

Special Council Meeting

January 6, 1941

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, Bates, Neece, Stanley, Mayor Shannon

Absent: Councilmen: None

IN THE MATTER OF  
AWARD BID ON WATER  
PIPE

Whereas, pursuant to referring of bids on water pipe to the City Engineer and Commissioner of Public Supplies for recommendation and tabulation, Commissioner Bates introduced

3

RESOLUTION NO. 5124-N.S.

recommending that the bid of \$2831.00 f.o.b. Birmingham, Alabama, less \$14.40 per ton freight charges, of the United States Pipe & Foundry Company be accepted as it is the lowest and best bid received and the City Clerk was directed to notify the successful bidder and to return checks to unsuccessful bidders and to make payment for water pipe when delivery has been approved by the City Engineer, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

2  
IN THE MATTER OF  
APPOINTMENT OF  
COMMITTEE ON POLICE  
COURT

Mayor Shannon appointed a committee of Commissioners Stanley, Bates, Attorney Fowler and Chief Arington to investigate the appointment of a Police Judge and Clerk and also to determine the best location to establish the Police Court.

3  
IN THE MATTER OF  
AGREEMENT ON PURCHASE  
OF GASOLINE

Commissioner Bates introduced  
RESOLUTION NO. 5125-N.S.

authorizing the City Engineer to enter into agreements with various companies for the purchase of gasoline to be used by 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  
W. P. A. PROJECT

The City Engineer discussed the W.P.A. project for construction of curbs, gutters, sidewalks and installation of water and sewer pipe which the City is entering into with the Works Projects Administration.

5  
IN THE MATTER OF  
REPORT OF AUDITOR  
ON ACCOUNTS OF  
THE CITY

Commissioner Neece introduced  
RESOLUTION NO. 5126-N.S.

recommending that the report prepared by R.E. Brotherton, Auditor on the accounts of the City of Modesto from July 1, 1940 to November 30, 1940, at which time, H. E. Gragg resigned, be accepted, 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  
ADJOURNMENT

Commissioner Bates introduced  
RESOLUTION NO. 5127-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

*Elmer J. Blum*

Council Meeting

January 8, 1941

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.

IN THE MATTER OF APPROVAL OF MINUTES

The minutes of the special meeting of December 20, 1940 and regular meeting of December 27, 1940 having been read heretofore by each Councilman were approved as so read.

IN THE MATTER OF CLAIMS FOR THE MONTH OF DECEMBER

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

RESOLUTION NO. 5128-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-----	\$29,689.90
WATER FUND-----	11,515.27
LIBRARY FUND-----	1,972.60
BOND RED. INT. FUND-----	3,125.00
ST. BOND RED. INT. FUND-----	--
UNAPPORTIONED FUND-----	--
MONOTTI BEQUEST #2-----	213.22
TOTAL-----	\$46,515.99

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 letter from C. H. Purcell, State Highway Engineer of the Department of Public Works relative to the number of residents of the newly annexed La Linda territory was read and ordered filed.

A copy of a letter from H. K. Landram to the Modesto Chamber of Commerce relative to air service to Modesto was read and ordered filed.

IN THE MATTER OF APPOINTMENT OF TRUSTEE ON LIBRARY

Whereas, pursuant to the expiration of the term of office of E. R. Utter on the Library Board as of February 1, 1941,

Commissioner Neece introduced

RESOLUTION NO. 5129-N.S.

reappointing E. R. Utter as Trustee of the Library Board for a period of four years beginning February 1, 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 APPOINTMENT ON PERSONNEL BOARD

Whereas, pursuant to the expiration of the term of office of E. T. Taylor on the Personnel Board as of January 15, 1941,

Commissioner Neece introduced

RESOLUTION NO. 5130-N.S.

reappointing E. T. Taylor as a member of the Personnel Board for a period of six years from January 15, 1941, 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  
OPEN BIDS ON AIRPORT  
HANGAR

Whereas, pursuant to authorization by the Council to the City Clerk to advertise for bids on materials and work on the airport hangar to be installed at the Municipal Airport and whereas the City Clerk reports numerous bids on file, Commissioner Bates introduced

RESOLUTION NO. 5131-N.S.

recommending that all bids be referred to the City Engineer and Commissioner of Public Supplies for tabulation, 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: SALE  
OF JUNK

Commissioner Barnell introduced an ordinance being

ORDINANCE NO. 648-N.S.

entitled: "AN ORDINANCE PROVIDING FOR THE SALE OF USELESS PERSONAL PROPERTY" and moved its adoption and passage to print and publish, which motion being duly seconded, it was upon roll call carried and the ordinance ordered published as above by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

9  
IN THE MATTER OF  
LEAVE OF ABSENCE  
KENNETH WALLACE

Pursuant to communication from Kenneth W. Wallace requesting leave of absence from the employ of the City of Modesto for a period of one year commencing January 31, 1941 due to the fact he will be compelled to leave the city with the California National Guard, Commissioner Stanley introduced

RESOLUTION NO. 5132-N.S.

granting leave of absence to Kenneth W. Wallace for a year beginning January 31, 1941, 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  
REVOKE PERMIT OF  
POP-CORN WAGON

Commissioner Stanley introduced

RESOLUTION NO. 5134-N.S.

recommending that the permit to operate a pop corn wagon given Mrs. E. B. Peterson at the corner of 10th & I Streets be revoked as of March 31, 1941, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: Neece

Absent: Councilmen: None

11  
IN THE MATTER OF  
RESIGNATION OF POLICE  
JUDGE FLOYD

Pursuant to the fact that the Justice Court of Modesto Township is now a Court of Class A jurisdiction and under the County Ordinance, a Justice of a Court of that class cannot hold the office of Police Judge of the City of Modesto, Judge Leslie K. Floyd tendered his resignation as Police Judge, whereupon Commissioner Stanley introduced

RESOLUTION NO. 5135-N.S.

accepting the resignation of Leslie K. Floyd as Police Judge, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

12 IN THE MATTER OF  
REPORT BY COMMITTEE  
ON POLICE COURT

The committee appointed by the Mayor on the Police Court,  
Police Judge and Court clerk reported to the Council.

13 IN THE MATTER OF  
REMODEL OLD FIRE  
HOUSE FOR POLICE  
COURT

Commissioner Stanley introduced

RESOLUTION NO. 5136-N.S.

authorizing the City Engineer to remodel the lower floor of the old firehouse at 715  
10th Street to be used for 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

14 IN THE MATTER OF  
APPOINTMENT OF  
POLICE JUDGE

Commissioner Stanley introduced

RESOLUTION NO. 5137-N.S.

appointing J. Lee Robertson as Police Judge of the City of Modesto with a salary of  
\$200.00 per month, said appointment to be effective at such time as he shall qualify  
for the position, 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  
REPORTS

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

16 IN THE MATTER OF  
ADJOURNMENT

Commissioner Bates introduced

RESOLUTION NO. 5138-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 Clara J. Blum CITY CLERK

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Special Council Meeting

January 13, 1941

THE Council of the City of Modesto met in special session this  
date at 5:00 P.M. as provided by Section 2 of Ordinance No. 2-N.S., as amended by Ordinance No. 604-N.S.

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

Absent: Councilmen: None

1 IN THE MATTER OF  
CHANGE IN ROUTE OF  
AIRPORT TRANSIT  
BUS

Whereas, pursuant to application of the Airport Transit  
for change in schedule of bus service in and around the  
City of Modesto, Commissioner Stanley introduced

RESOLUTION NO. 5139-N.S.

approving change of schedule of bus and granting application of the Airport Transit,

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  
RESOLUTION OF CON-  
DOLENCE TO FAMILY OF  
H. E. GRAGG

Commissioner Neece introduced

RESOLUTION NO. 5140-N.S.

recommending that the Council adopt a resolution of con-  
dolence for the family of H. E. Gragg, who recently passed away, which resolution was  
regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

3 IN THE MATTER OF  
ADJOURNMENT

Commissioner Bates introduced

RESOLUTION NO. 5141-N.S.

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

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST *Chas J. Blum* CITY CLERK

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Council Meeting

January 22, 1941

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.

1 IN THE MATTER OF  
APPROVAL OF MINUTES

The minutes of the special meetings of January 6th and  
13th and regular meeting of January 8th 1941, having been  
read heretofore by each Councilman were approved as so read.

2 IN THE MATTER OF  
COMMUNICATIONS

A communication from the State Department of Public Works,  
relative to annexation of Northwood Tract to the City of  
Modesto was read and ordered filed.

3 A communication from the Aviation Defense Association re-  
garding Air Markers was turned over to the City Engineer.

4 A communication from the Modesto Chamber of Commerce regard-  
ing Christmas program was read and ordered filed.

5 A communication from the Chamber of Commerce regarding pro-  
posals for Airline Service was read and Mayor Shannon appointed a committee of  
Commissioners Bates and Stanley from the Council and L. J. Nevrault to represent  
the City of Modesto in the proposed inter-city organization.

6 IN THE MATTER OF  
RESIGNATION OF E. T.  
TAYLOR FROM PERSON-  
NEL BOARD

Whereas, pursuant to the appointment of E. T. Taylor under  
Resolution No. 5130-N.S. to the Personnel Board for a period  
of six years and whereas said E. T. Taylor has presented his resignation from the  
Board, Commissioner Bates introduced

RESOLUTION NO. 5142-N.S.

accepting the resignation of E. T. Taylor from the Personnel Board to be effective

at such time as a new appointment could be made and a letter of appreciation be sent to him for his very excellent services on the Board, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF  
PERMIT OPERATE BUSI-  
NESS IN RESIDENCE ZONE  
H. A. MEYER

Whereas, pursuant to the filing of petition with the Council by H. A. Meyer for permit to operate and maintain a real estate office on property known as 130 High Street, being lots 23 and 24 in Block 587 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. 5143-N.S.

granting permission to the same 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  
PROTEST AGAINST  
CLOSING PORTION  
ALLEY IN BLOCK  
129

A delegation of property owners in Block 129 appeared before the Council, protesting to the closing of a portion of the alley as provided by Resolution of Intention No. 229. The date of February 4, 1941 at 7:30 P.M. at the City Hall was set for hearing of protests on this matter.

IN THE MATTER OF  
AWARD BIDS ON  
MATERIAL FOR AIR-  
PORT HANGAR

Commissioner Bates introduced

RESOLUTION NO. 5144-N.S.

awarding bids on material for airport hangar as follows:

Item 1	rejected, city to buy under force account	
Item 2	United Lumber Yards, Inc.	\$546.15
Item 3	United Lumber Yards, Inc.	187.53
Item 4	United Lumber Yards, Inc.	499.17
Item 5	Standard Materials	351.00
Item 6	Turner Hardware Company	54.96
Item 7	Harry Brown	162.49
Item 8	O. A. Kauffman	136.50
Item 9	Kyle & Co.	354.60
Item 10	Modesto Lumber Co.	61.80

as being the lowest and best bids and authorizing 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

IN THE MATTER OF  
CONTRACT WITH U.S.  
TREASURY FOR WATER  
SERVICE 1314 H St.

Commissioner Barnell introduced

RESOLUTION NO. 5145-N.S.

authorizing the Mayor and Clerk to act as signatory officials for water service for the National Youth Administration at 1314 H Street, 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  
RECORD DOCUMENTS  
WITH COUNTY ON  
ANNEXATION OF NORTH-  
WOOD TRACT

Commissioner Bates introduced

RESOLUTION NO. 5146-N.S.

authorizing the Clerk to record documents on the annexation of Northwood Tract 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

12  
IN THE MATTER OF  
PROJECT STATEMENT  
STATE HIGHWAY ROUTE  
LLTH & J SIGNALS

Whereas, the State of California has presented a Fourth 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. 5147-N.S.

approving agreement and appointing 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

13  
IN THE MATTER OF  
ORDINANCE: PRO-  
HIBIT ESTABLISHMENT  
OF BAKERIES IN BASE-  
MENTS

Commissioner Stanley introduced an ordinance, being

ORDINANCE NO. 649-N.S.

entitled: "AN ORDINANCE PROHIBITING ESTABLISHMENT AND MAINTENANCE OF BAKERIES IN CELLARS OR BASEMENTS, PROVIDING FOR METHOD OF STORING BAKERY PRODUCTS INGREDIENTS AND PROVIDING A PENALTY FOR THE VIOLATION THEREOF"

and moved its adoption and passage to print and publish which motion being duly seconded, it was upon roll call carried and the ordinance ordered published as above by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

14  
IN THE MATTER OF  
FINAL ADOPTION OF  
ORD. #648-N.S. SALE  
OF USELESS PERSONAL  
PROPERTY

Ordinance No. 648-N.S., having been heretofore introduced and ordered printed and published at the regular meeting of January 8, 1941 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  
LEASE WITH MOTOR-  
CYCLE CLUB

Commissioner Barnell introduced

RESOLUTION NO. 5148-N.S.

approving lease with motorcycle Club for portion of Municipal Airport for a period of one year from January 22, 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  
APPROVE BOND OF  
J. P. SCHLESSER ON  
USED CAR LOT

Commissioner Bates introduced

RESOLUTION NO. 5149-N.S.

approving bond furnished by J. P. Schlessler in accordance with provisions of Ordinance No. 514-N.S. regulating used car lots, 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 TO  
ADVERTISE FOR BIDS  
ON JUNK

Commissioner Barnell introduced

RESOLUTION NO. 5150-N.S.

authorizing the City Clerk to advertise for bids on junk to be sold by the City at public auction to the highest bidder on Friday, February 7, 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  
PETITION ESTABLISH  
POP-CORN WAGON

Virginia Ann Petersen petitioned the Council to reconsider their action of revoking her permit to operate a pop-corn

wagon at the corner of Tenth and I Streets. This matter was laid over to a later meeting.

IN THE MATTER OF  
REPORT OF POLICE  
JUDGE FLOYD

The closing report of Police Judge Floyd was read and ordered filed.

IN THE MATTER OF  
APPOINTMENT OF  
JANITOR FOR POLICE  
COURT

Commissioner Neece introduced

RESOLUTION NO. 5151-N.S.

appointing Thornton Lippins, janitor of the new police court, said appointment to be effective when court room has been completed, at a salary of \$15.00 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  
FILING FEE WITH  
POLICE COURT

Commissioner Stanley introduced

RESOLUTION NO. 5152-N.S.

recommending that the Police Judge collect \$5.00 filing fee for civil cases, \$4.00 to be turned over to the City Treasury and \$1.00 be retained in the Police Judge account, 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  
CLERK IN POLICE  
COURT

Commissioner Stanley introduced

RESOLUTION NO. 5153-N.S.

terminating the salary of Police Court Clerk Marie Rorher, as of January 31, 1941 and authorizing the payment of salary to Gladys Watson, the new police court clerk, as of January 15, 1941, 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  
GRANT USE OF OLD  
FIREHOUSE CLUB  
ROOMS TO CITY  
EMPLOYEES' ASS'N

Commissioner Neece introduced

RESOLUTION NO. 5154-N.S.

granting the Municipal Employees Association the permission to use the old club rooms of the Fire Department at 715 10th Street for a meeting hall, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

24  
IN THE MATTER OF  
CANCEL RESOLUTION  
NO. 5132-N.S. LEAVE OF  
ABSENCE TO K. WALLACE

Commissioner Stanley introduced

RESOLUTION NO. 5155-N.S.

rescinding Resolution No. 5132-N.S. entitled "A RESOLUTION GRANTING LEAVE OF ABSENCE FOR ONE YEAR TO KENNETH W. WALLACE JANUARY 31, 1941", 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  
STOP SIGN AT 12th  
& M STREETS

Commissioner Stanley introduced

RESOLUTION NO. 5156-N.S.

directing the City Engineer to establish a "Stop for Pedestrians" sign on Twelfth Street near north side of intersection of M Street 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  
SIGN AT TENTH &  
H STREETS

Chief of Police Arington brought before the Council the

fact that a request had been made for a "No Left Turn" sign to be replaced at Tenth & H Streets. No action was taken by the Council in this matter as a traffic signal will be installed in the near future.

27  
IN THE MATTER OF  
ADJOURNMENT

Commissioner Neece introduced

RESOLUTION NO. 5157-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  City Clerk

Special Council Meeting

February 3, 1941

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, Bates, Neece, Stanley, Mayor Shannon

Absent: Councilmen: None

IN THE MATTER OF  
CHARTER AMENDMENTS

Commissioner Barnell introduced

RESOLUTION NO. 5158-N.S.

Whereas, it appears to the City Council of the City of Modesto that under and by virtue of the provisions of Subdivision 52 of Section 4, Article III of the Charter of said City that useless personal property belonging to the City may be sold at public auction after advertising the fact of said sale for five (5) days in a newspaper published in the City of Modesto; and,

Whereas, it appears to said City Council that advertising said proposed sale for two (2) days is sufficient, and that printing costs may be reduced by reducing the time for said advertising from five (5) to two (2) days; and,

Whereas, it further appears to said City Council that under the terms of Section 103 of Article XV of the Charter of said City, which section has to do with the duties of the Chief of Police, that there is some conflict in the minds of certain persons as to whether said section 103 of Article XV contradicts the purpose and intent of the Civil Service Ordinance of the City of Modesto; and

Whereas, said City Council is of the opinion that said section 103 of Article XV should be amended to the end that there can be no question but what the Police Department of the City of Modesto falls under the provisions and terms of the Civil Service Ordinance of said City; and,

Whereas, under and by virtue of the terms set forth in Subdivision 26 of Section 6, Article IV of the Charter of the City of Modesto, the period of residence and registration of a voter is different from State Law; and,

Whereas, the City Council feels that voters in the City should be governed as to residence and registration by the same rules of election that govern State voters and County voters at State and County elections; and,

Whereas, under and by virtue of Section 41 of Article VIII of the Charter of the City of Modesto, no member of the City Council can receive a raise in salary during his term of office; and,

Whereas, said Council feels that if the people of the City of Modesto should vote such a raise said Council members should be entitled to said raise during said term of office:

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

That in the next regular municipal election in and for the City of Modesto to be held on April 8, 1941, there be presented to the people of the City of Modesto for their approval or disapproval as they may see fit four proposed amendments to the Charter of the City of Modesto, to read as follows, to-wit:

PROPOSED CHARTER AMENDMENT NO. 1 Amend Subdivision 52 of Section 4, Article III of the Charter of the City of Modesto to read as follows:

Subdivision 52. To provide for the sale at public auction after advertising for two days of personal property unfit or unnecessary for the use of the City

PROPOSED CHARTER AMENDMENT NO. 2 Amend Section 103 of Article XV of the Charter of the City of Modesto to read as follows:

SECTION 103. The Chief of Police of the City of Modesto shall execute and

return all processes issuing from the Police Court and all orders of the Police Judge. The Chief of Police shall enforce the execution of all the laws and ordinances within the jurisdiction of the City, and for the suppression of any riots, public tumults, disturbances of the peace or resistance against the law or public authorities in the lawful exercise of their functions. He shall have the powers that are now or may be hereafter conferred upon sheriffs by the laws of this State and shall in all respects be entitled to the same protection and his lawful orders shall be executed by the deputies, police officers and watchmen in the City of Modesto and every citizen shall also lend aid when required for the arrest of offenders in the maintenance of public order. It shall be the duty of the Chief of Police to prosecute before the Police Judge all breaches or violations of or non-compliance with any City ordinance or law within the jurisdiction of the Police Judge which has come to his knowledge. The Chief of Police shall have charge of the City prison and prisoners and of any chain gang which may be established by the Council. He shall devote his entire time to the discharge of the duties of his office and subject to such rules and regulations as the Council may prescribe shall have control of the Police force. He shall have power to suspend or remove any member of the Police force for disobedience of any lawful order, for violation of rules and regulations of the Police Department, for neglect of duty, for conduct unbecoming a member of the Police force, or for the general benefit of the Police Department of the City of Modesto. Any such suspension or removal of a member of the Police Department of the City of Modesto by the said Chief of Police must be in compliance with and under the rules and regulations of any civil service ordinances now or hereafter in effect. In addition to the duties in this Charter specified, the Chief of Police shall discharge all the duties required of him by ordinance of the City, by resolution of the Council or by law or by the provisions of the Charter.

PROPOSED Charter Amendment No. 3. Amend Subdivision 26 of Section 6, Article IV of the Charter of the City of Modesto to read as follows:

Subdivision 26. No person shall be entitled to vote at any election held under the provisions of this Charter unless he shall be a qualified elector of the County, enrolled upon the great register thereof and in the precinct in which he votes for such a time as may now or hereafter be provided for registration and residence of voters by the laws of the State of California governing County elections.

PROPOSED CHARTER AMENDMENT NO. 4. Amend Section 41 of Article VIII of the Charter of the City of Modesto to read as follows:

Section 41. No member of the Council shall hold any other municipal office or hold any office or employment the compensation of which is paid out of the municipal moneys; to be elected or appointed to any office created or the compensation of which is increased by the Council, while he is a member thereof, until one year after the expiration of the term for which he was elected. Nothing in this Charter to the contrary stated shall prevent an increase in the salary paid to a Councilman by the City of Modesto during said Councilman's term in office, if said increase is voted by the people of the City.

No member of the Council during the term for which he shall have been elected shall be eligible to fill a vacancy in the office of Mayor

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. 5159-N.S.

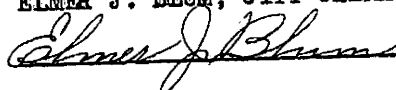
adjourning this meeting now in session, which resolution was regularly adopted by the following vote;

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST ELMER J. BLUM, CITY CLERK



\*\*\*\*\*

Special Council Meeting

February 4, 1941

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  
HEARING PROTESTS  
ON CLOSING PORTION  
OF ALLEY IN BLOCK  
129

As arranged by the Council at their regular meeting of January 22, 1941, a hearing was held on the closing of a portion of alley in Block 129 to permit the building of a hospital. A

group of property owners in this block appeared before the Council, protesting to the closing of the alley as they claimed it would decrease the valuation of their property and a group of citizens of the City of Modesto gave short talks on the advantage of the establishment of a modern hospital in the city at this location which would necessitate the closing of the alley. No action was taken by the Council on this matter.

IN THE MATTER OF  
REPORT BY COMMITTEE  
ON DEVELOPMENT OF  
AIRPORT

The Committee of City Engineer Rossi and Commissioners Bates and Barnell reported on developments of airport. They were authorized by the Council to contact L. L. Dennett with regard to purchase of property belonging to him which adjoins the Airport.

IN THE MATTER OF  
ADJOURNMENT

Commissioner Neece introduced

RESOLUTION NO. 5160-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

  
City Clerk

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.,

1 IN THE MATTER OF APPROVAL OF MINUTES

The minutes of the regular meeting of January 22, 1941 having been read heretofore by each Councilman were approved

as so read.

2 IN THE MATTER OF CLAIMS FOR MONTH OF JANUARY, 1941

Claims against the City of Modesto for the month of January 1941, having been heretofore audited by the Council and

found to be correct, Commissioner Bates introduced

RESOLUTION NO. 5161-N.S.

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

GENERAL FUND-----	\$ 25,625.63
WATER FUND-----	6,216.25
LIBRARY FUND-----	1,462.96
BOND RED. INT. FUND-----	22,818.98
ST. BOND RED. INT. FUND-----	667.18
UNAPPORTIONED FUND-----	
SPECIAL GAS TAX-----	83.70
TOTAL-----	\$56,874.70

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 COMMUNICATIONS

A communication from Mrs. Maud L. Gragg, expressing appreciation for the sympathy extended by the Council to her at the death of her husband was read and ordered filed.

4 IN THE MATTER OF COMMUNICATIONS

A communication from the Peace Officers' Association of the State of California regarding minimum salary scale for Police officers was read and ordered filed.

5 Whereas the Disabled American Veterans of the World War have requested permission to make installations in the sidewalks at no expense to the city for the display of the flag on all legal holidays and patriotic occasions, Commissioner Bates introduced

RESOLUTION NO. 5162-N.S.

granting permission to them providing they furnish a bond to the city which has been approved by the City Attorney, 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 2 HOUR PARKING ON 12th STREET BETWEEN I AND J STREETS

Pursuant to request of Hawkins, Hawkins & Cardozo to limit parking to two hours on the northeasterly side of 12th Street between I and J Streets, Commissioner Stanley

introduced

RESOLUTION NO. 5163-N.S.

granting request and directing 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

7  
IN THE MATTER OF  
10 MINUTE PARKING  
I STREET

Pursuant to request for installation of 10 minute parking in front of store at 910 I Street, Commissioner Stanley introduced

RESOLUTION NO. 5164-N.S.

establishing 10 minute parking zone in the fourth parking space west of Commercial Way on the east side of I Street between 9th and 10th Streets and authorizing installation of 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

8  
IN THE MATTER OF  
PETITION TO CONTINUE  
POP CORN WAGON AT  
TENTH AND I STREETS  
VIRGINIA A PETERSEN

No action was taken on the petition of Virginia Ann Petersen to continue the operation of her pop-corn wagon at Tenth and I Streets and the action taken by the Council rescinding permit to operate as of March 31, 1941 was not changed.

9  
IN THE MATTER OF  
TAXICAB STAND-  
BROCKETT

Pursuant to request of Waldo E. Brockett to transfer his taxicab stand from 9th and I Streets to the corner of Tenth and H Street in front of the Maze Drug Store, Commissioner Stanley introduced

RESOLUTION NO. 5165-N.S.

abolishing the taxicab stand at Ninth and I Streets now occupied by Brockett Taxicab Company and establishing a new stand at Tenth and H Streets in front of Maze Drug Store, 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  
MOVING TEN MINUTE  
PARKING SPACE ON  
SWLY SIDE TENTH  
STREET NEAR H ST.

Commissioner Stanley introduced

RESOLUTION NO. 5166-N.S.

moving 10 minute parking zone at Tenth and H Streets one space north, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

11  
IN THE MATTER OF  
ESTABLISH BUSINESS  
IN RESIDENCE ZONE  
C. S. WHEELER

Whereas, pursuant to the filing of petition with the Council by C. S. Wheeler to operate and maintain a products store in rear of lots 15 and 16, Block 408, being 1009 Madison Street, 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. 5167-N.S.

granting permission to C. S. Wheeler 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

12  
IN THE MATTER OF  
DEED FROM E. C.  
MELROSE

Pursuant to agreement with E. C. Melrose to deed the west-  
erly 30' of his property which lies easterly of Block 812  
of the City of Modesto and immediately contiguous to the center line of Mills Avenue  
within six months from August 14, 1940, and whereas E. C. Melrose reports that sub-  
division map of this territory has not been completed, Commissioner Barnell intro-  
duced

RESOLUTION NO. 5168-N.S.

granting a 90 days extension from February 14, 1941, 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  
REPORT BY COMMITTEE  
ON AIRPORT

The committee appointed by the Council to investigate the  
proposition of enlarging the present airport reported they  
had obtained an option from L. L. Dennett for the purchase of approximately 40 acres,  
whereupon Commissioner Bates introduced

RESOLUTION NO. 5169-N.S.

accepting option as presented, which resolution was regularly adopted by the follow-  
ing vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

14  
IN THE MATTER OF  
FINAL ADOPTION ORD.  
649-N.S. PROHIBIT  
BAKERIES IN CELLARS

Ordinance No. 649-N.S., having been heretofore introduced  
and ordered printed and published at the regular meeting  
of January 22, 1941 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

15  
IN THE MATTER OF  
ORDINANCE RE: AMEND  
ORD. 644-N.S. TRUCK  
ROUTE

Commissioner Stanley introduced an ordinance being  
ORDINANCE NO. 650-N.S.  
entitled: "AN ORDINANCE AMENDING SECTIONS 2, 3 and 6 of  
ORDINANCE NO. 644-N.S. OF THE CITY OF MODESTO 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

16  
IN THE MATTER OF  
ORDINANCE RE: MARK-  
ING STREETS MAJOR  
IMPORTANCE

Commissioner Stanley introduced an ordinance, being

ORDINANCE NO. 651-N.S.

entitled; "AN ORDINANCE DECLARING IT A MISDEMEANOR TO DRIVE A  
VEHICLE TO THE LEFT OF CERTAIN STREET MARKINGS, PROVIDING A PENALTY FOR THE VIOLATION  
THEREOF, AND ORDERING THE SUPERINTENDENT OF STREETS TO MARK CERTAIN ALLEYS AND STREETS  
IN THE CITY OF MODESTO." and moved its adoption and passage to print and publish which  
motion being duly seconded, it was upon roll call carried and the ordinance ordered  
published as above by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

17  
IN THE MATTER OF  
REQUEST FOR STOP  
SIGNS AT SYCAMORE  
AND NEEDHAM AVENUES

Walter Field appeared before the Council and requested that a  
stop sign be installed on Needham Avenue at the intersection  
of 15th Streets and Sycamore Avenue. This matter was turned

over to the Police Department for investigation.

18  
IN THE MATTER OF  
TRANSFER OF FUNDS

Commissioner Neece introduced

RESOLUTION NO. 5170-N.S.

transferring \$40,000 from the Water Fund to the General Fund and ordering that the  
Auditor and City Treasurer make such entries on his accounts which resolution was re-  
gularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

19  
IN THE MATTER OF  
AMENDING RESOLUTION  
NO. 4877-N.S. SALARY  
OF GEORGE DENISON

Commissioner Stanley introduced

RESOLUTION NO. 5171-N.S.

recommending that Resolution No. 4877-N.S.

adopted by the Council on April 26, 1940, entitled "A RESOLUTION PROVIDING FOR FULL PAY TO  
GEORGE DENISON DURING INCAPACITATION." be amended to provide that the Pension Board of the  
City of Modesto shall pay out of the Pension Fund to said George Denison during his incap-  
acitation and for a period not longer than one year from the date of the adoption of the  
resolution the full salary that he had been earning, 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

20  
IN THE MATTER OF  
PURCHASE OF BOOKS  
FOR POLICE COURT

Commissioner Stanley introduced

RESOLUTION NO. 5172-N.S.

authorizing the purchase from Bancroft-Whitney Company certain books in the amount of  
\$75.00 to be used by the Police Judge, 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  
DEPARTMENTAL REPORTS

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

IN THE MATTER OF  
ADJOURNMENT

Commissioner Bates introduced

RESOLUTION NO. 5173-N.S.

27 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*  
CITY CLERK

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Special Council Meeting

February 18, 1941

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, Bates, Neece, Stanley, Mayor Shannon

Absent: Councilmen: None

IN THE MATTER OF  
OPTION ON DENNETT  
PROPERTY

Commissioner Bates introduced

RESOLUTION NO. 5174-N.S.

1 recommending that the City of Modesto take up option to lease approximately 40 acres  
of land adjacent to the Municipal Airport now owned by L. L. Dennett et ux for full  
period contained in option with option to purchase at the termination of 300 days or  
earlier, and authorizing the Mayor and Auditor as signatory officials, which resolu-  
tion 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  
AIRPORT PROJECT

Commissioner Bates introduced

RESOLUTION NO. 5175-N.S.

2 recommending that a copy of Resolution No. 5174-N.S., together with a copy of lease  
with L. L. Dennett on property adjacent to the airport and attorney's opinion on  
the right of the city to lease property with option to purchase, be sent to the  
Federal Works Agency of the Works Projects Administration, which resolution was  
regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

3 IN THE MATTER OF  
ADJOURNMENT

Commissioner Bates introduced

RESOLUTION NO. 5176-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*  
CITY CLERK

Council Meeting

February 26, 1941

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.

1  
IN THE MATTER OF  
MINUTES

The minutes of the regular meeting of February 13th and special meetings of February 3, 4, 8, 1941, having been read heretofore by each Councilman were approved as so read.

2  
IN THE MATTER OF  
BID ON BLK 127  
LOTS 1 to 6 INC.

A bid was placed on file with the Council by George Nelson for Frank M. Moore in the amount of \$7500.00 for the purchase of Block 127, lots 1 to 6 inc. belonging to the City of Modesto. No action was taken and bid was placed on file.

3  
IN THE MATTER OF  
TREE TO BE PLANTED  
IN MEMORY OF H. E.  
GRAGG

Corda Stone representing the Womens' Improvement Club appeared before the Council requested that they donate \$3.50 to the Club to be used for the purchase of a tree to be planted on Legion Lane in memory of H. E. Gragg, former City Clerk, whereupon Commissioner Neece introduced

RESOLUTION NO. 5177-N.S.

granting request and authorizing the City Clerk and Auditor to draw warrant in the amount of \$3.50 payable to the Women's Improvement Club, 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  
GIRL SCOUT CLUB  
HOUSE

Mrs. Ralph Brown and Miss Bonnie Bovee representing the Girl Scouts appeared before the Council and requested that they be permitted to move the clubhouse from the present location at the Beard Brook Park to the Elk's Park. They were informed that they should interview the residents in the vicinity of the Elk's Park and determine whether or not they would object to the establishment of the Girl Scouts Clubhouse at Elks Park and to report back to the Council of their findings.

5  
IN THE MATTER OF  
CHANGE IN BUS  
ROUTE

Pursuant to petition by the Modesto Motor Bus Service for change in route of their bus, Commissioner Stanley introduced

RESOLUTION NO. 5178-N.S.

granting change in route 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

6  
IN THE MATTER OF  
GRANT PERMIT OPERATE  
SERVICE STATION  
MCHENRY STREET AND  
NEEDHAM AVENUE

Whereas, pursuant to the filing of petition with the Council by Edna O. Swan to establish a service station at McHenry and Needham Avenues 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. 5179-N.S.

granting permission to Edna O. Swan to erect and maintain a service station at said location with the understanding that all provisions relative to building permit fees

and provisions of Section I of Ordinance No. 344-N.S. relating to construction of ~~Section I of Ordinance No. 344-N.S.~~ relating to construction of gasoline service stations 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 Pursuant to petition being filed with the Council by Long  
PETITION TO ESTABLISH and Prestidge to establish a service station at corner of  
SERVICE STATION IN  
RESIDENCE ZONE-  
LONG & PRESTIDGE Morris and High Streets, on property known as S 20' of lot 22,  
all lots 23 and 24, Block 583, and whereas Esto Broughton, E. Heckendorf and W.S.  
Hansen, owners of property in the vicinity of proposed service station have protest-  
ed to the establishment of said station, this matter was referred to City Engineer  
Rossi and Fire Chief Wallace for investigation and report back to the Council at  
their next meeting.

