file that a notice setting forth the time for hearing any and all protests to the granting of the petition as prayed for and this being the time set forth and whereas the City Clerk reports that no protest either oral or written have been officially filed, Commissioner Bates introduced

RESOLUTION NO. 4708-N.S.

granting permission to applicant 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: Barnell, Bates, Neece, Mayor pro tem Stanley

Noes: Councilmen: None

Absent: Mayor Shannon

IN THE MATTER OF
ACCEPT DEEDS FROM
WALTER SCOON AND
RAYMOND HATCH

Commissioner Barnell introduced

RESOLUTION NO. 4709-N.S.

accepting deed from Raymond Hatch on land to be used for extension of Frances Street and accepted deed from Walter Scoon pending approval by the City Attorney for land to be used for extension of Johnson Street, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Mayor Shannon

IN THE MATTER OF
APPROVAL AGREEMENT
EXPENDITURE $\frac{1}{4}$ GAS
TAX FUND-HIGHWAYS

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 1939-1941 biennium allocated for State Highways in the City of Modesto, Commissioner Barnell introduced

RESOLUTION NO. 4710-N.S.

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

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

Noes: Councilmen: None

Absent: Mayor Shannon

11 IN THE MATTER OF
APPROVAL AGREEMENT
EXPENDITURE 1/4% GAS
TAX FUND-STREETS OF
MAJOR IMPORTANCE

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 1/4% Gas Tax for the 1940 fiscal year allocated for State Highways in the City of Modesto, Commissioner Barnell introduced

RESOLUTION NO. 4711-N.S.

approving the said agreement for expenditure of the 1/4% Gas Tax allocated for State Highways in the City of Modesto, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Mayor Shannon

12 IN THE MATTER OF
CLERK ADVERTISE FOR
BIDS ON TRACTOR

Commissioner Barnell introduced

RESOLUTION NO. 4712-N.S.

authorizing the City Clerk to advertise for Tractor, cost of which shall not exceed the trade-in allowance of the City's TD 35 McCormick-Deering Tractor and \$1000.00, said bids to be opened at the City Clerk's office on October 25, 1939, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Mayor Shannon

13 IN THE MATTER OF
TRANSFER OF FUNDS

Commissioner Neece introduced

RESOLUTION NO. 4713-N.S.

authorizing the City Treasurer to transfer \$50,000 from the Water Fund to the General Fund, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Mayor Shannon

14 IN THE MATTER OF
MONOTTI BEQUEST
TO CITY

Commissioner Neece introduced

RESOLUTION NO. 4714-N.S.

authorizing the Mayor and/or City Clerk to sign receipt for bequest of Margherita Monotti to the City when the City Attorney has made investigation of County Records to determine if amount is correct, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Mayor Shannon

15 IN THE MATTER OF
FINAL ADOPTION
ORD. 617-N.S.
APPROPRIATE MONEY

Ordinance No. 617-N.S. having been heretofore introduced and ordered printed and published at the regular meeting of September 27, 1939 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: Barnell, Bates, Neece, Mayor pro tem Stanley

Noes: Councilmen: None

Absent: Mayor Shannon

16 IN THE MATTER OF
FINAL ADOPTION ORD.
618-N.S. AMEND ORD.
NO. 432-N.S. WATER
REGULATION

Ordinance No. 618-N.S. having been heretofore intro-
duced and ordered printed and published at the regular
meeting of September 27, 1939 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 follow-
ing vote:

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

Noes: Councilmen: None

Absent: Mayor Shannon

17 IN THE MATTER OF
"SKI-BALL" MACHINES

The proper license to cover the operation of "Ski-Ball"
machines was discussed and it was the decision of the

Council to place these under the regular business license Ordinance No. 487-N.S.
section 101.

18 IN THE MATTER OF
DEED TO M. H. THOMP-
SON LOTS 20-21 BLOCK
512

Whereas, M. H. Thompson has offered to purchase lots
20 and 21, Block 512 for the sum of \$100.00, same to
be free and clear of all city taxes and assessments

levied on the first Monday in March, 1939, Commissioner Neece introduced

RESOLUTION NO. 4715-N.S.

accepting offer and authorizing the City Clerk to draw up deed for delivery and
cancel resolution No. 4490-N.S. adopted on the 22nd day of March, 1939, which
resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Mayor Shannon

19 IN THE MATTER OF
REPORT ON S.R.A.
LABOR CONTRACT

City Attorney Fowler reported receipt of a letter from
the Pacific Indemnity Company stating that their

public liability policy written for the City of Modesto would cover labor working
for the City of Modesto under contract between the City and the State Relief
Administration.

20 IN THE MATTER OF
WATER SERVICE TO
LA LINDA TRACT

Whereas, James D. Chresse has appeared before the
Council petitioning the Council to give water service

to the LaLinda Tract just outside the east city limits pending annexation,
Commissioner Barnell introduced

RESOLUTION NO. 4716-N.S.

granting request pending annexation to the City of Modesto, which resolution was
regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Mayor Shannon

21 IN THE MATTER OF
BICYCLE PARKING
IN FRONT THEATRES

Commissioner Bates introduced

RESOLUTION NO. 4717-N.S.

authorizing the City Engineer to install signs in front of each theatre in the
City prohibiting the parking of any vehicle including bicycles in the loading zones
signs to be placed on the same post as the present "No Parking" signs, which reso-
lution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Mayor Shannon

IN THE MATTER OF
USING OLD FIREHOUSE
BUILDING

No action was taken on leasing the old firehouse to the
Recreation Commission due to the fact they had not made

formal petition to lease same and also due to the fact that the Board of Fire Under-
writers objected to having fire alarm equipment in building occupied by other than
the Fire Department.

IN THE MATTER OF
DEPARTMENTAL REPORTS
FOR MONTH OF SEPT-
EMBER

Departmental reports for the month of September, 1939
were read and ordered filed.

