MODESTO CITY COUNCIL
RESOLUTION NO. 62-1

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING THE CALLING FOR BIDS FOR THE CONSTRUCTION OF WATER LINES TO SERVE VILLAGE MANOR NO. 2 AND MAY FAIR ESTATES NO. 1 SUBDIVISIONS

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

Section 1. The plans and specifications for the construction of water lines to serve Village Manor No. 2 and May Fair Estates No. 1 Subdivisions

copies of which are on file, are hereby accepted and approved.

Section 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 - 11th Street, in the City of Modesto, on January 16, 1962 at 2:00 P.M. and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form and manner provided by law.

Section 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 2nd day of January, 1962, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Johansen, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen Johansen, Patton, Mitchell, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen None

ABSENT: Councilmen None

ATTEST: _____
CITY CLERK

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-2

A RESOLUTION PROVIDING FOR THE OPERATION OF THE MUNICIPAL DISPOSAL AREA AND ESTABLISHING CHARGES FOR THE USE OF SAID DISPOSAL AREA.

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

SECTION 1. USE OF DISPOSAL AREA. The disposal area may be used for the disposal of garbage by all persons engaged in the business of collecting garbage produced within the City and collected by them on the terms set forth in this resolution.

SECTION 2. AMOUNT OF CHARGES. A charge of Three and 50/100ths ($3.50) Dollars per load is hereby established for the privilege of using said disposal area by garbage collectors for the disposal or deposit thereat of garbage produced within the City and collected by such garbage collectors.

SECTION 3. GENERAL REGULATIONS. All use of the disposal area shall be subject to the following rules and regulations:

(a) No garbage or swill produced outside the City limits shall be disposed of or deposited at the disposal area.

(b) All garbage, swill and garden refuse disposed of or deposited at the disposal area shall be deposited as and where directed by the person in charge of the disposal area, but shall not be deposited until fees have been collected from licensed collectors by the person in charge of the disposal area.

(c) No material which cannot be safely or conveniently handled in the disposal operation shall be deposited.

(d) No ashes shall be deposited unless they are thoroughly cold.

(e) No explosives or highly inflammable material shall be deposited.

(f) Fires are prohibited in disposal area.

(g) Salvaging is prohibited in disposal area.

(h) Loitering is prohibited in disposal area.

SECTION 4. OPERATION AND MAINTENANCE OF THE DISPOSAL AREA. Said garbage disposal area shall be maintained and operated in a sanitary manner by the Modesto Garbage Company under the direction and supervision of the Director of Public Works. Said operator shall comply with all federal, state, county and municipal laws, rules and regulations which may be applicable to the operation and maintenance of said disposal area. Said operator shall keep at its own cost and expense such employees and attendants thereat as may be necessary to properly operate and maintain said disposal area and provide for the reception and disposal of garbage.

SECTION 5. COMPENSATION. In consideration of its proper operation and maintenance of said disposal area, the Modesto Garbage Company shall be entitled to payment in the sum of Three and no/100ths ($3.00) Dollars for each load of garbage disposed of thereat, including each load of garbage disposed of thereat by said company. Said compensation shall be credited against charges incurred by said company for the privilege of disposing of garbage collected within the City by it at said disposal area.

SECTION 6. USE OF DISPOSAL AREA BY CITY FOR DISPOSAL OF GARDEN REFUSE: REIMBURSEMENT. In consideration of its proper operation and maintenance of the disposal area, Modesto Garbage Company shall be entitled to payment in the sum of One and no/100ths ($1.00) Dollar for each load of garden refuse collected from private property disposed of at the garbage disposal area by the City of Modesto. The charge for said disposal may be off-set by the operator of the disposal area against the compensation payable to the City under the provisions of Section 5 of this

Except as otherwise provided in this section, resolution./ Vehicles operated by the City of Modesto will be allowed use of the disposal area without charges therefor.

SECTION 7. RECORDS. Said company shall keep detailed written records of all loads of garbage disposed of at said disposal area, including the name of the garbage operator delivering said loads, and the date upon which they were delivered, and shall furnish an itemized monthly report of same to the Director of Finance. City shall have the right to inspect, audit and copy such records upon notice at all reasonable times.

SECTION 8. BILLING AND COLLECTION OF CHARGES. City shall be responsible for doing the necessary billing and collecting of all garbage disposal charges imposed by reason of the use of said disposal area.

SECTION 9. REPEALS. Resolution No. 54-348, adopted by the Council on November 3, 1954, and Resolution No. 57-30A, adopted by the Council on January 16, 1957, are hereby rescinded.

SECTION 10. EFFECTIVE DATE. This resolution shall become effective on and after January 1, 1962.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 2nd day of January, 19 62, by Councilman Johansen, who moved its adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the resolution adopted by the following vote:

AYES: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: None

ABSENT: None

ATTEST: [signature]
City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-3

A RESOLUTION AUTHORIZING AN EXTENSION OF THE LICENSE OF THE MODESTO GARBAGE COMPANY FOR THE COLLECTION OF GARBAGE IN THE CITY OF MODESTO.

WHEREAS, Resolution No. 55-312 granted a license to the Modesto Garbage Company for the collection of garbage in the City of Modesto for a period of five (5) year, which period terminated on July 1, 1960, and

WHEREAS, Resolution No. 60-180 extended the term of said license for a period of six (6) months from the date of its termination, and

WHEREAS, Resolution No. 60-481 further extended the term of said license for a period of six (6) months to June 30, 1961, and

WHEREAS, Resolution No. 61-295 further extended the term of said license to October 1, 1961, and

WHEREAS, Resolution No. 61-424 further extended the term of said license to December 31, 1961, and

WHEREAS, the staff of the City of Modesto has not yet completed its study and analysis of garbage collection, and an additional period of time is required to complete the same,

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

SECTION 1. The license granted to the Modesto Garbage Company by Resolution No. 55-312, as extended by Resolution No. 60-180, Resolution No. 60-481, Resolution No. 61-295, and Resolution No. 61-424, is hereby further extended to March 31, 1962, provided, however, that said license may be terminated prior thereto by the mutual consent of the City and licensee.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 2nd day of January, 19 62, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and the resolution adopted by the following vote:

AYES: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: None

ABSENT: None

ATTEST: _____
City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-4

A RESOLUTION AUTHORIZING AN EXTENSION OF THE LICENSE OF THE SANDERS SALVAGE COMPANY FOR THE COLLECTION OF GARBAGE IN THE CITY OF MODESTO.

WHEREAS, Resolution No. 55-311 granted a license to the Sanders Salvage Company for the collection of garbage in the City of Modesto for a period of five (5) years, which period terminated on July 1, 1960, and

WHEREAS, Resolution No. 60-182 extended the term of said license for a period of six (6) months from the date of its termination, and

WHEREAS, Resolution No. 60-483 further extended the term of said license for a period of six (6) months to June 30, 1961, and

WHEREAS, Resolution No. 61-297 further extended the term of said license to October 1, 1961, and

WHEREAS, Resolution No. 61-425 further extended the term of said license to December 31, 1961, and

WHEREAS, the staff of the City of Modesto has not yet completed its study and analysis of garbage collection, and an additional period of time is required to complete the same,

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

SECTION 1. The license granted to the Sanders Salvage Company by Resolution No. 55-311, as extended by Resolution No. 60-182, Resolution No. 60-483, Resolution No. 61-297, and Resolution No. 61-425, is hereby further extended to March 31, 1962, provided, however, that said license may be terminated prior thereto by the mutual consent of the City and licensee.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 2nd day of January, 1962, by Councilman Johansen, who moved its adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the resolution adopted by the following vote:

AYES: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: None

ABSENT: None

ATTEST: _____
City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-5

A RESOLUTION AUTHORIZING AN EXTENSION OF THE LICENSE OF THE AIRPORT GARBAGE SERVICE FOR THE COLLECTION OF GARBAGE IN THE CITY OF MODESTO.

WHEREAS, Resolution No. 55-313 granted a license to the Airport Garbage Service for the collection of garbage in the City of Modesto for a period of five (5) years, which period terminated on July 1, 1960, and

WHEREAS, Resolution No. 60-181 extended the term of said license for a period of six (6) months from the date of its termination, and

WHEREAS, Resolution No. 60-482 further extended the term of said license for a period of six (6) months to June 30, 1961, and

WHEREAS, Resolution No. 61-296 further extended the term of said license to October 1, 1961, and

WHEREAS, Resolution No. 61-426 further extended the term of said license to December 31, 1961, and

WHEREAS, the staff of the City of Modesto has not yet completed its study and analysis of garbage collection, and an additional period of time is required to complete the same,

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

SECTION 1. The license granted to the Airport Garbage Service by Resolution No. 55-313, as extended by Resolution No. 60-181, Resolution No. 60-482, Resolution No. 61-296, and Resolution No. 61-426, is hereby further extended to March 31, 1962, provided, however, that said license may be terminated prior thereto by the mutual consent of the City and licensee.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 2nd day of January, 1962, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and the resolution adopted by the following vote:

AYES: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: None

ABSENT: None

ATTEST: _____
City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-6

A RESOLUTION AUTHORIZING AN EXTENSION OF THE LICENSE OF RUDY BONZI FOR THE COLLECTION OF SWILL IN THE CITY OF MODESTO.

WHEREAS, Resolution No. 55-315 granted a license to Rudy Bonzi for the collection of swill in the City of Modesto for a period of five (5) years, which period terminated on July 1, 1960, and

WHEREAS, Resolution No. 60-200 extended the term of said license for a period of six (6) months from the date of its termination, and

WHEREAS, Resolution No. 61-298 further extended the term of said license to October 1, 1961, and

WHEREAS, Resolution No. 61-427 further extended the term of said license to December 31, 1961, and

WHEREAS, the staff of the City of Modesto has not yet completed its study and analysis of garbage collection and an additional period of time is required to complete the same,

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

SECTION 1. The license to collect swill granted to Rudy Bonzi by Resolution No. 55-315, as extended by Resolution No. 60-200, Resolution No. 61-298, and Resolution No. 61-427, is hereby further extended to March 31, 1962, provided, however, that said license may be terminated prior thereto by the mutual consent of the City and licensee.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 2nd day of January, 19 62, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by

Councilman Johansen, was upon roll call carried and the resolution adopted by the following vote:

AYES: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: None

ABSENT: None

ATTEST: _____
City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-7

A RESOLUTION GRANTING AN EXTENSION OF THE LICENSE OF AMERICAN HOG FARM FOR THE COLLECTION OF SWILL IN THE CITY OF MODESTO.

WHEREAS, the existing license to collect swill granted to American Hog Farm as extended by Resolution No. 61-428 expires December 31, 1961, and

WHEREAS, the City of Modesto is in the process of revising its regulations pertaining to the collection of garbage and swill, and

WHEREAS, American Hog Farm desires to continue to engage in the business of collecting swill in the City of Modesto,

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

SECTION 1. The license to collect swill granted to American Hog Farm by Resolution No. 55-314, as extended by Resolution No. 60-201, Resolution No. 61-352, and Resolution No. 61-428, is hereby further extended to March 31, 1962, provided, however, that said license may be terminated prior thereto by the mutual consent of the City and licensee.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 2nd day of January, 1962, by Councilman Mitchell, who moved its adoption, which motion being duly seconded by Councilman Patton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond
NOES: None
ABSENT: None

ATTEST: [signature]
City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-8

A RESOLUTION APPROVING THE FINAL MAP OF THE MAY FAIR ESTATES UNIT NO. 1 SUBDIVISION OF THE CITY OF MODESTO.

WHEREAS, LANCE E. ELLIS and CAROL L. ELLIS, husband and wife, are possessed of a tract of land situate in the City of Modesto, County of Stanislaus, consisting of 12.19 acres, known as the MAY FAIR ESTATES UNIT NO. 1 SUBDIVISION, and

WHEREAS, a tentative map of said tract was approved by the City Planning Commission on the 5th day of July, 19 60, and

WHEREAS, the final map of said tract has been approved by the Secretary of the City Planning Commission, and

WHEREAS, the City Engineer of the City of Modesto has certified that the final map of said MAY FAIR ESTATES UNIT NO. 1 SUBDIVISION meets all of the provisions of the California Subdivision Map Act and the provisions of the Modesto Municipal Code relating to subdivisions, and that the map is technically correct;

NOW, THEREFORE, BE IT RESOLVED that said final map of the MAY FAIR ESTATES UNIT NO. 1 SUBDIVISION be approved; that the streets, alleys, and easements as shown thereon within the boundaries of said tract be accepted on behalf of the public for public use; and that the City Clerk be authorized to certify the map of said tract on behalf of the City of Modesto after the fees in the amount of ONE THOUSAND THIRTY-SEVEN AND 70/100ths ($1,037.70) Dollars, as required by the Modesto Municipal Code, for checking, copies of maps, recording, and parks and playgrounds have been paid, and subdividers have furnished a bond acceptable to the City Attorney, or, in lieu thereof, have posted a cash deposit with the City Clerk in the sum of FORTY-ONE THOUSAND AND NO/100ths ($41,000.00) Dollars.

BE IT FURTHER RESOLVED that the City Manager and the City Clerk be authorized to execute and attest, respectively, an agreement

with subdividers as required by Section 4-4.604 (c) of the Modesto Municipal Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 2nd day of January, 1962, by Councilman Johansen, who moved its adoption, which motion being duly seconded by Councilman Shastid, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond
NOES:	Councilmen:	None
ABSENT:	Councilmen:	None

ATTEST: _____
City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-9

A RESOLUTION ADOPTING A REVISED POSITION CLASSIFICATION PLAN FOR THE CITY OF MODESTO.

WHEREAS, Section 2-5.06 of the Modesto Municipal Code provides that the City Council shall adopt, by resolution, personnel rules governing the preparation, installation, revision, and maintenance of a position classification plan covering all appointive positions in the City service, and

WHEREAS, Rule 2.1 of the City of Modesto Personnel Rules, adopted by the City Council, effective July 1, 1954, provides that the City Manager shall ascertain the duties and responsibilities of all positions in the City service, except positions filled by appointees of the City Council, and prepare a classification plan for such positions, and

WHEREAS, a classification plan has been prepared by Griffenhagen-Kroeger, Inc., entitled "POSITION CLASSIFICATION PLAN - CITY OF MODESTO - September, 1961", and filed with the City Manager, and the City Manager and Personnel Commission recommend adoption of such plan, and

WHEREAS, Rule 2.2 of the City of Modesto Personnel Rules provides that the classification plan shall be effective upon adoption by resolution by the City Council,

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

SECTION 1. ADOPTION OF PLAN. The basic classification plan consisting of the titles and specifications contained in a report entitled, "POSITION CLASSIFICATION PLAN, CITY OF MODESTO", by Griffenhagen-Kroeger, Inc., dated September, 1961, a copy of which is on file in the office of the City Clerk, is hereby adopted by reference as The Position Classification Plan of the City of Modesto, effective January 1, 1962.

SECTION 2. THE CLASSIFICATION PLAN. The classification plan shall consist of the titles and specifications contained in the report adopted by the foregoing section, and all subsequent amendments approved in accordance with the Personnel Ordinance and Personnel Rules. The titles and specifications shall be interpreted and used as follows:

(a) The class title shall be used in all official records of the City and for all classification and payroll purposes.

(b) The definition of a class is a summary statement of the supervision received, the duties performed and the supervision exercised in any position allocated to the class. Each definition includes the phrase "and to do related work as required", to provide flexibility in permitting employees to do any reasonably related work not specifically described.

(c) The typical tasks are illustrations of duties commonly performed in positions allocated to the class. The inclusion of a task does not necessarily require each employee whose position is allocated to the class to perform that duty; nor does the exclusion of any task, related to the duties of any such employee, release him from responsibility for performing that duty when assigned.

(d) Statements of distinguishing characteristics, where used, are merely for further explanation of the differences between classes.

(e) Employment standards and desirable qualifications indicate the training, experience, knowledges, skills, abilities and personal and physical characteristics which may be used as standards in the selection of employees for the class. The statements of training and experience are to be interpreted as general standards, and any reasonably equivalent combination may be accepted by the Director of Personnel for admitting candidates to examinations. Minimum requirements in any

examination announcement may vary from these standards when, in the judgment of the Director of Personnel, it is in the City's interest. In addition to standards specifically stated, general requirements of integrity, good judgment, good moral character--as well as requirements generally imposed by law, such as possession of a valid driver's license, where required--are considered to be a part of any or all specifications.

SECTION 3. ALLOCATION OF POSITIONS. Upon the effective date hereof, or as soon thereafter as practicable, the City Manager shall allocate each position for which he is the appointing authority to one of the classes established by this resolution. When such allocations are made, status of persons occupying reallocated positions shall be governed by the following:

Each employee who has previously acquired status in the Classified Service will be granted the same status in the class to which his position is reallocated as he had in his former class. The name of any employee who has status in a higher class than that to which his position is reallocated shall be placed on a re-employment list for his former class or a comparable class for a period not to exceed two (2) years.

SECTION 4. QUALIFICATIONS OF EMPLOYEES. An employee whose position is allocated to a different class in accordance with this revision of the classification plan is deemed to have met minimum requirements for appointment to the class to which his position is allocated and shall be granted probationary or regular status in the new class, upon certification by the department head that his service is satisfactory.

SECTION 5. TITLES IN RECORDS. The title of existing eligible lists and other appropriate records of the City shall be amended to conform to the new classification plan and allocation of positions.

SECTION 6. AMENDMENT. This classification plan may be amended as provided in the Personnel Rules.

SECTION 7. EFFECTIVE DATE. This resolution shall be effective retroactively on and after January 1, 1962.

SECTION 8. REPEALS. Resolution No. 54-229, as amended by Resolution Nos. 55-365, 55-413, 56-226, 56-358, 56-463, 57-237, 57-506, 58-57, 58-407, 59-436, 60-67, 60-360, and 61-227, is hereby rescinded.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 2nd day of January, 1962, by Councilman Shastid, who moved its adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the resolution adopted by the following vote:

AYES: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: None

ABSENT: None

ATTEST: _____
City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-10

A RESOLUTION APPROVING THE FINAL MAP OF THE VILLAGE MANOR UNIT NO. 2 SUBDIVISION OF THE CITY OF MODESTO.

WHEREAS, JOHN H. KIRKPATRICK and DOLORES IRENE KIRKPATRICK, husband and wife, are possessed of a tract of land situate in the City of Modesto, County of Stanislaus, consisting of 8.81 acres, known as the VILLAGE MANOR UNIT NO. 2 SUBDIVISION, and

WHEREAS, a tentative map of said tract was approved by the City Planning Commission on the 14th day of June, 1960, and

WHEREAS, the final map of said tract has been approved by the Secretary of the City Planning Commission, and

WHEREAS, the City Engineer of the City of Modesto has certified that the final map of said VILLAGE MANOR UNIT NO. 2 SUBDIVISION meets all of the provisions of the California Subdivision Map Act and the provisions of the Modesto Municipal Code relating to subdivisions, and that the map is technically correct;

NOW, THEREFORE, BE IT RESOLVED that said final map of the VILLAGE MANOR UNIT NO. 2 SUBDIVISION be approved; that the streets, alleys, and easements as shown thereon within the boundaries of said tract be accepted on behalf of the public for public use; and that the City Clerk be authorized to certify the map of said tract on behalf of the City of Modesto after the fees in the amount of SEVEN HUNDRED FORTY-FOUR AND 70/100ths ($744.70) Dollars, as required by the Modesto Municipal Code, for checking, copies of maps, recording, and parks and playgrounds have been paid, and subdividers have furnished a bond acceptable to the City Attorney, or, in lieu thereof, have posted a cash deposit with the City Clerk in the sum of TWENTY THOUSAND THREE HUNDRED AND NO/100ths ($20,300.00) Dollars.

BE IT FURTHER RESOLVED that the City Manager and the City Clerk be authorized to execute and attest, respectively, an agreement

with subdividers as required by Section 4-4.604 (c) of the Modesto Municipal Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 2nd day of January, 1962, by Councilman Johansen, who moved its adoption, which motion being duly seconded by Councilman Mitchell, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Tabbert, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Shastid, VanderWall

ATTEST: [signature]
City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-11

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND GLADYS L. ULRICH, JACK A. ULRICH AND JOYLENE ULRICH, A. JUDSON STURTEVANT, JR. AND MARGARET M. STURTEVANT, JOSEPH A. SALETTA AND BILLIE SALETTA, LESSORS, FOR THE RENTAL OF PROPERTY TO BE USED FOR LIBRARY PURPOSES

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the Agreement between the City of Modesto and Gladys L. Ulrich, Jack A. Ulrich and Joylene Ulrich, A. Judson Sturtevant, Jr. and Margaret M. Sturtevant, Joseph A. Saletta and Billie Saletta, lessors, for the rental of property ~~for~~ located in the Ulrich Shopping Center to be used for library purposes at a rental rate of $200 per month for a term of two (2) years be, and it is hereby approved, and

BE IT FURTHER RESOLVED that the execution of said Agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 2nd day of January, 1962, by Councilman Johansen, who moved its adoption, which motion being duly seconded by Councilman Patton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: _____
CITY CLERK

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-12

A RESOLUTION DESIGNATING CERTAIN CITY PROPERTY FOR USE FOR FUTURE LIBRARY PURPOSES.

WHEREAS, the City now owns that certain parcel of real property bounded by H Street, I Street, Fifteenth Street and the alley between Fifteenth Street and Sixteenth Street, and

WHEREAS, said property was originally acquired for a city hall, site, and

WHEREAS, the City acquired another site, financed from the Special Capital Outlay Fund, upon which a city hall has been constructed, and

WHEREAS, the Council desires to devote the southerly two-thirds (2/3 rds) of the aforesaid property to use for future library purposes, and

WHEREAS, the Council finds and determines that the present reasonable market value of the southerly two-thirds (2/3 rds) of the aforesaid property is the sum of Ninety-Four Thousand and no/100ths ($94,000.00) Dollars,

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

1. The southerly two-thirds (2/3 rds) of that certain parcel of real property owned by the City bounded by H Street, I Street, Fifteenth Street and the alley between Fifteenth and Sixteenth Streets is hereby designated and set aside for future library purposes.

2. In order to effect an inter-fund transfer to reflect the change of the purposes for which said property is held by the City and to adjust fund accountability, the additional sum of Twenty-Four Thousand and no/100ths ($24,000.00) Dollars is hereby transferred from the Library Capital Outlay Fund to the Special Capital Outlay Fund, Seventy Thousand and no/100 ths ($70,000.00) Dollars having been previously transferred to the Special Capital Outlay Fund under authority of Resolution No. 58-314

entitled "A Resolution Designating Certain City Property For Use For Future Library Purposes and Authorizing An Appropriation Transfer In Connection Therewith" adopted by the Council on September 24, 1958.

3. The Director of Finance is hereby authorized and directed to implement the provisions of this resolution.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 2nd day of January, 19 62, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Shastid, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond
NOES:	Councilmen:	None
ABSENT:	Councilmen:	None

ATTEST: _____
City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-13

A RESOLUTION REJECTING THE CLAIMS OF HARRY GRAHAM, LEO J. CRISMON, WINFIELD A. STAMBAUGH, DELBERT M. HODGES, JACK C. STONE AND CHARLES B. SLOAN FOR FIREMEN'S HOLIDAY PAY AGAINST THE CITY OF MODESTO

WHEREAS, Harry Graham, Leo J. Crismon, Winfield A. Stambaugh, Delbert M. Hodges, Jack C. Stone and Charles B. Sloan filed claims for Firemen's Holiday Pay against the City of Modesto, copies of which are on file in the office of the City Clerk, and

WHEREAS, the City Attorney has stated that the said claims were not filed within the period specified by the Statutes of Limitations,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the aforementioned claims for Firemen's Holiday Pay against the City of Modesto be, and they are hereby rejected in their entirety.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 2nd day of January, 1962, by Councilman Johansen, who moved its adoption, which motion being duly seconded by Councilman Shastid, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: _____
CITY CLERK

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-14

A RESOLUTION ACCEPTING THE BID OF A. TEICHERT & SON, INC. IN THE SUM OF $9,239 FOR CONSTRUCTION OF SEWER TO SKYLANE PARK NO. 2 SUBDIVISION

WHEREAS, Resolution No. 61-525, adopted by the Council of the City of Modesto on December 18 1961, approved the plans and specifications for the construction of sewer to Skylane Park No. 2 Subdivision and authorized the calling for bids, and

WHEREAS, the bids received for the construction of sewer to Skylane Park No. 2 Subdivision were opened at 2:00 P.M., January 2, 1962, and later tabulated by the Public Works Department for the consideration of the Council, and

WHEREAS, the Director of Public Works has recommended that the bid of A. Teichert & Son, Inc. in the sum of $9,239

be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED that the bid of A. Teichert & Son, Inc. in the sum of $9,239 be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of January, 1962, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Johansen, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen None

ATTEST: [signature]
CITY CLERK

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-15

A RESOLUTION WITHDRAWING CERTAIN DESCRIBED TERRITORY FROM THE McHENRY-DRY CREEK COUNTY FIRE PROTECTION DISTRICT BY REASON OF ITS ANNEXATION TO THE CITY OF MODESTO. (GLENN ADDITION)

WHEREAS, a portion of the McHenry-Dry Creek County Fire Protection District was annexed to the City of Modesto by Ordinance No. 495 -C.S., adopted on December 26, 19 61, and

WHEREAS, said territory officially became a part of the City on December 28, 19 61, and

WHEREAS, the Health and Safety Code of the State of California provides that whenever any portion of such a District is included within a city by reason of annexation, such portion may be withdrawn from the District by the filing with the State Board of Equalization, the governing body of the District, and the County Assessor of copies of a resolution of the legislative body of the city, describing the included portion, and declaring such portion withdrawn, and

WHEREAS, it is to the best interests of the residents in the area of said Fire District which has been annexed to the City that the area be withdrawn from said Fire District and provided fire prevention and fire fighting services by the City,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the following described territory be withdrawn from the boundaries of the McHenry-Dry Creek County Fire Protection District:

GLENN ADDITION

All that certain real property situate in the State of California, County of Stanislaus, Sections 16 and 21, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits as established by the McHenry Village Addition as per description filed May 11, 1954 as Instrument 11745, Stanislaus County Records, said point being the intersection of the Westerly quarter-quarter section line of said Section 16 and the Northern line of a 40 foot Public Road known as Granger Avenue; thence along said quarter-quarter section line and the existing City Limit, North 0° 51' 30" West, 130.00 feet; thence continuing along the existing City Limit, South 89° 39' East, 150.00 feet, to the Western line of the Camellia Gardens Tract, as per map filed June 19, 1950, in Volume 17 of Maps, Page 5, Stanislaus County Records; thence along said Western line of the Camellia Gardens Tract and its Southerly extension, South 0° 51' 30" East, 150.00 feet, to the Center Line of said Granger Avenue, said Center Line being the Section Line common to Sections 16 and 21 and also being the Northern line of Lot 2 of the Coolidge Colony as per map filed November 15, 1910, in Volume 5 of Maps, Page 17, Stanislaus County Records; thence continuing South 0° 51' 30" East, 20.00 feet, to the Southern line of said Granger Avenue; thence along the Southern line of Granger Avenue, parallel with the Northern line of said Lot 2, South 89° 39' East, 47.00 feet to the Eastern line of property conveyed to Joe Mineni, Jr., et ux, by deed recorded May 23, 1961, as Instrument 16322, Stanislaus County Records; thence along the Eastern line of said Mineni property, parallel with the Western line of said Lot 2, South 0° 51' 30" East, 310.16 feet, more or less, to the Southeastern corner of said Mineni property; thence along the Southern line of said Mineni property and its Westerly extension, said line also being the Southern line of the Northern half of said Lot 2, North 89° 40' West, 197.00 feet, to the Western line of said Lot 2 and the Western quarter-quarter section line of said Section 21; thence along said Western line of Lot 2 and the quarter-quarter section line, North 0° 51'30" West, 330.21 feet, more or less, to the Northwestern corner of said Lot 2 and the Center Line of Granger Avenue; thence continuing along the quarter-quarter section line, North 0° 51' 30" West, 20.00 feet, to the point of beginning, containing 1.987 acres, more or less.

BE IT FURTHER RESOLVED that the City Clerk be, and he is hereby directed to file a certified copy of this resolution with the State Board of Equalization, the governing body of said Fire Protection District, and the Assessor of Stanislaus County.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of January, 1962, by Councilman Mitchell, who moved its adoption, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and the resolution adopted by the following vote:

AYES: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: None

ABSENT: None

ATTEST: _____
City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-16

A RESOLUTION WITHDRAWING CERTAIN DESCRIBED TERRITORY FROM THE WOODLAND AVENUE COUNTY FIRE PROTECTION DISTRICT BY REASON OF ITS ANNEXATION TO THE CITY OF MODESTO. (MacDANNALD ADDITION)

WHEREAS, a portion of the Woodland Avenue County Fire Protection District was annexed to the City of Modesto by Ordinance No. 494 -C.S., adopted on December 26, 19 61, and

WHEREAS, said territory officially became a part of the City on December 28, 19 61, and

WHEREAS, the Health and Safety Code of the State of California provides that whenever any portion of such a District is included within a city by reason of annexation, such portion may be withdrawn from the District by the filing with the State Board of Equalization, the governing body of the District, and the County Assessor of copies of a resolution of the legislative body of the city, describing the included portion, and declaring such portion withdrawn, and

WHEREAS, it is to the best interests of the residents in the area of said Fire District which has been annexed to the City that the area be withdrawn from said Fire District and provided fire prevention and fire fighting services by the City,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the following described territory be withdrawn from the boundaries of the Woodland Avenue County Fire Protection District:

MacDANNALD ADDITION

All that real property in the State of California, County of Stanislaus, Section 31, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, being a portion of Lot 5 of the Spencer Colony as per map filed December 16, 1904, in Volume 2 of Maps, Page 3, Stanislaus County Records, described as follows:

Beginning at a point on the existing City Limits as established by the boundary description of the Mark Twain Addition, filed June 22, 1956, Instrument Number 17230, Stanislaus County Records, said point being at the intersection of the Southern line of the Franklin School property and center line of Modesto Irrigation District Lateral Number 5; thence along the Southern line and its Westerly extension of said Franklin School property and existing City Limits, North 89° 47' West, 790.68 feet, to a point on the North-South quarter section line of said Section 31; thence continuing along the existing City Limits, North 89° 48' 30" West, 31.04 feet, to a point on the Western line of a 50 foot County Road known as Emerald Avenue; thence along the Western line of Emerald Avenue and the existing City Limits, South 3° 05' 35" East, 20.61 feet; thence continuing along the Western line of Emerald Avenue and existing City Limits, South 0° 11' 30" East, 240.42 feet, to a point on the Westerly extension of a Southern line of the property described in the deed to Darold W. MacDannald, et al, Recorded May 24, 1960, as Instrument 14962 in Volume 1614, Page 699, Stanislaus County Records; thence leaving the existing City Limits and going along the Southern line and its Westerly extension of said MacDannald property, South 89° 47' East, 290.00 feet; thence along a Western line of said MacDannald property, South 00° 11' 30" East, 163.62 feet; thence along the most Southern line of said MacDannald property, South 89° 47' East, 552.15 feet, to a point on the center line of the Modesto Irrigation District Lateral Number 5; thence along said center line, North 03° 07' West, 425.20 feet, to the point of beginning, containing 7.012 Acres more or less.

BE IT FURTHER RESOLVED that the City Clerk be, and he is hereby directed to file a certified copy of this resolution with the State Board of Equalization, the governing body of said Fire Protection District, and the Assessor of Stanislaus County.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of January, 1962, by Councilman Johansen, who moved its adoption, which motion being duly seconded by Councilman Patton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: None

ABSENT: None

ATTEST: [signature]
City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-17

A RESOLUTION RELATING TO THE GRANTING OF SPECIAL PERMITS TO USE CITY PARKS FOR USES OR EVENTS OF A NONCOMMERCIAL NATURE FOR WHICH THEY ARE NOT NORMALLY DESIGNED TO ACCOMMODATE.

WHEREAS, from time to time, the Council receives requests for special permission to use City parks for uses or events of a noncommercial nature for which they are not normally designed to accommodate, and

WHEREAS, the Council finds it desirable that permission for these uses be handled administratively,

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

SECTION 1. The Director of Parks and Recreation is hereby authorized to grant permits to applicants requesting special permission to use City parks for uses or events of a noncommercial nature for which they are not normally designed to accommodate subject to the following conditions:

(a) The facilities are available and adequate for the requested use on the date requested;

(b) Applicant agrees to indemnify and save the City harmless of and from all damages, costs and charges of any kind or character arising out of or relating to or in any way connected with the exercise of the rights granted by the permit;

(c) If believed necessary in the public interest, applicant shall take out and maintain during the life of the permit public liability and property damage insurance to protect it and any person performing work under the permit, for claims for damages for personal injury, including accidental death, as well as claims for property damage, which may arise out of the exercise of the rights granted by the permit, whether by itself, or by anyone directly or indirectly employed by it. The amount of such insurance if required, shall be as follows:

Public Liability Insurance in an amount of not less than One Hundred Thousand and no/100ths ($100,000.00) Dollars for injuries, including accidental death, to any one person; and subject to the same limit for each person, in an amount not less than Two Hundred Thousand and no/100ths ($200,000.00) Dollars on account of one occurrence; and Property Damage Insurance in an amount not less than Twenty-Five Thousand and no/100ths ($25,000.00) Dollars.

Applicant shall furnish City Clerk with a certificate of the insurance required by this resolution.

SECTION 2. The Director of Parks and Recreation shall furnish applicant with a copy of the permit, setting forth the terms and conditions of the permit. Applicant shall file written acceptance of the permit and the certificates of insurance as required by this resolution with the City Clerk. The permit shall not become effective until said acceptance and certificates, if required, are filed.

SECTION 3. This resolution shall be supplemental to and shall not supersede the provisions contained in Resolution No. 59-339 entitled, "A Resolution Regulating the Reservation and Use of Picnic Tables, Barbecue Pits, and Such Other Picnic Facilities as may be Provided in the Public Parks of the City of Modesto", adopted by the Council on August 12, 1959. Should there be any conflict between the provisions of this resolution and Resolution No. 59-339, the provisions set forth in Resolution No. 59-339 shall prevail.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of January, 1962, by Councilman Tabbert, who moved its adoption, which motion being duly seconded by

Councilman Mitchell, was upon roll call carried and the resolution adopted by the following vote:

AYES: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: None

ABSENT: None

ATTEST: _____
City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-18

A RESOLUTION AUTHORIZING THE RELEASE OF THE HARTFORD ACCIDENT AND INDEMNITY COMPANY PERFORMANCE BOND FILED TO GUARANTEE IMPROVEMENTS IN ROSEMEAD TERRACE SUBDIVISION

WHEREAS, George Reed, Subdivider of Rosemead Terrace Subdivision, has filed with the City of Modesto a performance bond to guarantee the improvements in the aforesaid subdivision, and

WHEREAS, the Director of Public Works has reported that the improvements have been completed in the aforesaid subdivision to his satisfaction, and has recommended the release of the performance bond,

NOW, THEREFORE, BE IT HEREBY RESOLVED that the Hartford Accident and Indemnity Company Performance Bond No. 3167209 in the sum of $15,600 filed by George Reed to guarantee improvements in Rosemead Terrace Subdivision be and it is hereby released.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of January, 1962, by Councilman Johansen, who moved its adoption, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: None

ATTEST: [signature]
CITY CLERK

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-19

A RESOLUTION APPROVING REDUCTION OF THE PERFORMANCE BONDS FILED BY WOLVERINE, INC. TO GUARANTEE IMPROVEMENTS IN YORKSHIRE MANOR NOS. 2 AND 3 SUBDIVISIONS

WHEREAS, Wolverine, Inc., Subdivider of Yorkshire Manor Nos. 2 and 3 Subdivisions, posted Performance Bonds with the City of Modesto to guarantee the improvements in Yorkshire Manor Nos. 2 and 3 Subdivisions, and

WHEREAS, the Department of Public Works has reported that all work in the subdivisions is complete with the exception of the improvement of the alleys, which improvements cannot be made until May of 1962,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the Performance Bond filed by Wolverine, Inc. to guarantee the improvements in Yorkshire Manor No. 2 Subdivision be reduced to the sum of $1,300.

BE IT FURTHER RESOLVED that the Performance Bond filed by Wolverine, Inc. to guarantee the improvements in Yorkshire Manor No. 3 Subdivision be reduced to the sum of $700, and that the subdivider be required to file Performance Bonds with the City of Modesto in the above amounts.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of January, 1962, by Councilman Shastid, who moved its adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: None

ATTEST: [signature]
CITY CLERK

(SEAL)

For amounts not actually Released, See Resolutions No. 62-319 and 62-320

MODESTO CITY COUNCIL
RESOLUTION NO. 62-20

A RESOLUTION ESTABLISHING THE POLICY IN THE CITY OF MODESTO WITH RESPECT TO THE ESTABLISHMENT OF ANGLE PARKING ON CITY STREETS.

WHEREAS, from time to time, requests are received by the City Council for the establishment of angle parking at various locations on the City streets, and

WHEREAS, the Council desires to fix a policy with respect to the establishment of angle parking, and

WHEREAS, the Institute of Traffic Engineers Handbook recommends that a minimum street width of seventy (70') feet should be required before angle parking is permitted, and

WHEREAS, the Institute of Traffic Engineers Handbook further states that angle parking is not advised at the curb and should be used only in separate parking areas and in low speed urban areas where parking requirements take precedence over the smooth operation of through traffic, and

WHEREAS, the National Safety Council recommends no angle parking,

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

SECTION 1. The policy of the City of Modesto with respect to the establishment of angle parking is declared by this resolution.

SECTION 2. The provisions of this resolution shall fix minimum factors for consideration of angle parking and fulfillment of these minimums does not necessarily indicate that angle parking will be allowed.

SECTION 3. The following policy is established with respect to angle parking:

a. Angle parking shall not be considered unless there is a demonstrated parking shortage in the area involved.

b. Angle parking will then only be considered if the street is at least sixty-four (64') feet wide between curb faces and the traffic volume is less than four thousand (4,000) vehicles per day.

c. Consideration shall be given to the elimination of angle parking if more than one accident per year per block of angle parking results.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of January, 1962, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Mitchell, was upon roll call carried and the resolution adopted by the following vote:

AYES: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: None

ABSENT: None

ATTEST: Rex E. Sandifer
City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-21

A RESOLUTION ACCEPTING THE CONSTRUCTION OF TRAFFIC SIGNALS AND STREET LIGHTS AT 14TH AND G STREETS BY INDUSTRIAL ELECTRICAL COMPANY

WHEREAS, a report has been filed by the Director of Parking & Traffic that the construction of traffic signals and street lights at 14th & G Streets has been completed by Industrial Electrical Company

in accordance with the contract agreement, dated October 9, 1961.

NOW, THEREFORE, BE IT RESOLVED that the construction of traffic signals and street lights at 14th & G Streets be accepted from said contractor Industrial Electrical Company,

that Notice of Completion be filed with the Recorder of Stanislaus County and that payment of amounts due, as provided in the contract, be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of January, 1962, by Councilman Shastid, who moved its adoption, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: None

ATTEST: [signature]
CITY CLERK

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-22

A RESOLUTION CONFIRMING THE REPORT OF THE SUPERINTENDENT OF STREETS CONCERNING THE WORK OF CONSTRUCTION OF CURBS AND GUTTERS ALONG CERTAIN STREETS IN THE CITY OF MODESTO IN ACCORDANCE WITH THE IMPROVEMENT DISTRICT ACT OF 1911, ASSESSING THE COST OF CONSTRUCTION AGAINST THE PARCEL OF REAL PROPERTY FRONTING UPON THE IMPROVEMENT, AND DIRECTING THE METHOD OF COLLECTION OF THE AMOUNT OF SAID LIEN. (1526 ALBANY AVENUE)

WHEREAS, Chapter 27 of Part 3 of Division 7 (Sections 5870 et seq.) of the Streets and Highways Code of the State of California establishes a procedure pursuant to which the construction of curbs and gutters may be required, and

WHEREAS, the Council, did, on August 28, 19 61, adopt its Resolution No. 61-381, directing the Superintendent of Streets to give notice requiring the construction of curbs and gutters along certain streets in the City of Modesto, as provided therein, and

WHEREAS, the Superintendent of Streets proceeded to cause the completion of the construction of curbs and gutters as aforesaid, in compliance with the provisions of Chapter 27 of Part 3 of Division 7 of the Streets and Highways Code, and

WHEREAS, January 8, 19 62, at 8:05 P.M. in the Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California, was set as the time and place for a hearing and passing upon the report of the Superintendent of Streets with respect to the construction of said improvement, and

WHEREAS, upon the completion of said hearing, said Council confirmed the report of the Superintendent of Streets, as submitted, and on file in the office of the City Clerk, the cost of said work specified in Section 1 of this resolution being determined in the total amount of One Hundred Forty-Seven and 41/100ths ($147.41) Dollars.

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

SECTION 1. That the cost of the aforesaid work, being the amount of One Hundred Forty-Seven and 41/100ths ($147.41) Dollars, be assessed as a lien against the parcel(s) of property fronting upon the work so constructed, to wit, Lot 17, Block 6119, of the FRANCEK TRACT, as per map filed August 28, 1956, in Volume 14, Page 71, Stanislaus County Records. (1526 Albany Avenue)

SECTION 2. In accordance with the provisions of Section 5893 of the California Streets and Highways Code, it is hereby ordered that the notice of said lien be delivered to the Stanislaus County Auditor, who shall enter the amount thereof on the County Assessment Book opposite the description of the particular property and the amount shall be collected together with all other taxes thereon against the property. The Director of Finance shall deliver said notice of lien to the County Auditor before the date fixed by law for the delivery of the Assessment Book to the County Board of Equalization. The lien shall be collected in accordance with the procedure prescribed in Section 5894 of the California Streets and Highways Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of January, 1962, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Johansen, was upon roll call carried and the resolution adopted by the following vote:

AYES: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: None

ABSENT: None

ATTEST: [signature]
City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-23

A RESOLUTION GIVING NOTICE OF THE PROPOSED ANNEXATION TO THE CITY OF MODESTO OF UNINHABITED TERRITORY DESCRIBED HEREIN AND DESIGNATED AS CRESTVIEW ADDITION AND GIVING NOTICE OF TIME AND PLACE FOR HEARING PROTESTS THERETO.

BE IT RESOLVED by the Council of the City of Modesto:

1. That, pursuant to the provisions of the Annexation of Uninhabited Territory Act of 1939, a petition signed by owners of not less than one fourth of the land in the hereinafter described territory by area and by assessed value as shown on the last equalized assessment roll of the County of Stanislaus, was filed with the Council of the City of Modesto on December 19, 19 61, requesting annexation of the hereinafter described territory to said City.

2. That the territory which the petitioners request be annexed to the City of Modesto and which said City and its Council propose to annex, is situate in the County of Stanislaus, State of California, hereby designated as CRESTVIEW ADDITION, and described as follows:

CRESTVIEW ADDITION

All that real property in the State of California, County of Stanislaus, Section 22, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, being Lots 3, 4, 5, 6, 7 and 8, Block 1101 of the Downey Park No. 1 Subdivision, as per map filed August 18, 1959, in Volume 19 of Maps, Page 26, Stanislaus County Records, described as follows:

Beginning at a point on the existing City Limits as established by the Lorenzen Addition as per description filed June 27, 1961 as Instrument 20145, Stanislaus County Records, said point being the Southwestern corner of Lot 8, Block 1101, in said Downey Park No. 1 Subdivision; thence along the existing City Limits and the Western line of said Lot 8, North 108.09 feet, to the Southern line of Crestview Drive as shown on the map of said Downey Park No. 1 Subdivision; thence along the Southern line of said Crestview Drive, East, 420.00 feet, to the Northeastern corner of Lot 3 of said Downey Park No. 1 Subdivision; thence along the Eastern line of said Lot 3, South, 108.34 feet, to the Southeastern corner of said Lot 3 and the existing City Limits; thence along said City Limits and the Southern line of said Downey Park No. 1 Subdivision, North 89° 58' West, 420.00 feet, to the point of beginning, containing 1.043 Acres, more or less.

3. That the County Boundary Commission of Stanislaus County, California, did in session duly assembled on December 12, 1961, consider the proposed annexation boundaries of said CRESTVIEW ADDITION, as above described, and as submitted to said Commission by the proponents of said annexation.

4. No change in school district boundaries shall be affected by reason of the annexation of the hereinabove described area to the City of Modesto.

5. NOTICE IS HEREBY GIVEN that the 19th day of February, 1962, at the hour of 4:30 o'clock P.M. of said day, in the Council Chambers at the City Hall, located at 801 Eleventh Street in the City of Modesto, be, and the same is hereby fixed as the time and place for considering said petition, at which time and place any person owning real property within such territory and having any objections to the proposed annexation may appear before the Council of the City of Modesto and show cause why such territory should not be so annexed. The protest must be in writing, may be filed at any time before the hour set for hearing objections to the proposed annexation, and shall state the name or names of the owner or owners of property affected and the description and area of such property, in general terms.

6. The City Clerk shall cause a copy of this resolution to be published at least twice, but not oftener than once a week, in The Modesto Tribune, a newspaper of general circulation, published in the City of Modesto and being the official newspaper of the City of Modesto, and shall also cause a copy of this resolution to be published in the Turlock Daily Journal, being a newspaper of general circulation published outside of the City of Modesto but in the County of Stanislaus. Said publications shall be completed at least twenty (20) days prior to the date set for the hearing.

7. The City Clerk of the City of Modesto shall also cause written notice of such proposed annexation to be mailed to each person to whom land within the territory proposed to be annexed is assessed on the last equalized county assessment roll available on the date the proceedings were initiated, at the address shown on said assessment roll

or as known to said Clerk, and to any person who has filed his name and address and the designation of the land in which he has any interest, either legal or equitable, with said Clerk. Said notices shall be mailed not less than twenty (20) days before the public hearing on the proposed annexation.

8. In the event any land within the territory proposed to be annexed is owned by the County of Stanislaus, the City Clerk is directed to cause written notice of such proposed annexation to be mailed to the Board of Supervisors of the County, such notice to be given not less than twenty (20) days before the public hearing on the proposed annexation.

9. In the event there is, upon the land proposed to be annexed, a structural improvement owned, being acquired or leased by a county fire protection district, the City Clerk is directed to cause written notice of such proposed annexation to be mailed to the governing body of such district, such notice to be sent not less than ten (10) days before the public hearing on the proposed annexation.

10. The City Clerk is directed to cause written notice to be given to such other persons as may be legally entitled thereto, in the manner required by law.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of January, 19 62, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and the resolution adopted by the following vote:

AYES: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: None

ABSENT: None

ATTEST: _____
City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-24

A RESOLUTION GRANTING THE VARIANCE REQUEST FILED BY WELLS FARGO BANK AMERICAN TRUST COMPANY, McHENRY AND GRANGER AVENUES, TO PERMIT A FIFTEEN-FOOT, SIX-INCH (15'6") DIVISION BETWEEN DRIVEWAYS

WHEREAS, Wells Fargo Bank American Trust Company has filed a request for a variance to permit retention of a fifteen-foot, six-inch (15'6") division between driveways on property located at McHenry and Granger Avenues, and

WHEREAS, Section 7-1.104 (b) of the Municipal Code provides that driveways shall be eighteen (18') feet apart unless a variance is approved by the Council, and

WHEREAS, said applicant has waived the five day written notice of the hearing required by the Modesto Municipal Code, and

WHEREAS, after investigation, the Director of Public Works has recommended that the request be granted on the basis that the parking lot is so designed and of such dimensions that it is not possible to provide for a greater distance between the curb cuts, and it would be undesirable from a traffic safety standpoint to have one parking space between the two driveways,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the variance request filed by Wells Fargo Bank American Trust Company to permit retention of the fifteen-foot, six-inch (15'6") division between driveways at property located at McHenry and Granger Avenues, be and it is hereby approved.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 15th day of January, 1962, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Patton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Johansen, Mitchell, Patton, Tabbert, VanderWall, Mayor Hammond

NOES: None

ABSENT: Shastid

ATTEST: _____
CITY CLERK

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-25

A RESOLUTION ACCEPTING THE BID OF VALLEY TRACTOR COMPANY FOR ONE NEW RUBBER-TIRED TRACTOR FOR A NET SUM OF $3,869.61

WHEREAS, Resolution No. 61-524, adopted by the Council of the City of Modesto on December 18, 1961, approved the plans and specifications for the new, rubber-tired tractor

and authorized the calling for bids, and

WHEREAS, the bids received for the new, rubber-tired tractor

were opened at 2:00 P.M., January 9,1962, and later tabulated by the Public Works Department for the consideration of the Council, and

WHEREAS, the Director of Public Works has recommended that the bid of Valley Tractor Company for a net sum of $3,869.61 (includes trade-in allowance on one used 1952 Massey Harris, Model G1RS, Serial No. 40044 - City Equipment No. 301)

be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED that the bid of Valley Tractor Company

be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 15th day of January, 1962, by Councilman Johansen, who moved its adoption, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen None

ATTEST: [signature]
CITY CLERK

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-26

A RESOLUTION ACCEPTING THE BID OF WILLEY PRINTING COMPANY FOR THE PRINTING OF REVISED AND SUPPLEMENTAL CODE PAGES FOR THE CALENDAR YEAR 1962

WHEREAS, Resolution No. 61-523, adopted by the Council of the City of Modesto on December 18, 19 61, approved the plans and specifications for the printing of revised and supplemental Code pages for the calendar year 1962 and authorized the calling for bids, and

WHEREAS, the bids received for the printing of revised and supplemental Code pages for the calendar year 1962 were opened at 2:00 P.M., January 11,1962and later tabulated by the City Clerk for the consideration of the Council, and

WHEREAS, the City Clerk has recommended that the bid of Willey Printing Company in the amount of $10.82 per page be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED that the bid of Willey Printing Company in the amount of $10.82 per page be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 15th day of January, 1962, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Shastid, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen None

ATTEST: _____
CITY CLERK

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-27

A RESOLUTION AFFIRMING THE DECISION OF THE BOARD OF ZONING ADJUSTMENT DENYING A VARIANCE TO E. R. AND MARIE BROWN AS DESCRIBED IN RESOLUTION NO. 162 ADOPTED BY THE BOARD ON THE BASIS OF THE FINDING SET FORTH IN THIS RESOLUTION.

WHEREAS, the application of E. R. Brown and Marie Brown for a variance to permit a double car garage to remain eight (8') feet from the street property line at 1524 Grape Avenue, was denied by the Modesto City Board of Zoning Adjustment on November 30, 1961, after holding a public hearing on November 30, 1961, and

WHEREAS, E. R. Brown and Marie Brown filed an appeal to this decision with the City Clerk on December 18, 1961, and requested that the public hearing before the Council be scheduled for January 15, 1962, as provided in Section 10-2.2012 of the Municipal Code, and

WHEREAS, the Council set January 15, 1962, at 4:30 P.M., in the Council Chamber, as the time and place for the public hearing on the appeal, and

WHEREAS, on the basis of the evidence, both oral and documentary taken and introduced at said public hearing, the Council finds and determines that the decision of the Board should be affirmed,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the appeal of E. R. Brown and Marie Brown for a variance be denied and the decision of the Board be and it is hereby affirmed on the basis of the findings set forth in its Resolution No. 162, adopted on November 30, 1961.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 15th day of January 1962, by Councilman Mitchell, who moved its adoption, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Johansen, Mitchell, Patton, Tabbert, VanderWall, Mayor Hammond
NOES:	Councilmen:	Shastid
ABSENT:	Councilmen:	None

City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-28

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF $1,433 FROM SPECIAL FUND FOR CAPITAL OUTLAY, RESERVE, TO SPECIAL FUND FOR CAPITAL OUTLAY, STORM DRAINS--IMPROVEMENT DISTRICT NO. 8

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the following appropriation transfer be approved:

FROM: Special Fund for Capital Outlay (321),
Special Fund for Capital Outlay Reserve (600) $1,433

TO: Special Fund for Capital Outlay (321),
Storm Drains--Improvement District No. 8 (503) $1,433

for payment of assessments on city owned property in Improvement District No. 8

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 15th day of January, 1962, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Johansen, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: None

ATTEST: [signature]
CITY CLERK

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-29

A RESOLUTION ESTABLISHING ONE-WAY STREETS AND ALLEYS AND ANGLE PARKING IN THE CITY OF MODESTO AND RESCINDING RESOLUTION NO. 59-191, ENTITLED "A RESOLUTION ESTABLISHING PARKING METER ZONES, ONE-WAY STREETS AND ALLEYS AND ANGLE PARKING IN THE CITY OF MODESTO AND RESCINDING ALL PRIOR RESOLUTIONS AND REGULATIONS RELATING THERETO", AND RESCINDING ALL SUBSEQUENT RESOLUTIONS AND REGULATIONS RELATING THERETO.

WHEREAS, Chapter 2 of Title III of the Modesto Municipal Code authorizes the City Council, by resolution, to establish one-way streets and alleys and angle parking in the City of Modesto,

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

SECTION 1. ONE-WAY STREETS AND ALLEYS. One-way streets and alleys are hereby established at the following locations:

(a) <u>One-way Streets:</u>

10th Street, from D Street to Needham Street (southeasterly direction)

11th Street, from D Street to Needham Street (northwesterly direction)

17th Street, from H Street to J Street (southeasterly direction)

19th Street, from Burney Street to Downey Avenue (northwesterly direction)

Burney Street, from LaLoma Avenue to H Street (southerly direction)

California Street, from Jefferson Street to Paradise Road (westerly direction)

Downey Avenue, from Burney Street to McHenry Avenue (westerly direction)

H Street, from Washington to Burney Street (northeasterly direction)

I Street, from Washington Street to Downey Avenue (southwesterly direction)

Sycamore Avenue (east portion), from Griswold Avenue to north side of Block 724 (northerly direction)

Sycamore Avenue (west portion), from Griswold Avenue to north side of Block 724 (southerly direction)

(b) <u>One-way Alleys:</u>

Between 9th and 10th Streets, from H Street to K Street, southeasterly direction

Between 10th and 11th Streets, from I Street to K Street, northwesterly direction

Between 10th and 11th Streets, from K Street to L Street, southeasterly direction

Between 11th and 12th Streets, from I Street to J Street, southeasterly direction

Between 11th and 12th Streets, from J Street to K Street, northwesterly direction

Between 12th and 13th Streets, from G Street to H Street, northwesterly direction

Between 12th and 13th Streets, from I Street to K Street, northwesterly direction

SECTION 2. ANGLE PARKING. Angle parking is hereby established at the following locations:

15th Street, between F and H Streets (southwesterly side) on Sundays and 6 p.m. to midnight all other days (45° angle). At other times parallel to curb.