8 IN THE MATTER OF Whereas C. A. Tocalino has petitioned the Council, pursuant  
SERVICE STATION to Ordinance No. 344-N.S. to erect, operate and maintain a  
NINTH & I STREETS  
C. A. TOCALINO service station on property known as lots 17 to 20 inc. W 60'  
of S 1' of 21, Block 56 of the City of Modesto at the corner of Ninth and I Streets,  
and whereas the plans therefore having been heretofore checked and approved by the  
City Engineer, Commissioner Neece introduced

RESOLUTION NO. 5180-N.S.

granting permit to C. A. Tocalino to erect, operate and maintain a service station  
when all provisions of city ordinances relative to building permit and the regula-  
tions for storage and dispensing of gasoline and zoning 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

9 IN THE MATTER OF Commissioner Barnell introduced  
AUTHORIZE CLERK  
ADVERTISE FOR BIDS  
ON TRAFFIC SIGNAL  
ELEVENTH & J STREETS RESOLUTION NO. 5181-N.S.  
authorizing the City Clerk to advertise for bids on four-two  
way traffic control signal heads with controllers and appurtenances according to  
plans and specifications on file in the office of the City Engineer, which resolu-  
tion 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 A lease was presented for acceptance by the Council for a  
LEASE WITH STANDARD site for the construction of a service station at the Muni-  
OIL COMPANY FOR SER- cipal Airport by the Standard Oil Company. This matter  
VICE STATION AT  
AIRPORT was laid over until the City Attorney could report on the lease.

11 IN THE MATTER OF Commissioner Stanley introduced  
STOP SIGNS AND  
SPEED LIMIT SIGNS RESOLUTION NO. 5182-N.S.

establishing stop signs at the following locations:

One on Sycamore Avenue at Needham Avenue

Two on James Street at LaLoma Street

Two on G Street at Fourteenth Street

Two on I Street at Fifth Street

One on H Street at La Loma

and the establishing of six speed limit "25 miles" signs at the following locations:

Two on H Street near Seventh Street

Two on Sycamore Avenue near Modesto Irrigation District bridge

Two on Needham Avenue near Sycamore Avenue

said signs not to exceed a total purchase price of \$175.00, 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  
RENEWAL OF LEASE  
AT AIRPORT WITH  
MODESTO TRAP CLUB

The matter of renewal of lease with the Modesto Trap Club for portion of airport was turned over to the Attorney until the next regular meeting.

13  
IN THE MATTER OF  
APPOINTMENT OF  
PLANNING ENGINEER

Commissioner Barnell introduced  
RESOLUTION NO. 5183-N.S.

approving appointment of Don C. Davis as Planning Engineer by the Planning Commission as of February 17, 1941 and authorizing payment of salary of \$100.00 per month, plus mileage of not to exceed .05 per mile, 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  
ANNEXATION OF  
PROPERTY TO CITY  
OF MODESTO

Commissioner Neece introduced  
RESOLUTION NO. 5184-N.S.

authorizing the City Clerk to record certified copy of resolution approving annexation of property purchased from Lora Lewis, adjacent to Municipal Baseball Field 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

15  
IN THE MATTER OF  
FINAL ADOPTION OF  
ORD. 650-N.S.  
AMEND TRUCK ORD.

Ordinance No. 650-N.S. having been heretofore introduced and ordered printed and published at the regular meeting of February 13, 1941 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 ORD.  
651-N.S. MARKING  
STREETS WITH WHITE  
LINES

Ordinance No. 651-N.S. having been heretofore introduced and ordered printed and published at the regular meeting of February 13, 1941 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  
CALLING GENERAL  
ELECTION FOR APRIL  
8, 1941

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

RESOLUTION NO. 5185-N.S.

providing for a General Municipal Election in and for the City of Modesto and a  
General Election in and for the Modesto City School District to be held on April 8,  
1941, two Councilmen and two members of the School Board, Charter amendments and  
initiative ordinance providing for the increase of salary to Councilmen and Mayor,  
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 OF WAGES  
TO NEW EMPLOYEES

Pursuant to provisions of Ordinance No. 602-N.S. (Civil  
Service Ordinance) Commissioner Stanley introduced

RESOLUTION NO. 5186-N.S.

authorizing payment of salary to Walter Fleshman, beginning February 26, 1941 of  
\$125.00 per month and Norman Sturm as of February 24, 1941 of \$125 00 per month and  
Jack Ramey as of March 1, 1941 of \$155.00 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

19  
IN THE MATTER OF  
REPORT ON S.R.A.  
PROJECT

City Engineer Rossi reported that S.R.A. project for feeding  
under-nourished preschool children surplus commodities had  
been sent to him by Edwin Coster, Area Director of the S.R.A.

20  
IN THE MATTER OF  
ADJOURNMENT

Commissioner Bates introduced

RESOLUTION NO. 5187-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 Charles J. Blum City Clerk

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Council Meeting

March 12, 1941

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  
MINUTES

The minutes of the regular meeting of February 26, 1941  
having been read heretofore by each Councilman were approved as so read.

2 IN THE MATTER OF  
ORAL COMMUNICATIONS

Mr. Roy Billings and Mrs. D. L. Reynolds appeared before the Council protesting the operation of pushcarts selling ice cream, candies, etc. in the city and signified they created a public nuisance. The City Attorney was instructed to draft an ordinance increasing the license on pushcarts and limiting their places of parking to sell their merchandise.

3 IN THE MATTER OF  
CLAIMS FOR MONTH  
OF FEBRUARY

Claims against the City of Modesto for the month of February, 1941 having been heretofore audited by the Council and found

to be correct, Commissioner Bates introduced

RESOLUTION NO. 5188-N.S.

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

GENERAL FUND-----	\$25,085.56
WATER FUND-----	7,236.27
LIBRARY FUND-----	1,950.57
ST. BOND RED. INT. FUND-----	65.08
SPECIAL GAS TAX FUND-----	801.01
TOTAL-----	\$35,138.49

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 American Legion Auxiliary regarding the moving of the Girl Scout Clubhouse to Elks Park was read and ordered filed.

5 A communication from James D. Chreese offering the sum of \$2250.00 to the City of Modesto for the property owned by them at 17th and Downey Streets, being lot 25, Block 131. This matter was laid over to a later meeting.

6 A petition signed by property owners in the City of Modesto protesting the sale of any part of the Block of city property bounded on the north by H Street on the east by 17th Street on the south by G Street and on the west by an alleyway for any commercial or private use and requested that it be retained by the City of Modesto as a public park. This protest was placed on file.

7 A communication from the Modesto Municipal Employees Association expressing their appreciation to the Council for the use of the old firehouse as a meeting place was read and placed on file.

8 A communication from the State of California Department of Public Works notifying the Council that they had been given credit for a population of 948 in the Northwood Tract recently annexed to the city for the allocation of the gas tax funds to incorporated cities of the state.

9 A communication from Jos. A. Enos, General Chairman of the May Day Celebration Committee in Los Banos was read and ordered filed.

10 IN THE MATTER OF  
GIRL SCOUTS DONA-  
TION

Pursuant to request from the Modesto Girl Scout Council for a donation to the campership fund for underprivileged girls, Commissioner Neece introduced

RESOLUTION NO. 5189-N.S.

recommending that a donation of \$15.00 be allowed the Modesto Girl Scout Council from the Monotti Fund and the City Clerk and Auditor be authorized to execute the draft

in this amount, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

11  
IN THE MATTER OF  
BIDS ON TRAFFIC  
SIGNALS ELEVENTH  
AND J STREETS

Pursuant to advertising for bids on four two way traffic control signal heads with controller and appurtenances to be used at Eleventh and J Streets in the City of Modesto,

the Clerk reported one bid on file, whereupon Commissioner Bates introduced

RESOLUTION NO. 5190-N.S.

awarding bid to Wille Electric Company at a purchase price of \$678.44 net f.o.b. Modesto sales tax included (acceptance of flashing feature and radio noise filter, purchase price of \$13.08 is optional), 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 ON EXPENDI-  
TURES OF IN LIEU TAX  
FUNDS AND ALCOHOLIC  
BEVERAGE

Commissioner Barnell introduced

RESOLUTION NO. 5191-N.S.

accepting reports of expenditures for the Department of Public Works and Police Department of the In Lieu Tax Fund and Alcoholic Beverage Fund for the 1940-1941 fiscal year, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

13  
IN THE MATTER OF  
RENEWAL OF LEASE  
WITH MODESTO TRAP  
CLUB

Commissioner Barnell introduced

RESOLUTION NO. 5192-N.S.

approving renewal of lease with the Modesto Trap Club for a period of one year for a portion of land owned by the City of Modesto adjoining the Modesto Municipal Airport, providing a clause be included in the lease agreeing to the termination of lease on a 30 days notice by 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  
INITIATIVE ORDINANCE  
ON BALLOT-SALARY OF  
COUNCIL

Whereas, there has been presented to the Clerk of the City of Modesto a petition requesting the measure hereinafter set forth to be placed upon the ballot at the forthcoming municipal election now set for April 8, 1941 and whereas said petition as presented to said City Clerk was duly filed within the period of time provided for in Article XIII of the Charter of the City of Modesto; and whereas, said petition, as subscribed to it the names of a number equal to 15 per cent of the entire vote cast at the last preceding general municipal election in the City of Modesto; and whereas it appears from information furnished by said City Clerk that said 15 per cent of said electors were and are duly qualified to sign said petition, Commissioner Neece introduced

RESOLUTION NO. 5193-N.S.

ordering that the City Clerk place upon the ballot at the forthcoming municipal

election for April 8, 1941 the following initiative ordinance:

INITIATIVE ORDINANCE NO. 652-N.S.

AN ORDINANCE PROVIDING FOR THE FIXING OF THE COMPENSATION BY WAY OF SALARY FOR THE MAYOR AND CITY COUNCILMEN OF THE CITY OF MODESTO

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

Section 1. The mayor of the City of Modesto shall receive as compensation as such Mayor a salary in the sum of Seventy Five (\$75.00) Dollars per month, payable in the same way that the compensation or salary of the chief officials of the City of Modesto is paid.

SECTION 2. The members of the Council of the City of Modesto shall receive as compensation as such Councilmen a salary in the sum of Fifty (\$50.00) Dollars per month, payable in the same way that the compensation or salary of the chief officials of the City of Modesto is paid.

SECTION 3. All ordinances in conflict herewith are hereby expressly repealed.

SECTION 4. This ordinance shall take effect and be in full force and effect from and after the 20th day of May, 1941, 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  
RENEWAL OF LEASE  
WITH S. SANDERS ON  
MUNICIPAL BASEBALL  
FIELD

Commissioner Neece introduced

RESOLUTION NO. 5194-N.S.

authorizing the renewal of lease with Stanley Sanders for the Municipal Baseball Field for the 1941 season, on the same arrangements as in 1940, 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  
FIRE PROTECTION  
AGREEMENT ON PACKING  
PLANTS

Pursuant to agreement made February 23, 1938 with the owners of six packing plants located adjacent to the city limits for fire protection, the City Clerk notified the Council that two

parties, namely the Modesto Packing Company and Geller Packing Company had refused to pay the annual charge of \$25.00 required by the agreement, whereupon Commissioner Stanley introduced

RESOLUTION NO. 5195-N.S.

recommending that the present agreement be rescinded and the attorney be instructed to draw up a new agreement for the Anker Meat Company, B. Zeff & Company, Modesto Tallow Company and Arnopole Meat Company only and the City Clerk was instructed to write a registered letter to the Modesto Packing Company and Geller Packing Company and notify them that fire protection service had been discontinued, 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  
APPROVAL OF STANDARD  
OIL LEASE

The matter of approval of Standard Oil Company lease on airport service station was laid over to a later meeting.

18  
IN THE MATTER OF  
APPROVAL OF PROJECT  
STATEMENT-STATE  
HIGHWAYS

Whereas the State of California through its Department of Public Works, Division of Highways has presented a fifth supplemental memorandum of agreement in accordance with a project statement submitted by the City for expenditure of the 1/2¢ 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. 5196-N.S.

approving said agreement and authorizing the Mayor and City Clerk 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

19  
IN THE MATTER OF  
AMEND RULE 3 of  
RES. NO. 4044-N.S.  
GOLF COURSE REGU-  
LATIONS

Commissioner Neece introduced

RESOLUTION NO. 5197-N.S.

amending Rule 3 of Resolution No. 4044-N.S. to provide that the fees to be paid for the use of the Municipal Golf Course shall be as follows:

The Greens fee for each player shall be the sum of 35¢ for each round of nine holes, 70¢ for all day, and 35¢ for the use of the practice driving range. The fees herein mentioned are to be paid in advance of playing and players shall sign their names on daily starting sheet. The fee for a monthly ticket shall be \$4.00 for family, consisting of husband and wife and minor children; \$3.50 for adult individual, and \$2.25 for students of the Modesto City Schools and Junior College. Any person purchasing a ticket for nine holes or more or holding a paid monthly ticket may use the driving range and practice putting green without additional charge. Each monthly ticket issued shall terminate on the last day of the month during which it was issued. Complimentary tickets without fee may be issued by or under the direction of the Commissioner in charge of the course to visiting professionals or others for services rendered, or when in the opinion of such Commissioner it will be for the advantage of best interests of the course to issue such complimentary tickets, 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  
ACCEPTING DEED ON  
MENSINGER PROPERTY

Commissioner Barnell introduced

RESOLUTION NO. 5198-N.S.

accepting deed from W. R. Mensinger and Alma Mensinger, his wife on all of the westerly 50 feet of the southerly 75 feet of lots 16, Block 743 of Mensinger Tract No. 1, and authorizing the City Clerk to record said deed with the Stanislaus 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

21  
IN THE MATTER OF  
PETITION FOR BUILD-  
ING FOR PRE-SCHOOL  
CHILDREN

A petition was presented to the Council by residents of the west section of Modesto requesting that a building be built in that locality to accommodate children of pre-school age who could not be accommodated in the Maze Wren Pre-School. This was ordered filed by the Council.

22  
IN THE MATTER OF  
APPOINTMENT OF  
CAPTAIN OF POLICE  
DEPARTMENT

Commissioner Stanley introduced

RESOLUTION NO. 5199-N.S.

approving the recommendation of Police Chief Arlington of Urbane H. Pickering as Captain of the Police Department and appointing said Urbane H. Pickering as Captain of the Police Department as of March 16, 1941, at a starting salary of \$180 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

23  
IN THE MATTER OF  
REQUEST DR. A. A.  
MEYERS FOR ANGLE  
PARKING ON K STREET

Pursuant to request of Dr. A. A. Meyers for angle parking on east side of K Street between 12th Street and the alley and also two hour parking limit on three spaces west of the alley in front of his office building at 1212 1/2 K Street, whereupon Commissioner Stanley introduced

RESOLUTION NO. 5200-N.S.

establishing angle parking on K Street on both the north and south side from 12th Street to alley between 12th and 13th Streets and two hour parking for three spaces on the south side, west of the alley, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

24  
IN THE MATTER OF  
CLOSING WEST AVENUE

Whereas, the public interest and convenience require the closing of West Avenue between the easterly property line of Tully Avenue and the westerly property line of Madonia Avenue, Commissioner Stapley introduced

RESOLUTION NO. 795-S.P.  
RESOLUTION OF INTENTION NO. 230

providing for the closing and abandoning of that certain portion of West Avenue 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

25  
IN THE MATTER OF  
COMMITTEE ON CODI-  
FICATION OF ORDI-  
NANCES

The mayor appointed a committee of Commissioner Ronald E. Bates and City Attorney Robert B. Fowler to call on Attorney Herbert Paul with regard to agreement of codification of ordinances.

26  
IN THE MATTER OF  
REPORT ON CONVEN-  
TION AT FRESNO

Commissioner Bates and Mayor Shannon reported on convention held in Fresno of the League of California Cities for Mayors and Councilmen on March 6, 7, 8, 1941

27  
IN THE MATTER OF  
ADJOURNMENT

Commissioner Bates introduced

RESOLUTION NO. 5201-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 *James J. Blum* CITY CLERK

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Special Council Meeting

March 15, 1941

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

1  
IN THE MATTER OF  
LOADING ZONE AND  
ONE HOUR PARKING  
ON H STREET

Commissioner Stanley introduced

RESOLUTION NO. 5202-N.S.

establishing 10 minute parking space on northwesterly side of H Street beginning 9.4 feet southwesterly from the southwesterly property line of Ninth Street and extending southwesterly along the curb 17.6 feet and one hour parking on the northwesterly side of H Street between the northeasterly property line of Eighth Street and a point 27 feet southwesterly from the southwesterly property line of Ninth Street and authorizing the City Engineer to properly mark said areas conveying the information of restricted parking, 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  
CERTIFICATION OF  
CANDIDATES FOR  
ELECTION

pursuant to certification by the City Clerk, as provided by subsection 11 of section 5 of Article IV, of candidates for the forthcoming General Municipal Election for the

offices of Councilmen and for members of the Board of Education and proposed Charter amendments and initiative ordinance to be held on April 8, 1941, Commissioner Stanley introduced

RESOLUTION NO. 5203-N.S.

authorizing the acceptance of certified names of candidates and ballot measures for the general municipal election, 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  
PROCLAMATION OF  
ELECTION

Whereas a municipal election is to be held on April 8, 1941 and whereas the names of the candidates for the office of

Councilman and for the members of the Board of Education of the Modesto City School District together with certain proposed charter amendments and an initiative ordinance have qualified for the ballot, and whereas it becomes the duty of the Mayor of the City of Modesto to issue a proclamation of election, Commissioner Neece introduced

RESOLUTION NO. 5204-N.S.

authorizing the mayor to issue a proclamation of election and that said proclamation shall be printed in the The Modesto Bee newspaper for a period of ten successive days prior to said election, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

4  
IN THE MATTER OF  
ADJOURNMENT

Commissioner Bates introduced

RESOLUTION NO. 5205-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 *Charles J. Blum* CITY CLERK

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Council Meeting

March 26, 1941

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 MINUTES The minutes of the regular meeting of March 12, 1941, having been read heretofore by each Councilman were approved as so read.

2 IN THE MATTER OF COMMUNICATIONS A communication from the President of the Central Valley Division of the League of California Cities regarding meeting to be held in Stockton on April 17, 1941 was read and ordered filed.

3 A communication from the Shoreline Planning Association of California, Incorporated was read and referred to Commissioner Neece.

A communication from the Modesto Girl Scout Council regarding donation made by the City of Modesto to the campership fund was read and ordered filed.

A communication from Edward Arps was read and ordered filed.

4 156 A communication from the California Municipal Utilities Association was read and ordered filed.

7 IN THE MATTER OF PROTESTS BUSINESS RESIDENCE ZONE ROBERT J. HUMMER Whereas pursuant to the filing of petition with the Council by Robert J. Hummer for permit to operate and maintain a products business on property known as 1111 12th Street, being lots 13 and 14 in 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. 5206-N.S.

granting permission to Robert J. Hummer to operate a products store at 1111 12th 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 PROTESTS BUSINESS RESIDENCE ZONE ESTELLE HERD RATHJEN Whereas pursuant to the filing of petition with the Council by Estelle Herd Rathjen for permit to operate and maintain a beauty parlor and dress shop on property known as 8 feet of lots 1 and 23 feet of lot 2, Block 559 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 grant-

ing 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. 5207-N.S.

granting permission to Estelle Herd Rathjen to operate a beauty parlor and dress shop on above described property 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

9  
IN THE MATTER OF  
EXTENSION OF LEASE  
WITH PATHFINDERS  
FLYING SERVICE

Commissioner Barnell introduced

RESOLUTION NO. 5208-N.S.

granting a temporary extension of lease of 30 days from April 1, 1941 to the Pathfinders Flying Service on the Modesto Municipal Airport, 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  
CHANGE IN BUS  
ROUTE GRANTED TO  
AIRPORT TRANSIT

Commissioner Bates introduced

RESOLUTION NO. 5209-N.S.

granting change in bus route to the Airport Transit Company 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

11  
IN THE MATTER OF  
BID ON CITY PROPERTY  
FRANK M. MOORE

Pursuant to bid of Frank M. Moore on city owned property in Block 127, Commissioner Stanley introduced

RESOLUTION NO. 5210-N.S.

rejecting bid and authorizing the City Clerk to return bidding check of \$500.00 to said Frank M. Moore and to notify him that it would be impossible for the Council to meet the conditions of the agreement providing that he be permitted to build and operate a business in a residence district without obtaining the required number of signatures as provided by Ordinance No. 364-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

12  
IN THE MATTER OF BID  
ON CITY PROPERTY BY  
JAMES D. CHREESE  
BLOCK 131  
Downey Streets Commissioner Bates introduced

Pursuant to offer of James D. Chreese to purchase lot 25 of Block 131 located on the southeast corner of 17th and Downey Streets Commissioner Bates introduced

RESOLUTION NO. 5211-N.S.

directing the City Clerk to notify said James D. Chreese that it would be impossible for the City of Modesto to sell this property as it was deeded to the City for Park purposes only, 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  
ORD. APPROPRIATE  
MONEY FOR PURCHASE  
AUTO-POLICE DEPT

Commissioner Bates introduced an ordinance being

ORDINANCE NO. 653-N.S.

entitled: "AN ORDINANCE APPROPRIATING MONEY AND PROVIDING FOR THE

PURCHASE OF AN AUTOMOBILE FOR THE POLICE DEPARTMENT OF THE CITY OF MODESTO" and moved its adoption and passage to print and publish, which motion being duly seconded, it was upon roll call carried and the ordinance ordered published as above by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

14  
IN THE MATTER OF  
ADVERTISE FOR BIDS  
ON POLICE CAR

Commissioner Stanley introduced

RESOLUTION NO. 5212-N.S.

authorizing the City Clerk to call for bids on a 1941 model four door sedan for the use of the Police Department, said bids to be opened at the City Hall on April 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

15  
IN THE MATTER OF  
ORD. AMEND SEC.  
126 ORD. 487-N.S.  
BUSINESS LICENSE ORD.

Commissioner Bates introduced an ordinance being

ORDINANCE NO. 654-N.S.

entitled: "AN ORDINANCE AMENDING SECTION 126 OF ORDINANCE NO. 487-NS

(Business License Ordinance ) 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

16  
IN THE MATTER OF  
APPROVAL OF LEASE  
AT AIRPORT

Commissioner Stanley introduced

RESOLUTION NO. 5213-N.S.

approving lease as presented between the City of Modesto and the Standard Oil Company for service station at the Modesto Municipal Airport, 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  
TWO HOUR PARKING

Commissioner Stanley introduced

RESOLUTION NO. 5214-N.S.

establishing two hour parking on both sides of L Street between 10th and 11th Streets, on both sides of 11th Street between K and L Streets on the east side of 10th Street, 150 feet north of L Streets and authorizing the City Engineer to establish the 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  
ADJOURNMENT

Commissioner Neece introduced

RESOLUTION NO. 5215-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

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Special Council Meeting

March 27, 1941

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

1  
IN THE MATTER OF  
RENEWAL OF AGREEMENT  
WITH 20-30 CLUB AT  
MUNICIPAL BASEBALL  
FIELD

Commissioner Neece introduced  
RESOLUTION NO 5216-N.S.

renewing lease with the 20-30 Club on a portion of the Modesto Municipal Baseball Field to be used as a soft ball field, as provided by agreement, 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  
AUTHORIZE MAYOR TO  
ADDRESS LETTER TO  
W.P.A. RE: AIRPORT

Whereas, it appears to the City Council of the City of Modesto that the project statement and lease and option agreement between L. L. Dennett and the City of Modesto dated

March 4, 1941 is insufficient without a further statement of the citizens policy regarding said airport and the land made subject to said agreement, Commissioner Bates introduced

RESOLUTION NO. 5217-N.S.

authorizing the Mayor of the City of Modesto to address a letter to the Work Projects Administration at 40 First St. San Francisco, stating therein that the City will purchase the real property made subject to said agreement after June 1, 1941, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

3  
IN THE MATTER OF  
COMMUNICATION FROM  
E. ARPS

A communication from Edward Arps regarding the position of City Manager was read and ordered filed.

4  
IN THE MATTER OF  
ADJOURNMENT

Commissioner Neece introduced  
RESOLUTION NO. 5218-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

April 9, 1941

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 MINUTES

The minutes of the regular meeting of March 26, 1941, and of the special meeting of March 15, 1941, having been read by each

Councilman were approved as so read.

IN THE MATTER OF ORAL COMMUNICATIONS

A delegation from the Stanislaus County Labor Council appeared before the Council regarding a Federal Housing project for low cost housing in the City of Modesto and asked that the Council adopt a resolution claiming it may need such a program, whereupon Commissioner Neece introduced

RESOLUTION NO. 5219-N.S.

recommending that the Council go on record that it may need a lowcost housing program in the City of Modesto and authorizing the mayor to appoint a committee, 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 CLAIMS FOR THE MONTH OF MARCH, 1941

Claims against the City of Modesto for the month of March, 1941, having been heretofore audited by the Council and found to be

correct, Commissioner Bates introduced

RESOLUTION NO. 5220-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-----	\$27,328.98
WATER FUND-----	4,210.08
LIBRARY FUND-----	1,713.06
BOND RED. INT. FUND-----	.62
MONOTTI FUND #1-----	15.00
MONOTTI FUND #2-----	16.10
	<u>\$33,283.84</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 Veterans of Foreign Wars of the United States regarding the moving of the Girl Scout Clubhouse from Beard Brook Park was read and ordered filed.

IN THE MATTER OF HEARING ON BUSINESS RESIDENCE ZONE-LONG & PRESTIDGE

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

LONG & PRESTIDGE: To establish and maintain a service station on property known as S 20' of lot 22, all lots 23 and 24, Block 583 in the City of Modesto

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

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

RESOLUTION NO. 5221-N.S.

granting permission to Long & Prestidge to operate a service station on the corner of High and Morris Streets 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

6  
IN THE MATTER OF  
HEARING ON BUSINESS  
RESIDENCE ZONE-  
VELMA D. MOREHEAD

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

VELMA D. MOREHEAD: The maintain a beauty parlor on property known as 115 Elmwood Street, being lots 25 and 26, Block 549 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. 5222-N.S.

granting permit to Velma D. Morehead to establish a beauty parlor at 115 Elmwood 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  
FINAL ADOPTION ORD  
NO. 653-N.S. APPRO-  
PRIATE MONEY-POLICE  
CAR

Ordinance No. 653-N.S. having been heretofore introduced and ordered printed and published at the regular meeting of March 26, 1941 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

8  
IN THE MATTER OF  
AUTHORIZE CLERK  
DRAW WARRANT \$1.00  
EACH MONTH TO L. L.  
DENNETT

Commissioner Bates introduced

RESOLUTION NO. 5223-N.S.

authorizing the City Clerk and Auditor to draw a warrant each month of \$1.00 payable to L. L. Dennett as rental for property adjacent to airport as per agreement dated March 4, 1941, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

9  
At this time Councilman Neece was granted permission to absent himself from the Council for the duration of the meeting.

10  
IN THE MATTER OF  
BIDS ON AUTO FOR  
POLICE DEPARTMENT

Whereas money for the purchase of an automobile for the Police Department having been heretofore duly appropriated and being now available and notice to bidders having heretofore been given and published as required by law and bids, in accordance with said notice having been received not later than 7:30 P.M. on Wednesday, April 9, 1941, and having been then and there opened by the Council in open meeting and it appearing that the bid of James Singleton for the purchase of a 1941 Sedan was the lowest and best bid and that James L. Singleton is a responsible bidder, whereupon Commissioner Bates introduced

RESOLUTION NO 5224-N.S.

awarding bid to James L. Singleton for \$830.00 for 1941 Buick Sedan and the Clerk is authorized to make payment upon delivery and to return 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

11  
IN THE MATTER OF  
EXCHANGE OF PROPERTY  
IN BLOCK 308A-JACK  
RAMEY

Commissioner Barnell introduced

RESOLUTION NO. 5225-N.S.

authorizing the exchange of property in Block 308A between Jack Ramey and the City of Modesto, the city to pay the title cost, 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  
FINAL ADOPTION ORD.  
654-N.S. AMEND ORD.  
487-N.S. PUSH CARTS

Ordinance No. 654-N.S. having been heretofore introduced and ordered printed and published at the regular meeting of March 26, 1941, 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

13  
IN THE MATTER OF  
CALLING SECOND  
GENERAL MUNICIPAL  
ELECTION

Pursuant to the general municipal election held on the 8th day of April, 1941 at which time one candidate for the office of Council only received a majority of votes cast and whereas there are two councilmen to be elected, Commissioner Bates introduced

RESOLUTION NO. 5226-N.S.

providing for a second general municipal election to be held on the 22nd day of April, 1941 to fill the office of one councilman of the City of Modesto and that the names of Y. G. Barnell, Geo. F. Neece be placed upon the ballot to be voted on at such election for the office of Council, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: Neece

14  
IN THE MATTER OF  
GRANT LEAVE OF  
ABSENCE TO MAYOR  
SHANNON

Commissioner Stanley introduced

RESOLUTION NO. 5227-N.S.

granting leave of absence to Mayor Carl W. Shannon for a period of 10 days beginning April 20, 1941, 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  
REPORTS FOR THE  
MONTH OF MARCH

Departmental reports for the month of March, 1941 were read and ordered filed.

At this time leave of absence from the Council meeting was granted Commissioner Carl J. Stanley.

16  
IN THE MATTER OF  
CANVASS BALLOTS  
ON CHARTER AMEND-  
MENTS & INITIATIVE  
ORDINANCE

Whereas, the Council of the City of Modesto did by Resolution No. 5185-N.S. adopted on the 26th day of February, 1941 call a general election to be held on the 8th day of April

1941 for the purpose of voting upon the question of certain proposed amendments to the Charter of the City of Modesto, together with a certain initiative ordinance, which proposed charter amendments were placed upon the ballot at said election by the City Council upon its own motion, and which initiative ordinance was placed upon said ballot by reason of the circulation of and filing according to the Charter of the City of Modesto of certain petitions requesting said initiative measure to be placed upon said ballot; and,

Whereas, the provisions of law requisite to the calling of elections have been duly complied with and a notice of said election has been duly given, all as required by law, and the said election was held on the 8th day of April, 1941 and was conducted and held in all respects in conformity with the laws of the State of California, and the ordinances of the City of Modesto; and,

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

Whereas, it appears from the canvass of the returns of said election that a total of 2705 votes were cast during said election at the regular polling places provided therefore; whereupon Commissioner Bates introduced

RESOLUTION NO. 5228-N.S.

declaring that the Council sitting as a canvassing board to canvass the returns of said election find the results of said election as follows: Total number of votes cast, 2705,

On the proposed charter amendments number 1, amending subdivision 52, Section 4, Article III, reading as follows, to-wit:

To provide for the sale at public auction after advertising for two days of personal property unfit or unnecessary for the use of the City.

As set forth in the resolution calling the election 1207 votes were cast for the amendment and 966 votes were cast against the amendments.

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

On the proposed charter amendment number 2, amending section 103 of Article XV of the Charter of the City of Modesto, reading as follows, to-wit:

The Chief of Police of the City of Modesto shall execute and return all processes issuing from the Police Court and all orders of the Police Judge.

The Chief of Police shall enforce the execution of all the laws and ordinances within the jurisdiction of the City, and for the suppression of any riots, public tumults, disturbances of the peace or resistance against the law or public authorities in the lawful exercise of their functions. He shall have the powers that are now or may be hereafter conferred upon sheriffs by the laws of this State and shall in all respects be entitled to the same protection and his lawful orders shall be executed by the deputies, police officers and watchmen in the City of Modesto and every citizen shall also lend aid when required for the arrest of offenders in the maintenance of public order. It shall be the duty of the Chief of Police to prosecute before the Police Judge all breaches or violations of or non-compliance with any City ordinance or law within the jurisdiction of the Police Judge which has come to his knowledge. The Chief of Police shall have charge of the City prison and prisoners and of any chain gang which may be established by the Council. He shall devote his entire time to the discharge of the duties of his office and subject to such rules and regulations as the Council may prescribe shall have control of the Police force. He shall have power to suspend or remove any member of the Police force for disobedience of any lawful order, for violation of rules and regulations of the Police Department, for neglect of duty, for conduct unbecoming a member of the Police force, or for the general benefit of the Police Department of the City of Modesto. Any such suspension or removal of a member of the Police Department of the City of Modesto by the said Chief of Police must be in compliance with and under the rules and regulations of any civil service ordinances now or hereafter in effect. In addition to the duties in this Charter specified, the Chief of Police shall discharge all the duties required of him by ordinance of the City, by resolution of the Council or by law or by the provisions of the Charter.

As set forth in the resolution calling the election, 1385 votes were cast for the amendment and 807<sup>1</sup> votes were cast against the amendment.

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

On the proposed Charter amendment number 3, amending subdivision 26, Section 6, Article IV, reading as follows:

No person shall be entitled to vote at any election held under the provisions of this Charter, unless he shall be a qualified elector of the County, enrolled upon the great register thereof and in the precinct in which he votes for such a time as may now or hereafter be provided for registration and residence of voters by the laws of the State of California governing County elections.

As set forth in the resolution calling the election, 1391 votes were cast for the amendment and 701 votes were cast against the amendment.

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

On the proposed charter amendment number 4, amending Section 41, Article VIII of the Charter of the City of Modesto reading as follows:  
No member of the Council shall hold any other municipal office or hold any office or employment the compensation of which is paid out of the municipal moneys; to be elected or appointed to any office created or the compensa-

tion of which is increased by the Council; while he is a member thereof, until one year after the expiration of the term for which he was elected. Nothing in this Charter to the contrary stated shall prevent an increase in the salary paid to a Councilman by the City of Modesto during said Councilman's term in office, if said increase is voted by the people of the City.

No member of the Council during the term for which he shall have been elected shall be eligible to fill a vacancy in the office of Mayor.

As set forth in the resolution calling the election 555 votes were cast for the amendment and 1821 votes were cast against the amendment.

That an insufficient number of votes were cast in favor of said amendment and that said amendment failed of passage and adoption.

On the proposed initiative ordinance No. 652-N.S. providing for the fixing of the compensation of the Mayor and City Councilmen of the City of Modesto, reading as follows:

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

SECTION 1. The Mayor of the City of Modesto shall receive as compensation as such Mayor a salary in the sum of \$75.00 per month payable in the same way that the compensation or salary of the chief officials of the City of Modesto is paid.

SECTION 2. The members of the City Council of the City of Modesto shall receive as compensation as such Councilmen a salary in the sum of \$50.00 per month payable in the same way that the compensation or salary of the chief officials of the City of Modesto is paid.

