

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 27, 1939 and the special meeting of December 20, 1939 having been heretofore read by each Councilman were approved as so read.

2 IN THE MATTER OF ORAL COMMUNICATIONS Mr. E. J. Bryan of the Modesto Building and Loan Company appeared before the Council requesting that signs be placed in the rear of their place of business, 821 10th Street to prohibit cars parking in the alley and preventing them from removing their own cars from the parking space in the rear of their building. This matter was taken under advisement.

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

RESOLUTION NO. 4791-N.S.

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

GENERAL FUND-----	\$26,097.01
WATER FUND-----	3,587.91
LIBRARY FUND-----	1,790.04
BOND RED. INT. FUND-----	3,187.50
SPECIAL GAS TAX-----	<u>837.33</u>
TOTAL-----	\$35,499.79

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 WISHING WELL AT 10th & I STREETS A communication from the Junior Chamber of Commerce was received by the Council, wherein they request that they be permitted to install a "Wishing Well" at the corner of Tenth and I Streets, beginning January 15th, through January 30, 1940, for the purpose of collecting funds for the National Foundation for Infantile Paralysis, whereupon Commissioner Bates introduced

RESOLUTION NO. 4792-N.S.

granting request of the Junior Chamber of Commerce, 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 TRAFFIC SIGNALS Pursuant to advertising for bids on Vehicle Detectors;

and semi-vehicle actuated traffic signal controller with traffic signal units and this being the time set forth for the opening of bids, the City Clerk reports two bids on file, whereupon Commissioner Bates introduced

RESOLUTION NO. 4793-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, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF
AWARD BID ON IMPROVE-
MENT OF H STREET FROM
HIGH STREET TO EAST
CITY LIMITS

Pursuant to referring of bids on improving H Street from High Street to east city limits to the City Engineer for tabulation and recommendation, Commissioner Barnell, intro-

duced

RESOLUTION NO. 4794-N.S.

awarding bid to S. M. McGaw Company at a total bid of \$9998.40 and authorizing the entering into contract with the successful bidder and return of checks 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

IN THE MATTER OF
AWARD BID ON CAST
IRON PIPE

Pursuant to referring of bids on cast iron pipe to the City Engineer for tabulation and recommendations,

Commissioner Barnell introduced

RESOLUTION NO. 4795-N.S.

awarding bid on item No. 1 to the American Cast Iron Pipe Co., total bid \$2240.81 and on item 2 to the Johns-Manville Sales Corporation, total price \$1472.37, less 2% and authorized the City Clerk to return bidding checks to unsuccessful bidders and to pay for equipment as soon as received and approved by the engineer, 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
APPROVING MEMO OF
AGREEMENT FOR EX-
PENDITURE OF $\frac{1}{4}$ %
GAS TAX HIGHWAYS

Whereas, the State of California, through its Department of Public Works, Division of Highways, has presented a third supplemental memorandum of agreement in accordance with a project statement submitted by the City for expenditure of the $\frac{1}{4}$ % Gas Tax for the 1939-41 biennium allocated for State Highways in the City of Modesto and whereas the City Council has heard read said agreement in full and is familiar with the contents thereof, Commissioner Barnell introduced

RESOLUTION NO. 4796-N.S.

approving said agreement for the expenditure of the $\frac{1}{4}$ % Gas Tax allocated for State Highways and the Mayor and the City Clerk are directed to sign the same on behalf of said City, 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
S. R. A. PROJECTS

Whereas the City of Modesto required that certain repairs and improvement work be done in connection with city owned and operated utilities and said work will be for the direct benefit and interest of all of the citizens of said city and said work is necessary and whereas by entering into a contract with the State Relief Administration, an agency of the State of California, such work may be done expediently and at low cost to said city, Commissioner Barnell introduced

RESOLUTION NO. 4797-N.S.

approving the terms of the contract and does authorize the City Clerk and the Mayor of said City to sign said contract on behalf of said city and by said action bind said city by the terms therein stated, 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
ADVERTISE FOR BIDS
ON USELESS CITY
PERSONAL PROPERTY

Commissioner Barnell introduced

RESOLUTION NO. 4798-N.S.

authorizing the City Clerk to advertise for bids on useless personal property belonging to the City of Modesto, sale to be held on Friday, January 26, 1940 at 9:00 o'clock A.M. 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
PURCHASE OF COUNTY'S
INTEREST, BLOCK 587,
LOTS 9 and 10

Commissioner Bates introduced

RESOLUTION NO. 4799-N.S.

recommending that the City of Modesto enter into a written contract for the purchase of the County's interest in Block 587, lots 9 and 10 for the sum of \$25.00 and that the Mayor and City Clerk be authorized and empowered to sign such instruments as will be necessary to carry out the effect and purpose herein set forth, 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 ADOPTION ORD.
NO. 620-N.S. SALE
USELESS PERSONAL
PROPERTY

Ordinance No. 620-N.S. having been heretofore introduced and ordered printed and published at the special meeting of December 20, 1940, 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

13 IN THE MATTER OF
FINAL ADOPTION OF
ORD. NO. 621-N.S.
REGULATION OF TRAILERS

Ordinance No. 621-N.S., having been heretofore introduced and ordered printed and published at the regular meeting

of December 27, 1940, 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

1939-1940 in amount \$2000.00 so that necessary fire alarm equipment may be purchased, 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
ORD. APPROPRIATE
MONEY-FIRE ALARM
EQUIPMENT-POLICE
AUTOMOBILE

Commissioner Stanley introduced an ordinance being

ORDINANCE NO. 622-N.S.

entitled: "AN ORDINANCE APPROPRIATING MONEY FOR THE

IMPROVEMENT AND RECONSTRUCTION OF FIRE DEPARTMENT EQUIPMENT AND FOR THE PURCHASE OF AN AUTOMOBILE FOR THE POLICE DEPARTMENT" 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

3
IN THE MATTER OF
ADJOURNMENT

Commissioner Bates introduced

RESOLUTION NO. 4804-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. B. GRAGO, CITY CLERK

By *Charles J. Blum* Asst City Clerk

Council Meeting,

January 24, 1940

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 January 10, 1940 having been heretofore read by each Councilman were

approved with the exception of the vote on Ordinance No. 621-N.S., which should read as follows:

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

Noes: Councilmen: Neece

Absent: Councilmen: None

2
IN THE MATTER OF
ORAL COMMUNICATIONS

Mr. C. R. Strunkard, representative of the Works Progress Administration appeared before the Council to petition the Council to permit trucks from out of town to make delivery of merchandise to their Sanitary Project without paying a truck license. This matter was taken under advisement.

3
IN THE MATTER OF
CLAIMS

The claim of the Modesto Auto Wrecking Company for

pulling a car out of a ditch was denied by the Council.

✓ IN THE MATTER OF
COMMUNICATIONS

A communication from Mrs. Hu Jones protesting the establishment of a church building by the Nazarenes next to her property at 208 Rose Street was read and the Clerk was ordered to notify her that permit would not be granted to the church.

5 IN THE MATTER OF
PETITION ESTABLISH
STREET LIGHT

Whereas a petition has been filed with the Council by residents of the John Muir District to establish a street light at the corner of John Muir Court, Morris Avenue and El Cajon Streets by order of the Council, the City Clerk was instructed to notify the petitioners that street light would be established in the very near future as provisions had been made in the budget for this.

6 IN THE MATTER OF
10 MINUTE PARKING
SPACE 11th & J
STREETS

Commissioner Stanley introduced

RESOLUTION NO. 4805-N.S.

establishing 10 minute parking zone on the first parking space at the intersection of J and Eleventh Streets on the southeasterly side of J Street, northeasterly from the easterly property corner of the intersection of 11th and J Streets and rescinding that portion of Resolution No. 3820-N.S. which has heretofore created a ten minute parking area at the intersection of 11th and J Streets, and more particularly upon 11th Street at the southeasterly corner of the intersection formed by 11th and J Streets, 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
CLERK ADVERTISE FOR
BIDS ON FIRE ALARM
EQUIPMENT AND AUTO
FOR POLICE DEPT.

Commissioner Bates introduced

RESOLUTION NO. 4806-N.S.

authorizing the City Clerk to advertise for bids on fire alarm equipment and a car for the Police Department, said bids to be opened February 14, 1940 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
RESCIND RES. 4729-N.S.
SALVATION ARMY

Commissioner Stanley introduced

RESOLUTION NO. 4807-N.S.

rescinding Resolution No. 4729-N.S. entitled "A RESOLUTION APPOINTING GEO. E. ENGEL SPECIAL POLICE OF THE POLICE DEPARTMENT OF THE CITY OF MODESTO FOR A PERIOD OF SIX MONTHS AT A SALARY OF \$50.00 PER MONTH BEGINNING NOVEMBER 1, 1939" and appointing Mary E. Smith as special police to serve until June 1, 1940 at a salary of \$50.00, 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. 4808-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. GRAGG, CITY CLERK
By *Charles J. Blum* Asst. City Clerk

Special Council Meeting
January 29, 1940

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 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 ANNEXATION OF OLIVEWOOD TRACT A committee of residents of the Olivewood Tract appeared before the Council to discuss the matter of annexation of this tract to the City of Modesto. They were instructed by the Council to proceed with the circulation of petition for annexation.

2 IN THE MATTER OF RECREATION COMMISSION The Recreation Commission appeared before the Council and asked permission to use the old firehouse building, 715 10th Street for a recreation center for the young people of the City. Talks were given by Evelyn Mitchell, Mr. H. Wellman, Mr. Leo Hammett, Mrs. Margaret Gettys Hall and Miss Robertson about the advantages to be gained by the youth of the community in having a recreation center. The matter was taken under advisement by the Council.

3 IN THE MATTER OF ADJOURNMENT Commissioner Neece introduced RESOLUTION NO. 4809-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 *Charles J. Blum* Asst. City Clerk

Special Council Meeting
February 8, 1940

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 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 SECRETARY OF COUNCIL Due to absence of City Clerk H. E. Gragg, by order of the Council, Anne M. Collins was appointed secretary of the Council for this meeting.

2 IN THE MATTER OF
DISCUSSION OF RULES
& REGULATIONS OF
CIVIL SERVICE

Rule XIV-"Separation from the Service", Section 3 entitled
"Lay-off" of the Rules and Regulations of the Civil Service System
was discussed and the Attorney was instructed to prepare a
resolution for adoption of the Council at their next regular meeting.

3 IN THE MATTER OF
CLAIM

Commissioner Stanley introduced

RESOLUTION NO. 4810-N.S.

allowing claim of Attorney Fowler of \$5.00 for trip to Sacramento and authorized the
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

4 IN THE MATTER OF
ADJOURNMENT

Commissioner Stanley introduced

RESOLUTION NO. 4811-N.S.

adjourning this Council meeting now in session, which motion 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

Council Meeting

February 14, 1940

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 January 24, 1940
and special meeting of January 29, 1940 having been heretofore read by each Council-
man were approved as so read.

2 IN THE MATTER OF
CLAIMS FOR MONTH
OF JANUARY, 1940

Claims against the City of Modesto for the month of January,
1940, having been heretofore audited by the Council and found
to be correct, Commissioner Bates introduced

RESOLUTION NO. 4812-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-----	\$33,634.95
WATER FUND-----	6,087.82
LIBRARY FUND-----	1,667.68
BOND RED. INT. FUND-----	23,231.25
ST. BOND RED. INT. FUND-----	1,251.06
UNAPPORTIONED FUND-----	--

GASOLINE TAX FUND-----\$ 2,732.01

TOTAL----- 68,604.77

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
CLAIM-E. D. DAHLBERG

Whereas claim has been filed with the Council by Edward C. Dahlberg for \$2279.65 for injuries sustained in accident on the 19th day of November, 1939 at the intersection of Virginia Avenue and Morris Avenue, Commissioner Bates introduced

RESOLUTION NO. 4813-N.S.

denying claim and the City Attorney was instructed to notify claimant of the decision of 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

4
IN THE MATTER OF
NO PARKING SIGNS
CHRISTIAN SCIEN-
TIST CHURCH

Whereas a request has been filed with the Council by the First Church of Christ Scientist for permission to install movable "No Parking " signs in front of their church located at the corner of 14th and H Streets during the Sunday morning and Wednesday Evening services, Commissioner Stanley introduced

RESOLUTION NO. 4814-N.S.

granting request with the understanding that if traffic control did not work out satisfactory, the permit would be withdrawn, 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
OPEN BIDS ON AUTO
AND FIRE ALARM
EQUIPMENT

Whereas the City Clerk has been authorized to advertise for bids on fire alarm equipment and for one four door sedan, 1940 model for the Police Department and whereas money has been appropriated for the purchase of this equipment and whereas the City Clerk reports eight bids for the automobile and two bids for the fire alarm equipment have been received and they have been opened in due form, Commissioner Bates introduced

RESOLUTION NO. 4815-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

6
IN THE MATTER OF
RENEWAL OF LEASE
WITH MODESTO TRAP
CLUB

Whereas the lease with the Modesto Trap Club for a portion of the airport will expire on February 29, 1940 and whereas it is the desire of the Council to renew this lease, Commissioner Barnell introduced

RESOLUTION NO. 4816-N.S.

authorizing the renewal of this lease under the same arrangements as previously made. 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
FIRE PROTECTION
AGREEMENT WITH
BARIUM PRODUCTS

Commissioner Stanley introduced

RESOLUTION NO. 4817-N.S.

recommending that the City of Modesto furnish fire protection to the Barium Products buildings located near the northwesterly city limits for a term of one year for the consideration of \$125.00 standby fee and a charge of \$50.00 for each piece of equipment and the personnel appurtenant thereto for the first hour or fraction thereof and \$25.00 per hour for each piece of equipment and the personnel appurtenant thereto for each succeeding hour or fraction thereof, 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
AGREEMENT WITH
UNITED STATES DEPT.
OF AGRICULTURE

Commissioner Barnell introduced

RESOLUTION NO. 4818-N.S.

authorizing the City of Modesto to enter into an agreement with the United States Department of Agriculture to erect and maintain a ceiling light at the Modesto Municipal Airport and the Mayor was appointed signatory official, 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
AUTHORIZE CLERK
ADVERTISE FOR BIDS
ON GASOLINE

Commissioner Bates introduced

RESOLUTION NO. 4819-N.S.

authorizing the City Clerk to advertise for bids on gasoline said bids to be opened at the City Hall at 7:30 P.M. on Wednesday, February 28, 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
CLERK RECORD DOCU-
MENT ON ANNEXATION
OF BASEBALL PARK

Commissioner Neece introduced

RESOLUTION NO. 4820-N.S.

authorizing the City Clerk to record documents with the County Recorder on the annexation of the Municipal Baseball Park to 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

IN THE MATTER OF
TRANSFER OF EMPLOYEES
FROM WEEKLY PAYROLL
TO SEMI-MONTHLY
PAYROLL

Whereas, it appears to the City Council of Modesto that certain employees, now forming a part of the classified employees of said city, should be on a monthly salary rather than paid by a day wage, Commissioner Neece introduced

RESOLUTION NO. 4821-N.S.

recommending that certain employees (set forth in resolution) be paid on a monthly

basis, 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
FINAL ADOPTION ORD.
NO. 622-N.S. APPRO-
PRIATE MONEY AUTO-
FIRE ALARM EQUIPMENT

Ordinance No. 622-N.S. having been heretofore introduced and ordered printed and published at the regular meeting of January 24, 1940 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

3 IN THE MATTER OF
DEPARTMENTAL RE-
PORTS FOR MONTH OF
JANUARY-1940

Departmental reports for month of January 1940 were read and ordered filed.

4 IN THE MATTER OF
ADJOURNMENT

Commissioner Neece introduced
RESOLUTION NO. 4822-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
Charles J. Blum Asst. City Clerk

SPECIAL COUNCIL MEETING

FEBRUARY 15, 1940

The Council of the City of Modesto met in special session this date at 2:30 P.M. the meeting having been called and convened 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
AWARD OF BID ON
AUTO FOR POLICE
DEPARTMENT

Commissioner Bates introduced
RESOLUTION NO. 4823-N.S.

awarding bid on automobile for the Police department to Stephens Pontiac Company at a net price of \$518.00 as being the lowest and best bid and authorizing refund of checks to unsuccessful bidders and payment to successful bidders upon delivery of equipment, 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
ADJOURNMENT

Commissioner Bates introduced
RESOLUTION NO. 4824-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

February 21, 1940

The Council of the City of Modesto met in special session this date at 2:30 P.M. the meeting having been called and convened 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
SECRETARY OF
COUNCIL

Due to the absence of City Clerk, H. E. Gragg, Anne M. Collins was appointed secretary of the Council for this meeting.

2 IN THE MATTER OF
APPOINT COMMITTEE
ON SCHOOL PROPERTY

Commissioner Stanley introduced

RESOLUTION NO. 4825-N.S.

appointing committee of Commissioner Barnell, City Engineer Rossi and City Attorney Fowler to confer with the Modesto School Board regarding the granting of an option to the City of Modesto on the Modesto city school property on Fourteenth Street between H and I Streets, Block 105, lots 1 to 16 to be used as a site for a 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

3 IN THE MATTER OF
BIDS ON FIRE ALARM
EQUIPMENT

Commissioner Bates introduced

RESOLUTION NO. 4826-N.S.

rejecting all bids on item two and three calling for fire alarm equipment and authorizing the purchase of supplies and work to be done under force account, as provided by Article X, section 59 of the Charter 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

4 IN THE MATTER OF
AMEND RESOLUTION
NO. 4785-N.S. RE-
CREATION COMMISSION

Commissioner Neece introduced

RESOLUTION NO. 4827-N.S.

amending Article 5 of Resolution No. 4785-N.S. entitled "A RESOLUTION CREATING A CITY RECREATION COMMISSION PRESCRIBING THE TERMS OF THE MEMBERS THEREOF, ORGANIZATION AND POWERS AND DUTIES OF SAID COMMISSION," to deprive the Recreation Commission of the right to appoint any employee, who is paid by the City of Modesto as supervisor and/or director in the City Parks, 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. 4828-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 *Almer J. Blum* Asst. City Clerk

COUNCIL MEETING
February 28, 1940

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 provided by 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 February 14, 1940 and special meetings of February 15th and 21st, 1940 having been heretofore read by each Councilman were approved as so read.

2 IN THE MATTER OF ANNEXATION OF NORTH MODESTO TRACT A committee of citizens of the North Modesto Tract adjacent to the city limits, (bounded by McHenry Avenue on the East; Griswold Avenue on the north; Southern Campus Tract on the west and Coldwell Avenue, present city limits, on the south) appeared before the Council requesting that they be granted city water service, pending the outcome of annexation election, whereupon Commissioner Bates introduced

RESOLUTION NO. 4829-N.S.

granting city water service to residents of the North Modesto Tract with the provisions that each property owner make application to the City Engineer for water service and enter into an agreement with the City of Modesto that they will agree to the discontinuance of water service by the city if the aforesaid tract is not a part of the City of Modesto one year from the date of the first publication of the Notice of Intention to Circulate Petition for Annexation to the City; each agreement signed by applicants for water service shall be approved by the Council, 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

3 IN THE MATTER OF PETITION OPERATE BEAUTY PARLOR RESIDENCE ZONE ESTELLE RATHJEN Whereas, pursuant to the filing of petition with the Council by Estelle Rathjen for permit to operate and maintain a beauty shop on property known as 523 McHenry Avenue, being lots 1, Block 556 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 Neece introduced

RESOLUTION NO. 4830-N.S.

granting permission to above named 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: Councilmen: Mayor Shannon

IN THE MATTER OF
REQUEST FOR WATER
SERVICE-R. E. HATCH

Pursuant to request of R. E. Hatch for water service for his residence located on the south end of Carolyn Way, adjacent to city limits, petition was filed until such time as notice of intention to circulate petition for annexation has been published on the North Modesto Tract.

IN THE MATTER OF
BIDS ON GASOLINE

Commissioner Bates introduced

RESOLUTION NO. 4831-N.S.

recommending that all bids submitted on gasoline be referred 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: Councilmen: Mayor Shannon

IN THE MATTER OF
APPROVAL OF APPLI-
CATIONS FOR STORAGE
OF BUTANE

Pursuant to requirements of Ordinance No. 608-N.S. there were submitted to the Council the following applications for permission to store and/or install plant and/or automobile filling station handling Butane and other liquified petroleum gases:

C. M. ANNAN Location 717 B Street

J. S. WEST & COMPANY Location 9th & D Streets

W. M. AMERINE Location 12th St. & Morton Blvd.

and whereas applications have been approved by the Fire Marshall with the exception of the application of W. M. Amerine because of the fact a fence had not been constructed to meet the requirements of the ordinance, whereupon Commissioner Neece introduced

RESOLUTION NO. 4832-N.S.

granting permission to C. M. Annan and J. S. West & Co. to operate a plant and/or automobile filling station handling Butane and other liquified gases at locations listed above and recommending that the approval of application of W. M. Amerine be held over until he has built a fence to meet the ordinance requirements, 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
CHANGE DATE OF PAY-
MENT OF WAGES TO
CITY EMPLOYEES

Commissioner Neece introduced

RESOLUTION NO. 4833-N.S.

rescinding resolution No. 2654-N.S. entitled "A Resolution providing for the semi-monthly payment of the compensation of the salaried employees of the City of Modesto" and recommending that the compensation of all of the employees of the City of Modesto who are paid by the month shall be paid semi-monthly upon the fifth and the twentieth day of each month instead of upon the last day of the month and the 15th, 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

8 IN THE MATTER OF Due to the absence of the Mayor from the City, Commissioner REPRESENTATIVE AT BREAKFAST OF KNIGHTS Bates was named representative of the Council at the break- OF COLUMBUS fast to be held by the Knights of Columbus on Sunday morning, March 3, 1940.

9 IN THE MATTER OF A request of the Sea Scouts to be permitted to service PERMIT SEA SCOUTS flags on patriotic occasions for the merchants of the City SERVICE FLAGS WITH- OUT TAKING OUT of Modesto without a city license was granted. LICENSE

10 IN THE MATTER OF Commissioner Neece introduced RESCIND RESOLUTIONS RESOLUTION NO. 4834-N.S. NO. 4772-N.S. AND NO. 4770-N.S. AGREE- rescinding Resolution No. 4772-N.S. entitled "A RESOLU- MENTS WITH THE POSTAL TELEGRAPH AND WESTERN UNION TION AUTHORIZING THE CITY ATTORNEY TO PREPARE AGREEMENT TO BE ENTERED INTO BY THE CITY OF MODESTO AND THE WESTERN UNION" and Resolution No. 4770-N.S. entitled "A RESOLUTION GRANTING PERMISSION TO THE POSTAL TELEGRAPH COMPANY TO INSTALL A BICYCLE RACK AND PROVIDING THEY ENTER INTO AN AGREEMENT WITH THE CITY", because it would be impractical to carry out agreements, which resolu- tion was regularly adopted by the following vote:
Ayes: Councilmen: Barnell, Bates, Neece, Mayor pro tem Stanley
Noes: Councilmen: None
Absent: Councilmen: Mayor Shannon

11 IN THE MATTER OF Commissioner Bates introduced AUTHORIZE AUDITOR PAY SALARIES TO CERTAIN EMPLOYEES RESOLUTION NO. 4835-N.S. authorizing City Auditor H. E. Gragg to pay salaries, as set forth in resolution, to Dorothea R. Maloney, Jack D. Hughes, Elwood B. Gregg, Steve Johnson and Leo J. Crismon, recently employed by the Fire Department and the Police Department, which resolution was regularly adopted by the follow- ing vote:
Ayes: Councilmen: Barnell, Bates, Neece, Mayor pro tem Stanley
Noes: Councilmen: None
Absent: Councilmen: Mayor Shannon

12 IN THE MATTER OF Commissioner Bates reported on the matter of codification CODIFICATION OF OF THE ORDINANCES OF THE CITY OF MODESTO, This matter ORDINANCES was laid over to a future meeting.

13 IN THE MATTER OF Mayor pro tem Stanley appointed a committee composed COMMITTEE ON TRAFFIC of City Attorney Fowler, Police Chief Arington and City SIGNS ON 9th STREET Engineer Rossi to investigate the placing of proper traffic signs for the control of speeding on Ninth Street, near B Street, as the signs now installed by the State and by the City permit two rates of speed and cause confusion for the motorist.

14 IN THE MATTER OF Commissioner Bates introduced ADJOURNMENT RESOLUTION ND. 4836-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: Councilmen: Mayor Shannon

ATTEST H. E. GRAGG, CITY CLERK
By *Charles J. Blum* Asst. City Clerk

March 6, 1940

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 provided by Section 2 of Ordinance No. 2-N.S.

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

Absent: Councilmen: Stanley

IN THE MATTER OF RECREATION COMMISSION-SUMMER CAMP

Whereas, the City Recreation Commission has contacted members in charge of the 4 H Camp near Pine Crest for the purpose of using said Camp from July 1, 1940 to September 15, 1940 to provide outdoor recreation at a reasonable cost and suitable arrangements have been made with the 4 H Club officers to use said camp and the camp shall be carried on at no expense to the City of Modesto, Commissioner Neece introduced

RESOLUTION NO 4837-N.S.

granting permission to the Recreation Commission to operate a recreation camp near Pine Crest to provide outdoor activities; provided that the City of Modesto shall bear no expense of the operation of said camp, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: Stanley

IN THE MATTER OF AWARD BID ON GASOLINE

Commissioner Bates introduced

RESOLUTION NO. 4838-N.S.

awarding bids on gasoline as advertised on February 28, 1940 as follows:

DATES AND LOCATION OF DELIVERY TO BE AT OPTION OF BUYER

<u>BIDDERS</u>	<u>AMOUNT</u>	<u>PRICE</u>
Tidewater Associated Oil Co.	5000 gallons Premium Ethyl	\$.1437
	9000 gallons First Structure	.1137
Gilmore Oil Co.	2000 gallons First Structure	.1137
General Petroleum Co.	2000 gallons First Structure	.1137
Seaside Oil Co.	2000 gallons First Structure	.1137
Standard Oil Co.	14000 gallons First Structure	.1137
Signal Oil Co.	2000 gallons First Structure	.1137
Shell Oil Co.	14000 gallons First Structure	.1137

and authorizing the City Auditor to sign contracts and to return bidding checks to bidders, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: Stanley

IN THE MATTER OF ADJOURNMENT

Commissioner Neece introduced

RESOLUTION NO. 4839-N.S.

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

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

Noes: Councilmen: None

Absent: Councilmen: Stanley

By *Charles J. Blum* Asst. City Clerk
 ATTEST H. E. GRAGG, CITY CLERK

COUNCIL MEETING

March 13, 1940

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 provided by Section 1 of Ordinance No 2-N.S.

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

Absent: Councilmen: None

IN THE MATTER OF CLAIMS FOR MONTH OF FEBRUARY-1940

Claims against the City of Modesto, for the month of February, 1940, having been heretofore audited by the Council and found to be correct, Commissioner Bates introduced

RESOLUTION NO. 4840-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-----	\$19,974.58
WATER FUND-----	5,973.31
LIBRARY FUND-----	1,729.88
BOND RED. INT. FUND-----	--
ST. BOND RED. INT. FUND-----	17.50
UNAPPORTIONED FUND-----	
TOTAL-----	\$27,695.27

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 PETITION TO REMOVE TREES FROM MODESTO AVENUE

Pursuant to petition being presented to the Council for removal of Camphor trees on Modesto Avenue, same was referred to Commissioner Neece.

3 IN THE MATTER OF PAYMENT TO S. M. MCGAW ON H STREET IMPROVEMENT

Whereas, pursuant to filing of statement with the City Auditor by Frank J. Rossi, City Engineer of work completed on the improvement of H Street from High Street to east City limits showing amount due on contract of \$578.89, whereupon Commissioner Barnell introduced

RESOLUTION NO. 4841-N.S.

authorizing the City Clerk and Auditor to draw warrant in amount of \$578.89, as progressive 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

4 IN THE MATTER OF RENEWAL OF LEASE TO PATHFINDERS ON AIRPORT

Commissioner Barnell introduced

RESOLUTION NO. 4842-N.S.

authorizing the renewal of lease with the Pathfinder Flying Service for the rental of the Modesto Municipal Airport for a period of one year from the 31st day of March, 1940 said renewal of said lease to be sub-

ject to all of the terms and conditions of said lease aforementioned, 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 ANALYSIS OF ORDINANCES

Commissioner Bates introduced

RESOLUTION NO. 4843-N.S.

recommending that Herbert E. Paul, attorney be employed by the Council to make an analysis of all the ordinances, together with certain resolutions making some of said ordinances effective, at a cost of \$200.00 and in the event it is decided by the Council to codify the ordinances and resolutions that he be hired at a price of \$300.00, 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 ROSSI ON TRAFFIC SIGNS ON 9th STREET

City Engineer Rossi gave a progress report on conflicting traffic signs on Ninth Street.