F Street, between 10th and 11th Streets (south side) (diagonal)

G Street, between 14th and 16th Streets (northwesterly side) on Sundays and 6 p.m. to midnight all other days (45° angle). At other times parallel to curb.

I Street, between 9th and 13th Streets (both sides) (diagonal)

P Street, between 9th and Needham Streets (both sides) (perpendicular)

Orangeburg Avenue, on the south side beginning at a point one hundred fifteen (115') feet west of the westerly curb line of McHenry Avenue and continuing westerly a distance of one hundred twenty-seven (127') feet. (45° angle)

SECTION 3. The Director of Parking and Traffic is hereby directed to implement the provisions of this resolution.

SECTION 4. All prior resolutions and regulations establishing one-way streets and one-way alleys and angle parking are hereby rescinded.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 15th day of January, 1962, by Councilman Johansen, who moved its adoption, which motion being duly seconded by Councilman VanderWall, was upon roll carried and the resolution adopted by the following vote:

AYES: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: None

ABSENT: None

ATTEST: _____
City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-30

A RESOLUTION RESCINDING RESOLUTION NO. 61-262 ENTITLED "A RESOLUTION ESTABLISHING AND FIXING PARKING RATES AND CHARGES FOR USE OF MUNICIPAL OFF-STREET PARKING FACILITIES IN THE CITY OF MODESTO, AND RESCINDING RESOLUTION NO. 61-145", AND RESCINDING RESOLUTION NO. 61-485 ENTITLED "A RESOLUTION AMENDING RESOLUTION NO. 61-262 ENTITLED 'A RESOLUTION ESTABLISHING AND FIXING PARKING RATES AND CHARGES FOR USE OF MUNICIPAL OFF-STREET PARKING FACILITIES IN THE CITY OF MODESTO, AND RESCINDING RESOLUTION NO. 61-145'".

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

SECTION 1. Resolution No. 61-262 entitled "A Resolution Establishing and Fixing Parking Rates and Charges for Use of Municipal Off-Street Parking Facilities in The City of Modesto, and Rescinding Resolution No. 61-145" is hereby rescinded.

SECTION 2. Resolution No. 61-485 entitled "A Resolution Amending Resolution No. 61-262 entitled 'A Resolution Establishing and Fixing Parking Rates and Charges for Use of Municipal Off-Street Parking Facilities in the City of Modesto, and Rescinding Resolution No. 61-145'" is hereby rescinded.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 15th day of January, 1962, by Councilman Tabbert, who moved its adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the resolution adopted by the following vote:

AYES: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: None

ABSENT: None

ATTEST: REX E. GAILFUS, City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-31

A RESOLUTION ESTABLISHING SALARY SCHEDULES AND FIXING THE COMPENSATION FOR POSITIONS IN THE CITY SERVICE.

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

SECTION 1. SALARY RANGES AND RATES. The salary rates, salary ranges and salary steps as set forth in "Exhibit A", entitled "Modesto Schedule of Salary Ranges in the City Service", which is attached hereto and hereby made a part hereof, are hereby established, effective January 1, 1962.

SECTION 2. SALARIES FOR CLASSES OF POSITIONS. The salary ranges and rates for the classes of positions established by the Position Classification Plan, as set forth in "Exhibit B" entitled, "Chart of Classifications and Salary Ranges", which is attached hereto and hereby made a part hereof, are hereby established, effective January 1, 1962.

SECTION 3. SALARY OF INCUMBENTS. Any employee occupying a position in a class the salary rate or range of which is reduced by the salary schedules hereby adopted, shall continue to receive his present salary. Such salary shall be designated as a "Y" rate. When an employee on a "Y" rate vacates his position, subsequent appointments to that position shall be made in accordance with the provisions of the salary schedules hereby or thereafter established for the class.

SECTION 4. USE OF CLASSES. The designated classes of positions may be used in any organizational unit of the City deemed proper by the City Manager.

SECTION 5. SALARY BASIS. The salaries hereby established are on a monthly basis, unless otherwise designated.

SECTION 6. POSITIONS. The City Council authorizes and directs the City Manager, within the limits of funds budgeted therefor, to appoint employees in such number and in such classes in each department as may be necessary properly to operate the department under the Charter, ordinances, and resolutions adopted by the City Council.

SECTION 7. APPOINTMENTS AND SALARIES. The City Manager is hereby authorized to appoint, in accordance with applicable provisions of the Personnel Ordinance and Personnel Rules and within the limits of funds budgeted therefor, any person to a position in a class for which he is the appointing authority and for which the salary is herein provided, to designate the definite salary rate or salary step at which such person is appointed, and the salary so designated is hereby fixed as the salary of such employee for the position.

The City Manager, in establishing salaries for persons employed prior to the effective date of this resolution, shall be governed by the following provisions: The salary of each employee shall be established at the same step of the new range for his classification as that of his pay in the former range on December 31, 1961, providing, however, that no increase authorized January 1, 1962, on the basis of this resolution alone, shall exceed one full "five per cent" ("5%") range, except for the Airport Manager whose pay shall be Six Hundred Sixty and no/100ths ($660.00) Dollars per month.

In those cases in which the classification is advancing more than one range January 1, 1962, the remaining advance in salary, over and above one range, shall be granted the employee effective July 1, 1962.

In classes which are being moved from half ranges to full ranges or from full ranges to half ranges by this resolution, Y-rate steps within the ranges shall be established for employees as needed to effect the above provisions.

The foregoing shall in no way affect the regular establishment of salaries in cases of promotion, demotion, reallocations of positions, transfers, or the granting or withholding of step increases on the basis of performance as provided by the Personnel Rules.

SECTION 8. SPECIAL SALARY RATES. The City Manager is further authorized, subject to budgetary appropriation control by the City Council, to fix the salary range or rate for part-time or special positions in the Unclassified Service for which he is the appointing authority and which are not designated herein. The City Manager is further authorized, subject to budgetary limitations, to approve salaries for police personnel serving in special assignments made by the Chief of Police as criminal investigators or juvenile officers in the salary range approved for Police Sergeant. The City Manager is further authorized, subject to budgetary limitations, to approve salaries for not to exceed one-half (½) the authorized Patrolman positions, within the upper range indicated on "Exhibit B" for this class.

SECTION 9. PART-TIME EMPLOYMENT. Employees appointed to any of the positions referred to herein who, with the approval of the City Manager, regularly work less hours per week than established for their class by Rule 13.1 of the Personnel Rules, shall be paid in approximate proportion to the time worked.

SECTION 10. TITLE OF RESOLUTION. This resolution shall be known as "The Salary Resolution" and shall be referred to as such.

SECTION 11. EFFECTIVE DATE. The schedules of salary rates and ranges, and the compensation fixed for classes of positions by this resolution shall be effective retroactively on and after January 1, 1962.

SECTION 12. REPEALS. Resolution No. 60-39, Resolution No. 61-2, Resolution No. 61-95, except that portion which establishes compensation for department heads and the Deputy City Manager, Resolution No. 61-227, and Resolution No. 61-375 are hereby rescinded, effective January 1, 1962.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 15th day of January, 1962, by Councilman Johansen, who moved its adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the resolution adopted by the following vote:

AYES: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: None

ABSENT: None

ATTEST: _____
City Clerk

(SEAL)

MODESTO SCHEDULE OF SALARY RANGES IN THE CITY SERVICE

RANGE NO.	STEP A	STEP B	STEP C	STEP D	STEP E
8.5	$237	$ 249	$261	$274	$288
9	243	255	268	281	295
9.5	249	261	274	288	302
10	255	268	281	295	310
10.5	261	274	288	302	317
11	268	281	295	310	325
11.5	274	288	302	317	333
12	281	295	310	325	341
12.5	288	302	317	333	349
13	295	310	325	341	358
13.5	302	317	333	349	367
14	310	325	341	358	376
14.5	317	333	349	367	385
15	325	341	358	376	395
15.5	333	349	367	385	405
16	341	358	376	395	415
16.5	349	367	385	405	425
17	358	376	395	415	436
17.5	367	385	405	425	447
18	376	395	415	436	458
18.5	385	405	425	447	469
19	395	415	436	458	481
19.5	405	425	447	469	493
20	415	436	458	481	505
20.5	425	447	469	493	517
21	436	458	481	505	530
21.5	447	469	493	517	543
22	458	481	505	530	556
22.5	469	493	517	543	570
23	481	505	530	556	584
23.5	493	517	543	570	598
24	505	530	556	584	613
24.5	517	543	570	598	628
25	530	556	584	613	644

RANGE NO.	STEP A	STEP B	STEP C	STEP D	STEP E
25.5	$543	$570	$598	$628	$660
26	556	584	613	644	676
26.5	570	598	628	660	693
27	584	613	644	676	710
27.5	598	628	660	693	727
28	613	644	676	710	745
28.5	628	660	693	727	763
29	644	676	710	745	782
29.5	660	693	727	763	801
30	676	710	745	782	821
30.5	693	727	763	801	841
31	710	745	782	821	862
31.5	727	763	801	841	883
32	745	782	821	862	905
32.5	763	801	841	883	927
33	782	821	862	905	950
33.5	801	841	883	927	974
34	821	862	905	950	998
34.5	841	883	927	974	1023
35	862	905	950	998	1048
35.5	883	927	974	1023	1074
36	905	950	998	1048	1100
36.5	927	974	1023	1074	1128
37	950	998	1048	1100	1155
37.5	974	1023	1074	1128	1184
38	998	1048	1100	1155	1213
38.5	1023	1074	1128	1184	1243
39	1048	1100	1155	1213	1274
39.5	1074	1128	1184	1243	1305
40	1100	1155	1213	1274	1338
40.5	1128	1184	1243	1305	1370
41	1155	1213	1274	1338	1405
41.5	1184	1243	1305	1370	1439
42	1213	1274	1338	1405	1475

(1-1-62)

"Exhibit A"

CITY OF MODESTO

CHART OF CLASSIFICATIONS AND SA

PAY RANGE		ADMINISTRATIVE, FISCAL, CLERICAL, ETC.				ENGINEERING	PUBLIC SAFETY		PARK
NO.	MIN.-MAX.	MISC.	FISCAL	CLERICAL	PLANNING	PUBLIC WORKS TRAFFIC INSPECTION	FIRE	POLICE	PARK STREET GOLF
35									
34									
	801-974					ASSIST. P.W. DIR.			
33	782-950								
	763-927								
32	745-905								
	727-883								
31	710-862								
	693-841				SR. PLANNER	ASSOC. CIVIL ENGR.			
30	676-821								
	660-801								
29	644-782								
	628-763								
28	613-745	REC. SUPT					ASSIST. FIRE CHIEF	POLICE CAPT.	
	598-727	ASSIST. TO P.W. DIR. LAND AGENT-PROJ. ASSIST.			ASSOC. PLANNER	CHIEF BLDG. OFF.			
27	584-710	PERSONNEL OFF.	SR. ACCOUNTANT						
	570-693					CIVIL ENGR. ASSIST.			
26	556-676						FIRE MARSHAL	POLICE LIEUT.	
	543-660	AIRPORT MGR.							
25	530-644								
	517-628				ASSIST. PLANNER	JR. CIVIL ENGR. PRINCIPAL ENGR. AIDE			
24	505-613	REC. SUPV. II	ACCOUNTANT PURCHASING OFF.				FIRE CAPTAIN	POLICE SGT.	
	493-598					BUILDING INSPECT. CONSTR. INSPECT.			GOLFCOURSE MT. PARKS FOREM. TREE FOREM.
23	481-584								
	469-570				SR. PLANNING AIDE	SR. ENGR. AIDE			
22	458-556	REC. SUPV. I ADMIN. ASSIST.					FIRE LIEUT. FIRE TECH.	POLICE WOMAN POLICE PATROLMAN	
	447-543								
21	436-530			SEC. TO CITY MGR. SUPV. CENTRAL OK. SERK					
	425-517					TRF. ENGR. AIDE			PARKS LEAD TREE LEAD
20	415-505	LIBRARIAN II ADMIN. AIDE	JR. ACCOUNTANT	ASSIST. CITY CLERK SR. LEGAL STENO			FIRE ENGR.	POLICE PATROLMAN	
	405-493				PLANNING AIDE	ENGR. AIDE			TREE TRIM
19	395-481						FIREMAN	PARKING ENFORC. AND FIRE OFF. POUND MASTER	
	385-469								NURSERY M. MTC. MECHA
18	376-458	LIBRARIAN I		OPC. MACH. SUPV. SR. ACCT. CLERK SR. STENO CLERK TAB. EQUIP. OPER.					
	367-447								PARKS MTC. TREE TRIM
17	358-436							PARKING ENFORC. OFC.	
	349-425				JR. PLANNING AIDE	JR. ENGR. AIDE			
16	341-415								
	333-405								LABORER
15	325-395								
	317-385								
14	310-376			ACCT. CLERK OPC. MACH. OPER. INT. STENO CLERK					
	302-367								
13	295-358								
	288-349								
12	281-341			INT. CLERK INT. TYPIST CLERK					
	274-333								
11	268-325			TEL. OPER.-RECEPT.					
	261-317								
10	255-310			JR. STENO CLERK					
	249-302								
9	243-295			JR. CLERK JR. TYPIST CLERK					
8									
7									

MODESTO CITY COUNCIL
RESOLUTION NO. 62-32

A RESOLUTION FIXING THE COMPENSATION FOR SPECIFIED POSITIONS IN THE CITY SERVICE.

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

SECTION 1. SALARIES. The salary ranges and rates for the positions set forth in "Exhibit C", which is attached hereto and made a part hereof, are hereby established effective January 1, 1962, subject to the provisions of this resolution.

SECTION 2. BASIS OF PAYMENT. The salaries established by this resolution are on a monthly basis unless otherwise designated.

SECTION 3. EXCEPTIONS. In establishing salaries for Deputy City Manager, Finance Director and Parks and Recreation Director, the following shall apply:

The salary of John Keefe, Deputy City Manager, shall be Y-step $1,184 as of January 1, 1962, to Y-step $1,243 effective February 1, 1962, the anniversary of one year of service. After serving one year at $1,243, he shall be eligible to receive Step E of Range 39 ($1,274).

The salary of Charles Bird, Finance Director, shall be the present Y-step $927, January 1, 1962, through June 30, 1962. On July 1, 1962, after one year of service at $927, he shall be eligible for Step E of Range 33 ($950).

Although Range 32 is hereby established for the position Parks and Recreation Director, the salary of the incumbent, James Cowie, shall be as if he were continuing in his present Range 31.5 until he has served one year at Step E of that range ($883). After one year at $883, he shall be eligible for Step E of Range 32 ($905).

SECTION 4. EFFECTIVE DATE. The schedule of salary rates and ranges and the compensation fixed for various positions by this resolution, except as specified in Section 3 above, shall be effective retroactively on and after January 1, 1962.

SECTION 5. REPEALS. Resolution No. 60-45 and Resolution No. 60-361 are hereby rescinded, effective January 1, 1962.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 15th day of January, 1962, by Mayor Hammond, who moved its adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the resolution adopted by the following vote:

AYES: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: None

ABSENT: None

ATTEST: _____
City Clerk

(SEAL)

City of Modesto
SALARY RANGES AND RATES

RANGE 31.5 $727-763-801-841-883

Fire Chief

RANGE 32 $745-782-821-862-905

Parks & Recreation Director

RANGE 33 $782-821-862-905-950

Finance Director

RANGE 33.5 $801-841-883-927-974

Police Chief

RANGE 34.5 $841-883-927-974-1023

Parking & Traffic Director
Planning Director

RANGE 37.5 $974-1023-1074-1128-1184

Public Works Director

RANGE 39 $1048-1100-1155-1213-1274

Deputy City Manager

COUNCIL APPOINTEES

RANGE 28.5 $628-660-693-727-763

City Clerk

City Attorney - $1,252 per month

City Manager - $1,673 per month

EXHIBIT "C"
January 1, 1962

MODESTO CITY COUNCIL
RESOLUTION NO. 62-33

A RESOLUTION GRANTING A DRIVEWAY VARIANCE TO OTTO D. FISK FOR PROPERTY LOCATED ON COLLEGE AVENUE (LOTS 1 AND 2, BLOCK 508)

WHEREAS, Otto D. Fisk has filed a request with the City Council to permit a thirty (30') foot driveway at property located on College Avenue (Lots 1 and 2, Block 508), and

WHEREAS, the frontage of Mr. Fisk's property is only twenty-eight and 3/10ths (28.3') feet wide, and

WHEREAS, said applicant has waived the five day written notice of the hearing required by the Modesto Municipal Code, and

WHEREAS, Section 7-1.104 (c) of the Modesto Municipal Code, relating to driveway construction, provides that no driveway shall exceed forty (40%) per cent of the frontage upon any street of the lot or lots or parcel of land to be served, and

WHEREAS, the Director of Public Works has recommended that a variance be granted to permit a driveway twenty-eight and 3/10ths (28.3') feet in width on the basis that because of the unusual shape of the lots, the driveway provides the only access to the property from the street,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the request of Otto D. Fisk for a variance from the provisions of the Modesto Municipal Code to permit a twenty-eight and 3/10th (28.3') foot driveway at his property located on College Avenue (Lots 1 and 2, Block 508) be, and it is hereby approved.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of January, 1962, by Councilman Shastid, who moved its adoption, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None ABSENT: Councilmen: None

ATTEST: _____
CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 62-34

A RESOLUTION REJECTING ALL BIDS AND AUTHORIZING THE WORK TO BE PERFORMED BY THE CITY FOR THE INSTALLATION OF WATER MAINS IN UNIT A - MAY FAIR ESTATES NO. 1 AND UNIT B - VILLAGE MANOR NO. 2 SUBDIVISIONS

WHEREAS, the Council of the City of Modesto adopted Resolution No. 62-1, on January 2, 1962, approving the plans and specifications for the installation of water mains in Unit A - May Fair Estates No. 1 and Unit B - Village Manor No. 2 Subdivisions
and directed the City Clerk to advertise for sealed proposals for doing said work, and providing that bids be submitted on the 16th day of January, 1962, and

WHEREAS, the City Clerk, in accordance with said Resolution, thereafter duly and regularly caused a notice to be published in the manner and for the time prescribed by law, and

WEREAS, all bids received pursuant to said notice were opened, examined and publicly declared at the time specified in said advertisement for bids, and

WHEREAS, the lowest responsible bid was submitted by Baleme Construction Company, in the sum of $4,380.20, and

WHEREAS, the Director of Public Works estimates that the cost of such work to be performed by city forces for the sum of $2,867.20, thus effecting a savings to the taxpayers of approximately $1,513.00, which cost estimate has been approved by the City Manager, and

WHEREAS, the Council declares and determines that, in its opinion, based upon the estimate approved by the City Manager, the work in question may be performed better and more economically by the City with its own employees,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that, in accordance with the provisions of Section 1307 of the Charter of the City of Modesto, all bids received pursuant to

the aforesaid notice be, and they are hereby rejected and the City Manager is hereby authorized to proceed to have the work in question performed by the City by its own employees.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of January, 19 62, by Councilman Shastid, who moved its adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: [signature]
City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 62-35

A RESOLUTION CONFIRMING THE REPORT OF THE SUPERINTENDENT OF STREETS CONCERNING THE WORK OF CONSTRUCTION OF CURBS AND GUTTERS ALONG CERTAIN STREETS IN THE CITY OF MODESTO IN ACCORDANCE WITH THE IMPROVEMENT DISTRICT ACT OF 1911, ASSESSING THE COST OF CONSTRUCTION AGAINST THE PARCEL OF REAL PROPERTY FRONTING UPON THE IMPROVEMENT, AND DIRECTING THE METHOD OF COLLECTION OF THE AMOUNT OF SAID LIEN. (BLOCK 738, LOT 16)

WHEREAS, Chapter 27 of Part 3 of Division 7 (Sections 5870 et seq.) of the Streets and Highways Code of the State of California establishes a procedure pursuant to which the construction of curbs and gutters may be required, and

WHEREAS, the Council, did, on October 2, 1961, adopt its Resolution No. 61-435, directing the Superintendent of Streets to give notice requiring the construction of curbs and gutters along certain streets in the City of Modesto, as provided therein, and

WHEREAS, the Superintendent of Streets proceeded to cause the completion of the construction of curbs and gutters as aforesaid, in compliance with the provisions of Chapter 27 of Part 3 of Division 7 of the Streets and Highways Code, and

WHEREAS, January 22, 1962, at 8:00 P.M. in the Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California, was set as the time and place for a hearing and passing upon the report of the Superintendent of Streets with respect to the construction of said improvement, and

WHEREAS, upon the completion of said hearing, said Council confirmed the report of the Superintendent of Streets, as submitted, and on file in the office of the City Clerk, the cost of said work specified in Section 1 of this resolution being determined in the total amount of One Hundred Eighty-Three and 61/100ths ($183.61) Dollars.

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

SECTION 1. That the cost of the aforesaid work, being the amount of One Hundred Eighty-Three and 61/100ths ($183.61) Dollars, be assessed as a lien against the parcel of property fronting upon the work so constructed, to wit, the southwest corner of Roseburg and Enslen Avenues, Block 738, Lot 16, described as follows:

> All that portion of Lot 1 of the North Central Tract, as per map filed September 24, 1919, in Vol. 9 of Maps, Page 18, Stanislaus County Records, being the property conveyed to L. K. Auernheimer, et ux, by deed recorded June 20, 1961, as Instrument 19584, Stanislaus County Records.

SECTION 2. In accordance with the provisions of Section 5893 of the California Streets and Highways Code, it is hereby ordered that the notice of said lien be delivered to the Stanislaus County Auditor, who shall enter the amount thereof on the County Assessment Book opposite the description of the particular property and the amount shall be collected together with all other taxes thereon against the property. The Director of Finance shall deliver said notice of lien to the County Auditor before the date fixed by law for the delivery of the Assessment Book to the County Board of Equalization. The lien shall be collected in accordance with the procedure prescribed in Section 5894 of the California Streets and Highways Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of January, 19 62, by Councilman Johansen, who moved its adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the resolution adopted by the following vote:

AYES: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: None

ABSENT: None

ATTEST: [signature]
City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-36

A RESOLUTION DECLARING THE INTENTION OF THE CITY OF MODESTO TO SELL CERTAIN REAL PROPERTY BELONGING TO THE CITY.

WHEREAS, that property delineated as Parcel B as shown on the drawing entitled "Record of Survey, Northern Boulevard and Blocks 6195 and 6196, Snedigar Property, File No. 3-C-96", dated January 19, 1962, on file in the office of the Director of Public Works is the property of the City of Modesto, and is zoned Commercial Industrial (C-M), and

WHEREAS, this property is being sold with the understanding that there shall be no vehicular access to Northern Boulevard whatsoever, and

WHEREAS, said real property will not, at the time of delivery of title or possession, be needed for city purposes, and

WHEREAS, the City Council intends, and hereby declares its intention to sell and convey for cash, all its right, title and interest in and to the said real property hereinabove described,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that on the 26th day of February, 1962, at the hour of 4:00 o'clock P.M. in the office of the City Clerk at the City Hall, 801 11th Street, Modesto, California, it will receive and consider sealed proposals to purchase said hereinabove described parcel of real property, and

BE IT FURTHER RESOLVED that on the 26th day of February, 1962, in the Council Chambers of the City Hall, 801 11th Street, Modesto, California, in public meeting, at the hour of 8:00 o'clock P.M., the City Council will receive and consider oral proposals to purchase said hereinabove described parcel of real property, and

BE IT FURTHER RESOLVED that each bid presented for the above described property, whether a written bid presented on February 26, 1962, at 4:00 o'clock P.M., or an oral bid presented on February 26, 1962, at 8:00 o'clock P.M., must be accompanied by cash or a cashier's check or a certified check, certified to by some responsible bank or banker, and made payable to the City of Modesto in an amount equal to at least ten (10%) per cent of the amount bid, to be retained by said City as agreed and liquidated damages should the party whose bid is accepted by the City Council fail to deposit with the City Clerk the amount of his bid within five (5) days after written notice of acceptance of said bid shall be given, and

BE IT FURTHER RESOLVED that at said time and place above mentioned, to wit, at 4:00 o'clock P.M., February 26, 1962, all sealed proposals which have been received shall be opened, examined and declared by the City Clerk. Said bids shall be tabulated for Council information and presented at 8:00 o'clock P.M. on February 26, 1962, at which time the Council will sell to the highest responsible bidder said hereinbefore described real property, provided, however, that if upon a call for oral bidding in said session, any responsible person will offer to purchase said property upon the terms and conditions specified in this resolution for a purchase price exceeding by at least five (5%) per cent the highest of said written proposals submitted to this Council, then the highest of any of the oral bids which shall be made by any responsible person shall be finally accepted. This Council, however, reserves the right at such session to reject any and all bids, either written or oral, and to withdraw said hereinbefore described real property from being sold, and

BE IT FURTHER RESOLVED that this property is being sold with the understanding that there shall be no vehicular access to Northern Boulevard whatsoever, and

BE IT FURTHER RESOLVED that the City will furnish and execute a good and sufficient grant deed conveying the property referred to herein, will pay the total cost of the documentary stamp tax, the total cost of the policy of title insurance and will also pay one-half (1/2) of the title company's escrow fees. The buyer of the property is to pay the cost of recording fees and one-half (1/2) of the title company's escrow fees.

BE IT FURTHER RESOLVED that no commission shall be paid on the sale to any licensed real estate broker by the City, and

BE IT FURTHER RESOLVED that all bids submitted, either written or oral, must be in an amount higher than Thirty-Five Thousand and no/100ths ($35,000.00) Dollars, which is hereby determined to be the minimum amount for any bid to be submitted on the hereinabove described property, and

BE IT FURTHER RESOLVED that the City Clerk be, and he is hereby directed to cause a copy of this resolution to be published in full at least once not less than fifteen (15) days before the date set forth in this resolution for submitting said bids in the Modesto Tribune, the official newspaper of the City of Modesto.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of January, 1962, by Councilman Mitchell, who moved its adoption, which motion being duly seconded by Councilman Shastid, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: _____
City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-37

A RESOLUTION AUTHORIZING THE RELEASE OF THE CASH DEPOSIT IN THE AMOUNT OF $800 FILED TO GUARANTEE IMPROVEMENT OF THE ALLEY IN BLOCK 6196 BY KATHERINE I. RAWLINS AND CHESTER D. CHAMBERS

WHEREAS, Katherine I. Rawlins and Chester D. Chambers have filed with the City of Modesto a cash deposit in the amount of $800 to guarantee the improvement of the alley in block 6196, and

WHEREAS, the Director of Public Works has reported that the improvement has been completed in the aforesaid alley to his satisfaction, and has recommended the release of the cash deposit,

NOW, THEREFORE, BE IT HEREBY RESOLVED that the cash deposit, in the amount of $800, filed by Katherine I. Rawlins and Chester D. Chambers to guarantee improvement of the alley in block 6196 be and it is hereby released.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of January, 1962, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: [signature]
CITY CLERK

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-38

A RESOLUTION ACCEPTING THE BID OF W. R. AMES COMPANY IN THE SUM OF $2,720.95 FOR THE FURNISHING OF STEEL LIBRARY SHELVING FOR THE NORTHWEST BRANCH LIBRARY

WHEREAS, the Finance Department called for written and sealed bids for the furnishing of steel library shelving for the Northwest Branch Library, and

WHEREAS, the bids received for the steel library shelving for the Northwest Branch Library were opened at 2:00 P.M. on January 17, 1962 and later tabulated by the Purchasing Agent for the consideration of the Council,and

WHEREAS, the Purchasing Agent has recommended that the bid of W. R. Ames Company in the sum of $2,720.95 be accepted, as the lowest responsible bid,

NOW, THEREFORE, BE IT RESOLVED that the bid of W. R. Ames Company, in the sum of $2,720.95 be accepted and the Purchasing Agent be instructed to purchase the steel shelving at the rate specified.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of January, 1962 by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Johansen, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: [signature]
CITY CLERK

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-39

A RESOLUTION RELATING TO THE TEMPORARY USE OF ON-STREET AND OFF-STREET CITY PARKING SPACES AND THE TEMPORARY CLOSING OF CITY STREETS.

WHEREAS, from time to time, the Council receives requests for the temporary use of on-street and off-street parking spaces and the temporary closing of City streets, and

WHEREAS, the Council finds it desirable that these requests be handled administratively,

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

SECTION 1. The Chief of Police is hereby authorized to grant permits for the temporary use of on-street and off-street parking spaces and the temporary closing of City streets in accordance with the provisions of this resolution, provided, however, that before granting permit for the use of off-street parking spaces the Chief of Police shall obtain the recommendations of the Director of Parking and Traffic.

SECTION 2. Applications made to the Council for the temporary use of on-street or off-street parking spaces, or the temporary closing of City streets shall be referred by the City Clerk to the Chief of Police for handling.

SECTION 3. The Chief of Police shall issue a permit therefor pursuant to provisions of this resolution if he finds from consideration of such application and such other information as he may otherwise obtain that:

(a) The granting of the request will not substantially interrupt the safe and orderly movement of traffic on the public streets;

(b) The granting of the request will not unduly interfere with the furnishing of proper fire and police protection;

(c) The granting of the permit is not reasonably likely to cause injury to persons or property;

(d) The use of the parking spaces is not related to a profit making activity or enterprise. This section shall not prohibit the Chief of Police from allowing the use of parking spaces by contractors for the parking of their vehicles, or the elimination of parking, if either is necessary for building repairs or construction; and

(e) The granting of the permit is in the public interest.

The Chief of Police shall have the authority to place such reasonable conditions or restrictions on the permit as he may deem necessary to protect the public interest.

SECTION 4. In the event the Chief of Police is of the opinion that action on the request should more appropriately be taken by the Council, he shall refer the matter to the City Clerk for placement on the Council agenda for the next Council meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of January, 1962, by Councilman Johansen, who moved its adoption, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and the resolution adopted by the following vote:

AYES: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: None

ABSENT: None

ATTEST: _____
City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-40

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND RICHARD ARSLANIAN OF TURLOCK FOR THE LEASING OF LAND AT MODESTO CITY-COUNTY AIRPORT FOR THE SUM OF $45 PER ACRE PER YEAR

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the Agreement between the City of Modesto and Richard Arslanian of Turlock

for the leasing of land at Modesto City-County Airport for the sum of $45 per acre per year for a term of three years be, and it is hereby approved, and

BE IT FURTHER RESOLVED that the execution of said Agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of January, 1962, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Shastid, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: [signature]
CITY CLERK

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-41

A RESOLUTION APPROVING THE FINAL MAP OF THE DAVIS PARK UNIT NO. 1 SUBDIVISION OF THE CITY OF MODESTO.

WHEREAS, MAX D. HANNEY and CHARLINE HANNEY, husband and wife; and DAVID O. HANNAH and NATTALIE J. HANNAH, husband and wife, individuals, are possessed of a tract of land situate in the City of Modesto, County of Stanislaus, consisting of 7.58 acres, known as the DAVIS PARK UNIT NO. 1 SUBDIVISION, and

WHEREAS, a tentative map of said tract was approved by the City Planning Commission on the 3rd day of October, 1961, and

WHEREAS, the final map of said tract has been approved by the Secretary of the City Planning Commission, and

WHEREAS, the City Engineer of the City of Modesto has certified that the final map of said DAVIS PARK UNIT NO. 1 SUBDIVISION meets all of the provisions of the California Subdivision Map Act and the provisions of the Modesto Municipal Code relating to subdivisions, and that the map is technically correct;

NOW, THEREFORE, BE IT RESOLVED that said final map of the DAVIS PARK UNIT NO. 1 SUBDIVISION be approved; that the streets, alleys, and easements as shown thereon within the boundaries of said tract be accepted on behalf of the public for public use; and that the City Clerk be authorized to certify the map of said tract on behalf of the City of Modesto after the fees in the amount of ONE THOUSAND ONE HUNDRED NINETY-FIVE and 20/100ths ($1,195.20) Dollars, as required by the Modesto Municipal Code, for checking, copies of maps, recording, and parks and playgrounds have been paid, and subdividers have furnished a bond acceptable to the City Attorney, or, in lieu thereof, have posted a cash deposit with the City Clerk in the sum of TWENTY-TWO THOUSAND EIGHT HUNDRED and No/100ths ($22,800.00) Dollars.

BE IT FURTHER RESOLVED that the City Manager and the City Clerk be authorized to execute and attest, respectively, an agreement

with subdividers as required by Section 4-4.604 (c) of the Modesto Municipal Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of January, 1962, by Councilman Mitchell, who moved its adoption, which motion being duly seconded by Councilman Johansen, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond
NOES:	Councilmen:	None
ABSENT:	Councilmen:	None

ATTEST: _____
City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-42

A RESOLUTION APPROVING APPROPRIATION TRANSFERS FOR PARKING METER REPLACEMENT

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the following appropriation transfers be approved:

GENERAL (101)			
	FROM:	General Reserve (600)	$300
	TO:	Parking and Traffic (56), Maintenance and Repair of Equipment, Other (223)	$300
PARKING (209)			
	FROM:	Parking Fund General Reserve (600)	$700
	TO:	Parking and Traffic (57), Maintenance and Repair of Equipment, Other (223)	$700

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of January, 1962, by Councilman Johansen, who moved its adoption, which motion being duly seconded by Councilman Shastid, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: [signature]
CITY CLERK

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-43

A RESOLUTION SETTING THE TIME AND PLACE FOR A PUBLIC HEARING BEFORE THE COUNCIL OF THE CITY OF MODESTO ON A PROPOSED AMENDMENT TO SECTION 8 OF THE ZONING MAP (MODESTO'S NEIGHBORHOOD CHURCH)

WHEREAS, the Modesto City Planning Commission held a public hearing on January 16, 1962 in the Council Chambers for the purpose of considering an application filed by Modesto's Neighborhood Church to amend Section 8 of the Zoning Map, to reclassify from Single-Family Zone, R-1, to Planned-Development Zone, P-D, the following described property:

> Beginning at a point on the center line of Woodrow Avenue 850.64 feet east of the east right-of-way line of Tully Road extended; thence southerly 660 feet to the south boundary of Lot 48 of the Standiford Colony; thence westerly along the south boundary line of Lots 48 and 49 of Standiford Colony a distance of 515 feet; thence northerly a distance of 430 feet; thence easterly 145 feet; thence northerly 252 feet to the center line of Woodrow Avenue; thence easterly along the center line of Woodrow Avenue a distance of 365 feet to the point of beginning, being located south of Woodrow Avenue east of Tully Road, and

WHEREAS, the said Commission, after hearing evidence both oral and documentary, on the proposed amendment, adopted Resolution No. 766 recommending to the Council that rezoning of the area as requested was required by public necessity, convenience and general welfare for the following reasons:

1. A development of this nature, well planned and properly maintained, is necessary and desirable to handle the increasing number of senior citizens in the community;

2. The proposed development will incorporate a social and religious environment which is desirable for the every day life of the people it is intended to serve;

3. The number of persons per acre to be accommodated by this development would be approximately the same as two-family residential density, which would not substantially conflict with proposed single-family uses in the area.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that a public hearing on the proposed amendment be set for 8:00 P.M., Monday, February 12, 1962, in the Council Chambers of the City of Modesto as recommended by the Modesto City Planning Commission.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of January, 1962, by Councilman Shastid, who moved its adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: _____
CITY CLERK

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-44

A RESOLUTION SETTING THE TIME AND PLACE FOR A PUBLIC HEARING BEFORE THE COUNCIL OF THE CITY OF MODESTO ON A PROPOSED AMENDMENT TO SECTION 16 OF THE ZONING MAP (GLENN)

WHEREAS, the Modesto City Planning Commission held a public hearing on January 16, 1962 in the Council Chambers for the purpose of considering an application filed by Ray Glenn to amend Section 16 of the Zoning Map, to reclassify from Single-Family Zone, R-1, to Neighborhood-Commercial Zone, C-1, the following described property;

> Beginning at a point on the center line of Granger Avenue, 1325 feet east of the center line of McHenry Avenue; thence north 0° 51' 30" west a distance of 150 feet; thence south 89° 39' east a distance of 150 feet; thence south 0° 51' 30" east a distance of 150 feet to the center line of Granger Avenue; thence westerly along the center line of Granger Avenue to the point of beginning, located on the north side of Granger Avenue east of McHenry Avenue, and

WHEREAS, the said Commission, after hearing evidence both oral and documentary, on the proposed amendment, adopted Resolution No. 764 recommending to the Council that rezoning of the area as requested was required by public necessity, convenience and general welfare for the following reason:

1. The area is adjacent to existing medical office uses and McHenry Village Shopping Center, and is a logical area for expansion of these uses north of Granger Ave.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that a public hearing on the proposed amendment be set for 8:05 P.M., Monday, February 12, 1962, in the Council Chambers of the City of Modesto as recommended by the Modesto City Planning Commission.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of January, 1962, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: None

ATTEST: [signature]
CITY CLERK

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-45

A RESOLUTION SETTING THE TIME AND PLACE FOR A PUBLIC HEARING BEFORE THE COUNCIL OF THE CITY OF MODESTO ON A PROPOSED AMENDMENT TO SECTION 21 OF THE ZONING MAP (GLENN)

WHEREAS, the Modesto City Planning Commission held a public hearing on January 16, 1962, in the Council Chambers for the purpose of considering an application filed by Ray Glenn, to amend Section 21 of the Zoning Map, to reclassify from Single-Family Zone, R-1, to Planned-Development, P-D, the following described property:

> All that portion of Lot 2 of the Coolidge Colony, more particularly described as follows:
>
> Beginning at a point on the center line of Granger Avenue 1325 feet east of the center line of McHenry Avenue; thence easterly along the center line of Granger Avenue a distance of 197 feet; thence south 0° 51' 30" east a distance of 330.16 feet; thence north 89° 40' west 197 feet; thence north 0° 51' 30" west 330.21 feet to the point of beginning, located on the south side of Granger Avenue east of McHenry Avenue, and

WHEREAS, the said Commission, after hearing evidence both oral and documentary, on the proposed amendment, adopted Resolution No. 765 recommending to the Council that rezoning of the area as requested was required by public necessity, convenience and general welfare for the following reasons:

1. Studies have indicated that an apartment house as shown on the plan submitted is a desirable use in this area in relationship to existing and potential uses in the vicinity, when provided with adequate open space, parking and traffic controls;

2. The planned development zone permits approval of the plan and schedule of development by the City in an area for which an overall development plan has not been agreed upon;

3. The property is located close to a shopping center, schools, churches and McHenry, a major street.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that a public hearing on the proposed amendment be set for 8:10 P.M., Monday, February 12, 1962, in the Council Chambers of the City of Modesto as recommended by the Modesto City Planning Commission.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of January, 1962, by Councilman VanderWall, who moved its adoption,

which motion being duly seconded by Councilman Tabbert,

was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: CITY CLERK

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-46

A RESOLUTION SETTING THE TIME AND PLACE FOR A PUBLIC HEARING BEFORE THE COUNCIL OF THE CITY OF MODESTO ON A PROPOSED AMENDMENT TO SECTION 31 OF THE ZONING MAP (MAC DANNALD, RAINES, HASSAPAKIS, AND OLLAR)

WHEREAS, the Modesto City Planning Commission held a public hearing on January 16, 1962, in the Council Chambers for the purpose of considering an application filed by MacDannald, Raines, Hassapakis and Ollar, to amend Section 31 of the Zoning Map, to reclassify from Single-Family Zone, R-1, to Planned-Development Zone, P-D, the following described property:

All that portion of Lot 5 of the Spencer Colony, more particularly described as follows:

Beginning at a point 160 feet east of the northwest corner of Lot 5 of the Spencer Colony; thence south 0° 30' east a distance of 100 feet; thence south 89° 55' 37" west a distance of 160 feet to the center line of Emerald Avenue; thence south 0° 30' east along said center line of Emerald Avenue a distance of 6.50 feet; thence north 89° 30' east a distance of 158.00 feet; thence south 0° 30' east a distance of 95.60 feet; thence south 89° 55' 37" west a distance of 158 feet to the center line of Emerald Avenue; thence south 0° 30' east along said center line of Emerald Avenue a distance of 60.00 feet; thence north 89° 55' 37" east a distance of 260 feet; thence south 0° 30' east a distance of 163.55 feet; thence north 89° 55' 37" east a distance of 495.73 feet to the west right of way line of Modesto Irrigation District Lateral Number 5; thence north 3° 34' 23" west along said west right of way line a distance of 361.03 feet; thence continuing along said west right of way line along a curve concave to the east having a radius of 420.00 feet, through a central angle of 8° 46' 31", a curve distance of 64.33 feet to the north line of Lot 5 of said Spencer Colony; thence south 89° 55' 37" west along the north line of said Lot 5 a distance of 557.85 feet to the point of beginning, being located east of Emerald Avenue south of Franklin School, and

WHEREAS, the said Commission, after hearing evidence both oral and documentary, on the proposed amendment, adopted Resolution No. 767 recommending to the Council that rezoning of the area as requested was required by public necessity, convenience and general welfare for the following reasons:

1. The density proposed for this development would be approximately the same as for two-family use. Under planned-development zoning, with proper controls, open space, and separation, this density could be satisfactorily integrated into the existing and potential single-family development in the area;

2. The proposed development would be located on a collector street and near a major street, which could adequately handle the increased traffic generated by this use.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that a public hearing on the proposed amendment be set for 8:15 P.M., Monday, February 12, 1962 in the Council Chambers of the City of Modesto as recommended by the Modesto City Planning Commission.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of January, 1962, by Councilman Mitchell, who moved its adoption, which motion being duly seconded by Councilman Patton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: CITY CLERK

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-47

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF $108 FOR LIBRARY SALARY INCREASE

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the following appropriation transfer be approved:

LIBRARY (201)

FROM:	General Reserve (600)	$108
TO:	Library (201), Salaries and Wages, Regular (110)	$108

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of January, 1962, by Councilman Shastid, who moved its adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: [signature]
CITY CLERK

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-48

A RESOLUTION APPROVING APPROPRIATION TRANSFERS

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the following appropriation transfers be approved:

GENERAL (101)

FROM:	Various Divisions and Departments Accounts in accordance with attached list	$66,218	
TO:	General Reserve (600)	$66,218	
FROM:	General Reserve (600)	$51,358	
TO:	Misc. Uncl. (65), Comp. Ins. (411)	$14,312	
	Various Divisions (see attached list, Salaries & Wages, Reg. (110)	$35,446	
	Misc. Uncl (65), O.A.S.D.I. (424)	$ 1,600	
			$51,358

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of January, 1962, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Johansen, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: [signature]
CITY CLERK

(SEAL)

1-19-62

CITY OF MODESTO

Estimated Appropriation Savings
1961-62 Fiscal Year

Salaries and Wages, Regular	110-14 City Clerk and Auditor	$ 187	
	110-16 Finance--Central Office Services	3,427	
	110-17 Personnel	878	
	110-19 City Hall Building	476	
	110-32 Recreation	280	
	110-33 Maddux Youth Center	701	
	110-34 Community Service Center	122	
	110-37 9-Hole Golf Course	1,355	
	110-38 Dryden Park Muni. Golf Course	1,587	
	110-50 Water	2,412	
	110-52 Sewers	981	
	110-54 Garden Refuse	3,762	
Total Salaries and Wages, Regular			$16,168
120-32 Salaries and Wages, Extra Help			5,000
240-22 Police, Contractual Services		$13,000	
235-22 Police, Services, Prof. & Other		1,500	
204-19 City Hall Building, Communications		5,000	
218-41 Eng. & Adm., Equipment Rental Charges		750	
218-51 Streets, Equipment Rental Charges		2,500	
308-51 Streets, Tools, Shop, Field Supplies		500	
321-51 Streets, Construction Materials		5,000	
503-51 Streets, Curb and Gutter		1,000	
503-50 Water, New Well, Station No. 25		13,000	
223-50 Water, Mtc. and Repair, Equipment Other		1,000	
235-54 Garden Refuse, Services, Prof. and Other		1,800	
			45,050
			$66,218

CITY OF MODESTO
Estimated Amounts
Needed for Salaries and Wages, Regular
1-1-62 to 6-30-62

110-12	City Manager	$ 402
110-13	City Attorney	451
110-15	Finance--Accounting and Purchasing	705
110-18	Planning	7,850
110-21	Fire	7,365
110-22	Police	1,786
110-31	Parks & Recreation--Administration	546
110-35	Parks & Recreation--Parks	1,875
110-36	Parks & Recreation--Street Trees	2,711
110-41	Engineering and Administration	2,394
110-42	Inspection	756
110-43	Electrical	660
110-46	Airport	1,170
110-51	Streets	3,432
110-53	Sewage Disposal	1,057
110-56	Parking & Traffic (General Fund)	2,286
	Total	$35,446

MODESTO CITY COUNCIL
RESOLUTION NO. 62-49

A RESOLUTION APPROVING THE APPOINTMENT OF A COMMITTEE FOR THE MODESTO INTERNATIONAL TOWN AFFILIATION ASSOCIATION

WHEREAS, the Council of the City of Modesto has been requested to approve a Sister City Program to be called "Modesto International Town Affiliation Association," and

WHEREAS, the Council has authorized the Mayor to select a citizens' committee to implement and have the final responsibility of carrying out the program,

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

SECTION 1. The following persons are hereby appointed as members of the "Modesto International Town Affiliation Association":

(Honorary Chairman: Mayor Don Hammond)

Dr. John Woolley, Chairman
416 Buena Vista
Modesto, California

Mr. F. K. Floden
1518 I Street
Modesto, California

Mrs. W. W. Giddings, Jr.
920 Carolyn Avenue
Modesto, California

Mr. Terry Metcalf
1122 Trinity
Modesto, California

Mr. Les Pollard
502 Bowen Avenue
Modesto, California

Mrs. Peggy (John) Mensinger
Public Relations
1320 Magnolia
Modesto, California

Mrs. Jon Shastid, Secretary
1020 Carolyn
Modesto, California

Mr. Lawrence Robinson
425 Buena Vista
Modesto, California

Mr. Robert Alford
1425 Glenwood Drive
Modesto, California

Dr. Ralph Barnewolt
1016 - 12th Street
Modesto, California

Mrs. F. N. Hatch
210 Lane
Modesto, California

Mr. Bert Carner
1413 Del Mar Avenue
Modesto, California

Judge Frank S. Pierson
1238 Purdue Avenue
Modesto, California

Dr. Ray Shearn
215 State
Modesto, California

Mr. Leonard Bartlett
936 Harvard Avenue
Modesto, California

Mr. Louis Grinage
2301 Dana Lane
Modesto, California

Dr. Walter Garcia
804 Hackberry Avenue
Modesto, California

Mr. Clarkson Bradford, Jr.
1240 Magnolia
Modesto, California

Mr. Lowell Clark
1010 Enslen
Modesto, California

Mr. Hal Sconyers
601 Little John Lane
Modesto, California

Mr. Ed Walser
724 McHenry Avenue
Modesto, California

Mr. Thomas D. Quinn
Hotel Covell
11th & J Streets
Modesto, California

Mr. Caroll Welch
1941 Ralston Court
Modesto, California

Mr. Mike Carmichael
157 Norwegian
Modesto, California

Dr. Emile Lengyel
1405 Ardmore
Modesto, California

Mr. Carl W. Jensen
1007 Magnolia
Modesto, California

Dr. William Nelson
1024 J Street
Modesto, California

Mr. Harvey B. Rhodes
914 Carla Lane
Modesto, California

Mr. Richard Lyng
950 Wellesley Way
Modesto, California

Mr. Robert H. Miller
125 Durant
Modesto, California

Mrs. Fred Beyer
948 Enslen Avenue
Modesto, California

SECTION 2. The following persons are hereby appointed to serve as the Executive Committee:

(Honorary Chairman: Mayor Don Hammond)

Dr. John Woolley, Chairman
416 Buena Vista
Modesto, California

Mr. F. K. Floden
1518 I Street
Modesto, California

Mrs. W. W. Giddings, Jr.
920 Carolyn Avenue
Modesto, California

Mr. Terry Metcalf
1122 Trinity
Modesto, California

Mr. Les Pollard
502 Bowen Avenue
Modesto, California

Mrs. Peggy (John) Mensinger
Public Relations
1320 Magnolia
Modesto, California

Mrs. John Shastid
Secretary
1020 Carolyn
Modesto, California

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 5th day of

February, 1962, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: _____
CITY CLERK

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-50

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING THE CALLING FOR BIDS FOR CONSTRUCTION OF WATER LINES TO SERVE DAVIS PARK NO. 1 SUBDIVISION AND ON COLDWELL BETWEEN TULLY AND MYRTLE AVENUES

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

Section 1. The plans and specifications for the construction of water lines to serve Davis Park No. 1 Subdivision and on Coldwell between Tully and Myrtle Avenues, copies of which are on file, are hereby accepted and approved.

Section 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 - 11th Street, in the City of Modesto, on February 20, 1962 at 2:00 P.M. and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form and manner provided by law.

Section 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 5th day of February, 1962, by Councilman Johansen, who moved its adoption, which motion being duly seconded by Councilman Patton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen None

ABSENT: Councilmen None

ATTEST: [signature]
CITY CLERK

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-51

A RESOLUTION AUTHORIZING THE RELEASE OF THE AMERICA FORE LOYALTY GROUP CONTRACT BOND FILED TO GUARANTEE IMPROVEMENTS IN McHENRY HIGHLANDS SUBDIVISION UNDER CERTAIN CONDITIONS

WHEREAS, Teakwood Terrace, Inc., Subdivider of McHenry Highlands Subdivision, has filed with the City of Modesto a contract bond to guarantee the improvements in the aforesaid subdivision, and

WHEREAS, the Director of Public Works has reported that the improvements have been completed in the aforesaid subdivision to his satisfaction, with the exception of pavement patching, which cannot be completed until spring of this year, and has recommended the release of the contract bond on the condition that a Cashier's Check in the amount of $1,500 is filed with the City of Modesto to guarantee said pavement patching,

NOW, THEREFORE, BE IT HEREBY RESOLVED that America Fore Loyalty Group Contract Bond No. 5710 in the sum of $50,600 filed by Teakwood Terrace, Inc., to guarantee improvements in McHenry Highlands Subdivision be, and it is hereby released, subject to the deposit of a Cashier's Check in the amount of $1,500 with the City Clerk by Teakwood Terrace, Inc., to guarantee pavement patching in said subdivision.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 5th day of February, 1962, by Councilman Tabbert, who moved its adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: [signature]
City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-52

A RESOLUTION SETTING A HEARING ON CONFIRMATION OF THE REPORT OF THE DIRECTOR OF PUBLIC WORKS CONCERNING THE WORK OF DEMOLISHING AND REMOVING THE DWELLING LOCATED AT 1206 SEVENTH STREET IN THE CITY OF MODESTO IN ACCORDANCE WITH THE PROVISIONS OF SECTION 203 (a) OF THE UNIFORM BUILDING CODE, ASSESSING THE COST OF SAID WORK AGAINST THE PARCEL OF REAL PROPERTY, AND DIRECTING THE METHOD OF COLLECTION OF THE AMOUNT OF SAID LIEN.

WHEREAS, in accordance with the provisions of the Uniform Building Code, 1958 Edition, adopted by reference by Section 9-1.01 of Chapter 1 of Title IX of the Modesto Municipal Code on the 6th day of October, 1954, as amended, and

WHEREAS, pursuant to Section 203 (a) through (d) of the Uniform Building Code, 1958 Edition, a procedure is established whereby the City Council may, after due notice to the owners, order the Building Official to proceed with demolition and removal of dwellings and structures unsafe or dangerous to human life and declared to be a public nuisance, and

WHEREAS, after receiving such notice the owner of the property situate at 1206 Seventh Street in the City of Modesto failed and neglected to comply with said notice to repair or demolish and remove the dwelling located thereon, the Building Official proceeded with the work specified in a notice to the owner given by registered mail on October 19, 1961,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that Monday, the 19th day of February, 1962, at 4:35 o'clock P.M. in the Council Chambers, located in the City Hall, 801 11th Street, Modesto, California, be set as the time and place for hearing and passing upon a report of the Department of Public Works with respect to

the demolishing and removing of the dwelling located at 1206 Seventh Street in the City of Modesto, in accordance with the provisions of Section 203 (a) of the Uniform Building Code, together with any objections or protests, if any, which may be raised by the property owner or other interested persons.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 5th day of February, 1962, by Councilman Mitchell, who moved its adoption, which motion being duly seconded by Councilman Patton, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond
NOES:	Councilmen:	None
ABSENT:	Councilmen:	None

ATTEST: _____
City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-53

A RESOLUTION WITHDRAWING CERTAIN DESCRIBED TERRITORY FROM THE WOODLAND FIRE PROTECTION DISTRICT BY REASON OF ITS ANNEXATION TO THE CITY OF MODESTO. (EMERALD GARDENS ADDITION)

WHEREAS, a portion of the Woodland Fire Protection District was annexed to the City of Modesto by Ordinance No. 498 -C.S., adopted on January 22, 1962, and

WHEREAS, said territory officially became a part of the City on January 24, 1962, and

WHEREAS, the Health and Safety Code of the State of California provides that whenever any portion of such a District is included within a city by reason of annexation, such portion may be withdrawn from the District by the filing with the State Board of Equalization, the governing body of the District, and the County Assessor of copies of a resolution of the legislative body of the city, describing the included portion, and declaring such portion withdrawn, and

WHEREAS, it is to the best interests of the residents in the area of said Fire District which has been annexed to the City that the area be withdrawn from said Fire District and provided fire prevention and fire fighting services by the City,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the following described territory be withdrawn from the boundaries of the Woodland Fire Protection District:

All that certain real property situate in the State of California, County of Stanislaus, Section 31, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Commencing at the interior quarter corner of said Section 31; thence along the North-South quarter line, North 0° 11' 30" West, 215.00 feet; thence South 89° 54' 07" West, 30.00 feet to a point on the Western line of a Public Road known as Emerald Avenue and the existing City Limits as established by the Mark Twain Addition

as per description filed June 22, 1956, as Instrument 17230, Stanislaus County Records, and the true point of beginning; thence along the Southern line and its Westerly projection of property conveyed to Harold B. Monighan, et ux, by deed recorded October 18, 1961, as Instrument 33695, Stanislaus County Records; North 89° 54' 07" East, 372.97 feet to the Western line of the Modesto Irrigation District Lateral No. 5; thence along said Western line of Lateral No. 5, North 34° 36' 52" East, 703.40 feet; thence continuing along said Western line of Lateral No. 5, on a tangent curve concave to the Northwest, having a radius of 242.00 feet, a Central Angle of 24° 25' 36", and a curve distance of 103.17 feet; thence along the Northern line and its Westerly projection of said Monighan property, North 76° 53' 56" West, 836.21 feet to a point on the Western line of Emerald Avenue and the existing City Limits; thence along said Western line of Emerald Avenue and the existing City Limits, South 0° 11' 30" East, 863.75 feet to the point of beginning, containing 11.132 Acres, more or less.