IN THE MATTER OF
MINUTES OF RECREA-
TION COMMISSION

The minutes of the Recreation Commission for meetings
held September 21, 1939 and October 5, 1939 were read

and ordered filed.

IN THE MATTER OF
FIRE ESCAPES AT
PRINCESS THEATRE

Commissioner Bates introduced

RESOLUTION NO. 4718-N.S.

authorizing the City Attorney to take whatever legal action is necessary to compel
the Princess Theatre to install fire escapes which resolution was regularly adopted
by the following vote:

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

Noes: Councilmen: None

Absent: Mayor Shannon

IN THE MATTER OF
COMMITTEE ON
THEATRES

Acting Mayor Stanley appointed Commissioner Neece, Fire
Chief Wallace, Commissioner Bates and City Attorney

Fowler as committee on Theatres.

IN THE MATTER OF
CONVENTION-WATER
WORKS

Commissioner Barnell introduced

RESOLUTION NO. 4719-N.S.

authorizing the attendance of City Engineer Rossi and Assistant City Engineer Mason
to the California Section of the American Water Works Association convention, which
is being held in San Francisco, October 25 to 27 inc. 1939, which resolution was
regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: Mayor Shannon

IN THE MATTER OF
ADJOURNMENT

Commissioner Bates introduced

RESOLUTION NO. 4720-N.S.

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

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

Noes: Councilmen: None

Absent: Mayor Shannon

ATTEST

H. E. BRADY
CITY CLERK

By *Elmer J. Blum* Asst. City Clerk

Special Council Meeting

October 13, 1939

The Council of the City of Modesto met in special session this date at 3:30 P.M. the meeting having been called and convened as set forth in Section 2 of Ordinance No. 2-N.S.

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

Absent: Mayor Shannon

IN THE MATTER OF
CONTRACT FOR S.R.A.

Whereas, the City of Modesto required that certain

work be done in the form of digging trenches and

laying certain sewer and water pipes and whereas, said work will be for the direct benefit and interests of all of the citizens of said city and said work is made necessary by the growth of the population of said City; and whereas, by entering into a contract with the State Relief Administration, the work of laying pipes may be done expediently and at low cost to said city, Commissioner Barnell introduced

RESOLUTION NO. 4721-N.S.

approving terms of contract with State Relief Administration and the Clerk and the Mayor and/or acting Mayor are authorized to sign contract on behalf of the City, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Mayor Shannon

IN THE MATTER OF
ADJOURNMENT

Commissioner Bates introduced

RESOLUTION NO. 4722-N.S.

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

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

Noes: Councilmen: None

Absent: Mayor Shannon

ATTEST

H.E. Gragg
CITY CLERK

By Emery Blum Asst. City Clerk

October 25, 1939

The Council of the City of Modesto met in regular session this date at 7:30 P.M. the meeting having been called and convened as set forth in section 1 of Ordinance No. 2-N.S.

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

Absent: Councilmen: None

IN THE MATTER OF APPROVAL OF MINUTES The minutes of the regular meeting of October 11, 1939 and of the special meeting of October 13, 1939, having been heretofore read by each Councilman were approved as so read.

IN THE MATTER OF PARKING SPACE FOR SALVATION ARMY ET AL Captain Engle of the Salvation Army appeared before the Council and requested that a sign be placed on H Street, near Ninth Street, stating that religious services will be held on the street between 6:00 P.M. and 9:00 P.M. each day and asked that parking space be reserved during those hours, whereupon Commissioner Stanley introduced

RESOLUTION NO. 4723-N.S.

granting request of Captain Engel and directing the City Engineer to install sign to reserve parking space between the hours of 6:00 P.M. and 9:00 P.M. for religious services, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF CLAIM BY BOYS' BAND Whereas, the Stanislaus County Boys' Band have requested payment of one half of amount budgeted by the City for them for year 1939-1940 in amount \$400.00, Commissioner Neece introduced

RESOLUTION NO. 4724-N.S.

allowing claim and authorizing the City Auditor to draw warrant in payment, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF CLAIM OF MODESTO CHAMBER OF COMMERCE Commissioner Bates introduced

RESOLUTION NO. 4725-N.S.

allowing claim of \$325.00 as provided by Ordinance No. 615-N.S. to the Modesto Chamber of Commerce and authorizing the City Clerk and Auditor to draw warrant in payment, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF CHAMBER OF COMMERCE RE: TRAFFIC A communication from the Modesto Chamber of Commerce regarding suggestions to improve traffic conditions in the City of Modesto was read and referred to the City Engineer.

IN THE MATTER OF SIGNS REGARDING ENFORCEMENT OF TRAFFIC LAWS AT ENTRANCE TO CITY Commissioner Stanley introduced

RESOLUTION NO. 4726-N.S.

recommending that the City Engineer install signs at the various entrances to the City, warning motorists that all traffic laws will be

enforced, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF
LETTER FROM BERT
LOWRY ON LEASING
MUNICIPAL BASEBALL
FIELD

A communication from Bert Lowry on leasing the Municipal baseball Field was read and referred to Commissioner Neece.

IN THE MATTER OF
GRANT PERMIT TO LUTHERAN
CHURCH FOR PARISH HALL

Whereas, pursuant to the filing of petition with the Council by the Emanuel Lutheran Church for permit to erect and operate a Parish Hall on property known as Block 451, lots 1, 2, 3, and 4 in the City of Modesto and it appearing from affidavits on file that a notice setting forth a time for hearing any and all protests to the granting of the petition as prayed for, and this being the time set forth and whereas the City Clerk reports that no protests either oral or written have been officially filed, Commissioner Barnell introduced

RESOLUTION NO. 4727-N.S.

granting permission to the Emanuel Lutheran Church to build a parish hall providing all provisions relative to building permit fees will be complied with, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF
BIDS ON TRACTORS

Whereas, notice to bidders on tractor 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, October 25, 1939 and having been then and there opened by the Council in open meeting and it appearing that two bids had been received; by order of the Council, bids were referred to the City Engineer for investigation and recommendation.