IN THE MATTER OF DEPARTMENTAL REPORTS FOR MONTH OF FEBRUARY

Departmental reports for the month of February, 1940 were read and ordered filed.

IN THE MATTER OF ADJOURNMENT

Commissioner Bates introduced

RESOLUTION NO. 4844-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
Olmer J. Blum Asst. City Clerk

Special Council Meeting

March 14, 1940

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 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 WELL IN MENSINGER TRACT

By order of the Council, City Engineer Rossi was delegated to confer with Mr. Mensinger in the matter of acquiring the well originally drilled by the City of Modesto in Mensinger Tract #1

IN THE MATTER OF ADJOURNMENT

Commissioner Neece introduced

RESOLUTION NO 4845-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 *Chas J Blum* Asst. City Clerk

Special Council Meeting

March 18, 1940

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 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
SECRETARY OF
COUNCIL

By order of the Council, Anne M. Collins was appointed Secretary of the Council for this meeting, due to the absence of H. E. Gragg, City Clerk.

IN THE MATTER OF
ORDINANCE RE:
PICKETING

Commissioner Stanley introduced an ordinance, being
ORDINANCE NO. 623-N.S.

entitled: "AN ORDINANCE DECLARING THE EXISTENCE OF FACTS IN THE CITY OF MODESTO: DECLARING THE BEST INTEREST OF THE PUBLIC WELFARE OF THE CITY OF MODESTO: DEFINING "TO PICKET", "PLACE OF BUSINESS", "BANNER", "PUBLIC PLACE", "LABOR DISPUTE": PROHIBITING PICKETING IN THE CITY OF MODESTO: REGULATING THE CARRYING OF BANNERS WHEN PICKETING AND PROVIDING PENALTIES 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

IN THE MATTER OF
ADJOURNMENT

Commissioner Bates introduced
RESOLUTION NO. 4846-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 *Chas J Blum* Asst. City Clerk

COUNCIL MEETING

March 27, 1940

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 provided by 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 MIN-
UTES

The minutes of the regular meetings of February 28,
and March 13, 1940 and of special meetings of March
6, 14, 18, 1940 having been heretofore read by each Councilmen were approved as
so read.

IN THE MATTER OF
PROTEST TO OPERA-
TION OF PUSH CARTS

A group of merchants appeared before the Council
protesting to the operation of push carts selling
ice cream, candies, etc. Mayor pro tem Stanley appointed a committee of George
Neece and Robert Fowler to investigate and report to the Council at their next
regular meeting.

IN THE MATTER OF
LUCERN-SUNRISE
TRACT

Paul Bomberger and H. H. Herron appeared before the
Council and presented a map of the Lucern-Sunrise
subdivision, north of the city limits of Modesto. They discussed the possibility
of annexation of this tract to the City of Modesto and questioned the Council if
it would be possible for the City to plant trees, install sewer and water lines
and grade streets immediately upon annexation. This matter was taken under advise-
ment.

IN THE MATTER OF
COMMUNICATIONS

A communication from the Milk Producers Association
requesting that the city install a loading zone near
their loading platform on the west side of Tenth Street between E and F Streets.
This matter was referred to the Traffic Committee, composed of Chairman Rossi,
Arlington and Stanley to confer with Mr. Benkendorf, manager of the Milk Producers
Association to work out some agreeable plan.

A communication from J. W. Hawkins requesting that his
name be withdrawn from two petitions granting permission to erect business buildings
in the residence district in Block 86 was read and ordered filed.

A communication from the Mayor's and Councilmen's
Department of the League of California Cities regarding the convention at Fresno,
March 28, 29, 1940 was read. Commissioner Bates and City Attorney Fowler were
appointed to represent the City of Modesto at this convention, expenses to be paid
by the City of Modesto.

A communication from the Western Aviation Planning
Conference requesting the representation of the City of Modesto at the convention
to be held in Fresno on March 30, 1940 was read. Commissioner Bates, Barnell and
City Engineer Rossi were appointed to represent the City of Modesto at this conven-
tion, expenses to be paid by the city.

IN THE MATTER OF
LEAVE OF ABSENCE
TO MAYOR SHANNON

Commissioner Bates introduced

RESOLUTION NO. 4847-N.S.

authorizing the absence of the Mayor from the State for a period of 30 days be-
ginning March 27, 1940 and authorizing the attendance of the Mayor to the United
States Conference of Mayors in Portland on April 8 and 9, 1940, 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
FINAL ADOPTION OF
ORDINANCE NO. 623-NS
PICKETING

Ordinance No. 623-N.S., having been heretofore intro-
duced and ordered printed and published at the regular
meeting of March 18, 1940 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
LETTER TO R. E.
PIERCE RE: TRAFFIC
SIGNS ON 9TH STREET

Commissioner Barnell introduced
RESOLUTION NO. 4848-N.S.

authorizing the City Attorney to write to R. E. Pierce,

District Engineer of the Department of Public Works, Division of Highways of the
State of California, Senator J. C. Garrison and Assemblyman Hugh P. Donnelly, re-
garding the speed limit on Ninth 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
ADJOURNMENT

Commissioner Bates introduced
RESOLUTION NO. 4849-N.S.

adjourning this Council meeting now in session, which resolution was regularly adop-
ted 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

By *Charles J. Blum* Asst. City Clerk

Special Council Meeting

April 4, 1940

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
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
REPORT ON ANNEXED
AREA TO CITY

to a future meeting.

The report by the City Engineer on the cost of improv-
ing annexed areas to the City of Modesto was laid over

IN THE MATTER OF
LOADING ZONE FOR
MILK PRODUCERS
ASSOCIATION

Pursuant to request of the Milk Producers Association
for loading zone on 10th Street, near F Street, Com-
missioner Stanley introduced

RESOLUTION NO. 4850-N.S.

recommending that a loading zone be established on the southwesterly curb of Tenth
Street, at a point 4.00 feet northwesterly from its intersection with the south-
easterly property line of Block 52, extended and produced, thence northwesterly
along the said curb, a distance of 36.50 feet and be it further resolved that

vehicles may park in said area for a period of twenty (20) consecutive minutes and no longer for the purpose of loading and unloading materials, said resolution to be effective as soon as suitable signs have been installed, 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
ACCEPTING AMENDED
MAP ON ESGAR TRACT

Commissioner Barnell introduced
RESOLUTION NO. 4851-N.S.

accepting amended map of the Esgar Tract which was recently annexed to the City, subject to removal from the street property of a certain house on Esgar Avenue within 30 days, 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. 4852-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: ELMER J. BLUM,
ASSISTANT CITY CLERK

Elmer J. Blum

Council Meeting,
April 10, 1940

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 provided by 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

approved as so read.

The minutes of the regular meeting of March 27, 1940, having been heretofore read by each Councilman were

2 IN THE MATTER OF
ORAL COMMUNICATIONS

W. H. Coverley appeared before the Council regarding provisions of Ordinance No. 482-N.S. requiring an officer in attendance at a public dance.

3 Wayne Carter, 1220 J Street appeared before the Council regarding push carts selling ice cream.

Mr. George Nelson appeared before the Council regarding petition to erect a church building for the Nazarenes in Block 340.

IN THE MATTER OF
CLOSING PORTION
PATRICIA LANE

Mr. James High appeared before the Council petitioning them to close a portion of Patricia Lane to conform with the new street and he agreed to deed a portion of a lot to the City of Modesto

to be used for whatever purpose they might see fit, at the northeast corner of the Leslie-Hugh Tract, whereupon Commissioner Barnell introduced

RESOLUTION NO. 4853-N. S.

recommending that the City Attorney be given instructions to proceed with the closing of the street as requested and preparing deed 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
REPORT BY ENGINEER
ON ANNEXATIONS TO
CITY OF MODESTO

City Engineer Rossi presented a report to the Council of the cost of services and probable revenue to be derived from the various areas proposed to be annexed to the City of Modesto.

7 IN THE MATTER OF
CLAIMS FOR THE
MONTH OF MARCH

Claims against the City of Modesto for the month of March, 1940, having been heretofore audited by the Council and found to be correct, Commissioner Bates introduced

RESOLUTION NO. 4854-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-----	\$23,768.91
WATER FUND-----	3,432.38
LIBRARY FUND-----	1,746.46
SPECIAL GAS TAX-----	578.89
TOTAL TAX-----	\$29,526.64

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
JURY FEES FOR ALFRED
POTTER CASE

Commissioner Bates introduced

RESOLUTION NO. 4855-N.S.

authorizing the City Clerk and Auditor to draw a warrant in amount \$215 to each juror on the Alfred Potter case in the Police Court, 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
CALIFORNIA SAFETY
COUNCIL COMMUNICA-
TION

A communication from the California Safety Council regarding the annual traffic safety award for the year 1939 was referred to the Chief of Police.

10 IN THE MATTER OF
COMMUNICATION RE:
SPRING BARBECUE
AT LOS BANOS

A communication from the Native Sons of the Golden West regarding spring Barbecue and picnic to be held in Los Banos on May 3, 4, 5, 1940, was read and the Clerk was instructed to acknowledge receipt.

IN THE MATTER OF
MINUTES OF RECREA-
TION COMMISSION

Recreation Commission minutes were referred to Commis-
sioner Neece.

IN THE MATTER OF
GRANT PERMIT TO
NEVA HULS TO OPER-
ATE BEAUTY PARLOR

Whereas, pursuant to the filing of petition with the
Council by Neva Huls for permit to erect and maintain
a beauty parlor at 512 12th Street, being lots 23 and
24 in Block 97, 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. 4856-N.S.

granting permission to Neva Huls with the understanding that all provisions rela-
tive 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
CURB AND GUTTERS
ON MORRIS AVENUE

A petition was presented to the Council requesting
that curbs and gutters be installed on the south side
of Morris Avenue, between Central and Enslin Avenues. Assistant City Clerk Blum was
instructed to write a letter to K. W. Olinger and advise them that the installation
of curbs and gutters at this location has been budgeted for this year and will be
taken care of in the due course of time.

IN THE MATTER OF
APPROVAL OF AGREE-
MENT WITH MENSINGER
ON WELL

Commissioner Barnell introduced

RESOLUTION NO. 4857-N.S.

approving agreement with W. R. Mensinger, et ux and
the City of Modesto as prepared by the City Attorney for water service to be granted
by the City to the M & G Olivewood Tract, Mensinger Tract No. 1 and Mensinger Tract
No. 2, in exchange for the right, title and interest in all of the westerly 50 feet
of the southerly 75 feet of Lot 16, Block 743 of Mensinger Tract No. 1, and appoint-
ing Mayor Shannon and Assistant City Clerk Blum 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

IN THE MATTER OF
WATER SERVICE
OUTSIDE CITY

Commissioner Barnell introduced

RESOLUTION NO. 4858-N.S.

recommending that all contracts with persons outside the City of Modesto, providing
for payment by said persons to the City of Modesto for water service, shall contain
a clause to the effect that monies paid by said persons for said water service shall
not thereafter be refunded, 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
AMEND RESOLUTION
NO. 4851-N.S.-ACCEPT
MAP OF ESGAR TRACT

Commissioner Barnell introduced

RESOLUTION NO. 4859-N.S.

amending resolution No. 4851-N.S. adopted by the Council at their special meeting held on April 4, 1940, entitled "A RESOLUTION ACCEPTING MAP AS AMENDED ON THE ESGAR TRACT", be hereby amended to accept map of the EsGAR Tract as presented, subject to removal from the street property of a certain house on EsGAR Avenue within 90 days instead of 30 days, 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
TEN MINUTE PARKING
ZONE

Pursuant to recommendation of the Chief of Police,

Commissioner Stanley introduced

RESOLUTION NO. 4860-N.S.

establishing one ten minute parking space on the first diagonal parking space on the northwest side of I Street, westerly from Tenth Street, and authorizing the City Engineer to install proper signs, 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
PAYMENT TO S.M.
MCGAW ON IMPROVE-
MENT ON H STREET

Commissioner Barnell introduced

RESOLUTION NO. 4861-N.S.

authorizing the progressive payment to S. M. McGaw of \$883.75 on improving H Street from High Street to east city limits and instructing 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

19 IN THE MATTER OF
REPORT BY COMMITTEE
ON PUSH CARTS SELL-
ING ON STREETS

Pursuant to appointment of Attorney Fowler and Commis-

sioner Neece as a committee to investigate legislation

on push carts selling merchandise on the city streets,

Attorney Fowler reported that the City of Oakland had a case pending and he was instructed to check with them and to await the outcome of this trial.

20 IN THE MATTER OF
DEPARTMENTAL RE-
PORTS

Departmental reports for the month of March were laid over to the next regular meeting.

21 IN THE MATTER OF
ADJOURNMENT

Commissioner Bates introduced

RESOLUTION NO. 4862-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 ELMER J. BLUM, ASSISTANT
CITY CLERK

Elmer J. Blum

Council Meeting

April 24, 1940

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 provided by 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 special meeting of April 4, 1940 and regular meeting of April 10, 1940 having been heretofore read by each Councilman were approved as so read.

2 IN THE MATTER OF
ORAL COMMUNICA-
TIONS

J. H. Rafter, representing Knights of Pythias appeared before the Council requesting that they be permitted to install traffic safety signs at the north and south end of the 99 Highway in the City of Modesto. They were advised that it was not permissible to install such signs on a state highway.

Mr. Reese Esgar and Harold Coverley appeared before the Council protesting to the requirements of Ordinance No. 299-N.S. prohibiting music after midnight in a restaurant and Ordinance No. 482-N.S. prohibiting dancing in a restaurant without the attendance of a uniformed officer. This matter was turned over to Attorney Robert B. Fowler.

3 IN THE MATTER OF
MODEL AIR SHOW

Whereas, pursuant to request of the Exchange Club and the junior Chamber of Commerce to conduct a model air show on May 26, 1940 at the Municipal Airport, Commissioner Bates introduced
RESOLUTION NO. 4863-N.S.

granting request on the same arrangements as last year, 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
WATER SERVICE OUT-
SIDE CITY TO MONACO
TRACT

A communication from Fred Weber requesting that the City of Modesto grant water service to the Monaco Tract outside the city was read and the Assistant City Clerk was notified to advise Mr. Weber that Resolution No. 3480-N.S. adopted by the Council on the 22nd day of April, 1936, provided that the City of Modesto discontinue the policy of supplying persons outside the city' limits with water.

5 IN THE MATTER OF
COMMUNICATIONS

A communication from the Modesto Engineer's Club regarding the lighting of State Highway No. 99 through the city was referred to City Engineer Rossi.

6 IN THE MATTER OF
BUSINESS IN RESI-
DENCE ZONE MID-
STATE OIL CO.

The petition of the Mid-State Oil Company to erect a service station at the corner of Second and H Streets was declared irregular by the Council and referred back to the petitioner.

7 IN THE MATTER OF
ACCEPT MAP ON SCOON
SUBDIVISION

Commissioner Barnell introduced
RESOLUTION NO. 4864-N.S.

accepting the map of the Scoon subdivision as presented and authorizing the Mayor

and Assistant City Clerk to sign same, 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
ACCEPT REPORTS
FROM POLICE AND
PUBLIC WORKS
DEPARTMENT

Commissioner Barnell introduced

RESOLUTION NO. 4865-N.S.

accepting reports from the Police and Public Works

Departments on expenditures for fiscal year 1939-1940 of Alcoholic Beverage Fund,

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
LEAVE OF ABSENCE
TO H. E. GRAGG

Commissioner Neece introduced

RESOLUTION NO. 4866-N. S.

granting leave of absence to H. E. Gragg, City Clerk, Auditor, Treasurer, Tax Collector, License Collector and Assessor for the period of 60 days, 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
APPOINTMENT OF E. J.
BLUM, ASSISTANT
AUDITOR, ASSESSOR,
TAX COLLECTOR AND
TREASURER

Whereas, H. E. Gragg, City Auditor, Assessor, Tax Collector and Treasurer has been given a leave of absence by the Council of the City of Modesto and

whereas, it becomes necessary for someone to fulfill the duties of the said H. E. Gragg and perform the functions of the various offices held by him, Commissioner Bates introduced

RESOLUTION NO. 4867-N.S.

appointing Elmer J. Blum, Assistant Auditor, Assessor, Tax Collector and Treasurer with all of the powers and rights which said H. E. Gragg might exercise, 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
ACCEPT REPORTS
FROM POLICE AND
PUBLIC WORKS
DEPARTMENTS

Commissioner Barnell introduced

RESOLUTION NO. 4868-N.S.

accepting reports from the Police and Public Works

Departments on expenditures for fiscal year 1939-1940 of "In Lieu Tax Fund", 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
REPORTS

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

Report was given by City Engineer Rossi on the conven-

tion he attended of the Western Aviation Planning Conference at Fresno, on March 30, 1940.

IN THE MATTER OF
ADJOURNMENT

Commissioner Bates introduced
RESOLUTION NO. 4869-N.S.

adjourning the 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 ELMER J. BLUM,
ASSISTANT CITY CLERK



Special Council Meeting

April 26, 1940

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 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
APPOINTMENT OF
COMMITTEE ON CITY
HALL

Commissioner Stanley introduced
RESOLUTION NO. 4870-N.S.

appointing a committee of City Attorney Fowler, City Engineer Rossi and Commissioner Barnell to investigate the purchasing of property for a 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

IN THE MATTER OF
REPORT OF COMMITTEE
ON PURCHASE OF PROP-
ERTY FOR CITY HALL

Commissioner Stanley introduced
RESOLUTION NO. 4871-N.S.

accepting report of committee (placed on file with the City Clerk) appointed by Resolution No. 4870-N.S. on investigating the purchasing of property for a 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

IN THE MATTER OF
PURCHASE OF ELKS
BUILDING

Commissioner Stanley introduced
RESOLUTION NO. 4872-N.S.

recommending that the Elks Building should be purchased by the City of Modesto to be used as a City Hall, under the following conditions:

1. That the owners of said Elks Building shall accept as a partial payment on the purchase price of said building the present City Hall of this City, at a valuation of \$31,560.40 and two houses and six lots located at 17th and I Streets at a valuation of \$8,025.00, making a total valuation of the two properties of \$39,585.40.
2. That the sum of \$6000 be offered to the owners of said Elks Building as the purchase price thereof.

3. That an option be obtained on that certain lot and house situate thereon located in the rear of said Elks Building and facing on 13th 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

4 IN THE MATTER OF
APPOINTMENT OF
KING AND GIDDINGS
TO NEGOTIATE FOR
PURCHASE OF ELKS
BUILDING

Whereas the firm of King and Giddings, Real Estate Brokers of the City of Modesto has offered its services to negotiate the purchase of the Elks Building for the City of Modesto to be used as a City Hall,

Commissioner Stanley introduced

RESOLUTION NO. 4873-N.S.

appointing the firm of King and Giddings to negotiate with the owners of said building for the sale thereof to the City of Modesto on the basis set forth in Resolution No. 4872-N.S. and that the purchase of the Elks Building be made contingent upon the fact that the City shall obtain that certain parcel or lot of land in the rear of certain Elks Building facing 13th Street and on the further contingency that option for 60 days from this date shall be obtained on said lot or parcel of land in the rear of said Elks Building, 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
ACCEPT GRANT DEEDS

Commissioner Barnell introduced

RESOLUTION NO. 4874-N.S.

accepting deeds from the Turlock Guarantee Building-Loan Association on a portion of lots 23 and 24 in Block 213 and from Leo Bonney et ux on portion of lots 26 and 25 in Block 213 to be used in extension of Morton Boulevard and authorizing the City Clerk to record deeds 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

6 IN THE MATTER OF
SIGNALS AT 9TH
AND B STREETS

Commissioner Barnell introduced

RESOLUTION NO. 4875-N.S.

authorizing the City Engineer to make application to the Railroad Commission of the State of California for permission to install a mechanical traffic signal at the intersection of 9th and 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

7 IN THE MATTER OF
APPROVE BOND AND
APPLICATION OF
BROWN & SINCLAIR

Commissioner Bates introduced

RESOLUTION NO. 4876-N.S.

approving application and bond of Brown and Sinclair

to operate a used car lot at 911 G Street as provided by Ordinance No. 514-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

IN THE MATTER OF
SALARY OF GEORGE
DENNISON

Whereas Ordinance No. 559-N.S. section 9 of the City of Modesto provided that the Pension Board award to a physically disabled member of the Police or Fire Department full pay of said member for not more than one year, and whereas George Dennison, member of the Police Department has become physically unable to carry on his duties and whereas said Pension Board had found that the disability now suffered by said George Dennison resulted from injuries received by him in the course of his employment as a member of said Department and whereas by reason of the splendid record of said George Dennison, it is deemed by said Pension Board to be proper to recommend to the City Council that George Dennison shall during the period of his disability and for a period not longer than one year from the date of his incapacitation be paid his full salary minus any amounts or sums that the said George Dennison may receive by reason of insurance carried by the City under the Workman's Compensation Act, Commissioner Bates introduced

RESOLUTION NO. 4877-N.S.

recommending that the City of Modesto pay George Dennison out of the Pension Fund during his incapacitation and for a period not longer than one year from the date of said incapacitation the full salary that the said George Dennison has been earning as a member of the Police Department, minus any amounts that he may receive under the City's Workman's Compensation policy of insurance, 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
ORDINANCE RE:
PAYMENT FOR SEWER
SERVICE

Commissioner Barnell introduced an ordinance being
ORDINANCE NO. 624-N.S.

entitled "AN ORDINANCE PROVIDING FOR CERTAIN FEES TO BE PAID BY PERSONS IN TERRITORIES HEREAFTER ANNEXED TO THE CITY OF MODESTO FOR CONNECTIONS TO CITY SEWER SYSTEM." 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

IN THE MATTER OF
ADJOURNMENT

Commissioner Neece introduced

RESOLUTION NO. 4878-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 ELMER J. BLUM
ASSISTANT CITY CLERK
Elmer J. Blum

May 8, 1940

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 provided by Section 1 of Ordinance No. 2-N.S.

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

Absent: Councilmen: None

IN THE MATTER OF PROTEST TO PORTUGESE CELEBRATION Rev. Langley of the Pentecostal Assembly located at 632 6th Street appeared before the Council protesting to the noise caused by the drums of the Portugese Pentecostal parade which disturbed their church services. By order of the Council, Chief of Police Arington was instructed to investigate this matter.

IN THE MATTER OF AGREEMENT WITH H. E. HERRON ET AL WITH CITY OF MODESTO Pursuant to agreement filed with the Council for approval between Harold H. Herron, Delma High Herron, Malin T. Langstroth and Vera Langstroth and the City of Modesto for annexation of a certain portion of High Homes Tract to the City, Commissioner Barnell introduced

RESOLUTION NO. 4879-N.S.

approving agreement as presented (see file #GE45) 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 PETITION OF AMERICAN LEGION TO HOLD RACE OF OLD CARS AT AIRPORT Henry Kline and Charles Hyslop representing the American Legion Post #74 appeared before the Council and petitioned them to allow the American Legion to hold a race of old automobiles at the Municipal Airport. They were informed by the Council that this could not be permitted.

IN THE MATTER OF CLAIMS FOR MONTH OF APRIL, 1940 Claims against the City of Modesto for the month of April, 1940 having been heretofore audited by the Council and found to be correct, Commissioner Bates introduced

RESOLUTION NO. 4880-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-----	\$24,773.96
WATER FUND-----	5,427.74
LIBRARY FUND-----	2,059.91
BOND RED. INT. FUND-----	87.50
SPECIAL GAS TAX-----	1,121.52
	<u>\$33,470.63</u>

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 Municipal Ordinance and Research
Service regarding the codification of the City ordinances

was read and the City Clerk was instructed to notify them that arrangements had al-
ready been made for the codification of the city ordinances.

IN THE MATTER OF
PETITION OPERATE
SERVICE STATION IN
RESIDENCE ZONE

Whereas, pursuant to the filing of petition with the
Council by Clifford D. Barnes and John E. Griffin for
permit to erect and maintain a Super Service station
on the E 90' of Lots 14, 15, 16, Block 86 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 Barnell introduced

RESOLUTION NO. 4881-N.S.

granting permission to applicants 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

IN THE MATTER OF
FINAL ADOPTION
ORDINANCE NO. 624-N.S.
SEWER CONNECTION
OUTSIDE THE CITY

Ordinance No. 624-N.S. having been heretofore intro-
duced and ordered printed and published at the special
meeting of April 26, 1940 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

IN THE MATTER OF
PAYMENT TO S. M.
MCGAW ON PAVEMENT
ON H STREET

Whereas, City Engineer Rossi has filed notice with
the City Clerk of completion of the improvement of H
Street from High Street to the east city limits and
payment on contract due and payable as of this date in the amount of \$6339.26,
Commissioner Barnell introduced

RESOLUTION NO. 4882-N.S.

authorizing the acceptance of the work as completed by contractor S. M. McGaw and
progressive payment of \$6339.26 and the City Clerk is hereby authorized to record
notice of completion with the County Recorder and to draw warrant in amount of
\$6339.26 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

IN THE MATTER OF
ORDINANCE RE: APPRO-
PRIATE MONEY FOR
PUMP STATION IN
MENSINGER TRACT

Commissioner Barnell introduced an ordinance being
ORDINANCE NO. 625-N.S.

entitled "AN ORDINANCE APPROPRIATING MONEY AND PRO-

VIDING FOR THE PURCHASE OF MATERIALS AND INSTALLATION OF SAME 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

10 IN THE MATTER OF
\$5.00 MINIMUM CHARGE
FOR USE OF MUNICIPAL
BASEBALL PARK

Pursuant to recommendation of the Park Commission,
Commissioner Neece introduced
RESOLUTION NO. 4883-N.S.

establishing a minimum rental charge of \$5.00 for the use of the Municipal Baseball Field 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
COMMISSIONER OF
PARK DEPARTMENT

Commissioner Neece introduced
RESOLUTION NO. 4884-N.S.

reappointing Howard Keeley for a term of three years, from May 10, 1940 to the Park Commission, 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
REQUEST FOR INSTALL-
ATION OF GARBAGE
CAN AT 706 1ST
STREET

Pursuant to request from Hal's Market to install a Metal container for waste in front of their market at 706 First Street, by order of the Council petition was filed.

13 IN THE MATTER OF
CANCELLATION OF
OPTION ON DAVIS
HOUSE

Pursuant to provisions of Resolution No. 4873-N.S. adopted at a special meeting of the Council on April 26, 1940, appointing the firm of King and Giddings as brokers to negotiate with the owners of the Elks building to purchase said building for the City of Modesto and to obtain an option on that certain lot and house situate thereon located in the rear of said Elks Building and facing on 13th Street in the City of Modesto, and whereas, King and Giddings have been unable to negotiate the purchase of the Elks Building in accordance with conditions set forth in above mentioned resolution but have obtained an option from Edw. C. Davis the owner of lot and house adjacent to the elks building, Commissioner Neece introduced
RESOLUTION NO. 4885-N.S.

recommending that option obtained by King and Giddings for the City of Modesto on the Edw. C. Davis house be and is hereby cancelled, 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
DISCHARGE COMMITTEE
ON PURCHASE OF CITY
HALL

Commissioner Neece introduced
RESOLUTION NO. 4886-N.S.

discharging committee appointed by Resolution No. 4870-N.S.

composed of City Attorney Fowler, City Engineer Rossi and Commissioner Barnell to investigate the purchasing of property for a 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

IN THE MATTER OF
BOND ON NEW COURT
CLERK

Commissioner Bates introduced
RESOLUTION NO. 4887-N.S.

recommending that a \$2000.00 bond be secured on the new clerk of the Police Court, Marie Rohrer, 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
REPORTS

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

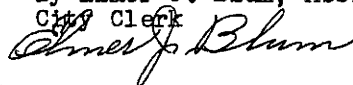
IN THE MATTER OF
ADJOURNMENT

Commissioner Stanley introduced
RESOLUTION NO. 4888-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, Assistant
City Clerk



Council Meeting
May 22, 1940

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 provided by 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 meetings of April 24, May 8 and of the special meeting of April 26, 1940 having been heretofore read by each Councilman, they were approved as so read.