BE IT FURTHER RESOLVED that the City Clerk be, and he is hereby directed to file a certified copy of this resolution with the State Board of Equalization, the governing body of said Fire Protection District, and the Assessor of Stanislaus County.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 5th day of February, 1962, by Councilman Johansen, who moved its adoption, which motion being duly seconded by Councilman Shastid, was upon roll call carried and the resolution adopted by the following vote:

AYES: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: None

ABSENT: None

ATTEST: [signature]
City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-54

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF $4,500 FROM SPECIAL FUND CAPITAL OUTLAY, HATCH ROAD IMPROVEMENT TO SPECIAL FUND CAPITAL OUTLAY, MISCELLANEOUS STREET IMPROVEMENT

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the following appropriation transfer be approved:

SPECIAL FUND CAPITAL OUTLAY (321):

FROM:	Hatch Road Improvement (503)	$4,500
TO:	Miscellaneous Street Improvement (503)	$4,500

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 5th day of February, 19 62, by Councilman Shastid, who moved its adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: [signature]
CITY CLERK

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-55

A RESOLUTION APPOINTING LEE CONDIT A MEMBER OF THE MODESTO BOARD OF LIBRARY TRUSTEES

WHEREAS, Section 1100 of the Charter of the City of Modesto requires the City Council to appoint members to various Boards and Commissions, and

WHEREAS, the term of Jack R. Jones, a member of the Modesto Board of Library Trustees, expired on January 1, 1962,

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

SECTION 1. The following person is hereby appointed to the Modesto Board of Library Trustees for the respective term as indicated:

Lee Condit for a term expiring January 1, 1966.

SECTION 2. The City Clerk is hereby directed to transmit a copy of this resolution to the newly appointed member of the Modesto Board of Library Trustees and the Secretary thereof.

The foregoing resolution was introduced on the 5th day of February, 1962, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Patton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: None

ATTEST: _____
CITY CLERK

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-56

A RESOLUTION APPOINTING RONALD A. EMERZIAN A MEMBER OF THE MODESTO CITY PERSONNEL COMMISSION

WHEREAS, Section 1100 of the Charter of the City of Modesto requires the City Council to appoint members to various Boards and Commissions, and

WHEREAS, the term of Robert E. Alford, a member of the Modesto City Personnel Commission, expired on January 1, 1962,

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

SECTION 1. The following person is hereby appointed to the Modesto City Personnel Commission for the respective term as indicated:

Ronald A. Emerzian for a term expiring January 1, 1966.

SECTION 2. The City Clerk is hereby directed to transmit a copy of this resolution to the newly appointed member of the Modesto City Personnel Commission and the Secretary thereof.

The foregoing resolution was introduced on the 5th day of February, 1962, by Councilman Shastid, who moved its adoption, which motion being duly seconded by Councilman Johansen, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: _____
CITY CLERK

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-57

A RESOLUTION APPOINTING JOHN W. RAE A MEMBER OF THE MODESTO CITY PERSONNEL COMMISSION

WHEREAS, Section 1100 of the Charter of the City of Modesto requires the City Council to appoint members to various Boards and Commissions, and

WHEREAS, Charles D. Allen, a member of the Modesto City Personnel Commission moved out of town,

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

SECTION 1. The following person is hereby appointed to the Modesto City Personnel Commission for the respective term as indicated:

John W. Rae for a term expiring January 1, 1964.

SECTION 2. The City Clerk is hereby directed to transmit a copy of this resolution to the newly appointed member of the Modesto City Personnel Commission and the Secretary thereof.

The foregoing resolution was introduced on the 5th day of February, 1962, by Councilman Johansen, who moved its adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: _____
CITY CLERK

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-58

A RESOLUTION APPOINTING WILLIAM B. HUGHES A MEMBER OF THE MODESTO CITY PLANNING COMMISSION

WHEREAS, Section 1100 of the Charter of the City of Modesto requires the City Council to appoint members to various Boards and Commissions, and

WHEREAS, the term of Eugene R. Swartling, a member of the Modesto City Planning Commission, expired on January 1, 1962,

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

SECTION 1. The following person is hereby appointed to the Modesto City Planning Commission for the respective term as indicated:

William B. Hughes for a term expiring January 1, 1966.

SECTION 2. The City Clerk is hereby directed to transmit a copy of this resolution to the newly appointed member of the Modesto City Planning Commission and the Secretary thereof.

The foregoing resolution was introduced on the 5th day of February, 1962, by Councilman Johansen, who moved its adoption, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: _____
CITY CLERK

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-59

A RESOLUTION REAPPOINTING MEMBER OF THE PLANNING COMMISSION (CHARLES L. TOCALINO)

WHEREAS, Section 1100 of the Charter of the City of Modesto requires the City Council to appoint members to various Boards and Commissions, and

WHEREAS, the term of Charles L.Tocalino on the Planning Commission expired on January 1, 1962 ,

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

SECTION 1. The following person is hereby reappointed to the Planning Commission for the respective term as indicated:

Charles L. Tocalino for a term expiring January 1, 1966

SECTION 2. The City Clerk is hereby directed to transmit a copy of this resolution to the newly reappointed member of the Planning Commission and the Secretary thereof.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 5th day of February, 1962, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Patton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: Rex E. Gailfus, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 62-60

A RESOLUTION REAPPOINTING MEMBER OF THE **MODESTO CITY BOARD OF ZONING ADJUSTMENT (JACK R. JONES)**

WHEREAS, Section 1100 of the Charter of the City of Modesto requires the City Council to appoint members to various Boards and Commissions, and

WHEREAS, the term of **Jack R. Jones** on the **Modesto City Board of Zoning Adjustment** expired on January 1, 1962 ,

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

SECTION 1. The following person is hereby reappointed to the **Board of Zoning Adjustment** for the respective term as indicated:

Jack R. Jones for a term expiring January 1, 1966.

SECTION 2. The City Clerk is hereby directed to transmit a copy of this resolution to the newly reappointed member of the **Modesto City Board of Zoning Adjustment** and the Secretary thereof.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 5th day of February, 1962, by Councilman Tabbert, who moved its adoption, which motion being duly seconded by Councilman Mitchell, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: **Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond**

NOES: Councilmen: **None**

ABSENT: Councilmen: **None**

ATTEST: Rex E. Gailfus, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 62-61

A RESOLUTION REAPPOINTING MEMBER OF THE MODESTO CITY BOARD OF ZONING ADJUSTMENT (CHARLES W. SEGUIN)

WHEREAS, Section 1100 of the Charter of the City of Modesto requires the City Council to appoint members to various Boards and Commissions, and

WHEREAS, the term of Charles W. Seguin on the Modesto City Board of Zoning Adjustment expired on January 1, 1962,

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

SECTION 1. The following person is hereby reappointed to the Modesto City Board of Zoning Adjustment for the respective term as indicated:

Charles W. Seguin for a term expiring January 1, 1966.

SECTION 2. The City Clerk is hereby directed to transmit a copy of this resolution to the newly reappointed member of the Modesto City Board of Zoning Adjustment and the Secretary thereof.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 5th day of February, 1962 by Councilman Shastid, who moved its adoption, which motion being duly seconded by Councilman Johansen, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: Rex E. Gailfus, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 62-62

A RESOLUTION APPOINTING CHARLES C. COON A MEMBER OF THE MODESTO CITY BOARD OF PLUMBER EXAMINERS

WHEREAS, Section 1100 of the Charter of the City of Modesto requires the City Council to appoint members to various Boards and Commissions, and

WHEREAS, E. W. Hutchison, a member of the Modesto City Board of Plumber Examiners, resigned on November 6, 1961,

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

SECTION 1. The following person is hereby appointed to the Modesto City Board of Plumber Examiners for the respective term as indicated:

Charles C. Coon for a term expiring January 1, 1966.

SECTION 2. The City Clerk is hereby directed to transmit a copy of this resolution to the newly appointed member of the Modesto City Board of Plumber Examiners and the Secretary thereof.

The foregoing resolution was introduced on the 5th day of February, 1962, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: None

ATTEST: _____
CITY CLERK

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-63

A RESOLUTION REAPPOINTING MEMBER OF THE MODESTO CITY BOARD OF ELECTRICIAN EXAMINERS (ELDON E. HELM)

WHEREAS, Section 1100 of the Charter of the City of Modesto requires the City Council to appoint members to various Boards and Commissions, and

WHEREAS, the term of Eldon E. Helm on the Board of Electrician Examiners expired on January 1, 1962 ,

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

SECTION 1. The following person is hereby reappointed to the Board of Electrician Examiners for the respective term as indicated:

Eldon E. Helm for a term expiring January 1, 1966.

SECTION 2. The City Clerk is hereby directed to transmit a copy of this resolution to the newly reappointed member of the Board of Electrician Examiners and the Secretary thereof.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 5th day of February, 1962, by Councilman Patton, who moved its adoption, which motion being duly seconded by Councilman Johansen, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: Rex E. Gailfus, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 62- 64

A RESOLUTION APPROVING A DEVELOPMENT PLAN FOR PLANNED-DEVELOPMENT ZONE, P-D(7). (MODESTO'S NEIGHBORHOOD CHURCH)

WHEREAS, a verified application for an amendment to Section 8 of the Zoning Map was filed by Modesto's Neighborhood Church on December 27, 1961, to reclassify from Single-Family Zone, R-1, to Planned-Development Zone, P-D, the following described property:

> Beginning at a point on the southern right-of-way line of Woodrow Avenue 850.64 feet east of the east right-of-way line of Tully Road extended; thence southerly 640 feet to the south boundary of Lot 48 of the Standiford Colony; thence westerly along the south boundary line of Lots 48 and 49 of Standiford Colony a distance of 515 feet; thence northerly a distance of 430 feet; thence easterly 145 feet; thence northerly 232 feet to the southern right-of-way line of Woodrow Avenue; thence easterly along the southern right-of-way line of Woodrow Avenue a distance of 365 feet to the point of beginning, being located south of Woodrow Avenue east of Tully Road, and

WHEREAS, after public hearing held on January 16, 1962, it was found and determined by the Planning Commission that rezoning of the property as requested is required by public necessity, convenience and general welfare for the following reasons:

1. A development of this nature, well planned and properly maintained, is necessary and desirable to handle the increasing number of senior citizens in the community;

2. The proposed development will incorporate a social and religious envirpnment which is desirable for the everyday life of the people it is intended to serve; and

3. The number of persons per acre to be accommodated by this development would be approximately the same as two-family residential density, which would not substantially conflict with proposed single-family uses in the area, and

WHEREAS, after a public hearing held on February 12, 1962, the Council found and determined that the application of Modesto's Neighborhood Church for a Planned-Development Zone should be granted as consonant with public necessity, convenience and general welfare for the reasons set forth above, and

WHEREAS, the Council has introduced Ordinance No. 500 -C.S. on the 12th day of February, 1962, reclassifying the above-described property from Single-Family Zone, R-1, to Planned-Development Zone, P-D(7),

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

SECTION 1. DEVELOPMENT PLAN. The development plan for Planned-Development Zone, P-D(7), is hereby approved in accordance with the plan titled, "Site Plan - Senior Citizens Apartments for the Modesto Neighborhood Church, Modesto, California", dated May 15, 1961, revised September 26, 1961, as amended on its face and which is on file in the office of the Planning Director, subject also to the following conditions:

a. Sewer facilities shall be approved by the Council prior to commencement of construction.

b. An adequate program of maintenance of grounds and landscaping shall be provided.

c. A twenty (20) foot wide driveway shall be provided from Tully Road to the bus loading area of the development and shall continue southward to serve two (2) tiers of parking adjacent to the development, such driveway and parking area to be improved to City standards.

d. No commercial uses on the property shall be provided for services to other than residents of the facility.

e. Curb, gutter, sidewalk and street surfacing shall be installed to City standards on Woodrow Avenue adjacent to the development.

SECTION 2. DEVELOPMENT SCHEDULE. The following development schedule is hereby approved for said Planned-Development Zone, P-D(7):

a. Construction shall begin on or before August 15, 1962, and the entire project shall be completed on or before August 15, 1963.

SECTION 3. CHANGES IN DEVELOPMENT PLAN. Any changes in the above-mentioned development plan which involve uses shall be made in accordance with the procedure set forth in Article 21 of Title X of the Modesto Municipal Code for an unclassified use permit. Any changes in the development plan which do not involve uses shall be reviewed by the Board of Zoning Adjustment and such changes, if approved, shall be made in accordance with the procedure set forth in Article 20 of Title X of the Modesto Municipal Code for a conditional use permit.

SECTION 4. COMPLIANCE WITH CODE PROVISIONS, ETC. In all other respects said planned development shall be accomplished in accordance and in strict adherence to the provisions of Article 27 of Title X of the Modesto Municipal Code relating to Planned-Development Zones and other applicable City laws, rules, regulations and procedures.

SECTION 5. EFFECTIVE DATE. This resolution shall not become effective unless and until the ordinance reclassifying the above-described property to Planned-Development Zone, P-D(7), becomes effective.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of February, 1962, by Councilman Shastid, who moved its adoption, which motion being duly seconded by

Councilman Patton, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond
NOES:	Councilmen:	None
ABSENT:	Councilmen:	None

ATTEST: _____
City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62- 65

A RESOLUTION APPROVING A DEVELOPMENT PLAN FOR PLANNED-DEVELOPMENT ZONE, P-D (6).
(GLENN)

WHEREAS, a verified application for an amendment to Section 21 of the Zoning Map was filed by Ray Glenn on December 29, 19 61, to reclassify from Single-Family Zone, R-1, to Planned-Development Zone, P-D, the following described property:

All that portion of Lot 2 of the Coolidge Colony, more particularly described as follows:

Beginning at a point on the center line of Granger Avenue 1325 feet east of the center line of McHenry Avenue; thence easterly along the center line of Granger Avenue a distance of 197 feet; thence south 0° 51' 30" east a distance of 330.16 feet; thence north 89° 40' west 197 feet; thence north 0° 51' 30" west 330.21 feet to the point of beginning, located on the south side of Granger Avenue east of McHenry Avenue, and

WHEREAS, after public hearing held on January 16, 19 62, it was found and determined by the Planning Commission that rezoning of the property as requested is required by public necessity, convenience and general welfare for the following reasons:

1. Studies have indicated that an apartment house as shown on the plan submitted is a desirable use in this area in relationship to existing and potential uses in the vicinity, when provided with adequate open space, parking, and traffic controls;

2. The planned-development zone permits approval of the plan and schedule of development by the City in an area for which an over-all development plan has not been agreed upon; and

3. The property is located close to a shopping center, schools, churches, and McHenry Avenue, a major street, and

WHEREAS, after a public hearing held on February 12, 19 62, the Council found and determined that the application of Ray Glenn for a Planned-Development Zone should be granted as consonant with public necessity, convenience and general welfare for the reasons set forth above, and

WHEREAS, the Council has introduced Ordinance No. 502 -C.S. on the 12th day of February, 19 62, reclassifying the above-described property from Single-Family Zone, R-1, to Planned-Development Zone, P-D (6).

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

SECTION 1. DEVELOPMENT PLAN. The development plan for Planned-Development Zone, P-D (6), is hereby approved in accordance with the plan titled "Forty-four Unit Apartment Building for Mr. Ray Glenn", as amended on its face, dated December 28, 19 61, which said plan is on file in the office of the Planning Director.

SECTION 2. DEVELOPMENT SCHEDULE. The following development schedule is hereby approved for said Planned-Development Zone, P-D (6):

a. Construction shall begin on or before September 1, 1962, and the entire project shall be completed on or before April 1, 1963.

SECTION 3. CHANGES IN DEVELOPMENT PLAN. Any changes in the above-mentioned development plan which involve uses shall be made in accordance with the procedure set forth in Article 21 of Title X of the Modesto Municipal Code for an unclassified use permit. Any changes in the development plan which do not involve uses shall be reviewed by the Board of Zoning Adjustment and such changes, if approved, shall be made in accordance with the procedure set forth in Article 20 of Title X of the Modesto Municipal Code for a conditional use permit.

SECTION 4. COMPLIANCE WITH CODE PROVISIONS, ETC. In all other respects said planned development shall be accomplished in accordance and in strict adherence to the provisions of Article 27 of Title X of the Modesto Municipal Code relating to Planned-Development Zones and other applicable City laws, rules, regulations and procedures.

SECTION 5. EFFECTIVE DATE. This resolution shall not become effective unless and until the ordinance reclassifying the above-described property to Planned-Development Zone, P-D (6) becomes effective.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th

day of February, 19 62, by Councilman Johansen, who moved its adoption, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: _____
City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-66

A RESOLUTION APPROVING A DEVELOPMENT PLAN FOR PLANNED-DEVELOPMENT ZONE, P-D (8).
(MacDANNALD, RAINES, HASSAPAKIS AND OLLAR)

WHEREAS, a verified application for an amendment to Section 31 of the Zoning Map was filed by MacDannald, Raines, Hassapakis and Ollar on December 28, 1961, to reclassify from Single-Family Zone, R-1, to Planned-Development Zone, P-D, the following described property:

All that portion of Lot 5 of the Spencer Colony, more particularly described as follows:

Beginning at a point 160 feet east of the northwest corner of Lot 5 of the Spencer Colony; thence south 0° 30' east a distance of 100 feet; thence south 89° 55' 37" west a distance of 160 feet to the center line of Emerald Avenue; thence south 0° 30' east along said center line of Emerald Avenue a distance of 6.50 feet; thence north 89° 30' east a distance of 158.00 feet; thence south 0° 30' east a distance of 95.60 feet; thence south 89° 55' 37" west a distance of 158 feet to the center line of Emerald Avenue; thence south 0° 30' east along said center line of Emerald Avenue a distance of 60.00 feet; thence north 89° 55' 37" east a distance of 260 feet; thence south 0° 30' east a distance of 163.55 feet; thence north 89° 55' 37" east a distance of 495.73 feet to the west right of way line of Modesto Irrigation District Lateral Number 5; thence north 3° 34' 23" west along said west right of way line a distance of 361.03 feet; thence continuing along said west right of way line along a curve concave to the east having a radius of 420.00 feet, through a central angle of 8° 46' 31", a curve distance of 64.33 feet to the north line of Lot 5 of said Spencer Colony; thence south 89° 55' 37" west along the north line of said Lot 5 a distance of 577.85 feet to the point of beginning, being located east of Emerald Avenue south of Franklin School, and

WHEREAS, after public hearing held on January 16, 1962, it was found and determined by the Planning Commission that rezoning of the property as requested is required by public necessity, convenience and general welfare for the following reasons:

1. The density proposed for this development would be approximately the same as for two-family use. Under planned-development zoning, with proper controls, open space and separation, this density could be satisfactorily integrated into the existing and potential single-family development in the area; and

2. The proposed development would be located on a collector street and near a major street, which could adequately handle the increased traffic generated by this use; and

WHEREAS, after a public hearing held on February 12, 1962, the Council found and determined that the application of MacDannald, Raines, Hassapakis and Ollar for a Planned-Development Zone should be granted as consonant with public necessity, convenience and general welfare for the reasons set forth above, and

WHEREAS, the Council has introduced Ordinance No. 503 -C.S. on the 12th day of February, 1962, reclassifying the above-described property from Single-Family Zone, R-1, to Planned-Development Zone, P-D(8).

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

SECTION 1. DEVELOPMENT PLAN. The development plan for Planned-Development Zone, P-D(8), is hereby approved in accordance with the plan titled, "Planned Development in Lot 5 of the Spencer Colony - For: Fleeta Raines", dated October 6, 1961, revised November 21, 1961, as amended on its face and which is on file in the office of the Planning Director, and subject also to the following conditions:

a. Street lighting shall be provided as approved by the City Public Works Department.

b. A program of permanent maintenance shall be provided for landscaping and buildings.

SECTION 2. DEVELOPMENT SCHEDULE. The following development schedule is hereby approved for said Planned-Development Zone, P-D(8):

a. The entire construction program shall be accomplished in five (5) phases as shown on the development plan:

Phase A shall include construction of eight (8) dwelling units, driveway construction, landscaping of Area A, construction of approximately three hundred (300') feet of private road with adjacent curb and gutter; and with sidewalk on one side; construction to start not later than May 1, 1962, and be completed by January 1, 1963.

Phase B shall include construction of eight (8) dwelling units, driveway construction, landscaping of Area B, construction of approximately one hundred fifty (150') feet of private road with adjacent curb and gutter; and with sidewalk on one side; development of playground area; construction to start on or before May 1, 1963, and be completed not later than January 1, 1964.

Phase C shall include construction of eight (8) dwelling units, driveway construction, landscaping of Area C, construction of approximately one hundred fifty (150') feet of private road with adjacent curb and gutter; and with sidewalk on one side; construction to start on or before May 1, 1964, and be completed not later than January 1, 1965.

Phase D shall include construction of six (6) dwelling units, driveway construction, construction of adjacent private road, including curb and gutter; and including sidewalk on one side; and landscaping of Area D; construction to begin on or before May 1, 1965, and be completed not later than January 1, 1966.

Phase E shall include construction of fourteen (14) dwelling units, driveway construction, and all remaining landscaping and road construction, including curb and gutter; and including sidewalk on one side, as shown on said development plan; construction to begin on or before May 1, 1966, and completed not later than January 1, 1967.

SECTION 3. CHANGES IN DEVELOPMENT PLAN. Any changes in the above-mentioned development plan which involve uses shall be made in accordance with the procedure set forth in Article 21 of Title X of the Modesto Municipal Code for an unclassified use permit. Any changes in the development plan which do not involve uses shall be reviewed by the Board of Zoning Adjustment and such changes, if approved, shall be made in accordance with the procedure set forth in Article 20 of Title X of the Modesto Municipal Code for a conditional use permit.

SECTION 4. COMPLIANCE WITH CODE PROVISIONS, ETC. In all other respects said planned development shall be accomplished in accordance and in strict adherence to the provisions of Article 27 of Title X of the Modesto Municipal Code relating to Planned-Development Zones and other applicable City laws, rules, regulations and procedures.

SECTION 5. EFFECTIVE DATE. This resolution shall not become effective unless and until the ordinance reclassifying the above-described property to Planned-Development Zone, P-D (8) becomes effective.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th

day of February, 19 62, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Johansen, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: _____
City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-67

A RESOLUTION FIXING THE TIME AND PLACE FOR A PUBLIC HEARING IN THE MATTER OF GRANTING LICENSE FOR THE COLLECTION OF GARBAGE IN THE CITY OF MODESTO

WHEREAS, application was filed with the City Clerk for license to collect garbage within the City by the Modesto Garbage Company on October 3, 1960, and

WHEREAS, Section 5-5.15 of the Modesto Municipal Code provides that no license to collect garbage shall be granted by the Council except after a public hearing on said application, and

WHEREAS, said application complies with the provisions of Section 5-5.15 of said Code,

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Council of the City of Modesto that 8:30 P.M., Monday, February 26, 1962, in the Council Chambers of the City is hereby fixed as the time and place for a public hearing upon said application for license to collect garbage within the City.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of February, 1962, by Councilman Tabbert, who moved its adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: _____
CITY CLERK

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-68

A RESOLUTION FIXING THE TIME AND PLACE FOR A PUBLIC HEARING IN THE MATTER OF GRANTING LICENSE FOR THE COLLECTION OF GARBAGE IN THE CITY OF MODESTO

WHEREAS, application was filed with the City Clerk for license to collect garbage within the City by the Airport Garbage Service on October 3, 1960, and

WHEREAS, Section 5-5.15 of the Modesto Municipal Code provides that no license to collect garbage shall be granted by the Council except after a public hearing on said application, and

WHEREAS, said application complies with the provisions of Section 5-5.15 of said Code,

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Council of the City of Modesto that 8:35 P.M., Monday, February 26, 1962, in the Council Chambers of the City is hereby fixed as the time and place for a public hearing upon said application for license to collect garbage within the City.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of February, 1962, by Councilman Johansen, who moved its adoption, which motion being duly seconded by Councilman Patton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: _____
CITY CLERK

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-69

A RESOLUTION FIXING THE TIME AND PLACE FOR A PUBLIC HEARING IN THE MATTER OF GRANTING LICENSE FOR THE COLLECTION OF GARBAGE IN THE CITY OF MODESTO

WHEREAS, application was filed with the City Clerk for license to collect garbage within the City by the Sanders Salvage Company on October 3, 1960, and

WHEREAS, Section 5-5.15 of the Modesto Municipal Code provides that no license to collect garbage shall be granted by the Council except after a public hearing on said application, and

WHEREAS, said application complies with the provisions of Section 5-5.15 of said Code,

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Council of the City of Modesto that 8:40 P.M., Monday, February 26, 1962, in the Council Chambers of the City is hereby fixed as the time and place for a public hearing upon said application for license to collect garbage within the City.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of February, 1962, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: _____
CITY CLERK

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-70

A RESOLUTION FIXING THE TIME AND PLACE FOR A PUBLIC HEARING IN THE MATTER OF GRANTING LICENSE FOR THE COLLECTION OF SWILL IN THE CITY OF MODESTO

WHEREAS, application was filed with the City Clerk for license to collect swill within the City by American Hog Farm on May 31, 1960, and

WHEREAS, Section 5-5.15 of the Modesto Municipal Code provides that no license to collect swill shall be granted by the Council except after a public hearing on said application, and

WHEREAS, said application complies with the provisions of Section 5-5.15 of said Code,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that 8:45 P.M., Monday, February 26, 1962, in the Council Chambers of the City is hereby fixed as the time and place for a public hearing upon said application for license to collect swill within the City.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of February, 1962, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Shastid, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: _____
CITY CLERK

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-71

A RESOLUTION FIXING THE TIME AND PLACE FOR A PUBLIC HEARING IN THE MATTER OF GRANTING LICENSE FOR THE COLLECTION OF SWILL IN THE CITY OF MODESTO

WHEREAS, application was filed with the City Clerk for a license to collect swill within the City by Rudy Bonzi on July 6, 1961, and

WHEREAS, Section 5-5.15 of the Modesto Municipal Code provides that no license to collect swill shall be granted by the Council except after a public hearing on said application, and

WHEREAS, said application complies with the provisions of Se c tion 5-5.15 of said Code,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that 8:50 P.M., Monday, February 26, 1962, in the Council Chambers of the City is hereby fixed as the time and place for a public hear ing upon said application for license to collect swill within the City.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of February, 1962 by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Johansen, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: CITY CLERK

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-72

A RESOLUTION AUTHORIZING THE RELEASE OF THE UNITED PACIFIC INSURANCE COMPANY PERFORMANCE BONDS FILED TO GUARANTEE IMPROVEMENTS IN MONTGOMERY VILLAGE PARK SUBDIVISION AND MONTGOMERY VILLAGE NO. 4 SUBDIVISION

WHEREAS, U. Z. and Geneva Brannon, Subdividers of Montgomery Village Park and Montgomery Village No. 4 Subdivisions, have filed with the City of Modesto performance bonds to guarantee improvements in the aforesaid subdivisions, and

WHEREAS, the Director of Public Works has reported that the improvements have been completed in the aforesaid subdivisions to his satisfaction, and has recommended the release of the performance bonds,

NOW, THEREFORE, BE IT HEREBY RESOLVED that the United Pacific Insurance Company Performance Bond No. B-84077 in the sum of $12,300 filed by U. Z. and Geneva Brannon to guarantee the improvements in Montgomery Village Park Subdivision, be and it is hereby released.

BE IT FURTHER RESOLVED, that the United Pacific Insurance Company Performance Bond No. B-83983 in the sum of $39,500 filed by U. Z. and Geneva Brannon to guarantee the improvements in Montgomery Village No. 4 Subdivision, be and it is hereby released.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of February, 1962, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Shastid, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: _____
CITY CLERK

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-73

A RESOLUTION REJECTING THE CLAIM OF JACK BUTLER FOR DAMAGES AGAINST THE CITY OF MODESTO

WHEREAS, Jack Butler filed a claim for damages, dated January 22, 1962, against the City of Modesto on the 24th day of January, 1962, a copy of which claim is on file in the office of the City Clerk, and

WHEREAS, the Council finds and determines there is no legal basis for said claim,

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

SECTION 1. The aforementioned claim of Jack Butler is hereby rejected in its entirety both as to the City of Modesto and the officials therein.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of February, 1962 by Councilman Shastid, who moved its adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: _____
CITY CLERK

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-74

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF $490 FOR CONSTRUCTION OF A BARBED WIRE FENCE ON THE EAST SIDE OF THE ALLEY IN BLOCK 2150 ADJACENT TO THE CITY-COUNTY AIRPORT

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the following appropriation transfer be approved:

MUNICIPAL AIRPORT GAS TAX FUND (306)

FROM:	General Reserve (600)	$490
TO:	Airport (46), Fence (503)	$490

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of February, 1962, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Johansen, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: Shastid

ABSENT: Councilmen: None

ATTEST: _____
CITY CLERK

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-75

A RESOLUTION AUTHORIZING THE RELEASE OF A CASH DEPOSIT IN THE AMOUNT OF THIRTY-FOUR THOUSAND ($34,000) DOLLARS FILED TO GUARANTEE IMPROVEMENTS IN SKYLANE PARK NO. 1 SUBDIVISION BY BEECH DEVELOPMENT COMPANY

WHEREAS, a $34,000 cash deposit was filed with the City of Modesto by Beech Development Company on February 24, 1961, to guarantee the improvements in Skylane Park No. 1 Subdivision, and

WHEREAS, the Director of Public Works has reported that the improvements have been completed in the aforesaid subdivision to his satisfaction, and has recommended the release of the cash deposit, and

WHEREAS, a balance of $3,400 of the cash deposit filed with the City of Modesto by Beech Development Company to guarantee improvements in Skylane Park No. 1 Subdivision remains to be released to the subdivider,

NOW, THEREFORE, BE IT HEREBY RESOLVED that $3,400, the balance of the original cash deposit in the amount of $34,000, filed by Beech Development Company to guarantee improvements in Skylane Park No. 1 Subdivision be, and it is hereby released.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 19th day of February, 1962, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Johansen, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: _____
CITY CLERK

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-76

A RESOLUTION REFERRING TO THE MODESTO CITY PLANNING COMMISSION A PETITION FOR ANNEXATION OF CERTAIN UNINHABITED TERRITORY TO THE CITY OF MODESTO, KNOWN AS DAVIS HIGH SCHOOL ADDITION.

WHEREAS, a petition has been filed in the office of the City Clerk requesting the annexation of certain uninhabited territory to the City of Modesto, which territory is more specifically described hereinafter, and

WHEREAS, the County Boundary Commission has certified to the definiteness and accuracy of the boundaries of said territory,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that said petition for the annexation of the following described uninhabited territory be referred to the Planning Commission for its report and recommendation.

The territory herein referred to is situated in the County of Stanislaus, State of California, and more particularly described as follows:

DAVIS HIGH SCHOOL ADDITION

All that real property in the State of California, County of Stanislaus, being portions of Sections 7, 8, 17 and 18, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at the Section Corner common to Sections 7, 8, 17 and 18, said point being on the existing City Limits as established by the Southern line of the Neighborhood Church Addition, as per description filed February 2, 1961 as Instrument 3513, Stanislaus County Records, and also being the Center Line of a Public right of way known as Tully Road; thence along the existing City Limits, North 0° 48' 30" West, 20.00 feet, to the Westerly extension of the Northern line of a Public right of way known as Rumble Road, as per map of the Standiford Colony, filed December 11, 1912, in Volume 7 of Maps, Page 17, Stanislaus County Records; thence along said Northern line of Rumble Road and the existing City Limits, South 89°00' 30" East, 1318.54 feet, to the Northerly extension of the Eastern line of the Northwest quarter of the Northwest quarter of Section 17; thence along said North-South quarter, quarter section line, South 0° 51' East, 1339.83 feet, to the Southeast corner of the Northwest quarter of the Northwest quarter and the existing City Limits, as established by the Northern line of the Bel-Air Addition, as per description filed September 30, 1955, as Instrument 29228, Stanislaus County Records; thence along said East-West quarter, quarter section line and the existing City Limits, North 88° 55' 30" West, 1018.81 feet; thence continuing along the existing City Limits, North 51° 18' 10" West, 415.64 feet, to the Western line of Tully Road, which is 20 feet at right angles Westerly from the Section Line common to Sections 17 and 18, and the existing City Limits as established by the Eastern line of the Gregory Gardens No. 4 Addition, as per description filed May 28, 1959, as Instrument 15694, Stanislaus County Records; thence along said Western line of Tully Road and the existing City Limits, North 0° 48' 30" West, 1063.88 feet to the Section Line common to Sections 7 and 18 and the Southern line of the Neighborhood Church Addition; thence along the existing City Limits, South 89° 18' 30" East, 20.00 feet to the point of beginning, containing 40.193 Acres, more or less.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 19th day of February, 1962, by Councilman Johansen, who moved its adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the resolution adopted by the following vote:

AYES: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: None

ABSENT: None

ATTEST: _____
City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-77

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF $54,600 FROM SPECIAL FUND FOR CAPITAL OUTLAYS, GENERAL RESERVE TO WATER SYSTEM IMPROVEMENTS

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the following appropriation transfer be approved:

SPECIAL FUND FOR CAPITAL OUTLAYS (321)

FROM:	General Reserve (600)	$54,600
TO:	Water System Improvements (503)	$54,600

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 19th day of February, 1962, by Councilman Shastid, who moved its adoption, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond
NOES:	Councilmen:	None
ABSENT:	Councilmen:	None

ATTEST: _____
CITY CLERK

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-78

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF $7,500 FROM GENERAL FUND, GENERAL RESERVE TO PUBLIC WORKS WATER DIVISION, NEW SERVICES

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the following appropriation transfer be approved:

GENERAL FUND (101)

FROM:	General Reserve (600)	$7,500
TO:	Public Works Water Division (50), New Services (504)	$7,500

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 19th day of February, 1962, by Councilman Mitchell, who moved its adoption, which motion being duly seconded by Councilman Johansen, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: _____
CITY CLERK

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-79

A RESOLUTION CONFIRMING THE REPORT OF THE DIRECTOR OF PUBLIC WORKS CONCERNING THE WORK OF DEMOLISHING AND REMOVING THE DWELLING LOCATED AT 1206 SEVENTH STREET IN THE CITY OF MODESTO IN ACCORDANCE WITH THE PROVISIONS OF SECTION 203 (a) OF THE UNIFORM BUILDING CODE, ASSESSING THE COST OF SAID WORK AGAINST THE PARCEL OF REAL PROPERTY, AND DIRECTING THE METHOD OF COLLECTION OF THE AMOUNT OF SAID LIEN.

WHEREAS, the Uniform Building Code, 1958 Edition, has been adopted by reference by Section 9-1.01 of Chapter 1 of Title IX of the Modesto Municipal Code on the 6th day of October, 1954, as amended, and

WHEREAS, Section 203 (a) of the Uniform Building Code, 1958 Edition, establishes a procedure whereby the City Council may order the Building Official to proceed with the demolishing and removing of buildings and structures which are unsafe or dangerous to human life and declared to be a public nuisance after the giving of due notice to the owners of said property, and

WHEREAS, the Council did, on December 26, 1961, adopt its Resolution No. 61-534, directing the Building Official to proceed with said work, as provided therein, and

WHEREAS, the Director of Public Works proceeded to complete the said work in accordance with Council Resolution No. 61-534, and

WHEREAS, February 19, 1962, at 4:35 P.M. in the Council Chambers, located in the City Hall, 801 11th Street, Modesto, California, was set as the time and place for hearing and passing upon a report of the Director of Public Works with respect to the demolishing and removing of the dwelling located on said piece of property, and

WHEREAS, on the completion of said hearing, said Council confirmed the report of the Director of Public Works

as submitted, and on file in the office of the City Clerk, the cost of said work being determined in the total amount of Two Hundred Ninety-Five and no/100ths ($295.00) Dollars,

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

SECTION 1. That the cost of the aforesaid work, being the amount of Two Hundred Ninety-Five and no/100ths ($295.00) Dollars, be assessed as a lien against the parcel of real property located at 1206 Seventh Street in the City of Modesto, County of Stanislaus, State of California, and more particularly described as follows:

> All of Lots 19 and 20 of Block 39 of the City of Modesto as per map filed December 21, 1942, in Volume 15 of Maps, Page 39, Stanislaus County Records.

SECTION 2. In accordance with the provisions of Section 203 (e) of the Uniform Building Code, 1958 Edition, it is hereby ordered that the notice of said lien be delivered to the Stanislaus County Auditor, who shall enter the amount thereof on the County Assessment Book opposite the description of the particular property and the amount shall be collected together with all other taxes thereon against the property. The City Clerk shall deliver said notice of lien to the County Auditor before the date fixed by law for the delivery of the assessment book to the County Board of Equalization. The lien shall be collected in accordance with Section 203 (e) of the Uniform Building Code and shall be collected in the manner provided for special assessments.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 19th day of February, 1962, by Councilman Tabbert,

who moved its adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond
NOES:	Councilmen:	None
ABSENT:	Councilmen:	None

ATTEST: _____
City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-80

A RESOLUTION REJECTING ALL BIDS AND AUTHORIZING THE WORK TO BE PERFORMED BY THE CITY FOR THE INSTALLATION OF WATER LINES IN DAVIS PARK NO. 1 SUBDIVISION AND ON COLDWELL AVENUE BETWEEN TULLY AND MYRTLE

WHEREAS, the Council of the City of Modesto adopted Resolution No. 62-50, on February 5, 1962, approving the plans and specifications for the installation of water lines in Davis Park No. 1 Subdivision and on Coldwell Avenue between Tully and Myrtle
and directed the City Clerk to advertise for sealed proposals for doing said work, and providing that bids be submitted on the 20th day of February, 1962, and

WHEREAS, the City Clerk, in accordance with said Resolution, thereafter duly and regularly caused a notice to be published in the manner and for the time prescribed by law, and

WEREAS, all bids received pursuant to said notice were opened, examined and publicly declared at the time specified in said advertisement for bids, and

WHEREAS, the lowest responsible bid was submitted by William G. McCullough, in the sum of $5,985.96, and

WHEREAS, the Director of Public Works estimates that the cost of such work to be performed by city forces for the sum of $3,900.54, thus effecting a savings to the taxpayers of approximately $2,085.42, which cost estimate has been approved by the City Manager, and

WHEREAS, the Council declares and determines that, in its opinion, based upon the estimate approved by the City Manager, the work in question may be performed better and more economically by the City with its own employees,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that, in accordance with the provisions of Section 1307 of the Charter of the City of Modesto, all bids received pursuant to

the aforesaid notice be, and they are hereby rejected and the City Manager is hereby authorized to proceed to have the work in question performed by the City by its own employees.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of February, 1962, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: [signature]
City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 62-81

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING THE CALLING FOR BIDS FOR AUTOMOTIVE EQUIPMENT FOR THE FISCAL YEAR 1961-62

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

Section 1. The plans and specifications for automotive equipment for the fiscal year 1961-62, involving the replacement of 7 police cars, 2 sedans, 1 station wagon, 5 pickups, 2 two-ton dump trucks, and the addition of 1 1½-ton truck and 2 pickups copies of which are on file, are hereby accepted and approved.

Section 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 - 11th Street, in the City of Modesto, on March 20, 1962 at 2:00 P.M. and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form and manner provided by law.

Section 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of February, 19 62, by Councilman Johansen, who moved its adoption, which motion being duly seconded by Councilman Shastid, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen None

ABSENT: Councilmen None

ATTEST: [signature]
CITY CLERK

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-82

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND DAVID NEWSOME FOR THE RENTAL OF CITY-OWNED PROPERTY AT 206 LAUREL STREET ON A MONTH TO MONTH TENANCY BEGINNING MARCH 1, 1962 AT A RENTAL RATE OF $75 PER MONTH

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the Agreement between the City of Modesto and David Newsome

for the rental of City-owned property at 206 Laurel Street on a month to month tenancy beginning March 1, 1962 at a rental rate of $75 per month

be, and it is hereby approved, and

BE IT FURTHER RESOLVED that the execution of said Agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of February, 1962, by Councilman Tabbert, who moved its adoption, which motion being duly seconded by Councilman Johansen, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: [signature]
CITY CLERK

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-83

A RESOLUTION GIVING NOTICE OF THE PROPOSED ANNEXATION TO THE CITY OF MODESTO OF UNINHABITED TERRITORY DESCRIBED HEREIN AND DESIGNATED AS DAVIS HIGH SCHOOL ADDITION AND GIVING NOTICE OF TIME AND PLACE FOR HEARING PROTESTS THERETO.

BE IT RESOLVED by the Council of the City of Modesto:

1. That, pursuant to the provisions of the Annexation of Uninhabited Territory Act of 1939, a petition signed by owners of not less than one fourth of the land in the hereinafter described territory by area and by assessed value as shown on the last equalized assessment roll of the County of Stanislaus, was filed with the Council of the City of Modesto on February 5, 19 62, requesting annexation of the hereinafter described territory to said City.

2. That the territory which the petitioners request be annexed to the City of Modesto and which said City and its Council propose to annex, is situate in the County of Stanislaus, State of California, hereby designated as DAVIS HIGH SCHOOL ADDITION, and described as follows:

DAVIS HIGH SCHOOL ADDITION

All that real property in the State of California, County of Stanislaus, being portions of Sections 7, 8, 17 and 18, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at the Section Corner common to Sections 7, 8, 17 and 18, said point being on the existing City Limits as established by the Southern line of the Neighborhood Church Addition, as per description filed February 2, 1961 as Instrument 3513, Stanislaus County Records, and also being the Center Line of a Public right of way known as Tully Road; thence along the existing City Limits, North 0° 48' 30" West, 20.00 feet, to the Westerly extension of the Northern line of a Public right of way known as Rumble Road, as per map of the Standiford Colony, filed December 11, 1912, in Volume 7 of Maps, Page 17, Stanislaus County Records; thence along said Northern line of Rumble Road and the existing City Limits, South 89°00' 30" East, 1318.54 feet, to the Northerly extension of the Eastern line of the Northwest quarter of the Northwest quarter of Section 17; thence along said North-South quarter, quarter section line, South 0° 51' East, 1339.83 feet, to the Southeast corner of the Northwest quarter of the Northwest quarter and the existing City Limits, as established by the Northern line of the Bel-Air Addition, as per description filed September 30, 1955, as Instrument 29228, Stanislaus County Records; thence along said East-West quarter, quarter section line and the existing City Limits, North 88° 55' 30" West, 1018.81 feet; thence continuing along the existing City Limits, North 51° 18' 10" West, 415.64 feet, to the Western line of Tully Road, which is 20 feet at right angles Westerly from the Section Line common to Sections 17 and 18, and the existing City Limits as established by the Eastern line of the Gregory Gardens No. 4 Addition, as per description filed May 28, 1959, as Instrument 15694, Stanislaus County Records; thence along said Western line of Tully Road and the existing City Limits, North 0° 48' 30" West, 1063.88 feet to the Section Line common to Sections 7 and 18 and the Southern line of the Neighborhood Church Addition; thence along the existing City Limits, South 89° 18' 30" East, 20.00 feet to the point of beginning, containing 40.193 Acres, more or less.

3. That the County Boundary Commission of Stanislaus County, California, did in session duly assembled on January 9, 1962, consider the proposed annexation boundaries of said DAVIS HIGH SCHOOL ADDITION, as above described, and as submitted to said Commission by the proponents of said annexation.

4. No change in school district boundaries shall be effected by reason of the annexation of the hereinabove described area to the City of Modesto.

5. NOTICE IS HEREBY GIVEN that the 9th day of April, 1962, at the hour of 8:00 o'clock P.M. of said day, in the Council Chambers at the City Hall, located at 801 Eleventh Street in the City of Modesto, be, and the same is hereby fixed as the time and place for considering said petition, at which time and place any person owning real property within such territory and having any objections to the proposed annexation may appear before the Council of the City of Modesto and show cause why such territory should not be so annexed. The protest must be in writing, may be filed at any time before the hour set for hearing objections to the proposed annexation, and shall state the name or names of the owner or owners of property affected and the description and area of such property, in general terms.

6. The City Clerk shall cause a copy of this resolution to be published at least twice, but not oftener than once a week, in The Modesto Tribune, a newspaper of general circulation, published in the City of Modesto and being the official newspaper of the City of Modesto, and shall also cause a copy of this resolution to be published in the Turlock Daily Journal, being a newspaper of general circulation published outside of the City of Modesto but in the County of Stanislaus. Said publications shall be completed at least twenty (20) days prior to the date set for the hearing.

7. The City Clerk of the City of Modesto shall also cause written notice of such proposed annexation to be mailed to each person to whom land within the territory proposed to be annexed is assessed on the last equalized county assessment roll available on the date the proceedings were initiated, at the address shown on said assessment roll

as known to said Clerk, and to any person who has filed his name and address and the designation of the land in which he has any interest, either legal or equitable, with said Clerk. Said notices shall be mailed not less than twenty (20) days before the public hearing on the proposed annexation.

8. In the event any land within the territory proposed to be annexed is owned by the County of Stanislaus, the City Clerk is directed to cause written notice of such proposed annexation to be mailed to the Board of Supervisors of the County, such notice to be given not less than twenty (20) days before the public hearing on the proposed annexation.

9. In the event there is, upon the land proposed to be annexed, a structural improvement owned, being acquired or leased by a county fire protection district, the City Clerk is directed to cause written notice of such proposed annexation to be mailed to the governing body of such district, such notice to be sent not less than ten (10) days before the public hearing on the proposed annexation.

10. The City Clerk is directed to cause written notice to be given to such other persons as may be legally entitled thereto, in the manner required by law.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of February, 1962, by Councilman Shastid, who moved its adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the resolution adopted by the following vote:

AYES: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: None

ABSENT: None

ATTEST: _____
City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62- 84

A RESOLUTION GRANTING A LICENSE TO THE MODESTO GARBAGE COMPANY FOR THE COLLECTION OF GARBAGE IN THE CITY OF MODESTO.

WHEREAS, an application was filed with the City Clerk for a license to collect garbage within a specified area of the City by the Modesto Garbage Company on October 3, 1960, and

WHEREAS, said application complies with the provisions of Section 5-5.15 of the Modesto Municipal Code, and

WHEREAS, the Council of the City of Modesto, at a regular meeting held on the 12th day of February, 1962, adopted a resolution fixing 8:30 o'clock P.M., February, 26, 1962, at its regular place of meeting as the time and place for a public hearing on said application in compliance with the provisions of Section 5-5.15 of said Code, and

WHEREAS, on the 26th day of February, 1962, at the time and place above indicated, the Council held a public hearing on said application at which time the City Manager submitted his report on said application, recommending that the license be granted subject to specified terms and conditions,

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

SECTION 1. A license to collect garbage in the City of Modesto is hereby granted to the Modesto Garbage Company, 1029 Eighth Street, Modesto, California, subject to the following terms and conditions:

(a) Said license shall be for a term of ten (10) years, commencing on January 1, 1962, but shall be subject to cancellation by either the City or licensee upon six (6) months written notice to the other party, or by revocation as provided by Section 5-5.24 of said Code;

(b) Said license shall be an exclusive license to collect garbage within the area delineated and marked as Area C on the map attached hereto, which is hereby made a part of this resolution, except for the privilege of collecting swill within said area, which shall be non-exclusive;

(c) The City reserves the right to change the rates for the collection of garbage and the license fee as specified in the Municipal Code at any time during the term of said license;

(d) In accepting this license, licensee thereby agrees to serve the area covered by the license for the term herein specified in compliance with the provisions of this resolution and the provisions of Chapter 5 of Title V of the Municipal Code;

(e) Said license shall automatically extend to any portion of the licensee's service area as shown on the attached map which is hereafter annexed to the City; and

(f) The City reserves the right to revise the provisions of the Municipal Code from time to time as required in order to protect the public health, safety and welfare of the City.

SECTION 2. The City Clerk is hereby directed to furnish a copy of this resolution to the licensee which shall constitute the license mentioned in Section 5-5.17 of the Municipal Code.

SECTION 3. The City Council hereby declares that it is its intention to review the rendition of services granted under this license upon the expiration of five (5) years following the date of the commencement of the term of this license.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th

day of February, 1962, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Patton, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond
NOES:	Councilmen:	None
ABSENT:	Councilmen:	None

ATTEST: _____
City Clerk

(SEAL)

Reso 62-84
Exhibit A – Map

Oversized map folded and bound within Resolution Book, Volume 25.
Unable to remove safely for scanning.

MODESTO CITY COUNCIL
RESOLUTION NO. 62-85

A RESOLUTION GRANTING A LICENSE TO THE AIRPORT GARBAGE SERVICE FOR THE COLLECTION OF GARBAGE IN THE CITY OF MODESTO.

WHEREAS, an application was filed with the City Clerk for a license to collect garbage within a specified area of the City by the Airport Garbage Service on October 3, 1960, and

WHEREAS, said application complies with the provisions of Section 5-5.15 of the Modesto Municipal Code, and

WHEREAS, the Council of the City of Modesto, at a regular meeting held on the 12th day of February, 1962, adopted a resolution fixing 8:35 o'clock P.M. , February 26, 1962 at its regular place of meeting as the time and place for a public hearing on said application in compliance with the provisions of Section 5-5.15 of said Code, and

WHEREAS, on the 26th day of February, 1962, at the time and place above indicated, the Council held a public hearing on said application at which time the City Manager submitted his report on said application, recommending that the license be granted subject to specified terms and conditions,

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

SECTION 1. A license to collect garbage in the City of Modesto is hereby granted to the Airport Garbage Service, 508 South Santa Cruz Avenue, Modesto, California, subject to the following terms and conditions:

(a) Said license shall be for a term of ten (10) years, commencing on January 1, 1962, but shall be subject to cancellation by either the City or licensee upon six (6) months written notice to the other party, or by revocation as provided by Section 5-5.24 of said Code;

(b) Said license shall be an exclusive license to collect garbage within the area delineated and marked as Area B on the map attached hereto, which is hereby made a part of this resolution, except for the privilege of collecting swill within said area, which shall be non-exclusive;

(c) The City reserves the right to change the rates for the collection of garbage and the license fee as specified in the Municipal Code at any time during the term of said license;

(d) In accepting this license, licensee thereby agrees to serve the area covered by the license for the term herein specified in compliance with the provisions of this resolution and the provisions of Chapter 5 of Title V of the Municipal Code;

(e) Said license shall automatically extend to any portion of the licensee's service area as shown on the attached map which is hereafter annexed to the City; and

(f) The City reserves the right to revise the provisions of the Municipal Code from time to time as required in order to protect the public health, safety and welfare of the City.

SECTION 2. The City Clerk is hereby directed to furnish a copy of this resolution to the licensee which shall constitute the license mentioned in Section 5-5.17 of the Municipal Code.

SECTION 3. The City Council hereby declares that it is its intention to review the rendition of services granted under this license upon the expiration of five (5) years following the date of the commencement of the term of this license.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th

day of February, 1962, by Councilman Johansen, who moved its adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond
NOES:	Councilmen:	None
ABSENT:	Councilmen:	None

ATTEST: _____
City Clerk

(SEAL)

Reso 62-85
Exhibit A – Map

Oversized map folded and bound within Resolution Book, Volume 25.
Unable to remove safely for scanning.

MODESTO CITY COUNCIL
RESOLUTION NO. 62- 86

A RESOLUTION GRANTING A LICENSE TO SANDERS SALVAGE COMPANY FOR THE COLLECTION OF GARBAGE IN THE CITY OF MODESTO.

WHEREAS, an application was filed with the City Clerk for a license to collect garbage within a specified area of the City by Sanders Salvage Company on October 3, 1960, and

WHEREAS, said application complies with the provisions of Section 5-5.15 of the Modesto Municipal Code, and

WHEREAS, the Council of the City of Modesto, at a regular meeting held on the 12th day of February, 1962, adopted a resolution fixing 8:40 o'clock P.M., February 26, 1962, at its regular place of meeting as the time and place for a public hearing on said application in compliance with the provisions of Section 5-5.15 of said Code, and

WHEREAS, on the 26th day of February, 1962, at the time and place above indicated, the Council held a public hearing on said application at which time the City Manager submitted his report on said application, recommending that the license be granted subject to specified terms and conditions,

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

SECTION 1. A license to collect garbage in the City of Modesto is hereby granted to Sanders Salvage Company, Post Office Box 1935, Modesto, California, subject to the following terms and conditions:

(a) Said license shall be for a term of ten (10) years, commencing on January 1, 1962, but shall be subject to cancellation by either the City or licensee upon six (6) months written notice to the other party, or by revocation as provided by Section 5-5.24 of said Code;

(b) Said license shall be an exclusive license to collect garbage within the area delineated and marked as Area A on the map attached hereto, which is hereby made a part of this resolution, except for the privilege of collecting swill within said area, which shall be non-exclusive;

(c) The City reserves the right to change the rates for the collection of garbage and the license fee as specified in the Municipal Code at any time during the term of said license;

(d) In accepting this license, licensee thereby agrees to serve the area covered by the license for the term herein specified in compliance with the provisions of this resolution and the provisions of Chapter 5 of Title V of the Municipal Code;

(e) Said license shall automatically extend to any portion of the licensee's service area as shown on the attached map which is hereafter annexed to the City; and

(f) The City reserves the right to revise the provisions of the Municipal Code from time to time as required in order to protect the public health, safety and welfare of the City.

SECTION 2. The City Clerk is hereby directed to furnish a copy of this resolution to the licensee which shall constitute the license mentioned in Section 5-5.17 of the Municipal Code.

SECTION 3. The City Council hereby declares that it is its intention to review the rendition of services granted under this license upon the expiration of five (5) years following the date of the commencement of the term of this license.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th

day of February, 1962, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: _____
City Clerk

(SEAL)

Reso 62-86
Exhibit A – Map

Oversized map folded and bound within Resolution Book, Volume 25.
Unable to remove safely for scanning.