IN THE MATTER OF
RELEASE TO E.C.
DAVIS ON AUTO
ACCIDENT

Commissioner Stanley introduced

RESOLUTION NO. 4728-N.S.

authorizing the Mayor and the City Clerk to sign release for damage to police car, caused by collision, on the 15th day of September, 1939 with the car of Edward C. Davis upon payment to the Silva Garage of the sum of \$67.74, covering repairs to the Police car, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF
TRAILERS ON CITY
PROPERTY

Mayor Shannon appointed a committee of Fire Chief Wallace City Engineer Rossi, Police Chief Arington to investigate the parking of house trailers on lot 19, Block 37, property of the City and to report to the Council at their next regular meeting.

IN THE MATTER OF
ORD. RE: MONOTTI
REQUEST

Commissioner Neece introduced an ordinance, being

ORDINANCE NO. 619-N.S.

entitled: "AN ORDINANCE ACCEPTING REQUEST OF M. MONOTTI AND CREATING FUNDS FOR DISBURSEMENT OF SAME" 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: Barnell, Bates, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

13 IN THE MATTER OF
SPECIAL OFFICER
GEO. E. ENGEL

Commissioner Stanley introduced
RESOLUTION NO. 4729-N.S.

appointing Geo. E. Engel, Captain of the local branch of the Salvation Army as special police for a period of six months beginning November 1, 1939 at a salary of \$50.00 per month, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

14 IN THE MATTER OF
REPORT BY CHIEF
WALLACE ON FIRE
ESCAPES AT PRINCESS
THEATRE

Fire Chief Wallace reported to the Council that the necessary fire escapes had been installed by the Princess Theatre to meet the regulations.

15 IN THE MATTER OF
REPORTS OF COMMITTEE
ON PARADE TO BE HELD
ARMISTICE DAY

The committee appointed by the Acting Mayor to make plans for participation of the City of Modesto in the parade to be held on November 11, 1939 by the American Legion to celebrate Armistice day reported that the Mayor's car would be decorated and placed in the parade as well as one float and two pieces of fire equipment and firemen and policemen in a marching unit.

16 IN THE MATTER OF
ANNUAL REPORTS

Annual reports for the Fire Department, Public Works Department, McHenry Library and Police Court for the year ending June 30, 1939 were reviewed and ordered filed.

17 IN THE MATTER OF
ADJOURNMENT

Commissioner Bates introduced
RESOLUTION NO. 4730-N.S.

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

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. Groos
CITY CLERK

Charles J. Blum Asst. City Clerk

October 27, 1939

The Council of the City of Modesto met in special session this date at 7:30 P.M., the meeting having been called and convened as set forth in Section 2 of Ordinance No. 2-N.S.

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

Absent: Councilmen: None

IN THE MATTER OF Commissioner Bates introduced
REFUND TAXES TO RESOLUTION NO. 4731-N.S.
GEORGE PIERROU

granting refund to George Pierrou because of over assessment on real estate and improvements in Block 623, lots 4 to 7, lot 3 W 23.5 feet in amount \$9.21 for year 1939-1940 and authorizing the City Clerk and Auditor to draw check in payment, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF Joe Hart, Henry Zimmerman and P.P. Orr appeared before
RURAL FIRE PRO- the Council to discuss the matter of fire protection for
TECTION rural territory adjacent to the City of Modesto. They were instructed by the
Council to confer with Fire Chief Wallace and the engineer of the Board of Fire Underwriters.

IN THE MATTER OF A discussion was held by the Council on amending section
PICKETING ORDINANCE NO. 554-N.S. 2 and section 6 of Ordinance No. 554-N.S. entitled
"AN ORDINANCE TO REGULATE AND PROHIBIT PICKETING IN THE CITY OF MODESTO AND OTHER MATTERS REGULATING THERETO: FIXING A PENALTY FOR THE VIOLATION THEREOF, AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT THEREWITH". The matter was laid over to a future meeting.

IN THE MATTER OF At this time, Commissioner Y. G. Barnell, was granted
LEAVE OF ABSENCE leave of absence from the meeting now in session.
FROM MEETING OF
COMMISSIONER BARNELL

IN THE MATTER OF Commissioner Bates introduced
"HAM AND EGGS" RESOLUTION NO. 4732-N.S.

recommending that the Council of the City of Modesto go on record as being opposed to the "Ham and Eggs" proposition, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: Barnell

IN THE MATTER OF Commissioner Bates introduced
ADJOURNMENT RESOLUTION NO. 4733-N.S.

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

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

Noes: Councilmen: None

Absent: Councilmen: Barnell

ATTEST *H.F. Stroud* City Clerk
Edward J. Blum Asst. City Clerk

Special Council Meeting

November 3, 1939

The Council of the City of Modesto met in special session this date at 4:00 P.M., the meeting having been called and convened as set forth in Section 2 of Ordinance No. 2-N.S.

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

Absent: Councilmen: None

IN THE MATTER OF Commissioner Barnell introduced
FINAL PAYMENT TO RESOLUTION NO. 4734-N.S.
J. C. MEYERS ON
FIREHOUSE

authorizing final payment to J. C. Meyers contractor of Central Fire station in amount \$11,359.00, as 35 days ¹⁰in period has elapsed and no claims have been filed against the contractor and directing the City Clerk and Auditor to draw warrant in payment, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF Commissioner Bates introduced
AWARD BID ON RESOLUTION NO. 4735-N.S.
TRACTOR

awarding bid on tractor to Stanislaus Implement and Hardware Company, as being the lowest and best bid, at a price of \$1000.00 and authorized payment as soon as delivery has been made and directing checks to be returned to unsuccessful bidders by the City Clerk, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF Commissioner Bates introduced
PAYMENT TO F. J. RESOLUTION NO. 4736-N.S.
ROSSI ON EXPENSES
AT CONVENTION

allowing claim of \$5.00 to F. J. Rossi covering expenses while attending convention of the California Section of the American Water Works Association held in San Francisco, October 25, to 27 inc, 1939, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF A communication from Louise B. Pomeroy relative to build-
COMMUNICATIONS ing of Parish Hall by the Lutheran Emanuel Church on the
southwest corner of Stoddard and Myrtle avenues was read. No action was taken by the
Council.