IN THE MATTER OF
SUMMER CAMP OF RE-
CREATION COMMISSION

Whereas Resolution No. 4837-N.S. adopted by the Council on the 6th day of March, 1940 approving of the Recreation Commission's request to operate a summer camp near Pinecrest, owned by the 4 H Club and whereas Mr. E. C. Peckham of the Recreation Commission has appeared before the Council notifying them that the location of the summer camp is to be changed to Hardin Flat on Oak Flat Road, Commissioner Neece introduced

RESOLUTION NO. 4889-N.S.

approving change of location of camp, 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
WOMEN'S IMPROVEMENT
CLUB PLACE STOVE IN
GRACEADA PARK

Miss Corda Stone appeared before the Council requesting that the Women's Improvement Club be permitted to install a stove in Graceada Park. This matter was referred to

City Engineer Rossi.

IN THE MATTER OF
SERVICE STATION AT
12th & F STREETS

Mr. Harold Christman appeared before the Council with a request to install driveway into service station

(to be erected at Southwest corner of 12th and H Streets) closer to intersection than is permitted by the City. This matter was referred to City Engineer Rossi, Commissioners Barnell and Stanley.

IN THE MATTER OF
OPTIONS ON PROPERTY
FOR CITY HALL

Pursuant to the presentation to the Council of option on the northerly half of lot 24, all of lots 25, 26,

27, 28, 29, 30, 31, 32 in Block 121, Fifteenth and I Streets by Bomberger Brothers, until August 1, 1940 for \$14,300 and option on lots 13 to 16 inc. in Block 93 by Lillian F. DeYoe for \$20,000 for thirty days, to be used as a site for the City Hall, Commissioner Barnell introduced

RESOLUTION NO. 4890-N.S.

accepting options and placing them on file, 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
STREETS OF MAJOR
IMPORTANCE

Commissioner Barnell introduced

RESOLUTION NO. 4891-N.S.

establishing Eighth Street from H Street to Arch Street and Morris Avenue from College Avenue to the East city limits as streets of major importance and recommending that the City Council recommend to the Department of Public Works of the State of California that the above listed streets be likewise approved and designated by the Director of said Department as streets of major importance 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

IN THE MATTER OF
APPROVE MAP OF
MELROSE TRACT

Commissioner Barnell introduced

RESOLUTION NO. 4892-N.S.

approving map of Melrose Subdivision (part of Esgar Tract annexed to City of Modesto on September 5, 1939) as presented and designating the Mayor and City 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

IN THE MATTER OF
BUDGET OF RECREA-
TION COMMISSION

Mr. David Wellman, representing the Recreation Commission, accompanied by a delegation from the High School

and Junior College appeared before the Council and discussed the matter of a Recreation center in the City of Modesto. They filed with the Council a copy of the proposed 1940-1941 budget of the Recreation Commission.

9 IN THE MATTER OF COMMUNICATIONS:

A communication from the Modesto City Recreation Commission regarding a recreation center was read and

ordered filed.

A communication from the Modesto Chamber of Commerce

10 regarding traffic control was read and ordered filed.

A communication from "A Tax Payer" regarding condition

11 on 8th Street was read and ordered filed.

IN THE MATTER OF GRANT PERMIT TO FRANK LEO ESTABLISH BEAUTY PARLOR

Whereas, pursuant to the filing of petition with the Council by Frank Leo to conduct a beauty parlor on property known as 602 Fourth Street, being lots 17,

18, 19, Block 14 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 Barnell introduced

RESOLUTION NO. 4893-N.S.

granting permission to the applicant as requested 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

13 IN THE MATTER OF REQUEST TO PLACE OUTDOOR SIGN-FOSTER AND KLEISER

Pursuant to request of Foster and Kleiser to install a sign board on lots 1 and 2, Block 20 at 10th and D Streets, by order of the Council the granting of

request was laid over.

14 IN THE MATTER OF APPOINT MAYOR SHANNON SIGNATORY OFFICIAL PETITION ESTABLISH CHURCH

Commissioner Bates introduced

RESOLUTION NO. 4894-N.S.

designating Mayor Shannon as signatory official on application to build the church of Nazarenes in Block 340, lots 13 and 14 as the City of Modesto has taken tax deed on certain adjacent lots, namely, Block 341, lots 1, 2, and 3 and Block 337, lots 51, 52, 53, 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 RE: APPROPRIATE MONEY FINAL PAYMENT ROWLES PROPERTY

Commissioner Bates introduced an ordinance, being

ORDINANCE NO. 626-N.S.

entitled: "AN ORDINANCE APPROPRIATING MONEY AND PROVIDING FOR THE PURCHASE OF REAL 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

16 IN THE MATTER OF
ORDINANCE RE: JUNK
DEALERS BUILD FENCE

Commissioner Barnell introduced an ordinance being

ORDINANCE NO. 627-N.S.

entitled: "AN ORDINANCE REQUIRING JUNK DEALERS AND AUTO WRECKERS TO FENCE YARDS" 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
ORDINANCE NO. 625-N.S.
APPROPRIATE MONEY
PURCHASE WELL

Ordinance No. 625-N.S. having been heretofore introduced and ordered printed and published at the regular meeting of May 8, 1940 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
APPLICATION J. P.
SCHLESSER TO OPER-
ATE USED CAR LOT

Commissioner Stanley introduced

RESOLUTION NO.. 4895-N.S.

approving application and bond of J. P. Schlessler to operate a used car lot at 11th & 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

19 IN THE MATTER OF
COMMUNICATIONS

A communication from Radio station KSFO regarding announcements and news items was read and ordered filed.

20 A communication from the War Department expressing appreciation for the use of the firehouse for a recruiting office was read and ordered filed.

21 A communication from the Washington Parent Teacher's Association regarding the construction of a building by the City of Modesto to house a branch of the McHenry Public Library near Washington School was read and ordered filed.

22 IN THE MATTER OF
CITY SPONSOR TWO
GIRLS AT GIRL SCOUT
CAMP

Pursuant to request from the Modesto Girl Scout Council for the City of Modesto to contribute \$15.00 to be used for the attendance of two girls to the Girl Scout Camp at Pinecrest this summer, Commissioner Neece introduced

RESOLUTION NO. 4896-N.S.

recommending that the City of Modesto sponsor two camperships for the summer of 1940 and authorizing the City Clerk & Auditor to draw warrant payable to the Modesto Girl Scout Council in amount \$15.00, 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
PETITION RESIDENTS
PROTEST OPERATION
PEONNGRAPE-COLLEGE
KITCHEN

A petition was filed by residents living near the College Kitchen located at Stoddard Avenue and College Avenue protesting the granting of any extension of time, as

set forth in Ordinance No. 299-N.S. to operate mechanical phonographs. Same was read and ordered filed.

IN THE MATTER OF
ADJOURNMENT

Commissioner Stanley introduced

RESOLUTION NO. 4897-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

Elmer J. Blum

Special Council Meeting

May 27, 1940

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 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
RECREATION COMMISSION

Mr. J. C. Arnold, District representative of the Works

Progress Administration, together with Bessie Singleton,

M. Gettys Hall, David Wellman and Leo Hammett of the Recreation Commission were guests of the Council. The general program of the Recreation Commission was discussed. By order of the Council, City Engineer Rossi was directed to draw up an estimate of the cost of remodeling the old clubrooms of the Fire Department, at 715 10th Street, to be used as a Recreation center and to report back to the Council at a future date.

IN THE MATTER OF
ANNEXATION OF JOHN
MUIR PARK TRACT

Whereas there has been presented to the City Council

for acceptance, petition that an election be called in the John Muir Park Tract, Commissioner Barnell introduced

RESOLUTION NO. 4898-N.S.

accepting petition and the City Attorney is hereby ordered to prepare the necessary documents and notices for the holding of an election in said territory sought to be annexed to the City of Modesto for the purpose of determining whether or not the voters living in said territory desire said territory to be annexed to, and to become a part of the city limits of the City of Modesto, 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 ANNEA-
TION OF JOHN MUIR
PARK TRACT TO THE
CITY OF MODESTO

Whereas, there has been presented to the City Council,
a petition requesting that an election be called in the
John Muir Park Tract, Commissioner Barnell introduced

RESOLUTION NO. 4899-N.S.

accepting petition and declaring that it is the intention of said City Council to hold an election in said John Muir Park for the purpose of submitting to the voters the question whether or not the voters residing in said tract desire to have said described territory annexed and made a part of the corporate limits of the City of Modesto. Said election shall be held in said John Muir Park on the 19th day of July, 1940. The time for hearing protests by persons owning property in the within described tract is hereby set for the 14th day of June, 1940 in the Council room in the rear of the City Clerk's office at 4:00 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

IN THE MATTER OF
BUS FRANCHISE TO
NORVELL & NEVILLE

Whereas, Herbert G. Norvell and Willard Neville, co-
partners doing business as the Airport Transit have
petitioned the Council for a franchise to operate a passenger service between 11th
and I Streets and the Modesto Municipal Airport outside the city limits and inter-
mediate points, Commissioner Bates introduced

RESOLUTION NO. 4900-N.S.

granting franchise to applicants subject to approval of the Railroad Commission and to the provisions of all of the local ordinances and resolution now existing or hereinafter enacted, 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 ON
PUMP

Whereas the City Engineer has filed with the Council
specifications for furnishing all labor and materials
for the installation of one deep well turbine pump with vertical hollow shaft motor
and control panel complete, Commissioner Barnell introduced

RESOLUTION NO. 4901-N.S.

accepting specifications as filed by the City Engineer and placed them 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
CLERK ADVERTISE
FOR BIDS ON WELL
INSTALLATION

Commissioner Barnell introduced

RESOLUTION NO. 4902-N.S.

authorizing the City Clerk to call for bids for the
furnishing and installing of a deep well turbine pump with motor and control panel,
said bids to be received at the office of the City Clerk not later than 7:30 on
Wednesday, June 12, 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
APPOINT MAYOR SIGNA-
TORY OFFICIAL ON
RELEASES

Commissioner Bates introduced

RESOLUTION NO. 4903-N.S.

appointing the mayor as signatory official on releases of all claims of the City of Modesto against Edward C. Dahlberg et al arising out of collision between the car driven by said Edward C. Dahlberg with the Virginia Street bridge owned by the City of Modesto on November 19, 1939 and it is hereby resolved that the release of said Edward C. Dahlberg et al shall be and the same is hereby accepted and the City Attorney is authorized to dismiss any and all suits now pending against Edward C. Dahlberg in the Justice Court of the Modesto Township and the Superior Court 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
ADJOURNMENT

Commissioner Bates introduced

RESOLUTION NO. 4904-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, ASSISTANT CITY CLERK

Elmer J. Blum

Special Council Meeting,

May 28, 1940

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 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
M. MONOTTI BE-
QUEST TO THE CITY
OF MODESTO

Pursuant to bequest to the City of Modesto by M. Monotti, a general discussion was held by the Council as to provisions of will of said M. Monotti for the expenditure of said bequest.

IN THE MATTER OF
ADJOURNMENT

Commissioner Neece introduced

RESOLUTION NO. 4905-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, Ass't. City Clerk

Elmer J. Blum

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 provided by 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 May 22, 1940 and special meetings of May 27 and 28, 1940 having been heretofore read by each Councilman they were approved as so read.

2
IN THE MATTER OF
PROTEST TO CALI-
FORNIA BALLROOM

Mr. Anthony Weedlon and delegation appeared before the Council protesting to the noise created by the automobiles parked near his home while owners attended dances at the California Ballroom and to the bottles and beer cans thrown in the street and on the lawns of houses located near the dance hall. This matter was turned over to the Police Chief to investigate.

3
IN THE MATTER OF
REQUEST FOR WATER
SERVICE OUTSIDE
CITY

N. P. Palmer of the Pacific Fruit Express Ice Plant located on the Tully Road appeared before the Council with a request that they be granted city water service for the two houses outside the City on Tully Road. City Engineer Rossi was appointed by the Council to investigate this matter and report back to the Council.

4
IN THE MATTER OF
PARADE ON JULY
4-1940

Mr. Henry Zimmerman and Mr. William H. Bates representing the Citizen's Committee appeared before the Council and petitioned them to grant \$250.00 to be used for July 4 celebration in the City of Modesto, whereupon Commissioner Neece introduced

RESOLUTION NO. 4906-N.S.

granting request and authorizing the City Clerk and Auditor to draw warrant in amount \$250.00 payable to Henry E. Zimmerman, Financial Chairman of Citizens Committee, 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
DONATION TO NATION-
AL GUARDS

Captain Joseph Freeman of the local National Guards appeared before the Council requesting a donation of \$100.00 to be used by the local National Guard Company while attending summer camp in Centralia, Washington, August 4 to 25th, inc. Captain Freeman was advised by the Council that this matter would be taken under advisement.

6
IN THE MATTER OF
CLAIMS FOR MONTH
OF MAY, 1940

Claims against the City of Modesto for the month of May, 1940 having been heretofore audited by the Council and found to be correct, Commissioner Bates introduced

RESOLUTION NO. 4907-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.....	\$22,425.32
WATER FUND.....	5,059.53
LIBRARY FUND.....	1,435.12
BOND RED. INT. FUND.....	18.75
ST. BOND RED. INT. FUND.....	69.48
GASOLINE TAX FUND.....	6,947.29
MONOTTI #2 FUND.....	15.00
	<u>\$35,970.49</u>

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
 CLAIM FOR DAMAGES
 TO CAR OF A. GELLER

A claim for \$17.98 was filed by A. Geller for damages to his car which was involved in a collision with the car owned by the City of Modesto under date of March 16, 1940. Claim was refused by the Council.

8
 IN THE MATTER OF
 COMMUNICATIONS

A letter from Joseph A. Moore offering to sell lots 28, 29, 30 in Block 96 to the City of Modesto for \$4500.00 to be used as a site for the City Hall, was read and ordered filed.

9
 A copy of the minutes of the meeting of the Recreation Commission was read and ordered filed.

10
 IN THE MATTER OF
 COMMUNICATION FROM
 W. H. MURRAY

A communication from William H. Murray offering to sell lots 17, 18, 19, 20, 21, 22, 23 in Block 94 to the City of Modesto for \$23,500 as a site for a City Hall was read and ordered filed.

11
 IN THE MATTER OF
 SEWER CONNECTION
 CHAS. H. DAYTON

Whereas, pursuant to request of Chas H. Dayton for sewer service at his house located in Lot 5, Block 241 in the La Linda Tract, outside the City of Modesto, Commissioner Barnell introduced
 RESOLUTION NO. 4908-N.S.

granting request with the understanding that the \$50.00 fee required for this service as set forth in Ordinance No. 624-N.S. be paid by applicant and an agreement be prepared by the City Attorney and to be executed by Chas. H. Dayton and the City of Modesto setting forth the provisions that if the La Linda Tract is not a part of the City of Modesto within a period of eight month, sewer service will be discontinued and agreement cancelled, 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
 COMMUNICATIONS

A communication from the Stanislaus County Boys' Band requesting financial assistance for the coming fiscal year was read and ordered filed.

13
 IN THE MATTER OF
 RENEWAL OF LEASES
 CIVIL AERONAUTICS
 AUTHORITY

Commissioner Bates introduced
 RESOLUTION NO. 4909-N.S.

authorizing renewal of leases with the Civil Aeronautics Authority for the remote control quarters site and the right to set 6 poles and to install and maintain lights thereon at the Airways Radio Range Station located at the Modesto Municipal Airport for the year ending June 30, 1941, 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
PETITION FOR HORSE-
SHOE COURT IN WEST-
SIDE PARK

Pursuant to petition filed with the Council for the installation of horse shoe Court in the Westside Park, the City Clerk was instructed to notify petitioners that the Park Commissioner had taken this into consideration.

15
IN THE MATTER OF
SERVICE STATION
FIRST & H STREET

Whereas, pursuant to filing of petition with the Council by E. S. France for permit to erect and maintain a service station at First and H Streets, being lots 17 and 18, Block 1 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 Bates introduced

RESOLUTION NO. 4910-N.S.

granting permission 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

16
IN THE MATTER OF
PETITION TO ESTAB-
LISH CHURCH OF
NAZARENE

Pursuant to petition being filed with the Council to erect and maintain the First Church of Nazarene on property known as lots 13 and 14, Block 340, due to protests filed, petition was declared irregular and the City Clerk was instructed to notify applicants that petition was denied.

17
IN THE MATTER OF
PETITION CANCEL
LICENSE OF THOMPSON
HALL TO HOLD DANCES

A petition signed by residents near Thompson Hall located at Needham and N Streets protesting to the holding of public dances at this hall was filed with the Council. Whereupon by order of the Council, the Chief of Police was ordered to check petition and to investigate the matter.

18
IN THE MATTER OF
AWARD BID ON SIGNAL
9TH & B STREETS

Commissioner Bates introduced

RESOLUTION NO. 4911-N.S.

awarding bid on vehicle detectors and semi-vehicle actuated traffic signal controller with traffic signal units to be installed at 9th & B Streets to the Automatic Signal Corporation at a purchase price of \$1219.12 and authorized the City Auditor and Clerk to draw warrant in payment upon certification by the City Engineer and to return bidding checks 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

19
IN THE MATTER OF
BIDS ON DEEP WELL
TURBINE PUMP

Pursuant to advertising for bids on the furnishing and installing of a deep well turbine pump with motor and control panel, the City Clerk reported seven bids on file (see file #BP187), whereupon Commissioner Bates introduced

RESOLUTION NO. 4912-N.S.

recommending that all bids be referred to the City Engineer and the Commissioner of Public Supplies, for compilation 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

IN THE MATTER OF
FINAL PAYMENT TO
S.M.McGAW ON PAV-
ING EAST END OF
H STREET

Whereas, completion of the contract of improvement of H Street from High Street to east city limits has been accepted by the City of Modesto from contractor S. M.

McGaw, as of May 8, 1940 and whereas the contract for this improvement provides that final payment be made 35 days after acceptance of work by the Council and whereas the 35 day period will have elapsed on June 13, 1940 Commissioner Barnell introduced

RESOLUTION NO. 4913-N.S.

authorizing payment of balance due \$2600.64 as of June 13, 1940 and the City Clerk and Auditor be authorized to draw warrant in payment on that date, as final payment on the contract for improving H Street from High Street to the east city limits, 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
APPROVING AGREEMENT
WITH STATE ON STREETS
OF MAJOR IMPORTANCE

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 1/4 cent gas tax for the fiscal year 1941 allocated for streets of major importance other than State Highways in the City of Modesto, Commissioner Barnell introduced

RESOLUTION NO. 4914-N.S.

recommending that project statement be and it is hereby adopted as the budget of proposed expenditures of the 1/4 cent gas tax allocated for streets of major importance other than State Highways and said agreement be and the same is hereby approved and the Mayor and the City Clerk are directed to sign the same on behalf of said City, 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 CITY
ENGINEER ON STREETS
MAJOR IMPORTANCE

City Engineer Rossi reported on the approval of the State of California, Division of Highways for the inclusion of Eighth Street, from H Street to Arch

Street and Morris Avenue from College Avenue to east city limits near Hunter Avenue in the Street of Major Importance in the City of Modesto.

IN THE MATTER OF
REPORT BY ENGINEER
ON REMODEL OLD FIRE-
HOUSE FOR RECREATION
COMMISSION

City Engineer Rossi reported that it would cost approximately \$961.00 to remodel the old firehouse clubrooms at 715 10th Street for the use of the Recreation Com-

mission. By order of the Council, the City Clerk was instructed to write to the

Secretary of the Recreation Commission, Margaret Gettys Hall, and notify them that the Council did not think it advisable to go ahead with the repairs necessary to put this building in condition for the use of the Recreation Commission as the building is for sale and the amount expended for repairs would be practically lost to the city when the property is sold.

24
IN THE MATTER OF
ADVERTISING FOR
BIDS ON PRINTING
& ADVERTISING FOR
YEAR 1940-1941

Commissioner Bates introduced

RESOLUTION NO. 4915-N.S.

authorizing the City Clerk to advertise for bids on official printing and advertising for the fiscal year ending June 30, 1941, said bids to be opened at the regular meeting of the Council on June 26, 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

25
IN THE MATTER OF
ADVERTISING FOR
BIDS ON PETROLEUM
PRODUCTS

Commissioner Bates introduced

RESOLUTION NO. 4916-N.S.

authorizing the City Clerk to advertise for bids on 400 tons of road oil, said bids to be opened at the regular meeting of the Council on June 26, 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

26
IN THE MATTER OF
ADVERTISING FOR
BIDS FOR PATCHING
MATERIALS ON STREETS

Commissioner Bates introduced

RESOLUTION NO. 4917-N.S.

authorizing the City Clerk to advertise for bids for furnishing approximately 50 tons of cut back A. C. and for furnishing and placing plant mix hot A. C. in trench cuts and patches as requested by the City Engineer for the fiscal year beginning July 1, 1940. Said bids are to be received by the City Clerk on or before 7:30 P.M., June 26, 1940, 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
ADVERTISE FOR LAMPS
FOR STREETS AND
MUNICIPAL BUILDINGS

Commissioner Bates introduced

RESOLUTION NO. 4918-N.S.

authorizing the City Clerk to advertise for bids on incandescent lamps for Municipal lighting for the period July 1, 1940 to June 30, 1941 inclusive, said bids to be filed at the office of the City Clerk, 717 10th Street not later than 7:30 P.M. on Wednesday, June 26, 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
AUTHORIZE PAYMENT
OF WAGES TO W. J.
COULSON & ORIN ADAMS

Commissioner Stanley introduced

RESOLUTION NO. 4919-N.S.

authorizing the City Clerk and Auditor to pay salaries
to W. J. Coulson and Orin C. Adams recently appointed officers in the Police Depart-
ment, 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
ORDINANCE RE: SALE
OF CERTAIN FOODS

Commissioner Stanley introduced an ordinance being

ORDINANCE NO. 628-N.S.

entitled: "AN ORDINANCE PROHIBITING THE SALE OR GIVING AWAY OF CREAM PIES, CREAM
PUFFS, CHOCOLATE ECLAIRS, OR ANY MIXTURE CONTAINING CUSTARD OR CREAM FILLING, 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

IN THE MATTER OF
ORDINANCE RE: AP-
PROPRIATE MONEY PUR-
CHASE MATERIALS

Commissioner Bates introduced an ordinance, being

ORDINANCE NO. 629-N.S.

entitled: "AN ORDINANCE APPROPRIATING MONEY AND PROVID-
ING 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 pub-
lished as above by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF
CONTRACTS FOR WATER
SERVICE WITH DEPT.
OF INTERIOR AT
809 13TH STREET

Commissioner Barnell introduced

RESOLUTION NO. 4920-N. S.

authorizing the execution of contract between the
United States and the City of Modesto for the furnishing of water to the garage of
the Bureau of Reclamation located at 809 13th Street, Modesto; contract to be in
effect until further notice, but in no event shall it extend beyond June 30, 1943,
and be it resolved that certified copy of resolution authorizing execution of
contract by the Mayor should accompany contract, 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
FINAL ADOPTION OF
ORD. NO. 626-N.S.
APPROPRIATE MONEY
PURCHASE PROPERTY

Ordinance No. 626-N.S. having been heretofore intro-
duced and ordered printed and published at the regular
meeting of May 22, 1940 and thereupon printed and pub-
lished 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

33
IN THE MATTER OF
FINAL ADOPTION OF
ORD. NO. 627-N.S.
REQUIRE JUNK DEALERS
AND AUTO WRECKERS
TO FENCE YARDS

Ordinance No. 627-N.S. having been heretofore introduced and ordered printed and published at the regular meeting of May 22, 1940 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

34
IN THE MATTER OF
APPOINT CITY ENGINEER
AGENT TO SIGN
FOR CO-SPONSOR OF
W.P.A. PROJECT

Commissioner Barnell introduced

RESOLUTION NO. 4921-N.S.

appointing City Engineer Rossi as agent for the City

of Modesto as co-sponsor for the works Progress Administration projects for the coming summer season, 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
REGULATING COOLING
SYSTEMS

Whereas a large number of air conditioning and cooling systems are being installed without recirculating pumps and automatic shutoff valves and whereas every effort should be made to prevent excessive use of water, Commissioner Barnell introduced

RESOLUTION NO. 4922-N.S.

providing that any air conditioning and cooling systems using more than ten gallons of water per hour from the City system shall be metered and be it further resolved that any cooling system regardless of size shall have installed thereon an automatic shutoff water valve on each cooling system and that a permit for each air conditioning or cooling system either on the City water system or on a private system shall be procured as required in Section 7 of plumbing 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

36
IN THE MATTER OF
REGULATING WASTE
WATER FROM COOLING
SYSTEMS

Whereas the installation of cooling systems and other conditioning systems discharge a large quantity of wastewater and all water and waste water including sewage reaching the sewage treatment plant must be repumped through the plant and waste water from cooling systems is not considered sewage, and whereas the cost of pumping adds an additional and unwarranted expense to the city, Commissioner Barnell introduced

RESOLUTION NO. 4923-N.S.

recommending that all waste water from cooling systems and other conditioning systems using water in excess of 50 gallons of water per minute be connected to the storm sewer system and all systems using less than 50 gallons of water per minute must be piped to the street gutter, and be it further resolved that cooling systems using water from other sources other than the Municipal Water System but discharging its

waste water into the gutters or storm sewer shall be required to pay a fee of .01 per 1000 gallons of water discharged from said system, 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 ON SERVICE STATION 12TH & H STS
Whereas, George Chrisman has petitioned the Council to remodel the gasoline service station located in Block 82, east 50' lots 1 to 4 inc. establishing the driveway closer to the corner than is regularly permitted, and whereas a committee composed of Commissioner Stanley, City Engineer Rossi and Commissioner Barnell appointed by the Mayor have made an investigation, Commissioner Stanley introduced

RESOLUTION NO. 4924-N.S.

granting permission to the City Engineer to issue permit to George Chrisman to establish driveway two feet over the standard requirement, 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 OUTDOOR SIGN FOSTER & KLEISER
Pursuant to request of Foster and Kleiser to install outdoor advertising sign on lots 1 and 2, Block 20, 10th and D Streets, it was the decision of the Council to deny request.

IN THE MATTER REPORT ON TAX DEED PROPERTY-CITY ATTORNEY
City Attorney Fowler reported that he had gone before the Board of Supervisors of Stanislaus County regarding the tax deed property in the City of Modesto and it was agreeable with them to accept a certain amount per lot for property under tax deed but that he had not been able to contact the Modesto Irrigation District as yet and the matter was held up until such time as he was able to get in touch with them.

IN THE MATTER OF DEPARTMENTAL REPORTS FOR THE MONTH OF MAY-1940
Departmental reports for the month of May were read and ordered filed.

IN THE MATTER OF ADJOURNMENT
Commissioner Bates introduced

RESOLUTION NO. 4925-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, Assistant City Clerk

Special Council Meeting

June 14, 1940

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 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
DONATION TO
NATIONAL GUARDS

Commissioner Neece introduced

RESOLUTION NO. 4926-N.S.

recommending that the National Guards be granted donation from the Music and Pro-
motion budget for year 1939-1940 of \$100.00 to be used for trip to their summer
camp at Centralia, Washington during the week of August 4th to 25th inc., 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
PROTESTS TO ANNEX-
ATION JOHN MUIR
PARK

Pursuant to provisions of resolution No. 4899-N.S.

the Council met in special session to consider protests
against the annexation of the John Muir Park Tract.

No protests were filed.

3
IN THE MATTER OF
CALLING ELECTION
JOHN MUIR PARK
ANNEXATION

Whereas petition has been presented to the Council in
the proper form asking that the John Muir Park be
annexed to the City of Modesto, Commissioner Neece

introduced

RESOLUTION NO. 4927-N.S.

authorizing the holding of an election in the above described territory as provided
by law on the 19th day of July, 1940, submitting the question of such annexation to
the qualified electors residing within the above described territory, which resolu-
tion 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. 4928-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* ASSISTANT CITY CLERK

June 18, 1940

Special Council Meeting

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 pro-
vided by Section 2 of Ordinance No. 2-N.S.

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

Absent: Councilmen: None

IN THE MATTER OF
TRANSCRIPT OF
PICKET CASE

Commissioner Bates introduced

RESOLUTION NO. 4929-N.S.

authorizing the City Attorney to secure for Attorney J. W. Hawkins court transcript of the Charles J. Sumner case, who was arrested while picketing in the City of Modesto and is being tried in the Police Court on June 28, 1940, under provisions of Ordinance No. 623-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

IN THE MATTER OF
REPORT BY JOHN
MASON ON INSURANCE
FOR CITY EMPLOYEES

John Mason, assistant City Engineer, representing the

City Employees, appeared before the Council with a

group life insurance plan for the employees of the

City of Modesto and suggested that the Council give this plan consideration when

preparing the budget for the coming year. This matter was taken under advisement.