MODESTO CITY COUNCIL
RESOLUTION NO. 62- 87

A RESOLUTION GRANTING A LICENSE TO AMERICAN HOG FARM FOR THE COLLECTION OF SWILL IN THE CITY OF MODESTO.

WHEREAS, an application was filed with the City Clerk for a license to collect swill within the City of Modesto by Joseph Agresti, an individual, doing business as American Hog Farm, on May 31, 1960, and

WHEREAS, said application complies with the provisions of Section 5-5.15 of the Modesto Municipal Code, and

WHEREAS, the Council of the City of Modesto at a regular meeting held on the 12th day of February, 1962, adopted a resolution fixing 8:45 o'clock P.M., February 26, 1962, at its regular place of meeting as the time and place for a public hearing on said application in compliance with the provisions of Section 5-5.15 of said Code, and

WHEREAS, on the 26th day of February, 1962, at the time and place above indicated, the Council held a public hearing on said application at which time the City Manager submitted his report on said application recommending that the license be granted subject to specified terms and conditions,

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

SECTION 1. A license to collect swill in the City of Modesto is hereby granted to Joseph Agresti, an individual, doing business as American Hog Farm, of Route 2, Box 850, Ceres, subject to the following terms and conditions:

(a) Said license shall be for a term of ten (10) years, commencing on January 1, 1962, but shall be subject to cancellation by either the City or licensee upon six (6) months

written notice to the other party, or by revocation as provided by Section 5-5.24 of the said Code;

(b) Said license shall be non-exclusive to collect swill within the City of Modesto, including any areas herafter annexed to City;

(c) In accepting this license, licensee thereby agrees to comply with the provisions of this resolution and the provisions of Chapter 5 of Title V of the Municipal Code.

SECTION 2. The City Clerk is hereby directed to furnish a copy of this resolution to the licensee which shall constitute the license mentioned in Section 5-5.17 of the Municipal Code.

SECTION 3. The City Council hereby declares that it is its intention to review the rendition of services granted under this license upon the expiration of five (5) years following the date of the commencement of the term of this license.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of February, 1962, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Patton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: [signature]
City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62- 88

A RESOLUTION GRANTING A LICENSE TO RUDY BONZI FOR THE COLLECTION OF SWILL IN THE CITY OF MODESTO.

WHEREAS, an application was filed with the City Clerk for a license to collect swill within the City of Modesto by Rudy Bonzi, on May 24, 1960, and

WHEREAS, said application complies with the provisions of Section 5-5.15 of the Modesto Municipal Code, and

WHEREAS, the Council of the City of Modesto at a regular meeting held on the 12th day of February, 1962, adopted a resolution fixing 8:50 o'clock P.M., February 26, 1962, at its regular place of meeting as the time and place for a public hearing on said application in compliance with the provisions of Section 5-5.15 of said Code, and

WHEREAS, on the 26th day of February, 1962, at the time and place above indicated, the Council held a public hearing on said application at which time the City Manager submitted his report on said application, recommending that the license be granted subject to specified terms and conditions,

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

SECTION 1. A license to collect swill in the City of Modesto is hereby granted to Rudy Bonzi of Route 4, Box 3115, Modesto, subject to the following terms and conditions:

(a) Said license shall be for a term of ten (10) years, commencing on January 1, 1962, but shall be subject to cancellation by either the City or licensee upon six (6) months written notice to the other party; or by revocation as provided by Section 5-5.24 of said Code;

(b) Said license shall be non-exclusive to collect swill within the City of Modesto, including any areas hereafter annexed to City;

(c) In accepting this license, licensee thereby agrees to comply with the provisions of this resolution and the provisions of Chapter 5 of Title V of the Municipal Code.

SECTION 2. The City Clerk is hereby directed to furnish a copy of this resolution to the licensee which shall constitute the license mentioned in Section 5-5.17 of the Municipal Code.

SECTION 3. The City Council hereby declares that it is its intention to review the rendition of services granted under this license upon the expiration of five (5) years following the date of the commencement of the term of this license.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of February, 1962, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: [signature]
City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-89

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF $1,000 FROM SPECIAL FUND FOR CAPITAL OUTLAY, GENERAL RESERVE TO SPECIAL FUND FOR CAPITAL OUTLAY, CURBS AND GUTTERS, PATRICIA LANE

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the following appropriation transfer be approved:

SPECIAL FUND FOR CAPITAL OUTLAY (321)

FROM:	General Reserve (600)	$1,000
TO:	Curbs and Gutters, Patricia Lane (503)	$1,000

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of February, 1962, by Councilman Shastid, who moved its adoption, which motion being duly seconded by Councilman Johansen, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: _____
CITY CLERK

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-90

A RESOLUTION GRANTING A PERMIT TO SALVATION ARMY TO DISPLAY BANNERS ACROSS CITY STREETS DURING SALVATION ARMY WEEK MAY 20 TO MAY 27, 1962

WHEREAS, Lieutenant James F. Schaal, Commanding Officer of the Salvation Army, has filed a request with the Council for permission to display banners across city streets in the downtown district to publicize Salvation Army Week for the period May 20 to May 27, 1962,

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

SECTION 1. A permit is hereby granted to said applicant to display banners across city streets in the downtown district for the period May 20 to May 27, 1962, to publicize Salvation Army Week at locations to be worked out with the approval of the city staff so that the banners will not interfere with the California Relay Banners, subject to the other provisions of this resolution.

SECTION 2. Said permit is granted for each of the conditions herein set forth, which conditions Permittee agrees, by acceptance of this permit, to faithfully perform to-wit:

(a) Permittee, its successors and assigns, during the term of this permit, shall indemnify and save the City harmless of and from all damages, costs, and charges of any kind or character arising out of or relating thereto or in any way connected with the exercise of the rights granted by this permit.

(b) Permittee, its successors and assigns, shall comply with all laws of the City.

(c) Permittee, its successors and assigns, at its own cost and expense, shall defend any and all law suits, if any, arising out of or in any connected with the exercise of the rights granted by this permit.

Proper arrangements shall be cleared by the Permittee through the appropriate City departments.

SECTION 3. The City Clerk shall furnish Permittee with a copy of this resolution.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 5th day of March, 1962, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Shastid

ATTEST: _____
CITY CLERK

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-91

A RESOLUTION GRANTING A CURB CUT VARIANCE TO MILK PRODUCERS ASSOCIATION OF CENTRAL CALIFORNIA ON THE WEST SIDE OF TENTH STREET, BETWEEN E AND F STREETS

WHEREAS, Section 7-1.104 (a) of the Modesto Municipal Code relating to driveway construction provides that the maximum width of any driveway shall not be more than thirty (30') feet, as measured at the top of the curbing, unless a variance is approved by the Council, and

WHEREAS, the Milk Producers Association of Central California has filed a request with the City Council to extend the maximum width of its driveway on the west side of Tenth Street, between E and F Streets, to a width of forty (40') feet, and

WHEREAS, Milk Producers Association of Central California has also requested that a four (4") inch drop be permitted in the sidewalk area to facilitate the backing of trucks into the building for loading purposes, and

WHEREAS, said applicant has waived the five day written notice of the hearing required by the Municipal Code, and

WHEREAS, after investigation and study, the Director of Public Works has recommended that the requests be approved, subject to certain conditions,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that Milk Producers Association of Central California be granted a variance to Section 7-1.104 (a) of the Municipal Code, and permitted to extend the maximum width of its driveway to a width of forty (40') feet, and permitted to lower the level of the sidewalk four (4") inches, on the west side of Tenth Street, between E and F Streets, subject to the following conditions:

1. That an electrolier in the path of the proposed curb cut increase be relocated at the expense of Milk Producers Association of Central California;

2. That the lowered sidewalk area be ramped a minimum of four (4') feet on each side to eliminate a stumbling hazard.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 5th day of March,

1962, by Councilman Mitchell, who moved its adoption, which motion being duly seconded by Councilman Shastid, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Tabbert, Shastid, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: _____
CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 62-92

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING THE CALLING FOR BIDS FOR TWO SAND TRAPS, ONE TO BE INSTALLED AT WELL NO. 10 (5TH AND SIERRA) AND THE OTHER AT WELL NO. 24 (DAVIS HIGH SCHOOL).

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

Section 1. The plans and specifications for two sand traps, one to be installed at Well No. 10 (5th and Sierra) and the other at Well No. 24 (Davis High School), copies of which are on file, are hereby accepted and approved.

Section 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 - 11th Street, in the City of Modesto, on March 20, 1962 at 2:30 P.M. and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form and manner provided by law.

Section 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 5th day of March, 1962, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen None

ABSENT: Councilmen None

ATTEST: [signature]
CITY CLERK

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-93

A RESOLUTION WITHDRAWING CERTAIN DESCRIBED TERRITORY FROM THE McHENRY-DRY CREEK FIRE PROTECTION DISTRICT BY REASON OF ITS ANNEXATION TO THE CITY OF MODESTO. (CRESTVIEW ADDITION)

WHEREAS, a portion of the McHenry-Dry Creek Fire Protection District was annexed to the City of Modesto by Ordinance No. 504 -C.S., adopted on February 19, 19 62, and

WHEREAS, said territory officially became a part of the City on February 21, 1962, and

WHEREAS, the Health and Safety Code of the State of California provides that whenever any portion of such a District is included within a city by reason of annexation, such portion may be withdrawn from the District by the filing with the State Board of Equalization, the governing body of the District, and the County Assessor of copies of a resolution of the legislative body of the city, describing the included portion, and declaring such portion withdrawn, and

WHEREAS, it is to the best interests of the residents in the area of said Fire District which has been annexed to the City that the area be withdrawn from said Fire District and provided fire prevention and fire fighting services by the City,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the following described territory be withdrawn from the boundaries of the McHenry-Dry Creek Fire Protection District:

CRESTVIEW ADDITION

All that real property in the State of California, County of Stanislaus, Section 22, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, being Lots 3, 4, 5, 6, 7 and 8, Block 1101 of the Downey Park No. 1 Subdivision, as per map filed August 18, 1959, in Volume 19 of Maps, Page 26, Stanislaus County Records, described as follows:

Beginning at a point on the existing City Limits as established by the Lorenzen Addition as per description filed June 27, 1961 as Instrument 20145, Stanislaus County Records, said point being the Southwestern corner of Lot 8, Block 1101, in said Downey Park No. 1 Subdivision; thence along the existing City Limits and the Western line of said Lot 8, North 108.09 feet, to the Southern line of Crestview Drive as shown on the map of said Downey Park No. 1 Subdivision; thence along the Southern line of said Crestview Drive, East, 420.00 feet, to the Northeastern corner of Lot 3 of said Downey Park No. 1 Subdivision; thence along the Eastern line of said Lot 3, South, 108.34 feet, to the Southeastern corner of said Lot 3 and the existing City Limits; thence along said City Limits and the Southern line of said Downey Park No. 1 Subdivision, North 89° 58' West, 420.00 feet, to the point of beginning, containing 1.043 Acres, more or less.

BE IT FURTHER RESOLVED that the City Clerk be, and he is hereby directed to file a certified copy of this resolution with the State Board of Equalization, the governing body of said Fire Protection District, and the Assessor of Stanislaus County.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 5th day of March, 1962, by Councilman Johansen, who moved its adoption, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and the resolution adopted by the following vote:

AYES: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: None

ABSENT: None

ATTEST: _____
City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-94

A RESOLUTION REJECTING THE CLAIM OF BENNO L. HEUNE FOR FIREMEN'S HOLIDAY PAY AGAINST THE CITY OF MODESTO

WHEREAS, Benno L. Heune filed a claim for Firemen's Holiday Pay against the City of Modesto, a copy of which is on file in the office of the City Clerk, and

WHEREAS, the City Attorney has stated that the said claim was not filed within the period specified by the Statute of Limitations,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the aforementioned claim for Firemen's Holiday Pay against the City of Modesto be, and it is hereby rejected in its entirety.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 5th day of March, 1962, by Councilman Mitchell, who moved its adoption, which motion being duly seconded by Councilman Johansen, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: [signature]
CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 62-95

A RESOLUTION APPOINTING THE CITY MANAGER AS SHELTER REPRESENTATIVE IN CONNECTION WITH THE CIVIL DEFENSE PROGRAM

WHEREAS, Section 3-4.06 of the Modesto Municipal Code creates the Modesto Disaster Corps and designates the City Manager as the Director thereof, and

WHEREAS, the State of California, California Disaster Office, has stated that each city shall designate a person to be known as the "Shelter Representative," to represent it on all matters relating to the conduct of the Federal Shelter Survey and that this person be the City Civil Defense Director,

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Council of the City of Modesto that the City Manager be, and he is hereby appointed Shelter Representative for the City of Modesto.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 5th day of March, 1962, by Councilman Shastid, who moved its adoption, which motion being duly seconded by Councilman Patton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: _____
CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 62-96

A RESOLUTION ACCEPTING THE CONSTRUCTION OF A CHLORINE CONTROL BUILDING AT THE SEWAGE TREATMENT PLANT AND PUMP HOUSES AT STATIONS 24 AND 25 BY EDWARD A. TOMLINSON

WHEREAS, a report has been filed by the Director of Public Works that the construction of a chlorine control building at the Sewage Treatment Plant and pump houses at Stations 24 and 25 has been completed by Edward A. Tomlinson

in accordance with the contract agreement, dated December 11, 19 61.

NOW, THEREFORE, BE IT RESOLVED that the construction of a chlorine control building at the Sewage Treatment Plant and pump houses at Stations 24 and 25 be accepted from said contractor Edward A. Tomlinson

that Notice of Completion be filed with the Recorder of Stanislaus County and that payment of amounts due, as provided in the contract, be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 5th day of March, 19 62, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Johansen, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: [signature]
CITY CLERK

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-97

A RESOLUTION REFERRING TO THE MODESTO CITY PLANNING COMMISSION A PETITION FOR ANNEXATION OF CERTAIN UNINHABITED TERRITORY TO THE CITY OF MODESTO, KNOWN AS DRAKE ADDITION.

WHEREAS, a petition has been filed in the office of the City Clerk requesting the annexation of certain uninhabited territory to the City of Modesto, which territory is more specifically described hereinafter, and

WHEREAS, the County Boundary Commission has certified to the definiteness and accuracy of the boundaries of said territory,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that said petition for the annexation of the following described uninhabited territory be referred to the Planning Commission for its report and recommendation.

The territory herein referred to is situated in the County of Stanislaus, State of California, and more particularly described as follows:

DRAKE ADDITION

All that real property in the State of California, County of Stanislaus, Section 21, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits as established by the Granger Addition as per description filed December 4, 1953, as Instrument 30044, Stanislaus County Records, said point also being the Northwestern corner of the East Orangeburg Addition as per description filed June 29, 1960, as Instrument 18295, Stanislaus County Records; thence along said existing City Limits, North 0° 10' West, 510.00 feet to a point on the existing City Limits as established by the McHenry Village Addition as per description filed May 11, 1954, as Instrument 11745, Stanislaus County Records; thence along said existing City Limits South 89° 00' East, 340.40 feet; thence continuing along said City Limits, South 0° 10' East, 160.00 feet, to the Northern line of a 40 foot Public Road known as Coolidge Avenue; thence continuing along said existing City Limits and the Northern line of Coolidge Avenue, South 89° 00' East, 149.60 feet; thence South 0° 10' East, 125.00 feet, along the Eastern line and its Northerly extension of the property of Leslie and Pearl Lankford, as per deed Recorded May 15, 1961, as Instrument 15252, Stanislaus County Records; thence South 89° 00' East, 95.00 feet, along the Northern line of the property of Joseph and Josephine Stallone, as per deed Recorded September 17, 1958, as Instrument 23249, Stanislaus County Records; thence South 0° 10' East 85.00 feet, along the Eastern line of said Stallone property, to the Northern line of a 50 foot Public Road known as Drake Avenue; thence along the Northern line of Drake Avenue, North 89° 00' West, 115.00 feet to a point on the Northerly extension of the Eastern line of the property of Manuel and Angie DePonte, as per deed Recorded February 21, 1961, as Instrument 5422, Stanislaus County Records; thence South 0° 10' East, 140.00 feet, along the Eastern line and its Northerly extension of said DePonte property to the existing City Limits as established by the East Orangeburg Addition; thence along said City Limits, North 89° 00' West, 470.00 feet, to the point of beginning, containing 5.306 Acres, more or less.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 5th day of March, 19 62, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Shastid, was upon roll call carried and the resolution adopted by the following vote:

AYES: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: None

ABSENT: None

ATTEST: _____
City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-98

A RESOLUTION APPROVING RIGHT OF WAY AGREEMENT BETWEEN THE CITY OF MODESTO AND LESLIE SHERMAN CASS FOR THE ACQUISITION OF STREET RIGHT OF WAY ON CARPENTER ROAD

BE IT HEREBY RESOLVED by the Council of the City of Modesto that Right of Way Agreement between the City of Modesto and Leslie Sherman Cass

for the purchase of 1.865 acres of land for the sum of $3,972, to allow a street right of way on Carpenter Road be and it is hereby approved. For further particulars, reference is made to a copy of the Agreement on file in the office of the City Clerk.

BE IT FURTHER RESOLVED that the City Manager and City Clerk of the City of Modesto be, and they are hereby authorized and directed to execute said Right of Way Agreement on behalf of the City of Modesto.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 5th day of March, 19 62, by Councilman Mitchell, who moved its adoption, which motion being duly seconded by Councilman Johansen, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: [signature]
CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 62-99

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND THE LEAGUE OF WOMEN VOTERS, LESSEE, TO LEASE ROOM 104 IN THE MODESTO COMMUNITY SERVICE CENTER FOR A PERIOD OF FIVE YEARS BEGINNING JANUARY 1, 1962

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the Agreement between the City of Modesto and The League of Women Voters, lessee

for the lease of Room 104 in the Modesto Community Service Center for a period of five years, beginning January 1, 1962 be, and it is hereby approved, and

BE IT FURTHER RESOLVED that the execution of said Agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 5th day of March, 1962, by Councilman Shastid, who moved its adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: [signature]
CITY CLERK

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-100

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND YOSEMITE AREA COUNCIL BOY SCOUTS OF AMERICA, LESSEE, FOR THE LEASE OF ROOMS NO. 201, 203 AND 205 OF THE MODESTO COMMUNITY SERVICE CENTER FOR A PERIOD OF FIVE YEARS BEGINNING JANUARY 1, 1962

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the Agreement between the City of Modesto and Yosemite Area Council Boy Scouts of America, lessee,

for the lease of Rooms No. 201, 203 and 205 of the Modesto Community Service Center for a period of five years, beginning January 1, 1962 be, and it is hereby approved, and

BE IT FURTHER RESOLVED that the execution of said Agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 5th day of March, 19 62, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Shastid, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: [signature]
CITY CLERK

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-101

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND YOSEMITE AREA COUNCIL BOY SCOUTS OF AMERICA, LESSEE, FOR THE LEASE OF ROOMS NO. 200 AND 207 OF THE MODESTO COMMUNITY SERVICE CENTER FOR A PERIOD OF FIVE YEARS BEGINNING JANUARY 1, 1962

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the Agreement between the City of Modesto and Yosemite Area Council Boy Scouts of America, lessee,

for the lease of Rooms No. 200 and 207 of the Modesto Community Service Center for a period of five years, beginning January 1, 1962
be, and it is hereby approved, and

BE IT FURTHER RESOLVED that the execution of said Agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 5th day of March, 1962, by Councilman Mitchell, who moved its adoption, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: _____
CITY CLERK

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-102

A RESOLUTION APPROVING THE FINAL MAP OF THE EMERALD GARDENS SUBDIVISION OF THE CITY OF MODESTO.

WHEREAS, HAROLD B. MONIGHAN and JEAN I. MONIGHAN, husband and wife, are possessed of a tract of land situate in the City of Modesto, County of Stanislaus, consisting of 10 acres, known as the EMERALD GARDENS SUBDIVISION, and

WHEREAS, a tentative map of said tract was approved by the City Planning Commission on the 3rd day of October, 1961, and

WHEREAS, the final map of said tract has been approved by the Secretary of the City Planning Commission, and

WHEREAS, the City Engineer of the City of Modesto has certified that the final map of said EMERALD GARDENS SUBDIVISION meets all of the provisions of the California Subdivision Map Act and the provisions of the Modesto Municipal Code relating to subdivisions, and that the map is technically correct;

NOW, THEREFORE, BE IT RESOLVED that said final map of the EMERALD GARDENS SUBDIVISION be approved; that the streets, alleys, and easements as shown thereon within the boundaries of said tract be accepted on behalf of the public for public use; and that the City Clerk be authorized to certify the map of said tract on behalf of the City of Modesto after the fees in the amount of One Thousand Nine Hundred Fifteen and 70/100ths ($1,915.70) Dollars, as required by the Modesto Municipal Code, for checking, copies of maps, recording, and parks and playgrounds have been paid, and subdividers have furnished a bond acceptable to the City Attorney, or, in lieu thereof, have posted a cash deposit with the City Clerk in the sum of Thirty-eight Thousand and no/100ths ($38,000.00) Dollars.

BE IT FURTHER RESOLVED that the City Manager and the City Clerk be authorized to execute and attest, respectively, an agreement

with subdividers as required by Section 4-4.604 (c) of the Modesto Municipal Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 5th day of March, 19 62, by Councilman Mitchell, who moved its adoption, which motion being duly seconded by Councilman Shastid, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond
NOES:	Councilmen:	None
ABSENT:	Councilmen:	None

ATTEST: _____
City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-103

A RESOLUTION GRANTING A DRIVEWAY VARIANCE TO RICHFIELD OIL CORPORATION AT McHENRY AND ELMWOOD AVENUES

WHEREAS, Section 7-1.104 (c) of the Modesto Municipal Code, relating to driveway construction, provides that no driveway shall exceed forty (40%) per cent of the frontage upon any street of the lot or lots or parcel of land to be served, and

WHEREAS, Richfield Oil Corporation has filed a request with the City Council to construct an additional twenty-five (25') foot driveway on the Elmwood Avenue side of its service station located on the southwest corner of McHenry and Elmwood Avenues, and

WHEREAS, the frontage of this property is 252 feet, and the construction of the requested driveway, plus three thirty-six (36') foot driveways already in existence, will exceed forty (40%) per cent of the frontage of the lot to be served, and

WHEREAS, the Director of Public Works has recommended that the permit be granted in the interest of traffic safety and convenience, subject to the condition that the driveway be constructed in accordance with the drawing filed with the Department of Public Works by the applicant,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the request of Richfield Oil Corporation for a variance from the provisions of the Modesto Municipal Code to permit the construction of an additional twenty-five (25') foot driveway on Elmwood Avenue be, and it is hereby approved, subject to the condition that the driveway be constructed in accordance with the drawing on file with the Public Works Department.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 5th day of March, 1962, by Councilman Shastid, who moved its adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: _____
CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 62-104

A RESOLUTION COMMENDING GEORGE H. SMEATH FOR HIS SERVICE TO THE CITY AS PLANNING DIRECTOR OF THE CITY OF MODESTO

WHEREAS, George H. Smeath has served the City of Modesto for seven and one-half years as Planning Director, and

WHEREAS, he is now leaving Modesto to become the Planning Director for the City of Santa Rosa, California,

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Council of the City of Modesto that this Council does express to George H. Smeath its appreciation for his work in Modesto and for his spirit of cooperation and helpfulness, and extends to him its sincere best wishes for success and happiness in his new assignment.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 5th day of March, 1962, by Mayor Hammond, who moved its adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: _____
CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 62-105

A RESOLUTION FIXING THE TIME AND PLACE FOR A PUBLIC HEARING IN THE MATTER OF GRANTING LICENSES FOR THE OPERATION OF AMBULANCES IN THE CITY OF MODESTO

WHEREAS, Robert L. Weir, owner and operator of the Community Ambulance, has filed application with the City Clerk for licenses to operate a 1954 Packard Henny Ambulance and a 1955 Cadilliac Ambulance, in addition to the 1953 Packard Ambulance already in operation, in the City of Modesto, and

WHEREAS, Section 3-8.10 of the Modesto Municipal Code provides that any person holding a license to operate one or more ambulances who desires to add to the number of such vehicles, shall do so only after public hearing and determination by the Council that the public convenience and necessity require the proposed ambulance service,

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Council of the City of Modesto that Monday, March 26, 1962 at 8:00 P.M. in the Council Chambers of the City Hall is hereby fixed as the time and place for a public hearing upon said application for licenses to operate two additional ambulances in the City of Modesto.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of March, 1962, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Johansen, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: [signature]
CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 62-106

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING THE CALLING FOR BIDS FOR CONSTRUCTION OF CHLORINE CONTROL STRUCTURES AND PRIMARY CLARIFIER RELIEF LINE AT THE SEWAGE TREATMENT PLANT

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

Section 1. The plans and specifications for construction of chlorine control structures and primary clarifier relief line at the Sewage Treatment Plant, copies of which are on file, are hereby accepted and approved.

Section 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 - 11th Street, in the City of Modesto, on Tuesday, March 27, 1962 at 2:00 PM and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form and manner provided by law.

Section 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of March, 1962, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen None

ABSENT: Councilmen None

ATTEST: [signature]
CITY CLERK

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-107

A RESOLUTION ACCEPTING THE BID OF THE RIX COMPANY IN THE NET SUM OF $2,653.88, INCLUDING TAX AND TRADE-IN, FOR ONE GILSON MODEL 6S-CRT CEMENT MIXER, WITH ELECTRIC STARTER AND ENGINE CLUTCH AND 700 x 16 6-PLY TIRES

WHEREAS, informal written bids for a cement mixer were solicited and received by the Finance Department, and

WHEREAS, the bids received for the cement mixer were tabulated by the Public Works Department for the consideration of the Council, and

WHEREAS, the Director of Public Works has recommended that the bid of The Rix Company, in the sum of $2,653.88 for one Gilson Model 6S-CRT Cement Mixer, with electric starter and engine clutch and 700 x 16 6-Ply Tires, which includes sales tax and trade-in allowance for one LeRoy Cement Mixer, Serial No. 120554, City Equipment No. G-12 be accepted as the lowest responsible bid,

NOW, THEREFORE, BE IT RESOLVED that the bid of The Rix Company in the net sum of $2,653.88, including tax and trade-in, be accepted as the lowest responsible bid and the Purchasing Agent instructed to purchase the cement mixer for the above amount.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of March, 1962, by Councilman Shastid, who moved its adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: [signature]
CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 62-108

A RESOLUTION GIVING NOTICE OF THE PROPOSED ANNEXATION TO THE CITY OF MODESTO OF UNINHABITED TERRITORY DESCRIBED HEREIN AND DESIGNATED AS DRAKE ADDITION AND GIVING NOTICE OF TIME AND PLACE FOR HEARING PROTESTS THERETO.

BE IT RESOLVED by the Council of the City of Modesto:

1. That, pursuant to the provisions of the Annexation of Uninhabited Territory Act of 1939, a petition signed by owners of not less than one-fourth of the land in the hereinafter described territory by area and by assessed value as shown on the last equalized assessment roll of the County of Stanislaus, was filed with the Council of the City of Modesto on January 26, 19 62, requesting annexation of the hereinafter described territory to said City.

2. That the territory which the petitioners request be annexed to the City of Modesto and which said City and its Council propose to annex, is situate in the County of Stanislaus, State of California, hereby designated as DRAKE ADDITION, and described as follows:

DRAKE ADDITION

All that real property in the State of California, County of Stanislaus, Section 21, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits as established by the Granger Addition as per description filed December 4, 1953, as Instrument 30044, Stanislaus County Records, said point also being the Northwestern corner of the East Orangeburg Addition as per description filed June 29, 1960, as Instrument 18295, Stanislaus County Records; thence along said existing City Limits, North 0° 10' West, 510.00 feet to a point on the existing City Limits as established by the McHenry Village Addition as per description filed May 11, 1954, as Instrument 11745, Stanislaus County Records; thence along said existing City Limits South 89° 00' East, 340.40 feet; thence continuing along said City Limits, South 0° 10' East, 160.00 feet, to the Northern line of a 40 foot Public Road known as Coolidge Avenue; thence continuing along said existing City Limits and the Northern line of Coolidge Avenue, South 89° 00' East, 149.60 feet; thence South 0° 10' East, 125.00 feet, along the Eastern line and its Northerly extension of the property of Leslie and Pearl Lankford, as per deed Recorded May 15, 1961, as Instrument 15252, Stanislaus County Records; thence South 89° 00' East, 95.00 feet, along the Northern line of the property of Joseph and Josephine Stallone, as per deed Recorded September 17, 1958, as Instrument 23249, Stanislaus County Records; thence South 0° 10' East 85.00 feet, along the Eastern line of said Stallone property, to the Northern line of a 50 foot Public Road known as Drake Avenue; thence along the Northern line of Drake Avenue, North 89° 00' West, 115.00 feet to a point on the Northerly extension of the Eastern line of the property of Manuel and Angie DePonte, as per deed Recorded February 21, 1961, as Instrument 5422, Stanislaus County Records; thence South 0° 10' East, 140.00 feet, along the Eastern line and its Northerly extension of said DePonte property to the existing City Limits as established by the East Orangeburg Addition; thence along said City Limits, North 89° 00' West, 470.00 feet, to the point of beginning, containing 5.306 Acres, more or less.

3. That the County Boundary Commission of Stanislaus County, California, did in session duly assembled on December 12, 19 61, consider the proposed annexation boundaries of said DRAKE ADDITION, as above described, and as submitted to said Commission by the proponents of said annexation.

4. No change in school district boundaries shall be effected by reason of the annexation of the hereinabove described area to the City of Modesto.

5. NOTICE IS HEREBY GIVEN that the 23rd day of April, 19 62, at the hour of 8:00 o'clock P.M. of said day, in the Council Chambers at the City Hall, located at 801 Eleventh Street in the City of Modesto, be, and the same is hereby fixed as the time and place for considering said petition, at which time and place any person owning real property within such territory and having any objections to the proposed annexation may appear before the Council of the City of Modesto and show cause why such territory should not be so annexed. The protest must be in writing, may be filed at any time before the hour set for hearing objections to the proposed annexation, and shall state the name or names of the owner or owners of property affected and the description and area of such property, in general terms.

6. The City Clerk shall cause a copy of this resolution to be published at least twice, but not oftener than once a week, in The Modesto Tribune, a newspaper of general circulation, published in the City of Modesto and being the official newspaper of the City of Modesto, and shall also cause a copy of this resolution to be published in the Turlock Daily Journal, being a newspaper of general circulation published outside of the City of Modesto but in the County of Stanislaus. Said publications shall be completed at least twenty (20) days prior to the date set for the hearing.

7. The City Clerk of the City of Modesto shall also cause written notice of such proposed annexation to be mailed to each person to whom land within the territory proposed to be annexed is assessed on the last equalized county assessment roll available on the date the proceedings were initiated, at the address shown on said assessment roll

as known to said Clerk, and to any person who has filed his name and address and the designation of the land in which he has any interest, either legal or equitable, with said Clerk. Said notices shall be mailed not less than twenty (20) days before the public hearing on the proposed annexation.

8. In the event any land within the territory proposed to be annexed is owned by the County of Stanislaus, the City Clerk is directed to cause written notice of such proposed annexation to be mailed to the Board of Supervisors of the County, such notice to be given not less than twenty (20) days before the public hearing on the proposed annexation.

9. In the event there is, upon the land proposed to be annexed, a structural improvement owned, being acquired or leased by a county fire protection district, the City Clerk is directed to cause written notice of such proposed annexation to be mailed to the governing body of such district, such notice to be sent not less than ten (10) days before the public hearing on the proposed annexation.

10. The City Clerk is directed to cause written notice to be given to such other persons as may be legally entitled thereto, in the manner required by law.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of March, 1962, by Councilman Tabbert, who moved its adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the resolution adopted by the following vote:

AYES: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: None

ABSENT: None

ATTEST: _____
City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-109

A RESOLUTION INSTRUCTING THE SUPERINTENDENT OF STREETS TO GIVE NOTICE REQUIRING CONSTRUCTION OF CURBS AND GUTTERS ALONG CERTAIN STREETS IN THE CITY OF MODESTO.

WHEREAS, Chapter 27 of Part 3 of Division 7 of the Streets and Highways Code of the State of California establishes a procedure pursuant to which the construction of curbs and gutters may be required, and

WHEREAS, in accordance with Section 5876 of the Streets and Highways Code, the Superintendent of Streets finds that curbs and gutters have been constructed in front of the properties constituting more than fifty per cent (50%) of the street frontage of Hilton Street, Block 6003

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

SECTION 1. The Superintendent of Streets is hereby directed to notify the owners of record of the properties described as follows:

All of Lots 30 and 31 except the Northerly 7.5 feet of Lot 31, Block 6003.

to construct or cause to be constructed curbs and gutters along the street frontage of the property/properties hereinabove described, all of said construction to be in accordance with City of Modesto standards for such construction work.

SECTION 2. The 26th day of March, 1962, at 8:05 o'clock P.M. in the Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California, is set as the time and place where the Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons relating to the proposed work.

SECTION 3. The Superintendent of Streets is hereby authorized to implement the provisions of this resolution in accordance with the procedure contained in Chapter 27, Part 3, Division 7 of the Streets and Highways Code of the State of California.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of March, 1962, by Councilman Mitchell, who moved its adoption, which motion being duly seconded by Councilman Johansen, was upon roll call carried and the resolution adopted by the following vote:

AYES: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: None

ABSENT: None

ATTEST: _____
City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-110

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND THE ROMAN CATHOLIC ARCHBISHOP OF SAN FRANCISCO FOR PURCHASE OF PROPERTY BY THE CITY FOR CARPENTER ROAD RIGHT OF WAY, FOR THE SUM OF $3,331, PARCEL NO. 4112-1, PROJECT 61-21

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the Agreement between the City of Modesto and The Roman Catholic Archbishop of San Francisco

for purchase of property by the City for Carpenter Road right of way, for the sum of $3,331

be, and it is hereby approved, and

BE IT FURTHER RESOLVED that the execution of said Agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of March, 1962, by Councilman Johansen, who moved its adoption, which motion being duly seconded by Councilman Patton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: _____
CITY CLERK

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-111

A RESOLUTION ESTABLISHING THE "SPECIAL AVIATION FUND", AND EFFECTING AN INTER-FUND TRANSFER.

WHEREAS, the California Legislature in 1961 established the Airport Assistance Fund pursuant to Chapter 2127 of Statutes 1961 (Sections 21680-21686 of the California Public Utilities Code), and

WHEREAS, Section 21683 authorizes cities, counties and airport districts to establish a special aviation fund for the purpose of receiving assistance funds for airport activities,

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

SECTION 1. SPECIAL AVIATION FUND ESTABLISHED. The "Special Aviation Fund" is hereby established pursuant to Section 21683 of the California Public Utilities Code. All monies collected by the City representing unrefunded aviation fuel tax shall be placed in said fund. The fund now called the "Municipal Airport Gas Tax Fund" shall hereafter be known as the "Special Aviation Fund". All monies placed in said fund shall be used solely for airport and aviation purposes.

SECTION 2. AIRPORT DEVELOPMENT FUND BUDGET ADJUSTMENT. The sum of Two Thousand Five Hundred and no/100ths ($2,500.00) Dollars appropriated for expenditure in the Airport Development Fund is hereby transferred to the Special Aviation Fund and appropriated therein in the General Reserve of said fund.

SECTION 3. DIRECTOR OF FINANCE TO IMPLEMENT PROVISIONS. The Director of Finance is hereby authorized to take the necessary steps to implement the provisions of this resolution.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of March, 1962, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Shastid, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen None

ATTEST: [signature]
City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-112

A RESOLUTION TRANSFERRING $29,000.00 FROM THE AIRPORT DEVELOPMENT FUND TO THE SPECIAL FUND FOR CAPITAL OUTLAYS AND APPROPRIATING SAID SUM THEREIN TO THE GENERAL RESERVE OF SAID FUND.

WHEREAS, the Council of the City of Modesto by Resolution No. 56-84 adopted March 14, 1956, established within the special fund for capital outlays a separate capital outlay fund to be known as the Airport Development Fund and advanced moneys on that date to the Airport Development Fund, and

WHEREAS, it appears that funds which were appropriated for expenditure in the 1961-62 fiscal year for the airport control tower project will not be expended during the current year,

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

SECTION 1. The sum of Twenty-nine Thousand and no/100ths ($29,000.00) Dollars now appropriated in the Airport Dévelopment Fund is hereby transferred to the special fund for capital outlays and appropriated therein to the general reserve of said fund.

SECTION 2. The Director of Finance is hereby directed to implement the provisions of this resolution.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of March, 1962, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: [signature]
City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-113

RESOLUTION ADJOURNING THE MARCH 12, 1962 MEETING OF THE MODESTO CITY COUNCIL IN RESPECT OF AND EXPRESSING ITS HIGH REGARD FOR PERSONNEL COMMISSIONER RALPH E. WATSON AND EXTENDING SYMPATHY TO HIS FAMILY

WHEREAS, Almighty God in His infinite wisdom has removed from our midst our fellow citizen and Personnel Commission member, Ralph E. Watson, and

WHEREAS, during his sojourn as a Commissioner he has set an outstanding and enviable example as a citizen of this community and as a member of the Personnel Commission of the City of Modesto by his ability, leadership, courage and integrity, and

WHEREAS, he has devoted many years of his life to the service of the government of the City of Modesto and has served his City unstintingly and with intelligence and devotion, and

WHEREAS, Ralph E. Watson will be greatly missed as a citizen of the community,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that this resolution be adopted as an expression of our esteem for our late departed comrade and friend, and as an expression of our sense of personal loss; of our gratitude for our association and acquaintance with him, and also as an expression of our sincere sympathy for his family and those who were close to him.

BE IT FURTHER RESOLVED that this resolution be inscribed upon the minutes of our meeting and that a copy of the same be transmitted to the family of Ralph E. Watson.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of March, 1962, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Johansen, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: _____
CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 62-114

A RESOLUTION AUTHORIZING THE CITY MANAGER TO SUBMIT AND SIGN AN APPLICATION TO THE CALIFORNIA STATE WATER POLLUTION CONTROL BOARD FOR FEDERAL FUNDS FOR SEWAGE TREATMENT PLANT CONSTRUCTION

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the City Manager be authorized to submit and sign an application to the California State Water Pollution Control Board for a federal construction grant for sewage treatment work construction under 33 U.S.C. 466 et. seq. (Public Law 660 84th Congress).

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 19th day of March, 1962, by Councilman Tabbert, who moved its adoption, which motion being duly seconded by Councilman Shastid, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: None

ATTEST: Pauline P. Stanley
ACTING CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 62-115

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND HARRY JENKS, CONSULTING ENGINEER, FOR ENGINEERING SERVICES FOR THE INSTALLATION OF A DEGRITTER AND MIXING BASIN AERATION SYSTEM AT THE SEWAGE TREATMENT PLANT

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the Agreement between the City of Modesto and Harry Jenks, Consulting Engineer,

for engineering services for the installation of a degritter and mixing basin aeration system at the Sewage Treatment Plant be, and it is hereby approved, and

BE IT FURTHER RESOLVED that the execution of said Agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 19th day of March, 1962, by Councilman Tabbert, who moved its adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: Shastid

ABSENT: Councilmen: None

ATTEST: Pauline P. Stanley
ACTING CITY CLERK

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-116

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND MODESTO IRRIGATION DISTRICT FOR EASEMENT TO PROVIDE FOR CROSSING OF LATERAL NO. 3 BY CITY OF MODESTO FROM MODESTO IRRIGATION DISTRICT, SAID PREMISES BEING DESCRIBED IN THE AGREEMENT

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the Agreement between the City of Modesto and Modesto Irrigation District

for easement to provide for crossing of Lateral No. 3 by City of Modesto from Modesto Irrigation District, said premises being described in the agreement

be, and it is hereby approved, and

BE IT FURTHER RESOLVED that the execution of said Agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 19th day of March, 1962, by Councilman Johansen, who moved its adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: Pauline P. Stanley
ACTING CITY CLERK

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-117

A RESOLUTION REJECTING THE CLAIM OF JOHN S. INGRAM FOR DAMAGES AGAINST THE CITY OF MODESTO

WHEREAS, John S. Ingram has filed a claim for damages against the City of Modesto for the death of his male Collie dog, a copy of which claim is on file in the office of the City Clerk, and

WHEREAS, the Council finds and determines that there is no legal basis for said claim,

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

SECTION 1. The aforementioned claim of John S. Ingram is hereby rejected in its entirety both as to the City of Modesto and the officials therein.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 19th day of March, 1962, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Mitchell, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: Pauline P. Stanley
ACTING CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 62-118

A RESOLUTION AUTHORIZING THE RELEASE OF THE CENTRAL SURETY AND INSURANCE CORPORATION CONTRACT BOND FILED TO GUARANTEE IMPROVEMENTS IN BROOKDALE PARK NO. 2 SUBDIVISION UNDER CERTAIN CONDITIONS

WHEREAS, Robert P. Bomberger, Muriel F. Bomberger, Harold J. Kreutz, Needa M. Kreutz, Paul M. Zagaris, Liberty Zagaris and John E. Hirleman, Jr. have filed with the City of Modesto a contract bond to guarantee the improvements in the aforesaid subdivision, and

WHEREAS, the Director of Public Works has reported that the improvements have been completed in the aforesaid subdivision to his satisfaction, with the exception of pavement patching, which cannot be completed until spring of this year, and has recommended the release of the contract bond on the condition that a Cashier's Check in the amount of $1,000 is filed with the City of Modesto to guarantee said pavement patching,

NOW, THEREFORE, BE IT HEREBY RESOLVED that Central Surety and Insurance Corporation Contract Bond No. 44 98 90 in the sum of $51,500 filed by the aforementioned subdividers to guarantee improvements in Brookdale Park No. 2 Subdivision be, and it is hereby released, subject to the deposit of a Cashier's Check in the amount of $1,000 with the City Clerk by said subdividers to guarantee pavement patching in said subdivision.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 19th day of March, 1962, by Councilman Shastid, who moved its adoption, which motion being duly seconded by Councilman Johansen, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: Pauline P. Stanley
ACTING CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 62-119

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND WALLACE E. AND ANNA E. BLOMDAHL FOR DEVELOPMENT OF SARATOGA MANOR NO. 4 SUBDIVISION

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the Agreement between the City of Modesto and Wallace E. and Anna E. Blomdahl

for the development of Saratoga Manor No. 4 Subdivision

be, and it is hereby approved, and

BE IT FURTHER RESOLVED that the execution of said Agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 19th day of March, 1962, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: Pauline P. Stanley
ACTING CITY CLERK

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-120

A RESOLUTION ACCEPTING THE BID OF W. E. GRACE MANUFACTURING COMPANY IN THE NET SUM OF $1,798.42, INCLUDING TAX, FOR AN 11-WHEEL PULL-TYPE ROLLER WITH ELECTRIC BRAKES

WHEREAS, informal written bids for a pull-type roller were solicited and received by the Finance Department, and

WHEREAS, the bids received for the pull-type roller were tabulated by the Public Works Department for the consideration of the Council, and

WHEREAS, the Director of Public Works has recommended that the bid of W. E. Grace Manufacturing Company, in the sum of $1,798.42 for an 11-wheel pull-type roller with electric brakes, which includes sales tax, be accepted as the lowest responsible bid,

NOW, THEREFORE, BE IT RESOLVED that the bid of W. E. Grace Manufacturing Company in the net sum of $1,798.42, including tax, be accepted as the lowest responsible bid and the Purchasing Agent be instructed to purchase the roller for the above amount.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 19th day of March, 1962, by Councilman Tabbert, who moved its adoption, which motion being duly seconded by Councilman Shastid, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: Pauline P. Stanley
ACTING CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 62-121

A RESOLUTION GRANTING A PERMIT TO THE CALIFORNIA FRYER FESTIVAL COMMITTEE, INC. FOR THE USE OF LEGION PARK ON JUNE 2, 1962, FOR ITS ANNUAL FESTIVAL

WHEREAS, the California Fryer Festival Committee has filed a request with the Council for permission to use Legion Park on June 2, 1962, for its annual festival,

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

SECTION 1. A permit is hereby granted to said applicant to use the Legion Park on June 2, 1962, for its annual festival, subject to the other provisions of this resolution.

SECTION 2. Said permit is granted for each of the conditions herein set forth, which conditions Permittee agrees, by acceptance of this permit, to faithfully perform to-wit:

(a) Permittee, its successors and assigns, during the term of this permit, shall indemnify and save the City harmless of and from all damages, costs, and charges of any kind or character arising out of or relating thereto or in any way connected with the exercise of the rights granted by this permit.

(b) Permittee, its successors and assigns, shall comply with all laws of the City.

(c) Permittee, its successors and assigns, at its own cost and expense, shall defend any and all law suits, if any, arising out of or in any way connected with the exercise of the rights granted by this permit.

(d) Permittee shall take out and maintain during the life of this permit such public liability and property damage insurance as shall protect it, and any person performing work under this permit, for claims for damages for personal injury, including accidental death, as well as from claims for property damage, which may arise out of the exercise of the rights granted by this permit, whether by itself, or by

any subcontractor, or by anyone directly or indirectly employed by either of them, and the amounts of such insurance shall be as follows:

Public Liability Insurance, in an amount not less than One hundred thousand and no/100ths ($100,000) Dollars for injuries, including accidental death, to any one person; and, subject to the same limit for each person, in an amount not less than Three hundred thousand and no/100ths ($300,000) Dollars on account of one occurrence; and

Property Damage Insurance, in an amount not less than Ten thousand and no/100ths ($10,000) Dollars.

Permittee shall furnish City with satisfactory proof of carriage of the insurance required. Such insurance shall be absolutely non-cancellable for a period of not less than five (5) days after notice to the City.

Permittee shall assume the responsibilities for cleaning the facility after its use.

Proper arrangements shall be cleared by the Permittee through the appropriate City departments.

SECTION 3. The City Clerk shall furnish Permittee with a copy of this resolution. Permittee shall have twenty (20) days from and after the adoption of this resolution within which to file written acceptance of this permit and a certificate of insurance as required by this resolution with the City Clerk, and no right shall be conferred hereby until said acceptance and certificate is filed.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of March, 19 62, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Patton, Mitchell, Shastid, Tabbert, VanderWall
Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: [signature]
CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 62-122

A RESOLUTION ACCEPTING BIDS FOR AUTOMOTIVE EQUIPMENT FROM DEAN JONES, INC.

WHEREAS, Resolution No. 62-81, adopted by the Council of the City of Modesto on February 26, 1962 approved the specifications for automotive equipment and authorized the calling for bids, and

WHEREAS, the bids received for the automotive equipment were opened at 2:00 P.M., March 20, 1962 and later tabulated by the Department of Public Works for the consideration of the Council, and

WHEREAS, the Director of Public Works has recommended that the bids of Dean Jones, Inc., with laminated glass, be accepted as the lowest responsible bids for the following items:

ITEM	TYPE	PRICE
1	4-door sedan	$1,539.03
2	4-door sedan	1,814.03
3	4-door sedan	1,539.03
4	4-door sedan	1,539.03
5	4-door sedan	1,539.03
6	4-door sedan	1,428.03
7	4-door sedan	1,439.03

NOW, THEREFORE, BE IT RESOLVED that the above described bids of Dean Jones, Inc. for automotive equipment be accepted, and payment for same be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of March, 1962 by Mayor Hammond, who moved its adoption, which motion being duly seconded by Councilman Shastid, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: [signature]
CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 62-123

A RESOLUTION ACCEPTING BIDS FOR AUTOMOTIVE EQUIPMENT FROM DEAN JONES, INC.

WHEREAS, Resolution No. 62-81, adopted by the Council of the City of Modesto on February 26, 1962 approved the specifications for automotive equipment and authorized the calling for bids, and

WHEREAS, the bids received for the automotive equipment were opened at 2:00 P.M., March 20, 1962 and later tabulated by the Department of Public Works for the consideration of the Council, and

WHEREAS, the Director of Public Works has recommended that the bids of Dean Jones, Inc. without laminated glass, be accepted as the lowest responsible bids for the following items:

ITEM	TYPE	PRICE
8	½-ton pickup	$1,439.48
10	½-ton pickup	1,452.73
11	½-ton pickup	1,584.54
12	½-ton pickup	1,484.54
13	½-ton pickup	1,689.48
16	1½-ton truck	2,481.72

NOW, THEREFORE, BE IT RESOLVED that the above described bids of Dean Jones, Inc. for automotive equipment be accepted, and payment for same be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of March, 1962 by Mayor Hammond, who moved its adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: [signature]
CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 62-124

A RESOLUTION ACCEPTING BIDS FOR AUTOMOTIVE EQUIPMENT FROM GRISWOLD AND WIGHT

WHEREAS, Resolution No. 62-81, adopted by the Council of the City of Modesto on February 26, 1962 approved the specifications for automotive equipment and authorized the calling for bids, and

WHEREAS, the bids received for the automotive equipment were opened at 2:00 P.M., March 20, 1962 and later tabulated by the Department of Public Works for the consideration of the Council, and

WHEREAS, the Director of Public Works has recommended that the bids of Griswold and Wight, without laminated glass, be accepted as the lowest responsible bids for the following items:

ITEM	TYPE	PRICE
9	½-ton pickup	$1,486.91
14	2-ton dump truck	3,578.46
15	2-ton dump truck	3,848.46
17	1-ton pickup	2,066.25

NOW, THEREFORE, BE IT RESOLVED that the above described bids of Griswold and Wight for automotive equipment be accepted, and payment for same be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of March, 1962 by Mayor Hammond, who moved its adoption, which motion being duly seconded by Councilman Mitchell, was upnn roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: _____
CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 62-125

A RESOLUTION ACCEPTING A BID FOR AUTOMOTIVE EQUIPMENT FROM GRISWOLD AND WIGHT

WHEREAS, Resolution No. 62-81, adopted by the Council of the City of Modesto on February 26, 1962 approved the specifications for automotive equipment and authorized the calling for bids, and

WHEREAS, the bids received for the automotive equipment were opened at 2:00 P.M., March 20, 1962 and later tabulated by the Department of Public Works for the consideration of the Council, and

WHEREAS, the Director of Public Works has recommended that the bid of Griswold and Wight, without laminated glass, be accepted as the lowest responsible bid for the following item:

ITEM	TYPE	PRICE
18A	Falcon Bus	$1,560.74

NOW, THEREFORE, BE IT RESOLVED that the above described bid of Griswold and Wight for automotive equipment be accepted, and payment for same be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of March, 1962 by Councilman Shastid, who moved its adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: _____
CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 62-126

A RESOLUTION ACCEPTING BIDS FOR AUTOMOTIVE EQUIPMENT FROM GRISWOLD AND WIGHT

WHEREAS, Resolution No. 62-81, adopted by the Council of the City of Modesto on February 26, 1962 approved the specifications for automotive equipment and authorized the calling for bids, and

WHEREAS, the bids received for the automotive equipment were opened at 2:00 P.M., March 20, 1962 and later tabulated by the Department of Public Works for the consideration of the Council, and

WHEREAS, identical bids were received from Griswold and Wight, and Dean Jones, Inc. for Falcon 2-door sedans and 170 Lancer Club sedans, respectively, and

WHEREAS, the Council has determined that it is of the best interest to the City to have two cars of the same make and model from the standpoint of repairs and interchange of drivers, and

WHEREAS, the Director of Public Works has recommended that the bids of Griswold and Wight, without laminated glass, be accepted as the lowest responsible bids for the following items:

ITEM	TYPE	PRICE
19A	2-door sedan, Falcon	$1,551.23
20A	2-door sedan, Falcon	1,551.23

NOW, THEREFORE, BE IT RESOLVED that the above described bids of Griswold and Wight for automotive equipment be accepted, and payment for same be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of March, 1962, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Mitchell, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: _____
CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 62-127

A RESOLUTION GRANTING A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO THE COMMUNITY AMBULANCE COMPANY FOR THE OPERATION OF TWO ADDITIONAL AMBULANCES IN THE CITY OF MODESTO

WHEREAS, an application was filed with the City Clerk by Community Ambulance Company to license two additional ambulances for use in the City of Modesto, and

WHEREAS, Robert L. Wier, operator of Community Ambulance Company, has informed the Council that said application for the licensing of two additional ambulances is made to permit the two ambulances to be used as standby equipment only when the ambulance presently licensed to operate in the City is under repair, or on an out-of-town call, and

WHEREAS, the Chief of Police of the City of Modesto has reported that public convenience and necessity require the licensing of two additional ambulances, since this will improve service to the public, and

WHEREAS, after a public hearing held on March 26, 1962 the Council has found and determined that the application of Community Ambulance Company for licensing of two additional ambulances for use as standby equipment should be granted as consonant with public necessity and convenience,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that a certificate of public convenience and necessity be granted to the Community Ambulance Company for the operation of two additional ambulances in the City of Modesto, subject to the condition that the ambulances be used only as standby equipment when the ambulance presently certificated to operate in the City is under repair or on an out-of-town call.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of March, 1962 by Councilman Johansen, who moved its adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the resolution adopted by the

following vote:

AYES: Councilmen: Johansen, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Mitchell

ATTEST: _____
CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. ~~88x~~ 62-128

A RESOLUTION ORDERING THE WORK OF CONSTRUCTION OF CURBS AND GUTTERS ALONG CERTAIN STREETS IN THE CITY OF MODESTO. (BLOCK 6003, HILTON STREET)

WHEREAS, Chapter 27 of Part 3 of Division 7 of the Streets and Highways Code of the State of California establishes a procedure pursuant to which the construction of curbs and gutters may be required, and

WHEREAS, in accordance with Section 5876 of the Streets and Highways Code, the Superintendent of Streets finds that curbs and gutters have been constructed in front of the properties constituting more than fifty per cent (50%) of the street frontage along Hilton Street, Block 6003

WHEREAS, the Council, did, on March 12, 19 62, adopt its Resolution No. 62-109, directing the Superintendent of Streets to give notice requiring the construction of curbs and gutters along certain streets in the city of Modesto, as provided therein, and

WHEREAS, the Council, did by said resolution, set the 26th day of March, 19 62, at 8:00 o'clock P.M. in the Council Chambers, as the time and place for a hearing for the purpose of passing upon objections or protests, if any, which may be raised by the property owners or other interested persons relating to the proposed work, and

WHEREAS, the Superintendent of Streets has caused notice to be given as directed by said Resolution No. 62-109, and

WHEREAS, at the time set for hearing the protests and objections, if any, to the proposed work, the said Council proceeded to hear the same and no protests having been received,

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

3

SECTION 1. All protests and objections of any kind or nature whatsoever to the proposed work are hereby overruled or denied.