SECTION 3. All ordinances in conflict herewith are hereby expressly repealed.

SECTION 4. This ordinance shall take effect and be in full force from and after the 20th day of May, 1941.

As set forth in the resolution calling the election, 565 votes were cast for the initiative ordinance and 1845 votes were cast against initiative ordinance.

That insufficient votes were cast in favor of said initiative ordinance to carry the same and that therefore said initiative ordinance failed of passage and adoption.

BE IT FURTHER RESOLVED, that the Mayor and City Clerk certify to the Legislature of the State of California, which is now in session, the results of said election on said measures to the end that the said Legislature may in the manner provided by law approve those certain amendments to the Charter of the City of Modesto that were carried by the vote of the people at said election, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Barnell, Bates, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Neece and Stanley

17  
IN THE MATTER OF  
CANVASS BALLOTS  
ON GENERAL ELECTION

Whereas, a general municipal election in the City of Modesto, together with a general school election in and for the Modesto City School District was held on the 8th day of April, 1941, and

Whereas, the City Council of the City of Modesto is now sitting as a canvassing board to canvass the results of said election, and has received all of the returns from said election excepting absentee ballots, and

finds that the same are now in proper form and have been opened and canvassed the same and ascertained the results of said election as hereinafter stated; whereupon Commissioner Bates introduced

RESOLUTION NO. 5229-N.S.

declaring that the said general municipal election in and for the City of Modesto and the general election in and for the Modesto City School District were regularly called held and conducted as required by law. That the proper and complete returns thereof have been made and received by said Council; that the same have been properly canvassed; that from the returns so canvassed, as aforesaid, it appears, and the said Council so finds that at said general municipal election in and for the City of Modesto the total number of votes cast at the regular polling places designated was and is 2705 that the number of votes received by the respective candidates for the office of Councilmen in the City of Modesto was and is as follows:

Y. G. BARNELL-----	1222
RAY BURGE-----	1663
ALFRED E. CARLSON-----	942
GEORGE F. NEECE-----	1110
GALEN HARTWICK-----	2

That the total number of votes received by Ray Burge is greater than one-half of the ballots cast at said election, and that the said Ray Burge was elected to the office of member of the City Council of the City of Modesto for the period of four (4) years and that a Certificate of Election be issued to him under the hand and seal of the City Clerk of the City of Modesto.

The City Council of the City of Modesto sitting as such canvassing board as aforesaid, further finds and declares that at said general election in and for the Modesto City School District that total number of votes cast at the regular polling places designated was and is 3202; that the number of votes received by each of the candidates for the office of member of the Board of Education of said Modesto City School District at the regular polling places designated was and is as follows:

THEODORE SEVERSEN-----	1357 votes
W. C. SHACKELFORD-----	1929 votes
RHODA STURTEVANT-----	1972 votes
GALEN HARTWICK-----	222 votes
LOREN HARTWICK-----	1 vote
JAMES RYEN, JR-----	1 vote
GEORGE STIMMAN-----	1 vote

That the total number of votes received by W. C. Shackelford and Rhoda Sturtevant is greater than one-half of the ballots cast at said election, and that the said W. C. Shackelford and Rhoda Sturtevant were elected to the office of member of the Board of Education of the Modesto City School District for the period of four (4) years, and that a certificate of election be issued to them under the hand and seal of the City Clerk of the City of Modesto, which resolution was regularly adopted by the following vote:

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

IN THE MATTER OF  
ADJOURNMENT

Commissioner Bates introduced

RESOLUTION NO. 5230-N.S.

adjourning this Council meeting now in session, which resolution was introduced at a regular meeting of the Council of the City of Modesto and adopted by the following vote:

Ayes: Councilmen: Barnell, Bates, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Neece and Stanley

ATTEST *Elmer J. Blum* CITY CLERK

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Special Council Meeting

April 14, 1941

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, Acting Mayor Stanley

Absent: Mayor Shannon

IN THE MATTER OF  
GRANT UNITED STATES  
ARMY USE OF AIRPORT

Whereas, pursuant to appearance of a delegation from the Chamber of Commerce, Captain Reed and Major McMurtries of the United States Army and Captain A. A. Morrison of the California Highway Patrol, requesting that the City of Modesto enter into an agreement with the United States War Department for the use of the Modesto Municipal Airport for the army for the period of May 22nd to May 28th with the option for the use of the airport for a period of June 26th to July 7th, whereupon Commissioner Bates introduced

RESOLUTION NO. 5231-N.S.

authorizing the entering into agreements for the use of airport as requested and authorizing the Acting Mayor and City Clerk to act as signatory officials to agreements, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Mayor Shannon

IN THE MATTER OF  
ADJOURNMENT

Commissioner Neece introduced

RESOLUTION NO. 5232-N.S.

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

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

Noes: Councilmen: None

Absent: Councilmen: Mayor Shannon

ATTEST *Elmer J. Blum* CITY CLERK

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Special Council Meeting

April 15, 1941

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  
CANVASS BALLOTS ON  
GENERAL MUNICIPAL  
ELECTION

Whereas, a general municipal election in the City of Modesto, together with a general school election in and for the Modesto City School District, was held on the 8th day of April, 1941,

and

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

RESOLUTION NO. 5233-N.S.

resolving that the said general municipal election in and for the City of Modesto and the general election in and for the Modesto City School District were regularly called, held and conducted as required by law; that the proper and complete returns thereof have been made and received by said Council; that the same have been properly canvassed; that from the returns so canvassed as aforesaid, it appears, and the said Council so finds that at said general municipal election in and for the City of Modesto the total number of votes cast at the regular polling places designated was and is 2705;

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

Y. G. BARNELL-----	1222
RAY BURGE-----	1663
ALFRED E. CARLSON-----	942
GEORGE F. NEECE-----	1110
GALEN HARTWICK-----	2

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

Y. G. BARNELL-----	27 absentee votes
RAY BURGE-----	4 absentee votes
ALFRED E. CARLSON-----	7 absentee votes
GEORGE F. NEECE-----	23 absentee votes

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

Y. G. BARNELL-----	1249 total votes including absentee ballots
RAY BURGE-----	1667 total votes, including absentee ballots
ALFRED E. CARLSON-----	949 total votes, including absentee ballots
GEORGE F. NEECE-----	1133 total votes, including absentee ballots

That all four of said candidates for the office of Councilmen of the City of Modesto, to-wit, Y. G. Barnell, Ray Burge, Alfred E. Carlson, and George F. Neece, were candidates for the two offices to be filled in the City Council of the City of Modesto for the full term of four years.

That the number of votes received by Ray Burge is greater than one-half of the ballots cast at said election, and that the said Ray Burge was and is elected to the office of member of the City Council of the City of Modesto for the period of four years, and that a certificate of election be issued to him under the hand and seal of the City Clerk of the City of Modesto.

The City Council of the City of Modesto sitting as such canvassing board as aforesaid further finds and declares that at said general election in and for the Modesto City School District the total number of votes cast at the regular polling places designated was and is 3203, that the number of votes received by each of the candidates for the office of member of the Board of Education of said Modesto City School District at the regular polling places designated was and is as follows:

THEODORE SEVERSEN-----	1357 votes
W. C. SHACKELFORD-----	1929 votes
RHODA STURTEVANT-----	1972 votes
GALEN HARTWICK-----	222 votes
LOREN HARTWICK-----	1 vote
JAMES RYEN, JR -----	1 vote
GEORGE STIMMAN-----	1 vote

That the total number of absentee votes cast at said general election in and for the Modesto City School District was and is as follows: 41.

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

THEODORE SEVERSEN-----	0 absentee votes
W. C. SHACKELFORD-----	27 absentee votes
RHODA STURTEVANT-----	29 absentee votes
GALEN HARTWICK-----	10 absentee votes
LOREN HARTWICK-----	0 absentee votes
JAMES RYEN, JR-----	0 absentee votes
GEORGE STIMMAN-----	0 absentee votes

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

THEODORE SEVERSEN-----	1357 total votes including absentee ballots
W. C. SHACKELFORD-----	1956 total votes, including " "
RHODA STURTEVANT-----	2001 total votes, including absentee ballots
GALEN HARTWICK-----	232 total votes, including absentee ballots
LOREN HARTWICK-----	1 total votes including absentee ballots
JAMES RYEN, JR-----	1 total votes, including absentee ballots
GEORGE STIMMAN-----	1 total votes, including absentee ballots

That the number of votes received by W. C. Shackelford and Rhoda Sturtevant is greater than one-half of the ballots cast at said election and that the said W. C. Shackelford and Rhoda Sturtevant were and are elected to the office of member of the Board of Education of the Modesto City School District and that a certificate of election be issued to them under the hand and seal of the City Clerk 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

2

IN THE MATTER OF  
 CANVASS BALLOTS  
 CHARTER AMENDMENTS  
 AND INITIATIVE ORDINANCE

Whereas, the Council of the City of Modesto has heretofore, to-wit, on the 9th day of April, 1941, canvassed the vote

of that certain general municipal election held in the City of Modesto on the 8th day of April, 1941, which vote consisted of those cast at the regular polling places in the City of Modesto; and

Whereas, there were likewise cast at said general municipal election certain absentee ballots which by the laws of the State of California cannot and could not be canvassed until the date hereof;

Whereas, on the date hereof there has been deposited with the City Clerk of the City of Modesto all absentee ballots issued by said Clerk or such thereof as have been deposited by absentee voters with said Clerk within the requisite length of time permitted for the deposit thereof with said City Clerk; and,

Whereas, it appears to said City Council that all of the laws of the State of California providing for the casting of absentee votes have been duly followed in all of the procedure attending this said election and the canvassing of the votes thereof; and,

Whereas, it appears from the canvass of the returns of absentee ballots cast at said election that a total of 33 absentee votes were cast during said election, Commissioner Bates introduced

RESOLUTION NO. 5234-N.S.

declaring that the number of said absentee ballots so cast was and is 33. On the proposed Charter amendment No. 1, amending subdivision 52, Section 4, Article III, of the Charter of the City of Modesto, which amendment was and is fully set forth in Resolution No. 5228-N.S., and as set forth in the resolution calling the election 19 absentee votes were cast for the amendment and 5 absentee votes were cast against the amendment. That sufficient votes, both absentee votes and those cast at the regular polling places in the City of Modesto, were cast in favor of said amendment to carry the same.

On the proposed Charter amendment No. 2, amending Section 103 of Article XV of the Charter of the City of Modesto, which amendment was and is fully set forth in Resolution No. 5228-N.S., and as set forth in the resolution calling the election, 21 absentee votes were cast for the amendment and 1 absentee vote was cast against the amendment. That sufficient votes, both absentee votes and those cast at the regular polling places in the City of Modesto, were cast in favor of said amendment to carry the same.

On the proposed Charter amendment No. 3, amending subdivision 26, Section 6, Article IV, as set forth in Resolution No. 5228-N.S., and as set forth in the resolution calling the election, 22 absentee votes were cast for the amendment and 1 absentee vote was cast against the amendment. That sufficient votes, both absentee votes and those cast at the regular polling places in the City of Modesto, were cast in favor of said amendment to carry the same.

On the proposed Charter amendment No. 4, amending Section 41 of Article VIII of the Charter of the City of Modesto, as set forth in Resolution No. 5228-N.S., and as set forth in the resolution calling the election, 11 absentee votes were cast for the amendment and 17 absentee votes were cast against the amendment. That an insufficient number of votes, both absentee votes and those cast at the regular polling places in the City of Modesto were cast in favor of said amendment to carry the same, and that said amendment failed of passage and adoption.

On the proposed initiative ordinance No. 652-N.S. providing for the fixing of the compensation of the Mayor and City Councilmen of the City of Modesto, as set forth in Resolution No. 5228-N.S., and as set forth in the resolution calling the election, 12 absentee votes were cast for the initiative ordinance and

13 absentee votes were cast against said initiative ordinance. That an insufficient number of votes, both absentee votes and those cast at the regular polling places in the City of Modesto, were cast in favor of said initiative ordinance to carry the same, and that therefore said initiative ordinance failed of passage and adoption.

That the total votes, both absentee and those cast at the regular polling places in the City of Modesto for and against the adoption of said proposed Charter amendments and said initiative ordinance, are as follows:

1. Proposed Charter amendment No. 1: For the adoption thereof 1226 total votes, including absentee votes.  
Against the adoption thereof; 971 total votes, including absentee votes
2. Proposed Charter Amendment No. 2; For the adoption thereof 1406 total votes, including absentee votes.  
Against the adoption thereof; 808 total votes, including absentee votes
3. Proposed Charter Amendment No. 3; For the adoption thereof 1413 total votes, including absentee votes.  
Against the adoption thereof; 702 total votes, including absentee votes.
4. Proposed Charter Amendment No. 4; For the adoption thereof 568 total votes, including absentee votes.  
Against the adoption thereof; 1838 total votes, including absentee votes.
5. Initiative Ordinance No. 652-N.S.; for the adoption thereof 577 total votes, including absentee votes.  
Against the adoption thereof; 1858 total votes, including absentee votes.

BE IT FURTHER RESOLVED, that the Mayor and City Clerk certify to the Legislature of the State of California, which is now in session, the result of said election on said measures to the end that the said Legislature may in the manner provided by law approve those certain amendments to the Charter of the City of Modesto that were carried by the vote of the people at said election, 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  
SENDING CHARTER  
AMENDMENT TO STATE  
LEGISLATURE

Commissioner Bates introduced

RESOLUTION NO. 5235-N.S.

authorizing the City Clerk to send a certified copy of Resolution No. 5234-N.S. entitled "A Resolution supplementing Resolution No. 5228-N.S. entitled "A Resolution certifying that the returns of the election to vote upon certain amendments to the charter of the City of Modesto together with an initiative ordinance have been canvassed and declaring the results of said election.", together with certificate of election, 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                      pursuant to agreement with Herbert Paul for codification of  
CONTRACT WITH HERBERT                      ordinances of the City of Modesto, Commissioner Stanley introduced  
PAUL FOR CODIFICATION  
OF ORDINANCES                      RESOLUTION NO. 5236-N.S.

recommending that the City Attorney contact Mr. Paul to determine when he could complete  
his agreement for the codification of the ordinances, 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                      Commissioner Neece introduced  
ADJOURNMENT                      RESOLUTION NO. 5237-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   
CITY CLERK

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Special Council Meeting

April 18, 1941

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

1  
IN THE MATTER OF                      Commissioner Stanley introduced  
RESCIND RES. NO.                      RESOLUTION NO. 5238-N.S.  
5219-N.S. FEDERAL  
HOUSING PROGRAM

rescinding Resolution No. 5219-N.S. adopted by the Council  
at their regular meeting of April 9, 1941, entitled "A RESOLUTION DECLARING THE POSSIBLE  
NEED FOR A HOUSING AUTHORITY IN THE CITY OF MODESTO, STANISLAUS COUNTY, CALIFORNIA",  
which resolution was regularly adopted by the Council of the City of Modesto by the  
following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

2  
A large delegation of citizens of the City of Modesto  
appeared before the Council to discuss the possibility of the establishment of a  
Federal Housing program. Frank Rose, Attorney for the United States Housing Authority  
explained the procedure necessary to set up so that the city could establish a  
housing program. No action was taken by the Council.

3  
IN THE MATTER OF                      Pursuant to the establishment of a water system by Osterberg  
FILE OBJECTIONS WITH                      Brothers to serve the territory which is bounded approximately  
RAILROAD COMMISSION                      by Sycamore Avenue on the east, Griswold Avenue on the south,  
ON OSTERBERG BROTHERS                      Virginia Avenue on the west and Orangeburg on the north, and whereas the city is serving  
WATER SYSTEM

a portion of this territory already namely Mensinger Tract No 1 and Mensinger Tract No. 2, Commissioner Barnell introduced

RESOLUTION NO. 5239-N.S.

recommending that the City Attorney file an objection with the Railroad Commission on the operation of the Osterberg Brothers Water system within the territory the City of Modesto is already furnishing and has agreed to furnish water to, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

4 IN THE MATTER OF  
ADJOURNMENT

Commissioner Bates introduced

RESOLUTION NO. 5240-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 *Edward J. Blum* CITY CLERK

\*\*\*\*\*

COUNCIL MEETING

April 23, 1941

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, Acting Mayor Stanley

Absent: Mayor Shannon

1 IN THE MATTER OF  
MINUTES

The minutes of the regular meeting of April 9, 1941 and of the special meetings of March 27, 1941 and April 14, 15, 18, having been read by each Councilman were approved as so read.

2 IN THE MATTER OF  
COMMUNICATIONS

A communication from the Modesto Chamber of Commerce asking for the payment of \$644.55 from the promotion fund appropriated by Ordinance no. 634-N.S. was read and referred to the Commissioner of Public Supplies, Ronald E. Bates to investigate and report back at next meeting.

3 A communication from the Helm Chevrolet Company requesting one hour parking on the west side of Ninth Street between J and K Streets was referred to Commissioner Stanley, Police Chief Arington and City Engineer Rossi to investigate and report at next meeting.

4 A communication from the Modesto Public Schools regarding cancellation of taxes on property in Block 435, which they had purchased from Swift & Company was referred to the City Attorney for investigation and to report back at next meeting.

5 A communication from James D. Chreese regarding Federal Housing Program was read and ordered filed.

6 A communication from the Modesto Trap Club granting permission to the United States Army to use the portion of the trap grounds rented from the City of Modesto was read and ordered filed.

7  
A communication from the Northern California Conference of Western States Housing Authority was read and ordered filed.

8  
IN THE MATTER OF AGREEMENT WITH THE MODESTO IRRIGATION DISTRICT ON DITCH AND PIPE LINE NEAR AIRPORT

Whereas, pursuant to receipt of resolution adopted by the Modesto Irrigation District at their regular adjourned meeting of April 7th, 1941 agreeing to enter into an agreement with the City of Modesto for the elimination of a canal near

the Airport, whereupon Commissioner Barnell introduced

RESOLUTION NO. 5241-N.S.

authorizing the City Attorney and Engineer to prepare an agreement for the elimination of this canal adjacent to the airport to be entered into by the City of Modesto and the Modesto Irrigation District, which resolution was regularly adopted by the following

vote:

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

Noes: Councilmen: None

Absent: Mayor Shannon

9  
IN THE MATTER OF PROTEST TO ESTABLISHMENT OF TRUCKING BUSINESS AT 110 LINDEN STREET

A petition was presented by the property owners adjacent to 110 Linden Street protesting to the establishment of a trucking business hauling junk at that location. This was turned over to the Attorney to investigate and report back at next regular meeting.

10  
IN THE MATTER OF REPORT ON WATER SYSTEM TO BE ESTABLISHED BY OSTERBERG BROTHERS

Pursuant to adoption of Resolution No. 5239-N.S. adopted at the special meeting of the Council of April 18, 1941, authorizing the City Attorney to file a protest before the Railroad

Commission on the establishment of a water system in Mensinger Tract #1 and Mensinger Tract #2, located outside the City of Modesto and now being furnished water by the City of Modesto, the City Attorney reported that Osterberg Brothers will withdraw their request with the Railroad Commission for serving water to Mensinger Tracts, which is being served by the City of Modesto.

11  
IN THE MATTER OF REAPPOINTMENT OF J. ALF. DAVIS ON PARK COMMISSION

Commissioner Neece introduced

RESOLUTION NO. 5242-N.S.

reappointing J. Alf. Davis for a term of three years to the Park Commission from May 10, 1941, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent; Mayor Shannon

12  
IN THE MATTER OF DETERMINE RESULT OF SECOND GENERAL MUNICIPAL ELECTION

Whereas, a general Municipal election was held on the 22nd day of April, 1941, and whereas, the City Council of the City of Modesto is now sitting as a canvassing board to canvass

the results of said election, and has received all of the returns from said election and finds that the same are now in proper form and have opened and canvassed the same and ascertained the results of said election as hereinafter states; whereupon Commissioner Bates introduced:

RESOLUTION NO. 5243-N.S.

declaring that the said general municipal election in and for the City of Modesto was regularly called, held and conducted as required by law. That the proper and complete returns thereof have been made and received by said Council; that the same have been properly canvassed; that from the returns so canvassed as aforesaid it appears, and

the said Council so finds, that a said general municipal election in and for the City of Modesto, the total number of votes cast was 1789, that the number of votes received by the respective candidates for the office of councilman in the City of Modesto was and is as follows:

GEORGE F. NEECE-----893 votes

Y. G. BARNELL-----883 votes

That said candidates, to-wit: George F. Neece and Y. G. Barnell, were candidates for the office to be filled in the City Council of the City of Modesto for the full term of four (4) years.

That the number of votes received by George F. Neece was greater than one-half of the ballots cast at said election and that the said George F. Neece was elected to the office of member of the City Council of the City of Modesto for the period of four (4) years, and that a Certificate of Election be issued to him under the hand and seal of the City Clerk of the City of Modesto.

That the following persons' names were written in on the ballots at said election by voters. That said write-in candidates received the following votes:

FRED A. HOGUE-----1 vote

A. N. BROWN-----1 vote

CECIL T. JONES-----5 votes

A. B. CARLSON-----5 votes

which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Mayor Shannon

13  
IN THE MATTER OF  
CLOSING WEST STREET

Whereas the City Council has adopted a resolution declaring

that it is the intention of the Council to order West Street closed and the State 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. 796-S.P.

ordering that said work and improvement be done and authorizing the 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, Mayor pro tem Stanley

Noes: Councilmen: None

Absent: Mayor Shannon

14  
IN THE MATTER OF  
AUTHORIZE PAYMENT OF  
ELECTION OFFICIALS  
AND RENTAL OF POLLING  
PLACES

Commissioner Bates introduced

RESOLUTION NO. 5244-N.S.

authorizing payment to election officials of the General Municipal Election and of the Second General Municipal Election and rental of polling places at both elections, 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  
GRANT PERMIT CLEARY  
AND ZEFF TO BUILD  
SERVICE STATION

Whereas, pursuant to Ordinance No. 344-N.S. there was filed with the Council for approval, the application of Cleary and Zeff to erect, operate and maintain a service station on property known as corner of 12th and H Streets, being lots 19 and 18, Block 94 of the City of Modesto and whereas the plans therefor having been heretofore checked and approved by the City Engineer, Commissioner Bates introduced

RESOLUTION NO. 5245-N.S.

granting permit to said Cleary & Zeff to erect, operate and maintain ~~a service station~~ as service station as prayed for, when all provisions of city ordinance relative to building permits and the regulations for storage and dispensing of gasoline and zoning have been 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

16  
IN THE MATTER OF  
AUTHORIZE ENGINEER  
PURCHASE JARI POWER  
SCYTHE

Commissioner Neece introduced

RESOLUTION NO. 5246-N.S.

authorizing the City Engineer to purchase a Jari power Scythe, 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  
AUTHORIZE CLERK TO  
WRITE TO ASSEMBLYMAN  
AND SENATOR ON CERTAIN  
LEGISLATION

Commissioner Bates introduced

RESOLUTION NO. 5247-N.S.

authorizing the City Clerk to write to Senator Garrison and Assemblyman Donnelly protesting to the passage of proposed Sewage Disposal Bill #AB2198, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Mayor Shannon

Commissioner Bates introduced

RESOLUTION NO. 5248-N.S.

18  
authorizing the City Clerk to write to Senator Garrison and Assemblyman Donnelly recommending the passage of proposed Emergency Mutual Aid Bill No. AB1058, 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  
PERMIT TO BURDEAN  
THOMPSON TO PLACE  
FLAGS ON STREETS

Commissioner Bates introduced

RESOLUTION NO. 5249-N.S.

granting permit to Burdean Thompson to put up flags for period beginning April 24, 1941 to May 10, 1941 under the supervision of the Public Works Department 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

20  
IN THE MATTER OF  
ADJOURNMENT

Commissioner Barnell introduced

RESOLUTION NO. 5250-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  CITY CLERK

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Special Council Meeting

April 29, 1941

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, Bates, Neece, Stanley, Mayor Shannon

Absent: Councilmen: None

IN THE MATTER OF  
CANVASS ABSENTEE  
BALLOTS SECOND GENERAL  
MUNICIPAL ELECTION

Whereas, a second general municipal election was held on the 22nd day of April, 1941; and

Whereas, the City Council of the City of Modesto is now sitting as a canvassing board to canvass the absentee ballots cast by voters at said election, and has received all of the returns of and from said absentee ballots; and,

Whereas, the time has elapsed for depositing with the City Clerk or mailing to said Clerk of said absentee ballots; and

Whereas, this is the time regularly set by the law of the State of California for the canvassing of said absentee ballots: Commissioner Bates introduced

RESOLUTION NO. 5251-N.S.

certifying that the said second general municipal election in and for the City of Modesto was regularly called 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 said absentee ballots are in proper form and have been cast according to the law of the State of California; that from the returns of said absentee ballots so canvassed as aforesaid, it appears and the said Council so finds that a said general municipal election in and for the City of Modesto the total number of absentee ballots cast was and is 2; that the number of votes by absentee ballots received by the respective candidates for the office of Councilman in the City of Modesto was and is as follows:

GEORGE F. NEECE-----2 absentee votes

Y. G. BARNELL-----0 absentee votes

That said candidates, to-wit, George F. Neece and Y. G. Barnell, were candidates for the office to be filled in the City Council of the City of Modesto for the full term of four (4) years; that the number of votes received by the said George F. Neece at said general municipal election cast regularly at the polls established in the City of Modesto was and is 893 votes; and that the votes received by the said Y. G. Barnell at said general municipal election cast at the regularly constituted polling places in the City of Modesto were and are 883 votes; that the total votes received by said candidates, including votes cast at the regular polling places

in the City of Modesto, and absentee votes, were and are:

GEORGE F. NEECE-----895 votes, including  
absentee votes:

Y. G. BARNELL-----883 votes, including  
absentee votes:

That the number of votes received by George F. Neece was greater than one-half of the ballots cast at said election, and that the said George F. Neece was elected to the office of member of the City Council of the City of Modesto for the term of four (4) years, and that a certificate of election issue to him under the hand and seal of the City Clerk 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  
COMMENDING Y. G.  
BARNELL FOR SERVICES

Whereas Y. G. Barnell has been a member of the City Council of the City of Modesto since November 23, 1938, and whereas, during the period of his incumbency he has rendered valuable service to the City of Modesto and the citizens thereof, and

Whereas, he has evinced at all times a great interest in the welfare of the City of Modesto and has held himself at all times and in all instances ready to serve on such committees as the Mayor of said City has named, and has demonstrated a very friendly and fine co-operative spirit with the other members of the City Council, and

Whereas, the said Y. G. Barnell is now retiring from said Council;  
Commissioner Neece introduced

RESOLUTION NO. 5252-N.S.

resolving that the City Council of said City desires at this time to extend thanks to the said Y. G. Barnell and to commend him for the splendid service he has rendered to the City of Modesto in his capacity as a member of the City Council and be it further resolved that without disparagement to Mr. Y. G. Barnell's successor to membership in said Council, said City Council hereby expresses its regret that Mr. Barnell is retiring from membership in said Council, which resolution was regularly adopted by the following

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

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF  
ADJOURNMENT

Commissioner Bates introduced

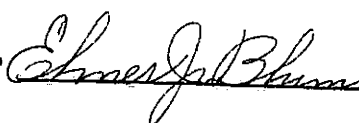
RESOLUTION NO. 5253-N.S.

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  City Clerk

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May 14, 1941

The Council of the City of Modesto met in regular session this 14th day of May, 1941

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

Absent: Councilmen: None

1  
IN THE MATTER OF ORGANIZATION OF COUNCIL

Pursuant to the General Municipal Election of April 8, 1941 and the Second General Municipal Election of April 22, 1941, the certificates of election and oaths of office of Councilman George F. Neece and Councilman Ray Burge were duly declared filed with the City Clerk and the Council proceeded to organize as provided by Sections 33 and 34 of the City Charter, whereupon Commissioner Bates introduced

RESOLUTION NO. 5254-N.S.

designating the commissionerships of the members of the Council as follows: Councilman Ray Burge be hereby designated as Commissioner of Public Supplies that Councilman Donald E. Bates be and he is hereby designated Commissioner of Public Works that Councilman George F. Neece be and he is hereby designated Commissioner of Finance and Revenue and that Councilman C. J. Stanley be and he is hereby designated Commissioner of Health and Safety, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Bates, Burge, Neece, Stanley

Noes: Councilmen: None

Absent: Councilmen: None

Not voting: Mayor Shannon

2  
IN THE MATTER OF APPOINTMENT OF OFFICIALS

Commissioner Bates introduced

RESOLUTION NO. 5255-N.S.

reappointing Frank J. Rossi as City Engineer, Superintendent of Sewers, City Electrician, Building Inspector, Superintendent Water Department, Superintendent Parks, Superintendent Corporation Yard, Superintendent of Streets, Elmer J. Blum, Assessor, Auditor and City Clerk, W. B. Devlin, Treasurer and Collector, R. B. Fowler City Attorney, E. E. Arington, as Police Chief, George E. Wallace as Chief of the Fire Department, Board of Trustees of the Library, Mrs. W. H. Langdon, W. H. Murray, A. E. Puccinelli, E. R. Utter, and Roy Pack, Health Office, Dr. E. F. Reamer, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

3  
IN THE MATTER OF APPROVAL OF MINUTES

The minutes of the regular meeting of April 23, 1941 and of the special meetings of April 29, 1941 having been read by each Councilman were approved as so read.

4  
IN THE MATTER OF CLAIMS FOR THE MONTH OF APRIL 1941

Claims against the City of Modesto for the month of April, 1941, having been heretofore audited by the Council and found to be correct, Commissioner Burge introduced

RESOLUTION NO. 5256-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-----\$27,896.45

WATER FUND-----	\$ 4,148 14
LIBRARY FUND-----	1,610.27
ST. BOND RED. INT. FUND---	33.00
SPECIAL GAS TAX FUND-----	127.72
TOTAL	\$33,815.58

which resolution was regularly adopted by the following vote:

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

5 IN THE MATTER OF  
 CLAIM-MODESTO CHAMBER  
 OF COMMERCE

Commissioner Bates introduced  
 RESOLUTION NO. 5257-N.S.

allowing request of \$644.55 to the Modesto Chamber of Commerce from the Promotion fund as provided by provisions of Ordinance No. 634-N.S., which resolution was regularly adopted by the following vote:

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

6 IN THE MATTER OF  
 ORAL COMMUNICATIONS

Mr. D. S. Olson appeared before the Council protesting the operation in the city limits of the steam locomotive by the Tidewater Southern Co., and the parking of freight cars in the city limits for an extended time, as this was against the provisions of the franchise. This matter was turned over to the City Attorney to take it up with the Railroad Company.

7 IN THE MATTER OF  
 COMMUNICATIONS

Communication from the State Fire Marshall regarding public fireworks displays was read and ordered filed.

8 Supervisor Leo Hammett, Attorney Frank Collier representing the Stanislaus County Board of Supervisors appeared before the Council regarding the sale of fireworks in the City of Modesto and in the County of Stanislaus and a committee was appointed by Mayor Shannon of Robert B. Fowler, Fire Chief Wallace, Police Chief Arlington to confer with Frank Collier regarding a uniform ordinance on the sale of fireworks.

9 A communication from the Stanislaus County Fourth of July Celebration at Modesto was read and laid over to a later meeting.

10 A communication from Senator J. C. Garrison regarding approval of charter amendments was read and ordered filed.

11 A communication from Senator J. C. Garrison regarding the passage of Assembly bills No. 1038 and No. 2258 was read and ordered filed.

12 A communication from Assemblyman Donnelly regarding Assembly bills No. 1038 and No. 2258 was read and ordered filed.

13 A communication from the Ward Survey Company was read and ordered filed.

14 A communication from the James G. Stafford Co. was read and ordered filed.

15 A communication from the League for Local Liquor control was read and referred to the Attorney.

16 IN THE MATTER OF  
 CODIFICATION OF  
 ORDINANCES

Commissioner Stanley introduced  
 RESOLUTION NO. 5258-N.S.

rescinding contract with Herbert Paul for codification of ordinances and authorizing the attorney to secure a release from him which resolution was regularly adopted by the following vote:

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

17  
Attorney Fowler was authorized to start codification of ordinances until further arrangements could be made with the assistance of N. Y. A. clerks.

18  
IN THE MATTER OF  
APPROVAL OF LAND-  
SCAPE PLAN OF JOHN  
MUIR PARK

Commissioner Neece introduced  
RESOLUTION NO. 5259-N.S.

approving landscape plans of John Muir Park as presented by the City Engineer, which resolution was regularly adopted by the following vote:  
Ayes: Councilmen: Bates, Burge, Neece, Stanley, Mayor Shannon  
Noes: Councilmen: None  
Absent: Councilmen: None

19  
IN THE MATTER OF  
APPOINTMENT OF BATES  
ON PLANNING COMMISSION

Commissioner Burge introduced  
RESOLUTION NO. 5260-N.S.

appointing Commissioner Bates on the Planning Commission which resolution was regularly adopted by the following vote:  
Ayes: Councilmen: Bates, Burge, Neece, Stanley, Mayor Shannon  
Noes: Councilmen: None  
Absent: Councilmen: None

20  
IN THE MATTER OF  
AGREEMENT WITH PATH-  
FINDERS FLYING SERVICE

Commissioner Bates introduced  
RESOLUTION NO. 5261-N.S.

approving agreement with the Pathfinder's Flying Service for renewal of lease on the Municipal Airport for a period of one year from April 1, 1941 with option to renew for a period of five years subject to the receipt by the City Clerk of proper resolution from the Pathfinder's Flying Service stating right to enter into contract with the City of Modesto, which resolution was regularly adopted by the following vote:  
Ayes: Councilmen: Bates, Burge, Neece, Stanley, Mayor Shannon  
Noes: Councilmen: None  
Absent: Councilmen: None

21  
IN THE MATTER OF  
DEED ON MILLS STREET  
E. C. MELROSE

Commissioner Bates introduced  
RESOLUTION NO. 5262-N.S.

granting an extension of 30 days from this date to E. C. Melrose to delivery deed to the City of Modesto on portion of Block 812, which resolution was regularly adopted by the following vote:  
Ayes: Councilmen: Burge, Bates, Neece, Stanley, Mayor Shannon  
Noes: Councilmen: None  
Absent: Councilmen: None

22  
IN THE MATTER OF  
ONE HOUR PARKING ON  
NINTH STREET BETWEEN  
J AND K STREETS

Commissioner Stanley introduced  
RESOLUTION NO. 5263-N.S.

establishing one hour parking on the west side of Ninth Street between J and K Streets except the 10 minute parking space at north end of block, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

23  
IN THE MATTER OF  
COMMITTEE ON CHECKING  
UP ON PARKING SPACES

Mayor Shannon appointed a committee of City Engineer Rossi and Police Chief Arington to make a survey of the business district with the object of eliminating certain driveways not being used with the view of giving more parking spaces.