IN THE MATTER OF Commissioner Bates introduced
MAYOR ISSUE PRO- RESOLUTION NO. 4737-N.S.
CLAMATION ON "HAM
AND EGGS"

recommending that the Mayor issue a proclamation to be published in the Modesto Bee, calling upon the citizens of Modesto to go to the polls on November 7, 1939 and vote and that the employers of voters urge their employees to vote and to give them sufficient time to visit the polls on election day for the purpose of voting, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF
ADJOURNMENT

Commissioner Bates introduced

RESOLUTION NO. 4738-N.S.

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

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST

HEGROSS

CITY CLERK

Edmund J. Blum Asst. City Clerk

Council Meeting

November 8, 1939

The Council of the City of Modesto met in regular session this date at 7:30 P.M, the meeting having been called and convened as set forth in section 1 of Ordinance No. 2-N.S.

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

Absent: Councilmen: None

IN THE MATTER OF
MINUTES

The minutes of the regular meeting of October 25, 1939 and special meeting of October 27, 1939, having been heretofore read by each Councilman, were approved as so read.

IN THE MATTER OF
CLAIMS FOR MONTH
OF OCTOBER

Claims against the City of Modesto for the month of October, 1939 having been heretofore audited by the Council and found to be correct, Commissioner Neece introduced

RESOLUTION NO. 4739-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-----	\$42,770.98
WATER FUND-----	4,394.63
LIBRARY FUND-----	2,236.91
BOND RED. INT. FUND-----	.88
ST. BOND RED. INT. FUND-----	719.32
UNAPPORTIONED FUND-----	
TOTAL-----	\$50,122.72

which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF
COMMUNICATIONS

A communication from the Rainbow de-nut Shop requesting permission to operate an electric phonograph after

twelve o'clock, as provided in Ordinance No. 299-N.S. at their place of business, 1313 I Street was read and request was refused by the Council.

IN THE MATTER OF
HEARING PROTEST ON
ESTABLISHMENT OF
DOCTOR'S OFFICE-
RESIDENCE DISTRICT

Whereas, pursuant to the filing of petition with the Council by Dr. F. H. Berg to operate office for Drugless Physician on property known as 214 McHenry Street, lot 25, and portion 26, Block 566 of the City of Modesto and it appearing from affidavits on file that a notice setting forth a time for hearing any and all protests to the granting of the petition as prayed for, and this being the time set forth and whereas, the City Clerk reports that no protests either oral or written have been officially filed, Commissioner Stanley introduced

RESOLUTION NO. 4740-N.S.

granting permission to Dr. F. H. Berg to operate office for drugless physician at location given above, with the understanding that all provisions relative to building permit fees will be complied with, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF
COMMITTEE REPORT
TRAILERS ON CITY
PROPERTY

Committee composed of Chief Wallace, Chief Arington and City Engineer Rossi reported on house trailers located on city property Block 37, lot 19. The matter was referred to City Attorney Fowler.

IN THE MATTER OF
ADVERTISE FOR BIDS
ON MOTOR GRADER

Commissioner Barnell introduced

RESOLUTION NO. 4741-N.S.

authorizing the City Clerk to advertise for bids on motor grader delivered f.o.b. Modesto, including sales tax, the cost of which shall not exceed the trade-in allowance of the Russell Motor Grader belonging to the City of Modesto and \$2400.00, bids to be opened at 7:30 P.M. on Wednesday, November 22, 1939, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF
SPECIFICATIONS FOR
GRADER

Commissioner Barnell introduced

RESOLUTION NO. 4742-N.S.

accepting specifications covering motor grader to be purchased by the City of Modesto as furnished by the City Engineer and recommending they be placed on file with the City Clerk, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF
PAYMENT TO S.M.
MCGAW-PAVING H
STREET

Whereas, City Engineer Rossi has filed notice of completion of Project No. 17 of Memorandum of Agreement with the State Division of Highways, paving of H Street from Yosemite Avenue to West city limits in accordance with contract, by S. M. McGaw, Commissioner Barnell introduced

RESOLUTION NO. 4743-N.S.

accepting work as completed by Contractor S. M. McGaw and authorizing payment of 75% of contract price, or \$2511.99 and directing the City Clerk and Auditor to draw warrant in payment and to record "Notice of Completion" with the County Recorder, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

9 IN THE MATTER OF
WATER SERVICE IN
LA LINDA TRACT

Commissioner Barnell introduced
RESOLUTION NO. 4744-N.S.

authorizing the City Engineer to approve applications for water service in La Linda tract before the City of Modesto enters into agreement with individuals for water service, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

10 IN THE MATTER OF
FINAL ADOPTION OF
ORD. NO. 619-N.S.
MONOTTE BEQUEST
TO CITY

Ordinance No. 619-N.S. having been heretofore introduced and ordered printed and published at the regular meeting of October 25, 1939 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: Barnell, Bates, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

11 IN THE MATTER OF
REPORTS FOR MONTH
OF OCTOBER

Departmental reports for the month of October were read and ordered filed.

12 IN THE MATTER OF
ADJOURNMENT

Commissioner Bates introduced
RESOLUTION NO. 4745-N.S.

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

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H.E. Biscoe
CITY CLERK
By Charles J. Blum Asst. City Clerk

The Council of the City of Modesto met in regular session this date at 7:30 P.M., the meeting having been called and convened as set forth in section 1 of Ordinance No. 2-N.S.

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

Absent: Councilmen: None

1 IN THE MATTER OF
MINUTES

approved as so read.