SECTION 2. The Superintendent of Streets is hereby directed to proceed with the project in accordance with the provisions of Resolution No. 62-109 and Chapter 27, Part 3, Division 7 of the Streets and Highways Code of the State of California.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of March, 19 62, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Johansen, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen Johansen, Patton, Mitchell, Shastid, Tabbert, VanderWall
Mayor Hammond

NOES: None

ABSENT: None

ATTEST: _____
City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-129

A RESOLUTION ACCEPTING THE BID OF COLE ENGINEERING, INC. IN THE SUM OF $2,787 FOR THE FURNISHING OF A SAND TRAP TO BE INSTALLED AT WELL NO. 24 (DAVIS HIGH SCHOOL)

WHEREAS, Resolution No. 62-92, adopted by the Council of the City of Modesto on March 5, 1962, approved the plans and specifications for the furnishing of a Sand Trap to be installed at Well No. 24 (Davis High School) and authorized the calling for bids, and

WHEREAS, the bids received for the furnishing of a Sand Trap to be installed at Well No. 24 (Davis High School) were opened at 2:30 P.M., March 20, 1962 and later tabulated by the Public Works Department for the consideration of the Council, and

WHEREAS, the Director of Public Works has recommended that the bid of Cole Engineering, Inc., in the sum of $2,787

be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED that the bid of Cole Engineering, Inc., in the sum of $2,787 be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of March, 1962, by Councilman Shastid, who moved its adoption, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen None

ATTEST: [signature]
CITY CLERK

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-130

A RESOLUTION ACCEPTING THE BID OF CONSOLIDATED WESTERN STEEL DIVISION FOR THE FURNISHING OF A SAND TRAP TO BE INSTALLED AT WELL NO. 10 (5TH AND SIERRA) FOR A SUM OF $1,591

WHEREAS, Resolution No. 62-92, adopted by the Council of the City of Modesto on March 5, 1962, approved the plans and specifications for the furnishing of a Sand Trap to be installed at Well No. 10 (5th and Sierra) and authorized the calling for bids, and

WHEREAS, the bids received for the furnishing of a Sand Trap to be installed at Well No. 10 (5th and Sierra) were opened at 2:30 P.M., March 20, 1962 and later tabulated by the Public Works Department for the consideration of the Council, and

WHEREAS, the Director of Public Works has recommended that the bid of Consolidated Western Steel Division in the sum of $1,591 be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED that the bid of Consolidated Western Steel Division in the sum of $1,591 be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of March, 1962, by Councilman Shastid, who moved its adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen None

ATTEST: [signature]
CITY CLERK

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-131

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING THE CALLING FOR BIDS FOR CONSTRUCTION OF WATER LINES TO SERVE MAY FAIR ESTATES UNIT NO. 2 SUBDIVISION

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

Section 1. The plans and specifications for construction of water lines to serve May Fair Estates Unit No. 2 Subdivision,
copies of which are on file, are hereby accepted and approved.

Section 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 - 11th Street, in the City of Modesto, on April 10, 1962, at 2:00 P.M. and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form and manner provided by law.

Section 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of March, 1962, by Councilman Mitchell, who moved its adoption, which motion being duly seconded by Councilman Johansen, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen Johansen, Patton, Mitchell, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen None

ABSENT: Councilmen None

ATTEST: _____
CITY CLERK

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-132

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING THE CALLING FOR BIDS FOR CONSTRUCTION OF WATER LINES TO SERVE TRACY HEIGHTS SUBDIVISION, PARK MANOR NO. 4, UNIT 2 SUBDIVISION, AND LEONARD AVENUE BETWEEN KEARNEY AND HANEY AVENUES

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

Section 1. The plans and specifications for construction of water lines to serve Tracy Heights Subdivision, Park Manor No. 4, Unit 2 Subdivision, and Leonard Avenue between Kearney and Haney Avenues, copies of which are on file, are hereby accepted and approved.

Section 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 - 11th Street, in the City of Modesto, on April 10, 1962, at 2:15 P.M. and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form and manner provided by law.

Section 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of March, 1962, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Shastid, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen Johansen, Patton, Mitchell, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen None

ABSENT: Councilmen None

ATTEST: [signature]
CITY CLERK

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-133

A RESOLUTION DESIGNATING TRUCK ROUTES IN THE CITY OF MODESTO.

WHEREAS, Section 3-2.1301 (d) of the Municipal Code of the City of Modesto authorizes the Council to determine and designate truck routes by resolution, which designation shall become effective when appropriate signs are placed giving notice of said designations to the public,

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

SECTION 1. Truck routes are hereby designated as shown on the attached map entitled "Modesto Truck Routes", marked Exhibit "A".

SECTION 2. The Director of Parking and Traffic is hereby directed to cause the truck routes to be marked and designated in accordance with the provisions of this resolution.

SECTION 3. The provisions of this resolution shall be subject to the provisions of Section 3-2.815 of the Municipal Code requiring the approval of State Department of Public Works insofar as they pertain to the regulation of traffic upon State highways within the City.

SECTION 4. Resolution No. 60-382 adopted by the Council on October 13, 1960 is hereby rescinded.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of March, 1962, by Councilman Mitchell, who moved its adoption, which motion being duly seconded by Councilman Shastid, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: [signature] City Clerk

(SEAL)

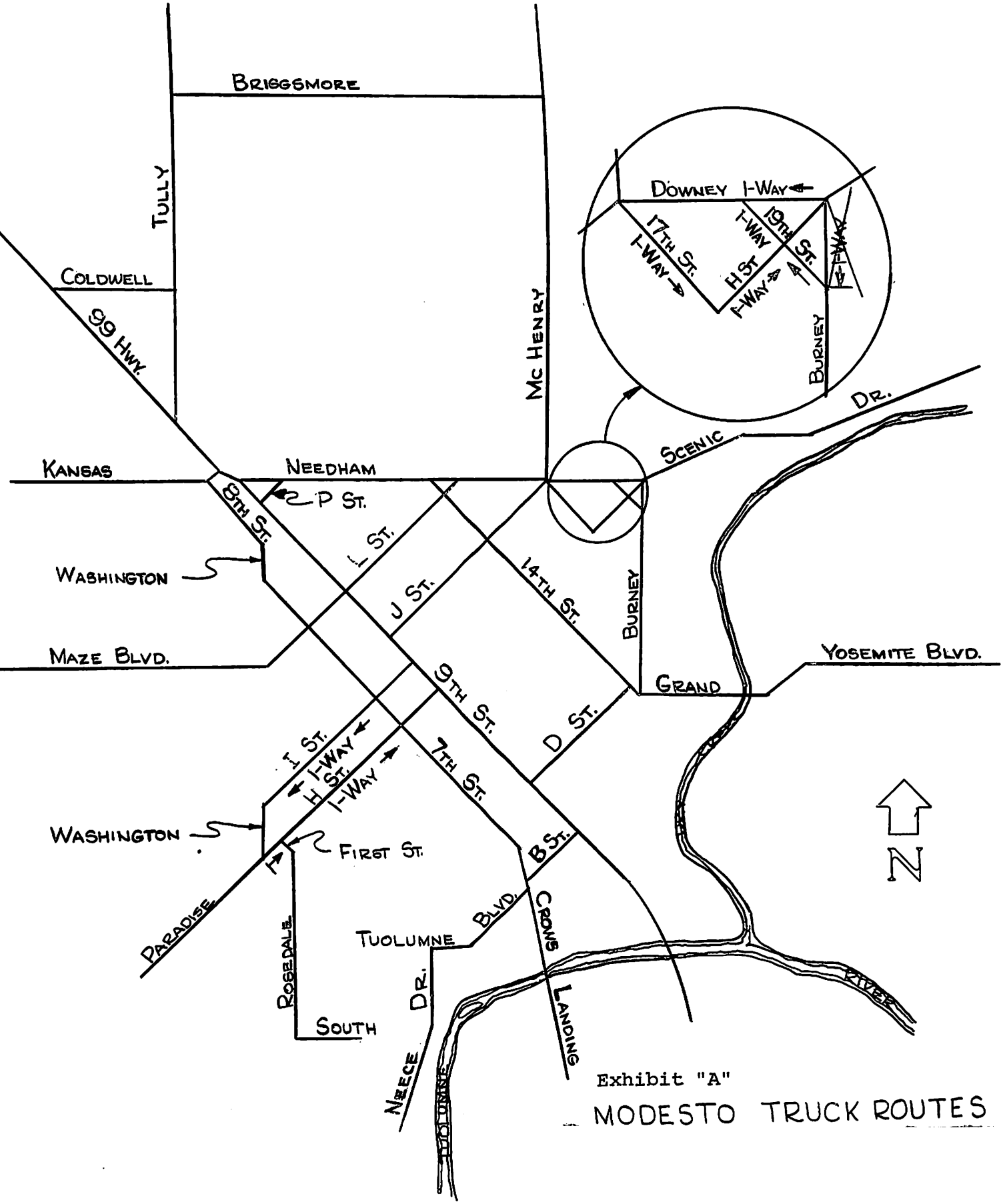

Exhibit "A"

MODESTO TRUCK ROUTES

MODESTO CITY COUNCIL
RESOLUTION NO. 62-134

A RESOLUTION GRANTING ENCROACHMENT PERMIT TO PHYL-NOR MOTEL

WHEREAS, the Phyl-Nor Motel has filed a request for an encroachment permit to construct a thirty-five (35') foot pole sign which will encroach five (5') feet on a fifteen (15') foot utility easement parallel and adjacent to its 99 Highway frontage located on the east side of Highway 99 between Coldwell and Haney Avenues (Block 906), and

WHEREAS, the applicant has reported that the construction of the sign is necessary to adequately advertise the motel to both north and south bound motorists, and

WHEREAS, the Assistant Director of Public Works has reported that the proposed encroachment will not interfere with the trunk sewer presently in the utility easement, and that the City has no plans for further installation of utilities in this easement area,

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

SECTION 1. A revocable permit is hereby granted to said applicant to construct a thirty-five (35') foot pole sign which will encroach five (5') feet on the fifteen (15') foot utility easement parallel and adjacent to its highway frontage, located on the east side of Highway 99 between Coldwell and Haney Avenues, (Block 906), as shown on the sketch on file in the office of the City Clerk, subject to the other provisions of this resolution.

SECTION 2. Said permit is granted for each of the conditions herein set forth, which conditions Permittee agrees, by acceptance of this permit, to faithfully perform, to-wit:

(a) This permit may be revoked in the event the use granted interferes with its use of the utility easement by City upon giving Permittee thirty (30) days notice. Upon revocation of the permit, Permittee agrees to remove the thirty-five (35') foot pole sign and return the utility easement to its original condition at its own expense.

(b) Permittee, during the term of this permit, shall indemnify and save the City harmless of and from all damages, costs and charges of any kind or character arising out of or relating thereto, or in any way connected with the exercise of the rights granted by this permit.

SECTION 3. The City Clerk shall furnish Permittee with a copy of this resolution. Permittee shall have twenty (20) days from and after the adoption of this resolution within which to file written acceptance of this permit and no right shall be conferred hereby until said acceptance is filed.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of March, 1962 by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Johansen, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: _____
CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 62-135

A RESOLUTION APPROVING THE FINAL MAP OF THE TRACY HEIGHTS SUBDIVISION **OF THE CITY OF MODESTO.**

WHEREAS, GEORGE KLEMM and MOLLIE KLEMM, husband and wife, and DANIEL E. SODERLUND, individual, are possessed of a tract of land situate in the City of Modesto, County of Stanislaus, consisting of 9.63 acres, known as the TRACY HEIGHTS SUBDIVISION.

and

WHEREAS, a tentative map of said tract was approved by the City Planning Commission on the 1st day of August, 1961,

and

WHEREAS, the final map of said tract has been approved by the Secretary of the City Planning Commission, and

WHEREAS, the City Engineer of the City of Modesto has certified that the final map of said TRACY HEIGHTS SUBDIVISION meets all of the provisions of the California Subdivision Map Act and the provisions of the Modesto Municipal Code relating to subdivisions, and that the map is technically correct;

NOW, THEREFORE, BE IT RESOLVED that said final map of the TRACY HEIGHTS SUBDIVISION be approved; that the streets, alleys, and easements as shown thereon within the boundaries of said tract be accepted on behalf of the public for public use; and that the City Clerk be authorized to certify the map of said tract on behalf of the City of Modesto after the fees in the amount of EIGHT HUNDRED SIXTY-EIGHT and 70/100ths ($868.70) Dollars, as required by the Modesto Municipal Code, for checking, copies of maps, recording, and parks and playgrounds have been paid, and subdividers have furnished a bond acceptable to the City Attorney, or, in lieu thereof, have posted a cash deposit with the City Clerk in the sum of TWENTY-FOUR THOUSAND FOUR HUNDRED and No/100ths ($24,400.00) **Dollars.**

BE IT FURTHER RESOLVED that the City Manager and the City Clerk be authorized to execute and attest, respectively, an agreement

with subdividers as required by Section 4-4.604 (c) of the Modesto Municipal Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of March, 1962, by Councilman Mitchell, who moved its adoption, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: _____
City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-136

A RESOLUTION APPROVING THE FINAL MAP OF THE MAY FAIR ESTATES UNIT NO. 2 SUBDIVISION OF THE CITY OF MODESTO.

WHEREAS, LANCE E. ELLIS and CAROL L. ELLIS, husband and wife are possessed of a tract of land situate in the City of Modesto, County of Stanislaus, consisting of 14.92 acres, known as the MAY FAIR ESTATES UNIT NO. 2 SUBDIVISION, and

WHEREAS, a tentative map of said tract was approved by the City Planning Commission on the 5th day of July, 1960, and

WHEREAS, the final map of said tract has been approved by the Secretary of the City Planning Commission, and

WHEREAS, the City Engineer of the City of Modesto has certified that the final map of said MAY FAIR ESTATES UNIT NO. 2 SUBDIVISION meets all of the provisions of the California Subdivision Map Act and the provisions of the Modesto Municipal Code relating to subdivisions, and that the map is technically correct;

NOW, THEREFORE, BE IT RESOLVED that said final map of the MAY FAIR ESTATES UNIT NO. 2 SUBDIVISION be approved; that the streets, alleys, and easements as shown thereon within the boundaries of said tract be accepted on behalf of the public for public use; and that the City Clerk be authorized to certify the map of said tract on behalf of the City of Modesto after the fees in the amount of One Thousand Four Hundred Seventeen and 70/100ths ($1,417.70) Dollars, as required by the Modesto Municipal Code, for checking, copies of maps, recording, and parks and playgrounds have been paid, and subdividers have furnished a bond acceptable to the City Attorney, or, in lieu thereof, have posted a cash deposit with the City Clerk in the sum of Seventy-five Thousand ~~XXXXXXXXXX~~ and no/100ths/ ($75,000.00) Dollars.

BE IT FURTHER RESOLVED that the City Manager and the City Clerk be authorized to execute and attest, respectively, an agreement

with subdividers as required by Section 4-4.604 (c) of the Modesto Municipal Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of March, 19 62, by Councilman Shastid, who moved its adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: [signature]
City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-137

A RESOLUTION APPROVING THE FINAL MAP OF THE PARK MANOR NO. 4 - UNIT NO. 2 SUBDIVISION OF THE CITY OF MODESTO.

WHEREAS, LANCE E. ELLIS and CAROL L. ELLIS, husband and wife, are possessed of a tract of land situate in the City of Modesto, County of Stanislaus, consisting of 5.6 acres, known as the PARK MANOR NO. 4 - UNIT NO. 2 SUBDIVISION,

and

WHEREAS, a revised tentative map of said tract was approved by the City Planning Commission on the 2nd day of January, 1962,

and

WHEREAS, the final map of said tract has been approved by the Secretary of the City Planning Commission, and

WHEREAS, the City Engineer of the City of Modesto has certified that the final map of said PARK MANOR NO. 4 - UNIT NO. 2 SUBDIVISION meets all of the provisions of the California Subdivision Map Act and the provisions of the Modesto Municipal Code relating to subdivisions, and that the map is technically correct;

NOW, THEREFORE, BE IT RESOLVED that said final map of the PARK MANOR NO. 4 - UNIT NO. 2 SUBDIVISION be approved; that the streets, alleys, and easements as shown thereon within the boundaries of said tract be accepted on behalf of the public for public use; and that the City Clerk be authorized to certify the map of said tract on behalf of the City of Modesto after the fees in the amount of Four Hundred Twenty-Eight and 70/100ths ($428.70) Dollars, as required by the Modesto Municipal Code, for checking, copies of maps, recording, and parks and playgrounds have been paid, and subdividers have furnished a bond acceptable to the City Attorney, or, in lieu thereof, have posted a cash deposit with the City Clerk in the sum of Eleven Thousand and no/100ths ($11,000.00) **Dollars.**

BE IT FURTHER RESOLVED that the City Manager and the City Clerk be authorized to execute and attest, respectively, an agreement

with subdividers as required by Section 4-4.604 (c) of the Modesto Municipal Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of March, 1962, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Johansen, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: [signature]
City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-138

A RESOLUTION REFERRING TO THE MODESTO CITY PLANNING COMMISSION A PETITION FOR ANNEXATION OF CERTAIN UNINHABITED TERRITORY TO THE CITY OF MODESTO, KNOWN AS SCOTT MANOR ADDITION.

WHEREAS, a petition has been filed in the office of the City Clerk requesting the annexation of certain uninhabited territory to the City of Modesto, which territory is more specifically described hereinafter, and

WHEREAS, the County Boundary Commission has certified to the definiteness and accuracy of the boundaries of said territory,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that said petition for the annexation of the following described uninhabited territory be referred to the Planning Commission for its report and recommendation.

The territory herein referred to is situated in the County of Stanislaus, State of California, and more particularly described as follows:

SCOTT MANOR ADDITION

All that real property in the State of California, County of Stanislaus, Section 13, Township 3 South, Range 8 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits established by the Gish Addition, as per description filed August 3, 1961 as Instrument 24553, Stanislaus County Records, said point being 40.00 feet at right angles, East of the Northwest corner of the Southeast quarter of said Section 13, and also being on the Eastern line of a Public Right of Way known as Conant Avenue; thence along the East-West quarter section line and the existing City Limits, and along the Northern line of property conveyed to Lance E. Ellis, et ux, by deed recorded October 30, 1961 as Instrument 35658, Stanislaus County Records, North 89° 21' 30" East, 1286.82 feet, to the Southeastern corner of the Gish Addition and the North-South quarter section line; thence along said North-South quarter quarter section line, South 0° 16' 30" East, 396.00 feet, to the Southeastern corner of said Ellis property; thence along the Southern line of said Ellis property and parallel with the East-West quarter section line, South 89° 21' 30" West, 1286.63 feet, to the Eastern line of Conant Avenue; thence along said Eastern line of Conant Avenue, parallel with and 40.00 feet, at right angles East of the North-South quarter section line, North 0° 18' 20" West, 396.00 feet, to the point of beginning, containing 11.698 Acres, more or less.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of March, 1962, by Councilman Johansen, who moved its adoption, which motion being duly seconded by Councilman Mitchell, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: None

ABSENT: None

ATTEST: [signature]
City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-139

A RESOLUTION APPROVING RIGHT OF WAY AGREEMENT BETWEEN THE CITY OF MODESTO AND GLADYS GAGOS CRANE FOR A 25-FOOT STRIP OF PROPERTY ON TULLY ROAD (PROJECT 58-2)

BE IT HEREBY RESOLVED by the Council of the City of Modesto that Right of Way Agreement between the City of Modesto and Gladys Gagos Crane

for a 25-foot strip of property on Tully Road (Project 58-2)

be and it is hereby approved. For further particulars, reference is made to a copy of the Agreement on file in the office of the City Clerk.

BE IT FURTHER RESOLVED that the City Manager and City Clerk of the City of Modesto be, and they are hereby authorized and directed to execute said Right of Way Agreement on behalf of the City of Modesto.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of March, 19 62, by Councilman Tabbert, who moved its adoption, which motion being duly seconded by Councilman Shastid, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: _____
CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 62-140

A RESOLUTION AUTHORIZING THE PURCHASE OF VARIOUS PARCELS OF LAND FROM THE STATE OF CALIFORNIA

WHEREAS, the State of California, Department of Public Works, Division of Highways, by letter dated March 20, 1962, has offered to sell to the City of Modesto Parcels 3408, 4280, 4281, 3726 and 5512 for the total sum of $1,850,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the purchase of the above-named parcels by the City of Modesto from the State of California, Department of Public Works, Division of Highways for the total sum of $1,850 be, and it is hereby approved.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of March, 1962, by Councilman Shastid, who moved its adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: _____
CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 62-141

A RESOLUTION AUTHORIZING THE SALE OF THREE CITY-OWNED PIN OAK TREES TO LOCAL GARDEN CLUBS FOR DONATION TO THE LANDSCAPE HORTICULTURAL DEPARTMENT, UNIVERSITY OF CALIFORNIA AT DAVIS

WHEREAS, the Chairman of the Landscape Horticultural Department of the University of California at Davis has requested that the City of Modesto donate three Pin Oak trees for an oak grove on the Davis campus, and

WHEREAS, two local garden clubs have offered to purchase the three trees to donate to the Landscape Horticultural Department of the University of California at Davis on behalf of the City of Modesto,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the sale of three Pin Oak trees to local garden clubs for donation to the Landscape Horticultural Department of the University of California at Davis be, and it is hereby approved.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of March, 1962 by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Johansen, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: [signature]
CITY CLERK

MODESTO CITY COUNCIL

RESOLUTION NO. 62-142

A RESOLUTION FIXING THE TIME AND PLACE FOR A PUBLIC HEARING ON AN UNCLASSIFIED USE PERMIT

WHEREAS, the Modesto City Planning Commission has, by resolution filed with the Council, recommended the approval of the following application for an unclassified use permit; Granting of Unclassified Use Permit to Mary Brame for conduct of equipment rental business -- house trailers, garden equipment, farm implements and tractors, contractor's equipment, hand tools, etc.--at the southwest corner of Yosemite Boulevard and Kerr Avenue,
and,

WHEREAS, Section 10-2.2112 of the Modesto Municipal Code provides that the Council shall conduct a duly advertised public hearing on such matters,

NOW, THEREFORE, BE IT HEREBY RESOLVED that a public hearing be held on said application for an unclassified use permit in the City Hall, 801 Eleventh Street,
~~Modesto Public Library at Fourteenth and I Streets~~ in the City of Modesto at 8:00 o'clock p.m. on April 16, 1962.

BE IT FURTHER RESOLVED that the City Clerk give notice of the time and place of said hearing as provided in Section 10-2206(b) of the Modesto Municipal Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of March, 1962, by Councilman Johansen, who moved its adoption, which motion being duly seconded by Councilman Shastid, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: None

ABSENT: None

ATTEST: Rex E. Gailfus

REX E. GAILFUS, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 62-143

A RESOLUTION SETTING THE TIME AND PLACE FOR A PUBLIC HEARING BEFORE THE COUNCIL OF THE CITY OF MODESTO ON PROPOSED AMENDMENTS TO THE SUBDIVISION REGULATIONS OF THE CITY OF MODESTO

WHEREAS, the Modesto City Planning Commission held a public hearing on March 20, 1962 in the Council Chambers for the purpose of considering amendments to the Subdivision Regulations of the City of Modesto, and

WHEREAS, the said Commission, after hearing evidence both oral and documentary, on the proposed amendments, adopted Resolution No. 777 recommending to the Council that the described amendments to the Code would be in the interest of the general welfare,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that a public hearing on the proposed amendments be set for 8:10 P.M. on April 9, 1962 in the Council Chambers of the City of Modesto, as recommended by the Modesto City Planning Commission.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of March, 1962 by Councilman Shastid, who moved its adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: _____
CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 62-144

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND NEIL M. CECIL FOR THE PURCHASE OF THE COLLEGE GARDENS WATER COMPANY BY THE CITY OF MODESTO FOR THE SUM OF $40,800

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the Agreement between the City of Modesto and Neil M. Cecil

for the purchase of the College Gardens Water Company by the City of Modesto for the sum of $40,800

be, and it is hereby approved, and

BE IT FURTHER RESOLVED that the execution of said Agreement by the designated city officials be authorized, after receipt of notification of approval of sale from the Public Utilities Commission.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of March, 19 62, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: _____
CITY CLERK

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-145

A RESOLUTION ALLOWING WITHDRAWAL OF ERRONEOUS BID

WHEREAS, the Director of Public Works has notified the Council that an erroneous bid of $315 was submitted by Charles M. Spencer on Item 19 of the call for bids for automotive equipment for the City of Modesto for 1961-62, opened in the office of the City Clerk on March 20, 1962 at 2:00 P.M.,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that permission be, and it is hereby granted Charles M. Spencer to withdraw the said erroneous bid.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of March, 1962 by Councilman Shastid, who moved its adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: _____
CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 62-146

A RESOLUTION GRANTING PERMISSION TO THE COUNTY OF STANISLAUS TO USE A PORTION OF THE CITY'S GARBAGE DISPOSAL SITE AT CARPENTER ROAD AND ROBERTSON ROAD

WHEREAS, the County of Stanislaus has requested the use of a portion of the City's garbage disposal site at Carpenter Road and Robertson Road for temporary storage of excess material excavated from the Carpenter Road project, and

WHEREAS, the Director of Public Works has recommended that permission be granted the County of Stanislaus to use a portion of the City's garbage disposal site at Carpenter and Robertson Roads for the temporary storage of excess material excavated from the Carpenter Road project, subject to certain conditions,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the request of the County of Stanislaus to use a portion of the City's garbage disposal site at Carpenter and Robertson Roads for the temporary storage of excess material excavated from the Carpenter Road project be, and it is hereby approved, subject to the following conditions:

1. That the City obtain ten (10%) per cent of the excavation material stored;

2. That the permit be issued for a five-year period, after which time any remaining materials will become the property of the City;

3. That dust conditions on the site be controlled during the periods when the material is hauled in or removed;

4. That the material be stored in such a manner as not to interfere with weed control.

5. That the County, during the term of this permit, shall indemnify and save the City harmless of and from all damages, costs and charges of any kind or character arising out of or relating thereto, or in any way connected with the exercise of rights granted by this permit.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of March, 1962, by Councilman Tabbert, who moved its adoption, which motion being duly seconded by Councilman Mitchell, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: _____
City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 62-147

A RESOLUTION ESTABLISHING ONE-WAY STREETS IN THE CITY OF MODESTO AND RESCINDING SECTION 1(a) OF RESOLUTION NO. 62-29 ENTITLED "A RESOLUTION ESTABLISHING ONE-WAY STREETS AND ALLEYS AND ANGLE PARKING IN THE CITY OF MODESTO AND RESCINDING RESOLUTION NO. 59-191, ENTITLED 'A RESOLUTION ESTABLISHING PARKING METER ZONES, ONE-WAY STREETS AND ALLEYS AND ANGLE PARKING IN THE CITY OF MODESTO AND RESCINDING ALL PRIOR RESOLUTIONS AND REGULATIONS RELATING THERETO', AND RESCINDING ALL SUBSEQUENT RESOLUTIONS AND REGULATIONS RELATING THERETO".

WHEREAS, Chapter 2 of Title III of the Modesto Municipal Code authorizes the City Council, by resolution, to establish one-way streets in the City of Modesto,

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

SECTION 1. One-way streets are hereby established at the following locations:

10th Street, from D Street to Needham Street (southeasterly direction)

11th Street, from D Street to Needham Street (northwesterly direction)

17th Street, from H Street to J Street (southeasterly direction)

19th Street, from Burney Street to Downey Avenue (northwesterly direction)

California Street, from Jefferson Street to Paradise Road (westerly direction)

Downey Avenue, from Burney Street to McHenry Avenue (westerly direction)

H Street, from Washington to Burney Street (northeasterly direction)

I Street, from Washington Street to Downey Avenue (southwesterly direction)

Sycamore Avenue (east portion), from Griswold Avenue to north side of Block 724 (northerly direction)

Sycamore Avenue (west portion), from Griswold Avenue to north side of Block 724 (southerly direction)

SECTION 2. The Director of Parking and Traffic is hereby directed to implement the provisions of this resolution.

SECTION 3. Section 1(a) of Resolution No. 62-29, adopted by the Council on January 15, 1962, is hereby rescinded.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of March, 1962, by Councilman Mitchell, who moved its adoption, which motion being duly seconded by Councilman Shastid, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: _____
City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-148

A RESOLUTION GRANTING THE REQUEST OF THE CENTRAL CALIFORNIA ART LEAGUE, INC. TO HOLD AN OUTDOOR ART EXHIBIT ON THE LAWN OF THE McHENRY PUBLIC LIBRARY ON SATURDAY, APRIL 7, 1962

WHEREAS, the Central California Art League, Inc. has requested permission to hold an outdoor art exhibit at McHenry Public Library on the lawn between the sidewalk and the library building on Saturday, April 7, 1962 from 10:00 A.M. to 4:00 P.M., and

WHEREAS, City-County Librarian Carl Hamilton has recommended approval of the request,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the request of the Central California Art League, Inc. to hold an outdoor art exhibit at McHenry Public Library on the lawn between the sidewalk and the library building on Saturday, April 7, 1962 from 10:00 A.M. to 4:00 P.M. be, and it is hereby approved.

BE IT FURTHER RESOLVED that Permittee, during the term of this permit, shall indemnify and save the City harmless of and from all damages, costs and charges of any kind or character arising out of or relating thereto or in any way connected with the exercise of the rights granted by this permit.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 2nd day of April, 1962 by Councilman Johansen, who moved its adoption, which motion being duly seconded by Councilman Shastid, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: [signature]
CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 62-149

A RESOLUTION REJECTING ALL BIDS FOR CONSTRUCTION OF CHLORINE CONTROL STRUCTURES AND PRIMARY CLARIFIER RELIEF LINE AT SEWAGE TREATMENT PLANT

WHEREAS, the Council of the City of Modesto adopted Resolution No. 62-106, on March 12, 1962 approving the plans and specifications for construction of chlorine control structures and primary clarifier relief line at the Sewage Treatment Plant and directed the City Clerk to advertise for sealed proposals for doing said work, and providing that bids be submitted on the 27th day of March, 1962, and

WHEREAS, the City Clerk, in accordance with said resolution, thereafter duly and regularly caused a notice to be published in the manner and for the time prescribed by law, and

WHEREAS, all bids received pursuant to said notice were opened, examined and publicly declared at the time specified in said advertisement for bids, and

WHEREAS, one responsible bid was submitted by North Bay Construction Company, in the sum of $24,600, and

WHEREAS, the Engineer's estimate of cost is $16,000, which cost estimate has been approved by the City Manager, and

WHEREAS, the Director of Public Works has recommended that the bid of North Bay Construction Company be rejected;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that, in accordance with the provisions of Section 1307 of the Charter of the City of Modesto, the bid received from North Bay Construction Company pursuant to the aforesaid notice be, and it is hereby rejected.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 2nd day of April, 1962, by Councilman Tabbert, who moved its adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond
NOES:	Councilmen:	None
ABSENT:	Councilmen:	None

ATTEST: _____
City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 62-150

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING THE CALLING FOR BIDS FOR THE PURCHASE OF A MOBILE AERIAL TOWER

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

Section 1. The plans and specifications for the purchase of a mobile aerial tower

copies of which are on file, are hereby accepted and approved.

Section 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 - 11th Street, in the City of Modesto, on April 17, 1962 at 2:00 P.M. and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form and manner provided by law.

Section 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 2nd day of April, 1962, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Johansen, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: _____
CITY CLERK

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-151

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING THE CALLING FOR BIDS FOR THE CONSTRUCTION OF WATER LINES IN SARATOGA MANOR NO. 4 SUBDIVISION

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

Section 1. The plans and specifications for the construction of water lines in Saratoga Manor No. 4 Subdivision

copies of which are on file, are hereby accepted and approved.

Section 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 - 11th Street, in the City of Modesto, on April 17, 1962 at 2:20 P.M. and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form and manner provided by law.

Section 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 2nd day of April, 1962, by Councilman Johansen, who moved its adoption, which motion being duly seconded by Councilman Mitchell, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: [signature]
CITY CLERK

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-152

A RESOLUTION ACCEPTING THE CONSTRUCTION OF RELOCATION OF WATER MAINS ALONG THE MODESTO FREEWAY BY BALEME CONSTRUCTION COMPANY

WHEREAS, a report has been filed by the Director of Public Works that the construction of relocation of water mains along the Modesto Freeway

has been completed by Baleme Construction Company

in accordance with the contract agreement, dated December 18, 1961.

NOW, THEREFORE, BE IT RESOLVED that the construction of relocation of water mains along the Modesto Freeway

be accepted from said contractor Baleme Construction Company

that Notice of Completion be filed with the Recorder of Stanislaus County and that payment of amounts due, as provided in the contract, be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 2nd day of April, 1962, by Councilman Mitchell, who moved its adoption, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: [signature]
CITY CLERK

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-153

A RESOLUTION REJECTING THE CLAIM OF MRS. EDWARD W. SMITH FOR DAMAGES AGAINST THE CITY OF MODESTO

WHEREAS, Mrs. Edward W. Smith filed a claim for damages, dated December 19, 1961 against the City of Modesto, a copy of which claim is on file in the office of the City Clerk, and

WHEREAS, the Council finds and determines there is no legal basis for said claim,

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

SECTION 1. The aforementioned claim of Mrs. Edward W. Smith is hereby rejected in its entirety both as to the City of Modesto and officials therein.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 2nd day of April, 1962 by Councilman Mitchell, who moved its adoption, which motion being duly seconded by Councilman Patton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: [signature]
CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 62-154

A RESOLUTION APPROVING REDUCTION OF THE PERFORMANCE BOND FILED BY ARTHUR J. WYLIE AND FLORENCE E. WYLIE TO GUARANTEE IMPROVEMENTS IN SARATOGA MANOR NO. 3 SUBDIVISION

WHEREAS, Arthur J. Wylie and Florence E. Wylie, Subdividers of Saratoga Manor No. 3 Subdivision, posted a Performance Bond with the City of Modesto to guarantee improvements in Saratoga Manor No. 3 Subdivision, and

WHEREAS, the Department of Public Works has reported that all work in the subdivision is complete with the exception of the paving of alleys, which paving cannot be done until May of 1962,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the Performance Bond filed by Arthur J. Wylie and Florence E. Wylie to guarantee improvements in Saratoga Manor No. 3 Subdivision be reduced from the sum of $40,500 to the sum of $3,000.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 2nd day of April, 1962 by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: [signature]
CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 62-155

A RESOLUTION APPROVING APPROPRIATION TRANSFER FOR PURCHASE OF COLLEGE GARDENS WATER SYSTEM

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the following appropriation transfer be approved:

From:
Special Fund for Capital Outlay,
General Reserve (321-600) $41,100

To:
Special Fund for Capital Outlay,
College Gardens Water Co. Acquisition (321-503) $41,100

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 2nd day of April, 19 62, by Councilman Johansen, who moved its adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid Tabbert, VanderWall, Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: None

ATTEST: [signature]
CITY CLERK

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-156

A RESOLUTION APPROVING APPROPRIATION TRANSFER

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the following appropriation transfer be approved:

From:	General Fund, Civil Defense, Portable P.A. Systems (504-26)	$450
To:	Police Department, Portable P.S. Systems (504-22)	$450

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 2nd day of April, 19 62, by Councilman Shastid, who moved its adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: _____
CITY CLERK

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-157

A RESOLUTION FIXING THE TIME AND PLACE FOR A PUBLIC HEARING ON AN UNCLASSIFIED USE PERMIT AND RESCINDING RESOLUTION NO. 62-142

WHEREAS, Resolution No. 62-142 erroneously set the time of hearing for consideration of the application of Mary Brame for an unclassified use permit, and

WHEREAS, the Modesto City Planning Commission has, by resolution filed with the Council, recommended the approval of the following application for an unclassified use permit: Granting of Unclassified Use Permit to Mary Brame for conduct of equipment rental business -- house trailers, garden equipment, farm implements and tractors, contractor's equipment, hand tools, etc.--at the southwest corner of Yosemite Boulevard and Kerr Avenue, and

WHEREAS, Section 10-2.112 of the Modesto Municipal Code provides that the Council shall conduct a duly advertised public hearing on such matters,

NOW, THEREFORE, BE IT HEREBY RESOLVED that Resolution No. 62-142 is hereby rescinded and a public hearing will be held on said application for an unclassified use permit in the City Hall, 801 Eleventh Street, in the City of Modesto, at 8:10 o'clock P.M. on April 23, 1962.

BE IT FURTHER RESOLVED that the City Clerk give notice of the time and place of said hearing as provided in Section 10-2206(b) of the Modesto Municipal Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 2nd day of April, 1962, by Councilman VanderWall, who moved its

adoption, which motion being duly seconded by Councilman Shastid, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: None ABSENT: None

ATTEST: _____
REX E. GAILFUS, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 62-158

A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE RIGHT OF WAY CERTIFICATE

WHEREAS, all rights of way have been acquired on all parcels needed for the Carpenter Road Project;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto, that the City Manager of the City of Modesto be, and he is hereby authorized to execute on behalf of the City of Modesto the required right of way certificate to the State Department of Public Works, Division of Highways, stating that all rights of way for the construction of the said project, being Project X-STA FAS 1285 (2), have been acquired.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 2nd day of April 1962 by Councilman Mitchell, who moved its adoption, which motion being duly seconded by Councilman Shastid, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: None

ABSENT: None

ATTEST Rex E. Gailfus
REX E. GAILFUS, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 62-159

A RESOLUTION ACCEPTING THE BID OF RICHFIELD OIL COMPANY FOR GASOLINE FOR THE PERIOD OF APRIL 20, 1962 THROUGH APRIL 19, 1963

WHEREAS, informal bids were received by the City Purchasing Agent for the purchase of gasoline for the period of April 20, 1962 through April 19, 1963, and

WHEREAS, the bids received for the purchase of gasoline were opened at 2:30 P.M., April 3, 1962, and later tabulated by the City Purchasing Agent for the consideration of the Council, and

WHEREAS, the City Purchasing Agent has recommended that the bid of RICHFIELD OIL COMPANY be accepted as the lowest responsible bid on combined items,

NOW, THEREFORE, BE IT RESOLVED that the bid of RICHFIELD OIL COMPANY be accepted and the execution of a contract by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto on the 9th day of April, 1962, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Patton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: _____
CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 62-160

A RESOLUTION ACCEPTING THE BID OF STANDARD OIL COMPANY FOR DIESEL FUEL FOR THE PERIOD APRIL 20, 1962 THROUGH APRIL 19, 1963

WHEREAS, informal bids were received by the City Purchasing Agent for the purchase of diesel fuel for the period of April 20, 1962 through April 19, 1963, and

WHEREAS, the bids received for the purchase of diesel fuel were opened at 2:30 P.M., April 3, 1962, and later tabulated by the City Purchasing Agent for the consideration of the Council, and

WHEREAS, the City Purchasing Agent has recommended that the bid of STANDARD OIL COMPANY be accepted as the lowest responsible bid, on combined items;

NOW, THEREFORE, BE IT RESOLVED that the bid of STANDARD OIL COMPANY be accepted and the execution of a contract by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto on the 9th day of April, 1962, by Councilman Mitchell, who moved its adoption, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: _____
CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 62-161

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING THE CALLING FOR BIDS FOR PURCHASE OF RUBBER-TIRED TRACTOR

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

Section 1. The plans and specifications for the purchase of one new rubber-tired tractor,

copies of which are on file, are hereby accepted and approved.

Section 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 - 11th Street, in the City of Modesto, on April 24, 1962, at 2:00 P.M. and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form and manner provided by law.

Section 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of April, 1962, by Councilman Johansen, who moved its adoption, which motion being duly seconded by Councilman Shastid, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: [signature]
CITY CLERK

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-162

A RESOLUTION REJECTING THE CLAIM OF GUSTAVE PREUSS FOR DAMAGES AGAINST THE CITY OF MODESTO

WHEREAS, Gustave Preuss filed a claim for damages, against the City of Modesto on the 4th day of December, 1961, a copy of which claim is on file in the office of the City Clerk, and

WHEREAS, the claim is in the amount of $85.09, for work purportedly performed on a city sewer by a local plumber in July, 1961, and

WHEREAS, the Council finds and determines there is no legal basis for said claim,

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

SECTION 1. The aforementioned claim of Gustave Preuss is hereby rejected in its entirety both as to the City of Modesto and the officials therein.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of April, 1962, by Mayor Hammond, who moved its adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: _____
CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 62-163

A RESOLUTION ACCEPTING THE CONSTRUCTION OF TRAFFIC SIGNALS AND STREET LIGHTS AT 7TH AND I STREETS, AND AT LaLOMA AND BURNEY STREETS

WHEREAS, a report has been filed by the Director of ~~Public Works~~ Parking and Traffic that the construction of traffic signals and street lights at 7th and I Streets, and at LaLoma and Burney Streets has been completed by Industrial Electrical Company

in accordance with the contract agreement, dated December 18, 19 61.

NOW, THEREFORE, BE IT RESOLVED that the construction of traffic signals and street lights be accepted from said contractor Industrial Electrical Company

that Notice of Completion be filed with the Recorder of Stanislaus County and that payment of amounts due, as provided in the contract, be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of April, 19 62, by Councilman Johansen, who moved its adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: [signature]
CITY CLERK

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-164

A RESOLUTION GIVING NOTICE OF THE PROPOSED ANNEXATION TO THE CITY OF MODESTO OF UNINHABITED TERRITORY DESCRIBED HEREIN AND DESIGNATED AS SCOTT MANOR ADDITION AND GIVING NOTICE OF TIME AND PLACE FOR HEARING PROTESTS THERETO.

BE IT RESOLVED by the Council of the City of Modesto:

1. That, pursuant to the provisions of the Annexation of Uninhabited Territory Act of 1939, a petition signed by owners of not less than one fourth of the land in the hereinafter described territory by area and by assessed value as shown on the last equalized assessment roll of the County of Stanislaus, was filed with the Council of the City of Modesto on February 28, 19 62, requesting annexation of the hereinafter described territory to said City.

2. That the territory which the petitioners request be annexed to the City of Modesto and which said City and its Council propose to annex, is situate in the County of Stanislaus, State of California, hereby designated as SCOTT MANOR ADDITION, and described as follows:

All that real property in the State of California, County of Stanislaus, Section 13, Township 3 South, Range 8 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits established by the Gish Addition, as per description filed August 3, 1961 as Instrument 24553, Stanislaus County Records, said point being 40.00 feet at right angles, East of the Northwest corner of the Southeast quarter of said Section 13, and also being on the Eastern line of a Public Right of Way known as Conant Avenue; thence along the East-West quarter section line and the existing City Limits, and along the Northern line of property conveyed to Lance E. Ellis, et ux, by deed recorded October 30, 1961 as Instrument 35658, Stanislaus County Records, North 89° 21' 30" East, 1286.82 feet, to the Southeastern corner of the Gish Addition and the North-South quarter section line; thence along said North-South quarter quarter section line, South 0° 16' 30" East, 396.00 feet, to the Southeastern corner of said Ellis property; thence along the Southern line of said Ellis property and parallel with the East-West quarter section line, South 89° 21' 30" West, 1286.63 feet, to the Eastern line of Conant Avenue; thence along said Eastern line of Conant Avenue, parallel with and 40.00 feet, at right angles East of the North-South quarter section line, North 0° 18' 20" West, 396.00 feet, to the point of beginning, containing 11.698 Acres, more or less.

3. That the County Boundary Commission of Stanislaus County, California, did in session duly assembled on February 13, 19 62, consider the proposed annexation boundaries of said SCOTT MANOR ADDITION, as above described, and as submitted to said Commission by the proponents of said annexation.

4. No change in school district boundaries shall be effected by reason of the annexation of the hereinabove described area to the City of Modesto.

5. NOTICE IS HEREBY GIVEN that the 21st day of May, 19 62, at the hour of 4:30 o'clock P.M. of said day, in the Council Chambers at the City Hall, located at 801 Eleventh Street in the City of Modesto, be and the same is hereby fixed as the time and place for considering said petition, at which time and place any person owning real property within such territory and having any objections to the proposed annexation may appear before the Council of the City of Modesto and show cause why such territory should not be so annexed. The protest must be in writing, may be filed at any time before the hour set for hearing objections to the proposed annexation, and shall state the name or names of the owner or owners of property affected and the description and area of such property, in general terms.

6. The City Clerk shall cause a copy of this resolution to be published at least twice, but not oftener than once a week, in The Modesto Tribune, a newspaper of general circulation, published in the City of Modesto and being the official newspaper of the City of Modesto. Said publications shall be completed at least twenty (20) days prior to the date set for the hearing.

7. The City Clerk of the City of Modesto shall also cause written notice of such proposed annexation to be mailed to each person to whom land within the territory proposed to be annexed is assessed on the last equalized county assessment roll available on the date the proceedings were initiated, at the address shown on said assessment rol

as known to said Clerk, and to any person who has filed his name and address and the designation of the land in which he has any interest, either legal or equitable, with said Clerk. Said notices shall be mailed not less than twenty (20) days before the public hearing on the proposed annexation.

8. In the event any land within the territory proposed to be annexed is owned by the County of Stanislaus, the City Clerk is directed to cause written notice of such proposed annexation to be mailed to the Board of Supervisors of the County, such notice to be given not less than twenty (20) days before the public hearing on the proposed annexation.

9. In the event there is, upon the land proposed to be annexed, a structural improvement owned, being acquired or leased by a county fire protection district, the City Clerk is directed to cause written notice of such proposed annexation to be mailed to the governing body of such district, such notice to be sent not less than ten (10) days before the public hearing on the proposed annexation.

10. The City Clerk is directed to cause written notice to be given to such other persons as may be legally entitled thereto, in the manner required by law.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of April, 19 62, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Shastid, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: _____
City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-165

A RESOLUTION APPOINTING CHARLES D. YATES A MEMBER OF THE MODESTO CITY PERSONNEL COMMISSION

WHEREAS, Section 1100 of the Charter of the City of Modesto requires the City Council to appoint members to the various Boards and Commissions, and

WHEREAS, a vacancy has been created in the Modesto City Personnel Commission by the death of Ralph E. Watson,

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

SECTION 1. Charles D. Yates is hereby appointed to the Modesto City Personnel Commission for a term expiring January 1, 1965.

SECTION 2. The City Clerk is hereby directed to transmit a copy of this resolution to the newly appointed member of the Modesto City Personnel Commission and the Secretary thereof.

The foregoing resolution was introduced on the 9th day of April, 1962, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Shastid, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: _____
CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 62-166

A RESOLUTION AUTHORIZING WORK TO BE PERFORMED BY CITY FORCES FOR CONSTRUCTION OF WATER LINES TO SERVE MAY FAIR ESTATES NO. 2 SUBDIVISION; LEONARD AVENUE BETWEEN KEARNEY AND HANEY; TRACY HEIGHTS AND PARK MANOR NO. 4, UNIT NO. 2 SUBDIVISIONS

WHEREAS, the Council of the City of Modesto adopted Resolution No. 62-131 & 62-132 on March 26, 1962, approving the plans and specifications for construction of water lines to serve May Fair Estates Unit No. 2, Tracy Heights Subdivision, Park Manor No. 4, Unit 2 Subdivision and Leonard Avenue between Kearney and Haney Avenues

and directed the City Clerk to advertise for sealed proposals for doing said work, and providing that bids be submitted on the 10th day of April, 1962, and

WHEREAS, the City Clerk, in accordance with said Resolutions, thereafter duly and regularly caused notices to be published in the manner and for the time prescribed by law, and

WHEREAS, no bids were received pursuant to said notices, and

WHEREAS, the Director of Public Works estimates that the cost of such work to be performed by city forces for the sum of $24,667, which cost estimate has been approved by the City Manager, and

WHEREAS, the Council declares and determines that, in its opinion, based upon the estimate approved by the City Manager, the work in question may be performed better and more economically by the City with its own employees,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that, in accordance with the provisions of Section 1307 of the Charter of the City of Modesto, the City Manager is hereby authorized to proceed to have the work in question performed by the City by its own employees.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 16th day of April, 1962, by Councilman VanderWall, who moved

its adoption, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Mitchell

ATTEST: _____
City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 62-167

A RESOLUTION APPROVING EXECUTION OF AGREEMENT WITH STANDARD MATERIALS COMPANY FOR THE CONSTRUCTION OF A CLARIFIER RELIEF LINE AT SEWAGE TREATMENT PLANT.

WHEREAS, the Council of the City of Modesto at a meeting held on the 12th day of March, 1962, adopted Resolution No. 62-106 approving the plans and specifications for the construction of chlorine control structures and a primary clarifier relief line at the Sewage Treatment Plant and directed the City Clerk to advertise for sealed proposals for doing said work and providing that bids be submitted on the 27th day of March, 1962, and

WHEREAS, the City Clerk, in accordance with said Resolution No. 62-106 thereafter duly and regularly caused a notice to be published in the manner and for the time prescribed by law, and

WHEREAS, all bids received pursuant to said notice were opened, examined and publicly declared at the time specified in said advertisement for bids, and

WHEREAS, at a regular meeting of the Council held on the 2nd day of April, 1962, all bids submitted were considered by the Council which found and determined that the cost of said bids was excessive, and the Council rejected all of said bids, insofar as the cost of constructing the primary clarifier relief line were concerned and instructed that informal proposals be obtained for doing the work of constructing said clarifier relief line on a cost plus basis, with a maximum cost, and

WHEREAS, thereafter, informal proposals were received for doing the proposed work, the lowest proposal to do the work on a cost plus basis not to exceed Eight Thousand, One Hundred Ninety-Two and No/100ths ($8,192.00) Dollars, and

WHEREAS, pursuant to Section 1307 of the City Charter, the Council deems such work to be of urgent necessity for the

preservation of life, health and property and declares the following facts to constitute such urgency:

The construction of the clarifier relief line is necessary to provide the sewage disposal treatment which will meet required health standards; in order to properly treat such wastes it is necessary that the line be constructed immediately; the previous call for public bids failed to develop a satisfactory bid; there is insufficient time to again call for bids and construct the facilities required; the immediate construction of the clarifier relief line is necessary, therefore, to preserve the life, health and property of the citizens of the City of Modesto.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it does hereby find and determine that an emergency exists due to limited time and that it is necessary to proceed with the construction of the clarifier relief line without calling for formal sealed bids, and

BE IT FURTHER RESOLVED that the proposed agreement with Standard Materials Company to construct the clarifier relief line at the sewage treatment plant, a copy of which is on file in the City Clerk's Office, is hereby approved and the execution of said agreement by the city's designated officials is hereby authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 16th day of April, 1962, by Councilman Shastid, who moved its adoption, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: [signature]
City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-168

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND STATE OF CALIFORNIA, DIVISION OF HIGHWAYS FOR RELOCATION OF SANITARY SEWER LINE IN CONNECTION WITH FREEWAY CONSTRUCTION

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the Agreement between the City of Modesto and the State of California, Division of Highways,
for relocation of sanitary sewer line in connection with freeway construction.

be, and it is hereby approved, and

BE IT FURTHER RESOLVED that the execution of said Agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 16th day of April, 19 62, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: None

ATTEST: [signature]
CITY CLERK

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-169

A RESOLUTION APPROVING APPROPRIATION TRANSFER FOR IMPROVEMENT OF LOT SOUTH OF MC HENRY LIBRARY

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the following appropriation transfer be approved:

From:	McHenry Public Library Capital Outlay, General Reserve (301-600)	$1,300
To:	McHenry Public Library Capital Outlay, Improvements, Present Site, McHenry Library (301-503)	$1,300

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 16th day of April, 19 62, by Councilman Johansen, who moved its adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: [signature]
CITY CLERK

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-170

A RESOLUTION APPROVING AGREEMENTS BETWEEN THE CITY OF MODESTO AND STANISLAUS COUNTY FOR FALLOUT SHELTER LICENSE OR PRIVILEGE, CITY STRUCTURES

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the Agreements between the City of Modesto and Stanislaus County

for fallout shelter license or privilege for the following City structures:

City Hall, 801 11th Street, Facility Nos. 115 and 130
Fire Station, 610 11th Street, Facility No. 128
Graceada Park, Park Street, Facility No. 97

be, and they are hereby approved, and

BE IT FURTHER RESOLVED that the execution of said Agreements by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 16th day of April, 1962, by Councilman Shastid, who moved its adoption, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: [signature]
CITY CLERK

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62- 171

A RESOLUTION REVISING THE POSITION CLASSIFICATION PLAN FOR THE CITY OF MODESTO.

WHEREAS, a Position Classification Plan was adopted by Resolution No. 62-9 pursuant to Rule 2 of the Personnel Rules and Regulations of the City of Modesto, and

WHEREAS, the Personnel Commission has recommended to the Council the creation of an additional class of position to be included in the Position Classification Plan, and

WHEREAS, Rule 2.2 of the City of Modesto Personnel Rules provides that major revisions to the classification plan shall be effective upon adoption by resolution of the Council,

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

SECTION 1. The Position Classification Plan of the City of Modesto is hereby amended to create a new classification as follows:

CLASSIFICATION CREATED

Police Property Clerk

SECTION 2. The specifications for this classification as shown on the attached Exhibit No. 1, which are hereby made a part of this resolution by reference, are hereby approved and made a part of the Position Classification Plan.

SECTION 3. This resolution shall become effective on and after April 16, 1962.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 16th day of April, 1962, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Shastid, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: _____ City Clerk

(SEAL)

POLICE PROPERTY CLERK

Proposed $349-425

Definition

Under supervision, to receive and control property and evidence in the Police Department and to do related work as required.

Typical Tasks

Receives, records, and tags all evidence relating to cases under investigation and maintains custody; legally disposes of evidence according to law; presents evidence in court; receives, records, and maintains control of all found property coming into the custody of the department; clears unclaimed property for proper disposition; requisitions, maintains, and issues supplies and equipment for personnel, vehicles, office, and buildings; maintains inventory records; prepares reports; operates duplicating machines; receives applications and takes fingerprints; acts as relief desk operator; and performs other related duties as required.

Employment Standards

Any combination of training and experience equivalent to completion of the twelfth grade, plus two years of related experience, including record keeping.

Desirable Qualifications

Knowledge of clerical procedures; ability to perform arithmetic computations and maintain neat and accurate records; ability to understand and follow oral and written instruction; ability to learn and comply with the laws under which property is held and disposed of; ability to interpret and apply departmental policies and procedures; ability to establish and maintain effective working relationships with fellow employees and with the public; ability to set up and maintain perpetual inventory records.