24  
IN THE MATTER OF  
ORDINANCE RE:  
INTERIM ZONING

Commissioner Bates introduced an ordinance being  
ORDINANCE NO. 655-N.S.

entitled: "AN ORDINANCE OF THE CITY OF MODESTO, STATE OF CALIFORNIA APPLYING CERTAIN REGULATIONS TO THE USE OF LAND, BUILDINGS AND STRUCTURES AND TO THE ERECTION, CONSTRUCTION AND ALTERATION OF BUILDINGS STRUCTURES AND IMPROVEMENTS IN CERTAIN AREAS, PENDING THE ADOPTION BY THE CITY COUNCIL OF SAID CITY OF A DISTRICTING PLAN FOR THE CITY OF MODESTO FOR THE APPLICATION OF DETAILED REGULATIONS TO SAID AREAS: PRESCRIBING THE PENALTY FOR VIOLATION OF ANY OF THE PROVISIONS HEREOF." 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: Bates, Burge, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

25  
IN THE MATTER OF  
APPROVAL OF DEED  
BLOCK 308A-JACK RAMEY

Commissioner Bates introduced  
RESOLUTION NO. 5264-N.S.

authorizing the City Clerk to record the deed from Jack Ramey et ux to the City of Modesto on the southerly twenty-five feet of lots 3 and 4 of Block 308A of the City of Modesto, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

26  
IN THE MATTER OF  
CANCELLATION OF  
TAXES ON MODESTO SCHOOL  
BOARD PROPERTY

Pursuant to referring of communication from the Modesto City School Board of Education requesting refund of first installment of 1940-1941 city taxes paid by Swift and Company on all of lots 17 to 28 inc. and south 30 feet of lots 1 to 14 inc. in Block 435 and sold to the Modesto Board of Education under contract to the City Attorney for investigation, he reported that there was no way a refund of taxes could be made to the School Board on taxes paid by Swift and Company.

27  
IN THE MATTER OF  
UNITED SERVICE ORGANI-  
ZATIONS FOR NATIONAL  
DEFENSE

Leo C. Hammett Chairman of the Temporary Committee for Stanislaus County of the United Service Organizations for National Defense, Inc. appeared before the Council and discussed the program as set up by the Committee and asked the Council to appoint a committee to canvas the City of Modesto for funds to carry on the camp community problem. No action was taken and the matter was laid over to a future date.

28  
IN THE MATTER OF  
PROTEST PASSAGE  
CERTAIN LEGISLATION

Commissioner Neece introduced  
RESOLUTION NO. 5265-N.S.

authorizing the City Clerk to send telegrams to Assemblyman Hugh P. Donnelly and Senator J. C. Garrison protesting the passage of Assembly Bill AB1387-Public Works Contracts, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

29  
IN THE MATTER OF  
LEAVE OF ABSENCE TO  
RONALD E. BATES

Commissioner Burge introduced

RESOLUTION NO. 5266-N.S.

granting leave of absence from the State of California of six days starting May 22, 1941 to Commissioner Bates, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

30  
IN THE MATTER OF  
RESCIND RESOLUTION  
NO. 5152-N.S.

Whereas, pursuant to the laws of the State of California, the Modesto Police Court has the same jurisdiction as Class B. Justice Court in civil matters and whereas the

Judge of the Modesto Police Court, pursuant to resolution No. 5152-N.S. has been collecting an additional \$1.00 on each filing fee, said \$1.00 being impounded and maintained intact in the City of Modesto, Commissioner Stanley introduced

RESOLUTION NO. 5267-N.S.

authorizing the Judge of the Modesto Police Court to return to each litigant said \$1.00 filing fee paid by him and be it further resolved that Resolution No. 5152-N.S. is hereby rescinded, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

31  
IN THE MATTER OF  
DEPARTMENTAL REPORTS

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

32  
IN THE MATTER OF  
ADJOURNMENT

Commissioner Neece introduced

RESOLUTION NO. 5268-N.S.

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

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST  City Clerk

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Special Council Meeting

May 23, 1941

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: Burge, Neece, Stanley, Mayor Shannon

Absent: Councilmen: Bates

IN THE MATTER OF  
ORDINANCE RE:  
FIREWORKS

Commissioner Burge introduced an ordinance being

ORDINANCE NO. 656-N.S.

entitled: "AN ORDINANCE RESCINDING ORDINANCE NO. 268-N.S. ENTITLED 'AN ORDINANCE PROHIBITING THE STORAGE, MANUFACTURE, SALE OR DISCHARGE OF FIRE WORKS OR FIRE

CRACKERS IN THE CITY OF MODESTO" and moved its adoption and passage to print and publish, which motion being duly seconded, it was upon roll call carried and the ordinance ordered published as above by the following vote:

Ayes: Councilmen: Burge, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Bates

2  
IN THE MATTER OF  
COMMUNICATION FROM  
J. W. HAWKINS RE:  
NOISE FROM AIRPLANES

A communication from J. W. Hawkins protesting to the noise made by airplanes over the City of Modesto was read and ordered filed.

3  
IN THE MATTER OF  
ADJOURNMENT

Commissioner Burge introduced

RESOLUTION NO. 5269-N.S.

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

Ayes: Councilmen: Burge, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Bates

ATTEST *Charles J. Blum* CITY CLERK

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Council Meeting

May 28, 1941

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: Bates, Burge, Neece, Stanley, Mayor Shannon

Absent: Councilmen: None

1  
IN THE MATTER OF  
MINUTES

The minutes of the regular meeting of May 14, 1941 having been read by each Councilman were approved as so read.

2  
IN THE MATTER OF  
CHANGE IN BUS ROUTE  
FOR MODESTO MOTOR  
BUS  
introduced

Pursuant to request of Willis M. Kleinenbroich, operating the Modesto Motor Bus for change of route, Commissioner Stanley

RESOLUTION NO. 5270-N.S.

granting change of route subject to approval of the Railroad Commission on portion of route outside City of Modesto, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

3  
IN THE MATTER OF  
WATER RATE AT PRES-  
BYTERIAN GYMNASIUM

Jack Hazard, L. B. Schlingheyde, W. W. Hopkins and R. H. Hayes appeared before the Council and requested that the water rate of \$20.00 per month for the swimming pool in the gymnasium at the Presbyterian Church be reduced. This matter was taken under advisement.

4  
IN THE MATTER OF  
COMMUNICATION

A communication from the Central Valley Division of the League of California Cities regarding the meeting to be held at Sonora, July 19, 1941 was read and ordered filed.

A communication from the Modesto Trap Club thanking the City Council for the cooperation given them at their recent trap shoot was read and

ordered filed.

5 A communication from Senator Garrison acknowledging receipt of telegram from the City Clerk regarding opposition to Assembly Bill No. 1387 of the City of Modesto was read and ordered filed.

6 IN THE MATTER OF PROTEST TO DRAINAGE SYSTEM

Property owners on Adam, Lottie and Achor Court in Blocks 543, 555, 556, petitioned the Council to repair the drainage system on said streets as it was unsatisfactory. This matter was referred to the City Engineer for investigation.

7 IN THE MATTER OF OPEN HOUSE AT ARMY CAMP IN SAN LUIS OBISPO

An invitation was given to the Council to attend open house at the army camp in San Luis Obispo, June 8, 1941 by Col. J. B. Maloney.

8 IN THE MATTER OF APPROVAL OF AGREEMENT WITH HAWKE CROP DUSTING COMPANY

The matter of approval of agreement with the Hawke Crop Dusting Company for rental of new hangar at the Modesto Municipal Airport was laid over to the next meeting of the Council.

9 IN THE MATTER OF ACCEPT QUIT CLAIM DEED PORTION BLOCK 200

Commissioner Bates introduced

RESOLUTION NO. 5271-N.S.

accepting Quit Claim deed from Robert G. Benson, et ux on south 14 feet of the west half of lot 23 in Block 200 of the City of Modesto and authorized the Auditor to cancel all taxes on this property, and record same with County Recorder, which resolution was regularly adopted by the following vote:  
Ayes: Councilmen: Bates, Burge, Neece, Stanley, Mayor Shannon  
Noes: Councilmen: None  
Absent: Councilmen: None

10 IN THE MATTER OF RECORD RESOLUTION OF STANISLAUS COUNTY ON ANNEXATION OF LOT 64 OF SUNSET ACRES TO CITY OF MODESTO

Pursuant to annexation of Lot 64 of First Addition to Sunset Acres to the City of Modesto, Commissioner Bates introduced

RESOLUTION NO. 5272-N.S.

authorizing the City Clerk to record with the Stanislaus County Recorder certified copy of resolution received from the County Clerk approving annexation of property to the City of Modesto, which resolution was regularly adopted by the following vote:  
Ayes: Councilmen: Bates, Burge, Neece, Stanley, Mayor Shannon  
Noes: Councilmen: None  
Absent: Councilmen: None

11 IN THE MATTER OF REQUEST CANCELLATION OF TAXES ON LOT 64 SUNSET ACRES

Commissioner Bates introduced

RESOLUTION NO. 5273-N.S.

authorizing the City Clerk to request the County of Stanislaus and the Modesto Irrigation District to cancel all taxes on lot 64 of the First Addition to Sunset Acres now owned by the City of Modesto and recently purchased from Lora Lewis, which resolution was regularly adopted by the following vote:  
Ayes: Councilmen: Bates, Burge, Neece, Stanley, Mayor Shannon  
Noes: Councilmen: None  
Absent: Councilmen: None

12 IN THE MATTER OF AUDITOR AUTHORIZED TO PAY SALARY TO EMPLOYEES

Commissioner Stanley introduced

RESOLUTION NO. 5274-N.S.

authorizing the auditor to pay salary to newly appointed employees in the Police Department, H. Gorman and Larned Case, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

13  
IN THE MATTER OF  
ORDINANCE RE:  
CONSTRUCTION OF OUT-  
HOUSES

Commissioner Stanley introduced an ordinance being  
ORDINANCE NO. 657-N.S.

entitled: "AN ORDINANCE PERTAINING TO THE CONSTRUCTION AND MAINTENANCE OF outhouses and to safeguard the public health by preventing the spread of disease and the existence of sources of contamination", 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: Bates, Burge, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

14  
IN THE MATTER OF  
ORDINANCE RE: REGULA-  
TION OF MILK DISTRIBUTION

Commissioner Stanley introduced an ordinance, being  
ORDINANCE NO. 658-N.S.

entitled: "AN ORDINANCE PROVIDING A DAIRY AND MILK INSPECTION DIVISION FOR THE INSPECTION OF MILK, MILK PRODUCTS, DAIRIES AND DAIRY HERDS AND OF PLACES WHERE MILK OR MILK PRODUCTS ARE PRODUCED, HANDLED OR SOLD, AND REGULATING THE SALE, POSSESSION AND HANDLING OF MILK AND MILK PRODUCTS IN THE CITY OF MODESTO, AND PROVIDING FOR INSPECTION FEES AND PENALTIES FOR VIOLATIONS OF THE PROVISIONS 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: Bates, Burge, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

15  
IN THE MATTER OF  
FINAL ADOPTION  
ORD. NO. 655-N.S.  
INTERIM ZONING  
ORDINANCE

Ordinance No. 655-N.S. having been heretofore introduced and ordered printed and published at the regular meeting of May 14, 1941 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: Bates, Neece, Stanley, Mayor Shannon

Noes: Councilmen: Burge

Absent: Councilmen: None

16  
IN THE MATTER OF  
APPOINT FRANK J.  
ROSSI AS COSPONSOR'S  
AGENT ON RECREATION  
PROJECTS

Commissioner Neece introduced  
RESOLUTION NO. 5275-N.S.

appointing the City Engineer, Frank J. Rossi, as authorized agent for the cosponsors to sign all Works Projects Administration Recreation Projects, sponsored by the Modesto Recreation Commission, which resolution was regularly adopted by the following vote:

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

Noes; Councilmen: None

Absent: Councilmen: None

17  
IN THE MATTER OF  
ADJOURNMENT

Commissioner Bates introduced

RESOLUTION NO. 5276-N.S.

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

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST *Charles J. Blum* City Clerk

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Special Council Meeting

May 29, 1941

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. 602-N.S.

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

Absent: Councilmen: None

1  
IN THE MATTER OF  
APPROVAL OF AGREEMENT  
WITH HAWKE CROP DUSTING  
COMPANY FOR RENTAL OF  
HANGAR

Commissioner Bates introduced

RESOLUTION NO. 5277-N.S.

approving agreement as prepared by City Attorney for the rental of Municipal hangar to E. R. Hawke doing business as Hawke Crop Dusting Company for a term of one year with a renewal option, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

2  
IN THE MATTER OF  
DONATION TO JULY  
FOURTH CELEBRATION

Commissioner Neece introduced

RESOLUTION NO. 5278-N.S.

granting donation of \$250.00 to the Stanislaus County Fourth of July Committee and authorized the Auditor and City Clerk to draw warrant payable to Henry Zimmerman, Secretary and Treasurer of Committee, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

3  
IN THE MATTER OF  
ADJOURNMENT

Commissioner Neece introduced

RESOLUTION NO. 5279-N.S.

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

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST *Charles J. Blum* City Clerk

Special Council Meeting

June 4, 1941

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. 602-N.S.

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

Absent: Councilmen: None

IN THE MATTER OF APPROVAL OF AGREEMENT WITH M.I.D.

Whereas it is deemed to the advantage of the City of Modesto that said city enter into a contract with the

Modesto Irrigation District to fill in and cover a certain lateral belonging to said Modesto Irrigation District and which is situate adjoining the Modesto Municipal Airport; and

Whereas, such a procedure required installing certain pipe and pipe lines adjacent to and in the vicinity of said airport; Commissioner Bates introduced

RESOLUTION NO. 5280-N.S.

recommending that the city enter a contract with said Modesto Irrigation District to affect the intentions of the City Council of Modesto in this regard and the Mayor of said City is hereby empowered and ordered to execute such a contract and said contract as so executed, dated June 4th, 1941 is hereby approved by the Council of the City of Modesto, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF PETITION CITY BUILD BUILDING FOR USE CHILDREN AT MAZE-WREN PARK

A petition was filed with the Council requesting the City Council to provide a suitable structure for the use of the pre-school children in connection with

their activities at Maze-Wren Park. This was referred to the City Engineer and Commissioner Neece.

IN THE MATTER OF PETITION BUILD FIVE RESIDENCES-ELIZABETH HYMAN

A petition was placed on file with the Council by Elizabeth Hyman to build five residences on Block 468, lots 9, 10, 11 and 12 in the City of Modesto. This was referred to the Planning Commission for investigation and report.

IN THE MATTER OF ADJOURNMENT

Commissioner Stanley introduced

RESOLUTION NO. 5281-N.S.

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

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST *Charles J. Blum* CITY CLERK

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Council Meeting

June 11, 1941

The Council of the City of Modesto met in regular session this date at 7:30 P.M. as provided by Section 2 of Ordinance No. 2-N.S. as amended by Ordinance No. 602-N.S.

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

Absent: Councilmen: None

1 IN THE MATTER OF MINUTES

The minutes of the regular meeting of May 28, and the special meetings of May 23, and May 29, 1941 having been read by each Councilman were approved as so read.

2 IN THE MATTER OF CLAIMS FOR MONTH OF MAY, 1941

Claims against the City of Modesto for the month of May, 1941, having been heretofore audited by the Council and found to be correct, Commissioner Neece introduced

RESOLUTION NO. 5282-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-----	\$27,988.57
WATER FUND-----	4,941 87
LIBRARY FUND-----	1,624.11
BOND. RED. INT. FUND-----	18.75
ST. BOND RED. INT. FUND-----	--
UNAPPORTIONED FUND-----	--
SPECIAL GAS TAX FUND-----	670.46
	<u>\$35,243 76</u>

which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

3 IN THE MATTER OF COMMUNICATIONS

A letter from the State Compensation Insurance Fund regarding accident loss under the compensation policy for the fiscal year was read and ordered filed.

4 A communication from the First Methodist Church regarding the rate charged by the City of Modesto for water used in the swimming pool of the Presbyterian Church was read and ordered filed.

5 A communication from the Salvation Army regarding donation was read and ordered filed.

6 IN THE MATTER OF CHANGE IN ROUTE MODESTO MOTOR BUS

Whereas Willis M. Kleinenbroich has filed an amended bus route as granted by Resolution No.

5270-N.S. adopted May 28, 1941, Commissioner Stanley introduced

RESOLUTION NO. 5283-N.S.

granting permit for change of route as filed with the City Clerk, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

7  
IN THE MATTER OF  
PETITIONS

Petitions were filed with the Council asking them to  
create a Federal Housing Authority.

Petitions were also filed with the Council declaring that  
there is not a need for Federal Housing Authority, as there is not a surplus of unsanitary  
dwellings. No action was taken by the Council.

IN THE MATTER OF  
CHANGE IN SCHEDULE  
OF AIRPORT TRANSIT  
COMPANY-BUS

Whereas application has been filed with the Council for  
change in schedule and permission to add a more continuous  
service to night schedule and to add to Sunday and Holiday  
schedules of the Airport Transit bus, Commissioner Stanley introduced

RESOLUTION NO. 5284-N.S.

granting permit for change in schedule as filed with the office of the City Clerk, which  
resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

9  
IN THE MATTER OF  
REPORT BY PLANNING  
COMMISSION ON BUILD-  
ING HOUSES-ELIZABETH  
HYMAN

Pursuant to filing of petition by Elizabeth Hyman to build  
five houses on Block 468-lots 9,10,11,12 and same having  
been referred to the Planning Commission for investigation,

there was at this time a report filed by the Planning Commission, where upon Commissioner  
Bates introduced

RESOLUTION NO. 5285-N.S.

adopting the findings of the Planning Commission and recommended that the request of Mrs.  
Elizabeth Hyman be rejected, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

10  
IN THE MATTER OF  
CHANGE IN OPTION  
ON LAND WITH L. L.  
DENNETT

Commissioner Bates introduced

RESOLUTION NO. 5286-N.S.

recommending that the City Attorney endeavor to have the  
option with L. L. Dennett et ux for the purchase of 40 acres more or less adjacent to  
the Modesto Municipal Airport changed to permit the city to exercise the option with  
deferred payments, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

11  
IN THE MATTER OF  
BIDS FOR GLOBES  
ASPHALT MIX &  
PATCHING

Commissioner Bates introduced

RESOLUTION NO. 5287-N.S.

authorizing the City Clerk to advertise for bids on  
Incandescent lamps for municipal lighting for the period July 1, 1941 to June 30,  
1942 Inc. in a total amount of approximately \$1100.00, for furnishing approximately  
50 tons of cut back A.C.

For furnishing and placing plant mix hot A.C. in trench cuts and patches

For furnishing approximately 400 tons of Road Oil of SC-2 SC-3 and SC-4 grades  
which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

12 IN THE MATTER OF  
ADVERTISING FOR  
BIDS ON PRINTING  
AND ADVERTISING

Commissioner Neece introduced  
RESOLUTION NO. 5288-N.S.

authorizing the City Clerk to advertise for bids on  
printing and advertising for the year ending June 30, 1942, which resolution was  
regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

13 IN THE MATTER OF  
COSPONSOR'S AGENT  
ON N.Y.A. PROJECTS

Commissioner Bates introduced  
RESOLUTION NO. 5289-N.S.

reappointing Frank J. Rossi, City Engineer as co-sponsor's agent for National Youth  
Administration projects for year ending June 30, 1942, which resolution was regularly  
adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

14 IN THE MATTER OF  
RENEW LEASES WITH  
CIVIL AERONAUTICS  
AUTHORITY

Commissioner Bates introduced  
RESOLUTION NO. 5290-N.S.

recommending that the leases with the Civil Aeronau-  
tics 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 be renewed for the year ending June 30, 1942, which  
resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

15 IN THE MATTER OF  
FINAL ADOPTION OF  
ORD. 656-N.S.  
FIREWORKS

Ordinance No. 656-N.S. having been heretofore intro-  
duced and ordered printed and published at the  
special meeting of May 23, 1941 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: Bates, Burge, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

6 IN THE MATTER OF  
FINAL ADOPTION OF  
ORD. 657-N.S. REGU-  
LATION OF outhouses

Ordinance No. 657-N.S. having been heretofore intro-  
duced and ordered printed and published at the regular  
meeting of May 28, 1941 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: Bates, Burge, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

17 IN THE MATTER OF  
PROTEST TO MILK  
INSPECTION FEE

A written protest was filed by several dairy opera-  
tors to the \$5.00 minimum inspection fee to be  
charged under Ordinance No. 658-N.S. for milk inspection fee and several operators

appeared in person before the Council protesting the minimum inspection fee. No action was taken on protests.

IN THE MATTER OF  
FINAL ADOPTION OF  
ORD. NO. 658-N.S.  
MILK REGULATION

Ordinance No. 658-N.S. having been heretofore introduced and ordered printed and published at the regular meeting of May 28, 1941 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: Bates, Burge, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF  
DEPARTMENTAL REPORTS

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

IN THE MATTER OF  
ADJOURNMENT

Commissioner Neece introduced  
RESOLUTION NO. 5291-N.S.

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

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST *Elmer J. Blum* CITY CLERK

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Council Meeting

June 18, 1941

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: Bates, Burge, Neece, Stanley, Mayor Shannon

Absent: Councilmen: None

IN THE MATTER OF  
DONATION TO CHAMBER  
OF COMMERCE

Commissioner Neece introduced  
RESOLUTION NO. 5292-N.S.

allowing claim of \$200.00 to the Chamber of Commerce as provided by provisions of Ordinance No. 634-N.S. and authorized the City Clerk and Auditor to draw warrant in payment, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF  
CLAIM FOR DAMAGE  
TO CAR-HOMER BROWN

A claim was filed by Homer Brown of \$5.00 for labor removing tar from his Plymouth Sedan, which was damaged while parked on Fifth Street, near I Street about June 6, 1941, while the City employees were putting tar on intersection of Fifth & I Streets. This matter was referred to the City Engineer.

IN THE MATTER OF  
APPLICATION FOR PER-  
MIT FOR PUBLIC FIRE-  
WORKS DISPLAY

Commissioner Stanley introduced  
RESOLUTION NO. 5293-N.S.  
recommending that permit be granted to the Stanislaus

County Citizens Fourth of July Committee to hold a public fireworks display at the Junior College Grounds on July 4, 1941 which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

4  
IN THE MATTER OF  
APPROVE AGREEMENT  
FOR  $\frac{1}{4}$  GAS TAX FUND  
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  $\frac{1}{4}$  Gas Tax for the fiscal year 1942 allocated for streets of Major Importance other than 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 Bates introduced

RESOLUTION NO. 5294-N.S.

resolving that said project statement be and it is hereby adopted as the budget of proposed expenditures of the  $\frac{1}{4}$  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 City Clerk are directed to sign the same on behalf of said city, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

5  
IN THE MATTER OF  
CANCEL TAXES ON  
PORTION BLOCK 200  
DEEDED TO CITY BY  
R. G. BENSON ET UX

Whereas, pursuant to the City of Modesto accepting quitclaim deed from Robert G. Benson et ux on south 14 feet of the west half of lot 23 in Block 200 of the City of Modesto, and pursuant to agreement to cancel all city taxes now due and owing on Block 200 S 14', Commissioner Bates introduced

RESOLUTION NO 5295-N.S.

recommending that the current city taxes for year 1940-41 and tax sales Nos. 6002, 6285, 6530 and 6806 on said property be and they are hereby cancelled and the City Clerk is authorized to send certified copy of Resolution to the County Recorder, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

6  
IN THE MATTER OF  
PETITION TO BUILD  
FOUR APARTMENTS AT  
412 FAIRVIEW AVENUE

Pursuant to petition filed with the City Council by George McCoy to removal a dwelling house located at 412 Fairview Avenue into a four unit apartment house, Commissioner Bates introduced

RESOLUTION NO. 5296-N.S.

recommending that this matter be turned over to the Planning Commission for investigation, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

7  
IN THE MATTER OF  
CONTRACT ON DENNETT  
PROPERTY

Pursuant to Resolution No. 5286-N.S. adopted at regular meeting of Council on June 11, 1941, City

Attorney reported that L. L. Dennett, owner of property under option of sale to the City of Modesto has agreed to accept a contract of sale with deferred payment on the property payment to be made during October, 1941.

4  
IN THE MATTER OF  
ESGAR TRACT

Whereas it appears that two maps have been filed relating to Esgar Subdivision in the City of

Modesto, and whereas it appears that said maps conflict as to the location of certain streets, Commissioner Bates introduced

RESOLUTION NO. S.P. 797  
RESOLUTION OF INTENTION NO. 231

recommending that the City of Modesto proceed with the closing of Esgar Avenue and a certain alley running from Esgar Avenue to Hunter Street, as it appears on original map, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

9  
IN THE MATTER OF  
ADJOURNMENT

Commissioner Neece introduced

RESOLUTION NO. 5297-N.S.

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

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST *Elmer J. Blum* CITY CLERK

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Council Meeting

June 25, 1941

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: Bates, Burge, Neece, Stanley, Mayor Shannon

Absent: Councilmen: None

1  
IN THE MATTER OF  
MINUTES

The minutes of the regular meeting of June 11, 1941 and of the special meetings of June 4 and 18th having been read by each Councilman were approved as so read.

2  
IN THE MATTER OF  
CLAIMS

A claim of \$44.72 was filed with the Council by John J. Ahearn for loss of personal property by fire caused by burning grass on adjacent lot. This claim was referred to the City Attorney for investigation.

3  
Pursuant to referring of \$5.00 claim for damage to car owned by Homer Brown to the City Engineer for investigation, and whereas he reports at this time that claim should be denied, Commissioner Bates introduced

RESOLUTION NO. 5298-N.S.

denying claim as presented by Homer Brown for damage to car, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

4  
IN THE MATTER OF  
COMMUNICATIONS

A communication from the legal department of the State of California regarding the regional schools to be conducted under the joint sponsorship of the State Council for Civilian Defense, The Federal Bureau of Investigation and the office of the State Attorney General for training of Peace Officers, was read and ordered filed.

5  
IN THE MATTER OF  
PARKING ON K STREET  
BETWEEN 11TH & 12TH  
STREETS

Request was filed with the City Council by Mrs. H.E. Ayres for either one or two hour parking on the south side of K Street between 11th & 12th Street in front of her home. This matter was referred to the City Engineer and Chief of Police for investigation.

6  
IN THE MATTER OF  
COMMUNICATION FROM  
THE LEAGUE OF CALIF-  
ORNIA CITIES

A communication from Richard Graves, Executive Secretary of the League of California Cities regarding survey of local government administration in California was read and ordered filed.

7  
IN THE MATTER OF  
PROTEST TO ESTAB-  
LISHMENT OF FUNERAL  
PARLORS AT H AND  
HIGH STREETS

A protest was filed by property owners near H and High Streets to the establishment of a Funeral Parlor at that location. They were advised this district had been zoned for business in 1935 and the Council could take no action.

8  
IN THE MATTER OF  
BIDS ON LAMP GLOBES  
ASPHALT MIX AND ROAD  
OIL

Pursuant to advertising for bids on Incandescent lamps for municipal lighting, 50 tons of cut back A.C., road oil and for furnishing and placing plant mix hot A. C. in trench cuts and patches, and whereas the City Clerk reports a number of bids received, Commissioner Bates introduced

RESOLUTION NO. 5299-N.S.

referring bids to the City Engineer and Commissioner of Public Supplies for tabulation and recommendation, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

9  
IN THE MATTER OF  
BIDS ON ADVERTISING  
& PRINTING FOR YEAR  
ENDING JUNE 30, 1942

Pursuant to advertising for bids on the official printing and advertising for the fiscal year ending June 30, 1942, the City Clerk reported one bid received, whereupon Commissioner Burge introduced

RESOLUTION NO. 5300-N.S.

recommending that bid be awarded to the Modesto Bee as they are a responsible bidder, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

10  
IN THE MATTER OF  
PAYMENT ON CITY  
HALL SITE

Commissioner Neece introduced

RESOLUTION NO. 5301-N.S.

authorizing the City Clerk and Auditor to draw warrant in amount \$4645.09 as final

payment to the Modesto Building & Loan Company on Block 131, lots 29, 30, 31, 32,

which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

11  
IN THE MATTER OF  
EXTENSION OF TIME  
TO DELIVER DEED ON  
PORTION BLOCK 812  
E. C. MELROSE

Commissioner Bates introduced

RESOLUTION NO. 5302-N.S.

extending time for delivery of deed to the City of

Modesto by E. C. Melrose on portion of Block 812, 30 days from this date, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

12  
IN THE MATTER OF  
RIGHT OF WAY ON  
VIRGINIA AVENUE  
FOR PIPE LINE FROM  
TIDEWATER SOUTHERN  
RAILWAY CO.

Whereas the Tidewater Southern Railway Company has consented to grant to the City of Modesto a license to install certain pipes on property belonging to said railway company and whereas it is the understanding of

the Council that no consideration need be paid for such privilege, Commissioner Bates introduced

RESOLUTION NO. 5303-N.S.

recommending that the City of Modesto enter into said license agreement with said Tidewater Southern Railway Company and the Mayor and Auditor of the City of Modesto are hereby empowered to sign said license agreement dated June 25, 1941, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

13  
IN THE MATTER OF  
REAPPOINTMENT OF  
ROY PACK ON LIBRARY  
BOARD

Whereas the term of Roy Pack on the Library Board of Trustees expires on July 1, 1941, Commissioner Neece introduced

RESOLUTION NO. 5304-N.S.

reappointing Roy Pack to the Library Board for a new term of four years from July 1, 1941, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

14  
IN THE MATTER OF  
STOP SIGNS AT FIFTH  
AND WASHINGTON STREETS

Commissioner Stanley introduced

RESOLUTION NO. 5305-N.S.

establishing three stop signs at Washington Street, L. Street and Fifth Streets, two signs to be placed on Washington Street and one on Fifth Street at Washington Street, as provided by Ordinance No 558-N.S., which resolution was regularly adopted by the following vote:

AYES; Councilmen: Bates, Burge, Neece, Stanley, Mayor Shannon

Noes: Councilman: None

Absent: Councilmen: None

15  
IN THE MATTER OF  
LEASE ON PORTION  
AIRPORT TO U.S.  
WAR DEPARTMENT

Notice of Exercise of Option from the United States  
War Department for rental of portion of Modesto  
Municipal Airport as provided in option agreement

with the City of Modesto, dated April 14, 1941 for the period of June 28, 1941 to  
July 7, 1941 was received and ordered filed.

16  
IN THE MATTER OF  
TRANSFER OF \$25,000  
FROM WATER FUND TO  
GENERAL FUND

Commissioner Neece introduced  
RESOLUTION NO. 5306-N.S.

transferring \$25,000 from the Water Fund to the  
General Fund of the City of Modesto and the City Auditor was directed to make the  
necessary entries on his records, which resolution was regularly adopted by the  
following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

17  
IN THE MATTER OF  
CITY ENTER CONTRACT  
PURCHASE OF TAX DEED  
LAND

Commissioner Neece introduced  
RESOLUTION NO. 5307-N.S.

authorizing the City of Modesto to enter into a contract with the Stanislaus County  
for the purchase of tax deed lands in the City of Modesto and the Mayor and Auditor  
are hereby appointed signatory officials, which resolution was regularly adopted by  
the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

18  
IN THE MATTER OF  
ATTORNEY WRITE  
GOVERNOR RE: ASSEM-  
BLY BILL 2573-TRAFFIC FINE

Commissioner Bates introduced  
RESOLUTION NO. 5308-N.S.

recommending that the City Attorney communicate with Governor Olson asking him to  
approve Assembly Bill 2573 relative to the disposition of traffic fines, which re-  
solution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

19  
IN THE MATTER OF  
AUTHORIZE A. O.  
CARLEY SIGN REQUI-  
SITIONS

Commissioner Bates introduced  
RESOLUTION NO. 5309-N.S.

authorizing A. O. Carley of the City Engineer's  
office to sign requisitions for the Public Works Department for a period of 35 days  
from this date during the absence of Assistant City Engineer Mason, which resolution  
was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

20  
IN THE MATTER OF  
REQUEST FOR ADDI-  
TIONAL POLICEMEN

Stanley Peterson appeared before the Council and  
requested that additional policemen be added to  
the Police Department for the coming fiscal year.

21  
IN THE MATTER OF  
AUTHORIZE FIRE  
CHIEF ISSUE PERMITS  
TO SELL FIREWORKS

Commissioner Stanley introduced  
RESOLUTION NO. 5310-N.S.

authorizing Geo. E. Wallace, Chief of the Modesto

Fire Department to inspect premises where fireworks are to be sold and to issue permits to persons who wish to sell fireworks, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF  
ADJOURNMENT

Commissioner Bates introduced  
RESOLUTION NO. 5311-N.S.

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

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST *Elmer J. Blum* CITY CLERK

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Special Council Meeting

July 2, 1941

The Council of the City of Modesto met in special session this date at 4:00 P.M. as provided by Ordinance No. 604-N.S.