IN THE MATTER OF
BUDGET FOR YEAR
1940-1941

A general discussion was held on the budget for the

coming year.

IN THE MATTER OF
ADJOURNMENT

Commissioner Bates introduced

RESOLUTION NO. 4930-N.S.

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

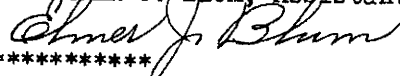
Ayes: Councilmen: Barnell, Bates, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

BY-ELMER J. BLUM, Assistant City Clerk



Council Meeting

June 26, 1940

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 provided by 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 June 12, 1940

and the special meetings of June 14th and 18th, 1940

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

IN THE MATTER OF
CLAIMS-CHAMBER OF
COMMERCE

Commissioner Bates introduced

RESOLUTION NO. 4931-N.S.

allowing claim of the Chamber of Commerce for \$200.00, the balance of donation allowed in the 1939-40 budget of Music and Promotion, 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
CLAIM-McNEIL &
SAUNDERS

Commissioner Bates introduced

RESOLUTION NO. 4932-N.S.

allowing claim of \$12.50 to McNeil and Saunders for reporting the case of City of Modesto versus Gores, 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
M. H. HARDESTY

Communication from Mayble H. Hardesty offering to sell

to the City of Modesto property located on H Street, between 14th and 15th Streets, being Block 114, lots 1 to 4 inc. to be used as City Hall at a price of \$12,000, was read and ordered filed.

5
IN THE MATTER OF
ORDINANCE RE:
MARKING OF STREETS

Pursuant to communication from the Division of Highways,

asking that the City of Modesto adopt a uniform ordinance for marking of highways with double line, by order of the Council the matter was referred to Attorney Fowler and City Engineer Rossi.

6
IN THE MATTER OF
COMMUNICATION
DR. L. D. MOTTRAM

Pursuant to communication from Dr. L. D. Mottram re-

questing that the City of Modesto install stop signs at the intersection of Hackberry and Stoddard Avenues, City Clerk was notified to answer the communication and advise him that this matter would be given consideration.

7
IN THE MATTER OF
PETITION INSTALL
ADVERTISING SIGN
NINTH & O STREETS

Thompson Advertising Service made application to the Council for permission to install an outdoor advertising sign at 9th and O Streets. Request was not granted.

8
IN THE MATTER OF
PERMIT TRANSFER
POP-CORN WAGON

Pursuant to request of Mrs. E. D. Peterson, to transfer

pop-corn wagon from the south corner of 10th and I Streets to the north corner, in front of the Bank of America on 10th Street, during the building of the Anglo National Bank building, and whereas permit has been granted by the Bank of America for the transfer, Commissioner Stanley introduced

RESOLUTION NO. 4933-N.S.

granting permit to Mrs. E. D. Peterson as requested, 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
AWARD BID ON PRINT-
ING & ADVERTISING
FOR YEAR 1940-1941

Commissioner Bates introduced

RESOLUTION NO. 4934-N.S.

awarding bid on advertising and printing for the City of Modesto for year ending June 30, 1941 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

10
IN THE MATTER OF
BIDS ON PAVING
MATERIAL, INCANDESCENT
LAMP, ROAD
OIL

Pursuant to advertising for incandescent lamps for year ending June 30, 1941 for the city buildings and streets and paving material and 400 tons of Road Oil, and whereas

the City Clerk reports one bid on file for paving material, five bids for road oil and five bids for incandescent lamps, Commissioner Bates introduced

RESOLUTION NO. 4935-N.S.

recommending that all bids be referred to the City Engineer and the Commissioner of Public Supplies for tabulation and recommendation 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

IN THE MATTER OF
JUNK YARD

Pursuant to receipt of copy of Assembly Daily Journal of May 23, 1940 from the California Legislature, wherein they request that the City make available to the people of the City of Modesto, at convenient and accessible places, municipal and community yards for the collection of scrap iron, by order of the Council, document was ordered filed.

IN THE MATTER OF
AWARD ON DEEP WELL
TURBINE PUMP WITH
MOTOR

The awarding of bid on Deep Well Turbine Pump with motor was laid over until a future date.

IN THE MATTER OF
FINAL PAYMENT TO
D. E. ROWLES ON
PROPERTY AT AIR-
PORT

Commissioner Bates introduced
RESOLUTION NO. 4936-N.S.

authorizing final payment on lot 4 of the La Rio Park Tract, purchased from D. E. and Helen H. Rowles in amount \$3822.30, plus interest at 6% from July 14, 1939 to June 28, 1940, \$222.33, making a total of \$4044.63 and directing the City Clerk and Auditor to draw warrant for \$4044.63 on June 28, 1940 and deliver to the Stanislaus Abstract and Escrow Company, as per agreement of July 14, 1939 by the City of Modesto and D. E. Rowles et ux, upon delivery to the City of Modesto of good and sufficient deed to said property, 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
FRANCHISE ON MOTOR
BUS-WILLIS M.
KLEINENBROICH

Pursuant to application of Willis M. Kleinenbroich to operate a motor bus route in the City of Modesto, this matter was laid over to a later meeting.

IN THE MATTER OF
FINAL ADOPTION OF
ORD. NO. 628-N.S.
REGULATE SALE
PASTRY PRODUCTS

Ordinance No. 628-N.S. having been heretofore introduced and ordered printed and published at the regular meeting of June 12, 1940 and coming on for final adoption at this time, it was upon roll call so finally defeated by the following vote:

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

IN THE MATTER OF
ORD. REGULATE SALE
OF PASTRY PRODUCTS

Commissioner Stanley introduced an ordinance being
ORDINANCE NO. 630-N.S.

entitled: "AN ORDINANCE PROHIBITING THE SALE OR GIVING AWAY OF CREAM PIES, CREAM PUFFS, CHOCOLATE ECLAIRS, OR ANY PASTRY MIXTURE CONTAINING CUSTARD OR CREAM FILLING 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
ORDINANCE NO. 629-N.S.
APPROPRIATE MONEY FOR
ROAD OIL

Ordinance No. 629-N.S. having been heretofore introduced and ordered printed and published at the regular meeting of June 12, 1940 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
REQUEST FOR WATER
SERVICE-TULLY ROAD

Pursuant to request of N. P. Palmer of the Pacific Fruit Express Ice Plant for the City to furnish water service

to two houses adjacent to the Ice Plant outside the City of Modesto, the City Clerk was directed to write Mr. Palmer and notify him that it was not the policy of the City to furnish water service outside the city limits.

19
IN THE MATTER OF
PUBLICATION OF LA-
LINDA ANNEKATION
TO CITY OF MODESTO

Commissioner Bates introduced

RESOLUTION NO. 4937-N.S.

authorizing payment to the Modesto Bee of \$5.85 for the publication of Notice of Intention to Circulate Petition for Annexation of the La-Linda Tract to the City of Modesto and directed 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

20
IN THE MATTER OF
EXTEND LEAVE OF
ABSENCE GRANTED
MR. GRAGG-60 DAYS

Commissioner Neece introduced

RESOLUTION NO. 4938-N.S.

extending leave of absence granted H. E. Gragg, City Clerk, Auditor, Treasurer, Tax Collector, License Collector and Assessor, under Resolution No. 4866-N.S., 60 days from June 24, 1940, 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
APPOINTMENT OF
ELMER J. BLUM

Whereas heretofore, to wit, on April 24, 1940, upon the granting of leave of absence for 60 days to H. E. Gragg, City Clerk, Auditor, Assessor, Treasurer, Tax Collector, and whereas, upon the granting of said leave of absence to H. E. Gragg from said offices in pursuance of said leave, it became and was necessary to appoint Elmer J. Blum as Assistant Auditor, Assessor, Treasurer and Tax Collector, and whereas, said leave of absence granted to said H. E. Gragg ended on June 24, 1940 and an additional leave of 60 days was on said 26th day of June, 1940 granted to said H. E. Gragg, as evidenced by Resolution

No. 4938-N.S. and, whereas, some question has arisen as to whether the appointment of said Elmer J. Blum to the various assistantships heretofore mentioned has ended and to clarify the position of the said Elmer J. Blum in that regard, Commissioner Neece introduced

RESOLUTION NO. 4939-N.S.

recommending that for 60 days following the said 24th day of June 1940, the said Elmer J. Blum is hereby appointed as assistant Assessor, Auditor, Treasurer and Tax Collector with all the rights, powers and duties of the said H. E. Gragg in the performance of said offices, 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 SALARY OF ELMER J. BLUM

Whereas, to-wit, on April 24, 1940, due to the absence of H. E. Gragg from his duties of City Clerk, Auditor, Assessor, Tax Collector and Treasurer of the City of Modesto, Elmer J. Blum was appointed to the office of Assistant Auditor, Assessor, Tax Collector and Treasurer and whereas, in the performance of the duties devolving upon the said Elmer J. Blum in acting as Assistants in such offices have been increased and additional work and labor and responsibility have had to be assumed by the said Elmer J. Blum and whereas as a result of the assumption of said additional duties and responsibilities it is deemed by the City Council to be proper and fitting that the compensation of the said Elmer J. Blum should be increased, Commissioner Neece introduced

RESOLUTION NO. 4940-N.S.

recommending that the salary of the said Elmer J. Blum be and it is hereby increased by paying to the said Elmer J. Blum the sum of \$85.00 monthly in addition to the salary heretofore received by Elmer J. Blum, said additional salary to begin on the 24th day of April, 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 REPORT ON DANCE HALLS-POLICE CHIEF

Chief of Police Arington gave a report on dances held at Thompson Hall and California Ballroom.

IN THE MATTER OF REPORT ON PICKETING ORDINANCE

Attorney Fowler gave a report on picketing Ordinance No. 623-N.S.

IN THE MATTER OF ADJOURNMENT

Commissioner Bates introduced

RESOLUTION NO. 4941-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, Assistant City Clerk

Elmer J. Blum

July 2, 1940

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 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
ADOPTION OF SALARY
SCHEDULE

Commissioner Bates Introduced
RESOLUTION NO. 4942-N.S.

adopting salary schedule for employees under Civil Service 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

IN THE MATTER OF
BUDGET FOR 1940-41

Pursuant to provisions of Section 48 of the Charter,
budget of estimated expenditures of the various depart-

ments of the City of Modesto for the fiscal year beginning July 1, 1940 and ending June 30, 1941, 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. 4943-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

IN THE MATTER OF
ORD. SET. SALARIES
OF OFFICIALS

Commissioner Neece introduced an ordinance being
ORDINANCE NO. 632-N.S.

entitled; "AN ORDINANCE FIXING THE COMPENSATION OF THE CITY OFFICIALS OF THE CITY OF MODESTO", and moved its adoption and passage to print and publish, which motion being duly seconded, it was upon roll call carried and the ordinance ordered published as above by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF
ORD-APPROPRIATE
MONEY FOR AUTO
HEALTH DEPARTMENT

Commissioner Bates introduced an ordinance being
ORDINANCE NO. 631-N.S.

entitled: "AN ORDINANCE APPROPRIATING MONEY AND PROVIDING FOR THE PURCHASE OF AN AUTOMOBILE FOR THE SANITARY INSPECTOR 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

IN THE MATTER OF
REQUEST FOR PERMISS-
SION TO USE LOUD
SPEAKER IN PARK

Pursuant to request of the Townsend Club for permission
to use loud speaker in the City Parks, they were advised
that it was not the policy of the Council to grant per-

mission to anyone to use a loud speaker in the City Parks.

IN THE MATTER OF
TRANSFER FROM
WATER TO GENERAL
FUND

Commissioner Bates Introduced
RESOLUTION NO. 4944-N.S.

authorizing the transfer of \$40,000 from the Water Fund
of the City of Modesto to the General Fund of the City of Modesto and directed the
Auditor and Treasurer to make the necessary entries 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 ROAD OIL

Commissioner Bates introduced
RESOLUTION NO. 4945-N.S.

awarding bid on road oil to the Tidewater Associated Oil Company (See bid File) and
directed the City Clerk to return all bidding checks 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

IN THE MATTER OF
BIDS ON DEEP WELL
TURBINE PUMP

Commissioner Bates introduced
RESOLUTION NO. 4946-N.S.

rejecting all bids on deep well turbine pump and authorizing the purchase of equip-
ment on open market under force account 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, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF
AWARD BID ON
PAVING MATERIAL

Commissioner Bates introduced
RESOLUTION NO. 4947-N.S.

awarding bid on paving material for streets to S. M. McGaw with the exception of item
calling for furnishing and placing plant mix hot A.C. in trench cuts and patches over
500 square feet, 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 Neece introduced
RESOLUTION NO. 4948-N.S.

adjourning the 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: *Charles J. Blum*
Assistant City Clerk

July 10, 1940

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 provided by Section 1 of Ordinance No. 2-N.S.

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

Absent: Councilmen: Neece

1
IN THE MATTER OF APPROVAL OF MINUTES

The minutes of the regular meeting of June 26, 1940 having been heretofore read by each Councilman were approved as so read.

2
IN THE MATTER OF GAVEL

E. H. Zion presented a beautiful mahogany and Oak gavel, which he had made, to the Council of the City of Modesto.

3
IN THE MATTER OF PURCHASE OF PROPERTY FOR CITY HALL

Commissioner Barnell introduced RESOLUTION NO. 4949-N.S.

authorizing the purchase of 12 feet of lot 24, all of lots 25, 26, 27, 28, 29, 30, 31, 32 in Block 121, City of Modesto to be used as a site for the City Hall at a purchase price of \$13,775.00, the terms of purchase to be as follows:

- 1- The sum of \$3,150.00 as full purchase price of lots 27, 28, Block 121, payable on or before August 15, 1940
- 2- The sum of \$2750.00 as full purchase price of lots 25 and 26 and northwesterly 12 feet of lot 24 in Block 121, payable on or before August 15, 1940
- 3- The sum of \$7875.00, as full purchase price of lots 29, 30, 31, 32 in Block 121, \$2875.00 of which is to be paid on or before August 15, 1940 and the payment of \$5000.00 now due and owing as a debt against said property to the Modesto Building and Loan Association, to be paid on or before a year from August 15, 1940 without penalty for the payment thereof before the expiration of one year from said August 15, 1940.
- 4- All moneys shall be deposited with the Stanislaus Abstract and Escrow Company to be by said Company delivered to the various owners,

which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: Neece

4
IN THE MATTER OF AUTHORIZE CLERK DRAW WARRANTS AS DEPOSITS ON CITY HALL SITE

Commissioner Barnell introduced RESOLUTION NO. 4950-N.S.

authorizing the City Clerk to draw a warrant in amount \$450.00 as a deposit on the purchase of property for City Hall payable to the Stanislaus Abstract and Escrow Company, as provided in Resolution No. 4949-N.S. Said warrant is to be drawn from the Water Fund. Said check is to be distributed as follows:

- \$150.00 on 12' of lot 24, all lot 25 and 26, Block 121
- \$150.00 on lots 27 and 28 Block 121
- \$150.00 on lots 29, 30, 31, 32 in Block 121

Be it further resolved that said deposits are to be returned when sale is consummated and final payment made, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: Neece

IN THE MATTER OF
CLAIMS FOR MONTH
OF JUNE, 1940

Claims against the City of Modesto for the month of
June, 1940, having been heretofore audited by the Council

and found to be correct, Commissioner Bates introduced

RESOLUTION NO. 4951-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 -----	\$27,731.05
WATER FUND-----	5,296.98
LIBRARY FUND-----	1,801.21
BOND RED. INT. FUND-----	625.00
SPECIAL GAS TAX FUND-----	2,600.64
TOTAL-----	\$38,054.88

which resolution was regularly adopted by the following vote:

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

IN THE MATTER OF
CLAIM-STATE COMPEN-
SATION INSURANCE
FUND

Commissioner Bates introduced

RESOLUTION NO. 4951A-N.S.

allowing claim of \$3533.98 for premium on compensation policy for year ending
June 30, 1941, to the State Compensation Insurance Fund, which resolution was reg-
ularly adopted by the following vote:

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

IN THE MATTER OF
COMMUNICATIONS

An anonymous communication regarding the strike of the
Greyhound drivers was noted and ordered filed.

A communication from the Waterford Grange protesting
to the adoption of Ordinance No. 630-N.S. regulating the sale of pastry products in
the City of Modesto was read and the matter was referred to Inspector of Stanislaus
County, Mark Odell and City Sanitary Inspector, Mark Landquist.

A communication from the Inter-Fraternal Council regarding
the Declaration of Independence was read and ordered filed.

IN THE MATTER OF
ANNEXATION OF LA
LINDA TRACT

Whereas there has been presented to the City Council a
petition requesting that an election be called in the

La Linda Tract and whereas said petition is in order, and whereas it is provided that
a time and place be set for hearing written protests to the holding of an election
for the annexation of said tract, Commissioner Barnell introduced

RESOLUTION NO. 4952-N.S.

accepting petition and declaring that it is the intention of the Council of the City
of Modesto to hold an election on September 20, 1940 and setting the time for hearing
protests by persons owning property in the within described tract for the 30th day of
July, 1940 in the Council room at 717 10th Street at the hour of 4:30 o'clock P.M.,
which resolution was regularly adopted by the following vote:

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

11
IN THE MATTER OF
GRANT PERMIT DR.
A.A. MEYER

Whereas, pursuant to the filing of petition with the
Council by Dr. A. A. Meyer for permit to erect and main-

tain a dental office on property known as E 70' of lots 31, 32 and N½ of lot 30 in
Block 92 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. 4953-N.S.

granting permission to Dr. A. A. Meyer to establish dental office with the under-
standing 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, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Neece

12
IN THE MATTER OF
AWARD BID ON INCAN-
DESCENT LAMPS

Commissioner Bates introduced

RESOLUTION NO. 4954-N.S.

awarding bid on incandescent lamps for municipal lighting for the period July 1, 1940
to June 30, 1941 inc. to Wille Electric Company and authorizing the entering into
an agreement with them and the return of bidding checks to unsuccessful bidders,
which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: Neece

13
IN THE MATTER OF
BIDS ON AUTOMOBILE
FOR HEALTH DEPART-
MENT

Commissioner Stanley introduced

RESOLUTION NO. 4955-N.S.

authorizing the City Clerk to advertise for bids on 1940
model two door coupe for the Health Department, the cost of the automobile delivered
f.o.b. Modesto, including sales tax shall not exceed \$900.00. Bids to be opened at
the City Hall on July 24, 1940, which resolution was regularly adopted by the follow-
ing vote:

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

Noes: Councilmen: None

Absent: Councilmen: Neece

14
IN THE MATTER OF
REAPPOINTMENT OF
ROBERT FOWLER ON
PLUMBING EXAMINER
BOARD

Commissioner Stanley introduced

RESOLUTION NO. 4956-N.S.

reappointing Robert B. Fowler on Plumbing Board for a
period of three years from May 2, 1940, as provided by Ordinance No. 569-N.S., which
resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: Neece

15
IN THE MATTER OF
DEED ON ROWLES
PROPERTY

Commissioner Barnell introduced

RESOLUTION NO. 4957-N.S.

accepting deed from D. E. Rowles et ux on lot 4 of La Rio Park Tract and authorizing
the City Clerk to record deed with the Stanislaus County Recorder, which resolution
was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: Neece

IN THE MATTER OF
CODIFICATION OF
ORDINANCES

A discussion was held by the Council on the codification of ordinances adopted by the City of Modesto and Mayor

Shannon appointed a committee of Attorney Fowler and Commissioner Bates to investigate the manner and method to be used.

IN THE MATTER OF
ORDINANCE APPROPRI-
ATE MONEY-PUBLIC
WORKS

Commissioner Barnell introduced an ordinance being
ORDINANCE NO. 633-N.S.

entitled; "AN ORDINANCE APPROPRIATING MONEY AND PROVIDING FOR THE PURCHASE OF MATERIALS AND EQUIPMENT FOR THE DEPARTMENT OF PUBLIC WORKS AND FOR THE DEPARTMENT OF PARKS 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, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Neece

IN THE MATTER OF
ORD. APPROPRIATE
MONEY FOR CHAMBER
OF COMMERCE & BOYS'
BAND

Commissioner Stanley introduced an ordinance, being
ORDINANCE NO. 634-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, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Neece

IN THE MATTER OF
ORD. APPROPRIATE
MONEY PURCHASE
CITY HALL

Commissioner Barnell introduced an ordinance, being
ORDINANCE NO. 635-N.S.

entitled "AN ORDINANCE APPROPRIATING MONEY FOR THE PURCHASE OF REAL PROPERTY ON BEHALF 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, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Neece

IN THE MATTER OF
FINAL ADOPTION OF
ORD. NO. 630-N.S.
REGULATION OF SALE OF
CREAM PIES

Ordinance No. 630-N.S. having been heretofore introduced and ordered printed and published at the regular meeting of June 26, 1940 and thereupon printed and published

~~at the regular meeting of June 26, 1940 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, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Neece

21
IN THE MATTER OF
FINAL ADOPTION OF
ORD. 631-N.S. APPRO-
PRIATE MONEY FOR
HEALTH DEPT. AUTO

Ordinance No. 631-N.S., having been heretofore intro-
duced and ordered printed and published at the special
meeting of July 2, 1940 and thereupon printed and pub-

lished as required by the Charter of the City of Modesto, coming on for final adop-
tion at this time, it was upon roll call so finally adopted by the following vote:

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

22
IN THE MATTER OF
FINAL ADOPTION OF
ORD. 632-N.S. SAL-
ARIES TO CITY
OFFICIALS

Ordinance No. 632-N.S. having been heretofore intro-
duced and ordered printed and published at the special
meeting of July 2, 1940 and thereupon printed and pub-

lished 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, Stanley, Mayor Shannon
Noes: Councilmen: None
Absent: Councilmen: Neece

23
IN THE MATTER OF
FRANCHISE FOR BUS

The matter of granting franchise for bus service to
Willis Kleinenbroich was laid over.

24
IN THE MATTER OF
DEPARTMENTAL RE-
PORTS

Departmental reports for month of June, 1940 were read
and ordered filed.

25
IN THE MATTER OF
REPORT BY CITY
ATTORNEY ON TAX
DEED PROPERTY

City Attorney gave a report on his conference with the
Modesto Irrigation District Board on property located
in the city limits subject to tax deed.

26
IN THE MATTER OF
ADJOURNMENT

Commissioner Stanley introduced
RESOLUTION NO. 4958-N.S.

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

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

ATTEST: H. E. GRAGG, CITY CLERK

BY: Charles J. Blum
ASSISTANT CITY CLERK

Council Meeting

July 24, 1940

The Council of the City of Modesto met in regular ses-
sion this date at 7:30 P.M. the meeting having been called and convened as provided
by 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 special meeting of July 2nd, 1940
and regular meeting of July 10, 1940 having been read
heretofore by each Councilman, they were approved as so read.

IN THE MATTER OF
COMMUNICATIONS

A communication from Wm. H. Bates, Jr. General Chairman
of Stanislaus Citizen's Fourth of July Committee was

read and ordered filed.

IN THE MATTER OF
LOADING ZONE ON
NINTH STREET NEAR
PRATT-LOW CANNERY

Whereas, Pratt-Low Preserving Company have requested
that a loading zone be established on the west side of
Ninth Street in front of their cannery building, Commis-

sioner Stanley introduced

RESOLUTION NO. 4959-N.S.

recommending that the loading zone be established during the months of August and
September, 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
COMMUNICATION

A communication from the Dry-Creek Improvement Club
regarding the improvement of H Street was read and

ordered filed.

IN THE MATTER OF
APPLICATION OF
NORVELL & NEVILLE
OPERATE BUS LINE

The application of Herbert G. Norvell and William
Neville, doing business under the name of Airport
Transit, to operate a bus line from the City of Modesto
to the Airport District, was referred to the City Attorney

IN THE MATTER OF
FRANCHISE FOR
MODESTO MOTOR BUS

Commissioner Stanley introduced

RESOLUTION NO. 4960-N.S.

extending permit to operate the Modesto Motor Bus to Willis Kleinenbroich for 90 days
from June 27, 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
BIDS ON AUTO FOR
HEALTH DEPARTMENT

Whereas notice to bidders on automobile for the Health
Department 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, July 24, 1940 and having been then and there
opened by the Council in open meeting, Commissioner Bates introduced

RESOLUTION NO. 4961-N.S.

recommending that all bids on automobile be referred to the City Engineer and
Commissioner of Public Supplies for tabulation and recommendation 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

IN THE MATTER OF
ADVERTISE FOR BIDS
ON LAWN MOWER & OIL
MIXER

Commissioner Bates introduced

RESOLUTION NO. 4962-N.S.

authorizing the City Clerk to advertise for bids on
power lawn and Roto-Tiller type road oil mixer, bids to be opened on Wednesday,
August 14, 1940, at 7:30 P.M. at the City Hall, which resolution was regularly adop-
ted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF
DEATH OF S. P.
ELIAS

Whereas, God in his infinite wisdom has seen fit to remove from our midst, Solomon P. Elias, known affectionately to his townspeople as Sol P. Elias; and whereas, the said late Sol P. Elias was the Mayor of the City of Modesto from 1922 to 1931 and during his term of office did much for the citizens of the City of Modesto, making said City a better place in which to live; and whereas, the said Sol P. Elias was the President of the Board of Freeholders, which board in the year 1910 framed the Charter of the City of Modesto, constituting the fundamental law of the City of Modesto, and by his efforts in that regard rendered invaluable service to said City and its citizens, and whereas by reason of the recent death of the said Sol P. Elias, the City of Modesto and its citizens have suffered an irreparable loss, Commissioner Neece introduced

RESOLUTION NO. 4963-N.S.

recommending that the City Council of the City of Modesto express its regret at the passing of the late Sol P. Elias and does hereby express its sympathy to the relatives of said Sol P. Elias. Be it further resolved that a copy of this resolution be spread upon the official minutes of the City of Modesto and that another copy thereof be mailed to the family of the deceased, 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
CANVASS VOTE ON
ANNEXATION JOHN
MUIR PARK

Pursuant to John Muir Park annexation election held on July 19, 1940, at this time the Council resolved itself into a canvassing board and proceeded to determine the results of the election, Commissioner Barnell introduced

RESOLUTION NO. 4964-N.S.

which resolution was in detail as follows:

IN THE MATTER OF THE ELECTION FOR THE ANNEXATION OF THE JOHN MUIR PARK TRACT TO THE CITY OF MODESTO

This being the time provided for the first regular meeting of the City of Modesto, next after the expiration of three (3) days from and after the date of an election held in the territory known as and named JOHN MUIR PARK, in which election it was proposed that said JOHN MUIR PARK be annexed to the City of Modesto and which JOHN MUIR PARK is contiguous to the City of Modesto, County of Stanislaus, State of California, and is particularly described as follows, to-wit:

All that certain real property and territory located in the southwest quarter of Section 21, Township 3 South, Range 9 East, M.D.B. & M., in the County of Stanislaus, State of California, and particularly bounded and described as follows to-wit:

Commencing at the $\frac{1}{4}$ corner on the Section line between Sections 21 and 28, Township 3 South, Range 9 East, M. D. B. & M., thence Westerly along the said Section line, a distance of 20.00 feet to the point of beginning; thence Northerly along a line 20.00 feet Westerly from, and parallel to the $\frac{1}{4}$ Section Line in the said Section 21, to the Southeasterly property line

of the Modesto Irrigation District Lateral No. 4 Right of Way; thence Northwesterly at an angle of 90° 00' with the said line 20.00 feet West-
terly from, and parallel to the said $\frac{1}{4}$ Section Line, to the Northwesterly
property line of the said Modesto Irrigation District Lateral No. 4 Right
of Way; thence Southwesterly along the said Northwesterly property line
of the said Modesto Irrigation District Lateral No. 4 Right of Way, to a
line 10.00 feet Northerly from and parallel to the Northerly boundary
line of the said Lesliehugh Tract; thence Westerly along the said line 10.00
feet Northerly from and parallel to the said Northerly boundary line of
the said Lesliehugh Tract, to the center line of Kimble Street, extended
and produced; thence Southerly along the said center line of the said Kimble
Street, extended and produced, and the said center line of the said Kimble
Street, to the center line of Hintze Avenue; thence Easterly along the said
center line of the said Hintze Avenue, to the center line of Patricia
Lane; thence Northeasterly along the said center line of the said Patricia
Lane, to the said Northerly boundary line of the said Lesliehugh Tract;
thence Easterly along the said Northerly boundary line of the said Leslie-
hugh Tract, to the said Northwesterly property line of the said Modesto
Irrigation District Lateral No. 4 Right of Way; thence Southwesterly along
the said Northwesterly property line of the said Modesto Irrigation District
Lateral No. 4 Right of Way, and the said Northwesterly property line of the
said Modesto Irrigation District Lateral No. 4 Right of Way, extended and
produced, to the said Section Line between Sections 21 and 28; thence
Easterly along the said section line between Sections 21 and 28, to the point
of beginning.