The minutes of the regular meeting of November 8, 1939, having been heretofore read by each Councilman, were

2 IN THE MATTER OF
REQUEST FOR BICYCLE
RACK-POSTAL TELE-
GRAPH COMPANY

Chief Arington and City Engineer Rossi to make an investigation as to advisability in installing a rack around the corner from their office on Eye Street.

The Postal Telegraph Company petitioned the Council to be permitted to install a bicycle rack in front of their office at 831 10th Street. This matter was referred to

3 IN THE MATTER OF
WASTE RECEPTACLES

These receptacles would have advertisements on them. He was advised that the Council would take it into consideration and advise him at a later date.

Mr. L. C. Richards of the Tredway Furniture Company appeared before the Council and petitioned them to be

4 IN THE MATTER OF
CLAIMS

allowing claim of Larmac Index for \$12.36 for books shipped to City Attorney Fowler which resolution was regularly adopted by the following vote:

Commissioner Stanley introduced
RESOLUTION NO. 4746-N.S.

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

Noes: Councilmen: None

Absent: Councilmen: None

5 IN THE MATTER OF
REQUEST MOVE GIRL
SCOUTS CLUBHOUSE

more central location, Commissioner Bates introduced

Whereas the Girl Scouts have requested permission to move their clubhouse from the Beard Brook Park to a

RESOLUTION NO. 4747-N.S.

granting request and permitting them to place building on portion of Elk Park at such location as designated by the Committee of City Engineer Rossi, City Attorney Fowler and Commissioner Neece; and it was to be understood that all expenses were to be incurred by the Girl Scouts and the City Attorney was directed to contact the Girl Scouts to advise them as to the legal angle of moving the building from the Beard Brook Park to a public Park, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

6 IN THE MATTER OF
COMMUNICATIONS

month of December, Commissioner Stanley introduced

Pursuant to receipt of request from Mrs. Patricia Malone for the privilege of displaying Christmas

trees on city owned property at the corner of 18th and LaLoma Streets during the

RESOLUTION NO. 4748-N.S.

granting request with the understanding that Mrs. Malone would leave the property in the same condition as now existed, which resolution was regularly adopted by the following vote:

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

7 IN THE MATTER OF MINUTES OF THE RE-CREATION COMMISSION

The minutes of the Recreation Commission were read and ordered filed.

8 IN THE MATTER OF LETTER FROM JUNIOR CHAMBER OF COMMERCE

A communication from the Junior Chamber of Commerce was read and ordered filed.

9 IN THE MATTER OF HEAR PROTEST ON ESTABLISHMENT OF SERVICE STATION

Whereas, pursuant to filing of petition with the Council by Frank and Joseph Vaccaro for permit to erect and maintain a service station on property known as lots 26, 27, 28, Block 423 of the City of Modesto and it appearing from affidavits on file that a notice setting forth a time for hearing any and all protest to the granting of the petition as prayed for, and this being the time set forth and whereas the City Clerk reports that no protests either oral or written have been officially filed, Commissioner Bates introduced

RESOLUTION NO. 4749-N.S.

granting permission to Frank and Joseph Vaccaro to operate and maintain a service station with the understanding that all provisions relative to building permit fees and provisions of section 1 of Ordinance No. 344-N.S. relating to construction of gasoline service stations will be complied with, which resolution was regularly adopted by the following vote:

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

10 IN THE MATTER OF COMMUNICATION FROM NATIVE DAUGHTERS

A communication from the Native Daughters requesting the presence of the Council at dedicatory services to be held for the new Stanislaus County Hall of Records on December 2, 1939 at 3:30 P.M. was read and ordered filed.

11 IN THE MATTER OF BIDS ON GRADER

Whereas plans and specifications having heretofore been filed by the City Engineer with the Council and approved by them for the purchase of a motor grader for the City of Modesto and money having previously been appropriated and being now available and notice to bidders having heretofore been given and published as required by law and bids in accordance with said notice, having been received not later than 7:30 P.M. November 22, 1939 and having been then and there opened by the Council in open meeting, Commissioner Bates introduced

RESOLUTION NO. 4750-N.S.

recommending that the bids be referred to City Engineer Rossi for investigation and tabulation, which resolution was regularly adopted by the following vote;

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

IN THE MATTER OF
ONE HOUR PARKING
SIGNS ON H STREET

Commissioner Stanley introduced

RESOLUTION NO. 4751-N.S.

authorizing the installation of one hour parking signs on the south side of H Street from 7th to 8th Street and on the north side of H Street from the alley to 7th Street, which resolution was regularly adopted by the following vote:

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

IN THE MATTER OF
APPLICATION OF
FOSTER & KLEISER
FOR OUTDOOR SIGNS

Commissioner Barnell introduced

RESOLUTION NO. 4752-N.S.

granting request of Foster & Kleiser for the installation of outdoor advertising signs in Block 440, corner 9th & Arch Streets, which resolution was regularly adopted by the following vote:

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

IN THE MATTER OF
REPORT BY ATTORNEY
ON BLOCK 37-LOT 19

City Attorney Fowler reported on Block 37, lot 19 to the Council and suggested that any offer made for the property

be accepted by the City so that it could be placed back on the tax roll and that the City Clerk contact owners of adjacent property to determine if they would make an offer on the property.

IN THE MATTER OF
ADJOURNMENT

Commissioner Bates introduced

RESOLUTION NO. 4753-N.S.

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

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

ATTEST H. E. GRAGG, CITY CLERK

By *Elmer J. Blum* Asst. City Clerk

Special Council Meeting

November 28, 1939

The Council of the City of Modesto met in special session this date at 4:00 P.M., the meeting having been called and convened as set forth in Section 2 of Ordinance No. 2-N.S.