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

Absent: Councilmen: None

IN THE MATTER OF  
AUTHORIZE PAYMENT  
OF SALARY TO CLARA  
VARAIN

Commissioner Neece introduced  
RESOLUTION NO. 5312-N.S.

authorizing the City Auditor to pay salary of \$85.00 per month of Clara Varain recently appointed stenographer-Clerk in the Treasurer & Collector's Department, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF  
ORD. RE: AMEND ORD.  
658-N.S. MILK RE-  
GULATION

Commissioner Stanley introduced an ordinance being  
ORDINANCE NO. 659-N.S.

entitled; "AN ORDINANCE AMENDING SUBDIVISION B OF SECTION 5 OF ORDINANCE NO. 658-N.S. OF THE CITY OF MODESTO (MILK 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: Bates, Burge, Neece, Stanley, and Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF  
RECORD RECONVEYANCE  
DEED ON CITY HALL  
SITE

Commissioner Bates introduced  
RESOLUTION NO. 5313-N.S.

authorizing the City Clerk to record deed of reconveyance received from the Modesto Holding Company on lots 28, 29, 30, 31, 32 in Block 121 purchased by the City of Modesto, with the County Recorder, which resolution was re-

gularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF  
AUTHORIZE PAYMENT  
L. L. DENNETT ON  
AIRPORT PROPERTY

Commissioner Bates introduced

RESOLUTION NO. 5314-N.S.

authorizing the City Attorney to prepare contract with L. L. Dennett on property adjoining the airport for delivery of deed, subject to survey upon payment to said L. L. Dennett of \$1000, with final payment on October 30, 1941 and appointing the Mayor and Auditor as signatory official, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF  
ACCEPT MAP OF LI-  
BERTY PARK TRACT

Commissioner Bates introduced

RESOLUTION NO. 5315-N.S.

accepting map of Liberty Park Tract, which is that land bounded on the north by the northern city limits, on the east by Virginia Avenue on the west by Southern Campus Tract and on the south by Coldwell Avenue and authorizing the Mayor and Clerk to sign said map, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF  
TWO HOUR PARKING  
ON K STREET BETWEEN  
ELEVENTH & TWELFTH  
STREETS

Commissioner Stanley introduced

RESOLUTION NO. 5316-N.S.

establishing two hour parking on both sides of K Street between Eleventh and Twelfth Streets, as provided by Ordinance No. 544-N.S. and directing the City Engineer to establish the proper traffic signs, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF  
PROTEST TO WHOLE-  
SALE PRODUCE LICENSE

J. H. King and George Mellis, appeared in behalf of Mellis

Brothers protesting to the \$75.00 fee charged for wholesale license to sell produce in the City of Modesto to restaurant operators, as set forth in Ordinance No. 467-N.S. No action was taken by the Council.

IN THE MATTER OF  
TRUCK OPERATORS

Fred Peterson and a number of truck operators appeared before the Council in regard to driving their milk trucks to

their homes off the truck route, as set forth in Ordinance No. 644-N.S. City Attorney Fowler was authorized to confer with the truck owners to see if anything could be worked out.

IN THE MATTER OF  
AWARD BIDS ON  
INCANDESCENT LAMPS

Commissioner Burge, introduced

RESOLUTION NO. 5317-N.S.

awarding bid on incandescent lamps to Wille Electric Company at list price, less 33 1/3% for the year 1941-42, as being the lowest and best bid, and authorizing the City Clerk to return bidding checks to unsuccessful bidders and authorizing the entering into a contract with said Wille Electric Company for the furnishing of

incandescent lamps which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

10 IN THE MATTER OF  
AWARD BIDS ON HOT  
A. C. IN TRENCH CUTS  
AND PATCHES

Commissioner Burge introduced  
RESOLUTION NO. 5318-N.S.

awarding bid for furnishing and placing plant mix hot A.C. in trench cuts and patches for the year 1941-42 and for furnishing approximately 50 tons of cut back A.C. to S.M. McGaw and authorizing the Mayor and Auditor to sign contract for the furnishing of said materials, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF  
AWARD BID ON ROAD  
OIL

Commissioner Burge introduced  
RESOLUTION NO. 5319-N.S.

awarding bid for furnishing approximately 400 tons of Road Oil of SC-2 SC-3 or SC-4 grades to the Standard Oil Company and authorizing the Mayor and Auditor as signatory officials on the contract and directing the City Clerk to return the bidding checks to unsuccessful bidders, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF  
ADJOURNMENT

Commissioner Bates introduced  
RESOLUTION NO. 5320-N.S.

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

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST  ELMER J. BLUM, CITY CLERK

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REGULAR COUNCIL MEETING

July 9, 1941

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: Bates, Burge, Neece, Stanley, Mayor Shannon

Absent: Councilmen: None

IN THE MATTER OF  
APPROVAL OF MINUTES

The minutes of the regular meeting of June 25, 1941 having been read by each Councilman were approved as so read.

IN THE MATTER OF  
CLAIMS FOR MONTH  
OF JUNE, 1941

Claims against the City of Modesto for the month of June, 1941 having been heretofore audited by the Council and found to be correct, Commissioner Burge introduced

RESOLUTION NO. 5321-N.S.

ordering that all of the said claims so audited and approved be and the same are hereby

allowed, with reference being made to the Auditor's Cash Record for further details relative to the amounts of withdrawals from the various funds as follows:

GENERAL FUND-----	\$34,415.46
WATER FUND-----	6,436.39
LIBRARY FUND-----	1,785.56
BOND RED. INT. FUND-----	572.51
ST. BOND RED. INT. FUND-----	
SPECIAL GAS TAX FUND-----	<u>119.73</u>
TOTAL	\$43,329.65

which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

3 IN THE MATTER OF  
COMMUNICATIONS

A letter from the Sonora City Council regarding the League of California Cities meeting to be held on Saturday, July 19, 1941 was read and ordered filed.

4 A letter from the California State Council of Defense was referred to the City Attorney and Chief of Police.

5 IN THE MATTER OF  
PETITION OPERATE  
BUSINESS IN RESI-  
DENCE ZONE

Whereas pursuant to the filing of petition with the Council by A. B. Hart to conduct a floral shop on property known as 130 Hackberry Street, being lots 3 and 4 in Block 527 in the

City of Modesto and it appearing from affidavits on file that a notice setting forth the time for hearing any and all protests to the granting of the petition as prayed for, and this being the time set forth, whereupon Commissioner Bates introduced

RESOLUTION NO. 5322-N.S.

referring this matter to the Planning Commission for investigation and recommendation as provided by Interim Zoning Ordinance No. 655-N.S. which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

6 IN THE MATTER OF  
GRANT MODESTO INTER-  
URBAN RAILWAY & TIDE-  
WATER SOUTHERN RAILWAY CO.  
PERMIT FOR SPUR TRACT  
ACROSS E STREET

Pursuant to the filing of petition with the Council by the Modesto Interurban Railway and Tidewater Southern Railway Company for the laying down of a spur tract across E Street Commissioner Bates introduced

RESOLUTION NO. 5323-N.S.

granting permit upon the following express conditions, for a violation of which the permit may be revoked:

- a. All of the conditions specified in subdivision 60, Section 4 Article III of the Charter of the City of Modesto are made a part of this permit.
- b. The permittee shall maintain the paving and roadbed on said E Street where said track crosses E Street and between the rails of said track and for a distance of two feet on the outside of each rail in good order and repair at its own cost and expense and the rails of said track shall be laid flush with the pavement now in place.
- c. The permittee shall make adequate provisions to warn and protect traffic on E Street from danger resulting from the use of said spur track or the operation of cars thereon and shall at all times so use said spur tract and so operate its cars thereon as not to delay, impede or interfere with traffic on E Street.

d. That this permit shall not be carried upon the books of the permittee or its assigns or successors as a physical asset nor as an asset having any physical value.

e. That the said track shall be installed according to the directions and under the supervision of the City Engineer of the City of Modesto. This permit shall be revocable at the pleasure of the City Council in accordance with the terms of the Charter.

which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF  
GRANT PERMIT ARCHIE  
H. NEY OPERATE AUTO  
WRECKING LOT

Commissioner Bates introduced

RESOLUTION NO. 5324-N.S.

granting permit to Archie H. Ney to operate an auto wrecking

lot as provided by Ordinance No. 501-N.S. at the corner of Seventh and F Streets,

which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF  
ACCEPT DEED ON PRO-  
PERTY IN JOHN MUIR PARK

Commissioner Bates introduced

RESOLUTION NO. 5325-N.S.

accepting deed from Harold Herron et ux on Blocks 629 and 640A of the John Muir Park and on Block 614A from Malin T. Langstroth et ux and ordering the recording of same with the Stanislaus County Recorder, said property to be used for public parks, except a portion of Block 629 may be used for municipal water pumping plant purposes, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF  
ORD. APPROPRIATE  
MONEY FOR POLICE  
CAR

Commissioner Stanley introduced

ORDINANCE NO. 660-N.S.

entitled: "AN ORDINANCE APPROPRIATING MONEY FOR THE PURCHASE OF AN AUTOMOBILE FOR THE POLICE DEPARTMENT OF THE CITY OF MODESTO" and moved its adoption and passage to print and publish, which motion being duly seconded, it was upon roll call carried and the ordinance ordered published as above by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF  
ORD. APPROPRIATE  
MONEY FOR PURCHASE  
DENNETT PROPERTY

Commissioner Bates introduced an ordinance being

ORDINANCE NO. 661-N.S.

entitled: "AN ORDINANCE APPROPRIATING MONEY FOR THE PURCHASE OF LAND BY THE CITY OF MODESTO", and moved its adoption and passage to print and publish, which motion being duly seconded, it was upon roll call carried and the ordinance ordered published as above by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

11  
IN THE MATTER OF  
FINAL ADOPTION ORD.  
659-N.S. REGULATIONS  
OF MILK

Ordinance No. 659-N.S. having been heretofore introduced  
and ordered printed and published at the special meeting  
of July 2, 1941 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: Bates, Burge, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

12  
IN THE MATTER OF  
ADVERTISE FOR BIDS  
ON POLICE AUTO

Commissioner Stanley introduced  
RESOLUTION NO. 5326-N.S.

authorizing the City Clerk to advertise for bids on one 4 door Sedan, 141 model for  
the Police Department, said automobile to be complete with standard equipment and  
40 amp. heavy duty generator positive ground on car, the cost of the automobile  
delivered f.o.b. Modesto, including sales tax shall not exceed the trade-in allowance  
on the City's 1937 model Studebaker 6 Commander 4 door sedan and \$1000.00, bids to  
be opened at 7:30 P.M. July 23, 1941 at the City Hall, which resolution was regularly  
adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

13  
IN THE MATTER OF  
RESIGNATION OF  
KENNETH W. WALLACE

Whereas, pursuant to the fact that Kenneth W. Wallace has  
offered his resignation from the Modesto Fire Department  
to enter the United States Army, Commissioner Stanley introduced

RESOLUTION NO. 5327-N.S.

accepting resignation of said Kenneth W. Wallace and commending him for his service  
while he was a member of said Fire Department and for the service he is now render-  
ing the armed forces of the United States, which resolution was regularly adopted  
by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

14  
IN THE MATTER OF  
REPORTS FOR THE  
MONTH OF JUNE

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

15  
IN THE MATTER OF  
GRANT PERMIT POLICE  
CHIEF TO HIRE  
E. H. HARRYMAN

Whereas, pursuant to the request of Chief Arington of the  
Police Department for permission to continue employing  
Eugene H. Harryman as special police because of the fact  
there is no available list of applicants for patrolman and to meet the requirements  
of Sec. 7 of Ord. 602-N.S., Commissioner Stanley introduced

RESOLUTION NO. 5328-N.S.

granting permission to employ Eugene H. Harryman on the Police Department as Special  
Police until such a time as an eligible list is available, which resolution was regu-  
larly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

16  
IN THE MATTER OF  
FIRE PROTECTION TO  
PACIFIC CAN COMPANY

Commissioner Stanley introduced  
RESOLUTION NO. 5329-N.S.

authorizing the entering into a contract for fire protection with the Pacific Can Company and directing the City Attorney to draw up contract as per terms set forth in Resolution No. 5053-N.S. and the Mayor and City Clerk are hereby appointed signatory officials which resolution was regularly adopted by the following vote:  
Ayes: Councilmen: Bates, Burge, Neece, Stanley, Mayor Shannon  
Noes: Councilmen: None  
Absent; Councilmen: None

IN THE MATTER OF Commissioner Burge introduced  
ADJOURNMENT RESOLUTION NO. 5330-N.S.

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

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

ATTEST  ELMER J. BLUM, CITY CLERK

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Special Council Meeting

July 16, 1941

The Council of the City of Modesto met in special session this date at 4:00 P.M. as provided by section 2 of Ordinance No. 2-N.S.

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

IN THE MATTER OF Commissioner Bates introduced  
CONTRACT WITH L. L. DENNETT ON AIRPORT PROPERTY RESOLUTION NO. 5331-N.S.

rescinding Resolution No. 5314-N.S. adopted on July 2, 1941 and recommending that new agreement be drawn up with L. L. Dennett, providing for delivery of deed to the City of Modesto on property adjacent to airport upon payment of \$1500.00 with final payment on October 30, 1941 and authorizing the Mayor and Auditor as signatory officials, which resolution was regularly adopted by the following vote:

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

IN THE MATTER OF Commissioner Neece introduced  
CONTRACT WITH M.I.D. ON TAX DEED LAND RESOLUTION NO. 5332-N.S.

authorizing the entering into an agreement with the Modesto Irrigation District for the purchase of tax deed lands in the City of Modesto and the Mayor and Auditor are hereby appointed signatory officials, which resolution was regularly adopted by the following vote:

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

IN THE MATTER OF The matter of the City of Modesto employing life guards  
EMPLOYMENT OF LIFE at Legion Park was referred to the City Attorney to make  
GUARD AT LEGION PARK an investigation and to report back at the next meeting.

Commissioner Stanley was given permission to leave the Council meeting at this time.

4  
IN THE MATTER OF  
MEMO OF AGREEMENT  
ON ~~1/2~~ GAS TAX FUNDS  
ON HIGHWAYS

Whereas the State of California has presented a memorandum of agreement in accordance with a project statement submitted by the City for expenditure of the ~~1/2~~ gas tax for the 1941-43 biennium allocated for State Highways in the City of Modesto, Commissioner Bates introduced

RESOLUTION NO. 5333-N.S.

recommending that the City Council approve said agreement and the Mayor and City Clerk directed to sign the same on behalf of the said city, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: Stanley

5  
IN THE MATTER OF  
LETTER FROM ARMY

A communication from the Headquarters Ninth Army Corps at Fort Lewis, Washington expressing their appreciation for the reception given them on their recent stop over in Modesto from the Hunter-Liggett Military Reservation, was read and ordered filed.

6  
IN THE MATTER OF  
AUTHORIZE PAYMENT  
PREMIUM ON COMPEN-  
SATION POLICY

Commissioner Neece introduced

RESOLUTION NO. 5334-N.S.

authorizing payment of compensation premium of \$4858.46 for year ending June 30, 1942 and directing the Auditor and City Clerk to draw warrant in payment, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: Stanley

7  
IN THE MATTER OF  
REPORT OF PLANNING  
COMMISSION ON A. B.  
HART PETITION

Pursuant to referring of petition of A. B. Hart to operate a floral shop and ambulance service at 130 Hackberry Street to the Planning Commission for investigation, and whereas at this time they recommend that petition be granted under conditions set forth in their report as follows:

1-That the applicant be allowed to enclose the existing front porch with glass.

2-That a provision that no extension of the business be made closer to the street line than now exists.

3-That no additions be made to the existing buildings for the purposes of the business requested

whereupon Commissioner Bates introduced

RESOLUTION NO. 5335-N.S.

recommending that report of the Planning Commission be accepted and permit be granted to A. B. Hart to operate a business in a resident district and to remodel house as set forth in report of the Planning Commissioner, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: Stanley

8  
IN THE MATTER OF  
REPORT PLANNING  
COMMISSION ON REQUEST  
OF GEORGE MCCOY REMODEL  
DWELLING HOUSE

Pursuant to request of George McCoy to remodel dwelling at 412 Fairview Avenue to make four apartments and whereas same was referred to the Planning Commission for investigation and whereas at this time they report that they have interviewed Mr. McCoy and

after due consideration he has requested that his application be withdrawn. By order of the Council petition to withdraw request was granted as recommended by the Planning Commission.

IN THE MATTER OF  
DEPOT FOR ALUMINUM

Pursuant to request of the California State Council of Defense, Mayor Shannon designated the Electrical Shop of the City of Modesto located on 8th Street between K and L Streets as the central depot for the collection of old aluminum to be used in the Defense program.

IN THE MATTER OF  
COMMUNICATION AIR  
CORPS BASIS FLYING  
SCHOOL

A communication from the Headquarters of the Air Corps Basic Flying School at Moffett Field, California regarding the using of the Municipal Airport during the week of July 21 to July 26 inc and for a period of four days each five weeks until further notification, was read and ordered filed.

IN THE MATTER OF  
ADJOURNMENT

Commissioner Bates introduced  
RESOLUTION NO. 5336-N.S.


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

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

Noes: Councilmen: None

Absent: Councilmen: Stanley

ATTEST

  
CITY CLERK

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Council Meeting

July 23, 1941

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: Bates, Burge, Neece, Stanley, Mayor Shannon

Absent: Councilmen: None

IN THE MATTER OF  
APPROVAL OF MINUTES

The minutes of the regular meeting of July 9, 1941 and special meetings of July 2 and 16, 1941 having been read by each Councilman were approved as so read.

IN THE MATTER OF  
ALLOWING CLAIM OF  
JOHN J. AHEARN

Pursuant to referring claim of \$44.72 of John J. Ahearn for loss of personal property on June 19, 1941 caused by fire while the city employees were burning off adjacent lots to the City Attorney for investigation and recommendation, and whereas the City Attorney reports that the proper amount to be paid under this claim should be \$29.81, Commissioner Stanley introduced

RESOLUTION NO. 5337-N.S.

recommending that the report of the City Attorney be accepted and a check be drawn by the City Auditor and Clerk in the amount of \$29.81, payable to said claimant, John J. Ahearn, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

3 IN THE MATTER OF COMMUNICATIONS A communication from the International Association of Chiefs of Police regarding annual convention to be held in Buffalo, New York, August 18-21, 1941 was read and ordered filed.

4 IN THE MATTER OF COMMUNICATIONS W.P.A. Communication from the Works Projects Administration regarding survey of non-governmental organizations engaged in civilian defense was read and ordered filed.

5 IN THE MATTER OF PETITION TO OPERATE BUSINESS RESIDENCE ZONE Whereas, pursuant to the filing of petition with the Council by Everett McMahan for permit to operate and maintain a well drilling business at 613-14th 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 Ordinance No. 655-N.S. required that all such petitions be turned over to the Planning Commission for investigation, Commissioner Bates introduced  
RESOLUTION NO. 5338-N.S.

referring the petition to the Planning Commission for investigation and recommendation, which resolution was regularly adopted by the following vote:  
Ayes: Councilmen: Bates, Burge, Neece, Stanley, Mayor Shannon  
Noes: Councilmen: None  
Absent: Councilmen: None

6 IN THE MATTER OF OPEN BIDS ON AUTO POLICE DEPARTMENT Pursuant to advertising for bids on 1941 model Sedan for the Police Department and whereas the City Clerk reports a number of bids received, the council proceeded to open all bids. By order of the Council; bids were referred to the City Engineer and Commissioner of Public Supplies for investigation and recommendation.

7 IN THE MATTER OF CLOSING STREETS & ALLEYS IN ESGAR TRACT Whereas the City Council has heretofore passed and adopted a resolution declaring that it is the intention to close Esgar Avenue and that certain alley lying between Esgar Avenue and Hunter Avenue and bordering the rear of lots 10 to 27 inc., as depicted on the map of the Esgar Subdivision as recorded in Volume 11 of Maps at Page 58, Commissioner Bates introduced

RESOLUTION NO. 798-S.P.  
ordering said work and improvement to be done and a deed be delivered to owners of adjacent property, which resolution was regularly adopted by the following vote:  
Ayes: Councilmen: Bates, Burge, Neece, Stanley, Mayor Shannon  
Noes: Councilmen: None  
Absent: Councilmen: None

8 IN THE MATTER OF FINAL ADOPTION OF ORD. NO. 660-N.S. APPROPRIATE MONEY PURCHASE AUTO Ordinance No. 660-N.S., having been heretofore introduced and ordered printed and published at the regular meeting of July 9, 1941 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: Bates, Burge, Neece, Stanley, Mayor Shannon  
noes: Councilmen: None  
Absent: Councilmen: None

9 IN THE MATTER OF FINAL ADOPTION OF ORD. 661-N.S. AP-PROPRIATE MONEY PURCHASE LAND Ordinance No. 661-N.S. having been heretofore introduced and ordered printed and published at the regular meeting

of July 9, 1941 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: Bates, Burge, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF  
ACCEPT DEED FROM  
L. L. DENNETT

Whereas, L. L. Dennett et ux has prepared as grantors, a deed to the City of Modesto, as grantee of 37.28 acres of land in the southwest quarter of section 35 T 3 S. Range 9 E., M.D.B. & M. which deed is dated July 11, 1941 and duly acknowledged by the terms of which said deed said property, situate in the County of Stanislaus, State of California is conveyed to said City of Modesto, Commissioner Bates, introduced

RESOLUTION NO. 5340-N.S.

accepting said deed and the Mayor and Auditor are appointed signatory officials, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF  
ESCROW INSTRUCTIONS  
ON L. L. DENNETT  
PROPERTY

Commissioner Bates introduced

RESOLUTION NO. 5339-N.S.

authorizing the Mayor to sign escrow instructions to the Stanislaus Abstract & Escrow Company on the property being purchased from L. L. Dennett adjacent to the airport, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF  
ORD. RE: LEFT HAND  
TURNS ON TENTH & I  
STREETS

Commissioner Stanley introduced an ordinance being

ORDINANCE NO. 663-N.S.

entitled: "AN ORDINANCE REPEALING ORDINANCE NO. 536-N.S. OF THE CITY OF MODESTO ENTITLED "AN ORDINANCE PROHIBITING LEFT TURNS AT THE INTERSECTION FORMED BY I AND TENTH STREETS IN THE CITY OF MODESTO" and moved its adoption and passage to print and publish which motion being duly seconded, it was upon roll call carried and the ordinance ordered published as above by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF  
WAIVE 1 YEAR RESI-  
DENCE REQUIREMENT  
POLICE & FIRE DEPARTMENT

Commissioner Stanley introduced

RESOLUTION NO. 5341-N.S.

recommending that the classification requirement of one year's residence in the City of Modesto for positions in the Police and Fire Departments be waived during the present emergency, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF  
RESIDENCE REQUIREMENTS

Commissioner Bates introduced

RESOLUTION NO. 5342-N.S.

recommending that all of the City of Modesto employees, except those now living outside of the city limits be required to live within the city limits, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

15 IN THE MATTER OF  
REPORT BY CITY ATTORNEY  
ON EMPLOYMENT OF LIFE  
GUARDS AT LEGION PARK

At this time Attorney Fowler reported on the employment of life guards by the City of Modesto at Legion Park. By order of the Council he was instructed to draft an ordinance prohibiting persons under the age of 15 years from swimming in Legion Park, unless accompanied by guardian and that signs be posted to this effect to relieve the city of liability.

16 IN THE MATTER OF  
REPORT ON DEFENSE  
COUNCIL

City Attorney Fowler reported on an ordinance to be adopted by the City of Modesto, creating a local defense council. No action was taken by the Council and the matter was laid over.

17 IN THE MATTER OF  
AUTHORIZE CLERK TO  
DRAW WARRANT \$1500.00

Commissioner Neece introduced  
RESOLUTION NO. 5343-N.S.

directing the City Auditor and Clerk to draw a warrant for \$1500.00 payable to the Stanislaus Abstract & Escrow Company to be delivered to the said company accompanied by a copy of agreement between L. L. Dennett et ux for the purchase of certain property and the City of Modesto, dated July 22, 1941 and a copy of the resolution of the City of Modesto accepting deed from L. L. Dennett et ux, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

18 IN THE MATTER OF  
HIRE ZELMA GANT  
COPY ORDINANCES

Commissioner Bates introduced  
RESOLUTION NO. 5344-N.S.

authorizing the City Attorney to hire Zelma Gant to copy ordinances to be used in the codification of ordinances of the City of Modesto at a daily wage of \$3.50, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

19 IN THE MATTER OF  
RATE OF \$5.00 for  
WATER AT GYMNASIUM  
AT PRESBYTERIAN  
CHURCH

Commissioner Bates introduced  
RESOLUTION NO. 5345-N.S.

recommending that Resolution No. 5007-N.S. adopted August 28, 1940, entitled: "A RESOLUTION SETTING THE RATE FOR WATER SERVICE AT THE PRESBYTERIAN CHURCH GYMNASIUM AT 1415 EYE STREET AT \$20.00 PER MONTH BEGINNING SEPTEMBER 1, 1940" be and it is hereby cancelled and a new rate of \$5.00 per month beginning September 1, 1941 be established at the Presbyterian Church Gymnasium at 1415 I Street, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

20  
IN THE MATTER OF  
COMMITTEE ON TRUCK  
ROUTES THROUGH CITY

Mayor Shannon appointed a committee of Chief of Police, City Engineer and City Attorney to confer with the truck owners, hotel and hospital operators regarding truck routes through the city.

21  
IN THE MATTER OF  
RESCIND RES. 4942-N.S.  
AND ADOPT NEW SCHEDULE

Commissioner Neece introduced  
RESOLUTION NO 5346-N.S.

rescinding Resolution No. 4942-N.S. entitled : A RESOLUTION ADOPTING CIVIL SERVICE SALARY SCHEDULE FOR THE CITY OF MODESTO" and adopting new civil service salary schedule for the City of Modesto, as set forth in Resolution, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

22  
IN THE MATTER OF  
RESCIND RES. 2192-N.S.  
WAGE SCALE FOR COMMON  
LABOR

Commissioner Bates introduced  
RESOLUTION NO. 5347-N.S.

rescinding Resolution No. 2192-N.S. entitled "A RESOLUTION FIXING A WAGE SCALE TO BE PAID BY THE CITY FOR COMMON LABOR" and adopting a new wage scale for common labor to be paid by the City of Modesto, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

23  
IN THE MATTER OF  
APPOINTMENT OF  
ANNE M. COLLINS

Commissioner Bates introduced  
RESOLUTION NO. 5348-N.S.

appointing Anne M. Collins as Acting Assistant City Clerk, Auditor and Assessor without salary, as of this date, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

24  
IN THE MATTER OF  
APPOINTMENT OF  
CECIL A DAVIS

Commissioner Neece introduced  
RESOLUTION NO. 5349-N.S.

appointing Cecil A. Davis as Acting Assistant Treasurer and Collector without salary as of this date, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

25  
IN THE MATTER OF  
ORD. RE: SALE OF  
CITY PROPERTY

Commissioner Bates introduced an ordinance being  
ORDINANCE NO. 664-N.S.

entitled: "AN ORDINANCE AUTHORIZING THE CONVEYANCE OF CERTAIN 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: Bates, Burge, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

26  
IN THE MATTER OF  
ALLOW \$10.00 TO  
ATTORNEY FOR TRAVEL  
LING EXPENSES

Commissioner Bates introduced  
RESOLUTION NO. 5350-N.S.

allowing \$10.00 to be used by the City Attorney for expenses on trip to Fresno to investigate Telephone Company Franchise with the City of Fresno,

which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

27  
IN THE MATTER OF  
ADOPT BUDGET FOR  
YEAR 1941-42

Pursuant to provisions of Section 48 of the Charter, budget of estimated expenditures of the various departments of the City of Modesto for the fiscal year beginning July 1, 1941 and ending June 30, 1942, 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. 5351-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: Bates, Burge, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

28  
IN THE MATTER OF  
ORD. RE: SALARY OF  
CHIEF OFFICIALS

Commissioner Stanley introduced an ordinance being

ORDINANCE NO. 662-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 Bates, Burge, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

29  
IN THE MATTER OF  
ADJOURNMENT

Commissioner Neece introduced

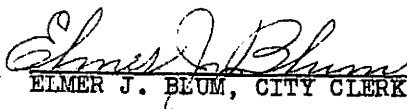
RESOLUTION NO. 5352-N.S.

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

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

Noes: Councilmen: None

Absent: Councilmen: None

  
ATTEST ELMER J. BEUM, CITY CLERK

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Special Council Meeting

July 25, 1941

The Council of the City of Modesto met in special session at 3:30 P.M. this date as provided by section 2 of Ordinance No. 2-N.S.

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

Absent: Councilmen: None

IN THE MATTER OF  
PURCHASE OF AUTO  
FOR POLICE DEPT.

Pursuant to referring of bids to Commissioner Burge and City Engineer Rossi on auto for Police Department for investigation and tabulation, Commissioner Burge introduced

RESOLUTION NO. 5353-N.S.

recommending that a committee be appointed of Commissioner Burge, Engineer Rossi

and Chief Arington to investigate and purchase the Hudson Sedan as set forth in bid of H. S. France for the Police Department, if the car is satisfactory, which resolution was regularly adopted by the following vote:

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

1 IN THE MATTER OF  
AUTHORIZE PAYMENT OF  
OVERTIME WAGES TO  
CLAUDE WALDO

Whereas, Claude Waldo, Assistant Surveyor of the City of Modesto, is required to work additional time during the Works Projects Administration construction project at the

Municipal Airport, Commissioner Bates introduced

RESOLUTION NO. 5354-N.S.

authorizing payment for overtime work at the same rate as his present salary, which resolution was regularly adopted by the following vote:

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

3 IN THE MATTER OF  
ADJOURNMENT

Commissioner Bates introduced

RESOLUTION NO. 5355-N.S.

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

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

ATTEST  CITY CLERK

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SPECIAL COUNCIL MEETING

August 6, 1941

The Council of the City of Modesto met in special session this date at 4:00 P.M. as provided by section 2 of Ordinance No. 2-N.S.

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

4 IN THE MATTER OF  
AGREEMENT WITH STATE  
PERSONNEL BOARD

Commissioner Burge introduced

RESOLUTION NO. 5356-N.S.

approving Amendment to Agreement between the California State Personnel Board and the City of Modesto requiring a minimum charge of \$5.00 for each examination in which 7 or less candidates compete and a charge of 70¢ for each competitor in examinations in which 8 or more candidates compete and for each examination in a classification not comparable to any established by the Board, the actual cost of the preparation of the examination material and authorizing the Mayor to sign said agreements, which resolution was regularly adopted by the following vote:

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

2 IN THE MATTER OF  
ALUMINUM COLLECTION

A communication from the National Defense Aluminum Collection was read and ordered filed.

3 IN THE MATTER OF

Pursuant to request of the Board of Supervisors of Stanislaus

NOMINATION OF MEMBER  
ON COUNTY DEFENSE COUNCIL County, Commissioner Bates introduced

RESOLUTION NO. 5357-N.S.

nominating Commissioner Stanley as a member of the Defense Council of Stanislaus County, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

4 IN THE MATTER OF  
AWARD BID ON AUTO  
FOR POLICE DEPARTMENT

Pursuant to referring of bids to committee on automobiles for

the Police Department Commissioner Bates introduced

RESOLUTION NO. 5358-N.S.

recommending that the bid of H. S. France of \$970.00 for 1941 model DeLuxe Sedan be accepted as being the lowest and best bid and the City Clerk and Auditor be authorized

to draw warrant in payment and to return bidding checks to unsuccessful bidders

which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

5 IN THE MATTER OF  
ORDINANCE RE: APPRO-  
PRIATE MONEY

Commissioner Neece introduced an ordinance, being

ORDINANCE NO. 665-N.S.

entitled: "AN ORDINANCE APPROPRIATING MONEY AND PROVIDING FOR THE PURCHASE OF MATERIALS AND EQUIPMENT FOR THE DEPARTMENT OF PUBLIC WORKS OF THE CITY OF MODESTO AND 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: Bates, Burge, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

6 IN THE MATTER OF  
AUTHORIZE CLERK TO  
CALL FOR BIDS ON  
BOOKKEEPING MACHINERY  
FOR WATER DEPARTMENT

Commissioner Neece introduced

RESOLUTION NO. 5359-N.S.

authorizing the City Clerk to advertise for bids on Bookkeeping Machinery to be used for the Water Department, said bids to be opened at the regular council meeting of August 13, 1941, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

7 IN THE MATTER OF  
REPORT BY PLANNING  
COMMISSION ON EVERETT  
McMAHAN REQUEST OPERATE  
BUSINESS RESIDENCE ZONE

Pursuant to referring of request of Everett McMahan to operate a well drilling business at 613 14th Street to the Planning Commission for investigation and recommendation, Commissioner Bates introduced

RESOLUTION NO. 5360-N.S.

accepting report of the said Planning Commission and granting permit to Everett McMahan to operate business at 613 14th Street subject to the condition that no well drilling equipment be stored or parked on or adjacent to the premises, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF  
GRANT REFUND ON  
WATER BILL TO IDA  
BLACKNELL

Commissioner Neece introduced

RESOLUTION NO. 5361-N.S.

allowing claim of \$6.93 to Ida Hill Blacknell for overcharge on water bill at 508 Sycamore Street covering period December 1939 up to present date and authorizing the City Clerk and Auditor to draw warrant in payment, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF  
FRANCHISE FROM THE  
PACIFIC GAS & ELECTRIC  
COMPANY

Mr. Paul Sloan, Attorney for the Pacific Gas & Electric Company, appeared before the Council to discuss the matter of the City of Modesto granting a franchise to the Pacific Gas & Electric Company

for the use of the streets in the city. No action was taken by the Council.

IN THE MATTER OF  
ADJOURNMENT

Commissioner Burge introduced

RESOLUTION NO. 5362-N.S.

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

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST Elmer J. Blum CITY CLERK

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BOARD OF EQUALIZATION

August 4, 1941

The Council of the City of Modesto met this 4th day of August 1941 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, stike out or raise any assessment on the Assessment Roll of the City Assesor, pursuant to Section 49, Article IX of the City Charter

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

Absent: Councilmen: Stanley

A. N. Brown appeared before the Board and complained about the assessment on property owned by him in Block 57, lots 17 to 19 and on property owned by his wife, Lora DeYoe Brown in Block 57, lots 20 to 22 inc, S $\frac{1}{2}$  of 23.

There being no further complaints filed for the consideration of the Board, upon motion duly made, seconded and unanimously carried, the meeting was adjourned to Tuesday, August 5, 1941 at the appointed time and place.

August 5, 1941

Pursuant to adjournment of August 4th, 1941 the Board of Equalization of the City of Modesto convened in regular session this date and there were

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

Absent: Councilmen: None

Gustave Rader protested the assessment on improvements on his property in Block 519, lots 31 and 32 and Mr. and Mrs. A. E. Blacknell appeared

before the Board and asked for reduction in tax rate on their property located in Block 542, lots 17 and 18, Block 542, lots 19 S. 23' of 20, Block 402, lots 9 and 10

There being no further complaints filed for the consideration of the Board, upon motion duly made, seconded and unanimously carried, the meeting was adjourned to Wednesday, August 6, 1941 at the appointed time and place.

August 6, 1941

Pursuant to adjournment of August 5, 1941, the Board of Equalization of the City of Modesto convened in regular session this date and there were

Present: Councilmen: Bates, Burge, 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 Thursday, August 7, 1941 at the appointed time and place.