The said Section Line between Sections 21 and 28 being common with the
Northerly City Limits, as shown on the official Map of the City of Modesto
as officially adopted March 23, 1938, and other data as mentioned in this
description is as shown on the map of the High Homes Tract, as recorded in
Maps, Volume 9, Page 24, on the amended Map of Lesliehugh Tract, as recor-
ded in Volume 11, page 20, and on the Map of the Bussinger Tract, as recorded
in Maps Volume 9, Page 48, in the Stanislaus County Records, Stanislaus
County, California.

And it appearing that said election was held within the territory sought to be
annexed on the 19th day of July, 1940, in accordance with the resolution of this Coun-
cil heretofore passed and adopted, and it further appearing that prior to the holding
of said election proper notice of said election was published in the The Oakdale Leader,
a newspaper of general circulation published in the City of Oakdale, County of Stan-
islaus, State of California, and which notice was published in said newspaper on
June 20, June 27, July 4, July 11, and July 18, all in the year 1940, and that after
the holding of said election in said JOHN MUIR PARK 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 herein
described, and described in said resolution of election, shall be annexed to, incor-
porated in, and made a part of the municipal corporation of the City of Modesto, and
the property therein described be not, after such annexation, subject to taxation
equally with the property within such municipal corporation, to pay the bonded indebted-
ness of such municipal corporation outstanding at the time of the filing of the petition

asking that such election be called, or theretofore authorized.

The City Council of the City of Modesto thereupon proceeded to canvass the said returns and upon such canvass finds that the total number of votes cast in said territory proposed to be annexed was and is 5; that the number of votes cast therein in favor of annexation was and is 5; and that the number of votes cast therein against said annexation was and is 0.

The said Council of the City of Modesto further finds that the total number of absentee ballots or votes cast at said election was and is none. That the total number of votes cast by the voters at said polls in said election, none of which was absentee ballots or votes, was and is 5; that the total number of votes cast at said election in favor of annexation was and is 5; and that the total number of votes cast therein against said annexation was and is 0.

Thereupon, motion of Councilman Barnell, seconded by Councilman Stanley, and adopted by the unanimous vote of the City Council of said City of Modesto, it was ordered that the foregoing record of said canvass be made and entered upon the minutes of said Council at this meeting.

Whereupon in conformance with State Statutes, Commissioner Barnell introduced

ORDINANCE NO. 636-N.S.

entitled "AN ORDINANCE APPROVING ANNEXATION OF JOHN MUIR PARK TRACT TO THE CITY OF MODESTO AND DECLARING SAID TRACT A PART OF SAID CITY" approving the annexation of the above described territory, known as the John Muir Park and providing for the required recording of same with the Secretary of State, which ordinance was duly passed to print and publish by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF
AUTHORIZE PAYMENT
TO ELECTION OFFI-
CIALS

Commissioner Bates introduced

RESOLUTION NO. 4965-N.S.

authorizing the City Clerk and Auditor to draw warrants, payable to officials who served at the John Muir Park annexation election, of \$5.00 each and also to draw warrant of \$5.00 for rental of polling place to Malin T. Langstroth, 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
FINAL ADOPTION OF
ORD. 633-N.S. AP-
PROPRIATE MONEY
PURCHASE MATERIAL
PARKS & PUBLIC
WORKS DEPARTMENTS

Ordinance No. 633-N.S. having been heretofore introduced and ordered printed and published at the regular meeting of July 10, 1940 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

IN THE MATTER OF
FINAL ADOPTION OF
ORD. 634-N.S. AP-
PROPRIATE MONEY FOR
CHAMBER OF COMMERCE
AND BOYS' BAND

Ordinance No. 634-N.S. having been heretofore intro-
duced and ordered printed and published at the regular
meeting of July 10, 1940 and thereupon printed and pub-
lished 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

IN THE MATTER OF
FINAL ADOPTION OF
ORD. 635-N.S. AP-
PROPRIATE MONEY
PURCHASE CITY HALL
SITE

Ordinance No. 635-N.S. having been heretofore introduced
and ordered printed and published at the regular meeting
of July 10, 1940 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

IN THE MATTER OF
DETERMINING RESULT
OF ELECTION OF JOHN
MUIR PARK TRACT

WHEREAS a special election was held on the 19th day of
July, 1940 in the John Muir Park Tract for annexation
to the City of Modesto and the City Council finds after

due examination that due notice of said election was published in the Oakdale Leader,
and whereas the City Council is now sitting as a canvassing board to canvass the
results of 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, Commis-
sioner Barnell introduced

RESOLUTION 4965A-N.S.

declaring election held in said territory 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 election the total number of votes cast at the polls was and is five; that the
number of votes cast at said polls in favor of annexation was and is 5; and that the
number of votes cast at said polls opposed to annexation of said territory was and
is 0; that said City Council, sitting as such canvassing board further finds that the
measure, to-wit, "Shall the John Muir Park Tract be annexed to the City of Modesto?"
received 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

IN THE MATTER OF
WARRANT TO FIRE
CHIEF FOR EXPENSES
TO CONVENTION

Commissioner Stanley introduced

RESOLUTION NO. 4966-N.S.

authorizing the City Clerk and Auditor to draw a warrant
in amount \$100.00 to Fire Chief Geo. E. Wallace to be used by him as expenses while
attending the Pacific Coast Fire Chiefs' Convention at Tacoma, Washington during the
week of August 1-7, 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
CHANGE IN GOLF
COURSE FEES

Commissioner Neece introduced

RESOLUTION NO. 4967-N.S.

18
rescinding Resolution No. 4600-N.S. entitled "A RESOLUTION AMENDING RULE 3 OF
RESOLUTION NO. 4044-N.S. ENTITLED "A RESOLUTION ADOPTING RULES AND REGULATIONS FOR
THE USE OF THE MODESTO MUNICIPAL GOLF COURSE" and 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 provide for a greens fee per player of 35¢ for
each round of nine holes or 70¢ for all day, which fee is to be paid in advance of
playing; the fee for the use of the practice driving range shall be 35¢ per hour;
the fee for a monthly ticket shall be \$2.25 per month for students of Modesto School
and Junior College, 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
REPORT OF PLANNING
COMMITTEE OF STANIS-
LAUS COUNTY CITIZENS

The report and recommendations of the Stanislaus County
Citizens Planning Committee to the governing bodies and
their respective commissions of the City of Modesto,
City of Turlock and County of Stanislaus for July 1940 was laid over.

20
IN THE MATTER OF
ORDINANCE RE:
GARBAGE REGULATION

Commissioner Stanley introduced an ordinance, being
ORDINANCE NO. 637-N.S.

entitled "AN ORDINANCE AMENDING SECTION 3 OF ORDINANCE NO. 424-N.S. OF THE CITY OF
MODESTO, WHICH IS AN ORDINANCE REGULATING THE COLLECTION AND DISPOSAL OF GARBAGE,
ETC." 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

21
IN THE MATTER OF
ADJOURNMENT

Commissioner Bates introduced

RESOLUTION NO. 4968-N.S.

adjourning this Council meeting now in session, which resolution was regularly adop-
ted 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

Special Council Meeting

July 30, 1940

The Council of the City of Modesto met in special ses-
sion this date at 4:30 P.M., the meeting having been called and convened as provided

by Section 2 of Ordinance No. 2-N.S.

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

Absent: Councilmen: Stanley

IN THE MATTER OF
CALLING ELECTION
LALINDA TRACT
ANNEXATION

Whereas petition has been presented to the Council in the proper form asking that the LaLinda Tract be annexed to the City of Modesto, Commissioner Barnell introduced
RESOLUTION NO. 4969-N.S.

authorizing the holding of an election in the above described territory as proved by law on the 20th day of September, 1940, 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, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Stanley

IN THE MATTER OF
AWARD BID ON AUTO
FOR HEALTH DEPART-
MENT

Whereas specifications having heretofore been approved by the Council for the purchase of an automobile for the Health Department and money having heretofore been

duly appropriated and being now available and notice to bidders having heretofore been given and published and bids having been opened by the Council in regular session on July 24, 1940; and referred to the Engineer and Commissioner of Public Supplies for tabulation and recommendation, Commissioner Bates introduced

RESOLUTION NO. 4970-N.S.

recommending that Plymouth Roadking Coupe model be purchased from R. B. MacBride at a purchase price of \$812.93 and the City Clerk be authorized to draw check in payment upon delivery of auto and to return checks to unsuccessful bidders, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: Stanley

IN THE MATTER OF
COMMUNICATION OF
TRI THETA SORORITY

Pursuant to communication from the Tri Theta Sorority requesting a donation from the City of Modesto to be

used to send children of poor families from the entire Stanislaus County to a summer camp for one or two weeks, Commissioner Neece introduced

RESOLUTION NO. 4971-N.S.

recommending that a donation of \$15.00 be granted the Tri Theta Sorority from the Monotti Estate bequest to be used to send children of the City of Modesto to summer camp and the City Clerk and Auditor are authorized to draw warrant payable to Pearl Petersen, President of the Tri Theta Sorority in amount \$15.00, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: Stanley

IN THE MATTER OF
SEWER IN LALINDA
TRACT--L. ABBEY

Pursuant to request of R. Lewis Abbey for sewer service at lot 3, Block 241, LaLinda Tract on Bonita Avenue,

Commissioner Barnell introduced

RESOLUTION NO. 4972-N.S.

granting sewer service to R. Lewis Abbey as provided by Ordinance No. 624-N.S., which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: Stanley

IN THE MATTER OF
ACCEPTING OPTION
ON LORA LEWIS
PROPERTY

Whereas Lora Lewis has offered an option to the City of Modesto on lots 64 of the First addition to Sunset Acres for \$1250.00 for a Period of 30 days from July 27, 1940,

Commissioner Neece introduced

RESOLUTION NO. 4973-N.S.

accepting option as presented and authorizing the City Clerk to record same in the office of the County Recorder, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: Stanley

IN THE MATTER OF
ADJOURNMENT

Commissioner Bates introduced

RESOLUTION NO. 4974-N.S.

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

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

Noes: Councilmen: None

Absent: Councilmen: Stanley

ATTEST: H. E. GRAGG, CITY CLERK

BY: *Elmer J. Blum*
ASSISTANT CITY CLERK

Special Council Meeting

August 8, 1940

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 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
ORD. APPROPRIATE
MONEY FOR PURCHASE
REAL PROPERTY

Commissioner Barnell introduced an ordinance, being ORDINANCE NO. 638-N.S.

entitled "AN ORDINANCE APPROPRIATING MONEY FOR THE PURCHASE OF REAL PROPERTY ON BEHALF 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

IN THE MATTER OF
PURCHASE OF CITY
HALL SITE

Whereas, pursuant to adoption of Resolution No. 4949-N.S.,

July 10, 1940 by the City Council, the purchase of lots 27 and 28 in Block 121 of the City of Modesto from Clara Ward, et al was authorized, and whereas the purchase of said property is now ready for consummation, Whereupon Commissioner Barnell introduced

RESOLUTION NO. 4975-N.S.

authorizing the City Auditor to draw warrant in the amount of \$2994.58 and deliver the same to Stanislaus Abstract & Escrow Company for redelivery by said Company, after making certain deductions therefrom, as it may be authorized to do, to the seller or sellers of said property, at which time the said Stanislaus Abstract & Escrow Company shall deliver a good and sufficient deed to the City of Modesto showing title to said property in said City, free and clear of all encumbrances, except as to certain taxes due thereon as shown in that certain document entitled Escrow Statement. Be it further resolved that said deed be recorded immediately in the office of 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

Whereas, pursuant to adoption of Resolution No. 4949-N.S.

July 10, 1940 by the City Council, the purchase of lots 29, 30, 31 and 32 in Block 121 of the City of Modesto from Palmira Bertram was authorized, and whereas the purchase of said property is now ready for consummation, whereupon Commissioner Barnell introduced

RESOLUTION NO. 4976-N.S.

authorizing the City Auditor to draw warrant in the amount of \$2716.86 and deliver the same to Stanislaus Abstract & Escrow Co. for redelivery by said Company, after making certain deductions therefrom as it may be authorized to do, to the seller or sellers of said property, at which time the said Stanislaus Abstract & Escrow Company shall deliver a good and sufficient deed to the City of Modesto showing title to said property in said City, free and clear of all encumbrances, except as to certain taxes due thereon as shown in that certain document entitled Escrow Statement. Be it further resolved that said deed be recorded immediately in the office of the County Recorder of Stanislaus County, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

Whereas, pursuant to adoption of Resolution No. 4949-N.S.,

July 10, 1940 by the City Council, the purchase of NWly 12 feet of lot 24, all lots 25 and 26, Block 121 of the City of Modesto from Pearl N. Segerstrom was authorized and whereas the purchase of said property is now ready for consummation, whereupon Commissioner Barnell introduced

RESOLUTION NO. 4977-N.S.

authorizing the City Auditor to draw warrant in the amount of \$2592.10 and deliver the same to Stanislaus Abstract & Escrow Co. for redelivery by said company, after making certain deductions therefrom as it may be authorized to do, to the seller or sellers of said property at which time the said Stanislaus Abstract & Escrow Company shall deliver a good and sufficient deed to the City of Modesto showing title to said

property in said City, free and clear of all encumbrances, except as to certain taxes due thereon as shown in that certain document entitled Escrow Statement. Be it further resolved that said deed be recorded immediately in the office of the County Recorder of Stanislaus County, 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
PARKING ON GRAND
STREET

Whereas, pursuant to verbal request by the Pacific Grape Products Co. for the installation of "No Parking" signs on south side of Grand Street from Grove Street easterly 140 feet, Commissioner Stanley introduced

RESOLUTION NO. 4978-N.S.

granting request and authorizing the City Engineer to install appropriate signs prohibiting parking on the south side of Grand Street from Grove Street easterly 140 feet, 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
LOADING ZONE ON
NINTH STREET NEAR
I STREET

Whereas, pursuant to verbal request by the operators of the Modesto Tent and Awning Company and the Public Market for the combining of two loading zones now in use on Ninth Street, near Eye Street, whereupon Commissioner Stanley introduced

RESOLUTION NO. 4979-N.S.

granting request, eliminating one loading zone and making one common loading zone, commencing at a point approximately 44 feet north of the southerly property line at Eye Street and extending 40 feet northerly therefrom, 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
PARKING ON EAST
SIDE NINTH STREET
BETWEEN J & K
STREETS

A petition was filed with the Council by operators of business houses on the east side of Ninth Street between J and K Streets requesting that the Council establish one hour parking. This matter was referred to the City Engineer for investigation.

IN THE MATTER OF
APPROVAL OF MEMO
OF AGREEMENT WITH
STATE ON STREETS
OF MAJOR IMPORTANCE

Commissioner Barnell introduced

RESOLUTION NO. 4980-N.S.

approving memorandum of agreement with the State on streets of major importance, 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
EXCHANGE OF LAND
AT GOLF COURSE WITH
A. T. PATELZICK

Commissioner Barnell introduced

RESOLUTION NO. 4981-N.S.

authorizing the City Engineer to make arrangements with
A. T. Patelzick for exchange of certain city property for a portion of land belonging
to him near the Golf Course, 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
CITY POUND

A communication from the Stanislaus County Humane
Society requesting the permission to operate the pound

for the City of Modesto was read and ordered filed.

IN THE MATTER OF
ADJOURNMENT

Commissioner Bates introduced

RESOLUTION NO. 4982-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: *Edward J. Blaine*
Assistant City Clerk

COUNCIL MEETING

August 14, 1940

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

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

Absent: Mayor Shannon

IN THE MATTER OF
MINUTES

of July 30 and regular meeting
The minutes of the special meeting/Of July 24, 1940 having
been read heretofore by each Councilman, were approved

as so read.

IN THE MATTER OF
AUTO WRECKING YARD
F. R. ROESING

Mr. F. R. Roesing, operator of an auto wrecking yard in
Block 25 on Sixth Street, between F and G Streets, appeared
before the Council and petitioned the Council to permit him to build a fence all around
his auto wrecking lot with the exception of portion of lot bordered by house located
at 625 Sixth Street, as he had gained consent from property owner, L. J. Spenker to
build the fence to the corner of the house. This matter was referred to Commissioners'
Neece and Barnell, Engineer Rossi and Attorney Fowler to investigate.

IN THE MATTER OF
WATER RATE USED
FOR SWIMMING POOL

Mr. J. G. Hazard, representing the Presbyterian Swimming
pool, appeared before the Council regarding water rate
for swimming pool. This matter was laid over until the next meeting.

IN THE MATTER OF
CLAIMS FOR MONTH
OF JULY, 1940

Claims against the City of Modesto for the month of
July, 1940, having been heretofore audited by the Council

and found to be correct, Commissioner Bates introduced

RESOLUTION NO. 4983-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 -----	\$ 41,010.88
WATER FUND -----	8,161.27
LIBRARY FUND -----	1,852.99
BOND RED. INT. FUND-----	5,020.14
ST. BOND.RED. INT. FUND-	11,845.51
UNAPPORTIONED FUND-----	
MONOTTI BEQUEST #1 -----	15.00
TOTAL -----	\$ 67,905.79

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
CLAIM OF CHAMBER
OF COMMERCE

Commissioner Bates introduced

RESOLUTION NO. 4984-N.S.

allowing claim of the Modesto Chamber of Commerce for \$555.45 as provided by Ordinance No. 634-N.S., which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Mayor Shanon

IN THE MATTER OF
REPORT OF MODESTO
CITY PLANNING
COMMISSION

Pursuant to receipt of letter from the Modesto City Planning Commission regarding the report of the Stanislaus County Citizens' Planning Committee, by order of

the Council, report was accepted and the Clark was instructed to write a letter to C. H. Blemker, Chairman of the Committee advising him that we would accept report but action on report would be laid over until the regular meeting of September 11, 1940.

IN THE MATTER OF
COMMUNICATIONS

Communication from E. B. Mortiz Foundry of Santa Ana, California, regarding Traffic Sally signs was read and

ordered filed.

Communication from Gilbert Hildebrand requesting a loading zone on 9th Street, near L Street was referred to Commissioner Stanley, City Engineer Rossi and Chief Arington, for investigation.

Communication from the Sol P. Elias family acknowledging appreciation of the expression of sympathy of the Council at the death of Sol P. Elias was read and ordered filed.

Communication from the International Association of Chiefs of Police regarding the convention to be held at Milwaukee, Wisconsin, September 9th to 12th, was read and ordered filed.

Communication from the League of California Cities regarding convention to be held in San Diego, September 16 to 19, was read, whereupon Commissioner Barnell introduced

RESOLUTION NO. 4985-N.S.

authorizing the attendance of Mayor Shannon, City Engineer Rossi, Attorney Fowler and Sanitary Inspector Landquist to the convention and allowed each delegate expense

of \$50.00 and authorized the appointment of alternate delegate in case one of the delegates could not attend, 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
INTERNATIONAL ASS'N
ELECTRICAL INSPECTORS

Communication from the International Association of Electrical Inspectors regarding convention to be held in Santa Barbara, August 26th to 29th inc. was read, whereupon Commissioner Bates introduced

RESOLUTION NO. 4986-N.S.

authorizing the attendance of Harry Moore, Assistant Superintendent of Electricity to convention at Santa Barbara and allowing him \$50.00 for expenses, 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
COMMUNICATION FROM
R. B. MACBRIDE

A communication from R. B. MacBride, expressing appreciation of business given them by the City of Modesto,

namely the purchase of Plymouth Coupe for the Health Department was read and ordered filed.

13
IN THE MATTER OF
COMMUNICATION FROM
LEAGUE OF CALIFOR-
NIA CITIES

A suggested form of Ordinance prohibiting Trespassing from the League of California Cities was referred to the City Attorney to make a report to the Council at

the regular meeting of September 11, 1940.

14
IN THE MATTER OF
BUILDING OFFICIALS
CONFERENCE

A communication from the Pacific Coast Building Officials Conference at Salt Lake City was read regarding

convention to be held. No action was taken.

15
IN THE MATTER OF
BIDS ON POWER LAWN
MOWER

Pursuant to advertising for bids on one power lawn mower, the City Clerk reports one bid on file, whereupon

Commissioner Bates introduced

RESOLUTION NO. 4987-N.S.

recommending that all bids be referred to the City Engineer and Commissioner of Public Supplies for 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

16
IN THE MATTER OF
BIDS ON OIL MIXER

Pursuant to advertisement for bids on Roto-Tiller type road oil mixer, The City Clerk reported 2 bids received,

whereupon Commissioner Bates introduced

RESOLUTION NO. 4988-N.S.

recommending that all bids be referred to City Engineer Rossi and Commissioner of Public Supplies Bates for tabulation and recommendations, which resolution was

regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Mayor Shannon

17
IN THE MATTER OF
ONE HOUR PARKING
EAST SIDE NINTH
STREET BETWEEN
J AND K STREETS

Commissioner Neece introduced

RESOLUTION NO. 4989-N.S.

establishing one hour parking on the east side of Ninth Street between J and K Streets and directing the City Engineer to erect the necessary signs, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Mayor Shannon

18
IN THE MATTER OF
ORD. RE: AMEND
CIVIL SERVICE
ORDINANCE NO.
602-N.S.

Commissioner Bates Introduced an ordinance, being

ORDINANCE NO. 639-N.S.

entitled "AN ORDINANCE AMENDING ORDINANCE NO. 602-N.S. OF THE CITY OF MODESTO (CIVIL SERVICE 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, Mayor pro tem Stanley

Noes: Councilmen: None

Absent: Mayor Shannon

19
IN THE MATTER OF
ORDINANCE RE: TAX
RATE FOR YEAR
1940-41

Commissioner Neece introduced an ordinance being

ORDINANCE NO. 640-N.S.

entitled "AN ORDINANCE FIXING THE RATE OF TAXATION IN AND FOR THE CITY OF MODESTO FOR THE FISCAL YEAR 1940-1941" 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

20
IN THE MATTER OF
FINAL ADOPTION
ORD. NO. 636-N.S.
APPROVE ANNEXATION
JOHN MUIR PARK

Ordinance No. 636-N.S. having been heretofore introduced and ordered printed and published at the regular meeting of July 24, 1940 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

21
IN THE MATTER OF
FINAL ADOPTION
ORDINANCE NO. 637-N.S.
GARBAGE REGULATION

Ordinance No. 637-N.S. having been heretofore introduced and ordered printed and published at the regular meeting of July 24, 1940 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

22
IN THE MATTER OF
FINAL ADOPTION ORD.
NO. 638-N.S. AP-
PROPRIATE MONEY
PURCHASE GOLF COURSE
LAND

Ordinance No. 638-N.S. having been heretofore introduced
and ordered printed and published at the special meeting
of August 8, 1940 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

23
IN THE MATTER OF
AMEND RES. 4942-N.S.
CIVIL SERVICE SALARY
SCHEDULE

Commissioner Neece introduced

RESOLUTION NO. 4990-N.S.

amending Resolution No. 4942-N.S. entitled "A RESOLUTION

ADOPTING CIVIL SERVICE SALARY SCHEDULE FOR THE CITY OF MODESTO" by adding new section

No. 17 entitled:

Salary Range No.	Starting Rate	First Adj.	Second Adj.	Third Adj.	Max.	Included in Classification
17	\$55	\$60	\$65	\$70	\$75	Limited Laborer

which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Mayor Shannon

24
IN THE MATTER OF
AUTHORIZE PAYMENT
ON CITY HALL SITE

Commissioner Barnell introduced

RESOLUTION NO. 4991-N.S.

authorizing payment of \$15.00 to the Stanislaus Abstract & Escrow Company, being
credit allowed in error for rent in first escrow statement on purchase of lots 29,
30, 31 and 32 in Block 121 from Palmira Bertram and \$63.06 to the Modesto Building
and Loan Association as monthly payment due on the deed of trust on above described
property, and directing the City Clerk and Auditor to draw warrants in payment of
same, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Mayor Shannon

25
IN THE MATTER OF
DEED PROPERTY TO
CITY OF MODESTO
E. C. MELROSE ET
UX

Whereas E. C. Melrose and Bertha G. Melrose have agreed
to deed to the City of Modesto, within six months from
this date, the westerly 30', which lies easterly of

Block 812 of the City of Modesto, immediately contiguous to the center line of Mills
Avenue to be used for street purposes to provide a 60' street for said Mills Avenue,
providing the City will grade and oil the roadway of the street where it will be
part of Mills Avenue, Commissioner Barnell introduced

RESOLUTION NO. 4992-N.S.

recommending the acceptance of above described land from E. C. Melrose and Bertha G.
Melrose and authorizing the City Attorney to draw up an agreement with them for the
transferring of this property 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

IN THE MATTER OF
APPROVAL OF COLLEGE
PARK TRACT #2

Commissioner Barnell introduced

RESOLUTION NO. 4993-N.S.

approving map of College Park Tract #2 of Block 501 in the City of Modesto as presented, 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
SEAL OF CITY OF
MODESTO

Commissioner Bates introduced

RESOLUTION NO. 4994-N.S.

authorizing the City Clerk to procure an additional seal of the City of Modesto to be used by the Health Department, 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
AIRPORT

Pursuant to report by Commissioner Bates of the receipt of a letter from the Modesto Chamber of Commerce with

the suggestion that the Council write a letter to the Civil Aeronautics Authority requesting them to send a representative to the City of Modesto to look over our airport and make suggestions for the improvement of same, Commissioner Bates introduced

RESOLUTION NO. 4995-N.S.

authorizing the City Clerk to write to Joe Marriott of the Civil Aeronautics Authority, 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
REPORTS FOR THE
MONTH OF JULY, 1940

Departmental reports for the month of July, 1940 were read and ordered filed.

IN THE MATTER OF
ADJOURNMENT

Commissioner Bates introduced

RESOLUTION NO. 4996-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: *Charles J. Blum*
ASSISTANT CITY CLERK

Council Meeting

August 28, 1940

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 provided by 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 special meeting of August 8, 1940 and of the regular meeting of August 14, 1940, having been read heretofore by each Councilman, were approved as so read.

2 IN THE MATTER OF ANNUAL REPORT OF AUDITORS The annual audit of the accounts of the City of Modesto for fiscal year ending June 30, 1940, as prepared by R. E. Brotherton, Certified Public Accountant, were reviewed by the Council and accepted as presented.

3 IN THE MATTER OF COMMUNICATION Communication from Judge L. A. Hutton regarding Civil Service as adopted by the City of Modesto was read and referred to the City Attorney for reply.

4 IN THE MATTER OF PETITIONS: A petition was presented to the Council by residents of the Del Este Addition and Airport territory protesting against the municipal airport being used for training purposes. The City Clerk was instructed to write a letter acknowledging receipt of petition.

5 IN THE MATTER OF PETITION OPERATE BUSINESS IN RESIDENCE ZONE-SOPER Whereas, pursuant to the filing of petition with the Council as follows:
Dr. Walter E. Soper to conduct doctor's office-
121 McHenry, lots 28-29; Blk 550

and it appearing from affidavits on file that a notice setting forth a time for hearing any and all protests to the granting of 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. 4998-N.S.

granting permission to Dr. Walter E. Soper to conduct a doctor's office at 121 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, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

6 IN THE MATTER OF GRANT PERMIT OPERATE BUSINESS IN RESIDENCE ZONE-MCKENDREE Whereas, pursuant to the filing of petition with the Council as follows:

Velda McKendree to operate beauty parlor at
120 Laurel 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 Bates introduced

RESOLUTION NO. 4999-N.S.

granting permission to Velda McKendree to operate a beauty parlor at 120 Laurel Street 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

7
IN THE MATTER OF
AWARD BIDS ON POWER
LAWN MOWER AND ROAD
OIL MIXER

Commissioner Bates introduced

RESOLUTION NO. 5000-N.S.

awarding bid on the power lawn mower to Charles Berg Company at a price of \$640.00 and on the road oil mixer to the Spears Wells Machinery Company for \$774.75 and authorizing the City Clerk to return bidding checks to unsuccessful bidders and payment to successful bidders upon certification of delivery 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

8
IN THE MATTER OF
REQUEST FOR LOADING
ZONE ON NINTH AND
L STREETS

Pursuant to request by Gilbert Hildebrand for the establishment of a loading zone on the corner of 9th & L Streets, by unanimous decision of the Council, request

was denied.