Present: Councilmen: Barnell, Bates, Neece, Stanley, Mayor Shannon
Absent: Councilmen: None

IN THE MATTER OF
RECORD DOCUMENTS
ON ANNEXATION

Commissioner Bates introduced

RESOLUTION NO. 4754-N.S.

authorizing clerk to record documents with the County Recorder on the annexation of the Esagar Tract, which resolution was regularly adopted by the following vote:

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

IN THE MATTER OF
PAYMENT TO CALIFOR-
NIA STATE PERSONNEL
BOARD

Commissioner Bates introduced

RESOLUTION NO. 4755-N.S.

authorizing payment of two invoices in amount \$14.12 and \$16.38 to the State of California Personnel Board for administration of civil service examinations and directing the City Clerk and Auditor to draw warrant in payment of claims, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF
SEWER SERVICE TO
WILSON SCHOOL

Whereas the Board of Education of the City of Modesto

has requested that the City furnish sewer service to the Wilson school located near the easterly city limits, off the Waterford Road, Commissioner Barnell introduced

RESOLUTION NO. 4756-N.S.

recommending that the City of Modesto extend an 8" sewer line easterly on LaLoma Street to the center of the alley in Block 232 to connect with the sewer which is to be installed by the Board of Education from the Wilson School, the connection fee is to be \$25.00, annual rate and cost of maintenance is to be determined by the Engineer and reported to the Board of Education, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF
ADJOURNMENT

Commissioner Bates introduced

RESOLUTION NO. 4757-N.S.

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

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST

H.E. GROSS
City Clerk

By Edmer J. Plum Asst. City Clerk

Special Council Meeting

December 6, 1939

The Council of the City of Modesto met in special session this date at 4:00 P.M. as provided by Section 2 of Ordinance No. 2-N.S.

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

Absent: Councilmen: None

IN THE MATTER OF
AWARD ON GRADER

Commissioner Bates introduced

RESOLUTION NO. 4758-N.S.

recommending that award be made to the J. D. Adams Company on motor grader as per specification furnished at a net price of \$2372.50 pending approval by the California State Department of Public Works, Division of Highways and that a check be drawn by the City Auditor and Clerk in payment when acceptance has been approved by the City Engineer and bidding checks be returned to unsuccessful bidders,

which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

2 IN THE MATTER OF
REPORT ON SEWER AT
WILSON SCHOOL

Commissioner Barnell introduced

RESOLUTION NO. 4759-N.S.

accepting report as given by Engineer Rossi on charges to be made to the Modesto Board of Education for sewer connections and maintenance of equipment and power for operation of the 8" line to Wilson School from Block 232 and recommended that the City of Modesto enter into an agreement with the Modesto Board of Education for this service, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

3 IN THE MATTER OF
WATER SERVICE TO
STANISLAUS COUNTY
COURTHOUSE AND
HOSPITAL

Commissioner Barnell introduced

RESOLUTION NO. 4760-N.S.

recommending that a standby minimum charge of \$5.50 for the Stanislaus County Courthouse and a minimum standby charge of \$5.50 for the Stanislaus County Hospital be made for water service and the rates as set up by the City Engineer for daily charges be approved and a copy of this resolution be submitted to the Stanislaus County Board of Supervisors, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

4 IN THE MATTER OF
ADJOURNMENT

Commissioner Bates introduced

RESOLUTION NO. 4761-N.S.

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

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GREGG CITY CLERK

By Elmer J. Blum Asst. City Clerk

COUNCIL MEETING

December 13, 1939

The Council of the City of Modesto met in regular session this date at 7:30 P.M. the meeting having been called and convened as set forth in Section 1 of Ordinance No. 2-N.S.

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

Absent: Councilmen: None

1 IN THE MATTER OF
MINUTES

The minutes of the regular meeting of November 22, 1939 and special meeting of November 28, 1939 having been heretofore read by each Councilman were approved with the exception of Resolution No. 4752-N.S. adopted at regular meeting of November 22, 1939, entitled "A RESOLUTION

GRANTING REQUEST OF FOSTER & KLEISER FOR INSTALLATION OF OUTDOOR ADVERTISING SIGNS IN BLOCK 440-CITY OF MODESTO", whereupon Commissioner Bates introduced

RESOLUTION NO. 4762-N.S.

correcting Resolution No. 4752-N.S. to grant permit to Foster & Kleiser to erect sign to be used by the Modesto Irrigation District only, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

2 IN THE MATTER OF CLAIMS FOR MONTH OF NOVEMBER

Claims against the City of Modesto for the month of November, 1939 having been heretofore audited by the Council and found to be correct, Commissioner Bates introduced

RESOLUTION NO. 4763-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-----	\$32,542.34
WATER FUND-----	5,394.04
LIBRARY FUND-----	1,720.49
BOND RED. INT. FUND-----	1.55
ST. BOND RED. INT. FUND-----	
UNAPPORTIONED FUND-----	
GASOLINE TAX FUND-----	2,511.99
TOTAL-----	\$42,170.41

which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

3 IN THE MATTER OF BILLBOARD

Commissioner Stanley introduced

RESOLUTION NO. 4764-N.S.

directing the City Clerk to notify Foster & Kleiser that permit was granted to them to erect billboard in Block 440 only upon the condition that it be used by the Modesto Irrigation District, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

4 IN THE MATTER OF FINAL PAYMENT TO S.M.MCGAW ON PAVING H STREET

Commissioner Barnell introduced

RESOLUTION NO. 4765-N.S.

authorizing final payment to S.M.McGaw on paving west end of H Street and directing the City Clerk to draw check in amount \$837.33 in payment, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF
COMMUNICATIONS

A communication from James H. McCaffrey requesting that he be granted sewer service by City of Modesto for his new home under construction in the La Linda subdivision near the City of Modesto, was turned over to the City Engineer for investigation.

A communication from the State of California, Department of Public Works regarding allocation of the gas tax funds to incorporated cities of the state was read and ordered filed.