August 7, 1941

Pursuant to adjournment of August 6th, 1941 the Board of Equalization of the City of Modesto convened in regular session this date and there were

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

Absent: Councilmen: None

Miss Pearl Davis appeared before the Board complaining about the assessment placed on the improvements on her property in Block 124, lots 17 to 21 inc.

There being no further complaints filed for the consideration of the Board, upon motion duly made, seconded and unanimously carried, the meeting was adjourned to Friday, August 8th, 1941 at the appointed time and place.

August 8, 1941

Pursuant to adjournment of August 7, 1941, the Board of Equalization of the City of Modesto, convened in regular session this date and there were

Present: Councilman: Bates, Burge, Neece, Stanley, Mayor Shannon

Absent: Councilmen: None

Mrs. Leona Fuch Watson protested the assessed valuation placed on her property located in Block 125, lots 1 to 3 inc.

After due consideration of complaints filed with the Board, it was their decision that reduction in assessed valuation and tax rate as requested would not be in order and the Clerk was instructed to so notify said property owners.

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, which was duly seconded, the meeting was adjourned sine die.

APPROVED CARL W. SHANNON, MAYOR

August 13, 1941

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: Bates, Burge, Neece, Acting Mayor Stanley

Absent: Mayor Shannon

IN THE MATTER OF APPROVAL OF MINUTES The minutes of the regular meeting of July 23rd and special meetings of July 25th and August 6, 1941, having been heretofore read by each Councilman, were approved as so read.

IN THE MATTER OF GRANT PERMIT TO JOE SEQUEIRA TO MOVE TAXI STAND DURING CONSTRUCTION OF STAGE DEPOT Pursuant to request of Joe Sequira, operator of taxicab business at 10th and G Streets, to transfer his Taxi stand to 12th and I Streets during the construction of a new stage depot at 10th & G Streets, Commissioner Bates introduced

RESOLUTION NO. 5363-N.S.

granting permit to move stand to 12th & I Streets as requested, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Mayor Shannon

IN THE MATTER OF CLAIMS FOR MONTH OF JULY, 1941 Claims against the City of Modesto for the month of July, 1941 having been heretofore audited by the Council and found to be correct, Commissioner Burge introduced

RESOLUTION NO. 5364-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 ~~Auditor's Cash Record for further details relative to the~~ amounts of withdrawals from the various funds as follows:

GENERAL FUND-----	\$36,367.40
WATER FUND-----	5,985.25
LIBRARY FUND-----	1,979.88
BOND RED. INT. FUND-----	4,600.00
ST. BOND RED. INT. FUND-----	11,260.99
UNAPPORTIONED FUND-----	.79
TOTAL-----	\$60,194.31

which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Mayor Shannon

IN THE MATTER OF CLAIM OF \$75,000 BY NORRIS MOTT Whereas a claim has been filed with the City Clerk of \$75,000 by Norris Mott for injuries received while in the employ of the City, Commissioner Bates introduced

RESOLUTION NO. 5365-N.S.

recommending that claim be denied by the City of Modesto which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Mayor Shannon

IN THE MATTER OF  
COMMUNICATIONS

A communication from the Dante Club inviting the Council and Mayor to attend their annual grand picnic at Dante Park to be held on Sunday, August 24, 1941 was laid over to a future meeting.

A communication from the Federal Power Commission regarding the operation of locomotive in city limits was referred to the City Attorney

IN THE MATTER OF  
DELEGATES TO CON-  
VENTIONS

Commissioner Bates introduced

RESOLUTION NO. 5366-N.S.

recommending that Clarence Baker, Assistant Building Inspector be allowed \$50.00 for expenses while attending the convention of the Pacific Coast Building Officials Conference in Santa Barabara on September 30 to October 3 inc, 1941 and Harry Moore, Assistant Electrical Inspector be allowed \$30.00 as expenses while attending the convention of the International Electrical Inspectors at San Jose, August 25, 26, 27, 1941, and the City Clerk and Auditor be authorized to draw warrants to each individual, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Mayor Shannon

IN THE MATTER OF  
OPEN BIDS ON BOOK-  
KEEPING MACHINERY  
FOR WATER DEPARTMENT

Whereas pursuant to advertising for bids on bookkeeping machinery for the Water Department, and whereas the City Clerk reported a number of bids on file, and whereas same having been opened by the Council, by order of the Acting Mayor, all bids were referred to a committee composed of the Commissioners of Public Supplies and Finance and Revenue, City Engineer, City Treasurer & Collector and City Clerk to investigate and report back at the next meeting of the Council.

IN THE MATTER OF  
AUTHORIZE CLERK TO  
ADVERTISE FOR BIDS  
ON EQUIPMENT AND  
MATERIAL

Commissioner Bates introduced

RESOLUTION NO. 5367-N.S.

authorizing the Clerk to advertise for bids on the following equipment:

1- One pneumatic tired road roller

2- One scraper wagon complete with hydraulic power unit with dual valve complete

3- 2500 ft. of 4 inch, 4800 ft. 6 inch and 1600 ft. of 10 inch class 150 waterpipe

4- Two 12 inch, two way flow water altitude valves

Bids to be opened at regular meeting of August 27, 1941 of the Council of the City of Modesto, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Mayor Shannon

IN THE MATTER OF  
AMEND RES. NO. 4295-N.S.  
WAGE SCHEDULE FOR CON-  
TRACT LABOR

Commissioner Bates introduced

RESOLUTION NO. 5368-N.S.

amending Resolution No. 4295-N.S. and determining prevailing rate of per diem wages for certain classifications on public works performed under contract in the City of Modesto, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Mayor Shannon

IN THE MATTER OF  
AMEND RES. 4586-N.S.  
EXAMINATION FEE OF  
CIVIL SERVICE EXAM-  
INATION

Commissioner Burge introduced

RESOLUTION NO. 5369-N.S.

amending Resolution No. 4586-N.S. entitled "A RESOLUTION RECOMMEND-

ING THAT AN AMENDMENT TO RULE 7 of CIVIL SERVICE RULES AND REGULATIONS OF THE CITY OF  
MODESTO BE MADE", to require each applicant taking examination to pay fee of 70¢ instead  
of 50¢, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Mayor Shannon

IN THE MATTER OF  
FINAL ADOPTION ORD.  
NO. 662-N.S. COMPENSA-  
TION OFFICIALS

Ordinance No. 662-N.S. having been heretofore introduced and  
ordered printed and published at the regular meeting of July 23,  
1941 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: Bates, Burge, Neece, Mayor pro tem Stanley

Noes: Councilmen: None

Absent: Mayor Shannon

IN THE MATTER OF  
FINAL ADOPTION ORD  
NO. 663-N.S. RESCIND  
ORD. 536-N.S. LEFT  
TURNS AT 10th & I  
STREETS

Ordinance No. 663-N.S. having been heretofore introduced and  
ordered printed and published at the regular meeting of July 23,  
1941 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: Bates, Burge, Neece, Mayor pro tem Stanley

Noes: Councilmen: None

Absent: Mayor Shannon

IN THE MATTER OF  
FINAL ADOPTION ORD  
NO. 664-N.S. CONVEY-  
ANCE OF REAL ESTATE

Ordinance No. 664-N.S. having been heretofore introduced and  
ordered printed and published at the regular meeting of July  
23, 1941 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: Bates, Burge, Neece, Mayor pro tem Stanley

Noes: Councilmen: None

Absent: Mayor Shannon

IN THE MATTER OF  
FINAL ADOPTION ORD  
NO. 665-N.S. APPROPRI-  
ATE MONEY

Ordinance No. 665-N.S. having been heretofore introduced and  
ordered printed and published at the special meeting of  
August 6, 1941 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: Bates, Burge, Neece, Mayor pro tem Stanley

Noes: Councilmen: None

Absent: Mayor Shannon

IN THE MATTER OF  
ORDINANCE RE: TAX  
RATE FOR YEAR 1941-42

Commissioner Neece introduced an ordinance being

ORDINANCE NO. 666-N.S.

entitled: "AN ORDINANCE FIXING THE RATE OF TAXATION IN AND FOR THE CITY OF MODESTO  
FOR THE FISCAL YEAR 1941/42", 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: Bates, Burge, Neece, Mayor pro tem Stanley

Noes: Councilmen: None

Absent: Mayor Shannon

17 IN THE MATTER OF ATTENDANCE FIRE CHIEF CONVENTION

Commissioner Burge introduced

RESOLUTION NO. 5370-N.S.

authorizing the City Clerk and Auditor to draw warrant in amount \$100.00 to Geo. E. Wallace, Fire Chief for expenses while attending Fire Chief's Convention at Reno, on September 8, 9, 10, 11, 1941, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Mayor Shannon

18 IN THE MATTER OF REPORT ON TRUCK ORDINANCE BY COMMITTEE

The committee appointed by the mayor on truck routes through the City of Modesto reported and recommended that Ordinance No. 644-N.S. establishing truck routes through the City be amended to permit truck owners to take trucks to their homes and that minor changes be made in the ordinance on the various routes. Acting Mayor Stanley appointed Commissioner Burge to act with the present committee to make the suggested changes.

19 IN THE MATTER OF SWIMMING AT LEGION PARK

Committees from the American Legion, Red Cross, American Legion Auxiliary appeared before the Council protesting to the removal of life guards from the City Parks and the adoption of proposed ordinance prohibiting children under 15 years of age from swimming in the City Parks unless accompanied by a guardian. It was suggested that one life guard be kept in Legion Park at a swimming place to be marked off where children under 15 years of age could swim. The City Attorney was directed to change the proposed ordinance to meet these requirements.

20 IN THE MATTER OF DEPARTMENTAL REPORTS FOR MONTH OF JULY, 1941

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

21 IN THE MATTER OF ADJOURNMENT

Commissioner Burge introduced

RESOLUTION NO. 5371-N.S.

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

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

Noes: Councilmen: None

Absent: Mayor Shannon

ATTEST  CITY CLERK

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Special Council Meeting

August 20, 1941

The Council of the City of Modesto met in special session this date at 4:00 P.M. as provided by section 2 of Ordinance No. 2-N.S.

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

Absent: Councilmen: None

1 IN THE MATTER OF  
REQUEST TO PLACE  
SIGN DENIED MRS.  
W. A. LOW

Mrs. W. A. Low appeared before the Council asking permission to put a temporary sign at LaLoma and Morton Boulevards advertising a new home for sale located on Walden Street, She was informed by the Council that it was contrary to provisions of Ordinance No. 528-N.S.

IN THE MATTER OF  
PARKING IN FRONT  
OF EPISCOPAL CHURCH

Pursuant to request of Thomas C. Maxwell, Vicar of the St. Paul's Episcopal Church that the city grant him the privilege of reserving temporary parking spaces upon the occasion of weddings held in the church at 1707 I Street, whereupon Commissioner Bates introduced

RESOLUTION NO. 5372-N.S.

granting the said St. Paul's Episcopal Church the right to install temporary "No Parking" signs in front of their church property at 1707 I Street with the understanding that if the traffic control did not work out satisfactory, permission would be revoked, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF THE  
N.Y.A. PROJECT FOR  
BOAT BUILDING

Assistant City Engineer Mason explained to the Council a proposed N.Y.A. project for boatbuilding. The building of the boats was to be done by the National Youth Administration at the Modesto Junior College, material to be furnished and the boats were to be turned over to the City of Modesto.

IN THE MATTER OF  
AWARD BID ON BOOK-  
KEEPING MACHINERY

Pursuant to referring of all bids on billing and receipting machinery for the Water Department to a committee for tabulation and recommendation and whereas said committee recommend the awarding of bid to the Burroughs Adding Machine Company on one style 16 17 00 Factory Rebuild Electrically operated Burroughs Public Utility Billing machine as per bid submitted of \$1106.72, less one style 12 Operator's Correct Posture Chair of \$20.28, making total bid of \$1086.44 and whereas the committee reported they recommend awarding bids on the receipting Machine at a later meeting, Commissioner Burge introduced

RESOLUTION NO. 5373-N.S.

awarding bid on billing machine to the Burroughs Adding Machine Company as set forth above and authorizing the City Clerk to return bidding checks to unsuccessful bidders and postponing the awarding of bid on receipting machine to a later meeting and authorizing the Auditor and City Clerk to draw warrant in payment upon presentation of statement, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF  
COMMUNICATION FROM  
LEAGUE OF CALIFORNIA  
CITIES

A communication from the League of California Cities regarding annual convention was read and ordered filed.

IN THE MATTER OF  
ADJOURNMENT

Commissioner Burge introduced

RESOLUTION NO. 5374-N.S.

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

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST *Elmer J. Blum* CITY CLERK

August 27, 1941

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: Bates, Burge, Neece, Stanley, Mayor Shannon

Absent: Councilmen: None

1 IN THE MATTER OF Mr. Irl Rogers, bander for Fish & Wild Life Service, appear-  
TRESPASSING ON ed before the Council and complained about boys shooting at  
SEWER FARM birds at the sewer farm, which interfered with the banding of birds. He was in-  
formed that trespassing was not allowed on the sewer farm, whereupon Commissioner  
Bates introduced

RESOLUTION NO. 5375-N.S.

authorizing the engineer to post the City of Modesto sewer farm in accordance with State Law prohibiting trespassing, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

2 IN THE MATTER OF Minutes of the regular meeting of August 13th and special  
MINUTES meeting of August 20, 1941 having been read by each Council-  
man heretofore, were approved as so read.

3 IN THE MATTER OF Pursuant to request of the Day and Nite Parts Company for  
REQUEST FOR SERVICE permission to install a service station at 10th & L Streets,  
STATION-DAY & NIGHT PARTS CO. same was referred to the City Engineer for investigation and  
recommendation.

4 IN THE MATTER OF Pursuant to advertising for bids on Receipting machine for  
AWARD BID ON RE- the Water Department and referring of same to committee for  
CEIPTING MACHINE investigation. Commissioner Burge introduced

RESOLUTION NO. 5376-N.S.

awarding bid to the Burroughs Adding Machine Company on one new style 10 06 250 electrically operated Burroughs Public Utility Cash Receipting Machine at a price of \$610.89, which resolution was regularly operated by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

5 IN THE MATTER OF Whereas, pursuant to advertising for bids on pneumatic  
OPEN BIDS ON EQUIPMENT tired Road Roller, Scraper Wagon, waterpipe and water  
FOR PUBLIC WORKS altitude valves, and whereas the City Clerk reports a number of bids received by  
order of the Council all bids were referred to the Commissioner of Public Supplies  
and the City Engineer for tabulation and recommendation.

6 IN THE MATTER OF Commissioner Bates introduced  
ACCEPT DEED FROM

RESOLUTION NO. 5377-N.S.

accepting deed on portion of lots 6 and 7 in Block 802, of the Campus Tract from Mary A Sanders to be used for street purposes and author-  
izing the City Clerk to record said deed with the Stanislaus County Recorder, which  
resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF  
ACCEPT PLANS FOR  
IMPROVEMENT OF  
COLLEGE AVENUE

Commissioner Bates introduced

RESOLUTION NO. 5378-N.S.

accepting plans and specifications for the improvement of College Avenue from Needham Avenue to the north property line of Stoddard Avenue, as presented by the City Engineer, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF  
ADVERTISE FOR BIDS  
ON IMPROVING COLLEGE  
AVENUE

Commissioner Bates introduced

RESOLUTION NO. 5379-N.S.

authorizing the City Clerk to advertise for bids on improving College Avenue from Needham Avenue to the north property line of Stoddard Avenue, said bids to be opened at the regular meeting of the Council to be held on September 10, 1941, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF  
FINAL ADOPTION OF  
ORD. No. 666-N.S.  
TAX RATE

Ordinance No. 666-N.S. having been heretofore introduced and ordered printed and published at the regular meeting of August 13, 1941 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: Bates, Burge, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF  
HEARING PROTESTS ON  
ESTABLISHING BUSINESS  
IN RESIDENCE ZONE

Whereas, pursuant to the filing of petition with the Council by the East Side Mosquito Abatement District for permit to erect and maintain an office and garage on property known as

lot 3 and 10 feet of 4, Block 4095 in the Hawkins Tract, 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, Commissioner Bates introduced

RESOLUTION NO. 5380-N.S.

directing that request be turned over to the Planning Commission for investigation and recommendation, as provided by Ord. #655-N.S. which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

1 IN THE MATTER OF  
HEARING PROTEST ON  
ESTABLISHING BUSINESS  
IN RESIDENCE ZONE

Whereas, pursuant to the filing of petition with the Council by Frank O'Neil to operate a piano repairing and tuning business at 1223 Washington Street and Elmer L. Paul to operate a Sonotone Hearing Aids business at 523 McHenry Avenue 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 letters of approval have been filed by the Planning Commission, Commissioner Bates introduced

RESOLUTION NO. 5381-N.S.

granting request as prayed for with the understanding that all provisions relative to building permit fees will be complied with, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

12 IN THE MATTER OF  
REPORTS BY CITY

The City Attorney reported on change in truck ordinance to be made, namely permitting the truck drivers to drive to their homes off the regular routes and a few minor changes made in routes set forth in Ordinance No. 644-N.S.

13 The City Attorney reported that left hand turns would be permitted at Tenth and I Streets under traffic Ordinance No. 345-N.S. section No. 15 and Section No. 16

14 IN THE MATTER OF  
APPROVING ACCEPTANCE  
OF DEED-ENRICO FERRARIO

Commissioner Bates introduced

RESOLUTION NO. 5382-N.S.

approving acceptance of deed from Enrico Ferrario upon presentation of portion lots 1 and 2, Block 243 to be used for street purposes in La Sombra and Los Flores Streets of the City of Modesto and authorizing the City Engineer to proceed to work on said streets, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

15 IN THE MATTER OF  
AUTHORIZE ENGINEER  
CONTACT PROPERTY  
OWNERS

By order of the Council, the City Engineer was authorized to contact the Beard Land and Investment Company and John B. Podesto, with regard to the purchasing of property between Legion Park and the eastern city limits.

16 IN THE MATTER OF  
PRIORITY RATING  
ON WATER EQUIPMENT

Commissioner Bates introduced

RESOLUTION NO. 5383-N.S.

authorizing the City Engineer to write to the Priority Division of the office of Production Management and make request for priority rating on the purchase of water pipe and materials for the City of Modesto, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF  
ATTORNEY NOTIFY  
OWNERS OF INSANITARY  
DWELLINGS

Whereas, Lulu L. Thompson, owners of four dwellings at  
615 7th Street and whereas W. O. Thompson, is the owner of  
two dwellings at 1210 Sixth Street and whereas all of said  
dwellings are in such condition that they fail to comply with the laws of the State  
of California, relative to building and maintaining houses in such State, Commissioner  
Stanley introduced

RESOLUTION NO. 5384-N.S.

recommending that the City Attorney be instructed and authorized to give proper notice  
to said owners of said dwellings requiring them to abate said houses as public nuisances  
and be it further resolved that the said City Attorney be authorized in the event that  
said owners fail, neglect and refuse to abate said nuisances to take such legal steps  
as may be necessary to abate, which resolution was regularly adopted by the following  
vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF  
ADJOURNMENT

Commissioner Neece introduced

RESOLUTION NO. 5385-N.S.

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

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST  CITY CLERK

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SPECIAL COUNCIL MEETING

September 3, 1941

The Council of the City of Modesto met in special session this  
date at 4:00 P.M. as provided by section 2 of Ordinance No. 2-N.S.

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

Absent: Councilmen: None

IN THE MATTER OF  
PETITION STANISLAUS  
COUNTY HUMANE SOCIETY  
OPERATE POUND

A petition was presented to the Council and a delegation of  
women called on the Council requesting that the Stanislaus  
County Humane Society be allowed to operate the pound of the  
City of Modesto. It was suggested that the Pound be operated in the same manner as the  
pound now operating in the City of Palo Alto. This matter was referred to the City  
Attorney for investigation, and report back at next meeting.

IN THE MATTER OF  
AWARD BID ON SUPPLIES  
FOR PUBLIC WORKS

Pursuant to referring of bids on supplies for public works  
department to committee, Commissioner Burge introduced

RESOLUTION NO. 5386-N.S.

rejecting bid on two 12 inch Altitude Valves, as all bids did not conform with re-  
quirements of bids and the City Engineer was authorized to purchase valves under  
force account, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

Commissioner Burge introduced

RESOLUTION NO. 5387-N.S.

accepting bids on the following equipment for the Public Works Department:

- 3 Stanislaus Implement & Hardware Company on #SW63 Atlas BEGE Wagon Scraper complete with #100 hydraulic power unit with dual valve control power drive shaft and adapter to fit any tractor-----\$1095.00
- Jenison Machinery Company on pneumatic tired road roller----- 543.11
- Johns Manville Company Sales Corporation on
  - 2500 lin. ft. 4" Class 150 Transite Pressure Pipe----- .469 ft.
  - 4800 lin. ft. 6" Class 150 Transite Pressure Pipe----- .73 ft.
  - 1600 lin. ft. 10"Class 150 Transite Pressure Pipe----- 1.386 ft.

as being the lowest and best bids and authorizing the City Clerk to return checks to unsuccessful bidders, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent:Councilmen: None

1 IN THE MATTER OF Pursuant to referring communication from the Federal Powers  
 REPORT BY CITY ATTORNEY Commission  
 ON ELECTRIC ENERGY USED regarding the conserving of electric energy used by the  
 BY TIDEWATER RAILWAY CO Tidewater Railway Company in operating the electric engine  
 in the City limits to the City Attorney for investigation, he reported that it would  
 be necessary to amend the franchise by an election before change could be made. No  
 action was taken by the Council.

5 IN THE MATTER OF Commissioner Neece introduced  
 LEASE WITH R. M. FRANCE

RESOLUTION NO. 5388-N.S.

authorizing the City Attorney to prepare lease for one year from this date to R.M. France for the rental of dwelling owned by the City of Modesto at 15th & I Streets under the same terms as the lease with Clara Steele on this dwelling, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent:Councilmen: None

IN THE MATTER OF Commissioner Neece introduced  
 DEDUCT \$50.00 FROM  
 SALARY OF EMIL C. SCHMIT

RESOLUTION NO. 5389-N.S.

authorizing the Auditor to deduct \$50.00 from the salary of Emil C. Schmit, patrolman as provided by agreement between the City of Modesto Pension Board and Emil C. Schmit dated August 20, 1941, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent:Councilmen: None

IN THE MATTER OF COMMUNICATIONS A communication from Richard E. Savage regarding matters pertaining to the Railroad Commission was read and ordered filed.

A communication from the League of California Cities regarding insurance rates on public buildings was read and ordered filed.

GRANT REQUEST OF  
EAST SIDE MOSQUITO  
ABATEMENT ERECT  
OFFICE

Pursuant to referring of request of the East Side Mosquito  
Abatement District for permit to operate an office and garage  
on lots 3 and a portion of lot 4, Block 4095 to the Planning Commission for investigation  
and recommendation, Commissioner Bates introduced

RESOLUTION NO. 5390-N.S.

recommending that the request be granted subject to provisions of Planning Commission  
report, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF  
AUTHORIZE ATTORNEY  
HIRE EMMA BORELLA

Commissioner Burge introduced

RESOLUTION NO. 5391-N.S.

authorizing the City Attorney to hire Emma Borella to type ordinances for codification  
at a salary of \$3.50 per day, which resolution was regularly adopted by the following  
vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF  
PROTEST PARKING OF  
TRUCK IN RESIDEN-  
TIAL DISTRICT

Attorney Nathan McVay appeared before the Council in the  
interest of Mr. D. Fingerlee who protested to trucks left  
standing on Yosemite Avenue across the street from his pro-  
perty. Mr. McVay informed the Council that a wrecked truck had been towed to this  
street sometime ago and had been left on the street. Mr. McVay was informed that the  
wrecked truck would be ordered removed by the Council at once.

Mayor Shannon appointed Attorney Nathan McVay to work with  
the committee previously appointed, consisting of Police Chief Arington, City Engineer  
Rossi and City Attorney Fowler on the amending of the truck route ordinance.

IN THE MATTER OF  
COMMUNICATION FROM  
WEST COAST AIR LINES

A letter from the West Coast Air Lines, Inc. regarding air  
route through Modesto was referred to the Chamber of Commerce.

IN THE MATTER OF  
CIVIL AERONAUTICS  
AUTHORITY PROJECT

City Engineer Rossi was authorized to write to Mr. Arthur  
Ayres, Supervisor of Airports to see what could be done in  
regard to the City taking up the Civil Aeronautics Authority \$161,000 project.

IN THE MATTER OF  
ADJOURNMENT

Commissioner Burge introduced

RESOLUTION NO. 5392-N.S.

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

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST  CITY CLERK

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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: Bates, Burge, Neece, Stanley, Mayor Shannon

Absent: Councilmen: None

1 IN THE MATTER OF MINUTES

The minutes of the regular meeting of August 27, 1941 having been read heretofore by each Councilman, were approved as so read.

2 IN THE MATTER OF MUSEUM FOR THE CITY OF MODESTO

A committee for the establishment of a museum in the City of Modesto and representatives from various clubs and the Chamber of Commerce appeared before the Council asking for the use of the house owned by the City of Modesto at the corner of 15th & I Streets for the museum. This matter was taken under consideration.

3 IN THE MATTER OF OILING LUCERNE AVENUE

John Egger appeared before the Council protesting to the dust from Lucerne Avenue. He was informed that this street was to be oiled as soon as the City could obtain delivery of oil and that the delay was due to the inability of the City getting deliveries of road oil.

4 IN THE MATTER OF ERECTION OF TENT BY THE CHURCH OF THE NAZARENE

Rev. Ira P. Dumas, pastor of the Church of the Nazarene appeared before the Council requesting that they be permitted to erect a tent either in Block 22, lots 17 to 25 inc. (Fifth and I Streets) or in Block 132, lots 17 to 21 inc, (18th and H Streets) to hold religious services, whereupon Commissioner Burge introduced

RESOLUTION NO. 5393-N.S.

granting permit to erect tent and hold evangelistic services at said locations were in the business district, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

5 IN THE MATTER OF CLAIMS FOR THE MONTH OF AUGUST

Claims against the City of Modesto for the month of August 1941 having been heretofore audited by the Council and found to be correct, Commissioner Burge introduced

RESOLUTION NO. 5394-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-----	\$29,035.05
WATER FUND-----	5,435.06
LIBRARY FUND-----	1,512.48
BOND RED. INT. FUND-----	37.50
ST. BOND RED. INT. FUND-----	93.00
UNAPPORTIONED FUND-----	
TOTAL-----	\$36,113.09

which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

6  
IN THE MATTER OF  
CLAIMS FOR DAMAGES  
D. A. RYDBOM

A claim in amount \$12.85 was made for damage to his car by D. A. Rydbom, which was involved in a collision with a city owned car. This claim was ordered referred to the Insurance Company and the City Clerk was ordered to notify Mr. Rydbom of action taken by the Council.

7  
IN THE MATTER OF  
PERMIT TO OPERATE  
BUSINESS IN RESIDENCE  
ZONE

Whereas pursuant to the filing of petition with the Council by F. J. Rossi and H. H. Herron and/or Safeway Stores, Inc. for permit to conduct a retail store on property known as 330-334 McHenry Avenue, being lots 57 and 58 in Block 563 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, and the Planning Commission has filed a report approving application, where upon Commissioner Bates introduced

RESOLUTION NO. 5395-N.S.

recommending that permission be and the same is hereby granted with the understanding that all provisions relative to building permit fees will be complied with, to the said applicants for permit as prayed for in their petition, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

WHEREAS, pursuant to the filing of petition with the Council by Emil Koriloth to operate a painting business at 426 $\frac{1}{2}$  13th Street and F. M. Ales to operate a trucking business at ~~132~~ ~~Rosemont St.~~, 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 to meet the requirements of Ordinance No. 655-N.S. applications were turned over to the Planning Commission for investigation and recommendation.

WHEREAS, pursuant to the filing of petition with the Council by Mary E. Wiltse for permit to conduct a beauty parlor at 1210 11th 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 and the Planning Commission has filed a report approving application whereupon Commissioner Bates introduced

RESOLUTION NO. 5396-N.S.

recommending that permission be and the same is hereby granted with the understanding that all provisions relative to building permit fees will be complied with, to the said applicants for permit as prayed for in her petition, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

10  
IN THE MATTER OF  
PETITION STANISLAUS  
COUNTY HUMANE SOCIETY  
OPERATE POUND

Pursuant to referring petition filed with the Council by the Stanislaus County Humane Society to operate the City Pound to the City Attorney for investigation and report, at this time he reported on the operation of the pound at Palo Alto. A petition was filed with the Council requesting that the City of Modesto keep the pound under the control and supervision of the City Police Department. This matter was laid over until the next meeting.

11  
IN THE MATTER OF  
BIDS ON IMPROVEMENT  
OF COLLEGE AVENUE

Plans and specifications having heretofore been filed by the City Engineer with the Council and approved by the Council for the improvement of College Avenue from Needham Avenue to the northern property line of Stoddard Avenue and notice to bidders having heretofore been given and published as required by law and bids in accordance with said notice, having been received not later than 7:30 P.M. on Wednesday, September 10, 1941 and having been then and there opened by the Council in open meeting and it appearing that the bid of S. M. McGaw for the construction of the work specified in said plans and specifications was the lowest and best bid, Commissioner Burge introduced

RESOLUTION NO. 5397-N.S.

awarding bid to S.M.McGaw, as being the lowest and best bid and authorizing the entering into a contract for the completion of the work and authorizing the City Clerk to return bidding checks to unsuccessful bidders, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

12  
IN THE MATTER OF  
ACCEPT PLANS & SPECI-  
FICATIONS ON PAVING  
19th & LALOMA

Commissioner Bates introduced

RESOLUTION NO. 5398-N.S.

accepting and approving plans and specifications for the improvement of 19th and LaLoma Streets from Downey Avenue to James Street as presented by the City Engineer, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

13  
IN THE MATTER OF  
AUTHORIZE CLERK TO  
ADVERTISE FOR BIDS  
ON IMPROVING 19th  
& LALOMA STREETS

Commissioner Bates introduced

RESOLUTION NO. 5399-N.S.

authorizing the City Clerk to advertise for bids on improving 19th Street and LaLoma from Downey Avenue to James Street, said bids to be opened on September 24, 1941 at the City Hall, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

14  
IN THE MATTER OF  
PACIFIC GAS & ELECTRIC  
COMPANY REQUEST FOR  
CHANGE IN GAS STRUCTURE

City Attorney Fowler reported that the Pacific Gas & Electric Company had requested that they be permitted to change the gas structure now being used by the City of Modesto. By order of the Council, the City Attorney was instructed to write to the League of California Cities and the Railroad Commission relative to this matter.

15  
IN THE MATTER OF  
ORDINANCE RE: TRAFFIC  
ORDINANCE AMENDED

John E. Griffin appeared before the Council in the interest

of the owners of lots 13 to 16 inc. Block 54 and requested that some provisions be made to permit the Greyhound Stages to come into the alley in Block 54 from the south end, whereupon Commissioner Burge introduced an ordinance, being

ORDINANCE NO. 667-N.S.

entitled "AN ORDINANCE AMENDING ORDINANCE NO. 376-N.S. (TRAFFIC ORDINANCE) by Amending SECTION 20(a) 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: Bates, Burge, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF REPORTS

Departmental reports for the month of August, 1941 were read and ordered filed.

IN THE MATTER OF ADJOURNMENT

Commissioner Burge introduced

RESOLUTION NO. 5400-N.S.

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

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST  City Clerk

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Special Council Meeting

September 17, 1941

The Council of the City of Modesto met in special session this date at 4:00 P.M. as provided by Section 2 of Ordinance No. 2-N.S.

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

Absent: Councilmen: None

IN THE MATTER OF ACCEPT ANNUAL AUDIT FROM R. E. BROTHERTON

Commissioner Neece introduced

RESOLUTION NO. 5401-N.S.

accepting annual audit of the accounts of the City of Modesto for the fiscal year ending June 30, 1941 from R. E. Brotherton, Certified Public Accountant and authorizing payment of \$500.00 to said R. E. Brotherton, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF PETITION OF MODESTO AND STANISLAUS COUNTY HUMANE SOCIETY

Pursuant to petition of the Modesto and Stanislaus County Humane Society to operate pound of the City of Modesto, City Engineer Rossi reported upon the cost of improving the pound.

Mrs. C. S. McCreedy and a committee from the Humane Society appeared before the Council again regarding the management of the city pound, whereupon Commissioner Stanley introduced

RESOLUTION NO. 5402-N.S.

denying petition of the Modesto & Stanislaus County Humane Society to operate the pound and authorizing the City Engineer to proceed with the improvement of the pound as per plans explained to the Council, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

3 IN THE MATTER OF  
PERMIT CITY FENCE  
LATERAL #1 OF THE  
M. I. D. AT AIRPORT

Pursuant to the receipt of resolution from the Modesto Irrigation District to permit the City of Modesto to fence that portion of the Lateral #1 which forms the north boundary of the Modesto Municipal airport, same was turned over to the City Attorney.

4 IN THE MATTER OF  
COMMUNICATIONS

A communication from the National Institute of Municipal Law Officers regarding convention at Washington D. C. on December 4, 5, 6th, 1941 was read and ordered filed.

5 IN THE MATTER OF  
PETITIONS

Pursuant to referring of request of F. M. Ales to operate a trucking business at 132 Rosemont to the Planning Commission for investigation and report and whereas the said Planning Commission have filed a report with the Council recommending that request be denied, Commissioner Bates introduced

RESOLUTION NO. 5403-N.S.

denying request of said F. M. Ales to operate a trucking business at 132 Rosemont which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

6 Pursuant to referring of request of Emil Koriloth to operate a painting business at 426½ 13th Street to the Planning Commission, and whereas the said Planning Commission have filed a report with the Council, recommending that request be granted providing the business be confined to the rear 40 feet of the lot and that no paint nor painting equipment be kept or stored outside the building now on the premises, whereupon Commissioner Bates introduced

RESOLUTION NO. 5404-N.S.

granting request to E. Koriloth providing he comply with provisions of the report of the Planning Commission, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

7 Pursuant to request of A. K. Darling to place a dwelling on the front half of lots 28 and 29, Block 586, being 210 High Street and whereas, as provided by Ordinance No. 655-N.S. (Interim Zoning) the Planning Commission have filed a report granting permission as requested, Commissioner Bates introduced

RESOLUTION NO. 5405-N.S.

granting permission to said A. K. Darling to place dwelling on the front half of lots 28 and 29 in Block 586, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

8 IN THE MATTER OF  
REQUEST OF MODESTO  
CHAMBER OF COMMERCE

Pursuant to provisions of Ordinance No. 665-N.S. the Chamber of Commerce filed a claim of \$599.27, whereupon Commissioner Neece introduced

RESOLUTION NO. 5406-N.S.