9
IN THE MATTER OF
AUTHORIZE PAYMENT
ON DEED OF TRUST
ON CITY HALL SITE

Commissioner Barnell introduced

RESOLUTION NO. 5001-N.S.

authorizing the City Clerk and Auditor to draw a warrant each month payable to the Modesto Building and Loan Company in amount \$63.06 as payment on deed of trust on city hall site, being lots 27 and 28 in Block 121 of the City of Modesto, until payment has been made of the balance due, 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
APPROVAL OF ALCORN
SUBDIVISION MAP
(ESGAR TRACT)

Commissioner Barnell introduced

RESOLUTION NO. 5002-N.S.

approving and accepting map of the Alcorn Subdivision (being portion of EsGAR Tract annexed to the City of Modesto) as presented, 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
ADVERTISE FOR BIDS
COMPRESSOR-WATER
PIPE-SEWER PIPE

Commissioner Barnell introduced

RESOLUTION NO. 5003-N.S.

authorizing the City Clerk to advertise for bids on 85 cu. ft. Portable Compressor complete, 1500 feet of 10 inch and 750 feet of 8 inch class 150 bell and spigot cast iron pipe, 2400 feet of 6 inch and 900 feet of 4 inch class 150 bell and spigot cast iron pipe and 1800 feet of 12 inch Vitrified clay sewer pipe, f.o.b. Modesto, 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
ORD. REGULATING
WEEDS

Commissioner Stanley introduced an ordinance being
ORDINANCE NO. 641-N.S.

entitled: "AN ORDINANCE AMENDING ORDINANCE NO. 41-N.S. OF THE CITY OF MODESTO (WEED AND RUBBISH 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

IN THE MATTER OF
FINAL ADOPTION OF
ORDINANCE NO. 639-N.S.
CIVIL SERVICE

Ordinance No. 639-N.S. having been heretofore introduced and ordered printed and published at the regular meeting of August 14, 1940 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

IN THE MATTER OF
FINAL ADOPTION
ORD. 640-N.S.
FIXING TAX RATE

Ordinance No. 640-N.S. having been heretofore introduced and ordered printed and published at the regular meeting of August 14, 1940 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

IN THE MATTER OF
REPORT ON FENCE
AROUND WRECKING
YARD--F. R. ROESING

Pursuant to investigation by committee appointed by the Council on building fence around wrecking yard in Block 25, operated by F. R. Roesing, City Engineer Rossi reported that it would be necessary for Mr. Roesing to build a fence completely around the wrecking yard.

IN THE MATTER OF
PETITION FOR ANNEX-
ATION OF NORTWOOD
TRACT

The matter of acceptance of the petition for annexation of the Northwood Tract to the City of Modesto was laid over to a future date.

IN THE MATTER OF
10 MINUTE PARKING
ZONE--L. M. MORRIS
COMPANY

Commissioner Stanley introduced
RESOLUTION NO. 5004-N.S.

installing a 10 minute parking zone in front of the L. M. Morris Company, 922 Eye 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
LEAVE OF ABSENCE
TO H. E. GRAGG,
CITY CLERK

Commissioner Neece introduced

RESOLUTION NO. 5005-N.S.

granting an additional leave of absence of 60 days to

H. E. Gragg, City Clerk, Auditor, Assessor, Tax Collector, Treasurer and License Collector from August 24, 1940 to October 24, 1940, 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
APPOINTMENT OF
ELMER J. BLUM
ASSISTANT AUDITOR
ETC.

Commissioner Neece introduced
RESOLUTION NO. 5006-N.S.

reappointing Elmer J. Blum, Assistant Auditor, Assessor, Treasurer, and Tax Collector for an additional 60 days from August 24, 1940 to October 24, 1940, due to the illness of H. E. Gragg, 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
RATE FOR WATER AT
PRESBYTERIAN CHURCH
GYMNASIUM

Commissioner Barnell, introduced
RESOLUTION NO. 5007-N.S.

setting the rate for water service at the Presbyterian Church Gymnasium at 1415 Eye Street at \$20.00 per month, beginning September 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

21
IN THE MATTER OF
ADJOURNMENT

Commissioner Bates introduced
RESOLUTION NO. 5008-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
ELMER J. BLUM, ASSISTANT CITY CLERK

Special Council Meeting
August 29, 1940

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 provided by Section 2 of Ordinance No. 2-N.S. as amended by Ordinance No. 604-N.S.

Present: Councilmen: Barnell, Bates, Neece, Stanley, Mayor Shannon
Absent: Councilmen: None

IN THE MATTER OF
PAYMENT TO LORA
LEWIS ON GOLF COURSE
PROPERTY

Whereas Lora Lewis has had prepared a certain deed dated August 29, 1940 conveying to the City of Modesto, lot 64 of First Addition to Sunset Acres, Commissioner Barnell introduced

RESOLUTION NO. 4997-N.S.

accepting deed to property and authorizing the City Auditor to draw warrant in amount

\$1277.75 to cover cost of property, \$1250 to cover cost of property and \$27.75 to pay for title search and revenue stamps in the event that the said Lora Lewis refuses to pay the same, 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. 5009-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
Elmer J. Blum, Assistant City Clerk

BOARD OF EQUALIZATION

August 5, 1940

The Council of the City of Modesto met this 5th day of August, 1940 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, Acting Mayor Stanley
Absent: Mayor Shannon

There being no complaints filed for the consideration of the Board, upon motion duly made, seconded and unanimously carried, the meeting was adjourned to Tuesday, August 6, 1940 at the appointed time and place.

AUGUST 6, 1940

Pursuant to adjournment of August 5, 1940, the Board of Equalization of the City of Modesto convened in regular session this date, and there were

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

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 7, 1940 at the appointed time and place.

AUGUST 7, 1940

Pursuant to adjournment of August 6, 1940, the Board of Equalization of the City of Modesto convened in regular session this date, and there were

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

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 8, 1940 at the appointed time and place.

August 8, 1940

Pursuant to adjournment of August 7, 1940, 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: Councilmen: 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 Friday, August 9, 1940 at the appointed time and place.


AUGUST 9, 1940

Pursuant to adjournment of August 8, 1940, the Board of Equalization of the City of Modesto, convened in regular session this date, and there were

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

There being no further business to come before the Board, and it having met and conducted its meetings as required by State Statutes and the City Charter, upon motion of Commissioner Bates, seconded by Commissioner Barnell, the meeting was adjourned sine die.

APPROVED: Carl W. Shannon, Mayor
ATTEST: Elmer J. Blum, Assistant City Clerk



Council Meeting
September 11, 1940

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 provided by 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 August 28, 1940 having been read heretofore by each Councilman, were

2
IN THE MATTER OF CLAIMS FOR MONTH OF AUGUST

Claims against the City of Modesto for the month of August, 1940 having been heretofore audited by the Council and found to be correct, Commissioner Bates introduced

RESOLUTION NO. 5010-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-----	\$29,823.98
WATER FUND-----	7,192.82
LIBRARY FUND-----	2,046.82
BOND RED. INT. FUND-----	188.75
ST. BOND RED. INT. FUND-----	1,395.49
UNAPPORTIONED FUND-----	4.40
TOTAL-----	\$40,482.26

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
DONATION STANISLAUS
COUNTY BOYS' BAND

Commissioner Bates introduced

RESOLUTION NO. 5011-N.S.

authorizing the City Clerk to draw warrant in amount \$400.00 payable to the Stanislaus County Boys' Band, as provided by provisions of Ordinance No. 634-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

4
IN THE MATTER OF
COMMUNICATIONS

Public Utilities Bulletin #14 of the League of California Cities entitled "Pacific and Southern California Telephone

Companies petitions for reassessment heard by State Board" was read and ordered filed.

5
IN THE MATTER OF
SEWER SERVICE
OMER R. REES

Commissioner Barnell introduced

RESOLUTION NO. 5012-N.S.

granting sewer service to Omer R. Rees to property on the north side of Coldwell Avenue immediately east of the city limits in the Campus Tract providing he entered into the usual agreement for sewer service as provided by Ordinance No. 624-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

6
IN THE MATTER OF
RECREATION MINUTES

Minutes of the Recreation Commission meeting were read and turned over to the Commissioner of Finance and

Revenue.

7
IN THE MATTER OF
COMMUNICATION FROM
CIVIL AERONAUTICS
AUTHORITY

A communication from the Regional Manager of the Civil Aeronautics Authority regarding the Modesto Municipal

Airport was read and ordered filed.

8
IN THE MATTER OF
BIDS ON COMPRESSOR
CAST IRON PIPE AND
CLAY SEWER PIPE

Commissioner Bates introduced

RESOLUTION NO. 5013-N.S.

recommending that all bids on one 85 cu.ft. Portable Compressor, 1500 feet of 10 inch and 750 feet of 8 inch class 150 bell and spigot cast iron pipe, 2400 feet of 6 inch and 900 feet of 4 inch class 150 bell and spigot, seal coated cement lined cast iron pipe be referred to the Commissioner of Public Supplies and 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

9
IN THE MATTER OF
AUTHORIZE CLERK
RECORD DOCUMENTS
ON ANNEXATION OF
JOHN MUIR PARK TO
CITY OF MODESTO

Commissioner Barnell introduced

RESOLUTION NO. 5014-N.S.

authorizing the City Clerk to record document received from the Secretary of State on the annexation of John Muir Park to the City of Modesto, together with a certified copy of Ordinance No. 636-N.S. approving annexation, 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
PACIFIC GAS & ELECTRIC
COMPANY, POSSESSION OF
POLES

Modesto was turned over to the City Attorney.

A communication from the Pacific Gas & Electric
Company regarding possession of poles in the City of

11
IN THE MATTER OF
SEWER SERVICE GRANTED
TO OSCAR HARRAN

Linda tract adjacent to the City of Modesto, Commissioner Barnell introduced

Pursuant to verbal request by D. S. Olsen, for sewer
service for Oscar Harran on lot 2, Block 242 in La

RESOLUTION NO. 5015-N.S.

granting sewer service to Oscar Harran on lot 2, Block 242 in the La Linda Tract,
adjacent to the City of Modesto as provided by Ordinance No. 624-N.S., which resolu-
tion 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
ACCEPT PETITION FOR
ANNEXATION OF NORTH-
WOOD TRACT

City of Modesto, Commissioner Barnell introduced

Whereas there has been presented to the City Council
a petition requesting that an election be called in
the Northwood Tract for the annexation of tract to the

RESOLUTION NO. 5016-N.S.

accepting petition and authorizing the City Attorney to prepare the necessary docu-
ments and notices for the holding of an election in said territory sought to be
annexed to the City of Modesto for the purpose of determining whether or not the
voters living in said territory desire said territory to be annexed to and to be-
come a part of the city limits of the City of Modesto, which resolution was regular-
ly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

13
IN THE MATTER OF
HEARING OF PROTESTS
ON ANNEXATION ON
NORTHWOOD TRACT

Northwood Tract for annexation to the City of Modesto, Commissioner Barnell intro-
duced

Whereas, as stated in Resolution No. 5016-N.S. adopt-
ed and passed by the Council, a petition was accept-
ed requesting that an election be called in the

RESOLUTION NO. 5017-N.S.

declaring that it is the intention of the City Council to hold an election in said
Northwood Tract for the purpose of submitting to the voters of said tract, the
question whether or not the voters residing in said tract desire to have said des-
cribed territory annexed to and made a part of the corporate limits of the City of
Modesto. Said election shall be held in said tract on the 26th day of November,
1940. The time for hearing protests by persons owning property in the within des-
cribed Northwood Tract is hereby set for the 1st day of October, 1940 in the Council
room at the hour of 4 o'clock P.M. at said time and place the said City Council will
hear all protests of persons owning property in the said Northwood Tract. All protests
must be in writing and shall state the name or names of the owner or owners of the

property to be affected by said election and the location and area of such property in general terms, 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
BUS FRANCHISE

Commissioner Neece introduced

RESOLUTION NO. 5018-N.S.

extending permit to operate bus to Willis Kleinenbroich, dba as Modesto Motor Bus Service for an additional period of 90 days from September 27, 1940 as provided by Resolution No. 4960-N.S. and granting request to change route as shown in application filed with the City Clerk, dated September 6, 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
APPROVING LEASE WITH
CLARA R. STEELE
ON CITY PROPERTY

Whereas a lease for one year covering dwelling owned by the City of Modesto on lots 29, 30, 31 and 32 in Block 121 has been duly signed by Clara R. Steele and

whereas by the terms thereof said Clara R. Steele is bound to pay to the City of Modesto the sum of \$35.00 per month during the term of said lease and the City of Modesto has the option to terminate said lease upon 60 days written notice, Commissioner Barnell introduced

RESOLUTION NO. 5019-N.S.

approving lease to Clara R. Steel dated September 3, 1940 and the Mayor and Assistant City Clerk are authorized to execute the same and to cause performance of the terms thereof required of said City to be carried out according to the purpose and intent of said lease, 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
REPORT BY ENGINEER
ON REALIGNMENT OF
GRAND STREET

City Engineer Rossi reported on a proposed bridge and realignment of Grand Street to Jennie Street.

17
IN THE MATTER OF
APPROVING MAP OF
LEGION PARK TRACT

Whereas there is presented to the Council, a map of a subdivision named Legion Park Tract and said map was in proper form and has been duly passed by the County and City Planning Commissioner and property authenticated by the respective chairman of said commissions and whereas by agreement heretofore entered into, said map provided that one of the owners of the said tract, to-wit, Carl B. Benson is to convey by deed a certain portion of said tract to the City of Modesto, Commissioner Barnell introduced

RESOLUTION NO. 5020-N.S.

approving Legion Park Tract and that the same be filed as of record when the said Carl B. Benson gives a good and sufficient deed to said city conveying title to said City of the property depicted on said map, which by the terms of said oral agreement and said map is to be and become property belonging to the City of Modesto, Be it further resolved that said map be placed in escrow with the Stanislaus Abstract and Escrow Company to be by said Company held in escrow until the delivery to said Company of said deed, at which time said escrow company is authorized to file said map of record,

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
FINAL ADOPTION OF
ORD. NO. 641-N.S.
WEED & RUBBISH
CONTROL

Ordinance No. 641-N.S. having been heretofore intro-
duced and ordered printed and published at the regu-
lar meeting of August 28, 1940 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
REPORT BY STANIS-
LAUS COUNTY CITIZENS
PLANNING COMMITTEE

The report and recommendations, as modified, of the
Stanislaus County Citizens Planning Committee to the
governing bodies and their respective commissions,

City of Modesto, City of Turlock, County of Stanislaus was accepted by the Council
of the City of Modesto and the City Clerk was instructed to write a letter to C.H.
Blemker, Chairman, setting forth this fact.

20
IN THE MATTER OF
PLANNING COMMISSION
MEETING ANNUAL
REPORT

City Engineer Rossi gave an annual report on the
Planning Commission for year ending June 30, 1940.

21
IN THE MATTER OF
LEAVE OF ABSENCE

Commissioner Bates introduced

RESOLUTION NO. 5022-N.S.

granting Mayor Carl Shannon leave of absence from the State of California for a
period of 30 days from September 15, 1940, 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
VOTE OF THANKS TO
ELMER HANSEN REPORTER
FOR THE MODESTO BEE

Commissioner Neece introduced

RESOLUTION NO. 5023-N.S.

expressing appreciation to Elmer Hansen for his
courtesy, cooperation and accurate reports of the proceedings of the City Council
for the Modesto Bee and regret that he is leaving the employ of the Modesto Bee
and will be unable to continue this work and wishing him success in his scholastic
career, 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
REPORTS FOR THE
MONTH OF AUGUST

Departmental reports for the month of August, 1940
were read and ordered filed.

24
IN THE MATTER OF
ADJOURNMENT

Commissioner Neece introduced

RESOLUTION NO. 5024-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, Assistant City Clerk
Elmer J. Blum

Special Council Meeting

September 16, 1940

The Council of the City of Modesto met in special session this date at 2:00 P.M., the meeting having been called and convened as provided by Section 2 of Ordinance No. 2-N.S. as amended by Ordinance No. 604-N.S.

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

Absent: Councilmen: Mayor Shannon

IN THE MATTER OF
REDUCTION OF RATE
OF ELECTRIC ENERGY
FROM MODESTO IRRI-
GATION DISTRICT

Pursuant to request of the City of Modesto for reduction of rate on electric energy furnished by the Modesto Irrigation District and after conversation with a re-

presentative of the Modesto Irrigation District, Commissioner Bates introduced

RESOLUTION NO. 5025-N.S.

recommending that the Council meeting adjourn at this time without withdrawing their request for reduction of rate on electric energy, 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 Neece introduced

RESOLUTION NO. 5026-N.S.

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

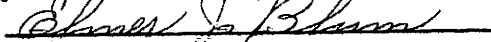
Ayes: Councilmen: Barnell, Bates, Neece, Mayor pro tem Stanley

Noes: Councilmen: None

Absent: Councilmen: Mayor Shannon

ATTEST H. E. GRAGG, CITY CLERK

By Elmer J. Blum, Assistant City Clerk



Special Council Meeting

September 23, 1940

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 provided by Section 2 of Ordinance No. 2-N.S., as amended by Ordinance No. 604-N.S.

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

Absent: Mayor Shannon

IN THE MATTER OF
AUTHORIZE CITY TREAS-
URER TO SECURE LOAN
OF \$10,000

Whereas, it has become necessary to have additional funds available to meet current expenses of the City of Modesto and whereas said City has a time deposit in Bank of America

Modesto Branch, amounting to \$10,000 and whereas by new provisions of the laws of the State of California, 30 days notice must be given said Bank in order to withdraw said monies and whereas said additional funds are needed and necessary before the expiration of 30 days from date, Commissioner Neece introduced

RESOLUTION NO. 5027-N.S.

authorizing the City Treasurer and/or Assistant City Treasurer of the City of Modesto to borrow from the Bank of America the sum of \$10,000 and to pledge for the repayment of the same, said \$10,00 now on deposit in said bank for or on behalf of 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

IN THE MATTER OF
ADJOURNMENT

Commissioner Bates introduced

RESOLUTION NO. 5028-N.S.

2 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 *Elmer J. Blum*

Council Meeting

September 25, 1940

The Council of the City of Modesto met in regular session this date at 7:30 P.M. as provided by section 1 of Ordinance No. 2-N.S.

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

Absent: Councilmen: Mayor Shannon

1 IN THE MATTER OF
APPROVAL OF MINUTES

The minutes of the regular meeting of September 11th and the special meetings of September 16th and 23rd having been read heretofore by each Councilman were approved as so read.

IN THE MATTER OF
LOADING ZONE IN
FRONT HOTEL MADDUX

Commissioner Neece introduced

RESOLUTION NO. 5029-N.S.

2 establishing loading zone in front of the Hotel Maddux on 12th Street between H and G Streets and authorizing the City Engineer to mark off zone, 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

3 IN THE MATTER OF
BUS LINE TO
AIRPORT

Attorney Clarence Hansen appeared before the Council representing the Airport Transit Company requesting that some action be taken on their request for a franchise to operate a bus line in and around the City of Modesto. He was informed by the Council that action would be taken in a few days at a later meeting.

4 IN THE MATTER OF
PETITION FOR OFFICER
PATROL CERTAIN BUSI-
NESS DISTRICT

Mr. L. J. Peterson, Rupert Peter, and Stanley Peterson appeared before the Council with a petition signed by business operators on 7th Street requesting that a full time patrolman on foot to cover the vicinity of the business establishments signing the petition. They were advised that the Council would take this under advisement.

5 IN THE MATTER OF
ESTABLISH TRUCK
ROUTE THROUGH CITY

Reese Wherry, E. F. Oman, Henry Crow and Dr. E.R. McPheeters appeared before the Council protesting to the noise caused by trucks travelling through the City. Mayor pro tem Stanley appointed a committee of Engineer Rossi and E. E. Arington to meet with the above named individuals

and local truck operators to discuss the matter of establishing a route for trucks through the City.

6 IN THE MATTER OF
PROTEST TO NOISE
OF RESTAURANT

Henry Crow, operator of Hotel Modesto at Eleventh and H Streets, protested to the noise caused by the Square Deal Restaurant and Bar operated at 1016 H Street, This was taken under advisement.

7 IN THE MATTER OF
DONATION TO SALVA-
TION ARMY

Commissioner Neece introduced
RESOLUTION NO. 5030-N.S.

granting a donation to the Salvation Army from the Monetti Fund No. 1 of \$15.00 and authorized the City Clerk and Auditor to draw warrant to Mary E. Smith, Captain Salvation Army, 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
PETITION FOR FREE
LICENSE SELL PRO-
DUCE IN CITY

R. V. Norris appeared before the Council requesting that he be granted a free license to sell limes in the City of Modesto. No action was taken by the Council.

9 IN THE MATTER OF
COMMUNICATIONS

A letter from the Modesto Post No. 74 of the American Legion requesting the City of Modesto to participate in the parade on Armistice Day. By order of the Council, the City Clerk was instructed to notify the American Legion that the City would enter a decorated car in the parade.

10 A communication from the California Congress Parents and Teachers Association requesting that new caps be furnished by the City for the patrol boys. This matter was referred to the Chief of Police.

11 IN THE MATTER OF
REAPPOINTMENT OF M. G. HALL
TO RECREATION COMMISSION

Pursuant to communication from the Modesto Recreation Commission requesting that Margaret Gettys Hall be re-appointed to the Modesto Recreation Commission, as her term expires on September 1st, whereupon Commissioner Neece introduced

RESOLUTION NO. 5031-N.S.

appointing Margaret Gettys Hall to the Recreation Commission for a term of 5 years from September 1, 1940, 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
PARKING CONDITIONS
NEAR JUNIOR COLLEGE

A communication from the Department of Police regarding parking conditions near the Junior College was discussed by the Council. Action on this matter was laid over to a future meeting.

13 IN THE MATTER OF
PROTEST ON NOISE

A communication from L. L. Dennett protesting to the noise in the city was read and referred to the Chief of Police.

14 IN THE MATTER OF
JOHN MUIR ANNEKATION

A communication from the State of California, Department of Public Works advising the Council that the City of Modesto would be credited with a calculated population in the annexed John Muir Park of fifteen as provided by law for the allocation of the gas tax fund.

15 IN THE MATTER OF
ESTABLISH BUSINESS
IN RESIDENCE ZONE

Pursuant to petition by N. G. Yialouris for permit to erect and maintain a confectionery and fountain on property known as 304 McHenry Avenue, Block 564, lots 21, 22, 23 and 24 in the City

of Modesto, a protest was filed by Dr. Preston Byington to the establishment of this business. This matter was referred to a committee appointed by the Mayor pro tem of Commissioners Barnell, Bates, Neece and Engineer Rossi with instructions to report at the next regular meeting.

16
IN THE MATTER OF
PETITION TO USE
OLD FIRE HOUSE

A petition was filed with the Council by a group of retired citizens to use the old fire house located at 715 10th Street for a clubhouse during the winter months. The City Clerk was instructed to write a letter to F. W. Parker who filed the petition informing him that it would be impossible for the Council to grant this request, as it would cost too much to repair the building in order for them to use it as a clubroom and the City was endeavoring to sell the property.

17
IN THE MATTER OF
CALL FOR BIDS ON
TRAFFIC SIGNALS

Commissioner Barnell introduced
RESOLUTION NO. 5032-N.S.

authorizing the City Clerk to call for bids on two-way Traffic Control Signal heads with controller and appurtenances to be installed at 10th and H Streets, said bids to be opened at 7:30 P.M. on Wednesday, October 9, 1940 at the City Hall, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Mayor Shannon

18
IN THE MATTER OF
AWARD BID ON WATER
PIPE

Pursuant to referring all bids on 150 bell and spigot cast iron pipe to the City Engineer and Commissioner of Public Supplies for tabulation and recommendation, Commissioner Bates introduced

RESOLUTION NO. 5033-N.S.

awarding bid on Item 2 of Notice to bidders for 1500 feet of 10 inch and 750 feet of 8 inch class 150 bell and spigot cast iron pipe to United States Pipe & Foundry for \$2730.08 and on item 3 for 2400 feet of 6 inch and 900 feet of 4 inch class 150 bell and spigot to the United States Pipe & Foundry Co., delivery to be made in 60 days and authorizing the Clerk to return bidding checks to unsuccessful bidders and payment on pipe when 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

19
IN THE MATTER OF
CANVASS VOTE OF
LALINDA TRACT
ANNEXATION

Pursuant to La Linda Park annexation election held on September 20, 1940 at this time the Council resolved itself into a canvassing board and proceeded to determine the results of the election, Commissioner Barnell introduced

RESOLUTION NO. 5034-N.S.

which resolution was in detail as follows:

IN THE MATTER OF THE ELECTION FOR THE ANNEXATION OF THE LA LINDA TRACT

This being the time provided for the first regular meeting of the Council of the City of Modesto 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 "La Linda Tract", and described particularly as the following described territory lying and being in the County of Stanislaus, State of California, and near to the City of Modesto, and particularly described as follows, to-wit:

Beginning at the southeast corner of the northwest $\frac{1}{4}$ of the southeast $\frac{1}{4}$ of Section 28, T 3 S., R 9E., M.D. B. & M., thence southerly along the $\frac{1}{4}$ - $\frac{1}{4}$ section line, to an easterly and westerly line equally dividing lot 3, the said lot 3 being as shown on the map of Las Flores Tract, recorded in Maps, Volume 9, page 47, Stanislaus County Records; thence westerly along the said dividing line through the center of said lot 3 to the center line of Las Flores, a County Road; thence southerly along the said center line of Las Flores to the southerly boundary line of La Linda, extended and produced, according to the map of La Linda, recorded in Maps, Volume 11, page 40, Stanislaus County Records; thence westerly along the said southerly boundary line of La Linda and the said southerly boundary line of La Linda, extended and produced to the city limit line in Beard Brook; thence northerly along the said city limit line in Beard Brook, to the $\frac{1}{4}$ - $\frac{1}{4}$ section line; thence easterly along the said $\frac{1}{4}$ - $\frac{1}{4}$ section line to the beginning.

and it appearing that said election was held within the territory proposed to be annexed, on the 20th day of September, 1940, in accordance with the resolution of this Council heretofore passed and adopted, and that after the holding of said election the election officers thereof delivered to and deposited with the Clerk of this Council the ballots, tally sheets, and returns of said election, and it appearing, and the Council so finding, that the proposition submitted at said election was whether or not such new territory, in said resolution and hereinabove described shall be annexed to, incorporated in and made a part of the municipal corporation of the City of Modesto, and that said property shall not be subject to any bonded or other indebtedness owed by said City prior to the date of the filing of the petition asking that such election be called 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 9, that the number of votes cast therein in favor of annexation was 9, and that the number of votes cast therein against annexation was none. That no absentee ballots were cast.

Thereupon, upon motion of Councilman Barnell, seconded by Councilman Neece, and adopted by the 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.