EXHIBIT NO. 1

MODESTO CITY COUNCIL
RESOLUTION NO. 62-172

A RESOLUTION AMENDING RESOLUTION NO. 62-31 ENTITLED "A RESOLUTION ESTABLISHING SALARY SCHEDULES AND FIXING THE COMPENSATION FOR POSITIONS IN THE CITY SERVICE."

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

SECTION 1. AMENDMENT TO SALARY RESOLUTION. Exhibit B entitled "City of Modesto Chart of Classifications and Salary Ranges" of Resolution No. 62-31 entitled "A Resolution Establishing Salary Schedules and Fixing the Compensation for Positions in the City Service," is hereby amended to create the position of Police Property Clerk under Range 16.5.

SECTION 2. SALARIES FOR CLASSES OF POSITIONS. Salary Range 16.5 of Exhibit B established by Section 2 of Resolution No. 62-31 is hereby amended to read as follows:

Range 16.5 $349-367-385-405-425

Junior Engineering Aide
Junior Planning Aide
Police Property Clerk
Pump Operator

SECTION 3. EFFECTIVE DATE. The salary range established by this resolution for the classification of Police Property Clerk shall be effective on and after April 16, 1962.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 16th day of April, 1962, by Councilman Shastid, who moved its adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: [signature]
City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-173

A RESOLUTION REFERRING TO THE MODESTO CITY PLANNING COMMISSION A PETITION FOR ANNEXATION OF CERTAIN UNINHABITED TERRITORY TO THE CITY OF MODESTO, KNOWN AS BLOMDAHL ADDITION.

WHEREAS, a petition has been filed in the office of the City Clerk requesting the annexation of certain uninhabited territory to the City of Modesto, which territory is more specifically described hereinafter, and

WHEREAS, the County Boundary Commission has certified to the definiteness and accuracy of the boundaries of said territory,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that said petition for the annexation of the following described uninhabited territory be referred to the Planning Commission for its report and recommendation.

The territory herein referred to is situated in the County of Stanislaus, State of California, and more particularly described as follows:

All that real property in the State of California, County of Stanislaus, being a portion of Section 18, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits said point being the Northwestern corner of Gregory Gardens Number 2 Addition, as per description filed December 5, 1955, as Instrument 35055, Stanislaus County Records, said point being also on the East-West quarter Section line in said Section 18; thence South 00° 20' West, 717.09 feet, along the Western line of said Gregory Gardens Number 2 Addition, to a point on the Northern line of Saratoga Manor Addition as per description filed February 2, 1960, as Instrument 2905, Stanislaus County Records; thence North 88° 25' West 1237.24 feet along said Northern line of Saratoga Manor Addition, to a point on the Eastern line of Park Manor Addition, as per description filed June 2, 1960, as Instrument 15668, Stanislaus County Records; thence North 00° 20' East, 717.09 feet, along said Eastern line of Park Manor Addition, to a point on the East-West quarter Section line of Section 18; thence South 88° 25' East, 1237.24 feet along said quarter Section line to the point of beginning, containing 20.37 acres, more or less.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 16th day of April, 1962, by Councilman Johansen, who moved its adoption, which motion being duly seconded by Councilman Shastid, was upon roll call carried and the resolution adopted by the following vote:

AYES: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: None

ABSENT: None

ATTEST: _____
City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-174

A RESOLUTION REJECTING THE CLAIM OF JOANN McDONALD FOR DAMAGES AGAINST THE CITY OF MODESTO

WHEREAS, Joann McDonald, a minor, by and through her father, ERNEST McDonald, filed a claim for damages against the City of Modesto on the 6th day of April, 1962, a copy of which claim is on file in the office of the City Clerk, and

WHEREAS, the claim is in the amount of $10,000, for personal injuries sustained in an automobile accident involving a city police car on April 9, 1961, and

WHEREAS, more than one hundred days have elapsed since the date of the accident and the claim is therefore barred by the statute of limitations,

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

The aforementioned claim of Joann McDonald is hereby rejected in its entirety both as to the City of Modesto and the officials therein.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 16th day of April, 1962, by Councilman Johansen, who moved its adoption, which motion being duly seconded by Councilman Mitchell, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: [signature]

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-175

A RESOLUTION AUTHORIZING WORK TO BE PERFORMED BY CITY FORCES FOR THE INSTALLATION OF WATER LINES, SARATOGA MANOR NO. 4 SUBDIVISION

WHEREAS, the Council of the City of Modesto adopted Resolution No. 62-151, on April 2, 19 62, approving the plans and specifications for installation of water lines, Saratoga Manor No. 4 Subdivision,

and directed the City Clerk to advertise for sealed proposals for doing said work, and providing that bids be submitted on the 17th day of April, 19 62, and

WHEREAS, the City Clerk, in accordance with said Resolution, thereafter duly and regularly caused a notice to be published in the manner and for the time prescribed by law, and

WHEREAS, no bids were received pursuant to said notice, and

WHEREAS, the Director of Public Works estimates that the cost of such work to be performed by city forces for the sum of $1,715.25, which cost estimate has been approved by the City Manager, and

WHEREAS, the Council declares and determines that, in its opinion, based upon the estimate approved by the City Manager, the work in question may be performed better and more economically by the City with its own employees,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that, in accordance with the provisions of Section 1307 of the Charter of the City of Modesto, the City Manager is hereby authorized to proceed to have the work in question performed by the City by its own employees.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of April, 19 62, by Councilman VanderWall, who moved

its adoption, which motion being duly seconded by Councilman Patton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: _____
City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 62-176

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING THE CALLING FOR BIDS FOR CONSTRUCTION OF WATER LINES IN BLOCK 90

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

Section 1. The plans and specifications for construction of water lines in Block 90,

copies of which are on file, are hereby accepted and approved.

Section 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 - 11th Street, in the City of Modesto, on May 1, 1962 at 2:30 P.M. and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form and manner provided by law.

Section 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of April, 1962, by Councilman Mitchell, who moved its adoption, which motion being duly seconded by Councilman Shastid, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: [signature]
CITY CLERK

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-177

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING THE CALLING FOR BIDS FOR CONSTRUCTION OF SANITARY SEWER RELOCATION, BLOCK W (UNIT A); SANITARY SEWER RELIEF LINE IN CARVER ROAD (UNIT B)

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

Section 1. The plans and specifications for

(Unit A) - construction of sanitary sewer relocation, Block W;
(Unit B) - Sanitary sewer relief line in Carver Road

copies of which are on file, are hereby accepted and approved.

Section 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 - 11th Street, in the City of Modesto, on May 1, 1962 at 2:00 P.M. and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form and manner provided by law.

Section 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of April, 1962, by Councilman Johansen, who moved its adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: _____
CITY CLERK

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-178

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING THE CALLING FOR BIDS FOR CONSTRUCTION OF CHLORINE CONTROL STRUCTURES AT SEWAGE TREATMENT PLANT

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

Section 1. The plans and specifications for construction of chlorine control structures at Sewage Treatment Plant,
copies of which are on file, are hereby accepted and approved.

Section 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 - 11th Street, in the City of Modesto, on May 1, 1962 at 2:15 P.M. and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form and manner provided by law.

Section 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of April, 19 62, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Mitchell, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen : Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen : None

ABSENT: Councilmen : None

ATTEST: [signature]
CITY CLERK

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-179

A RESOLUTION GIVING NOTICE OF THE PROPOSED ANNEXATION TO THE CITY OF MODESTO OF UNINHABITED TERRITORY DESCRIBED HEREIN AND DESIGNATED AS BLOMDAHL ADDITION AND GIVING NOTICE OF TIME AND PLACE FOR HEARING PROTESTS THERETO.

BE IT RESOLVED by the Council of the City of Modesto:

1. That, pursuant to the provisions of the Annexation of Uninhabited Territory Act of 1939, a petition signed by owners of not less than one fourth of the land in the hereinafter described territory by area and by assessed value as shown on the last equalized assessment roll of the County of Stanislaus, was filed with the Council of the City of Modesto on April 13, 19 62, requesting annexation of the hereinafter described territory to said City.

2. That the territory which the petitioners request be annexed to the City of Modesto and which said City and its Council propose to annex, is situate in the County of Stanislaus, State of California, hereby designated as BLOMDAHL ADDITION, and described as follows:

All that real property in the State of California, County of Stanislaus, being a portion of Section 18, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits said point being the Northwestern corner of Gregory Gardens Number 2 Addition, as per description filed December 5, 1955, as Instrument 35055, Stanislaus County Records, said point being also on the East-West quarter Section line in said Section 18; thence South 00° 20' West, 717.09 feet, along the Western line of said Gregory Gardens Number 2 Addition, to a point on the Northern line of Saratoga Manor Addition as per description filed February 2, 1960, as Instrument 2905, Stanislaus County Records; thence North 88° 25' West 1237.24 feet along said Northern line of Saratoga Manor Addition, to a point on the Eastern line of Park Manor Addition, as per description filed June 2, 1960, as Instrument 15668, Stanislaus County Records; thence North 00° 20' East, 717.09 feet, along said Eastern line of Park Manor Addition, to a point on the East-West quarter Section line of Section 18; thence South 88° 25' East, 1237.24 feet along said quarter Section line to the point of beginning, containing 20.37 acres, more or less.

3. That the County Boundary Commission of Stanislaus County, California, did in session duly assembled on March 6, 19 62, consider the proposed annexation boundaries of said BLOMDAHL ADDITION, as above described, and as submitted to said Commission by the proponents of said annexation.

4. No change in school district boundaries shall be effected by reason of the annexation of the hereinabove described area to the City of Modesto.

5. NOTICE IS HEREBY GIVEN that the 4th day of June, 19 62, at the hour of 4:30 o'clock P.M. of said day, in the Council Chambers at the City Hall, located at 801 Eleventh Street in the City of Modesto, be and the same is hereby fixed as the time and place for considering said petition, at which time and place any person owning real property within such territory and having any objections to the proposed annexation may appear before the Council of the City of Modesto and show cause why such territory should not be so annexed. The protest must be in writing, may be filed at any time before the hour set for hearing objections to the proposed annexation, and shall state the name or names of the owner or owners of property affected and the description and area of such property, in general terms.

6. The City Clerk shall cause a copy of this resolution to be published at least twice, but not oftener than once a week, in The Modesto Tribune, a newspaper of general circulation, published in the City of Modesto and being the official newspaper of the City of Modesto. Said publications shall be completed at least twenty (20) days prior to the date set for the hearing.

7. The City Clerk of the City of Modesto shall also cause written notice of such proposed annexation to be mailed to each person to whom land within the territory proposed to be annexed is assessed on the last equalized county assessment roll available on the date the proceedings were initiated, at the address shown on said assessment roll

as known to said Clerk, and to any person who has filed his name and address and the designation of the land in which he has any interest, either legal or equitable, with said Clerk. Said notices shall be mailed not less than twenty (20) days before the public hearing on the proposed annexation.

8. In the event any land within the territory proposed to be annexed is owned by the County of Stanislaus, the City Clerk is directed to cause written notice of such proposed annexation to be mailed to the Board of Supervisors of the County, such notice to be given not less than twenty (20) days before the public hearing on the proposed annexation.

9. In the event there is, upon the land proposed to be annexed, a structural improvement owned, being acquired or leased by a county fire protection district, the City Clerk is directed to cause written notice of such proposed annexation to be mailed to the governing body of such district, such notice to be sent not less than ten (10) days before the public hearing on the proposed annexation.

10. The City Clerk is directed to cause written notice to be given to such other persons as may be legally entitled thereto, in the manner required by law.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of April, 1962, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Patton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: _____
City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-180

A RESOLUTION NAMING THE NORTH MODESTO BRANCH OF THE MODESTO-STANISLAUS COUNTY FREE LIBRARY AS THE C. C. WRIGHT BRANCH LIBRARY.

WHEREAS, C. C. Wright served this community long and well as teacher, District Attorney, School Trustee and State Assemblyman, and

WHEREAS, C. C. Wright was an exponent of vigorous intellectual activity, possessed of positive convictions stemming from his ideals and character, and of moral courage to maintain them in the face of strong opposition, and

WHEREAS, C. C. Wright as Assemblyman sponsored the Wright Irrigation Act of 1887, which secured the joint ownership of land and water, represented manhood as the rightful source of the power of taxation, and asserted the right of eminent domain in giving the majority of voters power to create works essential to their comfort and happiness, and

WHEREAS, the Wright Act was instrumental in promoting the sound economic development of Modesto and Stanislaus County and indeed the State of California, and

WHEREAS, the Board of Supervisors of Stanislaus County has concurred in the action proposed in this resolution,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the North Modesto Branch of the Modesto-Stanislaus County Free Library shall be known from this day on as the C. C. Wright Branch Library.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of April, 1962, by Councilman Shastid, who moved its adoption, which motion being duly seconded by Councilman Mitchell, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: _____
City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-181

A RESOLUTION ACCEPTING THE CONSTRUCTION OF SUBTRUNK SEWER TO SKYLANE PARK SUBDIVISION NO. 2

WHEREAS, a report has been filed by the Director of Public Works that the construction of a subtrunk sewer to Skylane Park Subdivision No. 2

has been completed by A. Teichert & Son, Inc.

in accordance with the contract agreement, dated January 8, 1962.

NOW, THEREFORE, BE IT RESOLVED that the construction of subtrunk sewer to Skylane Park Subdivision No. 2

be accepted from said contractor A. Teichert & Son, Inc.

that Notice of Completion be filed with the Recorder of Stanislaus County and that payment of amounts due, as provided in the contract, be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of April, 1962, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Johansen, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: [signature]
CITY CLERK

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62- 182

A RESOLUTION AUTHORIZING THE INSTITUTION OF CONDEMNATION PROCEEDINGS TO ACQUIRE CERTAIN REAL PROPERTY IN THE CITY OF MODESTO TO BE USED FOR STREET WIDENING PURPOSES. **(Widening of Granger Avenue, Grissom)**

BE IT RESOLVED by the Council of the City of Modesto that it finds and determines and hereby declares that:

The public interest, convenience, and necessity require the acquisition of certain real property to be used for street widening purposes.

The use of said real property for street widening purposes is a public use authorized by law.

The proposed widening of said street is planned in a manner which will be most compatible with the greatest public good and the least private injury; and

BE IT FURTHER RESOLVED that the City Attorney of the City of Modesto be authorized and directed to commence and maintain in the name of the City of Modesto such actions and proceedings of eminent domain in the Superior Court of the State of California, in and for the County of Stanislaus, as are necessary for the purpose of condemning and acquiring the hereinafter described real property for the purposes and uses aforesaid.

BE IT FURTHER RESOLVED that the City Attorney be authorized to make application to said Court for an order fixing the amount of such security in the way of money deposit as such Court may direct, for an order permitting the City of Modesto to take immediate possession and use of said real property for the purposes and uses aforesaid.

BE IT FURTHER RESOLVED that the City Manager and City Auditor be authorized to make such deposits of such security out of proper funds under the control of the City in such amounts as so fixed and determined and in such manner as said Court in which said condemnation proceedings are pending may direct.

The real property hereinabove referred to, the condemnation of which is hereby authorized for the purpose aforesaid, is situated in the City of Modesto, Modesto Irrigation District, County of Stanislaus, State of California, and is more particularly described as follows:

4/19/62

All that portion of Section 20, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

The Northern 30.00 feet, measured at right angles, of the Eastern 475.5 feet of Lot 1 of the MENSINGER COLONY, as per map filed May 18, 1909, in Volume 4 of Maps, Page 25, Stanislaus County Records.

EXCEPT the Eastern 425.50 feet.

NOTE: The Western line of Lot 1 is on the center line of a 50 foot Public Road known as Florida Avenue, the Northern line of Lot 1 is on the center line of a 40 foot Public Road known as Granger Avenue, and the Eastern line of Lot 1 is on the center line of a 50 foot Public Road known as McHenry Avenue.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of April, 1962, by Councilman Mitchell, who moved its adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: [signature]
City Clerk

(SEAL)

4/19/62

MODESTO CITY COUNCIL
RESOLUTION NO. 62- 183

A RESOLUTION AUTHORIZING THE INSTITUTION OF CONDEMNATION PROCEEDINGS TO ACQUIRE CERTAIN REAL PROPERTY IN THE CITY OF MODESTO TO BE USED FOR STREET WIDENING PURPOSES. **(Widening of Granger Avenue, Sherman)**

BE IT RESOLVED by the Council of the City of Modesto that it finds and determines and hereby declares that:

The public interest, convenience, and necessity require the acquisition of certain real property to be used for street widening purposes.

The use of said real property for street widening purposes is a public use authorized by law.

The proposed widening of said street is planned in a manner which will be most compatible with the greatest public good and the least private injury; and

BE IT FURTHER RESOLVED that the City Attorney of the City of Modesto be authorized and directed to commence and maintain in the name of the City of Modesto such actions and proceedings of eminent domain in the Superior Court of the State of California, in and for the County of Stanislaus, as are necessary for the purpose of condemning and acquiring the hereinafter described real property for the purposes and uses aforesaid.

BE IT FURTHER RESOLVED that the City Attorney be authorized to make application to said Court for an order fixing the amount of such security in the way of money deposit as such Court may direct, for an order permitting the City of Modesto to take immediate possession and use of said real property for the purposes and uses aforesaid.

BE IT FURTHER RESOLVED that the City Manager and City Auditor be authorized to make such deposits of such security out of proper funds under the control of the City in such amounts as so fixed and determined and in such manner as said Court in which said condemnation proceedings are pending may direct.

The real property hereinabove referred to, the condemnation of which is hereby authorized for the purpose aforesaid, is situated in the City of Modesto, Modesto Irrigation District, County of Stanislaus, State of California, and is more particularly described as follows:

4/19/62

All that portion of Section 20, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

The Northern 30.00 feet, measured at right angles, of Lot 1 of the MENSINGER COLONY, as per map filed May 18, 1909, in Volume 4 of Maps, Page 25, Stanislaus County Records.

EXCEPT the Eastern 475.50 feet.

NOTE: The Western line of Lot 1 is on the center line of a 50 foot Public Road known as Florida Avenue, the Northern line of Lot 1 is on the center line of a 40 foot Public Road known as Granger Avenue, and the Eastern line of Lot 1 is on the center line of a 50 foot Public Road known as McHenry Avenue.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of April, 1962, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Johansen, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: [signature]
City Clerk

(SEAL)

4/19/62

MODESTO CITY COUNCIL
RESOLUTION NO. 62- 184

A RESOLUTION AUTHORIZING THE INSTITUTION OF CONDEMNATION PROCEEDINGS TO ACQUIRE CERTAIN REAL PROPERTY IN THE CITY OF MODESTO TO BE USED FOR STREET WIDENING PURPOSES. **(Widening of Roseburg Avenue, Project No. LA 54-13, Berry)**

BE IT RESOLVED by the Council of the City of Modesto that it finds and determines and hereby declares that:

The public interest, convenience, and necessity require the acquisition of certain real property to be used for street widening purposes.

The use of said real property for street widening purposes is a public use authorized by law.

The proposed widening of said street is planned in a manner which will be most compatible with the greatest public good and the least private injury; and

BE IT FURTHER RESOLVED that the City Attorney of the City of Modesto be authorized and directed to commence and maintain in the name of the City of Modesto such actions and proceedings of eminent domain in the Superior Court of the State of California, in and for the County of Stanislaus, as are necessary for the purpose of condemning and acquiring the hereinafter described real property for the purposes and uses aforesaid.

BE IT FURTHER RESOLVED that the City Attorney be authorized to make application to said Court for an order fixing the amount of such security in the way of money deposit as such Court may direct, for an order permitting the City of Modesto to take immediate possession and use of said real property for the purposes and uses aforesaid.

BE IT FURTHER RESOLVED that the City Manager and City Auditor be authorized to make such deposits of such security out of proper funds under the control of the City in such amounts as so fixed and determined and in such manner as said Court in which said condemnation proceedings are pending may direct.

The real property hereinabove referred to, the condemnation of which is hereby authorized for the purpose aforesaid, is situated in the City of Modesto, Modesto Irrigation District, County of Stanislaus, State of California, and is more particularly described as follows:

4/19/62

The North 10 feet of the following:

All that portion of Lots 2, 3 and 6 of NORTH CENTRAL TRACT, as per Map filed September 24, 1919, in Vol. 9 of Maps, page 18, Stanislaus County Records described as follows:

BEGINNING at a point on the South line of Roseburg Avenue, distant thereon 97.533 feet East of intersection of said South line of Roseburg Avenue, with the East line of Virginia Avenue, as shown on the map above referred to; running thence East 97.533 feet; thence South and parallel with the East line of said Virginia Avenue a distance of 210 feet; thence West and parallel with the South line of said Roseburg Avenue a distance of 97.533 feet; thence North and parallel with said East line of Virginia Avenue, a distance of 210 feet to the point of beginning.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of April, 1962, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Patton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: _____
City Clerk

(SEAL)

4/19/62

MODESTO CITY COUNCIL
RESOLUTION NO. 62-185

A RESOLUTION AUTHORIZING THE INSTITUTION OF CONDEMNATION PROCEEDINGS TO ACQUIRE CERTAIN REAL PROPERTY IN THE CITY OF MODESTO TO BE USED FOR STREET WIDENING PURPOSES. **(Widening of Roseburg Avenue, Burrows)**

BE IT RESOLVED by the Council of the City of Modesto that it finds and determines and hereby declares that:

The public interest, convenience, and necessity require the acquisition of certain real property to be used for street widening purposes.

The use of said real property for street widening purposes is a public use authorized by law.

The proposed widening of said street is planned in a manner which will be most compatible with the greatest public good and the least private injury; and

BE IT FURTHER RESOLVED that the City Attorney of the City of Modesto be authorized and directed to commence and maintain in the name of the City of Modesto such actions and proceedings of eminent domain in the Superior Court of the State of California, in and for the County of Stanislaus, as are necessary for the purpose of condemning and acquiring the hereinafter described real property for the purposes and uses aforesaid.

BE IT FURTHER RESOLVED that the City Attorney be authorized to make application to said Court for an order fixing the amount of such security in the way of money deposit as such Court may direct, for an order permitting the City of Modesto to take immediate possession and use of said real property for the purposes and uses aforesaid.

BE IT FURTHER RESOLVED that the City Manager and City Auditor be authorized to make such deposits of such security out of proper funds under the control of the City in such amounts as so fixed and determined and in such manner as said Court in which said condemnation proceedings are pending may direct.

The real property hereinabove referred to, the condemnation of which is hereby authorized for the purpose aforesaid, is situated in the City of Modesto, Modesto Irrigation District, County of Stanislaus, State of California, and is more particularly described as follows:

4/19/62

All that portion of the Northeast quarter of the Northwest quarter of the Southeast quarter of Section 20, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at the intersection of the Eastern line of a 60 foot public road known as Brady Avenue and the Southern line of a 40 foot public road known as Roseburg Avenue; thence along the Southern line of Roseburg Avenue, South 88° 52' East, 120.00 feet to the Western line of the property conveyed to A. H. Hudelson, et ux, by deed Recorded April 8, 1953, as Instrument 8641, Stanislaus County Records; thence along the Western line of said Hudelson property, South 00° 54' East, 10.01 feet; thence parallel with the Southern line of Roseburg Avenue, North 88° 52' West, 104.25 feet; thence on a tangent curve concave to the Southeast, having a Radius of 15.00 feet, a Tangent of 15.55 feet, a Central Angle of 92° 03', an Arc length of 24.10 feet to its point of tangency on the Eastern line of Brady Avenue; thence along the Eastern line of Brady Avenue, North 00° 55' West, 25.56 feet to the point of beginning.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of April, 1962, by Councilman Mitchell, who moved its adoption, which motion being duly seconded by Councilman Patton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: [signature]
City Clerk

(SEAL)

4/19/62

MODESTO CITY COUNCIL
RESOLUTION NO. 62- 186

A RESOLUTION AUTHORIZING THE INSTITUTION OF CONDEMNATION PROCEEDINGS TO ACQUIRE CERTAIN REAL PROPERTY IN THE CITY OF MODESTO TO BE USED FOR STREET WIDENING PURPOSES.
(West Side of Tully between Stoddard and Coldwell Avenues - Larson)

BE IT RESOLVED by the Council of the City of Modesto that it finds and determines and hereby declares that:

The public interest, convenience, and necessity require the acquisition of certain real property to be used for street widening purposes.

The use of said real property for street widening purposes is a public use authorized by law.

The proposed widening of said street is planned in a manner which will be most compatible with the greatest public good and the least private injury; and

BE IT FURTHER RESOLVED that the City Attorney of the City of Modesto be authorized and directed to commence and maintain in the name of the City of Modesto such actions and proceedings of eminent domain in the Superior Court of the State of California, in and for the County of Stanislaus, as are necessary for the purpose of condemning and acquiring the hereinafter described real property for the purposes and uses aforesaid.

BE IT FURTHER RESOLVED that the City Attorney be authorized to make application to said Court for an order fixing the amount of such security in the way of money deposit as such Court may direct, for an order permitting the City of Modesto to take immediate possession and use of said real property for the purposes and uses aforesaid.

BE IT FURTHER RESOLVED that the City Manager and City Auditor be authorized to make such deposits of such security out of proper funds under the control of the City in such amounts as so fixed and determined and in such manner as said Court in which said condemnation proceedings are pending may direct.

The real property hereinabove referred to, the condemnation of which is hereby authorized for the purpose aforesaid, is situated in the City of Modesto, Modesto Irrigation District, County of Stanislaus, State of California, and is more particularly described as follows:

4/19/62

The East 20 feet of the following:

All that portion of Lot 4 of Purdue Tract, according to the Official Map thereof filed in the office of the Recorder of Stanislaus County, California, on December 29, 1908, in Volume 4 of Maps, at page 11, described as follows:

COMMENCING at the Northeast corner of Section 30, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, and running thence North 89° 41' West 20.00 feet along the North line of Section 30 to the true Northeast corner of Lot 1 of Perdue Tract; thence South 0° 28' 30" East along the West line of a 40 foot County Road (said West line of Road also being the East line of the Perdue Tract) a distance of 520 feet to the true point of beginning; thence South 0° 28' 30" East a distance of 120 feet to the Northeast corner of the tract conveyed to Elmer Stencil, an unmarried man, by Deed dated September 14, 1944; thence North 89° 41' West along the North line of Stencil property a distance of 200 feet to a point on the East line of property of Tidewater Southern Railway Company; thence North 0° 28' 30" West a distance of 120 feet; thence South 89° 41' East 200 feet to the true point of beginning.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of April, 1962, by Councilman Johansen, who moved its adoption, which motion being duly seconded by Councilman Mitchell, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: [signature]
City Clerk

(SEAL)

4/19/62

MODESTO CITY COUNCIL
RESOLUTION NO. 62-187

A RESOLUTION AUTHORIZING THE INSTITUTION OF CONDEMNATION PROCEEDINGS TO ACQUIRE CERTAIN REAL PROPERTY IN THE CITY OF MODESTO TO BE USED FOR STREET WIDENING PURPOSES. **(West Side of Tully between Stoddard and Coldwell Avenues, Rose Brothers)**

BE IT RESOLVED by the Council of the City of Modesto that it finds and determines and hereby declares that:

The public interest, convenience, and necessity require the acquisition of certain real property to be used for street widening purposes.

The use of said real property for street widening purposes is a public use authorized by law.

The proposed widening of said street is planned in a manner which will be most compatible with the greatest public good and the least private injury; and

BE IT FURTHER RESOLVED that the City Attorney of the City of Modesto be authorized and directed to commence and maintain in the name of the City of Modesto such actions and proceedings of eminent domain in the Superior Court of the State of California, in and for the County of Stanislaus, as are necessary for the purpose of condemning and acquiring the hereinafter described real property for the purposes and uses aforesaid.

BE IT FURTHER RESOLVED that the City Attorney be authorized to make application to said Court for an order fixing the amount of such security in the way of money deposit as such Court may direct, for an order permitting the City of Modesto to take immediate possession and use of said real property for the purposes and uses aforesaid.

BE IT FURTHER RESOLVED that the City Manager and City Auditor be authorized to make such deposits of such security out of proper funds under the control of the City in such amounts as so fixed and determined and in such manner as said Court in which said condemnation proceedings are pending may direct.

The real property hereinabove referred to, the condemnation of which is hereby authorized for the purpose aforesaid, is situated in the City of Modesto, Modesto Irrigation District, County of Stanislaus, State of California, and is more particularly described as follows:

4/19/62

The East 20 feet of the following:

All that portion of Lot 5 Purdue Tract, according to the Official Map thereof, filed in the office of the Recorder of Stanislaus County, California, on December 29, 1908, in Volume 4 of Maps, at page 11, described as follows:

Beginning at a point on the east line of said Lot 5 distant North 0° 43' West 70 feet from the Southeast corner of said Lot; thence North 0° 43' West and along the East line of said Lot, a distance of 95 feet; thence North 89° 41' West and parallel with the South line of said Lot a distance of 200 feet; thence South 0° 43' East and parallel with the East line of said Lot, a distance of 95 feet; thence South 89° 41' East and along a line parallel with the South line of said Lot, a distance of 200 feet to the point of beginning.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of April, 1962, by Councilman Tabbert, who moved its adoption, which motion being duly seconded by Councilman Shastid, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: [signature]
City Clerk

(SEAL)

4/19/62

MODESTO CITY COUNCIL
RESOLUTION NO. 62-188

A RESOLUTION AUTHORIZING THE INSTITUTION OF CONDEMNATION PROCEEDINGS TO ACQUIRE CERTAIN REAL PROPERTY IN THE CITY OF MODESTO TO BE USED FOR STREET WIDENING PURPOSES. **(West Side of Tully between Stoddard and Coldwell Avenues, Hansen)**

BE IT RESOLVED by the Council of the City of Modesto that it finds and determines and hereby declares that:

The public interest, convenience, and necessity require the acquisition of certain real property to be used for street widening purposes.

The use of said real property for street widening purposes is a public use authorized by law.

The proposed widening of said street is planned in a manner which will be most compatible with the greatest public good and the least private injury; and

BE IT FURTHER RESOLVED that the City Attorney of the City of Modesto be authorized and directed to commence and maintain in the name of the City of Modesto such actions and proceedings of eminent domain in the Superior Court of the State of California, in and for the County of Stanislaus, as are necessary for the purpose of condemning and acquiring the hereinafter described real property for the purposes and uses aforesaid.

BE IT FURTHER RESOLVED that the City Attorney be authorized to make application to said Court for an order fixing the amount of such security in the way of money deposit as such Court may direct, for an order permitting the City of Modesto to take immediate possession and use of said real property for the purposes and uses aforesaid.

BE IT FURTHER RESOLVED that the City Manager and City Auditor be authorized to make such deposits of such security out of proper funds under the control of the City in such amounts as so fixed and determined and in such manner as said Court in which said condemnation proceedings are pending may direct.

The real property hereinabove referred to, the condemnation of which is hereby authorized for the purpose aforesaid, is situated in the City of Modesto, Modesto Irrigation District, County of Stanislaus, State of California, and is more particularly described as follows:

4/19/62

All that portion of Section 30, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, being a portion of Lot 7 of the PERDUE TRACT as per map filed December 29, 1908, in Volume 4 of Maps, Page 11, Stanislaus County Records, described as follows:

The Eastern 20.00 feet, measured at right angles, of the Northern 52 feet, measured along the Eastern line of the following:

Beginning at a point on the Western line of Tully Road that is South 00° 43' West, 45.50 feet from the Northeastern corner of Lot 7; thence continuing South 00° 43' West, 166.04 feet to the intersection of the Northeastern boundary of the Right of Way of Tidewater Southern Railway Company; thence along said Right of Way North 43° 44' West, 230.15 feet to a point which is 45.50 feet, at right angles, Southerly from the Northern line of Lot 7; thence parallel with the Northern line of Lot 7, South 89° 54' East, 157.02 feet to the point of beginning.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of April, 1962, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Shastid, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: [signature]
City Clerk

(SEAL)

4/19/62

MODESTO CITY COUNCIL
RESOLUTION NO. 62- 189

A RESOLUTION AUTHORIZING THE INSTITUTION OF CONDEMNATION PROCEEDINGS TO ACQUIRE CERTAIN REAL PROPERTY IN THE CITY OF MODESTO TO BE USED FOR STREET WIDENING PURPOSES.
(**West Side of Tully between Stoddard and Coldwell Avenues, Asher)**

BE IT RESOLVED by the Council of the City of Modesto that it finds and determines and hereby declares that:

The public interest, convenience, and necessity require the acquisition of certain real property to be used for street widening purposes.

The use of said real property for street widening purposes is a public use authorized by law.

The proposed widening of said street is planned in a manner which will be most compatible with the greatest public good and the least private injury; and

BE IT FURTHER RESOLVED that the City Attorney of the City of Modesto be authorized and directed to commence and maintain in the name of the City of Modesto such actions and proceedings of eminent domain in the Superior Court of the State of California, in and for the County of Stanislaus, as are necessary for the purpose of condemning and acquiring the hereinafter described real property for the purposes and uses aforesaid.

BE IT FURTHER RESOLVED that the City Attorney be authorized to make application to said Court for an order fixing the amount of such security in the way of money deposit as such Court may direct, for an order permitting the City of Modesto to take immediate possession and use of said real property for the purposes and uses aforesaid.

BE IT FURTHER RESOLVED that the City Manager and City Auditor be authorized to make such deposits of such security out of proper funds under the control of the City in such amounts as so fixed and determined and in such manner as said Court in which said condemnation proceedings are pending may direct.

The real property hereinabove referred to, the condemnation of which is hereby authorized for the purpose aforesaid, is situated in the City of Modesto, Modesto Irrigation District, County of Stanislaus, State of California, and is more particularly described as follows:

4/19/62

All that portion of Section 30, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, being a portion of Lot 7 of the PERDUE TRACT as per map filed December 29, 1908, in Volume 4 of Maps, Page 11, Stanislaus County Records, described as follows:

The Eastern 20.00 feet, measured at right angles, of the Southern 80 feet of the Northern 132 feet measured along the Eastern line of the following:

Beginning at a point on the Western line of Tully Road that is South 00° 43' West, 45.50 feet from the Northeastern corner of Lot 7; thence continuing South 00° 43' West, 166.04 feet to the intersection of the Northeastern boundary of the Right of Way of Tidewater Southern Railway Company; thence along said Right of Way North 43° 44' West, 230.15 feet to a point which is 45.50 feet at right angles Southerly from the Northern line of Lot 7; thence parallel with the Northern line of Lot 7, South 89° 54' East, 157.02 feet to the point of beginning.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of April, 1962, by Councilman Mitchell, who moved its adoption, which motion being duly seconded by Councilman Johansen, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: [signature]
City Clerk

(SEAL)

4/19/62

MODESTO CITY COUNCIL
RESOLUTION NO. 62- 190

A RESOLUTION AUTHORIZING THE INSTITUTION OF CONDEMNATION PROCEEDINGS TO ACQUIRE CERTAIN REAL PROPERTY IN THE CITY OF MODESTO TO BE USED FOR STREET WIDENING PURPOSES.
(West Side of Tully between Stoddard and Coldwell Avenues, Asher, et al.)

BE IT RESOLVED by the Council of the City of Modesto that it finds and determines and hereby declares that:

The public interest, convenience, and necessity require the acquisition of certain real property to be used for street widening purposes.

The use of said real property for street widening purposes is a public use authorized by law.

The proposed widening of said street is planned in a manner which will be most compatible with the greatest public good and the least private injury; and

BE IT FURTHER RESOLVED that the City Attorney of the City of Modesto be authorized and directed to commence and maintain in the name of the City of Modesto such actions and proceedings of eminent domain in the Superior Court of the State of California, in and for the County of Stanislaus, as are necessary for the purpose of condemning and acquiring the hereinafter described real property for the purposes and uses aforesaid.

BE IT FURTHER RESOLVED that the City Attorney be authorized to make application to said Court for an order fixing the amount of such security in the way of money deposit as such Court may direct, for an order permitting the City of Modesto to take immediate possession and use of said real property for the purposes and uses aforesaid.

BE IT FURTHER RESOLVED that the City Manager and City Auditor be authorized to make such deposits of such security out of proper funds under the control of the City in such amounts as so fixed and determined and in such manner as said Court in which said condemnation proceedings are pending may direct.

The real property hereinabove referred to, the condemnation of which is hereby authorized for the purpose aforesaid, is situated in the City of Modesto, Modesto Irrigation District, County of Stanislaus, State of California, and is more particularly described as follows:

4/19/62

All that portion of Section 30, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, being a portion of Lot 7 of the PERDUE TRACT as per map filed December 27, 1908, in Volume 4 of Maps, Page 11, Stanislaus County Records, described as follows:

The Eastern 20.00 feet, measured at right angles, of the following:

Beginning at a point on the Western line of Tully Road that is South 00° 43' West, 45.50 feet from the Northeastern corner of Lot 7; thence continuing South 00° 43' West, 166.04 feet to the intersection of the Northeastern boundary of the Right of Way of the Tidewater Southern Railway Company; thence along said Right of Way, North 43° 44' West 230.15 feet to a point which is 45.50 feet at right angles, Southerly from the Northern line of Lot 7; thence parallel with the Northern line of Lot 7, South 89° 54' East, 157.02 feet to the point of beginning.

EXCEPT the Northern 132 feet, measured along the Eastern line of the above described property.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of April, 1962, by Councilman Johansen, who moved its adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: _____
City Clerk

(SEAL)

4/19/62

MODESTO CITY COUNCIL
RESOLUTION NO. 62-191

A RESOLUTION DENYING THE APPLICATION OF MARY BRAME FOR AN UNCLASSIFIED USE PERMIT FOR AN EQUIPMENT RENTAL BUSINESS (YOSEMITE BOULEVARD AND KERR AVENUE) AND REQUESTING A FURTHER REPORT FROM THE PLANNING COMMISSION IN ACCORDANCE WITH SECTION 10-2.2114 OF THE MUNICIPAL CODE.

WHEREAS, a verified application for an unclassified use permit for an equipment rental business on the southwest corner of Yosemite Boulevard and Kerr Avenue was filed by Mary Brame on February 23, 1962, and

WHEREAS, the Planning Commission held a public hearing on the application on March 6, 1962, at which time evidence, both oral and documentary was taken and introduced, and

WHEREAS, the matter was fully considered by the Planning Commission on March 20, 1962, and

WHEREAS, thereafter the Planning Commission adopted Resolution No. 778 on March 20, 1962, recommending to the Council that an unclassified use permit be granted to Mary Brame for the rental of travel trailers, garden equipment, farm implements and tractors, contractors' equipment, and hand tools, at the southwest corner of Yosemite Boulevard and Kerr Avenue, subject to the following conditions:

1. That the use be conducted within a yard enclosed by a fence not less than six (6') feet high; and

2. That there be no exit provided from the property to Yosemite Boulevard for this use, and

WHEREAS, the matter was set for public hearing before the Council in the Council Chambers, 801 Eleventh Street, in the City of Modesto, at 8:10 P.M. on April 23, 1962, and

WHEREAS, said hearing was held before the Council at the above time and place, and evidence, both oral and documentary was taken and introduced, and the Council found and determined that:

1. The use requested was not consistent with the uses authorized in the General Commercial (C-2) Zone; and

2. The use requested was not reasonably compatible with the types of uses permitted in the surrounding area.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the application of Mary Brame for an unclassified use permit for the conduct of an equipment rental business at the above described location be denied.

BE IT FURTHER RESOLVED that the Council does hereby request a further report from the Planning Commission on said application as provided by Section 10-2.2114 of the Modesto Municipal Code.

BE IT FURTHER RESOLVED that the City Council's decision in this matter shall not be final until such time as the City Council receives and acts upon a further report of the Planning Commission; provided, however, that failure of the Planning Commission to act within forty (40) days of receipt of said request shall automatically make said decision final.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of April, 1962, by Councilman Johansen, who moved its adoption, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Johansen, Mitchell, Shastid, Tabbert, VanderWall
NOES:	Councilmen:	Patton, Mayor Hammond
ABSENT:	Councilmen:	None

ATTEST: _____
City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-192

A RESOLUTION APPROVING APPROPRIATION TRANSFER FOR CONSTRUCTION OF INSTRUCTIONAL WADING POOL IN ROOSEVELT PARK

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the following appropriation transfer be approved:

From: Special Capital Outlay,
Parks Development, Whitmore(321-503) $2,500

To: Special Capital Outlay,
Parks Development, Roosevelt (321-503) $2,500

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of April, 19 62, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Patton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: [signature]
CITY CLERK

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-193

A RESOLUTION SETTING THE TIME AND PLACE FOR A PUBLIC HEARING BEFORE THE COUNCIL OF THE CITY OF MODESTO ON A PROPOSED AMENDMENT TO ZONING MAP, SECTION 29 (Vicinity of Elm, Chestnut and Laurel Streets)

WHEREAS, the Modesto City Planning Commission held a public hearing on April 17, 19 62, in the Council Chamber for the purpose of considering an amendment to Section 29 of the Zoning Map (Vicinity of Elm, Chestnut and Laurel Streets)

the following described property:

Beginning at a point at the intersection of the center lines of the proposed 99 Freeway and M Street; thence northeasterly along the center line of M Street to the center line of 7th Street; thence northwesterly along the center line of 7th Street to the center line of Washington Street; thence northerly along the center line of Washington Street to the west right-of-way line of 8th Street; thence along said west line of 8th Street to the center line of the alley in Block 435; thence westerly along the center line of said alley through Blocks 435, 434, and 433 to the east line of the right-of-way of Modesto Irrigation District Lateral #4; thence southerly along the east boundary line of the right-of-way of said Lateral #4 to the center line of the proposed 99 Freeway; thence southerly along the center line of said proposed 99 Freeway to the point of beginning,

and

WHEREAS, the said Commission, after hearing evidence both oral and documentary, on the proposed amendment, adopted Resolution No. 786 recommending to the Council that rezoning of the area as requested was required by public necessity, convenience and general welfare,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that a public hearing on the proposed amendment be set for 8:00 P.M., o'clock, May 14, 19 62, in the Council Chamber of the City of Modesto as recommended by the Modesto City Planning Commission.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of April, 19 62, by Councilman Shastid, who moved its adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: [signature]
City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 62-194

A RESOLUTION APPROVING REQUESTS OF THE STANISLAUS COUNTY FOURTH OF JULY COMMITTEE FOR THE CELEBRATION BEING HELD IN THE CITY OF MODESTO, JULY 4, 1962

WHEREAS, the Stanislaus County Fourth of July Committee has filed the following requests relating to its celebration being held in the City of Modesto, Wednesday, July 4, 1962:

1. That I Street, between 11th and 12th Streets, be barricaded between 9:30 A.M. and 3:30 P.M;

2. That permission be granted for the use of the City's reviewing stand with canvas top, to be placed in the Courthouse Park by city personnel on Tuesday, July 3;

3. That the Committee be granted permission to use a public address system at the reviewing stand;

4. That the use of Del Webb Field for entertainment and display of fireworks on the evening of July 4, 1962 be approved, and

5. That the parade route used in previous years be approved;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the requests of the Stanislaus County Fourth of July Committee be approved, subject to the following conditions:

1. That the parade route be cleared by the Police Department and Parking and Traffic Department;

2. That the use of Del Webb Field to display fireworks be approved on the conditions:

(a) That the weather conditions will not create any fire hazard to the surrounding area;

(b) That the City be held harmless from and against any and all costs, damages and liability arising out of the use of the field;

(c) That the Committee assume the responsibility for cleaning the field after its use;

(d) That the City be reimbursed for any damages which may occur to the field and the two golf courses;

(e) That arrangements be cleared by the Parks and Recreation and Police Departments.

BE IT FURTHER RESOLVED that the City Clerk shall furnish Permittee with a copy of this resolution. Permittee shall have ten (10) days from and after the adoption of this resolution within which to file written acceptance of this permit with the City Clerk, and no right shall be conferred hereby until said acceptance is filed.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of May, 1962 by Councilman Shastid, who moved its adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the resolution adopted by the following vote:

Councilmen:
AYES: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: None

ABSENT: None

ATTEST: Rex E. Gailfus, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 62-195

A RESOLUTION PETITIONING THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS TO EXCLUDE ALL PROPERTY WITHIN THE INCORPORATED LIMITS OF THE CITY OF MODESTO FROM COUNTY TAX LEVY FOR SUPPORT OF FIRE PROTECTION IN THE COUNTY PURSUANT TO THE PROVISIONS OF GOVERNMENT CODE SECTION 25643.

WHEREAS, the County of Stanislaus does now, and for many years prior hereto has levied a County tax each fiscal year upon property within the County, including property within the corporate limits of the City of Modesto, assessed for tax purposes, to provide county funds for structural fire protection of areas in the County, and

WHEREAS, Government Code Section 25643 provides that the Board of Supervisors shall exclude from such tax levy property within the incorporated limits of an incorporated city having an organized fire department in operation and existence and providing adequate structural fire protection within such incorporated city, and

WHEREAS, this Council finds that the City of Modesto does now, and for many years prior hereto has had an organized fire department in operation and existence, which is providing adequate fire protection to all property within the incorporated limits of said city, and no additional benefit in fire protection is received or required by such property from structural fire protection given by the County of Stanislaus,

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

1. That this Council does hereby petition the Board of Supervisors of the County of Stanislaus, pursuant to the provisions of Section 25643 of the Government Code of the State of California, to exclude all property within the incorporated limits of the City of Modesto, including all property which may hereafter

be annexed to said city prior to a tax levy being made thereupon, from a tax levy to provide county funds for structural fire protection of areas in the County of Stanislaus.

2. The City Clerk is hereby directed to certify and forward to the Clerk of the Board of Supervisors of Stanislaus County, a copy of this resolution.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of May, 1962, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: REX E. GAILFUS, City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-196

A RESOLUTION AUTHORIZING WORK TO BE PERFORMED BY CITY FORCES FOR INSTALLATION OF WATER MAIN IN BLOCK 90

WHEREAS, the Council of the City of Modesto adopted Resolution No. 62-176, on April 23, 1962, approving the plans and specifications for installation of water main in Block 90,

and directed the City Clerk to advertise for sealed proposals for doing said work, and providing that bids be submitted on the 1st day of May, 1962, and

WHEREAS, the City Clerk, in accordance with said Resolution, thereafter duly and regularly caused a notice to be published in the manner and for the time prescribed by law, and

WHEREAS, no bids were received pursuant to said notice, and

WHEREAS, the Director of Public Works estimates that the cost of such work to be performed by city forces for the sum of $585.00, which cost estimate has been approved by the City Manager, and

WHEREAS, the Council declares and determines that, in its opinion, based upon the estimate approved by the City Manager, the work in question may be performed better and more economically by the City with its own employees,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that, in accordance with the provisions of Section 1307 of the Charter of the City of Modesto, the City Manager is hereby authorized to proceed to have the work in question performed by the City by its own employees.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of May, 1962, by Councilman Shastid, who moved

its adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 62-197

A RESOLUTION ACCEPTING THE BID OF W. M. LYLES COMPANY FOR EXTENSION OF SANITARY SEWER FACILITIES, BLOCK W, AND INSTALLATION OF SANITARY SEWER RELIEF LINE IN CARVER ROAD

WHEREAS, Resolution No. 62-177, adopted by the Council of the City of Modesto on April 23, 1962, approved the plans and specifications for the extension of sanitary sewer facilities, Block W, and installation of a sanitary sewer relief line in Carver Road, and authorized the calling for bids, and

WHEREAS, the bids received for the extension of sanitary sewer facilities, Block W, and installation of sanitary sewer relief line in Carver Road were opened at 2:00 P.M., May 1, 1962 and later tabulated by the Public Works Department for the consideration of the Council, and

WHEREAS, the Director of Public Works has recommended that the bid of W. M. Lyles Company for $9,444.83

be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED that the bid of W. M. Lyles Company for $9,444.83 be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of May, 1962, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Johansen, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen None

ATTEST: [signature]
CITY CLERK

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-198

A RESOLUTION ACCEPTING THE BID OF A. TEICHERT & SON, INC. FOR CONSTRUCTION OF CHLORINE CONTROL STRUCTURES AT SEWAGE TREATMENT PLANT

WHEREAS, Resolution No. 62-178, adopted by the Council of the City of Modesto on April 23, 19 62, approved the plans and specifications for the construction of chlorine control structures at the Sewage Treatment Plant, and authorized the calling for bids, and

WHEREAS, the bids received for the construction of chlorine control structures at the Sewage Treatment Plant were opened at 2:15 P.M., May 1, 1962, and later tabulated by the Public Works Department for the consideration of the Council, and

WHEREAS, the Director of Public Works has recommended that the bid of A. Teichert & Son, Inc. for $7,562

be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED that the bid of A. Teichert & Son, Inc. for $7,562 be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of May, 19 62, by Councilman Johansen, who moved its adoption, which motion being duly seconded by Councilman Shastid, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen None

ATTEST: [signature]
CITY CLERK

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-199

A RESOLUTION ACCEPTING THE BID OF TIME SAVERS, INC. FOR ONE NEW RUBBER-TIRED TRACTOR

WHEREAS, Resolution No. 62-161, adopted by the Council of the City of Modesto on April 9, 1962, approved the plans and specifications for the purchase of one new rubber-tired tractor

and authorized the calling for bids, and

WHEREAS, the bids received for the rubber-tired tractor

were opened at 2:00 P.M., April 24, 1962 and later tabulated by the Public Works Department for the consideration of the Council, and

WHEREAS, the Director of Public Works has recommended that the bid of Time Savers, Inc. for $3,043

be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED that the bid of Time Savers, Inc. for $3,043 be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of May, 1962, by Councilman Johansen, who moved its adoption, which motion being duly seconded by Councilman Shastid, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen None

ATTEST: [signature]
CITY CLERK

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-200

A RESOLUTION ACCEPTING THE BID OF UTILITY BODY COMPANY FOR AERIAL MOBILE TOWER

WHEREAS, Resolution No. 62-150, adopted by the Council of the City of Modesto on April 2, 19 62, approved the plans and specifications for the purchase of one aerial mobile tower

and authorized the calling for bids, and

WHEREAS, the bids received for the purchase of one mobile aerial tower

were opened at 2:00 P.M., April 17, 1962 and later tabulated by the ~~Public Works~~ Finance Department for the consideration of the Council, and

WHEREAS, the Director of Public Works has recommended that the bid of UTILITY BODY COMPANY for $8,368.89

be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED that the bid of UTILITY BODY COMPANY for $8,368.89 be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of May, 19 62, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen None

ATTEST: [signature]
CITY CLERK

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-201

A RESOLUTION ACCEPTING THE BID OF GEORGE REED FOR THE FURNISHING OF THE CITY'S ANNUAL NEEDS FOR CRUSHED ROCK SCREENINGS

WHEREAS, the Finance Department of the City of Modesto has called for written and sealed bids for the furnishing of crushed rock screenings for the period beginning May 15, 1962 and ending May 14, 1963, and

WHEREAS, the bids received for the crushed rock screenings were opened at 2:00 P.M., April 9, 1962 and later tabulated by the Finance Department for the consideration of the Council, and

WHEREAS, the Director of Finance has recommended that the bid of George Reed of $2.95 per ton, less 10 cents per ton, 10th prox., be accepted as the lowest responsible bid;

NOW, THEREFORE, BE IT RESOLVED THAT THE BID OF George Reed in the sum of $2.95 per ton, less 10 cents per ton, 10th prox., be accepted and the Purchasing Agent instructed to purchase the annual needs at the rate specified.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of May, 1962, by Councilman Shastid, who moved its adoption, which motion being duly seconded by Councilman Johansen, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: Rex E. Gailfus, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 62-202

A RESOLUTION APPROVING APPROPRIATION TRANSFER FOR PURCHASE OF PACKER TRUCK

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the following appropriation transfer be approved:

From:	Service Working Captial, Revolving Fund Balance (512-91)	$9,354
To:	Service Working Capital, Packer Truck (512-504)	$9,354

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of May, 1962, by Councilman Shastid, who moved its adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: [signature]
CITY CLERK

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-203

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING THE CALLING FOR BIDS FOR A STREET SWEEPER

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

Section 1. The plans and specifications for a street sweeper,

copies of which are on file, are hereby accepted and approved.

Section 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 - 11th Street, in the City of Modesto, on May 22, 1962, at 2:00 P.M. and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form and manner provided by law.

Section 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of May, 19 62, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: _____
CITY CLERK

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-204

A RESOLUTION ACCEPTING THE BID OF GEORGE REED FOR THE FURNISHING OF LIQUID ASPHALT TO THE CITY OF MODESTO FOR THE PERIOD MAY 15, 1962 THROUGH MAY 14, 1963

WHEREAS, the Finance Department called for written and sealed bids for the furnishing of various grades of liquid asphalt to the City of Modesto for the period May 15, 1962 through May 14, 1963 and

WHEREAS, the bids received for the various grades of liquid asphalt were opened at 2:00 P.M. on April 16, 1962 and later tabulated by the Purchasing Agent for the consideration of the Council, and

WHEREAS, it was recommended by the Director of Finance that the low bid received from Douglas Oil Company, Bakersfield, California be rejected on the grounds that scheduling materials from out of town plants could possibly result in delay and waiting time on the part of city crews, and

WHEREAS, the Director of Finance has recommended that the low local bids of George Reed be accepted as the lowest responsible bids for the various grades of liquid asphalt;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bids of George Reed for various grades of liquid asphalt for the period beginning May 15, 1962 through May 14, 1963 be, and they are hereby accepted, and the Purchasing Agent instructed to purchase the annual needs at the rates specified.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of May, 1962, by Councilman Mitchell, who moved its adoption, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Tabbert, Shastid, VanderWall, Mayor Hammond

NOES: None

ABSENT: None

ATTEST

Rex E. Gailfus, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 62-205

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING THE CALLING FOR BIDS FOR THE IMPROVEMENT OF (UNIT A) ROSEBURG AVENUE, VIRGINIA TO ALMA; AND (UNIT B) GRANGER AVENUE, FLORIDA TO McHENRY AVENUE

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

Section 1. The plans and specifications for the improvement of (Unit A) Roseburg Avenue, Virginia to Alma; and (Unit B) Granger Avenue, Florida to McHenry Avenue

copies of which are on file, are hereby accepted and approved.

Section 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 - 11th Street, in the City of Modesto, on May 29, 1962, at 2:00 P.M. and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form and manner provided by law.