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

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

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF REPORTS

City Attorney Fowler reported on the legality of the City of Modesto to permit city property to be used by a private organization for the housing of a museum and stated that the constitution of the State of California prohibited the using of public property by private organizations and the City Attorney was instructed to notify L. L. Dennett, Chairman of the Museum Committee.

IN THE MATTER OF COMMUNICATION D. A. RYDBOM CLAIM

Pursuant to communication from the Standard Accident Insurance Company, automobile insurance carrier for the City of Modesto, denying claim of D. A. Rydbom for damages to his automobile which was involved in a collision with a city owned car, same was ordered filed.

Commissioner Bates introduced

RESOLUTION NO 5407-N.S.

denying claim of D. A. Rydbom for damages to his automobile which was involved in a collision with a city owned car on July 18, 1941 which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF DELEGATES TO LEAGUE OF CALIFORNIA CITIES CONVENTION

Commissioner Neece introduced

RESOLUTION NO. 5408-N.S.

authorizing the attendance of the City Clerk, City Engineer, City Attorney, City Treasurer, Fire Chief, Police Chief, Sanitary Inspector to the convention of the League of California Cities in Sacramento October 12 to 16 inc. and authorizing the City Clerk and Auditor to draw warrants of \$50.00 to each delegate in advance of convention and requiring each delegate to file report of expenditures with the Council, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF ADJOURNMENT

Commissioner Neece introduced

RESOLUTION NO. 5409-N.S.

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

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST *Charles J. Blum* CITY CLERK

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Council Meeting  
September 24, 1941

The Council of the City of Modesto met in regular session this date at 7:30 P.M. in the Council Chambers as provided by section 1 of

Ordinance No. 2-N.S.

Present: Councilmen: Bates, Burge, Neece, Acting Mayor Stanley

Absent: Mayor Shannon

1 IN THE MATTER OF  
MINUTES

The minutes of the special meetings of September 3rd and 17th and regular meeting of September 10, 1941, having been read by each Councilman were approved as so read.

2 IN THE MATTER OF  
ORAL COMMUNICATIONS

Mrs. J. C. Hammett, W. L. Brown, H. G. Florcken appeared before the Council and reported that the Museum group were ready to incorporate so that the Council could lease the house, owned by the City of Modesto at 1500 I Street, to them to be used for a museum, whereupon Acting Mayor Stanley authorized the City Attorney to confer with L. L. Dennett, Chairman of the Museum group and to then report back to the Council.

E. Albin Ostlund, Chairman of the Modesto Housing Council, affiliated with the California Housing and Planning Association and Lew Orchid, Fay Black and Mrs. Goldie Fair, members of the Council, appeared before the Council asking that the City Council appoint a housing authority to investigate the need of the City of Modesto for a United States Housing Authority. They advised the Council that the local Board of Governors members were,

E. Albin Ostlund, Chairman	Rev. Arthur H. Wallace
Mrs. J. A. Holmes	Stewart Scofield
Mrs. C. O. Meadowcroft	J. Milton Simms
Mrs. G. W. Everett	Frank H. Russel
Lew Orchid	Clifford O. Meadowcroft
Alfred Schoenfeld	F. Knorr
Rene Marx	Rev. Paul Studebaker
Mrs. Charles Daunt	Rev. Ross T. Paden

additional board members representing all sections of the community to be named as follows:

R. W. Krohn	Steve Caskey
Fred A. Wilhelm	Donald F. Crawford
Mrs. Myrtle Talbot	Fred V. Talbot
Wm. Tomnitz	O. N. Rowe
Fay Black	Mrs. Goldie Fair
L. F. Conrad	

Milton Lowenthal, I. B. Padway, representing the American Federation of Labor and Labor Councils, R. M. Thomson, representing the American Federation of Labor Cannery Workers, Chas. E. Fair and Archie Kline, talked in favor of the city council appointing a housing authority to investigate the need of the City for a United States Housing Authority.

Walter Field and Mrs. Melva S. Green gave short talks opposing the housing project.

George Hansen asked the Council to endeavor to obtain a priority rating for the City of Modesto so that the local builders could obtain materials, as this is an agricultural district.

A large number of signed questionnaires were filed with the Council by the Modesto Housing Council.

Commissioner Burge introduced a resolution recommending that the Mayor appoint a housing authority to investigate the need of the City of Modesto for a United States Housing Authority. Upon discussion by the Council, Commissioner Burge decided to

withdraw his motion and the Acting Mayor laid over the matter for a period of one or two weeks.

3  
IN THE MATTER OF HEARING PROTEST SKATING RINK IN RESIDENCE DISTRICT-JOHN SKITSTONE

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

To erect and maintain an ice skating rink on lots 4 to 10 inc., Block 444 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, and whereas the Planning Commission have approved application as provided by Ordinance No. 655-N.S., Commissioner Bates introduced

RESOLUTION NO. 5410-N.S.

granting permission to the said John Skitstone to erect and operate a skating rink at above named location 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: Bates, Burge, Neece, Acting Mayor Stanley

Noes: Councilmen: None

Absent: Mayor Shannon

4  
IN THE MATTER OF OPEN BIDS ON IMPROVING OF 19th STREET AND LALOMA FROM DOWNEY AVENUE TO JAMES STREET

Plans and specifications having heretofore been filed by the City Engineer with the Council and approved by the Council for the improvement of 19th Street and LaLoma from Downey

Avenue to James Street and notice to bidders having heretofore been given and published as required by law and bids, in accordance with said notice having been received not later than 7:30 P.M. on Wednesday, September 24th and having been then and there opened by the Council in open meeting, all bids were referred to the Engineer and Commissioner of Public Supplies for tabulation and recommendation.

5  
IN THE MATTER OF 10 MINUTE PARKING ZONE AT 714 10th STREET

Commissioner Burge introduced

RESOLUTION NO. 5411-N.S.

establishing a 10 minute parking space on the north side of 10th Street between G and H Streets in front of 714 10th Street and authorizing the City Engineer to establish the proper signs, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Bates, Burge, Neece, Acting Mayor Stanley

Noes: Councilmen: None

Absent: Mayor Shannon

6  
IN THE MATTER OF FINAL ADOPTION ORD. 667-N.S. ONE WAY ALLEYS

Ordinance No. 667-N.S. having been heretofore introduced and ordered printed and published at the regular meeting of September 10, 1941 by Commissioner Burge, 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: Bates, Burge, Neece, Acting Mayor Stanley,

Noes: Councilmen: None

Absent: Mayor Shannon

7  
IN THE MATTER OF  
RAILROAD COMMISSION  
MEETING AT STOCKTON

City Attorney and City Engineer were authorized to attend the hearing at Stockton, September 25th of the Railroad Commission for the change in gas structure now being furnished by the Pacific Gas & Electric Company to the valley cities.

8  
IN THE MATTER OF  
ADJOURNMENT

Commissioner Burge introduced  
RESOLUTION NO. 5412-N.S.  
adjourning this Council meeting now in session, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Bates, Burge, Neece, Acting Mayor Stanley

Noes: Councilmen: None

Absent: Mayor Shannon

ATTEST *James J. Burge* CITY CLERK

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Special Council Meeting

October 1, 1941

The Council of the City of Modesto met in special session this date at 4:00 P.M. as provided by Section 2 of Ordinance No. 2-N.S.

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

Absent: Councilmen: None

1  
IN THE MATTER OF  
AWARD BID ON  
IMPROVING 19th &  
LALOMA STREETS

Pursuant to referring of bids on improving 19th and LaLoma from Downey to James Street to City Engineer Rossi and Commissioner of Public Supplies for tabulation and recommendation, Commissioner Burge introduced

RESOLUTION NO. 5413-N.S.

awarding bid to S. M. McGaw for a total amount of \$4075.00, as being the lowest and best bid and authorized the City Clerk to return bidding checks to unsuccessful bidders and appointing the Mayor and Auditor as signatory officials of contract with successful bidder for completion of work, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

2  
IN THE MATTER OF  
AUTHORIZE CLERK TO  
ADVERTISE FOR BIDS  
ON SEWER PIPE

Commissioner Bates introduced

RESOLUTION NO. 5414-N.S.

authorizing the Clerk to advertise for bids on 5500 feet of 12 inch, 900 feet of 10 inch, 3000 feet of 8 inch and 7500 feet of 6 inch vitrified clay sewer pipe. Said bids to be opened at the City Hall on October 22, 1941, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

3  
IN THE MATTER OF  
COMMUNICATIONS

A communication from the Modesto Post No. 74 of the America Legion requesting the Council to participate in

the Armistice Day Parade was read and the Clerk was instructed to notify the American Legion that the City would enter a decorated car in the parade.

A communication from Frank Andrews protesting to the removal of power line by the Modesto Irrigation District from the City of Modesto was referred to the City Engineer to report on at the next council meeting.

IN THE MATTER OF  
CLERK AUTHORIZED  
ADVERTISE FOR BIDS  
ON PROPERTY AT  
17th AND H STREETS

Commissioner Bates introduced

RESOLUTION NO. 5415-N.S.

authorizing the City Clerk to advertise for bids on the sale of city owned property located in Block 127, lots 1 to 6 inclusive, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF  
REPORT BY CITY  
ENGINEER & ATTORNEY  
ON MEETING OF RAILROAD  
COMMISSION

City Engineer Rossi and City Attorney Fowler reported on the hearing of the Pacific Gas & Electric Company held in Stockton on September 25, 1941 before the Railroad Commission

for permission to change the structure of gas used in the San Joaquin Valley cities from Kettleman Hills gas to Rio Vista gas. They advised that the rates for gas consumed in the City would be adjusted to new structure.

IN THE MATTER OF  
TRUCKING BUSINESS  
IN RESIDENCE DISTRICT  
FRANK ALESS

Mr. Frank Aless, appeared before the Council and requested

that the Council reconsider their decision in refusing his request to operate a trucking business at his residence, at 132 Rosemont Avenue, whereupon by order of the Council this matter was referred back to the Planning Commission for further consideration.

IN THE MATTER OF  
PROTEST U.S. HOUSING  
AUTHORITY APPOINT-  
MENT BY COUNCIL

A large delegation appeared before the Council protesting to the appointment of a United States Housing Authority in the City of Modesto and the following individuals gave short

speeches opposing the appointment; Walter Field, Mrs. Ida Blacknell, Mrs. Fred Rottger, Irene Holdorff, G. F. Slankard, Grave Leshner, Mrs. Vennis A Green, and Henry Crow, whereupon Commissioner Bates introduced

RESOLUTION NO. 5416-N.S.

denying request that the City of Modesto appoint a United States Housing Authority, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF  
CHANGE IN KNIFE  
GRINDING LICENSE  
FEE

A petition for modification of city license for knife grinding was filed by Frank Damrell and Jack Fisher

appeared before the Council and asked that the license be changed, whereupon the City Attorney was instructed to investigate and report at the next meeting of the Council.

IN THE MATTER OF  
ADJOURNMENT

Commissioner Neece introduced

RESOLUTION NO. 5417-N.S.

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

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST *Elmer J. Blum* CITY CLERK

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COUNCIL MEETING

October 8, 1941

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

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

Absent: Councilmen: None

IN THE MATTER OF APPROVAL OF MINUTES The minutes of the regular meeting of September 24, 1941 and special meeting of October 1, 1941 having been heretofore read 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, 1941 having been heretofore audited by the Council and found to be correct, Commissioner Burge introduced

RESOLUTION NO. 5418-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	-----	\$29,486.84
WATER FUND	-----	5,348.03
LIBRARY FUND	-----	1,971.73
SPECIAL GAS TAX	-----	1,070.94
MONOTTI BEQUEST #2	-----	104.96
TOTAL	-----	\$37,982.50

which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF HEAR PROTEST ESTABLISH DANCING STUDIO IN RESIDENCE ZONE: DOROTHY JOHNSON WHEREAS, pursuant to the filing of petition with the Council by Dorothy Johnson to conduct a dancing studio on lots 19 and 20, Block 57 5, at 514 Semple 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 and the Planning Commission have recommended that permission be granted providing no sign stating the nature of the business be erected on the premises, whereupon Commissioner Bates introduced

RESOLUTION NO. 5419-N.S.

granting permission with the understanding that all provisions relative to building permit fees and recommendations of the Planning Commission will be complied with,

which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF  
HEAR PROTEST ESTABLISH  
MUSIC STUDIO IN RESI-  
DENCE DISTRICT:  
PAULINE CRUICKSHANK

Whereas, pursuant to the filing of petition with the Council by Pauline Cruickshank to conduct a music studio on Block 320, being lots 36 and 37, 208 Fresno 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 the City Clerk reports that no protests either oral or written have been officially filed, whereupon Commissioner Bates introduced

RESOLUTION NO. 5420-N.S.

recommending that petition be referred to the Planning Commission for investigation and to report back at the next meeting of the Council, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF  
PROGRESSIVE PAYMENT  
ON IMPROVING COLLEGE  
AVENUE TO S.M. MCGAW

Whereas, City Engineer Rossi has filed notice of completion of contract for the improving of College Avenue from Needham Avenue to Stoddard Avenue in accordance with contract by S.M.

McGaw, Commissioner Bates introduced

RESOLUTION NO. 5421-N.S.

accepting work as completed and authorizing the City Clerk and Auditor to draw warrant in amount \$4576.88, being 75% of contract payable to said S.M. McGaw and to file notice of completion with the County Recorder, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF  
REPORT BY PLANNING  
COMMISSION ON PETI-  
TION FRANK ALES-  
OPERATE TRUCKING  
BUSINESS IN RESIDENCE  
ZONE

Pursuant to referring of petition of F. M. Ales to operate a trucking business on lots 29 and 30, Block 327 to the Planning Commission for reconsideration, and whereas they have filed a report recommending that petition be granted with

the understanding that only one truck be regularly used in connection with said business, that no loading or unloading be permitted on the premises; that no sign stating the nature of the business be erected on the premises, whereupon Commissioner Bates introduced

RESOLUTION NO. 5422-N.S.

recommending that petition be granted F. M. Ales to operate a trucking business at 132 Rosemont Avenue upon the conditions set forth by the Planning Commission which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF  
REPORT BY ENGINEER  
ON REMOVAL OF POLES  
IN CITY BY MODESTO  
IRRIGATION DISTRICT

City Engineer Rossi reported on the complaint filed by Frank Andrews that the Modesto Irrigation District officials

were tearing down the 66,000 volt line coming in from the west into the City of Modesto and stated that the Modesto Irrigation District advised him that the poles are not to be taken down and that nothing was being done that would injure the City of Modesto but that the Pacific Gas & Electric Company were removing their wires from the poles. The City Engineer was instructed to communicate with Mr. Frank Andrews in regard to this matter.

IN THE MATTER OF  
COMMITTEE INVESTIGATE  
SALARIES OF EMPLOYEES  
LEAVING SERVICE OF CITY  
FOR BETTER WAGES

better wages.

Mayor Shannon appointed a committee of Commissioners Neece and Bates and City Engineer Rossi to investigate and study salaries paid employees leaving service for

IN THE MATTER OF  
PAINTING PARKING  
LINES ON SEVENTH  
STREET

Commissioner Stanley introduced  
RESOLUTION NO. 5423-N.S.

authorizing the City Engineer to paint parking lines on the northeasterly side of Seventh Street, between I and J Streets, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF  
REPORTS FOR MONTH  
OF SEPTEMBER

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

Fire Chief Geo. E. Wallace gave a report on convention he had attended of the Pacific Coast Association of Fire Chiefs at Reno.

IN THE MATTER OF  
REPORT OF THE MODESTO  
HOUSING COUNCIL

A group of the members of the Modesto Citizen's Housing and Planning Council appeared before the Council and a report was read by E. Albin Ostlund, Chairman. Copy of report was filed with the Council.

IN THE MATTER OF  
ADJOURNMENT

Commissioner Burge introduced  
RESOLUTION NO. 5424-N.S.

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

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST  CITY CLERK

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Special Council Meeting

October 15, 1941

The Council of the City of Modesto met in special session this date at 4:00 p.m. as provided by section 2 of Ordinance No. 2-N.S.

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

Absent: Councilmen: None

IN THE MATTER OF  
REAPPOINTMENT OF  
BESSIE SINGLETON  
ON RECREATION  
COMMISSION

Pursuant to receipt of communication from the Modesto Recreation Commission notifying the Council that Mrs. Bessie Singleton had been reappointed a member of the

Recreation Commission for a period of five years from September 1, 1941, Commissioner Neece introduced

RESOLUTION NO. 5425-N.S.

approving reappointment of said Bessie Singleton to the Modesto Recreation Commission for a period of five years from September, 1, 1941, which resolution was regularly adopted by the following vote:

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

IN THE MATTER OF  
RESURFACING PAVEMENT  
ON McHENRY ROAD FROM  
M.I.D. LATERAL #4  
TO GRISWOLD AVENUE

Commissioner Bates introduced

RESOLUTION NO. 5426-N.S.

authorizing the Mayor and Assistant City Engineer to sign a project statement for the use of the ~~1/2~~ Gas Tax Fund on Route 109, State Highway (McHenry Road) from the Modesto Irrigation District, Lateral #4 to the North city limits on Griswold Avenue for resurfacing pavement with the State of California, Department of Public Works, Division of Highways, which resolution was regularly adopted by the following vote:

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

IN THE MATTER OF  
ADJOURNMENT

Commissioner Bates introduced

RESOLUTION NO. 5427-N.S.

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

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

ATTEST *Edna J. Blum* CITY CLERK

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Council Meeting  
October 22, 1941

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: Bates, Burge, Neece, Stanley, Mayor Shannon  
Absent: Councilmen: None

IN THE MATTER OF  
MINUTES

Minutes of the regular meeting of October 8, and special meeting of October 15th, 1941 having heretofore been read by each Councilman were approved as so read.

IN THE MATTER OF  
ORAL COMMUNICATIONS

D. S. Olson, T. D. Wright and several residents of the Northwood Tract appeared before the Council protesting to the condition of streets and alleys in the Northwood Tract which was recently annexed to the City of Modesto. This matter was referred to the Commissioner of Public Works and Engineer for investigation.

D. S. Olson also complained about cars of the Tidewater Southern Railroad Company standing upon tracks between Coldwell and Griswold Avenue.

Whereupon the City Attorney was authorized to write to the Tidewater Southern Railway Company protesting to the practice of leaving cars on the tracks at this location.

4 Dave Davenport and Chief Ed Fleshman of the McHenry-Dry Creek Fire Protection District which is bound on the west by the Tidewater Tracks, south by the city limits of Modesto, each by Claus Road and north by Floyd Avenue, except that portion of this territory which is in the Riverbank Fire District, appeared before the Council requesting that they be permitted to fill the tank on the Fire Truck with water from the city fire plugs. This matter was referred to Attorney Fowler, Attorney Ralph Brown, Fire Chief Geo. E. Wallace and Chief Ed Fleshman.

5 Harry Crow and Henry Crow appeared before the Council protesting to the termites flying out from building located on Block 70, lots 1 to 4 inc. W 40' owned by Henry Windt. The City Attorney was authorized to give notice to the owners that the building should be remodeled to remedy this condition or it would be condemned by the City.

6 IN THE MATTER OF  
AUTHORIZE PAYMENT  
TO L. L. DENNETT  
ON AIRPORT PROPERTY

Commissioner Neece introduced

RESOLUTION NO. 5428-N.S.

authorizing the Auditor and Clerk to draw warrant in amount \$9684.00 to L. L. Dennett for the final payment on 37.28 acres located in the S.W.  $\frac{1}{4}$  Section 35, T 3 S, R. 9E N.W.  $\frac{1}{4}$  of Section 2 T 4 S. R. 9E, County of Stanislaus, State of California, as of October 21, 1941, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

7 IN THE MATTER OF  
COMMUNICATIONS

Whereas, pursuant to communication from the Modesto Public Schools asking that taxes be cancelled on the portion of Block 435 which they had purchased from Swift & Company, whereupon Commissioner Burge introduced

RESOLUTION NO. 5429-N.S.

recommending that request be granted and authorizing the Tax Collector to make the necessary entries on the tax roll, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

8 A communication from the Wood Colony Farm Bureau protesting to the secondary boycott was read and the Clerk was instructed to write to the secretary and inform him that action will be taken in due time.

9 A communication from F. A. Raube asking permission to erect two more small houses on lots 1 and 2 in Block 5 at the corner of Third and I Streets was referred to the Planning Commission for investigation and recommendation.

10 IN THE MATTER OF  
PETITIONS ESTABLISH  
BUSINESS IN RESIDENCE  
ZONE-AMOS S. BOMBERGER

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

AMOS S. BOMBERGER

To conduct convalescent  
home at 111 McHenry Ave

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 and approval has been given by the Planning Commission, Commissioner Bates introduced

RESOLUTION NO. 5429A-N.S.

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

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

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF  
PETITIONS ESTABLISH  
BUSINESS IN RESIDENCE  
ZONES

Pursuant to petitions of Mrs. Rae Palmer for permit to operate and maintain a dressmaking shop at 1124 13th Street and C. O. Turner for permit to operate and maintain a scientific massage and hydro-theraphy office at 516 14th Street and Thelma Carey Davis for permit to operate a beauty parlor at 1710 Almond Avenue, Commissioner Bates introduced

RESOLUTION NO. 5430-N.S.

referring petitions to the Planning Commission for investigation and recommendation, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF  
ADVERTISE FOR BIDS  
ON SALE OF CITY  
PROPERTY, BLOCK 127  
LOTS 1 to 6 Inc.

Pursuant to advertising for bids for the sale of city owned property in Block 127, lots 1 to 6 inclusive and whereas no bids were received; Commissioner Stanley introduced

RESOLUTION NO. 5431-N.S.

finding that no bids have been received and that bids be held open which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF  
BIDS ON CLAY SEWER  
PIPE

Pursuant to advertising for bids on 5500 feet of 12 inch 900 feet of 10 inch, 3000 feet of 8 inch and 7500 feet of 6 inch vitrified clay sewer pipe, the City Clerk reports four bids on file. After opening of bids same were turned over to the City Engineer and Commissioner of Public Supplies for tabulation and recommendations.

Commissioner Bates introduced

RESOLUTION NO. 5432-N.S.

accepting plans and specifications for the improvement of D Street from 9th to 14th Street, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

RESOLUTION NO. 5433-N.S.

authorizing the City Clerk to advertise for bids on the improvement of D Street from 9th Street to 14th Street, said bids to be opened at the City Hall, 7:30 O'Clock P.M. on Wednesday, November 12, 1941, which resolution was regularly adopted by the following vote:

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

IN THE MATTER OF  
TWO HOUR PARKING ON  
12th & K STREETS

Pursuant to request of the Stanislaus County Mutual Fire Insurance Company of 1104 12th Street for the installation of parking limit signs on K Street from 12th to the alley and on 12th Street for that portion of the block immediately in front of their building, Commissioner Stanley introduced

RESOLUTION NO. 5434-N.S.

recommending that two hour parking be established on the northwest side of K Street from 12th Street to the alley and on the northwest side of 12th Street for a distance of 100 feet northwesterly from K Street and authorizing the City Engineer to erect the necessary signs, which resolution was regularly adopted by the following vote:

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

IN THE MATTER OF  
AUTHORIZE AUDITOR PAY  
SALARIES EMPLOYEES

Commissioner Neece introduced

RESOLUTION NO. 5435-N.S.

authorizing the Auditor to pay salaries to civil service appointees of the City of Modesto, Herman Cooper, \$115.00 per month as of October 1, 1941 and Betty Jane Long, \$85.00 per month as of October 20, 1941, which resolution was regularly adopted by the following vote:

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

IN THE MATTER OF  
REPORTS

Annual reports of the City Planning Commission, McHenry Public Library, Fire Department, Police Department and Police Court were read and ordered filed.

The City Engineer reported that no action had been taken by the Planning Commission on the request of Pauline Cruickshank to operate a music studio at 208 Fresno Street.

Reports were given by the various representatives who attended the League of California Cities convention at Sacramento, October 12th to 16th Inc, whereupon Commissioner Neece introduced

RESOLUTION NO. 5436-N.S.

finding that the city had derived a benefit from the attendance of the city officials to the convention and accepting and approving statements of expenses presented by department heads, which resolution was regularly adopted by the following vote:

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

21  
IN THE MATTER OF  
ADJOURNMENT

Commissioner Bates introduced

RESOLUTION NO. 5437-N.S.

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

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST Charles J. Blum CITY CLERK

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Special Council Meeting

November 5, 1941

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.

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

Absent: Councilmen: None

1  
IN THE MATTER OF  
REQUEST FOR LEAVE  
OF ABSENCE-JOHN MASON

Whereas, John L. Mason, Assistant City Engineer has requested an indefinite leave of absence from his duties for the

City of Modesto for the period of his active duty with the Navy of the United States,

Commissioner Bates introduced

RESOLUTION NO. 5438-N.S.

granting request for indefinite leave of absence to said John L. Mason with the privilege to return to the employ of the City of Modesto as the Assistant City Engineer, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

2  
IN THE MATTER OF  
COMMUNICATIONS

Communication from the Stanislaus County Mutual Fire Insurance Company expressing appreciation for the City establishing park-

ing regulations at the corner of 12th and K Streets in conformance with their request was read and ordered filed.

3  
Communication from the Southern Pacific Company notifying the Council that they had granted permission to Foster and Kleiser Company to construct and maintain two twenty five foot unilluminated poster panels on their property just northerly of Eighth Street, between H and I Streets was read and the City Clerk was instructed to write to the Southern Pacific Company and inform them that permission had not been granted to Foster and Kleiser Company by the City of Modesto to erect said poster panels.

4  
Communications from the Stanislaus County Farm Bureau, Modesto Chamber of Commerce and the Dry Creek Grange #512 protesting to the use of the Secondary Boycott and "Hot Cargo" in the City of Modesto was read and ordered filed.

5  
IN THE MATTER OF  
PAYMENT FROM PROMO-  
TION FUND TO RETAIL  
MERCHANTS

Commissioner Neece introduced

RESOLUTION NO. 5439-N.S.

granting request of the Retail Merchants Bureau of the Modesto Chamber of Commerce for appropriation of \$800.00 from the promotion fund as

provided by Ordinance No. 665-N.S., which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

6  
IN THE MATTER OF  
REQUEST AMERICAN RED  
CROSS HANG FLAGS ON  
ELECTROLIERS

Whereas, pursuant to request of the American Red Cross, Stanislaus County Chapter, for permission to hang Red Cross flags on electroliers in the down town section of Modesto from November 10th until the marchants decorate for the holiday season for their forthcoming membership drive, Commissioner Burge introduced

RESOLUTION NO. 5440-N.S.

granting permission to the American Red Cross, Stanislaus County Chapter to hang Red Cross flags on electroliers under the supervision of the City Engineer and Chief of Fire Department, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

7  
IN THE MATTER OF  
CALIFORNIA STATE  
COUNCIL OF DEFENSE

A communication from the California State Council of defense regarding organization for defense was referred to Commissioner Stanley.

8  
IN THE MATTER OF  
PROTEST TO SECONDARY  
BOYCOTT BY MODESTO  
CITIZENS COMMITTEE

A protest was filed by the Modesto Citizens Committee to Secondary Boycott and asked that an ordinance be passed by the Council prohibiting "Hot Cargo" and "Secondary Boycott" in the City of Modesto.

9  
IN THE MATTER OF  
ORDINANCE PROHIBIT  
SECONDARY BOYCOTT

Commissioner Stanley introduced an ordinance, being

ORDINANCE NO. 668-N.S.

entitled: "AN ORDINANCE DECLARING "HOT CARGO" AND SECONDARY BOYCOTT" UNLAWFUL, DEFINING CERTAIN WORDS AND TERMS OF THE ORDINANCE AND FIXING PENALTY FOR THE VIOLATION THEREOF", and moved its adoption and passage to print and publish, which motion being duly seconded, it was upon roll call carried and the ordinance ordered published as above by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

10  
IN THE MATTER OF  
REPORT BY PLANNING  
COMMISSION ON APPLICATIONS  
TO OPERATE BUSINESS IN  
RESIDENCE DISTRICTS

Whereas the following applications to do business in resi-  
dence district were turned over to the Planning Commission  
for investigation and recommendations:

Mrs. Rae Palmer, dressmaking shop, at 1124 13th Street

Thelma Carey Davis, beauty shop at 1710 Almond Avenue

C. O. Turner, scientific massage at 516 16th Street

Pauline C. Cruickshank, music studio, 208 Fresno Street

and whereas they have filed their reports with the Council, Commissioner Bates introduced

RESOLUTION NO. 5441-N.S.

granting requests with the understanding that Mrs. Pauline C. Cruickshank be permitted to operate a music studio for piano only, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

11  
IN THE MATTER OF REPORT BY PLANNING COMMISSION ON REQUEST F. A. RAUBE TO BUILD 3 HOUSES ON LOTS Pursuant to request of F. A. Raube to build three houses on lots 1 and 2 Block 5, corner Third and I Streets, and whereas request was referred to the Planning Commission for investigation and recommendation and at this time they have filed a report requesting that this request be held over for further study and that a report be made to the Council at the Planning Commission's next meeting, same was laid over to the next Council Meeting.

12  
IN THE MATTER OF PERMIT TO CHAMBER OF COMMERCE TO ERECT PLATFORMS Pursuant to request of the Chamber of Commerce to erect platform at intersection of Tenth and I Streets on November 21, 1941 between the hours of 6:00 P.M. and 10:00 P.M. for the Christmas program, Commissioner Stanley introduced

RESOLUTION NO. 5442-N.S.

granting request and authorizing the Police Department to clear the streets of cars leading into Tenth and I Streets during this time, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

13  
Pursuant to request of the Chamber of Commerce to erect platform for Christmas show on I Street between 10th and 11th Streets near the alley on December 7, 1941, Commissioner Stanley introduced

RESOLUTION NO. 5443-N.S.

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

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

Noes: Councilmen: None

Absent: Councilmen: None

14  
IN THE MATTER OF AWARD BID ON VITRIFIED SEWER PIPE Pursuant to referring of bids on vitrified clay sewer pipe to City Engineer and Commissioner of Public Supplies for tabulation and recommendation, Commissioner Burge introduced

RESOLUTION NO. 5444-N.S.

awarding bid on vitrified clay sewer pipe to the California Pottery Company for \$7497.11 as being the lowest and best bid and authorized the return of bidding checks to unsuccessful bidders and payment upon delivery of equipment, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

15  
IN THE MATTER OF REFUND TO REESE ESGAR Whereas Reese Esgar deposited \$40.00 with the Treasurer and Collector of the City of Modesto on June 24, 1941, receipt #2360A to be used for expenses incurred by the City of Modesto in advertising and posting property in the Esgar Tract for the closing of streets and alleys and whereas the total amount of expense incurred in said street proceedings was \$25.05, Commissioner Burge introduced

RESOLUTION NO. 5445-N.S.

authorizing the City Clerk and Auditor to draw warrant in amount \$14.95 to said Reese Esgar as a refund due him which resolution was regularly adopted by the following vote:

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

IN THE MATTER OF SIGNATURE ON PRIORITY AFFIDAVITS Commissioner Bates introduced RESOLUTION NO. 5446-N.S.

authorizing the various department heads of the City of Modesto and Commissioner of Public Supplies to sign priority affidavits for the City of Modesto, which resolution was regularly adopted by the following vote:

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

IN THE MATTER OF SIGNATORY ON EXEMPTION CERTIFICATE FOR EXCISE TAX Commissioner Bates introduced RESOLUTION NO. 5447-N.S.

authorizing the various department heads of the City of Modesto or authorized agents to sign Exemption Certificate of excise tax, which resolution was regularly adopted by the following vote:

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

IN THE MATTER OF REPORT BY ATTORNEY ON McHENRY-DRY CREEK FIRE PROTECTION DISTRICT USING CITY WATER City Attorney Fowler reported that the City of Modesto could enter into a contract with the McHenry-Dry Creek Fire Protection District to furnish water for the fire truck, the City Attorney was instructed to notify them that the City would enter into a contract to supply water but would not permit city owned equipment to go outside the City limits.

IN THE MATTER OF INSTALL STOP SIGNS COLLEGE & STODDARD AVENUES Commissioner Stanley introduced RESOLUTION NO. 5448-N.S.

authorizing the installing of four way stop signs at College and Stoddard Avenues by the City Engineer as provided by Ordinance No. 558-N.S. which resolution was regularly adopted by the following vote:

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

IN THE MATTER OF TWO WAY STOP SIGNS AT 11th & D STREETS AND FIRST & H STREETS Commissioner Stanley introduced RESOLUTION NO. 5449-N.S.

establishing two stop signs at First and H Streets on First Street and two stop signs at 11th & D Streets on Eleventh Street, as provided by Ordinance No. 558-N.S., which resolution was regularly adopted by the following vote:

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

IN THE MATTER OF COUNTY RESOLUTION REGARDING AIRPORT Resolution from the County of Stanislaus regarding financial assistance for purchase of additional property for

the enlargement of the municipal airport was read and ordered filed.

27  
IN THE MATTER OF  
EXPENDITURE OF  
GAS TAX FUND ON  
STATE HIGHWAYS

Whereas the State of California has presented a first supplemental memorandum of agreement for expenditure of 1/4 cent gas tax for the 1941-43 biennium allocated for State High-

ways, Commissioner Bates introduced

RESOLUTION NO. 5450-N.S.

approving agreement and authorizing the Mayor and City Clerk to sign same on behalf of the City, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

23  
IN THE MATTER OF  
REPORTS

Reports on the League of California Cities convention at Sacramento were filed by Robert B. Fowler, Elmer J. Blum and W. B. Devlin and Frank J. Rossi.

24  
IN THE MATTER OF  
ADJOURNMENT

Commissioner Bates introduced

RESOLUTION NO. 5451-N.S.

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

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST *Elmer J. Blum* CITY CLERK

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Council Meeting

November 12, 1941

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: Bates, Burge, Neece, Stanley, Mayor Shannon

Absent: Councilmen: None

IN THE MATTER OF  
APPROVAL OF MINUTES

The minutes of the regular meeting of October 22nd, 1941 having been heretofore read by each Councilman were approved as so read.