Thereupon in conformance with State Statutes, Commissioner Barnell introduced

ORDINANCE NO. 642-N.S.

entitled "AN ORDINANCE APPROVING THE ANNEXATION OF CERTAIN TERRITORY TO THE CITY OF MODESTO" approving the annexation of the above described territory, known as the La Linda Tract and providing for the required recording of same with the Secretary of State, which ordinance was duly passed to print and publish by the following vote:

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

Noes: Councilmen: None

Absent: Mayor Shannon

IN THE MATTER OF
DETERMINING RESULT
OF ELECTION OF LA
LINDA TRACT

Whereas special election was held on the 20th day of
September 1940 in La Linda Tract for annexation to the

City of Modesto and the City Council finds after due examination

that due notice of said election was published in the Ceres Courier and whereas the City Council is now sitting as a canvassing board to canvass the results of 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, Commissioner Barnell introduced

RESOLUTION NO. 5035-N.S.

declaring election held in said territory 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 election the total number of votes cast at the polls was and is nine; that the number of votes cast at said polls in favor of annexation was and is 9; and that the number of votes cast at said polls opposed to annexation of said territory was and is 0; that said City Council, sitting as such canvassing board further finds that the measure to-wit, "Shall the LaLinda Tract be annexed to the City of Modesto?" received 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, Mayor pro tem Stanley

Noes: Councilmen: None

Absent: Mayor Shannon

22 IN THE MATTER OF
PLACING SANITARY
INSPECTOR UNDER
CIVIL SERVICE

Commissioner Bates introduced

RESOLUTION NO. 5036-N.S.

placing the position of Sanitary Inspector under Civil Service as provided by Ordinance No. 639-N.S., which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Mayor Shannon

23 IN THE MATTER OF
AMEND RES. 4942-N.S.
CIVIL SERVICE
SALARY SCHEDULE

Commissioner Bates introduced

RESOLUTION NO. 5037-N.S.

amending Resolution No. 4942-N.S. entitled "RESOLUTION ADOPTING CIVIL SERVICE SALARY SCHEDULE FOR THE CITY OF MODESTO" by adding new section No. 18 entitled:

Salary Range No.	Starting Rate	First Adj.	Second Adj.	Third Adj.	Max.	Included in Classification
18	\$205	\$215	\$225	\$235	\$245	Sanitary Inspector

which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Mayor Shannon

24 IN THE MATTER OF
CLOSING MADONIA
AVENUE

Whereas the public interest and convenience require the closing of that portion of Madonia Avenue in the City of Modesto which lies southeasterly from the southeasterly line of Campus Way, Commissioner Barnell introduced

RESOLUTION NO. 790-S.P.
RESOLUTION OF INTENTION NO. 227

providing for the closing and abandoning of that portion of Madonia Avenue in the City of Modesto which lies southeasterly from the southeasterly line of Campus Way, 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
AGREEMENTS WITH
PACIFIC TELEPHONE
& TELEGRAPH CO.

The matter of authorizing the signature of the Mayor and City Clerk to agreements with the Pacific Telephone & Telegraph Company for the joint ownership of poles was laid over until the City Attorney could investigate the matter.

IN THE MATTER OF
RESCIND RESOLUTION
NO. 5027-N.S.

Commissioner Neece introduced

RESOLUTION NO. 5037A-N.S.

rescinding Resolution No. 5027-N.S. entitled "A RESOLUTION AUTHORIZING THE CITY TREASURER AND/OR THE ASSISTANT CITY TREASURER OF THE CITY OF MODESTO TO BORROW FROM THE BANK OF AMERICA THE SUM OF \$10,000", 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
AUTHORIZE PAYMENT
TO ELECTION OFFICIALS

Commissioner Bates introduced

RESOLUTION NO. 5038-N.S.

authorizing payment of \$5.00 each to election official serving in the La Linda Tract annexation election and also \$5.00 to Florence Dayton for rental of garage for polling place, 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. 5039-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 *Elmer J. Blum, Asst. City Clerk*

Special Council Meeting

October 1, 1940

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 provided by Section 2 of Ordinance No. 2-N.S., as amended by Ordinance No. 604-N.S.

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

Absent: Mayor Shannon

IN THE MATTER OF
CALLING ELECTION
IN NORTHWOOD TRACT
ANNEXATION

Whereas petition has been presented to the Council in the proper form asking that the Northwood Tract be annexed to the City of Modesto and this date set to hear protests to annexation and whereas no protests have been filed, Commissioner Barnell introduced

RESOLUTION NO. 5040-N.S.

authorizing the holding of an election in the above described territory as provided by law on the 26th day of November, 1940 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, Mayor pro tem Stanley

Noes: Councilmen: None

Absent: Mayor Shannon

IN THE MATTER OF
GRANT PERMIT AIRPORT
TRANSIT CO. OPERATE
BUS LINE

Pursuant to application of Herbert G. Norvell and Willard
Neville, doing business as the Airport Transit to operate
a bus line in and near the City of Modesto, Commissioner

Bates introduced

RESOLUTION NO. 5041-N.S.

granting permit to operate bus line in the City of Modesto, subject to provisions
and regulations of Ordinances No. 306-N.S. and No. 489-N.S. and any other ordinance
or regulations to be adopted by the Council, 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
CLAIM AGAINST CITY
FOR DAMAGE TO F.J.
FOGAL AUTOMOBILE

Claim of \$9.27 filed by Frank J. Fogal for damage to
tire and tube, which he claimed was damaged at the corner
of Third and J Streets on September 12th, 1940 by rock
left in road, which was undergoing repairs by the City, was turned over to the
Insurance Committee.

IN THE MATTER OF
GRANT PERMIT N. G.
YIALOURIS-OPERATE
CONFECTIONERY IN
RESIDENCE DISTRICT

Whereas, pursuant to the filing of petition with the
Council by N. G. Yialouris for permit to erect and
maintain a confectionery and fountain on property known
as 302 McHenry Avenue, Block 564, lots 21, 22, 23, and 24 in the City of Modesto,
and it appearing from report of committee appointed by the Mayor pro tem to investi-
gate protest filed by Dr. P. Byington that protest had been withdrawn, Commissioner
Neece introduced

RESOLUTION NO. 5042-N.S.

granting permission to N. G. Yialouris to establish a confectionery and fountain at
304 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

IN THE MATTER OF
AIR ROUTE THROUGH
MODESTO

Whereas it is understood by the City Council of the City
of Modesto that the United Air Lines is willing to estab-
lish so-called "feeder" service from Fresno to Red Bluff, servicing the cities of
Merced, Modesto, Stockton, Sacramento, Marysville and Chico, thus making connection
with transcontinental air service at Fresno and Sacramento, San Francisco and Los
Angeles and points north and south for passenger service, air mail and express and
whereas the Civil Aeronautics Authority has denied the application of said air lines
for a franchise enabling said air lines to grant said service, Commissioner Bates
introduced

RESOLUTION NO. 5043-N.S.

recommending that the City Council request the Civil Aeronautics Authority to take
the necessary steps whereby a "feeder" air service may be provided for the cities
embraced in the proposal, and that the Hon. Hiram W. Johnson, Senator, Hon. B.W. Gear-

hart, Congressman and the other representatives of the State of California at the National Capitol of the United States be requested to use their best efforts to procure the feeder service, 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 Commissioner Bates introduced
ADJOURNMENT RESOLUTION NO. 5044-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 Edward J. Blum
Assistant City Clerk

Council Meeting
October 9, 1940

The Council of the City of Modesto met in regular session this date at 7:30 P.M. as provided by 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 25, 1940 and special meeting of October 1, 1940 having been read heretofore by each Councilman were approved as so read.

IN THE MATTER OF CLAIMS FOR MONTH OF SEPTEMBER Claims against the City of Modesto for the month of September, 1940 having been heretofore audited by the Council and found to be correct, Commissioner Bates introduced

RESOLUTION NO. 5045-N.S.

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

GENERAL FUND-----	\$26,418.10
WATER FUND-----	8,390.65
LIBRARY FUND-----	1,867.43
SPECIAL GAS TAX-----	741.80
MONOTTI BEQUEST #1-----	15.00
TOTAL-----	\$37,432.98

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 CLAIM-FRANK J. FOGAL Commissioner Bates introduced
RESOLUTION NO. 5046-N.S.

denying claim of Frank J. Fogal of \$9.27 for repair to tire and tube damaged on rock struck at corner of Third and J Streets on September 12, 1940, while street was undergoing repairs, 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
CLAIM-ANNA WARTON

Commissioner Bates introduced

RESOLUTION NO. 5047-N.S.

allowing claim of Anna Warton for refund of license deposit of \$50.00 required by Ordinance No. 487-N.S., section 101, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Mayor Shannon

5
IN THE MATTER OF
COMMUNICATIONS

League of California Cities, Public Utilities Bulletin #15 was referred to the City Attorney.

6
Communication from A. H. Yeram, operating a tailoring shop at 1125 11th Street, requesting that one hour parking be established in front of his shop was turned over to the Chief of Police for investigation.

7
IN THE MATTER OF
HEARING PROTEST
ON TRAVELLING THEATRE
IN RESIDENCE DISTRICT

Whereas, pursuant to the filing of petition with the Council by J. P. Cahn to operate and maintain a travelling theatre in Block 88, lots 8 to 13 inc. 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 Neece, introduced

RESOLUTION NO. 5048-N.S.

granting request as prayed for with the understanding that all provisions relative to building permit fees be complied with, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Mayor Shannon

8
IN THE MATTER OF
REQUEST OPERATE
STUDIO IN RESIDENCE
ZONE-LABELLE CARROLL

Whereas, pursuant to the filing of petition with the Council by LaBelle Carroll to operate a studio on College Avenue, being lots 7 and 8, in Block 447 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 Barnell introduced

RESOLUTION NO. 5049-N.S.

granting request as prayed for with the understanding that all provisions relative to building permit fees be complied with, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Mayor Shannon

9
IN THE MATTER OF
BIDS ON TRAFFIC
SIGNALS

Commissioner Bates introduced

RESOLUTION NO. 5050-N.S.

referring all bids for furnishing four two-way traffic control signals with con-

trollers and appurtenances, to the Commissioner of Public Supplies and 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

IN THE MATTER OF
NAMING STREETS IN
COLLEGE PARK TRACT

Commissioner Barnell introduced
RESOLUTION NO. 5051-N.S.

naming the streets in the College Park Tract, Coyado and Serano, 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
ORDINANCE RE:
TRAFFIC CONTROL

Commissioner Bates introduced an ordinance, being
ORDINANCE NO. 643-N.S.

entitled: "AN ORDINANCE AMENDING SECTIONS 32 and 19 OF ORDINANCE NO. 345-N.S.

OF THE CITY OF MODESTO ENTITLED: "AN ORDINANCE REGULATING TRAFFIC UPON THE PUBLIC STREETS OF THE CITY OF MODESTO", AS THEREAFTER AMENDED", and moved its adoption and passage to print and publish, which motion being duly seconded, it was upon roll call carried and the ordinance ordered published as above by the following vote:

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

Noes: Councilmen: None

Absent: Mayor Shannon

IN THE MATTER OF
FINAL ADOPTION OF
ORDINANCE NO. 642-N.S.
ANNEXATION OF LA LINDA
TRACT

Ordinance No. 642-N.S., having been heretofore introduced and ordered printed and published at the regular meeting of September 25, 1940, 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
LEASE WITH SHELL
OIL COMPANY

Pursuant to presentation of new lease by the Shell Oil Company with the City of Modesto for rental of service station at the Modesto Municipal Airport, lease was turned over to the City Engineer Rossi for investigation and he is to report back to the Council at a later meeting.

IN THE MATTER OF
LEASE WITH PACIFIC
TELEPHONE & TELEGRAPH
COMPANY ON POLES

Pursuant to presentation of agreement by the Pacific Telephone & Telegraph Company for the joint use of certain poles with the City of Modesto, and whereas this matter was turned over to the City Attorney and City Engineer for investigation and recommendation, the City Attorney reported at this time unfavorable to the proposed joint agreement, by order of the Council this matter was referred to the City Engineer to notify the Pacific Telephone & Telegraph Company that the City would permit them to use the poles but would not enter into an agreement for the joint ownership of the poles.

IN THE MATTER OF
REPORT BY COMMITTEE
ON TRUCK ROUTES

The committee composed of City Engineer Rossi, Police Chief Arlington, appointed by Mayor pro tem Stanley to

meet with local truck operators and committee of Hotel and Hospital operators to discuss the matter of establishing truck routes through the City of Modesto, outlined the routes into the City as prepared by the Committee and the City Attorney was instructed to prepare an ordinance for adoption by the Council establishing the routes

16
IN THE MATTER OF ANNUAL REPORT OF POLICE COURT

The annual report on the Police Court was accepted by the Council.

17
IN THE MATTER OF DEPARTMENTAL REPORTS FOR MONTH OF SEPTEMBER

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

18
IN THE MATTER OF ADJOURNMENT

Commissioner Neece introduced
RESOLUTION NO. 5052-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 Charles J. Blum
Assistant City Clerk

Special Council Meeting
October 16, 1940

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 provided by Section 2 of Ordinance No. 2-N.S. as amended by Ordinance No. 604-N.S.

Present: Councilmen: Barnell, Bates, Neece, Stanley, Mayor Shannon
Absent: Councilmen: None

1
IN THE MATTER OF FIRE PROTECTION TO PACIFIC CAN COMPANY FACTORY

Whereas, pursuant to request of C. A. Rodegerdts representing the Pacific Can Company for fire protection for factory to be constructed by them just east of the corporate limits of the City of Modesto off Waterford Road, Commissioner Stanley introduced

RESOLUTION NO. 5053-N.S.

authorizing the City Attorney to communicate with the Pacific Can Company and notify them that the City of Modesto would furnish fire protection to their factory outside the City of Modesto providing an annual standby fee of \$125.00 be paid, plus a charge of \$50.00 for each piece of equipment and the personnel appurtenant thereto for the first hour or fraction thereof and \$25.00 per hour for each piece of equipment and the personnel appurtenant thereto for each succeeding hour or fraction thereof, which resolution was regularly adopted by the following vote:

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

2
IN THE MATTER OF GRANT CIVIL AERONAUTICS ADMINISTRATION USE OF AIRPORT

Commissioner Barnell introduced
RESOLUTION NO. 5054-N.S.

granting to the Civil Aeronautics Administration hangar space for the term of one year and directed City Engineer Rossi to communicate with them guaranteeing service of airport for one 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
GRANT PERMIT TO
NATIONAL GUARDS
TO USE OLD FIREHOUSE

Permission was granted to the National Guards to use the old firehouse located at 715 Tenth Street in case of emergency call.

4
IN THE MATTER OF
ADJOURNMENT

Commissioner Neece introduced
RESOLUTION NO. 5055-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

H. E. GRAGG, CITY CLERK

BY Charles J. Blum
Assistant City Clerk

Council Meeting

October 23, 1940

The Council of the City of Modesto met in regular session this date at 7:30 P.M. as provided by 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 October 9, 1940 having been read heretofore by each Councilman were approved as so read.

2
IN THE MATTER OF
ORAL COMMUNICATIONS

A representative of the Salvation Army appeared before the Council requesting that they be permitted to have their truck come to the City of Modesto and pick up donations given them and not be required to pay a truck license as provided by Ordinance No. 487-N.S. They were informed that according to the provisions of ordinance, they would be exempt.

3
IN THE MATTER OF
ALLOW CLAIM OF
F. W. HALLEY

Commissioner Bates introduced
RESOLUTION NO. 5056-N.S.

allowing claim of \$2.00 to F. W. Halley for filing answer in the City of Modesto vs. Goree et al case, 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 Civil Aeronautics Authority regarding the request of the City of Modesto to the Civil Aeronautics Authority to endeavor to procure feeder air service for the City of Modesto was read and ordered filed.

5
A communication from the Modesto Real Estate Board protesting to the erection of living quarters in the City of Modesto under the United States Housing Authority was read and ordered filed.

6 Congressional record regarding directional markers for safe air travel was referred to City Engineer Rossi.

7 Communication from Hugh K. Landram representative of the Cities of Visalia, Merced, Modesto and Stockton at a meeting with Mr. Harlee Branch Chairman of the Civil Aeronautics Board in Washington on Wednesday, October 2, 1940 giving a report of the meeting for establishment of air service in Modesto was read and ordered filed.

8 IN THE MATTER OF
AWARD BID ON SEWER
PIPE

Whereas, pursuant to bids on 1800 feet of 12 inch Vitrified clay sewer pipe being referred to the City Engineer and Commissioner of Public Supplies for tabulation and recommendation, Commissioner Bates introduced

RESOLUTION NO. 5057-N.S.

awarding bid to Gladding Bros, at a price of \$1134.65 and authorizing the City Clerk to draw check in payment upon delivery of merchandise and approval by the City Engineer and directing the City Clerk to return bidding checks 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

9 IN THE MATTER OF
AWARD BID ON TRAFFIC
SIGNALS

Whereas pursuant to bids on four two-way Traffic Control Signal Heads with controller and appurtenances according to plans and specifications on file in the office of the City Engineer being referred to City Engineer and Commissioner of Public Supplies for tabulation and recommendation, Commissioner Bates introduced

RESOLUTION NO. 5058-N.S.

awarding bid to the Wille Electric Co. for \$605.20 and authorizing the Clerk and Auditor to draw warrant in payment upon delivery of equipment and approval by the City Engineer and the City Clerk is directed to return bidding checks 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

10 IN THE MATTER OF ONE
HOUR PARKING -ELEVENTH
STREET

Pursuant to request of A. H. Yeram, 1125 Eleventh Street for one hour parking in front of his tailoring shop and whereas this matter was turned over to the Chief of Police for investigation and whereas the Chief of Police reports that this is a residential district and it is not advisable to establish one hour parking. By order of the Council the Chief of Police and Commissioner of Public Health and Safety was instructed to make a further investigation of the parking in this block and to report back to the Council.

11 IN THE MATTER OF
RENEWAL OF LEASE
ON AIRPORT SERVICE
STATION

Pursuant to referring the matter of the renewal of lease on the service station at the Municipal Airport to the Shell Oil Company to the City Attorney and City Engineer, by order of the Council, the City Attorney was instructed to draw up renewal of lease with the Shell Oil Company as previously granted with the exception of leaving the work "restricted" out of lease and adding a clause permitting the Army or Navy to take delivery of gasoline from any other company from trucks if they had a contract with that company.

12
IN THE MATTER OF
CLOSING PATRICIA
LANE

Whereas the public interest and convenience require the
closing of a portion of Patricia Lane, a street in the
City of Modesto fronting on and contiguous to lots 1 and 2 and the NELY 28.37 feet of
lot 3 in Block 627, Commissioner Barnell introduced

RESOLUTION NO. 791-S. P.

RESOLUTION OF INTENTION NO. 228

providing for the closing and abandoning of that certain portion of Patricia Lane in
the City of Modesto as described above, 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
AGREEMENT WITH HERBERT
PAUL FOR CODIFICATION
OF ORDINANCES

Commissioner Bates introduced

RESOLUTION NO. 5059-N.S.

approving agreement as prepared by City Attorney for the
codification of ordinances between the City of Modesto and Herbert Paul and authorizing
Mayor Shannon as signatory official 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
CANCELLATION OF TAXES
ON CITY HALL SITE

Commissioner Barnell introduced

RESOLUTION NO. 5060-N.S.

authorizing the cancellation of taxes for 1940 on Block 121, lots 25, 26, NW 12' of
lot 24, lots 27, 28, 29, 30, 31, 32 as this property has been purchased by the City of
Modesto for a City Hall site, 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
FINAL ADOPTION ORD.
643-N.S. TRAFFIC
CONTROL

Ordinance No. 643-N.S. having been heretofore introduced

and ordered printed and published at the regular meeting

of October 9, 1940 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

16
IN THE MATTER OF
SECURE DEED ON
BLOCK 587-LOTS 9-10
MODESTO IRRIGATION
DISTRICT

Commissioner Barnell introduced

RESOLUTION NO. 5061-N.S.

authorizing the City Clerk and Auditor to draw warrant in
amount \$25.00 to the Modesto Irrigation District for deed on lots 9 and 10 in Block
587 and deed to be approved by the City Attorney, which resolution was regularly adopt-
ed by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

17
IN THE MATTER OF
S. R. A. PROJECT

Commissioner Barnell introduced

RESOLUTION NO. 5062-N.S.

approving the terms of the contract with State Relief Administration for cleaning and repairing curbs, gutters and sidewalks, removing brush, rubbish and weeds; and hand grading sidewalk areas and airport runways and authorizing the City Clerk and the Mayor to sign contract 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

18
IN THE MATTER OF
LEAVE OF ABSENCE
TO H. E. GRAGG
CITY CLERK

Commissioner Neece introduced

RESOLUTION NO. 5063-N.S.

granting an additional leave of absence to H. E. Gragg, City Clerk, City Auditor, Assessor, Tax Collector and Auditor for an additional 30 days leave of absence from October 24, 1940, 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
APPOINTMENT OF
ELMER J. BLUM

Commissioner Neece introduced

RESOLUTION NO. 5064-N.S.

reappointing Elmer J. Blum as assistant Auditor, Assessor, Tax Collector and Auditor for an additional 30 days from October 24, 1940, due to the illness of H. E. Gragg, 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
ADJOURNMENT

Commissioner Bates introduced

RESOLUTION NO. 5065-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
Assistant City Clerk

Special Council Meeting

November 6, 1940

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 provided by Section 2 of Ordinance No. 2-N.S. as amended by Ordinance No. 604-N.S.

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

Absent: Councilmen: None

IN THE MATTER OF
ACCEPT OFFER OF G. B.
GHILOTTI ON LOTS 8 and
9 BLOCK 587-N.S.

Whereas, G. B. Ghilotti has offered to purchase Block 589,
lots 9 and 10 for the sum of \$237.50, same to be free and
clear of all State and County, City and Irrigation District

taxes and assessments levied or assessed prior to the first Monday in March, 1940 and
has deposited \$25.00 with the City Clerk, Commissioner Barnell introduced

RESOLUTION NO. 5066-N.S.

accepting offer of G. B. Ghilotti and authorizing the Tax Collector to prepare and
execute a deed and the City Attorney is hereby authorized to record deeds secured
by the City of Modesto from the Tax Collector of the County of Stanislaus and the
Tax Collector of the Modesto Irrigation District and to deliver deed to G. B.
upon payment of G. B. Ghilotti
Ghilotti/of \$212.50 being balance due on purchase price, and be it further resolved
that the Auditor of the City of Modesto be authorized to cancel all taxes levied
prior to March 4, 1940 against this property, 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
CANCELLATION OF
1940-41 TAXES ON
CITY HALL SITE

Commissioner Barnell introduced

RESOLUTION NO. 5067-N.S.

directing the City Clerk to communicate with the Board
of Supervisors of Stanislaus County and the Directors of the Modesto Irrigation
District and request the cancellation of 1940-41 taxes on NW 12 feet of lot 24,
all lots 25, 26, 27, 28, 29, 30, 31, 32, Block 121 recently purchased by the City
of Modesto for a City Hall site, 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
ANNEXATION OF LOT
64 OF SUNSET ACRES
TO THE CITY OF
MODESTO

Commissioner Barnell introduced

RESOLUTION NO. 5068-N.S.

authorizing the City Attorney to contact the Board of
Supervisors of Stanislaus County regarding the annexation of lot 64 of the Sunset
Acres adjoining the Modesto Municipal Golf Course and Baseball Field, recently
purchased from Lora Lewis to the City of Modesto as provided by state law, 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
GRANT PERMIT SER-
VICE STATION BOONE
AND ROACH

Pursuant to communication from James D. Chreese and
whereas James A Roach and Thomas C. Boone have petitioned
the Council to erect and maintain a service station on

Block 510, lots 19 and 30 of the City of Modesto, pursuant to Ordinance No. 344-N.S.
and whereas the plans have been heretofore checked and approved by the City Engineer
Commissioner Barnell introduced

RESOLUTION NO. 5069-N.S.

granting permit to James A. Roach and Thomas C. Boone 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, Bates, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

5
IN THE MATTER OF
RESOLUTION FROM
SHILOH GRANGE

A resolution adopted by the Shiloh Grange on October 17, 1940 recommending that the city reroute traffic of State Highway 132 over I Street between 5th Street and Ninth Street rather than over H Street was read and the Clerk was instructed to write to the Shiloh Grange and notify them it was entirely up to the State Department of Public Works to make this change.

6
IN THE MATTER OF
ADJOURNMENT

Commissioner Bates introduced
RESOLUTION NO. 5070-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 Charles J. Blum
Assistant City Clerk

Council Meeting

November 13, 1940

The Council of the City of Modesto met in regular session this date at 7:30 P.M. as provided by 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 October 23, 1940 and special meeting of October 16, 1940 having been read heretofore by each Councilman were approved as so read.

2
IN THE MATTER OF
ORAL COMMUNICATIONS

Stanley Sanders, Manager of the Modesto Reds Baseball Club, appeared before the Council and requested a contribution of \$302.70 to clear up the 1940 deficit of the Club. The City Clerk was authorized to communicate with Stanley Sanders and advise him that there was no way the City could appropriate money to the Modesto Reds Baseball Club.

3
Burdean Thompson appeared before the Council and requested permit to establish a business at 2219 Downey Avenue in the residence zone without circulating the necessary petition. The Council advised him that request could not be granted and that he would have to stop operations of business until he had received the required number of signatures on petition, as provided by Ordinance No. 364-N.S.

4
IN THE MATTER OF
CLAIMS FOR MONTH
OF OCTOBER

Claims against the City of Modesto for the month of October, 1940 having been heretofore audited by the Council and found to be correct, Commissioner Bates introduced

RESOLUTION NO. 5071-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 amounts of withdrawals from the various funds as follows:

GENERAL FUND-----	\$32,542.34
WATER FUND-----	3,394.04
LIBRARY FUND-----	1,720.49
BOND RED. INT. FUND-----	1.55
SPECIAL GAS TAX FUND-----	<u>2,511.99</u>
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

IN THE MATTER OF
CLAIM OF McNEIL &
SANDERS

Commissioner Bates introduced

RESOLUTION NO. 5072-N.S.

allowing claim of McNeil & Saunders for \$12.50 for reporting the City of Modesto vs. Sumner case in Police Court, 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 Roosevelt Band Mother's Club was read and ordered filed.

Copies of Congressional Record regarding air safety program and national air defense were referred to the City Engineer.

Roy Nave offered to purchase Block 37, lot 19, free and clear of all taxes due at the present time for a purchase price of \$100.00 This matter was laid over to a future date.

A communication from E. B. Mortiz Foundry regarding traffic signs was read and ordered filed.

A communication from the Civil Aeronautics Board regarding the air service by United Air Lines at Modesto was read and ordered filed.

A communication from the National Institute of Municipal Law Officers requesting the attendance of the City Attorney to a meeting to be held in Washington D. C., December 5 to 7 inc. was read and ordered filed.

IN THE MATTER OF
CONTRACT WITH COUNTY
AND MODESTO IRRIGA-
TION DISTRICT FOR
TAX DEED PROPERTY

Commissioner Neece introduced

RESOLUTION NO. 5073-N.S.

authorizing the City Attorney to prepare contract for the County of Stanislaus and the Modesto Irrigation District on all property subject to tax deed 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

IN THE MATTER OF
CHANGE NAME OF
STREET JOHN MUIR
PARK

A communication from Bomberger Brothers requesting that a separate name be given to the U shaped street in John Muir Park Subdivision, which commences at the corner of Duncan Avenue and High Street and goes west around the curve and ends at the corner of Chabot Avenue and High Street, whereupon Commissioner Neece introduced

RESOLUTION NO. 5074-N.S.

naming this U shaped Street, Chabot Court, as requested by Bomberger Bros., 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
GRANT PERMIT J. P.
SCHLESSER OPERATE
BUSINESS RESIDENCE
ZONE

Whereas, pursuant to the filing of petition with the Council by J. P. Schlessler for permit to operate and maintain a garage at 406 13th Street 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. 5075-N.S.

granting permit to J. P. Schlessler to operate a garage at 406 13th Street 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

15
IN THE MATTER OF
GRANT PERMIT TO ALFRED
M. ROSE OPERATE BUSI-
NESS RESIDENCE ZONE

Whereas, pursuant to the filing of petition with the Council by Alfred M. Rose for permit to operate and maintain a printing business at 310 Sycamore St., being lots 6 and 7, Block 536 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 Barnell introduced

RESOLUTION NO. 5076-N.S.

granting permit to Alfred M. Rose to operate a printing shop at 310 Sycamore Street 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

16
IN THE MATTER OF
GRANT PERMIT TO
CHARLOTTE ROSE
OPERATE BUSINESS
RESIDENCE ZONE

Whereas, pursuant to the filing of petition with the Council by Charlotte Rose for permit to operate and maintain a home baking kitchen and the selling of pastry and bread on property known as 217 Auburn 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 Barnell introduced

RESOLUTION NO. 5077-N.S.

granting permit to Charlotte Rose to operate a bakery at 217 Auburn Street 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
AWARD BID ON
COMPRESSOR

Commissioner Bates introduced

RESOLUTION NO. 5078-N.S.

awarding bid on water cooled compressor, 4 cylinder, single stage, electric starter, to E. R. Bacon Company for \$1683.50 and authorizing the City Clerk to notify successful bidder and to return bidding check to unsuccessful bidders and to make payment on delivery of equipment and approval 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

IN THE MATTER OF
REQUEST BOARD OF
FIRE UNDERWRITERS TO
RECHECK INSURANCE
RATE OF THE CITY

By order of the Council the City Clerk was instructed to write to L. S. Bush, Chief Engineer of the Board of Fire Underwriters to request a recheck on the insurance rate

of the City of Modesto.