Section 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of May, 19 62, by Councilman Johansen, who moved its adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: [signature]
CITY CLERK

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-206

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING THE CALLING FOR BIDS FOR CONSTRUCTION OF A WADING POOL AT ROOSEVELT PARK

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

Section 1. The plans and specifications for the construction of a wading pool at Roosevelt Park,

copies of which are on file, are hereby accepted and approved.

Section 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 - 11th Street, in the City of Modesto, on May 18, 1962, at 2:00 P.M. and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form and manner provided by law.

Section 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of May, 1962, by Councilman Mitchell, who moved its adoption, which motion being duly seconded by Councilman Shastid, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: [signature]
CITY CLERK

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-207

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND CHARLES V. AND MARGUERITTE K. JEFFERS

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the Agreement between the City of Modesto and CHARLES V. AND MARGUERITTE K. JEFFERS, providing for the City to energize and maintain the seven street lights serving the forty-five lots in Strathmore Subdivision Unit No. 1

be, and it is hereby approved, and

BE IT FURTHER RESOLVED that the execution of said Agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of May, 1962, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: [signature]
CITY CLERK

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-208

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO, ~~AND~~ THE COUNTY OF STANISLAUS AND THE STATE OF CALIFORNIA FOR TRAFFIC SIGNALS ON U.S. 99 HIGHWAY AT COLDWELL AVENUE

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the Agreement between the City of Modesto, ~~and~~ the County of Stanislaus and the State of California

for traffic signals on U.S. 99 Highway at Coldwell Avenue

be, and it is hereby approved, and

BE IT FURTHER RESOLVED that the execution of said Agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of May, 19 62, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: [signature]
CITY CLERK

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-209

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND ANDY SILVA

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the Agreement between the City of Modesto and ANDY SILVA

for payment to City of Modesto its share of the proceeds derived from rentals of golf carts by Andy Silva at both Modesto Municipal Golf Course and Dryden Park Municipal Golf Course

be, and it is hereby approved, and

BE IT FURTHER RESOLVED that the execution of said Agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of May, 19 62, by Councilman Mitchell, who moved its adoption, which motion being duly seconded by Councilman Shastid, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: [signature]
CITY CLERK

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-210

A RESOLUTION AUTHORIZING THE RELEASE OF THE UNITED PACIFIC INSURANCE COMPANY PERFORMANCE BOND FILED TO GUARANTEE IMPROVEMENTS IN ROSE GARDENS UNIT NO. 1 SUBDIVISION

WHEREAS, Inland Empire Developers, Inc., Subdividers of Rose Gardens Unit No. 1 Subdivision, has filed with the City of Modesto a performance bond to guarantee improvements in the aforesaid subdivision, and

WHEREAS, the Director of Public Works has reported that the improvements have been completed in the aforesaid subdivision to his satisfaction, and has recommended the release of the performance bond,

NOW, THEREFORE, BE IT HEREBY RESOLVED that the United Pacific Insurance Company Performance Bond No. B93356 in the sum of $41,500 filed by Inland Empire Developers, Inc., to guarantee the improvements in Rose Gardens Unit No. 1 Subdivision, be and it is hereby released.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of May, 1962, by Councilman Shastid, who moved its adoption, which motion being duly seconded by Councilman Johansen, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: Rex E. Gailfus, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 62-211

A RESOLUTION AUTHORIZING THE RELEASE OF THE UNITED PACIFIC INSURANCE COMPANY PERFORMANCE BOND FILED TO GUARANTEE IMPROVEMENTS IN ROSE GARDENS UNIT NO. 2 SUBDIVISION

WHEREAS, Inland Empire Developers, Inc., Subdividers of Rose Gardense Unit No. 2 Subdivision, has filed with the City of Modesto a performance bond to guarantee the improvements in the aforesaid subdivision, and

WHEREAS, the Director of Public Works has reported that the improvements have been completed in the aforesaid subdivision to his satisfaction, and has recommended the release of the performance bond,

NOW, THEREFORE, BE IT HEREBY RESOLVED that the United Pacific Insurance Company Performance Bond No. B93357 in the sum of $12,300 filed by Inland Empire Developers, Inc., to guarantee the improvements in Rose Gardens Unit No. 2 Subdivision, be and it is hereby released.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of May, 1962, by Councilman Johansen, who moved its adoption, which motion being duly seconded by Councilman Mitchell, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:
REX E. GAILFUS, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 62-212

A RESOLUTION SETTING THE TIME AND PLACE FOR THE HEARING ON THE APPEAL TO THE DECISION OF THE MODESTO CITY BOARD OF ZONING ADJUSTMENT FILED BY MRS. HELEN RHODES FOR A CONDITIONAL USE PERMIT

WHEREAS, the Modesto City Board of Zoning Adjustment held a public hearing in the Council Chambers located at 801 11th Street, in the City of Modesto, on April 26, 1962, for the purpose of considering an application filed by Mrs. Helen Rhodes on March 30, 1962, for a conditional use permit for a rest home to house eight elderly persons at 202 West Morris Avenue, Modesto, California, and

WHEREAS, said Board, after hearing evidence, both oral and documentary, adopted Resolution No. 168, denying the request for a conditional use permit, and

WHEREAS, on April 27, 1962, Mrs. Helen Rhodes filed an appeal with the City Clerk on the decision of the Board of Zoning Adjustment denying her application for a conditional use permit, and

WHEREAS, Section 10-2.2012 of the Municipal Code of the City of Modesto requires that the Council hold a public hearing within a period not to exceed 40 days following the filing of a written appeal from a decision of the Board denying the application for a conditional use permit,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that a public hearing on the appeal to the decision of the Modesto City Board of Zoning Adjustment filed by Mrs. Helen Rhodes be set for Monday, May 28, 1962, at 8:00 P.M., in the Council Chambers of the City of Modesto.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto on the 7th day of May, 1962, by Councilman Shastid, who moved its adoption, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: _____
CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 62-213

A RESOLUTION REFERRING TO THE MODESTO CITY PLANNING COMMISSION A PETITION FOR ANNEXATION OF CERTAIN UNINHABITED TERRITORY TO THE CITY OF MODESTO, KNOWN AS WYLIE ADDITION.

WHEREAS, a petition has been filed in the office of the City Clerk requesting the annexation of certain uninhabited territory to the City of Modesto, which territory is more specifically described hereinafter, and

WHEREAS, the County Boundary Commission has certified to the definiteness and accuracy of the boundaries of said territory,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that said petition for the annexation of the following described uninhabited territory be referred to the Planning Commission for its report and recommendation.

The territory herein referred to is situated in the County of Stanislaus, State of California, and more particularly described as follows:

WYLIE ADDITION

All that real property in the State of California, County of Stanislaus, Section 22, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, being a portion of Lots 19 and 22 of the Broughton Colony Tract, as per map filed March 17, 1904, in Volume 1 of Maps, at Page 78, Stanislaus County Records, described as follows:

Beginning at the Southeastern corner of the existing City Limits as established by the Lorenzen Addition, as per description filed June 27, 1961, as Instrument 20145, Stanislaus County Records, said point being on the Western line of a 40 foot Public Right of Way known as Rose Avenue, as per map of said Broughton Colony Tract; thence along the Western line of said Rose Avenue, South 0° 35' East, 822.74 feet, to the Southern line of Lot 22 of said Broughton Colony Tract; thence along the Southern line of Lot 22, North 89° 56' 15" West, 400.00 feet; thence parallel with the Western line of Rose Avenue, North 0° 35' West, 822.88 feet, to the Southern line of said Lorenzen Addition; thence along the Southern line of said Lorenzen Addition, South 89° 55' East, 400.00 feet, to the point of beginning, containing 7.556 Acres, more or less.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of May, 1962, by Councilman Shastid, who moved its adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: _____
City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-214

A RESOLUTION WITHDRAWING CERTAIN DESCRIBED TERRITORY FROM THE WOODLAND FIRE PROTECTION DISTRICT BY REASON OF ITS ANNEXATION TO THE CITY OF MODESTO. (DAVIS HIGH SCHOOL ADDITION)

WHEREAS, a portion of the Woodland Fire Protection District was annexed to the City of Modesto by Ordinance No. 505 -C.S., adopted on April 9, 19 62, and

WHEREAS, said territory officially became a part of the City on April 12, 19 62, and

WHEREAS, the Health and Safety Code of the State of California provides that whenever any portion of such a District is included within a city by reason of annexation, such portion may be withdrawn from the District by the filing with the State Board of Equalization, the governing body of the District, and the County Assessor of copies of a resolution of the legislative body of the city, describing the included portion, and declaring such portion withdrawn, and

WHEREAS, it is to the best interests of the residents in the area of said Fire District which has been annexed to the City that the area be withdrawn from said Fire District and provided fire prevention and fire fighting services by the City,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the following described territory be withdrawn from the boundaries of the Woodland Fire Protection District:

DAVIS HIGH SCHOOL ADDITION

All that real property in the State of California, County of Stanislaus, being portions of Sections 7, 8, 17 and 18, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at the Section Corner common to Sections 7, 8, 17 and 18, said point being on the existing City Limits as established by the Southern line of the Neighborhood Church Addition, as per description filed February 2, 1961 as Instrument 3513, Stanislaus County Records, and also being the Center Line of a Public right of way known as Tully Road; thence along the existing City Limits, North 0° 48' 30" West, 20.00 feet, to the Westerly extension of the Northern line of a Public right of way known as Rumble Road, as per map of the Standiford Colony, filed December 11, 1912, in Volume 7 of Maps, Page 17, Stanislaus County Records; thence along said Northern line of Rumble Road and the existing City Limits, South 89°00' 30" East, 1318.54 feet, to the Northerly extension of the Eastern line of the Northwest quarter of the Northwest quarter of Section 17; thence along said North-South quarter, quarter section line, South 0° 51' East, 1339.83 feet, to the Southeast corner of the Northwest quarter of the Northwest quarter and the existing City Limits, as established by the Northern line of the Bel-Air Addition, as per description filed September 30, 1955, as Instrument 29228, Stanislaus County Records; thence along said East-West quarter, quarter section line and the existing City Limits, North 88° 55' 30" West, 1018.81 feet; thence continuing along the existing City Limits, North 51° 18' 10" West, 415.64 feet, to the Western line of Tully Road, which is 20 feet at right angles Westerly from the Section Line common to Sections 17 and 18, and the existing City Limits as established by the Eastern line of the Gregory Gardens No. 4 Addition, as per description filed May 28, 1959, as Instrument 15694, Stanislaus County Records; thence along said Western line of Tully Road and the existing City Limits, North 0° 48' 30" West, 1063.88 feet to the Section Line common to Sections 7 and 18 and the Southern line of the Neighborhood Church Addition; thence along the existing City Limits, South 89° 18' 30" East, 20.00 feet to the point of beginning, containing 40.193 Acres, more or less.

BE IT FURTHER RESOLVED that the City Clerk be, and he is hereby directed to file a certified copy of this resolution with the State Board of Equalization, the governing body of said Fire Protection District, and the Assessor of Stanislaus County.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of May, 19 62, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Patton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: _____
City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62- 215

A RESOLUTION WITHDRAWING CERTAIN DESCRIBED TERRITORY FROM THE McHENRY-DRY CREEK FIRE PROTECTION DISTRICT BY REASON OF ITS ANNEXATION TO THE CITY OF MODESTO. (DRAKE ADDITION)

WHEREAS, a portion of the McHenry-Dry Creek Fire Protection District was annexed to the City of Modesto by Ordinance No. 508 -C.S., adopted on April 23, 19 62, and

WHEREAS, said territory officially became a part of the City on April 26, 19 62, and

WHEREAS, the Health and Safety Code of the State of California provides that whenever any portion of such a District is included within a city by reason of annexation, such portion may be withdrawn from the District by the filing with the State Board of Equalization, the governing body of the District, and the County Assessor of copies of a resolution of the legislative body of the city, describing the included portion, and declaring such portion withdrawn, and

WHEREAS, it is to the best interests of the residents in the area of said Fire District which has been annexed to the City that the area be withdrawn from said Fire District and provided fire prevention and fire fighting services by the City,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the following described territory be withdrawn from the boundaries of the McHenry-Dry Creek Fire Protection District:

DRAKE ADDITION

All that real property in the State of California, County of Stanislaus, Section 21, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits as established by the Granger Addition as per description filed December 4, 1953, as Instrument 30044, Stanislaus County Records, said point also being the Northwestern corner of the East Orangeburg Addition as per description filed June 29, 1960, as Instrument 18295, Stanislaus County Records; thence along said existing City Limits, North 0° 10' West, 510.00 feet to a point on the existing City Limits as established by the McHenry Village Addition as per description filed May 11, 1954, as Instrument 11745, Stanislaus County Records; thence along said existing City Limits South 89° 00' East, 340.40 feet; thence continuing along said City Limits, South 0° 10' East, 160.00 feet, to the Northern line of a 40 foot Public Road known as Coolidge Avenue; thence continuing along said existing City Limits and the Northern line of Coolidge Avenue, South 89° 00' East, 149.60 feet; thence South 0° 10' East, 125.00 feet, along the Eastern line and its Northerly extension of the property of Leslie and Pearl Lankford, as per deed Recorded May 15, 1961, as Instrument 15252, Stanislaus County Records; thence South 89° 00' East, 95.00 feet, along the Northern line of the property of Joseph and Josephine Stallone, as per deed Recorded September 17, 1958, as Instrument 23249, Stanislaus County Records; thence South 0° 10' East 85.00 feet, along the Eastern line of said Stallone property, to the Northern line of a 50 foot Public Road known as Drake Avenue; thence along the Northern line of Drake Avenue, North 89° 00' West, 115.00 feet to a point on the Northerly extension of the Eastern line of the property of Manuel and Angie DePonte, as per deed Recorded February 21, 1961, as Instrument 5422, Stanislaus County Records; thence South 0° 10' East, 140.00 feet, along the Eastern line and its Northerly extension of said DePonte property to the existing City Limits as established by the East Orangeburg Addition; thence along said City Limits, North 89° 00' West, 470.00 feet, to the point of beginning, containing 5.306 Acres, more or less.

BE IT FURTHER RESOLVED that the City Clerk be, and he is hereby directed to file a certified copy of this resolution with the State Board of Equalization, the governing body of said Fire Protection District, and the Assessor of Stanislaus County.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of May, 19 62, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Shastid, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: None

ABSENT: None

ATTEST: _____
City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-216

A RESOLUTION APPROVING THE FINAL MAP OF THE DOWNEY PARK NO. 3 SUBDIVISION OF THE CITY OF MODESTO.

WHEREAS, ARTHUR J. WYLIE and FLORENCE E. WYLIE, husband and wife, are possessed of a tract of land situate in the City of Modesto, County of Stanislaus, consisting of 2.13 acres, known as the DOWNEY PARK NO. 3 SUBDIVISION, and

WHEREAS, a tentative map of said tract was approved by the City Planning Commission on the 15th day of August, 19 61, and

WHEREAS, the final map of said tract has been approved by the Secretary of the City Planning Commission, and

WHEREAS, the City Engineer of the City of Modesto has certified that the final map of said DOWNEY PARK NO. 3 SUBDIVISION meets all of the provisions of the California Subdivision Map Act and the provisions of the Modesto Municipal Code relating to subdivisions, and that the map is technically correct;

NOW, THEREFORE, BE IT RESOLVED that said final map of the DOWNEY PARK NO. 3 SUBDIVISION be approved; that the streets, alleys, and easements as shown thereon within the boundaries of said tract be accepted on behalf of the public for public use; and that the City Clerk be authorized to certify the map of said tract on behalf of the City of Modesto after the fees in the amount of TWO HUNDRED THIRTY-FOUR and 70/100ths ($234.70) Dollars, as required by the Modesto Municipal Code, for checking, copies of maps, recording, and parks and playgrounds have been paid, and subdividers have furnished a bond acceptable to the City Attorney, or, in lieu thereof, have posted a cash deposit with the City Clerk in the sum of FIVE THOUSAND THREE HUNDRED and No/100ths ($5,300.00) Dollars.

BE IT FURTHER RESOLVED that the City Manager and the City Clerk be authorized to execute and attest, respectively, an agreement

with subdividers as required by Section 4-4.604 (c) of the Modesto Municipal Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of May, 1962, by Councilman Shastid, who moved its adoption, which motion being duly seconded by Councilman Johansen, was upon roll call carried and the resolution adopted by the following vote:

AYES: **Councilmen:** Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: **Councilmen:** None

ABSENT: **Councilmen:** None

ATTEST: _____
City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-217

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING THE CALLING FOR BIDS FOR THE CONSTRUCTION OF TENNIS COURTS AT ROOSEVELT PARK

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

Section 1. The plans and specifications for the construction of tennis courts at Roosevelt Park,

copies of which are on file, are hereby accepted and approved.

Section 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 - 11th Street, in the City of Modesto, on May 29, 1962, at 2:15 P.M. and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form and manner provided by law.

Section 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of May, 1962, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Shastid, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: [signature]
CITY CLERK

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-218

A RESOLUTION APPROVING RENEWAL OF AGREEMENT BETWEEN THE CITY OF MODESTO AND STANDARD OIL COMPANY FOR A PORTION OF THE CITY-COUNTY AIRPORT

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the renewal of the Agreement between the City of Modesto and Standard Oil Company for a portion of the Modesto City-County Airport property for an additional period of one year beginning May 12, 1962 and ending May 11, 1963, be, and it is hereby approved, and

BE IT FURTHER RESOLVED that the execution of said Agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of May, 19 62, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: [signature]
CITY CLERK

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-219

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND DANA DEVELOPMENT ASSOCIATION FOR RENEWAL OF LEASE FOR SILVERTHORN BRANCH LIBRARY

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the Agreement between the City of Modesto and Dana Development Association for renewal of the lease for Silverthorn Branch Library for an additional period of three (3) years, beginning May 1, 1962, and ending on April 30, 1965, upon the same terms and conditions as set forth in the original lease agreement dated May 4, 1960, be, and it is hereby approved, and

BE IT FURTHER RESOLVED that the execution of said Agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of May, 19____, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Mitchell, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: [signature]
CITY CLERK

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-220

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND CALIFORNIA STATE ATHLETIC CLUB, INC. FOR THE USE OF DEL WEBB FIELD FOR WRESTLING MATCHES

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the Agreement between the City of Modesto and the California State Athletic Club, Inc.
for the use of Del Webb Field for wrestling matches on specified dates when the field is not being used for baseball games or other civic events
be, and it is hereby approved, and

BE IT FURTHER RESOLVED that the execution of said Agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of May, 1962, by Councilman Johansen, who moved its adoption, which motion being duly seconded by Councilman Shastid, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: None

ATTEST: [signature]
CITY CLERK

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-221

A RESOLUTION AUTHORIZING THE RELEASE OF CASH DEPOSIT GUARANTEEING PAVEMENT PATCHING IN MC HENRY HIGHLANDS

WHEREAS, Teakwood Terrace, Inc., Subdivider of McHenry Highlands Subdivision, has deposited with the City of Modesto the sum of $1500 to guarantee the patching of pavement in McHenry Highlands Subdivision, and

WHEREAS, the Director of Public Works has reported that the patching of pavement has been completed in the aforesaid subdivision to his satisfaction,

NOW, THEREFORE, BE IT HEREBY RESOLVED that the sum of $1500 deposited with the City of Modesto by Teakwood Terrace, Inc. to guarantee pavement patching in McHenry Highlands be, and it is hereby, released.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of May, 1962, by Councilman Shastid who moved its adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the resoltuion adopted by the following vote:

Ayes: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST _____ City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-222

A RESOLUTION APPROVING THE FINAL MAP OF THE WILLOW ESTATES UNIT NO. 1 SUBDIVISION OF THE CITY OF MODESTO.

WHEREAS, PAUL D. McCRACKEN and CARL MADICK, individuals, are possessed of a tract of land situate in the City of Modesto, County of Stanislaus, consisting of 20.89 acres, known as the WILLOW ESTATES UNIT NO. 1 SUBDIVISION, and

WHEREAS, a tentative map of said tract was approved by the City Planning Commission on the 21st day of November, 1961, and

WHEREAS, the final map of said tract has been approved by the Secretary of the City Planning Commission, and

WHEREAS, the City Engineer of the City of Modesto has certified that the final map of said WILLOW ESTATES UNIT NO. 1 SUBDIVISION meets all of the provisions of the California Subdivision Map Act and the provisions of the Modesto Municipal Code relating to subdivisions, and that the map is technically correct;

NOW, THEREFORE, BE IT RESOLVED that said final map of the WILLOW ESTATES UNIT NO. 1 SUBDIVISION be approved; that the streets, alleys, and easements as shown thereon within the boundaries of said tract be accepted on behalf of the public for public use; and that the City Clerk be authorized to certify the map of said tract on behalf of the City of Modesto after the fees in the amount of Three Thousand Nine Hundred Thirty-three and 20/100ths ($3,933.20) Dollars, as required by the Modesto Municipal Code, for checking, copies of maps, recording, and parks and playgrounds have been paid, and subdividers have furnished a bond acceptable to the City Attorney, or, in lieu thereof, have posted a cash deposit with the City Clerk in the sum of Seventy Thousand and No/100ths ($70,000.00) Dollars.

BE IT FURTHER RESOLVED that the City Manager and the City Clerk be authorized to execute and attest, respectively, an agreement

with subdividers as required by Section 4-4.604 (c) of the Modesto Municipal Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of May, 1962, by Councilman Johansen, who moved its adoption, which motion being duly seconded by Councilman Shastid, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: [signature]
City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-223

A RESOLUTION AUTHORIZING THE INSTITUTION OF CONDEMNATION PROCEEDINGS TO ACQUIRE CERTAIN REAL PROPERTY IN THE CITY OF MODESTO TO BE USED FOR STREET WIDENING PURPOSES. **(Widening of Santa Barbara, Lengyel)**

BE IT RESOLVED by the Council of the City of Modesto that it finds and determines and hereby declares that:

The public interest, convenience, and necessity require the acquisition of certain real property to be used for street widening purposes.

The use of said real property for street widening purposes is a public use authorized by law.

The proposed widening of said street is planned in a manner which will be most compatible with the greatest public good and the least private injury; and

BE IT FURTHER RESOLVED that the City Attorney of the City of Modesto be authorized and directed to commence and maintain in the name of the City of Modesto such actions and proceedings of eminent domain in the Superior Court of the State of California, in and for the County of Stanislaus, as are necessary for the purpose of condemning and acquiring the hereinafter described real property for the purposes and uses aforesaid.

BE IT FURTHER RESOLVED that the City Attorney be authorized to make application to said Court for an order fixing the amount of such security in the way of money deposit as such Court may direct, for an order permitting the City of Modesto to take immediate possession and use of said real property for the purposes and uses aforesaid.

BE IT FURTHER RESOLVED that the City Manager and City Auditor be authorized to make such deposits of such security out of proper funds under the control of the City in such amounts as so fixed and determined and in such manner as said Court in which said condemnation proceedings are pending may direct.

The real property hereinabove referred to, the condemnation of which is hereby authorized for the purpose aforesaid, is situated in the City of Modesto, Modesto Irrigation District, County of Stanislaus, State of California, and is more particularly described as follows:

4/19/62

All that real property in the State of California, County of Stanislaus, City of Modesto, Section 27, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

The Western 10.00 feet, measured at right angles, of all that portion of Lot 7 of the SEVERIN COLONY, as per map filed July 18, 1908, in Volume 3 of Maps, Page 47, Stanislaus County Records, lying South and West of the Southerly line of La Loma known as the 19th Street Extension.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of May, 1962, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Patton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: _____
City Clerk

(SEAL)

4/19/62

MODESTO CITY COUNCIL
RESOLUTION NO. 62-224

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND RONALD DODSON, MARTHA DODSON, EUGENE WHEELER AND DOROTHY WHEELER RELATING TO SANITARY SEWER LINE CONSTRUCTED IN CLAYTON AVENUE, WEST OF CARVER ROAD

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the Agreement between the City of Modesto and Ronald Dodson, Martha Dodson, Eugene Wheeler and Dorothy Wheeler, which provides ~~for~~ that property on the south side of Clayton Avenue may connect to the sewer line and funds collected therefor by the City be placed in a trust account to be paid to the developers of the sewer line be, and it is hereby approved, and

BE IT FURTHER RESOLVED that the execution of said Agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of May, 19 62, by Councilman Johansen, who moved its adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: [signature]
CITY CLERK

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-225

A RESOLUTION REFERRING TO THE MODESTO CITY PLANNING COMMISSION A PETITION FOR ANNEXATION OF CERTAIN UNINHABITED TERRITORY TO THE CITY OF MODESTO, KNOWN AS KLEMM ADDITION.

WHEREAS, a petition has been filed in the office of the City Clerk requesting the annexation of certain uninhabited territory to the City of Modesto, which territory is more specifically described hereinafter, and

WHEREAS, the County Boundary Commission has certified to the definiteness and accuracy of the boundaries of said territory,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that said petition for the annexation of the following described uninhabited territory be referred to the Planning Commission for its report and recommendation.

The territory herein referred to is situated in the County of Stanislaus, State of California, and more particularly described as follows:

KLEMM ADDITION

All that real property in the State of California, County of Stanislaus, Section 13, Township 3 South, Range 8 East, Mount Diablo Base and Meridian, described as follows:

Beginning at the Northwestern corner of the existing City Limits as established by the Park Manor Addition, as per description filed June 2, 1960, as Instrument 15668, Stanislaus County Records, said corner also being the Southeastern corner of the property conveyed to Walter Kellstrom, et ux, as per deed recorded January 8, 1957, as Instrument 715, Stanislaus County Records; thence along the Eastern line of said Kellstrom property, North 00° 40' West, 317.82 feet, to the Southeastern corner of the property conveyed to Magdalena A. Conant, as per deed recorded May 13, 1939, as Instrument 5874, Stanislaus County Records; thence along the Southern line of said Conant property, South 88° 59' 30" West, 816.13 feet, to the Northwestern corner of said Kellstrom property; thence along the Western line of the Kellstrom property, South 0° 40' East, 322.90 feet, to the Southwestern corner of the Kellstrom property and the Southeastern corner of the property conveyed to Lloyd L. Cunningham, et ux, as per deed recorded January 8, 1957, as Instrument 632, Stanislaus County Records, said corner also being a point on the Northern line of the property conveyed to Walter Kellstrom, et ux, as per deed recorded January 2, 1952, as Instrument 77, Stanislaus County Records; thence along the Southern line of the Cunningham property and the Northern line of said Kellstrom property, South 88° 39' West, 471.97 feet, to a point on the Eastern line of a 40.00 foot Public Road known as Conant Avenue said line being parallel with and 40.00 feet, at right angles, Easterly from the North-South quarter section line of Section 13; thence along the Eastern line of Conant Avenue, South 0° 40' East, 320.68 feet, to a point on the Northern line of the existing City Limits as established by the Gish Addition, as per description filed August 3, 1961, as Instrument 24553, Stanislaus County Records; thence along the Northern line of the Gish Addition, North 88° 59' 30" East, 1286.99 feet, to a point on the Western line of the Park Manor Addition; thence along said Western line, North 0° 40' West, 328.33 feet, to the point of beginning, containing 15.590 Acres, more or less.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of May, 19 62, by Councilman Tabbert, who moved its adoption, which motion being duly seconded by Councilman Mitchell, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: [signature]
City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-226

A RESOLUTION REFERRING TO THE MODESTO CITY PLANNING COMMISSION A PETITION FOR ANNEXATION OF CERTAIN UNINHABITED TERRITORY TO THE CITY OF MODESTO, KNOWN AS STENSAAS ADDITION.

WHEREAS, a petition has been filed in the office of the City Clerk requesting the annexation of certain uninhabited territory to the City of Modesto, which territory is more specifically described hereinafter, and

WHEREAS, the County Boundary Commission has certified to the definiteness and accuracy of the boundaries of said territory,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that said petition for the annexation of the following described uninhabited territory be referred to the Planning Commission for its report and recommendation.

The territory herein referred to is situated in the County of Stanislaus, State of California, and more particularly described as follows:

STENSAAS ADDITION

All that real property in the State of California, County of Stanislaus, Section 19, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits as established by the Northeastern corner of the Campus Edge Addition, as per description filed July 24, 1956, as Instrument 20020, Stanislaus County Records, said point being on the center line of a 60 foot Public Road known as Carver Road; thence along the existing City Limits, the following courses, North 89° 15' West, 220.00 feet, North 00° 02' East, 50.00 feet, North 89° 15' West, 40.00 feet; thence along the Eastern line and its Northerly extension, of the property conveyed to Ronald L. Dodson, et al, by deed Recorded November 22, 1960, as Instrument 33258, Stanislaus County Records, North 00° 02' East, 200.00 feet, to a point on the Northern line of a 50 foot Public Road known as Clayton Avenue; thence along said Northern line, South 89° 15' East, 23.26 feet, to the Eastern line of the property conveyed to Joseph S. Enos, et ux, by deed Recorded January 27, 1948, as Instrument 1975, Stanislaus County Records; thence along said Eastern line, North 00° 02' East, 114.88 feet, to a point on the existing City Limits as established by the Southern line of the Garrison School Addition as per description filed January 29, 1957, as Instrument 2646; thence along said Southern line, South 89° 16' 30" East, 236.74 feet, to a point on the existing City Limits as established by the Western line of the Northwest Addition as per description filed December 10, 1951 as Instrument 28460, said point being on the center line of Carver Road; thence along said City Limits, South 00° 02' West, 364.99 feet, to the point of beginning, containing 2.070 Acres, more or less.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of May, 1962, by Councilman Shastid, who moved its adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: _____
City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-227

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING THE CALLING FOR BIDS FOR THE CONSTRUCTION OF WATER MAINS IN WILLOW ESTATES NO. 1 AND DOWNEY PARK NO. 3 SUBDIVISION

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

Section 1. The plans and specifications for the construction of water mains in Willow Estates No. 1 and Downey Park No. 3 Subdivisions, copies of which are on file, are hereby accepted and approved.

Section 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 - 11th Street, in the City of Modesto, on June 5, 1962, at 2:15 P.M., and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form and manner provided by law.

Section 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 21st day of May, 1962, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Johansen, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: [signature]
CITY CLERK

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-228

A RESOLUTION APPROVING APPROPRIATION TRANSFER FOR FRONT-END LOADER REPLACEMENT

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the following appropriation transfer be approved:

From:	Service Working Capital (512) Service Division (48), Rubber-tired Roller Replacement (504)	$687.00
To:	Service Working Capital (512) Service Division (48) Frong-end Loader Replacement	$687.00

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 21st day of May, 1962, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: [signature]
CITY CLERK

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-229

A RESOLUTION AUTHORIZING EXERCISING OF OPTION ON CONTRACT WITH UNITED STATES PIPE & FOUNDRY CO. FOR ADDITIONAL PIPE

WHEREAS, Resolution No. 61-458, adopted by the Council of the City of Modesto on October 30, 1961, accepted the bid of United States Pipe & Foundry Co. for pipe, valves and fittings forthe fiscal year 1961-62, and

WHEREAS, the bid specifications for said pipe, valves and fittings authorized the option of purchasing an additional 30% over the contract quantities; and

WHEREAS, the Director of Public Works has requested authorization to purchase 7200 feet of 6" cast iron pipe,

NOW, THEREFORE, BE IT RESOLVED that the contract option with United States Pipe & Foundry Co. be exercised to purchase 7200 feet of 6" cast iron pipe at $1.85 per foot, per bid dated October 17, 1961.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 21st day of May, 1962, by Councilman Shastid, who moved its adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: _____
City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-230

A RESOLUTION AUTHORIZING EXERCISING OF OPTION ON CONTRACT WITH GRINNELL COMPANY OF THE PACIFIC FOR ADDITIONAL PIPE

WHEREAS, Resolution No. 61-459, adopted by the Council of the City of Modesto on October 30, 1961, accepted the bid of Grinnell Company of the Pacific for pipe, valves and fittings for the fiscal year 1961-62, and

WHEREAS, the bid specifications for said pipe, valves and fittings authorized the option of purchasing an additional 30% over the contract quantities; and

WHEREAS, the Director of Public Works has requested authorization to purchase 4800 feet of 8" cement asbestos pipe and 300 feet of 10" cement asbestos pipe,

NOW, THEREFORE, BE IT RESOLVED that the contract option with Grinnell Company of the Pacific be exercised to purchase 4800 feet of 8" cement asbestos pipe at $1.69 per foot, and 300 feet of 10" cement asbestos pipe at $2.30 per foot, per bid dated October 17, 1961.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 21st day of May, 1962, by Councilman VanderWall, who moved its adoption, which being duly seconded by Councilman Shastid, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: [signature]
City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-231

A RESOLUTION ACCEPTING THE CONSTRUCTION OF A DEEP WELL PUMP AND ELECTRICAL EQUIPMENT FOR PUMP STATION NO. 24

WHEREAS, a report has been filed by the Director of Public Works that the construction of a deep well pump and electrical equipment for Pump Station No. 24
has been completed by Johnston Pump Company

in accordance with the contract agreement, dated January 11, 19 62,

NOW, THEREFORE, BE IT RESOLVED that the construction of a deep well pump and electrical equipment for Pump Station No. 24 be accepted from said contractor, Johnston Pump Company,

that Notice of Completion be filed with the Recorder of Stanislaus County and that payment of amounts due, as provided in the contract, be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 21st day of May, 19 62, by Councilman Shastid, who moved its adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: None

ATTEST: [signature]
CITY CLERK

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62- 232

A RESOLUTION DECLARING THE INTENTION OF THE CITY OF MODESTO TO SELL CERTAIN REAL PROPERTY BELONGING TO THE CITY.

WHEREAS, that property delineated as Parcel B as shown on the drawing entitled "Record of Survey, Northern Boulevard and Blocks 6195 and 6196, Snedigar Property, File No. 3-C-96", dated January 19, 1962, on file in the office of the Director of Public Works is the property of the City of Modesto, and is zoned Commercial Industrial (C-M), and

WHEREAS, this property is being sold with the understanding that there shall be no vehicular access to or from Northern Boulevard whatsoever, and

WHEREAS, said real property will not, at the time of delivery of title or possession, be needed for city purposes, and

WHEREAS, the City Council intends, and hereby declares its intention to sell and convey for cash, all its right, title and interest in and to the said real property hereinabove described,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that on the 18th day of June, 1962, at the hour of 1:00 o'clock P.M. in the office of the City Clerk at the City Hall, 801 11th Street, Modesto, California, it will receive and consider sealed proposals to purchase said hereinabove described parcel of real property.

BE IT FURTHER RESOLVED that on the 18th day of June, 1962, in the Council Chambers of the City Hall, 801 11th Street, Modesto, California, in public meeting, at the hour of 5:00 o'clock P.M., the City Council will receive and consider oral proposals to purchase said hereinabove described parcel of real property.

BE IT FURTHER RESOLVED that the original bid of each bidder ~~each bid~~ presented for the above described property, whether a written bid presented on June 18, 1962, at 1:00 o'clock P.M., or an oral bid presented on June 18, 1962, at 5:00 o'clock P.M., must be accompanied by cash or a cashier's check or a certified check, certified to by some responsible bank or banker, and made payable to the City of Modesto in the amount of Two Thousand, Five Hundred and no/100ths ~~an amount equal to at least ten (10%) percent of~~ ($2,500.00) Dollars,

~~the amount of his bid~~ to be retained by said City as agreed and liquidated damages should the party whose bid is accepted by the City Council fail to deposit with the City Clerk the amount of his bid within five (5) days after written notice of acceptance of said bid shall be given.

BE IT FURTHER RESOLVED that at said time and place above mentioned, to wit, at 1:00 o'clock P.M., June 18, 1962, all sealed proposals which have been received shall be opened, examined and declared by the City Clerk. Said bids shall be tabulated for Council information and presented at 5:00 o'clock P.M. on June 18, 1962, at which time the Council will sell to the highest responsible bidder said hereinbefore described real property, provided, however, that if upon a call for oral bidding in said session, any responsible person will offer to purchase said property upon the terms and conditions specified in this resolution for a purchase price exceeding the highest of said written proposals submitted to the Council by a sum of at least ten (10%) per cent on the first Ten Thousand and no/100ths ($10,000.00) Dollars of the highest written bid submitted and five (5%) per cent on the amount of said bid in excess of Ten Thousand and no/100ths ($10,000.00) Dollars, then the highest of any of the oral bids which shall be made by any responsible person shall be finally accepted. This Council, however, reserves the right at such session to reject any and all bids, either written or oral, and to withdraw said hereinbefore described real property from being sold.

BE IT FURTHER RESOLVED that this property is being sold with the understanding that there shall be no vehicular access to or from Northern Boulevard whatsoever.

BE IT FURTHER RESOLVED that the City will furnish and execute a good and sufficient grant deed conveying the property referred to herein, will pay the total cost of the documentary stamp tax, the total cost of the policy of title insurance and will also pay one-half (1/2) of the title company's escrow fees. The buyer of the property is to pay the cost of recording fees and one-half (1/2) of the title company's escrow fees.

BE IT FURTHER RESOLVED that the City will pay a real estate commission of five (5%) per cent of the sales price, payable out of the proceeds

of the sale, to a licensed real estate broker under the following conditions:

1. In case of sale to a purchaser procured by a real estate broker who submitted the highest written bid, the City will allow a five (5%) per cent commission on the full amount of the sale.

2. In case of sale on an increased bid made at the time of oral bidding to a purchaser not submitting the highest written bid, the City will allow a five (5%) per cent commission on the full amount for which the sale is made, one-half (1/2) of said commission to be paid to the broker, if any, who submitted the highest bid in writing to the City, and the balance of the commission on the purchase price to the broker, if any, who procured the purchaser to whom the sale is made. If the successful bidder is not produced by a bona fide broker, then the broker submitting the highest written bid shall be allowed a full commission on the amount of the written bid as submitted by him.

3. Where the highest written bid is submitted by a purchaser who was not procured by a broker and thereafter at the time of oral bidding an increased bid is made by a person through a bona fide broker which results in the sale of the property at such increased bid, the City will allow a commission to the broker who procured the increased bid on the full amount for which the sale is made.

BE IT FURTHER RESOLVED that the City Clerk be, and he is hereby directed to cause a copy of this resolution to be published in full at least once not less than fifteen (15) days before the date set forth in this resolution for submitting said bids in the Modesto Tribune, the official newspaper of the City of Modesto.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 21st day of May, 1962, by Councilman Shastid, who moved its adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

(SEAL)

ATTEST: Roy E. Sanders
City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 62-233

A RESOLUTION GIVING NOTICE OF THE PROPOSED ANNEXATION TO THE CITY OF MODESTO OF UNINHABITED TERRITORY DESCRIBED HEREIN AND DESIGNATED AS WYLIE ADDITION AND GIVING NOTICE OF TIME AND PLACE FOR HEARING PROTESTS THERETO.

BE IT RESOLVED by the Council of the City of Modesto:

1. That, pursuant to the provisions of the Annexation of Uninhabited Territory Act of 1939, a petition signed by owners of not less than one fourth of the land in the hereinafter described territory by area and by assessed value as shown on the last equalized assessment roll of the County of Stanislaus, was filed with the Council of the City of Modesto on April 26, 19 62, requesting annexation of the hereinafter described territory to said City.

2. That the territory which the petitioners request be annexed to the City of Modesto and which said City and its Council propose to annex, is situate in the County of Stanislaus, State of California, hereby designated as WYLIE ADDITION, and described as follows:

WYLIE ADDITION

All that real property in the State of California, County of Stanislaus, Section 22, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, being a portion of Lots 19 and 22 of the Broughton Colony Tract, as per map filed March 17, 1904, in Volume 1 of Maps, at Page 78, Stanislaus County Records, described as follows:

Beginning at the Southeastern corner of the existing City Limits as established by the Lorenzen Addition, as per description filed June 27, 1961, as Instrument 20145, Stanislaus County Records, said point being on the Western line of a 40 foot Public Right of Way known as Rose Avenue, as per map of said Broughton Colony Tract; thence along the Western line of said Rose Avenue, South 0° 35' East, 822.74 feet, to the Southern line of Lot 22 of said Broughton Colony Tract; thence along the Southern line of Lot 22, North 89° 56' 15" West, 400.00 feet; thence parallel with the Western line of Rose Avenue, North 0° 35' West, 822.88 feet, to the Southern line of said Lorenzen Addition; thence along the Southern line of said Lorenzen Addition, South 89° 55' East, 400.00 feet, to the point of beginning, containing 7.556 Acres, more or less.

3. That the County Boundary Commission of Stanislaus County, California, did in session duly assembled on April 17, 19 62, consider the proposed annexation boundaries of said WYLIE ADDITION, as above described, and as submitted to said Commission by the proponents of said annexation.

4. No change in school district boundaries shall be effected by reason of the annexation of the hereinabove described area to the City of Modesto.

5. NOTICE IS HEREBY GIVEN that the 9th day of July, 19 62, at the hour of 8:00 o'clock P.M. of said day, in the Council Chambers at the City Hall, located at 801 Eleventh Street in the City of Modesto, be and the same is hereby fixed as the time and place for considering said petition, at which time and place any person owning real property within such territory and having any objections to the proposed annexation may appear before the Council of the City of Modesto and show cause why such territory should not be so annexed. The protest must be in writing, may be filed at any time before the hour set for hearing objections to the proposed annexation, and shall state the name or names of the owner or owners of property affected and the description and area of such property, in general terms.

6. The City Clerk shall cause a copy of this resolution to be published at least twice, but not oftener than once a week, in The Modesto Tribune, a newspaper of general circulation, published in the City of Modesto and being the official newspaper of the City of Modesto. Said publications shall be completed at least twenty (20) days prior to the date set for the hearing.

7. The City Clerk of the City of Modesto shall also cause written notice of such proposed annexation to be mailed to each person to whom land within the territory proposed to be annexed is assessed on the last equalized county assessment roll available on the date the proceedings were initiated, at the address shown on said assessment roll

as known to said Clerk, and to any person who has filed his name and address and the designation of the land in which he has any interest, either legal or equitable, with said Clerk. Said notices shall be mailed not less than twenty (20) days before the public hearing on the proposed annexation.

8. In the event any land within the territory proposed to be annexed is owned by the County of Stanislaus, the City Clerk is directed to cause written notice of such proposed annexation to be mailed to the Board of Supervisors of the County, such notice to be given not less than twenty (20) days before the public hearing on the proposed annexation.

9. In the event there is, upon the land proposed to be annexed, a structural improvement owned, being acquired or leased by a county fire protection district, the City Clerk is directed to cause written notice of such proposed annexation to be mailed to the governing body of such district, such notice to be sent not less than ten (10) days before the public hearing on the proposed annexation.

10. The City Clerk is directed to cause written notice to be given to such other persons as may be legally entitled thereto, in the manner required by law.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 21st day of May, 19 62, by Councilman Shastid, who moved its adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: _____
City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62- 234

A RESOLUTION GIVING NOTICE OF THE PROPOSED ANNEXATION TO THE CITY OF MODESTO OF UNINHABITED TERRITORY DESCRIBED HEREIN AND DESIGNATED AS KLEMM ADDITION AND GIVING NOTICE OF TIME AND PLACE FOR HEARING PROTESTS THERETO.

BE IT RESOLVED by the Council of the City of Modesto:

1. That, pursuant to the provisions of the Annexation of Uninhabited Territory Act of 1939, a petition signed by owners of not less than one fourth of the land in the hereinafter described territory by area and by assessed value as shown on the last equalized assessment roll of the County of Stanislaus, was filed with the Council of the City of Modesto on May 8, 19 62, requesting annexation of the hereinafter described territory to said City.

2. That the territory which the petitioners request be annexed to the City of Modesto and which said City and its Council propose to annex, is situate in the County of Stanislaus, State of California, hereby designated as KLEMM ADDITION, and described as follows:

KLEMM ADDITION

All that real property in the State of California, County of Stanislaus, Section 13, Township 3 South, Range 8 East, Mount Diablo Base and Meridian, described as follows:

Beginning at the Northwestern corner of the existing City Limits as established by the Park Manor Addition, as per description filed June 2, 1960, as Instrument 15668, Stanislaus County Records, said corner also being the Southeastern corner of the property conveyed to Walter Kellstrom, et ux, as per deed recorded January 8, 1957, as Instrument 715, Stanislaus County Records; thence along the Eastern line of said Kellstrom property, North 00° 40' West, 317.82 feet, to the Southeastern corner of the property conveyed to Magdalena A. Conant, as per deed recorded May 13, 1939, as Instrument 5874, Stanislaus County Records; thence along the Southern line of said Conant property, South 88° 59' 30" West, 816.13 feet, to the Northwestern corner of said Kellstrom property; thence along the Western line of the Kellstrom property, South 0° 40' East, 322.90 feet, to the Southwestern corner of the Kellstrom property and the Southeastern corner of the property conveyed to Lloyd L. Cunningham, et ux, as per deed recorded January 8, 1957, as Instrument 632, Stanislaus County Records, said corner also being a point on the Northern line of the property conveyed to Walter Kellstrom, et ux, as per deed recorded January 2, 1952, as Instrument 77, Stanislaus County Records; thence along the Southern line of the Cunningham property and the Northern line of said Kellstrom property, South 88° 39' West, 471.97 feet, to a point on the Eastern line of a 40.00 foot Public Road known as Conant Avenue said line being parallel with and 40.00 feet, at right angles, Easterly from the North-South quarter section line of Section 13; thence along the Eastern line of Conant Avenue, South 0° 40' East, 320.68 feet, to a point on the Northern line of the existing City Limits as established by the Gish Addition, as per description filed August 3, 1961, as Instrument 24553, Stanislaus County Records; thence along the Northern line of the Gish Addition, North 88° 59' 30" East, 1286.99 feet, to a point on the Western line of the Park Manor Addition; thence along said Western line, North 0° 40' West, 328.33 feet, to the point of beginning, containing 15.590 Acres, more or less.

3. That the County Boundary Commission of Stanislaus County, California, did in session duly assembled on March 6, 19 62, consider the proposed annexation boundaries of said KLEMM ADDITION, as above described, and as submitted to said Commission by the proponents of said annexation.

4. No change in school district boundaries shall be effected by reason of the annexation of the hereinabove described area to the City of Modesto.

5. NOTICE IS HEREBY GIVEN that the 9th day of July, 19 62, at the hour of 8:05 o'clock P.M. of said day, in the Council Chambers at the City Hall, located at 801 Eleventh Street in the City of Modesto, be and the same is hereby fixed as the time and place for considering said petition, at which time and place any person owning real property within such territory and having any objections to the proposed annexation may appear before the Council of the City of Modesto and show cause why such territory should not be so annexed. The protest must be in writing, may be filed at any time before the hour set for hearing objections to the proposed annexation, and shall state the name or names of the owner or owners of property affected and the description and area of such property, in general terms.

6. The City Clerk shall cause a copy of this resolution to be published at least twice, but not oftener than once a week, in The Modesto Tribune, a newspaper of general circulation, published in the City of Modesto and being the official newspaper of the City of Modesto. Said publications shall be completed at least twenty (20) days prior to the date set for the hearing.

7. The City Clerk of the City of Modesto shall also cause written notice of such proposed annexation to be mailed to each person to whom land within the territory proposed to be annexed is assessed on the last equalized county assessment roll available on the date the proceedings were initiated, at the address shown on said assessment roll

as known to said Clerk, and to any person who has filed his name and address and the designation of the land in which he has any interest, either legal or equitable, with said Clerk. Said notices shall be mailed not less than twenty (20) days before the public hearing on the proposed annexation.

8. In the event any land within the territory proposed to be annexed is owned by the County of Stanislaus, the City Clerk is directed to cause written notice of such proposed annexation to be mailed to the Board of Supervisors of the County, such notice to be given not less than twenty (20) days before the public hearing on the proposed annexation.

9. In the event there is, upon the land proposed to be annexed, a structural improvement owned, being acquired or leased by a county fire protection district, the City Clerk is directed to cause written notice of such proposed annexation to be mailed to the governing body of such district, such notice to be sent not less than ten (10) days before the public hearing on the proposed annexation.

10. The City Clerk is directed to cause written notice to be given to such other persons as may be legally entitled thereto, in the manner required by law.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 21st day of May, 1962, by Councilman Shastid, who moved its adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: _____
City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-235

A RESOLUTION GIVING NOTICE OF THE PROPOSED ANNEXATION TO THE CITY OF MODESTO OF UNINHABITED TERRITORY DESCRIBED HEREIN AND DESIGNATED AS STENSAAS ADDITION AND GIVING NOTICE OF TIME AND PLACE FOR HEARING PROTESTS THERETO.

BE IT RESOLVED by the Council of the City of Modesto:

1. That, pursuant to the provisions of the Annexation of Uninhabited Territory Act of 1939, a petition signed by owners of not less than one fourth of the land in the hereinafter described territory by area and by assessed value as shown on the last equalized assessment roll of the County of Stanislaus, was filed with the Council of the City of Modesto on May 10, 19 62, requesting annexation of the hereinafter described territory to said City.

2. That the territory which the petitioners request be annexed to the City of Modesto and which said City and its Council propose to annex, is situate in the County of Stanislaus, State of California, hereby designated as STENSAAS ADDITION, and described as follows:

STENSAAS ADDITION

All that real property in the State of California, County of Stanislaus, Section 19, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits as established by the Northeastern corner of the Campus Edge Addition, as per description filed July 24, 1956, as Instrument 20020, Stanislaus County Records, said point being on the center line of a 60 foot Public Road known as Carver Road; thence along the existing City Limits, the following courses, North 89° 15' West, 220.00 feet, North 00° 02' East, 50.00 feet, North 89° 15' West, 40.00 feet; thence along the Eastern line and its Northerly extension, of the property conveyed to Ronald L. Dodson, et al, by deed Recorded November 22, 1960, as Instrument 33258, Stanislaus County Records, North 00° 02' East, 200.00 feet, to a point on the Northern line of a 50 foot Public Road known as Clayton Avenue; thence along said Northern line, South 89° 15' East, 23.26 feet, to the Eastern line of the property conveyed to Joseph S. Enos, et ux, by deed Recorded January 27, 1948, as Instrument 1975, Stanislaus County Records; thence along said Eastern line, North 00° 02' East, 114.88 feet, to a point on the existing City Limits as established by the Southern line of the Garrison School Addition as per description filed January 29, 1957, as Instrument 2646; thence along said Southern line, South 89° 16' 30" East, 236.74 feet, to a point on the existing City Limits as established by the Western line of the Northwest Addition as per description filed December 10, 1951 as Instrument 28460, said point being on the center line of Carver Road; thence along said City Limits, South 00° 02' West, 364.99 feet, to the point of beginning, containing 2.070 Acres, more or less.

3. That the County Boundary Commission of Stanislaus County, California, did in session duly assembled on March 6, 19 62, consider the proposed annexation boundaries of said STENSAAS ADDITION, as above described, and as submitted to said Commission by the proponents of said annexation.

4. No change in school district boundaries shall be effected by reason of the annexation of the hereinabove described area to the City of Modesto.

5. NOTICE IS HEREBY GIVEN that the 9th day of July, 19 62, at the hour of 8:10 o'clock P.M. of said day, in the Council Chambers at the City Hall, located at 801 Eleventh Street in the City of Modesto, be and the same is hereby fixed as the time and place for considering said petition, at which time and place any person owning real property within such territory and having any objections to the proposed annexation may appear before the Council of the City of Modesto and show cause why such territory should not be so annexed. The protest must be in writing, may be filed at any time before the hour set for hearing objections to the proposed annexation, and shall state the name or names of the owner or owners of property affected and the description and area of such property, in general terms.

6. The City Clerk shall cause a copy of this resolution to be published at least twice, but not oftener than once a week, in The Modesto Tribune, a newspaper of general circulation, published in the City of Modesto and being the official newspaper of the City of Modesto. Said publications shall be completed at least twenty (20) days prior to the date set for the hearing.

7. The City Clerk of the City of Modesto shall also cause written notice of such proposed annexation to be mailed to each person to whom land within the territory proposed to be annexed is assessed on the last equalized county assessment roll available on the date the proceedings were initiated, at the address shown on said assessment roll

as known to said Clerk, and to any person who has filed his name and address and the designation of the land in which he has any interest, either legal or equitable, with said Clerk. Said notices shall be mailed not less than twenty (20) days before the public hearing on the proposed annexation.

8. In the event any land within the territory proposed to be annexed is owned by the County of Stanislaus, the City Clerk is directed to cause written notice of such proposed annexation to be mailed to the Board of Supervisors of the County, such notice to be given not less than twenty (20) days before the public hearing on the proposed annexation.

9. In the event there is, upon the land proposed to be annexed, a structural improvement owned, being acquired or leased by a county fire protection district, the City Clerk is directed to cause written notice of such proposed annexation to be mailed to the governing body of such district, such notice to be sent not less than ten (10) days before the public hearing on the proposed annexation.

10. The City Clerk is directed to cause written notice to be given to such other persons as may be legally entitled thereto, in the manner required by law.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 21st day of May, 1962, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: _____
City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-236

A RESOLUTION RELATING TO THE ERECTION AND MAINTENANCE OF A GROUND SIGN BY SCOTT BROTHERS, INC., AT THE INTERSECTION OF NEEDHAM AND McHENRY AVENUES IN THE CITY OF MODESTO.

WHEREAS, Scott Brothers, Inc., hereafter called Permittee, applied to the City for a permit to erect an advertising billboard sign at the corner of Needham and McHenry Avenues in accordance with plans which indicated the maximum height of the sign to be 32 feet, and

WHEREAS, on August 23, 1961, the City issued Permit No. 23355 authorizing the erection of said sign, and

WHEREAS, Permittee constructed a ground sign on said premises of an actual height to the top of the sign of 37.7 feet above ground level, and

WHEREAS, Section 9-6.21 of the Municipal Code limits the height of ground signs to 25 feet above the street level except that the Council may authorize the erection of a ground sign to a greater height, and

WHEREAS, the Council finds that to require Permittee to lower the ground sign to 25 feet above ground level would cause undue hardship and that the authorization of a modified increase of the height of said sign will not endanger the public health, safety or welfare, and is in the public interest,

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

SECTION 1. Permittee is hereby granted permission to maintain said ground sign at a height not to exceed 32.71 feet above ground level for a period of three (3) years commencing on November 10, 1961. At the expiration of said three (3) year period, Permittee is granted permission to maintain said sign thereafter at a height not to exceed 28.33 feet above ground level.