IN THE MATTER OF  
CLAIMS FOR MONTH  
OF OCTOBER, 1941

Claims against the City of Modesto for the month of October, 1941 having been heretofore audited by the Council and found to be correct, Commissioner Burge introduced

RESOLUTION NO. 5452-N.S.

ordering that all of the said claims so audited and approved by 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-----	\$39,925.30
WATER FUND-----	5,252.37
LIBRARY FUND-----	1,856.29

BOND RED. INT. FUND-----	\$	1.08
ST. BOND RED. INT. FUND-----		17.72
SPECIAL GAS TAX-----		<u>4768.19</u>
TOTAL-----	\$	51820.95

which resolution was regularly adopted by the following vote:

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

3 IN THE MATTER OF COMMUNICATION A communication from Carl W. Muller expressing appreciation for the action of the Council outlawing Secondary Boycott and Hot Cargo was read and ordered filed.

4 IN THE MATTER OF OPEN BID ON PAVING D STREET Pursuant to advertising for bids on paving D Street from 9th Street to 14th Street, the City Clerk reported one bid on file from S.M.McGaw for a total amount of \$13,584.00, which was referred to the City Engineer and Commissioner of Public Supplies for investigation.

5 IN THE MATTER OF FINAL PAYMENT S.M. MCGAW ON PAVING COLLEGE AVENUE Whereas, pursuant to recording of Notice of Completion on the paving of College Avenue from Stoddard Avenue to Needham Avenue and whereas the necessary period of time has elapsed for final payment to contractor, S.M.McGaw, Commissioner Bates introduced

RESOLUTION NO. 5453-N.S.

authorizing the City Clerk and Auditor to draw a check in amount \$1525.62 as final payment on the paving of College Avenue to said S.M.McGaw, which resolution was regularly adopted by the following vote:

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

6 IN THE MATTER OF PROGRESSIVE PAYMENT S.M. MCGAW ON PAVING 19th & LALOMA STREETS Commissioner Bates introduced

RESOLUTION NO. 5454-N.S.

accepting the work as completed and authorizing the City Clerk and Auditor to draw warrant for \$3131.89, being 75% of contract, to S.M.McGaw on paving of 19th and Laloma Streets and directing the City Clerk to file notice of completion with the Stanislaus County Recorder, which resolution was regularly adopted by the following vote:

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

7 IN THE MATTER OF FINAL ADOPTION ORD 668-N.S. HOT CARGO AND SECONDARY BOYCOTT ORDINANCE NO. 668-N.S. HAVING BEEN HERETOFORE introduced and ordered printed and published at the special meeting of November 5, 1941 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: Bates, Burge, Neece, Stanley, Mayor Shannon  
 Noes: Councilmen: None  
 Absent: Councilmen: None

8  
IN THE MATTER OF  
COMMITTEE INVESTIGATE  
PROBATION PERIOD

Mayor Shannon appointed a committee consisting of Chief Arington, Robert Fowler, City Engineer and Chief Wallace

to investigate and recommend to the Council a system whereby the City could employ men to fill vacancies caused by employees being called into the United States Service.

9  
10  
IN THE MATTER OF  
REPORTS

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

IN THE MATTER OF  
ADJOURNMENT

Commissioner Burge introduced  
RESOLUTION NO. 5455-N.S.

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

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

ATTEST *Elmer J. Blum* CITY CLERK

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Council Meeting  
November 19, 1941

The Council of the City of Modesto met in special session this date at 4:00 P.M. as provided by section 2 of Ordinance No. 2-N.S.

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

IN THE MATTER OF  
RENEWAL OF LEASE  
F. W. PARKER FOR  
OLD TIMER'S CLUB

Commissioner Neece introduced  
RESOLUTION NO. 5456-N.S.

authorizing the renewal of lease with F. W. Parker for a period of one year from November 18, 1941 on portion of second story of city owned building at 715 1/2 10th Street, which resolution was regularly adopted by the following vote:

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

2  
IN THE MATTER OF  
AMENDMENT TO CIVIL  
SERVICE CLASSIFICATION PLAN

Pursuant to filing of resolution by the Personnel Board of the City of Modesto with the Council asking

that the maximum age in the classification of patrolman and driver of the Fire Department be changed in the classification plan to 35 years during the present emergency, Commissioner Stanley introduced

RESOLUTION NO. 5457-N.S.

recommending that change in classification plan be approved as requested during the present world emergency, which resolution was regularly adopted by the following vote:

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

3  
IN THE MATTER OF  
FRANCHISE WITH  
PACIFIC GAS &  
ELECTRIC COMPANY

Mr. Paul E. Sloan of the Pacific Gas & Electric Company appeared before the Council and discussed

the proposition of a franchise between the City of Modesto and the Pacific Gas & Electric Company for the use of the city streets. He advised the Council that he would appear before them at a later date with a formal franchise agreement for their approval and acceptance.

4  
IN THE MATTER OF  
CLAIM OF ATTORNEY  
ROBERT B. FOWLER

Commissioner Stanley introduced  
RESOLUTION NO. 5458-N.S.

approving claim of \$9.50 for expenses incurred by Attorney Robert B. Fowler to San Francisco on November 18th, which resolution was regularly adopted by the following vote:

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

5  
IN THE MATTER OF  
RENTAL OF CITY EQUIP-  
MENT TO STANDARD  
MATERIALS COMPANY

Commissioner Bates introduced  
RESOLUTION NO. 5459-N.S.

approving rental of city owned equipment (grader and roller) to the Standard Materials Company for the construction of a runway at the Municipal Airport, which resolution was regularly adopted by the following vote:

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

6  
IN THE MATTER OF  
ADJOURNMENT

Commissioner Neece introduced  
RESOLUTION NO. 5460-N.S.

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

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

ATTEST  CITY CLERK

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Council Meeting  
November 26, 1941

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

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

1  
IN THE MATTER OF  
APPROVAL OF MINUTES

The minutes of the special meetings of November 5th and 19th and of the regular meeting of November 12, 1941 having heretofore been read by each Councilman, were approved as so read.

2  
IN THE MATTER OF  
ORAL COMMUNICATIONS  
PETITIONS, ETC.

Morris Kahn appeared before the Council and requested that he be permitted to operate a business at 1108 13th Street and he was instructed that as this was a residential district, it would be necessary for him to receive the consent of adjacent property owners to operate a business, as provided by Ordinance No. 364-N.S.

3  
IN THE MATTER OF  
REQUEST A. M. McCOY  
BUILD SIX COTTAGES

Alvin M. McCoy requested permission to erect six more

stucco cottages on his property at 724 Fifteenth Street to complete a court which he had previously started. This matter was referred to the Planning Commission.

4  
IN THE MATTER OF  
COMMUNICATIONS

A communication from the Denair Farm Bureau expressing approval of the adoption of the ordinance by the Council outlawing "Secondary Boycott" and "Hot Cargo", was read and ordered filed.

5  
IN THE MATTER OF  
REQUEST MABLE McCART  
OPERATE DRAMA STUDIO

Pursuant to requirement of Zoning Ordinance No. 364-N.S. notice having been published for the required length of time, that Mable McCart desires to operate a drama studio at 202 Auburn Street in the residential district and pursuant to requirements of Interim Zoning Ordinance No. 655-N.S. request was turned over to the Planning Commission for investigation and recommendation.

6  
IN THE MATTER OF  
AWARD BID ON IMPROVING  
D STREET

Pursuant to referring of bid of S.M.McGaw for the improving of D Street from 9th Street to 14th Street to the City Engineer and Commissioner of Public Supplies for investigation, Commissioner Burge introduced

RESOLUTION NO. 5462-N.S.

recommending that bid be awarded to S. M. McGaw and the Mayor and City Auditor be appointed signatory officials of contract, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

7  
IN THE MATTER OF  
IMPROVING MUNICIPAL  
AIRPORT

Whereas the Administrator of Civil Aeronautics of the United States Department of Commerce has designated as necessary for national defense, a project for the development of the Modesto Municipal Airport and whereas as a condition precedent to release and operation of the project, the Administrator requires that the City have title in fee simple to the landing area of the airport wherein the project is to be developed and whereas the Council had negotiated with the Civil Aeronautics Administration to proceed with the completion and improvement of the Airport field, and whereas the Council has attempted to buy additional land to be added to said airport through and with the assistance and co-operation of the Board of Supervisors of Stanislaus County and they have found for the present at least it to be impossible to acquire said land and whereas it is the intent and purpose to acquire additional land for the expansion of said airport on the north side, Commissioner Bates introduced

RESOLUTION NO. 5463-N.S.

requesting the Civil Aeronautics Administration to take the necessary steps to develop said Municipal Airport within its present boundaries and the Council does further state that it is its intention to procure additional land when the necessary funds are available and that they will approve Form AP 4 of the Civil Aeronautics Administration if and when said Administration approves this resolution, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

d  
IN THE MATTER OF  
RESIGNATION FROM  
POLICE FORCE OF  
J. H. ARMSTRONG

Commissioner Stanley introduced

RESOLUTION NO. 5464-N.S.

accepting resignation of J. H. Armstrong from the Police Department as of November 20, 1941, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF  
ADJOURNMENT

Commissioner Bates introduced

RESOLUTION NO. 5465-N.S.

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

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST *Edward J. Blum* CITY CLERK

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Special Council Meeting

December 3, 1941

The Council of the City of Modesto met in special session this date at 4:00 P.M. as provided by section 2 of Ordinance No. 2-N.S.

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

Absent: Councilmen: None

IN THE MATTER OF  
ANNUAL REPORTS ON  
IN LIEU & LIQUOR  
LICENSE FUNDS

Commissioner Burge introduced

RESOLUTION NO. 5466-N.S.

accepting reports from the Police and Public Works Departments for expenditure of the In Lieu and Alcoholic Beverage Funds received from the State for Traffic and Liquor control for the year 1941-42, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

2 IN THE MATTER OF  
REQUEST M. McCART  
OPERATE DRAMA  
STUDIO AT 202 AUBURN  
STREET

Pursuant to request of Mable McCart to operate a drama studio at 202 Auburn Street and same having been referred to the Planning Commission as provided

by Ordinance No. 655-N.S. Commissioner Bates introduced

RESOLUTION NO. 5467-N.S.

recommending that report of the Planning Commission be accepted and that Mable McCart be permitted to operate a drama studio at 202 Auburn Street, which resolution was regularly adopted by the following vote:

Ayes: Councilmen; Bates, Burge, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

3 IN THE MATTER OF  
COMMUNICATION MRS.  
E. O. SMITH

Pursuant to communication from Mrs. E. O. Smith suggesting that the City of Modesto plant trees on the Modesto Irrigation District lateral #4 banks the City Clerk was instructed to notify Mrs. Smith that the Modesto Irrigation District owned the right of way on both sides of this irrigation ditch and the City could not plant trees on their

property , and suggested that she take this matter up with the Modesto Irrigation District.

4 IN THE MATTER OF  
LEAVE OF ABSENCE

Commissioner Stanley introduced  
RESOLUTION NO. 5468-N.S.

recommending that Robert B. Fowler be granted leave of absence from the State and Nation for the period December 15, 1941 to January 2, 1942, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

5 IN THE MATTER OF  
DECORATE CHRISTMAS  
TREE-10th & I STREETS

Commissioner Bates introduced  
RESOLUTION NO. 5469-N.S.

recommending that the City Engineer be allowed funds to decorate the Christmas tree at 10th & Eye Streets, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

6 IN THE MATTER OF  
AUTHORIZE PAYMENT OF  
SALARIES TO CIVIL  
SERVICE APPOINTEES

Commissioner Bates introduced  
RESOLUTION NO. 5470-N.S.

authorizing payment of salaries by the City Auditor to the following civil service appointees of the City of Modesto

L. A. McFarland	\$115.00	December 1, 1941
A. C. Monk	115 00	December 1, 1941
G. D. Zmutt	115.00	December 1, 1941
A. J. Scott	120.00	December 1, 1941
R. L. Cloward	120.00	December 1, 1941

which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

7 IN THE MATTER OF  
SIGNING PURCHASE  
ORDERS IN THE PUBLIC  
WORKS DEPARTMENT

Commissioner Bates introduced  
RESOLUTION NO. 5471-N.S.

recommending that A. O. Carley of the Public Works Department be authorized to sign purchase orders during the absence of an assistant City Engineer, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

8 IN THE MATTER OF  
CLAIM OF MODESTO  
RECREATION COMMISSION

Commissioner Neece introduced  
RESOLUTION NO. 5472-N.S.

allowing claim of \$31.62 of the Modesto Recreation Commission for their Christmas program and Halloween party and authorized the Auditor to draw warrant in this amount to Elizabeth Benkendorf, Chairman of the Commission, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

9 IN THE MATTER OF  
CONDEMNATION OF  
JOE MINENI BUILDING

Attorney Lewis Hawkins appeared before the Council on behalf of Joe Mineni requesting that the Council reconsider the condemnation of the building owned by Mr. Mineni on Seventh Street. The Council informed Attorney Hawkins that this matter would be held over for a period of two weeks for the owner to decide on the repairs that he would be willing to make on the building and to report back to the Council.

10 IN THE MATTER OF  
PETITION CITY TAKE  
OVER WATER SYSTEM

F. A. Weast appeared before the Council in regards to the City taking over the water system on Palm Avenue serving the Carson Tract. He claimed that the Federal Housing Administration were not in favor of privately owned water systems. He stated that the city could pay for it anytime in the future or out of the earnings of the water system. The City Attorney was authorized to confer with Mr. Weast on this matter and to report back to the Council.

11 IN THE MATTER OF  
ADJOURNMENT

Commissioner Neece introduced

RESOLUTION NO. 5473-N.S.

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

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST  CITY CLERK

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Special Council Meeting

December 8, 1941

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.

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

Absent: Councilmen: None

1 IN THE MATTER OF  
DISASTER ORDINANCE

Attorney Fowler was instructed to confer with Leslie Cleary, Chairman of Stanislaus Defense Council, with regard to drawing up a Disaster Ordinance to be adopted by the City of Modesto which would not conflict with the powers of the Stanislaus Defense Council.

2 IN THE MATTER OF  
PROTECTION OF CITY  
PROPERTY

City Engineer Rossi and Chief Arington were ordered by the Council to protect the city property and water works with the present personnel of the city for the time being.

3 IN THE MATTER OF  
GRANT USE OF OLD  
FIREHOUSE CLUB ROOMS  
TO DEFENSE COUNCIL

Pursuant to request of R. L. Kimmel, Chairman of First Aid Committee of the Stanislaus Defense Council for the use of the second floor of the city building located at 717 10th Street to be used for emergency housing by the Defense Council, by order of the Council request was granted.

4 IN THE MATTER OF  
PROCLAMATION OF  
EMERGENCY IN THE  
CITY OF MODESTO

Commissioner Bates introduced

RESOLUTION NO. 5474-N.S.

recommending that the Mayor issue a proclamation

declaring a general emergency in the City of Modesto and have same published in the Modesto Bee, the official newspaper of the City, which reads as follows:

P R O C L A M A T I O N

Whereas, on the 7th day of December, 1941, the nation of Japan made an unwarranted and unjustified attack upon a part of the territorial possessions of the United States of America; and

WHEREAS, by reason of said unjustified attack the American people have on this 8th day of December, 1941, through their representatives at Washington, D. C., declared war upon the Japanese nation; and,

WHEREAS, in the successful prosecution of that war it is necessary that all citizens of America and all persons living in America and enjoying the blessings of our democratic form of government join together to the end that the Japanese nation shall suffer complete defeat in this war; and,

WHEREAS, this nation, as never before in its history needs man power for its army, navy and air corps and materials of war and military equipment; and

WHEREAS, there cannot and must not be any line of demarcation drawn between so-called capital and labor; and,

WHEREAS, the only line of demarcation that can be drawn is that between a loyal American and those persons who seek the overthrow of our democratic form of government;

NOW, THEREFORE, I, CARL W. SHANNON, Mayor of the City of Modesto, do hereby declare a general emergency in said City, and I do hereby urge every citizen of Modesto, man, woman and child, to lend their every effort to a successful prosecution of this war against an aggressor nation, and I do particularly urge a termination of all labor disputes in this city to the end that free commerce, transportation, rendition of services, distribution of food supplies and other materials may proceed at top speed in the program to which we are committed, namely the complete and utter defeat of the Japanese nation.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City of Modesto be affixed this 8th day of December, in the year of our Lord One Thousand Nine Hundred and Forty One which resolution was adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

5  
IN THE MATTER OF  
POLICE PROTECTION FOR  
MILK PRODUCERS  
ASSOCIATION

Pursuant to the request of the Milk Producers Association for police protection for their plant in the City of Modesto, Chief Arlington was instructed to report to them that they would have to provide their own protection.

6  
IN THE MATTER OF  
MOVING SIREN FROM  
ENSLER PARK TO  
CORPORATION YARD

City Engineer Rossi was authorized to move the siren from Enslar Park to the City Corporation Yard located at 8th & L Streets.

7  
IN THE MATTER OF  
ADJOURNMENT

Commissioner Burge introduced

RESOLUTION NO. 5475-N.S.

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

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST *Charles J. Blum* CITY CLERK

((\*\*\*\*\*))

Special Council Meeting

December 10, 1941

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

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

Absent: Councilmen: Neece

1 IN THE MATTER OF  
ORDINANCE RE:  
BLACKOUTS

Commissioner Stanley introduced an ordinance, being  
ORDINANCE NO. 669-N.S.

entitled: "AN ORDINANCE PROVIDING FOR "BLACKOUTS", DEFINING SAID TERM AND PROVIDING A PENALTY FOR THE VIOLATION THEREOF" and moved its adoption and passage to print and publish, which motion being duly seconded, it was upon roll call carried and the ordinance ordered published as above by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: Neece

2 IN THE MATTER OF  
ADJOURNMENT

Commissioner Bates introduced

RESOLUTION NO. 5476-N.S.

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

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

Noes: Councilmen: None

Absent: Councilmen: Neece

ATTEST *Charles J. Blum* CITY CLERK

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Council Meeting

December 10, 1941

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: Bates, Burge, Neece, Acting Mayor Stanley

Absent: Councilmen: Mayor Shannon

1 IN THE MATTER OF  
APPROVAL OF MINUTES

Minutes of the regular meeting of November 26th and of the special meeting of December 3rd having been heretofore read by each Councilmen, were approved as so read.

2 IN THE MATTER OF  
ORAL COMMUNICATIONS,  
PETITIONS, ETC.

Pursuant to communication from the Milk Producers Association of Central California to close the alley running through Block 52, Commissioner Bates introduced

RESOLUTION NO. 5477-N.S.

ordering the alley in Block 52 closed during the present world emergency providing no buildings be built over the alley and that easement be granted to the City and

and gates be constructed under the supervision of the City Engineer and Chief of Police and the alley be opened when emergency is over, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Bates, Burge, Neece, Acting Mayor Stanley

Noes: Councilmen: None

Absent: Councilmen: Mayor Shannon

IN THE MATTER OF  
REQUEST RECREATION  
COMMISSION USE OF  
BUILDING

Mrs. Elizabeth Benkendorf and Mr. D. Wellman of the Modesto Recreation Commission appeared before the Council and requested to be permitted to use the back of the Old

Fire House on the first floor for projects being conducted by the Works Projects Administration. They were advised that this could not be done because of the nature of the work to be done would disturb the other occupants of the building, whereupon Commissioner Burge introduced

RESOLUTION NO. 5478-N.S.

granting the said Recreation Commission the use of two rooms in the building owned by the City located in the West Side Park, use of the building by the Recreation Commission is to be terminated at the option of the Council; which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Bates, Burge, Neece, Acting Mayor Stanley

Noes: Councilmen: None

Absent: Councilmen: Mayor Shannon

IN THE MATTER OF  
CLAIMS FOR THE MONTH  
OF NOVEMBER

Claims against the City of Modesto for the month of November, 1941 having been heretofore audited by the Council and found to be correct, Commissioner Burge introduced

RESOLUTION NO. 5479-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-----	\$28,441.07
WATER FUND-----	13,740.55
LIBRARY FUND-----	1,841.29
SPECIAL GAS TAX FUND-----	<u>4,920.76</u>
TOTAL	\$48,943.67

which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Bates, Burge, Neece, Acting Mayor Stanley

Noes: Councilmen: None

Absent: Councilmen: Mayor Shannon

IN THE MATTER OF  
COMMUNICATIONS

A communication from the State of California Department of Public Works, Division of Highways, District X advising that the legal office of the Department of Public Works had rendered an opinion to the effect that

1- City Councils or governing boards of municipalities are without authority to vacate or abandon any portion of the right of way of a State Highway within a city;

2- That while any city street, under the jurisdiction of the Department of Public Works is a state highway, such abandonment must be by action of the California State Highway Commission:

3. That the Department is without authority to delegate to a municipality power to vacate or abandon the right of way or a portion thereof of a State Highway within a city.

Communication was ordered filed with the City Clerk

6 A communication from the Bicycle Safety Bureau National Headquarters addressed to the Council regarding the Bicycle Safety Bureau program to reduce bicycle accidents and theft also to inculcate in your safe riding practices was read and the City Clerk was ordered to write to them for further particulars.

7 A communication from the Modesto Public Schools requesting that the City abandon easement in Block 435 was read, whereupon Commissioner Bates introduced

RESOLUTION NO. 5480-N.S.

recommending that easement be abandoned as provided in S.P. Resolution No. 729 and that the City Attorney be authorized to prepare quit claim deed to the Modesto Public Schools, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Bates, Burge, Neece, Acting Mayor Stanley

Noes: Councilmen: None

Absent: Mayor Shannon

8 IN THE MATTER OF  
INCREASE OF SALARY  
OF PERSONNEL OF  
PUBLIC WORKS DEPARTMENT OFFICE

Commissioner Bates introduced

RESOLUTION NO. 5481-N.S.

recommending that the salary of certain city employees be increased as follows as of December 1, 1941:

A. O. CARLEY	\$15.00 per month
F. L. OLCOTT	10 00 per month
MARION ZUMWALT	10 00 per month
THELMA ERICKSON	10 00 per month

during the absence of the Assistant City Engineer, or the employment of a temporary assistant from the Civil Service list, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Bates, Burge, Neece, Acting Mayor Stanley

Noes: Councilmen; None

Absent: Mayor Shannon

9 IN THE MATTER OF  
INSURANCE COVERAGE  
ON FIRE EQUIPMENT

City Attorney Fowler was directed to get in touch with the insurance carriers of the City of Modesto to determine if the city equipment and personnel would be covered with insurance if they answered emergency calls to other towns and also if they would be covered during practice emergency calls.

10 IN THE MATTER OF  
CONTRACT WITH McHENRY  
DRY CREEK FIRE PROTECTION DISTRICT FOR USE  
OF WATER

Commissioner Bates introduced

RESOLUTION NO. 5482-N.S.

recommending that the city enter into a contract with the McHenry Dry Creek Fire Protection District permitting them to use city water to fill their fire truck tank and to use the city hydrant when the fire is close to the city limits, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Bates, Burge, Neece, Acting Mayor Stanley

Noes: Councilmen: None

Absent: Mayor Shannon

11 IN THE MATTER OF  
ORDINANCE CHANGING  
CLOSING HOUR OF  
POOL HALLS

Commissioner Burge introduced an ordinance being  
ORDINANCE NO. 670-N.S.

entitled: AN ORDINANCE REGULATING THE CLOSING OF POOL  
HALLS AND/OR CARD ROOMS IN THE CITY OF MODESTO AND AMENDING CERTAIN ORDINANCES,  
and moved its adoption and passage to print and publish, which motion being duly  
seconded, it was upon roll call defeated:

Ayes: Councilmen; Burge

Noes: Councilmen: Bates, Neece, Acting Mayor Stanley

Absent: Mayor Shannon

12 IN THE MATTER OF  
MEETING OF CENTRAL VALLEY  
DIVISION OF LEAGUE OF  
CALIFORNIA CITIES

A communication from the secretary F. J. Rossi, of the  
Central Valley Division of the League of California Cities  
advising of the meeting for January 15, 1942 in Modesto  
was read and ordered filed.

13 IN THE MATTER OF  
REPORT ON WATER  
SYSTEM IN CARSON  
TRACT

Pursuant to order of the Council, City Engineer Rossi  
reported on the request of F. A. Weast that the City take  
over the privately owned water system in the Carson Tract,  
He reported that due to the present emergency and the difficulty in obtaining materials  
due to limitations of the O.P.M. and necessity of the City putting in another well  
for the purpose of standby service to the present well that offer be rejected and the  
City Clerk be authorized to notify Mr. Weast of the decision of the Council.

14 IN THE MATTER OF  
DEPARTMENTAL REPORTS  
FOR MONTH OF NOVEMBER

Reports for the month of November for the Police Court,  
Health Department, Treasurer and City Engineer were read  
and ordered filed.

15 IN THE MATTER OF  
OVERTIME PAY TO CITY  
EMPLOYEES IN PUBLIC  
WORKS DEPARTMENT

Commissioner Bates introduced  
RESOLUTION NO. 5483-N.S.

recommending that all personnel of the Public Works Depart-  
ment who were compelled to work overtime or seven days a week would be paid for extra  
work at the rate of their regular wages, which resolution was regularly adopted by the  
following vote:

Ayes: Councilmen: Bates, Burge, Neece, Acting Mayor Stanley

Noes: Councilmen: None

Absent: Mayor Shannon

16 IN THE MATTER OF  
ADJOURNMENT

Commissioner Bates introduced  
RESOLUTION NO. 5484-N.S.

adjourning the Council meeting until 4:00 P.M. Wednesday, December 17, 1941, which  
resolution was regularly adopted by the following vote:

Ayes: Councilmen: Bates, Burge, Neece, Acting Mayor Stanley

Noes: Councilmen: None

Absent: Mayor Shannon

ATTEST  CITY CLERK

December 17, 1941

The Council of the City of Modesto met in adjourned session this date at 4:00 P.M. as provided by Ordinance No. 2-N.S.

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

Absent: Councilmen: None

1 IN THE MATTER OF FINAL ADOPTION ORD. 669-N.S. "BLACKOUT" Ordinance No. 669-N.S. having been heretofore introduced and ordered printed and published at the regular meeting of December 10, 1941, 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: Bates, Burge, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

2 IN THE MATTER OF COMMUNICATION GEORGE KEELEY A communication from George Keeley was read asking for reinstatement in the Police Department of the City of Modesto and the City Clerk was authorized to write to him advising him according to our civil service rules and regulations it would be impossible for the City to reinstate him.

3 IN THE MATTER OF FINAL PAYMENT ON IMPROVING 19th & LALOMA STREETS Commissioner Bates introduced RESOLUTION NO. 5485-N.S. authorizing final payment on improving 19th and La Loma Streets to contractor S. M. McGaw, in amount \$1043.96 and directing the Clerk and Auditor to draw warrant in payment which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

4 IN THE MATTER OF REQUEST REMODEL GARAGE-JOHN WHOLEY A request from John Wholey to remodel a private garage into a dwelling in the rear and by order of the Council it was referred to the Planning Commission.

5 IN THE MATTER OF REPORTS BY POLICE AND FIRE DEPARTMENTS FOR MONTH OF NOVEMBER A report for the month of November of the Police and Fire Departments was read and ordered filed.

6 IN THE MATTER OF EXTEND TIME FOR REMODELING MINENI BUILDING-SEVENTH STREET Pursuant to the Council granting Joe Mineni two weeks to inform them just what repairs he was willing to make on his building located in Block 31, lots 1 to 8 inc. at the special meeting on December 3, 1941 to prevent the city from taking condemnation proceedings, Attorney Hawkins appeared for Joe Mineni and requested that Mr. Mineni be granted additional time, whereupon the Council extended the time to January 7, 1942.

7 IN THE MATTER OF TWO HOUR PARKING ON MADONIA AVE. Whereas, pursuant to request of The Grange Company for two hour parking limit on the westerly side of Madonia Avenue, Commissioner Stanley introduced

RESOLUTION NO. 5486-N.S.

granting request and authorizing the City Engineer to install the proper signs on the west side of Madonia Avenue, 529.49 feet, southerly from the southerly property line of Stoddard Avenue, which resolution was regularly adopted by the following vote:  
Ayes: Councilmen: Bates, Burge, Neece, Stanley, Mayor Shannon  
Noes: Councilmen: None  
Absent: Councilmen: None

8 IN THE MATTER OF REQUEST FRED SEELY OPERATE TAXI STAND TENTH & G STREETS Attorney John E. Griffin appeared before the Council in behalf of Fred Seely, asking for permit to operate a taxi business at the corner of 10th & G Streets in front of property leased by him, same was laid over until the next meeting of the Council.

9 IN THE MATTER OF STOP SIGNS AT TENTH & D STREETS Commissioner Stanley introduced RESOLUTION NO. 5487-N.S. directing the City Engineer to establish stop signs on west corner of 10th Street at D Street, stopping traffic entering D Street and a stop sign on the east corner of Tenth Street at D Street, stopping traffic entering D Street and to remove the present stop sign on the north corner of D Street at 10th Street, stopping traffic entering Tenth Street, which resolution was regularly adopted by the following vote:  
Ayes: Councilmen: Bates, Burge, Neece, Stanley, Mayor Shannon  
Noes: Councilmen: None  
Absent: Councilmen: None

10 IN THE MATTER OF ADJOURNMENT Commissioner Neece introduced RESOLUTION NO. 5488-N.S. adjourning this meeting now in session, which resolution was regularly adopted by the following vote:  
Ayes: Councilmen: Bates, Burge, Neece, Stanley, Mayor Shannon  
Noes: Councilmen: None  
Absent: Councilmen: None

ATTEST *Elmer J. Blum* CITY CLERK

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Council Meeting  
December 24, 1941

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: Bates, Burge, Neece, Stanley, Mayor Shannon  
Absent: Councilmen: None

1 IN THE MATTER OF APPROVAL OF MINUTES The minutes of the special meetings of December 8th and 10th regular meeting of December 10th and adjourned meeting of December 17th, having been heretofore read by each Councilman were approved as so read.

2 IN THE MATTER OF COMMUNICATIONS A communication from the Modesto Recreation Commission requesting that they be allowed free water for the Associated pre-school play center located at 127½ Jefferson Street was read, whereupon Commissioner Neece introduced

RESOLUTION NO. 5489-N.S.

granting request and allowing free water service to dwelling at 127½ Jefferson Street

during the time it is used for the Associated pre-school Play Center, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

3  
IN THE MATTER OF  
COVERAGE OF CITY  
EQUIPMENT ANSWERING  
FIRE CALLS OUTSIDE  
CITY

Pursuant to receipt of communications from the Standard Accident Insurance Company, insurance carrier on the city owned fleet of automobiles and from the State Compensation Insurance Company that the City of Modesto would be covered by insurance if the city owned equipment and personnel answered emergency calls outside of the city, Commissioner Stanley introduced

RESOLUTION NO. 5490-N.S.

authorizing the Chief of the Fire Department to answer calls outside the City of Modesto when in his opinion, or in his absence the opinion of the Assistant Fire Chief or someone else authorized to do so, an emergency exists, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

4  
IN THE MATTER OF  
FINAL CLOSING OF  
ALLEY IN BLOCK 52

Whereas the Council has passed a resolution declaring its intention to close alley in Block 52, between 9th and Tenth Street and E and F Streets from the hours of 12 o'clock midnight to 7 o'clock A.M. of the following day on each day of the week, due to the fact that the Milk producer's maintain a plant on said block and they are engaged in the manufacture of food supplies for the armies of the United States and whereas the State Legislature provides that the Council of a city may close alleys where they are adjacent to manufacturing plants engaged in processing and manufacturing food for use by the United States Armies, Commissioner Bates introduced

RESOLUTION NO. 5491-N.S.

recommending that said alley in Block 52 be ordered closed between the above stated hours and that gates be built at the end of said alley by the Milk Producer's Association at their expense under the Supervision of the Police Department and that they be moved by the Milk Producer's Association when ordered to do so by the Police and Fire Departments and that they keep a responsible person in attendance to open gates in the event of an emergency. The City Engineer is ordered to place appropriate signs at the premises and that the Council may rescind this action at any time when in their discretion said resolution should be rescinded, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

5  
IN THE MATTER OF  
PAYMENT FOR OVERTIME  
WORK IN POLICE DE-  
PARTMENT

Whereas there has been a state of emergency in the City of Modesto since December 7, 1941 when the United States was attacked by enemy forces and whereas it has been necessary for the members of the Police Department of said City to be on duty for a twelve hour period instead of their usual 8 hour period, since this state of emergency has existed, Commissioner Stanley introduced

RESOLUTION NO. 5492-N.S.

recommending that the members of the Police Department who have been compelled to be on duty for a period of twelve hours be reimbursed for the time worked in excess of their regular hours at the rate of wages they are now receiving for a period of one month, beginning December 7, 1941, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

6  
IN THE MATTER OF  
POSTING CITY PROPERTY  
WITH "NO TRESSPASSING  
SIGNS"

By order of the Council, City Engineer Rossi was authorized to post "No Trespassing" signs on water works property of the City of Modesto.

7  
IN THE MATTER OF  
ADJOURNMENT


Commissioner Neece introduced  
RESOLUTION NO. 5493-N.S.

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

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST  CITY CLERK

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Special Council Meeting  
December 26, 1941

The Council of the City of Modesto met in special session this date at 5:00 P.M. as provided by section 2 of Ordinance No. 2-N.S.

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

Absent: Councilmen: None

1  
IN THE MATTER OF  
ESTABLISHMENT OF U.S.  
GOVERNMENT BASE  
HOSPITAL

A committee from the Chamber of Commerce, composed of R.L.Kimmell, Paul Bomberger, Dr. R.E.Maxwell, J. Rise, Norman West and others appeared before the Council to

discuss the proposition of the establishment of a United States Government Base Hospital near Modesto, whereupon Commissioner Stanley introduced

RESOLUTION NO. 5494-N.S.

recommending that the Council authorize Commissioners Stanley and Burge to meet at Bomberger Brothers office at 942 11th Street, December 27th at 9:00 A.M. with the Committee from the Chamber of Commerce, Col. H. B. Nurse of the Quartermaster's Corp of the U.S. Army and the committee from the Board of Supervisors of Stanislaus County to discuss the proposition of the establishment of a United States Government Base Hospital near Modesto, and that they be empowered to pledge the City of Modesto for a like amount as the County of Stanislaus, not to exceed \$15,000 to be used for the purchase of a site for the hospital, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

2 IN THE MATTER OF  
ADJOURNMENT

Commissioner Burge introduced

RESOLUTION NO. 5495-N.S.

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

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST

 CITY CLERK