IN THE MATTER OF
AUTHORIZE CLERK TO
ADVERTISE FOR BIDS
ON TRUCKS

Commissioner Barnell introduced

RESOLUTION NO. 5079-N.S.

authorizing the City Clerk to advertise for bids on two dump trucks, bids to be received not later than 7:30 P.M. on Wednesday, November 27, 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
LEASE ON OLD FIREHOUSE

Commissioner Barnell introduced

RESOLUTION NO. 5080-N.S.

appointing Mayor and City Auditor as signatory officials on lease with the "Old Timers" club for the old firehouse at 715 Tenth 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
PARKING ON TENTH
STREET BETWEEN K
AND L STREETS

Commissioner Stanley introduced

RESOLUTION NO. 5081-N.S.

recommending that one hour parking be established on both sides of Tenth Street between K and L Streets also on the west side of 12th Street between I and J Streets, 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
DRAFT OF TRUCK
ORDINANCE

The adoption of ordinance establishing truck routes in the City of Modesto was laid over to a future meeting.

IN THE MATTER OF
CIVIL SERVICE
CLASSIFICATION PLAN

Commissioner Bates introduced

RESOLUTION NO. 5082-N.S.

recommending that the Council adopt the revised and amended classification plan of

all positions in the competitive service of the City of Modesto under Civil Service prepared and presented by the Personnel Board, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

24
25
26
IN THE MATTER OF
MARKERS IN LEGION
PARK

The City Engineer reported on the installation of two marble stones by the City dedicating Legion Park, which are to be engraved by the local American Legion Post.

IN THE MATTER OF
REPORTS FOR MONTH
OF OCTOBER

The departmental reports for the month of October were read and ordered filed.

IN THE MATTER OF
ADJOURNMENT

Commissioner Bates introduced

RESOLUTION NO. 5083-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*
Assistant City Clerk

Council Meeting

November 27, 1940

The Council of the City of Modesto met in regular session this date at 7:30 P.M. as provided by 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 November 6, 1940 having been read heretofore by each Councilman were approved as so read.

IN THE MATTER OF
CLAIM OF CHAMBER
OF COMMERCE

Commissioner Bates introduced

RESOLUTION NO. 5084-N.S.

7 allowing claim of \$800.00 to retail merchants, Bureau of the Chamber of Commerce from promotion fund appropriated under Ordinance No. 634-N.S. 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

8 IN THE MATTER OF
CANCELLING ASSESS-
MENT ON CITY HALL
SITE BY COUNTY

Communication from the County of Stanislaus agreeing to cancellation of State and County taxes on lots portion 24 all 25, 26, 27, 28, 29, 30 31, and 32 in Block 121 was read and the City Clerk was instructed to communicate with the County Clerk and express the appreciation of the Council for the cancellation of these taxes.

IN THE MATTER OF
CANCELLATION OF TAXES
FOR MODESTO BOARD OF
EDUCATION

Pursuant to request from the Modesto City Board of Education for cancellation of all city taxes on portion of Block 435, which they have purchased, Commissioner Bates introduced

RESOLUTION NO. 5085-N.S.

recommending that the taxes on the portion of Block 435, which the Modesto City Board of Education have purchased be cancelled and the Tax Collector and Assessor are directed to make such necessary entries on their records, 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

Communication from Alfred Lewis protesting to assessment on Block 59, lots 27 and 28 was read and ordered filed.

Communication from the Board of Fire Underwriters of the Pacific relative to insurance survey of the City of Modesto was read and ordered filed.

IN THE MATTER OF
PERMIT E. J. BARE
OPERATE BUSINESS
RESIDENCE ZONE

Whereas, pursuant to the filing of petition with the Council by Dr. E. J. Bare for permit to operate and maintain a doctor's office on property known as 511 McHenry Avenue, Block

555 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 Barnell introduced

RESOLUTION NO. 5086-N.S.

granting permission to Dr. E. J. Bare to operate and maintain a doctor's office at 511 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, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF
GRANT PERMIT CHAS.
L. BARNES TO OPERATE
BEAUTY PARLOR RESI-
DENCE ZONE

Whereas, pursuant to the filing of petition with the Council by Chas. L. Barnes for permit to operate and maintain a beauty parlor at 116 Foy Street in Block 561, lots 3 and 4

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 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. 5087-N.S.

granting permission to Chas. L. Barnes to operate and maintain a beauty parlor at 116 Foy Street 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

8
IN THE MATTER OF
BIDS ON DUMP TRUCKS

Commissioner Bates introduced

RESOLUTION NO. 5088-N.S.

referring all bids received on two dump trucks for the street department to the City Engineer and Commissioner of Public Supplies, 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
ORDINANCE RE: AMEND
ORDINANCE NO. 345-N.S.
TRAFFIC-TRUCK ROUTES

Commissioner Stanley introduced an ordinance
being

ORDINANCE NO. 644-N.S.

entitled: "AN ORDINANCE AMENDING ORDINANCE NO. 345-N.S. OF THE CITY OF MODESTO ENTITLED: "AN ORDINANCE REGULATING TRAFFIC UPON THE PUBLIC STREETS OF THE CITY OF MODESTO" AS THEREAFTER AMENDED, BY ADDING A NEW SECTION TO BE NUMBERED 36A." 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

10
IN THE MATTER OF
CONTRACT WITH TITLE
COMPANY

Commissioner Neece introduced

RESOLUTION NO. 5089-N.S.

authorizing the City Attorney to draw contract between the City of Modesto and Stanislaus Abstract & Escrow Company to search title on tax deed lands and to guarantee title, 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
ADJOURNMENT

Commissioner Bates introduced

RESOLUTION NO. 5090-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, CITY CLERK

By Charles J. Blum
Assistant City Clerk

Council Meeting

November 28, 1940

The Council of the City of Modesto met in special session this date at 7:30 P.M. as provided by Section 2 of Ordinance No. 2-N.S. as amended by Ordinance No. 604-N.S.

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

Absent: Councilmen: None

IN THE MATTER OF
AWARDING BID ON
DUMP TRUCKS

The matter of awarding bid on two dump trucks was laid over to a later meeting.

IN THE MATTER OF
ACCEPT RESIGNATION
OF H. E. GRAGG

Whereas, H. E. Gragg, City Clerk Auditor, Assessor, Treasurer and Collector has tendered his resignation due to illness and has requested that the Council order and complete an audit of the books in the various offices that he has held to determine the status of his accounts with the City, Commissioner Neece introduced

RESOLUTION NO. 5091-N.S.

accepting the resignation of H. E. Gragg and ordering an audit of the accounts of the City Clerk, Auditor, Assessor, Treasurer and Collector, 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
RESOLUTION OF COMMEN-
DATION FOR FAITHFUL
SERVICE H. E. GRAGG

Whereas, H. E. Gragg, City Clerk, Auditor, Collector, Treasurer and Assessor did on this date resign said offices and resignation was accepted by the Council, and WHEREAS by such procedure the employment of the said H. E. Gragg by the City of Modesto has been severed; and

WHEREAS the said H. E. Gragg for approximately seventeen years in occupying the offices aforesaid, has rendered to the City of Modesto and the citizens thereof competent and faithful service, and

Whereas the said H. E. Gragg during all of said period of time has been highly co-operative with the heads of the various other departments in the City government and with the various councils of the City of Modesto with whom he has been called upon to work, Commissioner Neece introduced

RESOLUTION NO. 5092-N.S.

commending the said H. E. Gragg for the splendid service rendered to said City of Modesto in the offices aforesaid, and does further by this resolution express its regret that the relationship of the said H. E. Gragg with said City has been severed 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
DIVIDING OFFICES
IN ADMINISTRATIVE
OFFICE

Whereas the offices of City Clerk, Auditor, Assessor, Treasurer and Collector have all been held by one individual, duly appointed by the City Council and whereas it is deemed to be to the best interests of said city and the citizens thereof that one individual should not hereafter occupy all of said offices simultaneously, Commissioner Neece introduced

RESOLUTION NO. 5093-N.S.

645-N.S.
declaring that hereafter and from and after the effective date of Ordinance No. 645-N.S. of the City of Modesto one person duly appointed by said City Council shall be the Treasurer and Collector of said City and another person duly appointed by said Council shall occupy the offices of City Clerk, Auditor and Assessor, 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 APPOINTMENTS

Commissioner Neece introduced

RESOLUTION NO. 5094-N.S.

appointing W. B. Devlin as Treasurer and Collector of the City of Modesto and Elmer J. Blum as Clerk, Auditor and Assessor and be it further resolved that appointments shall not become effective until the effective date of Ordinance No. 645-N.S., which ordinance fixes the salaries to be paid to the said Elmer J. Blum and the said W.B. Devlin for the performance of their duties in the offices to which they are hereby appointed, 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 RE: SALARY OF CLERK AND TREASURER

Commissioner Neece introduced an ordinance being

ORDINANCE NO. 645-N.S.

entitled: "AN ORDINANCE FIXING THE COMPENSATION OF CERTAIN CITY OFFICIALS OF THE CITY OF MODESTO" and moved its adoption and passage to print and publish, which motion being duly seconded, it was upon roll call carried and the ordinance ordered published as above by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

7
IN THE MATTER OF ADJOURNMENT

Commissioner Bates introduced

RESOLUTION NO. 5095-N.S.

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

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST ELMER J. BLUM


Assistant City Clerk

Special Council Meeting

December 2, 1940

The Council of the City of Modesto met in special session this date at 4:30 P.M. as provided by Section 2 of Ordinance No. 2-N.S. as amended by Ordinance No. 604-N.S.

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

Absent: Councilmen: None

8
IN THE MATTER OF APPOINTMENT OF ELMER BLUM AS CITY CLERK

Whereas H. E. Cragg having resigned as City Clerk

Assessor, Treasurer, Collector and Auditor of the City of Modesto and whereas by Resolution No. 5093-N.S. the City Council has divided said offices and by Ordinance No. 645-N.S. fixed a new salary for said offices as divided and whereas appointments to said divided offices have been made to become hereafter effective and whereas it is necessary that some one act in the various offices herein above mentioned until said salary fixed for said divided offices becomes effective, whereupon Commissioner Neece introduced

RESOLUTION NO. 5096-N.S.

appointing Elmer J. Blum as City Clerk, Treasurer, Auditor, Assessor Collector as of November 25, 1940 to the date when said ordinance no. 645-N.S. fixing said salary becomes effective and at which time said offices are to be divided as set forth in Resolution No. 5093-N.S. and the acts of said Elmer J. Blum, as Clerk, Auditor, Assessor, Collector, Treasurer during the period from November 25, 1940 to the present date are hereby ratified by said Council, 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. 5097-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

Elmer J. Blum
CITY CLERK

Special Council Meeting

December 10, 1940

The Council of the City of Modesto met in special session this date at 4:30 P.M. as provided by Section 2 of Ordinance No. 2-N.S. as amended by Ordinance No. 604-N.S.

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

Absent: Councilmen: None

IN THE MATTER OF
AWARDING BIDS ON
TRUCKS

Whereas, pursuant to advertising for bids on two dump trucks for the street department and whereas all bids were referred

to the Commissioner of Public Supplies and City Engineer for tabulation and recommendation, Commissioner Bates introduced

RESOLUTION NO. 5098-N.S.

awarding bid on one truck to R. B. MacBride at a price of \$1556.33 and on the other truck to Helm Chevrolet Company at a price of \$1592.33 and authorizing payment when delivery has been made and the Clerk is hereby directed to return bidding checks 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

IN THE MATTER OF
ADJOURNMENT

Commissioner Neece introduced

RESOLUTION NO. 5099-N.S.

2 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 ELMER J. BLUM, CITY CLERK

Elmer J. Blum

Council Meeting

December 11, 1940

The Council of the City of Modesto met in regular session this date at 7:30 P.M. as provided by 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 meetings of November 13, and November 27, 1940 and special meeting of November 28, 1940 having been read heretofore by each Councilman were approved as so read.

2 IN THE MATTER OF
ORAL COMMUNICATIONS

Mr. George May appeared before the Council requesting that he be permitted to rope off a portion of M Street near 10th Street on December 19, 1940 to hold an auction sale. He was notified by the Council that this could not be allowed due to congestion of traffic.

3 Stanton Briggs representing Sheriff Hogin, appeared before the Council and requested that the Sheriff's office be allowed six parking spaces on the north side of H Street between 11th and 12th Streets, four spaces located west of the walk into the Courthouse Park and two spaces east of the walk. This matter was laid over until a later meeting.

Commissioner Stanley introduced

RESOLUTION NO. 5100-N.S.

4 directing the City Engineer to establish a cross-walk on H Street between 11th and 12th Streets at the alley between the Sheriff's office and the Courthouse, 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
CLAIMS FOR MONTH
OF NOVEMBER

Claims against the City of Modesto for the month of November, 1940, having been heretofore audited by the Council and found to be correct, Commissioner Bates introduced

RESOLUTION NO. 5102-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-----	\$30,106.67
WATER FUND-----	4,505.40
LIBRARY FUND-----	1,821.49
BOND RED. INT. FUND-----	
ST. BOND RED. INT. FUND-----	
UNAPPORTIONED FUND-----	
TOTAL-----	\$36,433.56

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

Communication from Hugh K. Landram relative to air service to Modesto was read and the City Clerk was authorized to turn this communication over to the Aviation Committee of the Chamber of Commerce and to write to Mr. Landram to acknowledge receipt of this letter and tell him of the disposition of the letter.

Congressional Record regarding "Safety for Air Travel" was read and ordered filed.

A communication from the Modesto Public Schools regarding the nuisance of push cart venders selling icecream, candies etc. on the school grounds was turned over to the Chief of Police, who was given instructions to interview the manager of the push carts.

IN THE MATTER OF
SALVATION ARMY

Commissioner Stanley introduced

RESOLUTION NO. 5103-N.S.

recommending that Adjutant Smith of the Salvation Army be appointed special officer of the Police Department as of December 1, 1940 for a period of 4½ months 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

IN THE MATTER OF
COMMUNICATION FROM
PACIFIC GAS & ELECTRIC
COMPANY

A communication from the Pacific Gas & Electric Company regarding transfer of their property in the City of Modesto to the Modesto Irrigation District was referred to the City

Attorney for consideration.

Communications from the City of Palo Alto and City of San Francisco regarding membership in the Municipal Finance Officer's Association by the City of Modesto was read and ordered filed.

IN THE MATTER OF
ELECTION ON NORTH-
WOOD TRACT ANNEXATION

Pursuant to Northwood Tract annexation election held on the 26th day of November, 1940, at this time the Council resolved itself into a canvassing board and proceeded to determine the results of the election,

Commissioner Stanley introduced

RESOLUTION NO. 5104-N.S.

which resolution was in detail as follows:

IN THE MATTER OF THE ELECTION FOR THE ANNEXATION OF THE NORTHWOOD TRACT

This being the time provided for the first regular meeting of the Council of the City of Modesto 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 "Northwood Tract", and described particularly as the

following described territory lying and being in the County of Stanislaus State of California, and near to the City of Modesto, and particularly described as follows, to-wit:

Beginning at the Section Corner common to Sections 20, 21, 28 and 29 T 3 S R 9 E., M.D.B & M., the same being on a Corporate City Limit Line of the City of Modesto; thence Easterly along the Section Line common to Sections 21 and 28; the same being a Corporate City Limit Line of the City of Modesto, to the Easterly Property Line of McHenry Avenue; thence Northerly along the said Easterly Property Line of McHenry Avenue, to the Southerly Property Line of Griswold Avenue, extended and produced; thence Westerly along the said Southerly Property Line of Griswold Avenue, extended and produced, and the said Southerly Property Line of Griswold Avenue, to the Easterly Property Line of Virginia Avenue; thence continuing Westerly along the said Southerly Property Line of Griswold Avenue, extended and produced, to the Easterly Boundary Line of Campus Tract Subdivision, as shown on the map of Campus Tract, Recorded in Volume 11, of Maps, Page 37 in the Records of Stanislaus County, California; thence Southerly along the said Easterly Boundary Line of Campus Tract, and the said Easterly Boundary Line, extended and produced, to the Section Line common to Sections 20 and 29, T 3 S R 9 E., M.D.B. & M., the same being common to a Corporate City Limit Line of the City of Modesto; thence Easterly along the said Section Line common to Sections 20 and 29, and the said Corporate City Limit Line, to the beginning.

The property as above described is located in the S.W. $\frac{1}{4}$ of Section 21, and the SE $\frac{1}{4}$ and the SW $\frac{1}{4}$ of Section 20, T 3 S R 9 E., M.D.B. & M., and the avenues are known to be named as noted. The Corporate City Limits of the City of Modesto, are as shown on the official Map of the City of Modesto, dated March 23, 1938.

And it appearing that said election was held within the territory proposed to be annexed, on the 26th day of November, 1940 in accordance with the resolution of this Council heretofore passed and adopted, and that after the holding of said election the election officers thereof delivered to and deposited with the Clerk of this Council the ballots, tally sheets, and returns of said election, and it appearing, and the Council so finding, that the proposition submitted at said election was whether or not such new territory, in said resolution and hereinabove described shall be annexed to, incorporated in and made a part of the municipal corporation of the City of Modesto, and that said property shall not be subject to any bonded or other indebtedness owed by said City prior to the date of the filing of the petition asking that such election be called 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 133, that the number of votes cast therein in favor of annexation was 74, and that the number of votes cast therein against annexation was 59. That no absentee ballots were cast.

Thereupon, upon motion of Councilman Stanley, seconded by Councilman Barnell, and adopted by the following 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.

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

Noes: Councilmen: None

Absent: Councilmen: None

Thereupon in conformance with State Statues, Commissioner Stanley introduced

ORDINANCE NO. 646-N.S.

entitled: "AN ORDINANCE APPROVING THE ANNEXATION OF CERTAIN TERRITORY TO THE CITY OF MODESTO", approving the annexation of the above described territory, known as the Northwood Tract and providing for the required recording of same with the Secretary of State, which ordinance was duly passed to print and publish by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF
DETERMINING RESULT
OF ELECTION OF
NORTEWOOD TRACT

Whereas a special election was held on the 26th day of November, 1940 in Northwood Tract for annexation to the City of Modesto and the City Council finds after due

examination that due notice of said election was published in the Ceres Courier and whereas the City Council is now sitting as a canvassing board to canvass the results of 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, Commissioner Stanley introduced

RESOLUTION NO 5105-N.S.

declaring election held in said territory 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 election the total number of votes cast at the polls was and is 133 that the number of votes cast at said polls in favor of annexation was and is 74 and that the number of votes cast at said polls opposed to annexation was and is 59 that the City Council sitting as such canvassing board further finds that the measure, to-wit, "Shall the Northwood Tract be annexed to the City of Modesto?" received 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

IN THE MATTER OF
FINAL ADOPTION OF
ORD. 644-N.S. TRAFFIC
CONTROL

Ordinance No. 644-N.S. having been heretofore introduced and ordered printed and published at the regular meeting of November 27, 1940 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

IN THE MATTER OF
FINAL ADOPTION OF
ORD. 645-N.S. FIX
COMPENSATION CITY
OFFICIALS

Ordinance No. 645-N.S. having been heretofore introduced and ordered printed and published at the special meeting of November 28, 1940 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

17
IN THE MATTER OF
ORD. APPROPRIATE
MONEY FOR AIRPORT

Commissioner Barnell introduced an ordinance being
ORDINANCE NO. 647-N.S.

entitled: "AN ORDINANCE APPROPRIATING MONEY AND PROVIDING FOR THE CONSTRUCTION OF A HANGAR AT THE MUNICIPAL AIRPORT 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

18
IN THE MATTER OF
AUTHORIZE CITY CLERK
ADVERTISE FOR BIDS
ON WATER PIPE

Commissioner Barnell introduced
RESOLUTION NO. 5106-N.S.

authorizing the City Clerk to advertise for bids on 760 feet of 8 inch, 1800 feet of 6 inch, and 2000 feet of 4 inch class 150 water pipe, said bids to be received not later than 7:30 P.M. on Friday, December 27, 1940, 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
REPORTS FOR MONTH
OF NOVEMBER, 1940

Reports for the month of November of the Police Department Public Works Department, Health Department were read and ordered filed.

20
IN THE MATTER OF
DATE OF NEXT REGULAR
MEETING

Whereas pursuant to fact that the date of the next regular meeting comes on Christmas day, December 25, 1940,

Commissioner Bates introduced

RESOLUTION NO. 5107-N.S.

recommending that the date of Friday, December 27, 1940 be set for the next regular meeting of 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

21
IN THE MATTER OF
PAYMENT TO ELECTION
OFFICIALS

Commissioner Bates introduced

RESOLUTION NO. 5108-N.S.

authorizing payment of \$5.00 to each official of the Northwood Tract Annexation election which was held on November 26, 1940 and also authorize payment of \$5.00 for rental of polling place, 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
ADJOURNMENT

Commissioner Bates introduced

RESOLUTION NO. 5109-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 ELMER J. BLUM, CITY CLERK

By *Elmer J. Blum*

Special Council Meeting
December 20, 1940

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. as amended by Ordinance No. 604-N.S.

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

IN THE MATTER OF
CLOSING ALLEY IN
BLOCK 129-ST. MARY'S
HOSPITAL

Whereas the public interest and convenience require the closing of 117.48 feet of alley in Block 129, Commissioner Barnell introduced

RESOLUTION NO. 792-S.P.
RESOLUTION OF INTENTION NO. 229

providing for the closing and abandoning of that certain portion of alley in Block 129 in the City of Modesto as described above, which resolution was regularly adopted by the following vote:

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

IN THE MATTER OF
APPROVAL OF LEASE
WITH SHELL OIL COMPANY
ON AIRPORT STATION

Commissioner Barnell introduced

RESOLUTION NO. 5110-N.S.

approving lease with the Shell Oil Company for service station at the Municipal Airport, which resolution was regularly adopted by the following vote:

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

IN THE MATTER OF
ADJOURNMENT

Commissioner Neece introduced

RESOLUTION NO. 5111-N.S.

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

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

ATTEST ELMER J. BLUM, CITY CLERK

Elmer J. Blum

COUNCIL MEETING
December 27, 1940

The Council of the City of Modesto met in regular session this date at 7:30 P.M. as provided by 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 December 11, 1940 and special meetings of December 2, and 10, 1940 having been read heretofore by each Councilman were approved as so read.

2 IN THE MATTER OF MODESTO MOTORCYCLE CLUB

Floyd Benson appeared in behalf of the Modesto Motorcycle Club requesting that the City of Modesto lease to them a portion of the City property located near the Legion Park to be used as a practice field. The President of the Club, John Oliver and two members were also present. This matter was turned over to the City Attorney.

3 IN THE MATTER OF DONATION TO BOYS' BAND

Commissioner Bates introduced

RESOLUTION NO. 5112-N.S.

authorizing payment to the Stanislaus County Boys' Band of \$400.00 as appropriated by Ordinance No. 634-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

4 IN THE MATTER OF COMMUNICATIONS BOY SCOUTS

A communication from the Boy Scouts of America regarding using the streets of the City to hold a "Street Expo"

was turned over to the Chief of Police to contact the Boy Scouts to work out a plan for the use of the streets.

5 IN THE MATTER OF BIDS ON WATER PIPE

Commissioner Bates introduced

RESOLUTION NO. 5113-N.S.

referring all bids opened on 760 feet of 8 inch, 1800 feet of 6 inch, and 2000 feet of 4 inch class 150 water pipe to the City Engineer and Commissioner of Public Supplies 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 ACCEPT DEED FROM CARL B. BENSON

Commissioner Neece introduced

RESOLUTION NO. 5114-N.S.

accepting deed from Emma C. Benson and Carl B. Benson on property near Legion Park and authorizing 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

7 IN THE MATTER OF ACCEPT SPECIFICATIONS ON HANGAR

Commissioner Barnell introduced

RESOLUTION NO. 5115-N.S.

accepting plans and specifications for construction of new hangar at the Modesto Municipal Airport as presented 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

IN THE MATTER OF
ADVERTISE BIDS ON
AIRPORT HANGAR

Commissioner Barnell introduced

RESOLUTION NO. 5116-N.S.

authorizing the City Clerk to advertise for work and materials for the new hangar building at the Modesto Municipal Airport, said bids to be received not later than 7:30 P.M. on January 8, 1941, 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

IN THE MATTER OF
APPOINTMENT ON PLAN-
NING COMMISSION

Whereas the terms of Amos Bomberger and G. N. Hilburn on the Planning Commission expires on January 9, 1941, Com-

missioner Barnell introduced

RESOLUTION NO. 5117-N.S.

reappointing Amos Bomberger and G. N. Hilburn on the Planning Commission for a period of four years from January 9, 1941, 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
FINAL CLOSING OF
PATRICIA LANE

Whereas the City Council has adopted a resolution declaring that it is the intention of the Council to order a portion

of Patricia Lane fronting on and contiguous to Lots 1 and 2 and N'yly 28.37 feet of lot 3 in Block 627 to be closed in whole and the Street Superintendent has caused to be posted notices of the passage of said resolution and no objections have been made to the improvement, Commissioner Barnell introduced

RESOLUTION NO. 793-S.P.

ordering that said work and improvement be done, subject to the right of the City of Modesto to construct, operate and maintain water and 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, 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
CLOSING PORTION OF
MADONIA AVENUE

Whereas the City Council has adopted a resolution declaring that it is the intention of the Council to order a portion

of Madonia Avenue to be closed and the Street Superintendent has caused to be posted notices of the passage of said resolution and no objections have been made to the improvement, Commissioner Barnell introduced

RESOLUTION NO. 794-S.P.

ordering that said work and improvement be done, and authorizing the Mayor and City Clerk to execute and deliver to the owners of the adjacent property deeds of conveyance of the property within the limits of the street, 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
PERMIT FOR BUS TO
WILLIS KLEINENBROICH

Whereas, Willis M. Kleinenbroich has made application to
the Council of the City of Modesto for renewal of a per-
mit to operate a bus line in the City of Modesto in accordance with Ordinance No.

306-N.S. and whereas, in said application said Willis M. Kleinenbroich has requested
a change in the route traveled by said bus under the permit now existing and whereas
said existing permit expires as of the 27th day of December, 1940, Commissioner
Stanley introduced

RESOLUTION NO. 5118-N.S.

granting permit to Willis M. Kleinenbroich to operate said bus line for a period of
three years and the request for a change in the route is hereby granted, 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
RECORD DOCUMENTS
ON LA LINDA TRACT
WITH COUNTY RECORDER

Commissioner Barnell introduced

RESOLUTION NO. 5119-N.S.

authorizing the City Clerk to record documents with the
Stanislaus County Recorder on the annexation of the LaLinda Tract to 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

14
IN THE MATTER OF
AUTHORIZE PAYMENT
OF SALARY TO DARRELL
WHITE AND FRED R.
HAWKINS

Commissioner Stanley introduced

RESOLUTION NO. 5120-N.S.

authorizing the City Auditor to pay the salary of
Darrell White and Fred R. Hawkins, who were recently appointed to the Police Depart-
ment, 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
FINAL ADOPTION OF
ORD. 646-N.S. ANNEX-
ATION OF NORTHWOOD
TRACT

Ordinance No. 646-N.S. having been heretofore introduced
and ordered printed and published at the regular meeting
of December 11, 1940 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

16
IN THE MATTER OF
FINAL ADOPTION OF
ORD. NO. 647-N.S.
CONSTRUCTION OF HANG-
AR-APPROPRIATE FUNDS

Ordinance No. 647-N.S. having been heretofore introduced
and ordered printed and published at the regular meeting
of December 11, 1940 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

IN THE MATTER OF
ALLOW BILL FOR REPAIR
OF CAR DAMAGED BY
TREE

Commissioner Bates introduced

RESOLUTION NO. 5121-N.S.

authorizing payment of statement in amount \$103.99 to Gilbert Hildebrand for repairs to 1941 Nash Ambassador which was damaged by falling tree, parked near 12th and J Streets on December 19, 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
REPORT OF FIRE DE-
PARTMENT FOR MONTH
OF NOVEMBER

Chief Wallace gave the report for the Fire Department for the month of November, 1940.

IN THE MATTER OF
TRANSFER OF CERTAIN
PROPERTY OF P.G. & E.
TO THE M.I.D.

Commissioner Barnell introduced

RESOLUTION NO. 5122-N.S.

approving transfer of certain properties belonging to the Pacific Gas & Electric Company to the Modesto Irrigation District and authorizing the Mayor to sign document approving transfer.

IN THE MATTER OF
ADJOURNMENT

Commissioner Neece introduced

RESOLUTION NO. 5123-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 ELMER J. BLUM, CITY CLERK