IN THE MATTER OF
PERMIT GRANTED TO
DR. N. B. GOULD

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

Dr. N. B. Gould: to erect and maintain an addition to present business and office building to be used for doctor's offices on property known as lots 21 and 22, Block 113, and it appearing from affidavits on file that a notice setting forth a time for hearing any and all protests to the granting of the petition as prayed for, and this being the time set forth and whereas the City Clerk reports that no protests either oral or written have been officially filed, Commissioner Barnell introduced

RESOLUTION NO. 4766-N.S.

granting permission to Dr. N. B. Gould 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: Barnell, Bates, Neece, Stanley, Mayor Shannon
- Noes: Councilmen: None
- Absent: Councilmen: None

IN THE MATTER OF
ACCEPT PLANS ON
PAVING EAST END
H STREET

Commissioner Barnell introduced

RESOLUTION NO. 4767-N.S.

accepting plans and specifications for improvement on H Street from High Street easterly to city limits as presented by the City Engineer and placed on file with the City Clerk, which resolution was regularly adopted by the following vote:

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

IN THE MATTER OF
BIDS ON PAVING
H STREET

Commissioner Barnell introduced

RESOLUTION NO. 4768-N.S.

authorizing the City Clerk to advertise for bids on paving H Street from High Street to east city limits, bids to be opened at 7:30 P.M. on Wednesday, December 27, 1939, which resolution was regularly adopted by the following vote:

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

IN THE MATTER OF
BIDS ON WATER PIPE

Commissioner Barnell introduced

RESOLUTION NO. 4769-N.S.

authorizing the City Clerk to advertise for bids on 12 inch, 8 inch, 6 inch and 4 inch cast iron pipe, bids to be opened at 7:30 P.M. on Wednesday, December 27, 1939, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

10 IN THE MATTER OF
BICYCLE RACK FOR
POSTAL TELEGRAPH
COMPANY

Commissioner Stanley introduced

RESOLUTION NO. 4770-N.S.

granting permission to the Postal Telegraph Company to install a bicycle rack for their messengers in space before first parking space at the intersection of the alley on I Street, between 9th and 10th Streets on the southeast side, providing they enter into an agreement with the City of Modesto to assume all liability, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

11 IN THE MATTER OF
WASTE RECEPTACLES

Commissioner Stanley introduced

RESOLUTION NO. 4771-N.S.

recommending that the City Council refuse request of L. C. Richards to install waste receptacles on the street corners in the business district, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

12 IN THE MATTER OF
BICYCLE RACK FOR
WESTERN UNION

Commissioner Stanley introduced

RESOLUTION NO. 4772-N.S.

recommending that the City Attorney prepare agreement to be entered into by the City of Modesto and the Western Union, wherein the Western Union agree to assume all liability on bicycles belonging to messengers parked in space on 10th Street near H Street, which parking space has previously been granted to them by the Council, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

13 IN THE MATTER OF
OFFER ON BLOCK
587-Lots 9 & 10

Charles D. Swan offered to purchase lots 9 and 10,

Block 587. This offer was referred to a committee

appointed by the Mayor composed of Commissioner Barnell, City Engineer Rossi and City Clerk Gragg.

14 IN THE MATTER OF
MINUTES OF RECREA-
TION COMMISSION

Minutes of Recreation Commission were turned over to Commissioner Neece.

15 IN THE MATTER OF
SALARY TO EMPLOYEE
AUTHORIZED

Commissioner Bates introduced

RESOLUTION NO. 4773-N.S.

authorizing the City Auditor to pay Mary Louise Brady the sum of \$90.00 per month as salary for services as Clerk in the Tax and License Department, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF
DEPARTMENTAL REPORTS
FOR MONTH OF NOVEMBER

Departmental reports for the month of November were
read and ordered filed.

IN THE MATTER OF
ADJOURNMENT

Commissioner Bates introduced

RESOLUTION NO. 4774-N.S.

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

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST

H. E. Gross
CITY CLERK
By Olmer J. Blum Asst. City Clerk

Special Council Meeting

December 20, 1939

The Council of the City of Modesto met in special session
this date at 4:00 P.M. the meeting having been called as provided by Section 2 of
Ordinance No. 2-N.S.

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

Absent: Councilmen: None

1 IN THE MATTER OF
TRAILER ORDINANCE

A general discussion was held on the adoption of a trailer
ordinance.

2 IN THE MATTER OF
THEATRES

The adoption of proposed ordinance governing the theatres
was laid over until such a time as Chief Wallace could
contact the State Fire Marshall to determine the state laws on the operation of
theatres.

3 IN THE MATTER OF
GRANT FREE WATER
FOR BOYS BROTHER-
HOOD BUILDING

Commissioner Barnell introduced

RESOLUTION NO. 4775-N.S.

granting free water to the Boys Brotherhood of Republic
at their building at 708 L Street from July 13, 1939, which resolution was regularly
adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

4 IN THE MATTER OF
CLERK ADVERTISE
FOR BIDS-TRAFFIC
SIGNALS

Commissioner Barnell introduced

RESOLUTION NO. 4776-N.S.

authorizing the City Clerk to advertise for bids on Vehicle
Detectors; and semi-vehicle actuated traffic signal units, bids to be opened on January
10, 1940, at the City Hall, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

5 IN THE MATTER OF
RELOCATION OF
JENNIE STREET

Commissioner Barnell introduced

RESOLUTION NO. 4777-N.S.

authorizing the City Engineer to make all arrangements with the State Department of Public Works, Division of Highways, for the relocation of Jennie Street in the City of Modesto, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

6 IN THE MATTER OF
ORDINANCE SELL OLD
EQUIPMENT

Commissioner Barnell introduced an ordinance, being

ORDINANCE NO. 620-N.S.

entitled: "AN ORDINANCE PROVIDING FOR THE SALE OF USELESS PERSONAL PROPERTY", 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: Barnell, Bates, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

7 IN THE MATTER OF
PISTOL RANGE

Mr. Cecil Jones of the Modesto Interurban Company appear-

ed before the Council and offered to give a clear deed

to the Pistol Range located near Beard Brook Park to the City of Modesto providing the taxes now due on Block 79, lots 17 to 32 inc. and Block 80, lots 17 to 32 inc. were cancelled. This matter was taken under advisement.

8 IN THE MATTER OF
MODESTO BASEBALL
PARK

Commissioner Neece introduced

RESOLUTION NO. 4778-N.S.

recommending that the City of Modesto enter into an agreement with Stanley Sanders, Manager of the Modesto Reds Baseball Club for leasing the Municipal Baseball Park for the season of 1940 on the same arrangements as last season, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

9 IN THE MATTER OF
ADJOURNMENT

Commissioner Neece introduced

RESOLUTION NO. 4779-N.S.

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

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST

H. E. CROSS
CITY CLERK
By Chas. J. Blum Asst. City Clerk

Council Meeting

December 27, 1939

The Council of the City of Modesto met in regular session this date at 7:30 P.M. the meeting having been called and convened as set forth in section 1 of Ordinance No. 2-N.S.

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

Absent: Councilmen: None

1 IN THE MATTER OF MINUTES

The minutes of the regular meeting of December 13, 1939 having been heretofore read by each Councilman were approved as so read.

2 IN THE MATTER OF SALE OF BLOCK 587- LOTS 9 and 10

The offers of G. B. Ghilotti and Chas D Swan for tax deed on Block 587, lots 9 and 10 were laid over until the next

meeting.

3 IN THE MATTER OF CITY OFFER COUNTY \$25.00 FOR TAX DEED

Commissioner Stanley introduced

RESOLUTION NO. 4780-N.S.

recommending that the City of Modesto offer Stanislaus County \$25.00 for tax deed on Block 587, lots 9 and 10, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

4 IN THE MATTER OF SEWER SERVICE JAMES H. MCCAFFREY

Pursuant to request of James H. McCaffrey for sewer service in La Linda Tract, Commissioner Barnell introduced

RESOLUTION NO. 4781-N.S.

recommending that sewer service be granted to James H. McCaffrey providing he agreed to pay for cost of installing sewer to his residence and providing he agrees that the City may request discontinuance of the sewer service or impose \$5.00 per month charge of rental in the event the territory does not become a part of the City of Modesto, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

5 IN THE MATTER OF BIDS ON PAVING EAST END OF H STREET

Pursuant to advertising for bids on improvement of H Street from High Street to east City limits and this being the time set for opening the bids, Commissioner Bates introduced

RESOLUTION NO. 4782-N.S.

referring all bids to the City Engineer for recommendation, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

6 IN THE MATTER OF BIDS ON PIPE

Pursuant to advertising for bids on cast iron pipe and this being the time set for opening bids, Commissioner

Bates introduced

RESOLUTION NO. 4783-N.S.

referring all bids to the City Engineer for recommendation, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

7 IN THE MATTER OF
DEED ON PISTOL
RANGE

The request of the Modesto Interurban Company to deed to the City of Modesto the Pistol Range located outside the city near Beard Brook Park in exchange for cancellation of taxes due on Block 79, lots 17 to 32 inc. and Block 80, lots 17 to 32 inc., in the City of Modesto was laid over to a future meeting.

8 IN THE MATTER OF
REAPPOINTMENT OF
A. A. FIELDS ON
PLANNING COMMISSION

Commissioner Barnell introduced
RESOLUTION NO. 4784-N.S.

reappointing A. A. Fields on Planning Commission for a period of four years from January 9, 1940, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

9 IN THE MATTER OF
APPOINTMENTS TO
RECREATION COM-
MISSION

Commissioner Neece introduced
RESOLUTION NO. 4785-N.S.

appointing Mrs. James L. Singleton and Mrs. Margaret Gettys Hall as members of the Recreation Commission, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

10 IN THE MATTER OF
ORDINANCE RE:
TRAILERS

Commissioner Stanley introduced an ordinance being
ORDINANCE NO. 621-N.S.

entitled: "AN ORDINANCE REGULATING THE CONDUCT OF CAMP CARS AND/OR TRAILERS 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: Barnell, Bates, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

11 IN THE MATTER OF
ANNEXATION OF MUNI-
CIPAL BASEBALL FIELD
TO CITY OF MODESTO

Commissioner Neece introduced
RESOLUTION NO. 4786-N.S.

recommending that the Council go on record as advocating the annexation of the Modesto Municipal Baseball Field and that portion of the Modesto Municipal Golf Course outside the city limits, to the City of Modesto and does further resolve that a petition be presented to the Board of Supervisors of the Stanislaus County requesting that annexation be effected in the manner provided for by the laws of the State of California, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF
ANNUAL REPORT OF
POLICE DEPARTMENT

Commissioner Stanley introduced

RESOLUTION NO. 4787-N.S.

accepting annual report of the Police Department, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF
REPORT BY CHIEF
WALLACE OF THEATRE
ORDINANCE

Chief Wallace reported that he had contacted the State Fire Marshall regarding state rules and regulations on theatres and he would send a representative to explain

these to the Council.

IN THE MATTER OF
LEAGUE OF CALIFOR-
NIA CITIES

Commissioner Stanley introduced

RESOLUTION NO. 4788-N.S.

directing the City Clerk to send a copy of all minutes of the Council to the League of California Cities, as well as copies of all ordinances, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF
INCREASE IN SALARY
OF VARIOUS EMPLOYEES

Commissioner Barnell introduced

RESOLUTION NO. 4789-N.S.

setting salary of A. O. Carley at \$175.00 per month and Claude A Waldo at \$165.00 and W. S. Brown at \$4.50 per day as of January 1, 1940, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF
ADJOURNMENT

Commissioner Bates introduced

RESOLUTION NO. 4790-N.S.

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

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST

H.E. Cross
CITY CLERK
By Charles J. Blum Asst. City Clerk