SECTION 2. Permittee agrees at its own expense to lower the existing height of said ground sign a distance of 5 feet within thirty (30) days from the date of the adoption of this resolution. Permittee further agrees at its own expense to remove the projecting peak of the sign within thirty (30) days after the expiration of a period of three (3) years commencing on November 10, 1961, so that the maximum height of any part of the sign thereafter shall not be more than 28.33 feet above ground level.

SECTION 3. The permission granted by this resolution to Permittee to maintain said ground sign at a total height greater than 25 feet above ground level shall automatically be revoked in the event that Permittee does not comply with the provisions of Section 2 of this resolution.

SECTION 4. The City Clerk shall furnish Permittee with a copy of this resolution. Permittee shall have ten (10) days from and after the adoption of this resolution within which to file written acceptance of this permit with the City Clerk, and no right shall be conferred hereby unless and until said acceptance is filed.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 21st day of May, 1962, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: _____ City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-237

A RESOLUTION ADOPTING BUDGET FOR EXPENDITURE OF FUNDS ALLOCATED FROM THE STATE HIGHWAY FUND TO CITIES

WHEREAS, a master agreement has been executed by the City of Modesto, hereinafter referred to as the City, and the State Department of Public Works, Division of Highways, hereinafter referred to as the Department, on March 17, 1961, for expenditure of state allocated funds, and

WHEREAS, a project statement has been prepared and was submitted to the Department on April 26, 1962, showing the estimated expenditures of such funds recommended to be made during the 1961-62 fiscal year, and

WHEREAS, a budget, approved by the Department on May 7, 1962 has been presented to the City Council in accordance with the project statement submitted by the City, and

WHEREAS, the City Council has heard read said budget, as approved by the department, and is familiar with the contents thereof;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Modesto that said budget be and is hereby adopted as the budget of expenditures recommended to be made from such funds during the 1961-62 fiscal year.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 21st day of May, 1962, by Councilman Mitchell, who moved its adoption, which motion being duly seconded by Councilman Patton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: _____
City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-238

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND THE NEW HAMPSHIRE INSURANCE COMPANY FOR MONEY AND SECURITIES BROAD FORM INSURANCE POLICY

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the Agreement between the City of Modesto and the New Hampshire Insurance Company for Money and Securities Broad Form ~~xxxx~~ insurance coverage for a three-year period, effective May 25, 1962, for a premium cost of $174.16

be, and it is hereby approved, and

BE IT FURTHER RESOLVED that the execution of said Agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 21st day of May, 1962, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Patton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: [signature]
CITY CLERK

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-239

A RESOLUTION APPROVING APPROPRIATION TRANSFER FOR ELECTRICAL TRANSFORMER STRUCTURE

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the following appropriation transfer be approved:

From:	General Fund, General Reserve (101-600)	$2,000
To:	Electrical (43) Transformer Structure (101-504)	$2,000

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 21st day of May, 1962, by Councilman Johansen, who moved its adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: [signature]
CITY CLERK

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-240

A RESOLUTION AFFIRMING THE DECISION OF THE BOARD OF ZONING ADJUSTMENT DENYING THE APPLICATION OF MRS. HELEN RHODES FOR A CONDITIONAL USE PERMIT FOR A REST HOME TO HOUSE EIGHT (8) ELDERLY PERSONS AT 202 WEST MORRIS AVENUE IN THE CITY OF MODESTO.

WHEREAS, an application for a conditional use permit for a rest home to house eight (8) elderly persons at 202 West Morris was filed by Mrs. Helen Rhodes on March 30, 1962, and

WHEREAS, after a public hearing held on April 26, 1962, the Board of Zoning Adjustment adopted Resolution No. 168 denying the application of Mrs. Helen Rhodes for a conditional use permit for a rest home to house eight (8) elderly persons at 202 West Morris Avenue, and

WHEREAS, an appeal to said decision of the Board of Zoning Adjustment was filed with the City Clerk on April 27, 1962, and

WHEREAS, the Council set May 28, 1962, at 8:00 o'clock P.M. in the Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California, as the time and place for a public hearing on said appeal, and

WHEREAS, on the basis of evidence, both oral and documentary, taken and introduced at said public hearing, the Council found and determined that the establishment of a rest home at the requested location would not be compatible with the surrounding residential area inasmuch as it would create a higher density than the surrounding residential area and contribute to traffic hazards on a narrow street, and thus the decision of the Board of Zoning Adjustment should be affirmed,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the appeal of Helen Rhodes to the decision of the Board of Zoning Adjustment be denied, and that the decision of the Board of Zoning Adjustment as set forth in its Resolution

No. 168 be affirmed on the basis of the findings set forth in said resolution and as specified above.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 28th day of May, 1962, by Councilman Mitchell, who moved its adoption, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, Mayor pro tempore VanderWall

NOES: Councilmen: None

ABSENT: Councilmen: Mayor Hammond

ATTEST: _____
City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-241

A RESOLUTION REJECTING ALL BIDS FOR THE CONSTRUCTION OF A WADING POOL AT ROOSEVELT PARK

WHEREAS, the Council of the City of Modesto adopted Resolution No. 62-206, on May 7, 1962, approving the plans and specifications for construction of a wading pool at Roosevelt Park, and directed the City Clerk to advertise for sealed proposals for doing said work, and providing that bids be submitted on the 18th day of May, 1962 at 2:00 P.M., and

WHEREAS, the City Clerk, in accordance with said resolution thereafter duly and regularly caused a notice to be published in the manner and for the time prescribed by law, and

WHEREAS, all bids received pursuant to said notice were opened, examined and publicly declared at the time specified in said advertisement for bids, and

WHEREAS, Section 1307 of the Charter of the City of Modesto provides that any or all bids presented may be rejected and readvertised;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that, in accordance with the provisions of Section 1307 of the Charter of the City of Modesto, all bids received pursuant to the aforesaid notice be, and they are hereby rejected.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 28th day of May, 1962 by Councilman Johansen, who moved its adoption, which motion being duly seconded by Councilman Patton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, Mayor pro tempore VanderWall

NOES: Councilmen: None

ABSENT: Councilmen: Mayor Hammond

ATTEST: Rex E. Gailfus, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 62-242

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING THE CALLING FOR BIDS FOR IMPROVEMENT OF TULLY AVENUE BETWEEN STODDARD AND LEONARD AVENUES

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

Section 1. The plans and specifications for the improvement of Tully Avenue between Stoddard and Leonard Avenues, copies of which are on file, are hereby accepted and approved.

Section 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 - 11th Street, in the City of Modesto, on June 12, 1962, at 2:00 P.M. and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form and manner provided by law.

Section 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 28th day of May, 1962, by Councilman Mitchell, who moved its adoption, which motion being duly seconded by Councilman Shastid, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, Mayor pro tempore VanderWall

NOES: Councilmen: None

ABSENT: Councilmen: Mayor Hammond

ATTEST: _____
CITY CLERK

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-243

A RESOLUTION REMOVING THE SUSPENSION OF RESOLUTION NO. 62-191 DENYING THE APPLICATION OF MARY BRAME FOR AN UNCLASSIFIED USE PERMIT FOR AN EQUIPMENT RENTAL BUSINESS. (YOSEMITE BOULEVARD AND KERR AVENUE)

WHEREAS, by Resolution No. 62-191, adopted April 23, 1962, the Council of the City of Modesto denied the application of Mary Brame for an unclassified use permit for an equipment rental business located on the southwest corner of Yosemite Boulevard and Kerr Avenue and suspended the effectiveness of said decision until such time as it received a further report from the Planning Commission as required by Section 10-2.2114 of the Modesto Municipal Code, and

WHEREAS, by Resolution No. 795, adopted on May 15, 1962, the Planning Commission made its further report and recommendation to the Council reaffirming its recommendation for the granting of an unclassified use permit to Mary Brame, and

WHEREAS, after further considering the matter, at its meeting held on May 28, 1962, the Council found that the denial of the requested unclassified use permit for an equipment rental business was in the public interest for the reason stated in Resolution No. 62-191,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the suspension of Resolution No. 62-191, adopted by the Council on April 23, 1962, be removed and that the provisions of said resolution denying the application of Mary Brame for the requested unclassified use permit be affirmed and become effective immediately.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 28th day of May, 1962, by Councilman Johansen, who moved its adoption, which motion being duly seconded by Councilman Mitchell, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert
Mayor pro tempore VanderWall

NOES: Councilmen: None

ABSENT: Councilmen: Mayor Hammond

ATTEST: _____
City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-244

A RESOLUTION DIRECTING THE CITY CLERK OF THE CITY OF MODESTO TO RETURN THE SUM OF $500 CONTRIBUTED BY PETER JANOPAUL, SR. TOWARDS THE CONSTRUCTION OF FALL-OUT SHELTERS

WHEREAS, Peter Janopaul, Sr. contributed the sum of $500 to the City of Modesto on September 25, 1961, to be used towards the construction of fall-out shelters to be located near schools, for the protection of children and school teachers, and

WHEREAS, no further action has been taken to increase the fund so initiated by Mr. Janopaul, and

WHEREAS, Mr. Janopaul has now requested that the $500 which he contributed for said purpose be returned to him,

NOW, THEREFORE, BE IT RESOLVED that the City Clerk of the City of Modesto is hereby directed to release and return said sum of $500 to Mr. Janopaul, in accordance with his request.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 28th day of May, 1962, by Councilman Shastid, who moved its adoption, which motion being duly seconded by Councilman Patton, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, Mayor pro tempore VanderWall

Noes: Councilmen: None

Absent: Mayor Hammond

ATTEST: Rex E. Gailfus
REX E. GAILFUS, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 62-245

A RESOLUTION ADOPTING AND SUBMITTING A BUDGET FOR EXPENDITURE OF FUNDS ALLOCATED FROM THE STATE HIGHWAY FUND TO CITIES

WHEREAS, a master agreement has been executed by the City of Modesto and the State of California on March 1, 1961, for expenditure of funds allocated from the State Highway Fund to cities; and

WHEREAS, the City Council has prepared a project statement showing estimated expenditures of such funds recommended to be made during the 1962-1963 fiscal year; and

WHEREAS, the City Council has heard read said project statement and is familiar with the contents thereof;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Modesto that said project statement be and it is hereby adopted as the budget of proposed expenditures of the gas tax allocation to cities, said project statement is hereby approved and the City Manager is directed to sign the same on behalf of said City, and said project statement is to be submitted to the Department of Public Works, State of California, in accordance with the provisions of Section 197 of the Streets and Highways Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 28th day of May, 1962, by Councilman Tabbert, who moved its adoption, which motion being duly seconded by Councilman Shastid, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, Mayor pro tempore VanderWall

Noes: Councilmen: None

Absent: Mayor Hammond

(SEAL)

ATTEST: [signature]
City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 62-246

A RESOLUTION GRANTING A PERMIT TO THE MODESTO POST, AMERICAN LEGION, TO HOLD ITS ANNUAL CHARITY CIRCUS AT DEL WEBB FIELD ON JUNE 1,1962

WHEREAS, THE MODESTO POST, AMERICAN LEGION, has filed a request with the Council for permission to hold its annual charity circus at Del Webb Field on June 1, 1962,

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

SECTION 1. A permit is hereby granted to said applicant to hold its annual charity circus at Del Webb Field on June 1, 1962,

subject to the other provisions of this resolution.

SECTION 2. Said permit is granted for each of the conditions herein set forth, which conditions Permittee agrees, by acceptance of this permit, to faithfully perform to-wit:

(a) Permittee, its successors and assigns, during the term of this permit, shall indemnify and save the City harmless of and from all damages, costs, and charges of any kind or character arising out of or relating thereto or in any way connected with the exercise of the rights granted by this permit.

(b) Permittee, its successors and assigns, shall comply with all laws of the City.

(c) Permittee, its successors and assigns, at its own cost and expense, shall defend any and all law suits, if any, arising out of or in any way connected with the exercise of the rights granted by this permit.

(d) Permittee shall take out and maintain during the life of this permit such public liability and property damage insurance as shall protect it, and any person performing work under this permit, for claims for damages for personal injury, including accidental death, as well as from claims for property damage, which may arise out of the exercise of the rights granted by this permit, whether by itself, or by

any subcontractor, or by anyone directly or indirectly employed by either of them, and the amounts of such insurance shall be as follows:

Public Liability Insurance, in an amount not less than One hundred thousand and no/100ths ($100,000) Dollars for injuries, including accidental death, to any one person; and, subject to the same limit for each person, in an amount not less than Three hundred thousand and no/100ths ($300,000) Dollars on account of one occurrence; and

Property Damage Insurance, in an amount not less than Ten thousand and no/100ths ($10,000) Dollars.

Permittee shall furnish City with satisfactory proof of carriage of the insurance required. Such insurance shall be absolutely non-cancellable for a period of not less than five (5) days after notice to the City.

Permittee shall assume the responsibilities for cleaning the facility after its use.

Proper arrangements shall be cleared by the Permittee through the appropriate City departments.

SECTION 3. The City Clerk shall furnish Permittee with a copy of this resolution. Permittee shall have twenty (20) days from and after the adoption of this resolution within which to file written acceptance of this permit and a certificate of insurance as required by this resolution with the City Clerk, and no right shall be conferred hereby until said acceptance and certificate is filed.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 28th day of May, 19 62, by Councilman Shastid, who moved its adoption, which motion being duly seconded by Councilman Johansen, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, Mayor pro tempore VanderWall

NOES: Councilmen: None

ABSENT: Councilmen: Mayor Hammond

ATTEST: _____
CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 62-247

A RESOLUTION APPROVING RIGHT OF WAY AGREEMENT BETWEEN THE CITY OF MODESTO AND WILLIAM R. SHERMAN AND HENRIETTA B. SHERMAN FOR WIDENING OF GRANGER AVENUE (PROJECT 55-2)

BE IT HEREBY RESOLVED by the Council of the City of Modesto that Right of Way Agreement between the City of Modesto and William R. Sherman and Henrietta B. Sherman

for the acquisition of right of way for widening of Granger Avenue

be and it is hereby approved. For further particulars, reference is made to a copy of the Agreement on file in the office of the City Clerk.

BE IT FURTHER RESOLVED that the City Manager and City Clerk of the City of Modesto be, and they are hereby authorized and directed to execute said Right of Way Agreement on behalf of the City of Modesto.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 28th day of May, 1962, by Councilman Johansen, who moved its adoption, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, Mayor pro tempore VanderWall

NOES: Councilmen: None

ABSENT: Councilmen: Mayor Hammond

ATTEST: _____
CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 62-248

A RESOLUTION APPROVING RIGHT OF WAY AGREEMENT BETWEEN THE CITY OF MODESTO AND ROSE BROTHERS FOR WIDENING OF TULLY AVENUE (Project No. 54-1-475-4)

BE IT HEREBY RESOLVED by the Council of the City of Modesto that Right of Way Agreement between the City of Modesto and Rose Bros., a Corporation

for right of way for widening of Tully Avenue

be and it is hereby approved. For further particulars, reference is made to a copy of the Agreement on file in the office of the City Clerk.

BE IT FURTHER RESOLVED that the City Manager and City Clerk of the City of Modesto be, and they are hereby authorized and directed to execute said Right of Way Agreement on behalf of the City of Modesto.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 28th day of May, 19 62, by Councilman Shastid, who moved its adoption, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Tabbert Shastid, Mayor pro tempore VanderWall

NOES: Councilmen: None

ABSENT: Councilmen: Mayor Hammond

ATTEST: _____
CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 62-249

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF $6,000 FOR MISCELLANEOUS STREET IMPROVEMENTS

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the following appropriation transfer be approved:

From:	Special Capital Outlay, General Reserve (321-600)	$6,000
To:	Special Capital Outlay, Misc. Street Improvement (321-503)	$6,000

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 28th day of May, 19 62, by Councilman Mitchell, who moved its adoption, which motion being duly seconded by Councilman Shastid, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, Mayor pro tempore VanderWall

NOES: Councilmen: None

ABSENT: Councilmen: Mayor Hammond

ATTEST: [signature]
CITY CLERK

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-250

A RESOLUTION DENYING REQUEST OF ROBERT A. MARSHALL AND TOM CROOK TO PERMIT BRICK RETAINING WALL TO REMAIN IN THE SIDEWALK AREA OF PROPERTY AT 1622 AND 1618 WEST ROSEBURG AVENUE IN THE CITY OF MODESTO

WHEREAS, Robert A. Marshall and Tom Crook, who reside at 1622 and 1618 West Roseburg Avenue, respectively, have filed a request for a variance from Article 4 of Title VII of the Modesto Municipal Code, which prohibits installation of structures in the sidewalk area; and

WHEREAS, the Director of Public Works has reported that the construction of a brick retaining wall in the sidewalk area is not in conformity with city standards and creates a tripping hazard,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the request of Robert A. Marshall and Tom Crook for a variance to permit a brick retaining wall to remain in the sidewalk area of property located at 1622 and 1618 West Roseburg Avenue is hereby denied.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 4th day of June, 1962, by Councilman Tabbert, who moved its adoption, which motion being duly seconded by Councilman Mitchell, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: _____
CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 62-251

A RESOLUTION ACCEPTING THE BID OF GEORGE REED FOR THE CONSTRUCTION OF TENNIS COURTS AT ROOSEVELT PARK

WHEREAS, Resolution No. 62-217, adopted by the Council of the City of Modesto on May 14, 19 62, approved the plans and specifications for the construction of tennis courts at Roosevelt Park

and authorized the calling for bids, and

WHEREAS, the bids received for the construction of tennis courts at Roosevelt Park

were opened at 2:15 P.M., May 29, 1962, and later tabulated by the Public Works Department for the consideration of the Council, and

WHEREAS, the Director of Public Works has recommended that the bid of GEORGE REED, in the amount of $9,797.00,

be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED that the bid of GEORGE REED, in the amount of $9,797.00,

be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 4th day of June, 19 62, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen None

ATTEST: [signature]
CITY CLERK

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-252

A RESOLUTION ACCEPTING THE BID OF GEORGE REED FOR THE IMPROVEMENT OF (UNIT A) ROSEBURG AVENUE, VIRGINIA TO ALMA; AND (UNIT B) GRANGER AVENUE, FLORIDA TO MC HENRY

WHEREAS, Resolution No. 62-206, adopted by the Council of the City of Modesto on May 7, 1962, approved the plans and specifications for the improvement of (Unit A) Roseburg Avenue, Virginia to Alma; and (Unit B) Granger Avenue, Florida to McHenry Avenue, and authorized the calling for bids, and

WHEREAS, the bids received for the improvement of (Unit A) Roseburg Avenue, Birginia to Alma, and (Unit B) Granger Avenue, Florida to McHenry Avenue were opened at 2:00 P.M., May 29, 1962, and later tabulated by the Public Works Department for the consideration of the Council, and

WHEREAS, the Director of Public Works has recommended that the bid of George Reed in the amount of $31,844.00 be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED that the bid of George Reed in the amount of $31,844 be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 4th day of June, 1962, by Councilman Shastid, who moved its adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: [signature]
CITY CLERK

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-253

A RESOLUTION APPROVING ~~XXXXXXXX~~ SPECIFICATIONS AND AUTHORIZING THE CALLING FOR BIDS FOR THE PUBLICATION AND PRINTING OF THE OFFICIAL ADVERTISING FOR THE FISCAL YEAR 1962-63

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

Section 1. The plans and specifications for legal advertising for fiscal year 1962-1963,

copies of which are on file, are hereby accepted and approved.

Section 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 - 11th Street, in the City of Modesto, on June 14, 1962, at 2:00 P.M. and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form and manner provided by law.

Section 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 4th day of June, 1962, by Councilman Johansen, who moved its adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: _____
CITY CLERK

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-254

A RESOLUTION REJECTING ALL BIDS FOR THE PURCHASE OF STREET SWEEPER

WHEREAS, the Council of the City of Modesto adopted Resolution No. 62-203, on May 7, 1962, approving the plans and specifications for the purchase of a street sweeper, and directed the City Clerk to advertise for sealed proposals for the furnishing of said street sweeper, and providing that bids be submitted on the 22nd day of May, 1962, at 2:00 P.M., and

WHEREAS, The City Clerk in accordance with said resolution thereafter duly and regularly caused a notice to be published in the manner and for the time prescribed by law, and

WHEREAS, all bids received pursuant to said notice were opened, examined and publicly declared at the time specified in said advertisement for bids, and

WHEREAS, Section 1307 of the Charter of the City of Modesto provides that any or all bids presented may be rejected and readvertised;

NOW, THERFORE, BE IT RESOLVED by the Council of the City of Modesto that, in accordance with the provisions of Section 1307 of theCharter of the City of Modesto, all bids received pursuant to the aforesaid notice be, and they are hereby rejected, and the staff authorized to secure informal bids.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 4th day of June, 1962, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Johansen, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: _____
CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 62-255

A RESOLUTION ACCEPTING THE OFFER OF TURLOCK AUTO WRECKERS TO PURCHASE WRECKED POLICE CAR NO. 8

WHEREAS, Turlock Auto Wreckers have offered to purchase Police Car No. 8, which has been wrecked, for the sum of $238; and

WHEREAS, The Director of Finance has recommended that the offer of Turlock Auto Wreckers to purchase the wrecked police car be accepted;

NOW, THEREFORE, BE IT RESOLVED that the offer of Turlock Auto Wreckers to purchase wrecked police car No. 8 for the sum of $238 be, and it is hereby accepted.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 4th day of June, 1962, by Councilman Shastid, who moved its adoption, which motion being duly seconded by Councilman Johansen, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: _____
CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 62-256

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND THE STATE OF CALIFORNIA TO INTERCONNECT NEW SIGNALS AT P, KANSAS AND TULLY WITH OTHER 9TH STREET SIGNALS

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the Agreement between the City of Modesto and the State of California to interconnect new signals at P, Kansas and ~~for~~ Tully with other 9th Street Signals

be, and it is hereby approved, and

BE IT FURTHER RESOLVED that the execution of said Agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 4th day of June, 1962, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: None

ATTEST: [signature]
CITY CLERK

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-257

A RESOLUTION AUTHORIZING THE RELEASE OF CONTINENTAL CASUALTY COMPANY PERFORMANCE BONDS FILED TO GUARANTEE IMPROVEMENTS IN SKYLANE PARK UNIT NO. 2 SUBDIVISION

WHEREAS, Beech Development,Company, Subdivider of Skylane Park Unit No. 2 Subdivision, has filed with the City of Modesto a performance bond and a labor and materials bond to guarantee the improvements in the aforesaid subdivision, and

WHEREAS, the Director of Public Works has reported that the improvements have been completed inthe aforesaid subdivision to his satisfaction, and has recommended the release of the performance bond and labor and materials bond;

NOW, THEREFORE, BE IT HEREBY RESOLVED that the Continental Casualty Company Performance Bond and Labor and Materials Bond, No. 11 318 10, guaranteeing the improvements in Skylane Park Unit No. 2 Subdivision be, and they are hereby released.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 4th day of June, 1962, by Councilman Shastid, who moved its adoption, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: _____
CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 62-258

A RESOLUTION WITHDRAWING CERTAIN DESCRIBED TERRITORY FROM THE SALIDA COUNTY FIRE PROTECTION DISTRICT BY REASON OF ITS ANNEXATION TO THE CITY OF MODESTO. (SCOTT MANOR ADDITION)

WHEREAS, a portion of the Salida County Fire Protection District was annexed to the City of Modesto by Ordinance No. 510 -C.S., adopted on May 21, 19 62, and

WHEREAS, said territory officially became a part of the City on May 23, 19 62, and

WHEREAS, the Health and Safety Code of the State of California provides that whenever any portion of such a District is included within a city by reason of annexation, such portion may be withdrawn from the District by the filing with the State Board of Equalization, the governing body of the District, and the County Assessor of copies of a resolution of the legislative body of the city, describing the included portion, and declaring such portion withdrawn, and

WHEREAS, it is to the best interests of the residents in the area of said Fire District which has been annexed to the City that the area be withdrawn from said Fire District and provided fire prevention and fire fighting services by the City,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the following described territory be withdrawn from the boundaries of the Salida County Fire Protection District:

All that real property in the State of California, County of Stanislaus, Section 13, Township 3 South, Range 8 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits established by the Gish Addition, as per description filed August 3, 1961 as Instrument 24553, Stanislaus County Records, said point being 40.00 feet at right angles, East of the Northwest corner of the Southeast quarter of said Section 13, and also being on the Eastern line of a Public Right of Way known as Conant Avenue; thence along the East-West quarter section line and the existing City Limits, and along the Northern line of property conveyed to Lance E. Ellis, et ux, by deed recorded October 30, 1961 as Instrument 35658, Stanislaus County Records, North 89° 21' 30" East, 1286.82 feet, to the Southeastern corner of the Gish Addition and the North-South quarter section line; thence along said North-South quarter quarter section line, South 0° 16' 30" East, 396.00 feet, to the Southeastern corner of said Ellis property; thence along the Southern line of said Ellis property and parallel with the East-West quarter section line, South 89° 21' 30" West, 1286.63 feet, to the Eastern line of Conant Avenue; thence along said Eastern line of Conant Avenue, parallel with and 40.00 feet, at right angles East of the North-South quarter section line, North 0° 18' 20" West, 396.00 feet, to the point of beginning, containing 11.698 Acres, more or less.

BE IT FURTHER RESOLVED that the City Clerk be, and he is hereby directed to file a certified copy of this resolution with the State Board of Equalization, the governing body of said Fire Protection District, and the Assessor of Stanislaus County.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 4th day of June, 1962, by Councilman Johansen, who moved its adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: _____
City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-259

A RESOLUTION EXTENDING TO THE CITY OF BARRANQUILLA OF THE REPUBLIC OF COLOMBIA AN INVITATION TO BE DESIGNATED AS AN AFFILIATE CITY TO THE CITY OF MODESTO UNDER THE INTERNATIONAL TOWN AFFILIATION PROGRAM.

WHEREAS, people to people, or Town Affiliation, is a program of communication between Americans and the people of other lands designed to establish lasting two-way relationships from which international friendship and understanding can grow, and

WHEREAS, Town Affiliation is a program of international exchange involving people of the United States and people of other countries, and

WHEREAS, sister city affiliations have already been established by a number of California cities with cities of other nations, and

WHEREAS, the program of sister city affiliation is designed to develop understanding and tolerance and to broaden the horizons of the citizens of each affiliated community in culture, science, industry and economy, thus promoting the social progress of the sister city, and raising the standards of living and judgment of the people of both cities and developing a united strength to maintain world peace in the face of constant threats against civilization and progress, and

WHEREAS, the Council of the City of Modesto has expressed its approval of the Town Affiliation Program and has authorized the establishment of a committee known as the Modesto International Town Affiliation Committee to implement and assume the responsibility of carrying out the program, and

WHEREAS, after review of all cities nominated by Modesto residents for designation for sister city affiliation, and an analysis of the nature and characteristics of the various cities nominated, Modesto Town Affiliation Committee has recommended the

designation of the City of Barranquilla of the Republic of Colombia as being the most appropriate sister city affiliation with the City of Modesto, and

WHEREAS, the Mayor of the City of Barranquilla has informed the City of Modesto that it would consider it a privilege and honor to be chosen as a sister city affiliate with the City of Modesto, and

WHEREAS, the City of Modesto would be delighted and most receptive to the designation of the City of Barranquilla as a sister city affiliate with the City of Modesto,

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

SECTION 1. The City of Modesto hereby extends to the City of Barranquilla of the Republic of Colombia the invitation to be designated as the affiliate sister city to the City of Modesto under the Town Affiliation Program.

SECTION 2. The Mayor of the City of Modesto is hereby requested to transmit a copy of this resolution to the City of Barranquilla for its consideration and official acceptance, if approved, as the sister city affiliate to the City of Modesto under the International Town Affiliation Program.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 4th day of June, 1962, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Shastid, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond.

NOES: Councilmen: None.

ABSENT: Councilmen: None.

ATTEST: [signature]
City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-260

A RESOLUTION APPROVING MISCELLANEOUS APPROPRIATION TRANSFERS

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the following appropriation transfers be approved:

From:	Special Gas Tax Street Improvements, General Reserve (207-600)	$7,017
	Special Gas Tax Street Improvements, Roseburg, Tully to McHenry (Project 68) (207-503)	8,763
		$15,780
To:	Special Gas Tax Street Improvements, Tully Road from 9th to Leonard (Portion Project 60) (207-503)	$11,880
	Special Gas Tax Street Improvements, Granger, TWSSR to Florida (Portion Project 79) (207-503)	3,900
		$15,780
From:	Special Fund for Capital Outlays, General Reserve (321-600)	$400
To:	Traffic Signal - 9th & P, Kansas and Tully (321-503)	$400
From:	General Fund, General Reserve (101-600)	$3600
To:	General Fund, Water (50) New Services (101-504)	$3600

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of June, 1962, by Councilman Mitchell, who moved its adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: [signature]

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-261

A RESOLUTION REFERRING TO THE MODESTO CITY PLANNING COMMISSION A PETITION FOR ANNEXATION OF CERTAIN UNINHABITED TERRITORY TO THE CITY OF MODESTO, KNOWN AS RUFFINO ADDITION.

WHEREAS, a petition has been filed in the office of the City Clerk requesting the annexation of certain uninhabited territory to the City of Modesto, which territory is more specifically described hereinafter, and

WHEREAS, the County Boundary Commission has certified to the definiteness and accuracy of the boundaries of said territory,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that said petition for the annexation of the following described uninhabited territory be referred to the Planning Commission for its report and recommendation.

The territory herein referred to is situated in the County of Stanislaus, State of California, and more particularly described as follows:

RUFFINO ADDITION

All that real property situate in the State of California, County of Stanislaus, Section 27, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

All of Lot 14 in Block 2196 of the Alta Vista Tract, as per map filed September 12, 1946, in Volume 14 of Maps, Page 75, Stanislaus County Records, and also described as follows:

Beginning at a point on the existing City Limits as established by the Southeastern corner of the Phoenix Station Addition, as per description filed March 11, 1959, as Instrument 6959, Stanislaus County Records, said point being the Northeastern corner Lot 14 of Block 2196; thence along the Northern line of Lot 14 and the Southern line of said Phoenix Station Addition, North 89° 50' West, 127.65 feet, to the Eastern line of the alley in Block 2196 and the existing City Limits as established by the La Loma-Yosemite Addition, as per description filed December 4, 1953, as Instrument 30045, Stanislaus County Records; thence along the Eastern line of the alley and the existing City Limits, South 0° 34' 40" East, 60 feet, to the Southwestern corner of said Lot 14; thence along the Southern line of Lot 14 and the existing City Limits, South 89° 50' East, 127.67 feet, to the Southeastern corner of Lot 14 and the Western line of Phoenix Avenue; thence along the Eastern line of Lot 14 and the Western line of Phoenix Avenue, North 0° 35' 40" West, 60 feet to the point of beginning, containing 0.176 Acres, more or less.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 4th day of June, 1962, by Councilman Shastid, who moved its adoption, which motion being duly seconded by Councilman Johansen, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: _____
City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-262

LEASE

A RESOLUTION APPROVING/AGREEMENT BETWEEN THE CITY OF MODESTO AND LELA BRIDGES FOR RENTAL OF PREMISES AT 215 ELM STREET ON A MONTH TO MONTH TENANCY

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the Agreement between the City of Modesto and Lela Bridges

for rental of premises located at 215 Elm Street, Modesto, California, on a month to month tenancy, for a rental payment of Fifty Dollars ($50.00) per month,

be, and it is hereby approved, and

BE IT FURTHER RESOLVED that the execution of said Agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 4th day of June, 19 62, by Councilman Johansen, who moved its adoption, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: [signature]
CITY CLERK

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-263

A RESOLUTION GRANTING A PERMIT TO THE JUNIOR CHAMBER OF COMMERCE TO HOLD A CIRCUS AT DEL WEBB FIELD ON JUNE 11, 1962

WHEREAS, The Junior Chamber of Commerce has filed a request with the Council for permission to hold a circus at Del Webb Field on June 11, 1962 from 10:00 A. M. to 12:00 midnight;

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

SECTION 1. A permit is hereby granted to said applicant to hold a circus at Del Webb Field on June 11, 1962 from 10:00 A.M. to 12:00 midnight,
subject to the other provisions of this resolution.

SECTION 2. Said permit is granted for each of the conditions herein set forth, which conditions Permittee agrees, by acceptance of this permit, to faithfully perform to-wit:

(a) Permittee, its successors and assigns, during the term of this permit, shall indemnify and save the City harmless of and from all damages, costs, and charges of any kind or character arising out of or relating thereto or in any way connected with the exercise of the rights granted by this permit.

(b) Permittee, its successors and assigns, shall comply with all laws of the City.

(c) Permittee, its successors and assigns, at its own cost and expense, shall defend any and all law suits, if any, arising out of or in any way connected with the exercise of the rights granted by this permit.

(d) Permittee shall take out and maintain during the life of this permit such public liability and property damage insurance as shall protect it, and any person performing work under this permit, for claims for damages for personal injury, including accidental death, as well as from claims for property damage, which may arise out of the exercise of the rights granted by this permit, whether by itself, or by

any subcontractor, or by anyone directly or indirectly employed by either of them, and the amounts of such insurance shall be as follows:

Public Liability Insurance, in an amount not less than One hundred thousand and no/100ths ($100,000) Dollars for injuries, including accidental death, to any one person; and, subject to the same limit for each person, in an amount not less than Three hundred thousand and no/100ths ($300,000) Dollars on account of one occurrence; and

Property Damage Insurance, in an amount not less than Ten thousand and no/100ths ($10,000) Dollars.

Permittee shall furnish City with satisfactory proof of carriage of the insurance required. Such insurance shall be absolutely non-cancellable for a period of not less than five (5) days after notice to the City.

Permittee shall assume the responsibilities for cleaning the facility after its use.

Proper arrangements shall be cleared by the Permittee through the appropriate City departments.

SECTION 3. The City Clerk shall furnish Permittee with a copy of this resolution. Permittee shall have twenty (20) days from and after the adoption of this resolution within which to file written acceptance of this permit and a certificate of insurance as required by this resolution with the City Clerk, and no right shall be conferred hereby until said acceptance and certificate is filed.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 4th day of June, 19 62, by Councilman Shastid, who moved its adoption, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: _____
CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 62-264

A RESOLUTION AUTHORIZING WORK TO BE PERFORMED BY CITY FORCES FOR THE INSTALLATION OF WATER MAINS IN DOWNEY PARK NO. 3 AND WILLOW ESTATES NO. 1 SUBDIVISION

WHEREAS, the Council of the City of Modesto adopted Resolution No. 62-227, on May 21, 1962, approving the plans and specifications for the installation of water mains in Downey Park No. 3 and Willow Estates No. 1 Subdivision

and directed the City Clerk to advertise for sealed proposals for doing said work, and providing that bids be submitted on the 5th day of June, 1962, and

WHEREAS, the City Clerk, in accordance with said Resolution, thereafter duly and regularly caused a notice to be published in the manner and for the time prescribed by law, and

WHEREAS, no bids were received pursuant to said notice, and

WHEREAS, the Director of Public Works estimates that the cost of such work to be performed by city forces for the sum of $6628.44, which cost estimate has been approved by the City Manager, and

WHEREAS, the Council declares and determines that, in its opinion, based upon the estimate approved by the City Manager, the work in question may be performed better and more economically by the City with its own employees,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that, in accordance with the provisions of Section 1307 of the Charter of the City of Modesto, the City Manager is hereby authorized to proceed to have the work in question performed by the City by its own employees.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of June, 1962, by Councilman Shastid, who moved

its adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: _____
City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 62-265

A RESOLUTION AUTHORIZING THE RELEASE OF THE GREAT AMERICAN INSURANCE COMPANY SUBDIVISION BOND, FILED TO GUARANTEE IMPROVEMENTS IN ROSEWOOD COURT SUBDIVISION

WHEREAS, Billy Ray Glenn and Florence Glenn, husband and wife, and Fay M. McNary, an unmarried woman, Subdividers of Rosewood Court Subdivision, have filed with the City of Modesto a performance bond to guarantee the improvements in the aforesaid subdivision, and

WHEREAS, the Director of Public Works has reported that the improvements have been completed in the aforesaid subdivision to his satisfaction, and has recommended the release of the performance bond,

NOW, THEREFORE, BE IT RESOLVED that the Great American Insurance Company Bond No. 8079146 in the sum of $8,300 filed by the Subdividers to guarantee the improvements in Rosewood Court Subdivision be and it is hereby released.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of June, 1962, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: [signature]
CITY CLERK

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-266

A RESOLUTION SETTING THE DATE FOR THE PUBLIC HEARING ON THE PROPOSED BUDGET FOR THE CITY OF MODESTO FOR THE FISCAL YEAR 1962-63

WHEREAS, Section 1303 of the Charter of the City of Modesto requires that the Council shall determine the time for holding a public hearing upon the annual budget,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that Monday, June 25, 1962, at 8:00 P.M. in the Council Chambers, located at 801 Eleventh Street, be set as the time and place for the public hearing upon the proposed budget for the fiscal year 1962-63, at which time and place all persons interested in said budget will be given an opportunity to be heard, and

BE IT FURTHER RESOLVED that the City Clerk is hereby directed to publish Notice of Public Hearing in the official newspaper of the City of Modesto, The Modesto Tribune, according to the provisions of Section 1303 of the Charter.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto, held on the 11th day of June, 1962, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Johansen, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: _____
CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 62-267

A RESOLUTION REJECTING THE CLAIM OF RUBYE L. HAMMONS FOR DAMAGES AGAINST THE CITY OF MODESTO

WHEREAS, Rubye L. Hammons filed a claim for damages against the City of Modesto on the 4th day of June, 1962, a copy of which claim is on file in the office of the City Clerk, and

WHEREAS, the claim is in the amount of $10,000 for personal injuries sustained in an automobile accident involving a city police car on February 6, 1962, and

WHEREAS, more than one hundred days have elapsed since the date of the accident and the claim is therefore barred by the statute of limitations,

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

The aforementioned claim of Rubye L. Hammons is hereby rejected in its entirety, both as to the City of Modesto and the officials therein.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto on the 11th day of June, 1962, by Councilman Shastid, who moved its adoption, which motion being duly seconded by Councilman Patton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: None

ATTEST: [signature]
CITY CLERK

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-268

A RESOLUTION GIVING NOTICE OF THE PROPOSED ANNEXATION TO THE CITY OF MODESTO OF UNINHABITED TERRITORY DESCRIBED HEREIN AND DESIGNATED AS RUFFINO ADDITION AND GIVING NOTICE OF TIME AND PLACE FOR HEARING PROTESTS THERETO.

BE IT RESOLVED by the Council of the City of Modesto:

1. That, pursuant to the provisions of the Annexation of Uninhabited Territory Act of 1939, a petition signed by owners of not less than one fourth of the land in the hereinafter described territory by area and by assessed value as shown on the last equalized assessment roll of the County of Stanislaus, was filed with the Council of the City of Modesto on May 21, 19 62, requesting annexation of the hereinafter described territory to said City.

2. That the territory which the petitioners request be annexed to the City of Modesto and which said City and its Council propose to annex, is situate in the County of Stanislaus, State of California, hereby designated as RUFFINO ADDITION, and described as follows:

RUFFINO ADDITION

All that real property situate in the State of California, County of Stanislaus, Section 27, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

All of Lot 14 in Block 2196 of the Alta Vista Tract, as per map filed September 12, 1946, in Volume 14 of Maps, Page 75, Stanislaus County Records, and also described as follows:

Beginning at a point on the existing City Limits as established by the Southeastern corner of the Phoenix Station Addition, as per description filed March 11, 1959, as Instrument 6959, Stanislaus County Records, said point being the Northeastern corner Lot 14 of Block 2196; thence along the Northern line of Lot 14 and the Southern line of said Phoenix Station Addition, North 89° 50' West, 127.65 feet, to the Eastern line of the alley in Block 2196 and the existing City Limits as established by the La Loma-Yosemite Addition, as per description filed December 4, 1953, as Instrument 30045, Stanislaus County Records; thence along the Eastern line of the alley and the existing City Limits, South 0° 34' 40" East, 60 feet, to the Southwestern corner of said Lot 14; thence along the Southern line of Lot 14 and the existing City Limits, South 89° 50' East, 127.67 feet, to the Southeastern corner of Lot 14 and the Western line of Phoenix Avenue; thence along the Eastern line of Lot 14 and the Western line of Phoenix Avenue, North 0° 35' 40" West, 60 feet to the point of beginning, containing 0.176 Acres, more or less.

3. That the County Boundary Commission of Stanislaus County, California, did in session duly assembled on May 15, 1962, consider the proposed annexation boundaries of said RUFFINO ADDITION, as above described, and as submitted to said Commission by the proponents of said annexation;

4. No change in school district boundaries shall be effected by reason of the annexation of the hereinabove described area to the City of Modesto.

5. NOTICE IS HEREBY GIVEN that the 23rd day of July, 1962, at the hour of 8:00 o'clock P.M. of said day, in the Council Chambers at the City Hall, located at 801 Eleventh Street in the City of Modesto, be and the same is hereby fixed as the time and place for considering said petition, at which time and place any person owning real property within such territory and having any objections to the proposed annexation may appear before the Council of the City of Modesto and show cause why such territory should not be so annexed. The protest must be in writing, may be filed at any time before the hour set for hearing objections to the proposed annexation, and shall state the name or names of the owner or owners of property affected and the description and area of such property, in general terms.

6. The City Clerk shall cause a copy of this resolution to be published at least twice, but not oftener than once a week, in The Modesto Tribune, a newspaper of general circulation, published in the City of Modesto and being the official newspaper of the City of Modesto. Said publications shall be completed at least twenty (20) days prior to the date set for the hearing.

7. The City Clerk of the City of Modesto shall also cause written notice of such proposed annexation to be mailed to each person to whom land within the territory proposed to be annexed is assessed on the last equalized county assessment roll available on the date the proceedings were initiated, at the address shown on said assessment roll

as known to said Clerk, and to any person who has filed his name and address and the designation of the land in which he has any interest, either legal or equitable, with said Clerk. Said notices shall be mailed not less than twenty (20) days before the public hearing on the proposed annexation.

8. In the event any land within the territory proposed to be annexed is owned by the County of Stanislaus, the City Clerk is directed to cause written notice of such proposed annexation to be mailed to the Board of Supervisors of the County, such notice to be given not less than twenty (20) days before the public hearing on the proposed annexation.

9. In the event there is, upon the land proposed to be annexed, a structural improvement owned, being acquired or leased by a county fire protection district, the City Clerk is directed to cause written notice of such proposed annexation to be mailed to the governing body of such district, such notice to be sent not less than ten (10) days before the public hearing on the proposed annexation.

10. The City Clerk is directed to cause written notice to be given to such other persons as may be legally entitled thereto, in the manner required by law.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of June, 19 62, by Councilman Mitchell, who moved its adoption, which motion being duly seconded by Councilman Patton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: _____
City Clerk

(SEAL)

MODESTO CITY COUNCIL

RESOLUTION NO. 62-269

A RESOLUTION FIXING THE TIME AND PLACE FOR A PUBLIC HEARING ON AN UNCLASSIFIED USE PERMIT OF TEAKWOOD TERRACE FOR INCREASE IN UNITS IN P-D ZONE (3)

WHEREAS, the Modesto City Planning Commission has, by resolution filed with the Council, recommended the approval of the following application for an unclassified use permit;

Application requesting permission to construct 27 units in Block 6985, P-D (3), an increase of three units,

and,

WHEREAS, Section 10-2.2112 of the Modesto Municipal Code provides that the Council shall conduct a duly advertised public hearing on such matters,

NOW, THEREFORE, BE IT HEREBY RESOLVED that a public hearing be held on said application for an unclassified use permit in the City Hall, 801 - 11th Street, ~~Modesto Public Library at Fourteenth and I Streets~~ in the City of Modesto at 4:35 o'clock p.m. on July 2, 19 62.

BE IT FURTHER RESOLVED that the City Clerk give notice of the time and place of said hearing as provided in Section 10-2206(b) of the Modesto Municipal Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of June, 19 62, by Councilman Johansen, who moved its adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: None

ABSENT: None

ATTEST: REX E. GAILFUS, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 62-270

A RESOLUTION REFERRING TO THE MODESTO CITY PLANNING COMMISSION A PETITION FOR ANNEXATION OF CERTAIN UNINHABITED TERRITORY TO THE CITY OF MODESTO, KNOWN AS CRESTWOOD TERRACE ADDITION.

WHEREAS, a petition has been filed in the office of the City Clerk requesting the annexation of certain uninhabited territory to the City of Modesto, which territory is more specifically described hereinafter, and

WHEREAS, the County Boundary Commission has certified to the definiteness and accuracy of the boundaries of said territory,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that said petition for the annexation of the following described uninhabited territory be referred to the Planning Commission for its report and recommendation.

The territory herein referred to is situated in the County of Stanislaus, State of California, and more particularly described as follows:

CRESTWOOD TERRACE ADDITION

All that real property situate in the State of California, County of Stanislaus, Section 9, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, being all the property conveyed to Kenneth F. Duffin and George B. Pierrou, by Deeds recorded November 28, 1961, as Instrument 39368, and February 2, 1962, as Instrument 4364, Stanislaus County Records, more particularly described as follows:

Beginning at a point on the existing City Limits as established by the Northeastern corner of the Sherwood Manor Addition, as per description filed July 15, 1959, as Instrument 20526, Stanislaus County Records, said point being on the Section Line common to Sections 9 and 16; thence along said Section Line and the existing City Limits, North 89° 30' West, 32.51 feet, to the Southwestern corner of said Duffin and Pierrou property; thence along the Western line of said property, North 0° 45' West, 420.00 feet, to the Northwestern corner thereof; thence along the Northern line of said property, South 89° 30' East, 659.21 feet, to the Northeastern corner thereof; thence along the Eastern line of said property, South 0° 44' 30" East, 420.00 feet, to the Southeastern corner thereof and a point on the Section Line; thence along the Section Line, North 89° 30' West, 626.64 feet, to the point of beginning, containing 6.356 Acres, more or less.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of June, 19 62, by Councilman Mitchell, who moved its adoption, which motion being duly seconded by Councilman Patton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: _____
City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-271

A RESOLUTION APPROVING MISCELLANEOUS APPROPRIATION TRANSFERS

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the following appropriation transfers be approved:

GENERAL FUND - 101

From: Sewage Disposal (53) Salaries and Wages Regular (110)..$850

To: Sewage Disposal (53) Equipment Rental Charges (218)....$850

From: Sewers (52) Tools, Shop and Field Supplies (308)..... $450
Sewers (52) Misc. Storm Drains (503)..... $450
Total..... $900

To: Sewers (52) Equipment Rental Charges (218)..... $900

From: Water (50) Sand Traps (503) $1600

To: Water (50) Equipment Rental Charges (218) $1600

From: Streets (51) Equipment Rental Charges (218)..... $600

To: Garden Refuse (54) Equipment Rental Charges (218)... $600

SPECIAL CAPITAL OUTLAY FUND - 321

From: General Reserve (600) $2500

To: Miscellaneous Street Improvement (503) $2500

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of June, 1962, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Johansen, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: [signature]
CITY CLERK

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-272

A RESOLUTION AMENDING RESOLUTION NO. 62-32 ENTITLED "A RESOLUTION FIXING THE COMPENSATION FOR SPECIFIED POSITIONS IN THE CITY SERVICE."

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

SECTION 1. SALARIES. The ranges of monthly salaries for department heads and Council appointees established January 1, 1962, by Resolution No. 62-32 are hereby continued in effect.

SECTION 2. SALARIES OF DEPUTY CITY MANAGER, DIRECTOR OF PARKS AND RECREATION AND FINANCE DIRECTOR. Provisions of Resolution No. 62-32 notwithstanding, the one-half range increase (approximately 2 1/2%) indicated for the positions of Deputy City Manager, Director of Parks and Recreation and Finance Director shall be effective July 1, 1962.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of June, 1962, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Mitchell, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: Shastid

ABSENT: Councilmen: None

ATTEST: _____
City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-273

A RESOLUTION ACCEPTING THE BID OF THE MODESTO TRIBUNE FOR LEGAL ADVERTISING FOR THE FISCAL YEAR 1962-63

WHEREAS, Resolution No. 62-253, adopted by the Council of the City of Modesto on June 4, 19 62, approved the ~~plans and~~ specifications for the legal advertising for the fiscal year 1962-63 and authorized the calling for bids, and

WHEREAS, the bids received for the legal advertising for the fiscal year 1962-63 were opened at 2:00 P.M., June 14, 1962, and later tabulated by the City Clerk's office for the consideration of the Council, and

WHEREAS, the City Clerk has recommended that the bid of The Modesto Tribune

be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED that the bid of The Modesto Tribune

be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 18th day of June, 19 62, by Mayor Hammond, who moved its adoption, which motion being duly seconded by Councilman Mitchell, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen Shastid

ATTEST: [signature]
CITY CLERK

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-274

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND WALTER FOUNTAIN, AN INDIVIDUAL, DBA HAWKE DUSTERS FOR LEASE OF AIRPLANE HANGAR

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the Agreement between the City of Modesto and Walter Fountain, an individual, doing business as Hawke Dusters, for lease of airplane hangar No. 2 located at Modesto City-County Airport, for a term of one year commencing July 1, 1962 and ending June 30, 1963 be, and it is hereby approved, and

BE IT FURTHER RESOLVED that the execution of said Agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 18th day of June, 19 62, by Councilman Johansen, who moved its adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Tabbert, VanderWall, Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: Shastid

ATTEST: _____
CITY CLERK

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-275

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND NATHAN J. PROVINCE, FOR LEASE OF AIRPLANE HANGAR NO. 3

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the Agreement between the City of Modesto and Nathan J. Province, an individual,

for lease of airplane hangar No. 3 located at Modesto City-County Airport, for a term of one year commencing July 1, 1962 and ending June 30, 1963

be, and it is hereby approved, and

BE IT FURTHER RESOLVED that the execution of said Agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 18th day of June, 1962, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Patton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Shastid

ATTEST: [signature]
CITY CLERK

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-276

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND DARRELL OLSON FOR LEASE OF AIRPLANE HANGAR NO. 5

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the Agreement between the City of Modesto and Darrell Olson, an individual,

for lease of airplane hangar No. 5 located at Modesto City-County Airport, for a term of one year commencing July 1, 1962 and ending June 30, 1963

be, and it is hereby approved, and

BE IT FURTHER RESOLVED that the execution of said Agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 18th day of June, 1962, by Councilman Tabbert, who moved its adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Shastid

ATTEST: [signature]
CITY CLERK

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-277

A RESOLUTION AUTHORIZING THE CITY TO RENEW ITS GENERAL COMPREHENSIVE LIABILITY INSURANCE AND AVIATION LIABILITY INSURANCE

BE IT HEREBY RESOLVED By the Council of the City of Modesto that the City's comprehensive liability policy, which expires June 27, 1962, be renewed with Great American Insurance Company, for the period beginning June 27,1962, and ending June 27, 1963;

BE IT FURTHER RESOLVED by the Council of the City of Modesto that the City's comprehensive airport liability policy, which expires on June 27, 1962, be renewed with Insurance Company of North America, for the period beginning June 27, 1962, and ending June 27, 1963.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 18th day of June, 1962 by Councilman Mitchell, who moved its adoption, which motion being duly seconded by Councilman Patton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Shastid

ATTEST: Rex E. Gailfus, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 62-278

A RESOLUTION AUTHORIZING THE RELEASE OF SPRINGFIELD INSURANCE COMPANY PERFORMANCE BOND FILED TO GUARANTEE IMPROVEMENTS IN VILLAGE MANOR NO. 2 SUBDIVISION.

WHEREAS, John H. and Dolores Irene Kirkpatrick, subdividers of Village Manor No. 2 Subdivision, have filed with the City of Modesto, a performance bond to guarantee the improvements in the aforesaid subdivision, and

WHEREAS, the Director of Public Works has reported that the improvements have been completed in the aforesaid subdivision to his satisfaction, and has recommended the release of the performance bond in the amount of $20,300;

NOW, THEREFORE, BE IT HEREBY RESOLVED that the Springfield Insurance Company Performance Bond No. S 23100 guaranteeing the improvements in Village Manor No. 2 Subdivision be, and it is hereby released.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 18th day of June, 1962 by Councilman Johansen, who moved its adoption, which motion being duly seconded by Councilman VanderWall was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Shastid

ATTEST: Rex E. Gailfus, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 62-279

A RESOLUTION WITHDRAWING CERTAIN DESCRIBED TERRITORY FROM THE WOODLAND AVENUE COUNTY FIRE PROTECTION DISTRICT BY REASON OF ITS ANNEXATION TO THE CITY OF MODESTO. (BLOMDAHL ADDITION)

WHEREAS, a portion of the Woodland Avenue County Fire Protection District was annexed to the City of Modesto by Ordinance No. 511 -C.S., adopted on June 4, 1962, and

WHEREAS, said territory officially became a part of the City on June 7, 1962, and

WHEREAS, the Health and Safety Code of the State of California provides that whenever any portion of such a District is included within a city by reason of annexation, such portion may be withdrawn from the District by the filing with the State Board of Equalization, the governing body of the District, and the County Assessor of copies of a resolution of the legislative body of the city, describing the included portion, and declaring such portion withdrawn, and

WHEREAS, it is to the best interests of the residents in the area of said Fire District which has been annexed to the City that the area be withdrawn from said Fire District and provided fire prevention and fire fighting services by the City,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the following described territory be withdrawn from the boundaries of the Woodland Avenue County Fire Protection District:

All that real property in the State of California, County of Stanislaus, being a portion of Section 18, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits said point being the Northwestern corner of Gregory Gardens Number 2 Addition, as per description filed December 5, 1955, as Instrument 35055, Stanislaus County Records, said point being also on the East-West quarter Section line in said Section 18; thence South 00° 20' West, 717.09 feet, along the Western line of said Gregory Gardens Number 2 Addition, to a point on the Northern line of Saratoga Manor Addition as per description filed February 2, 1960, as Instrument 2905, Stanislaus County Records; thence North 88° 25' West 1237.24 feet along said Northern line of Saratoga Manor Addition, to a point on the Eastern line of Park Manor Addition, as per description filed June 2, 1960, as Instrument 15668, Stanislaus County Records; thence North 00° 20' East, 717.09 feet, along said Eastern line of Park Manor Addition, to a point on the East-West quarter Section line of Section 18; thence South 88° 25' East, 1237.24 feet along said quarter Section line to the point of beginning, containing 20.37 acres, more or less.

BE IT FURTHER RESOLVED that the City Clerk be, and he is hereby directed to file a certified copy of this resolution with the State Board of Equalization, the governing body of said Fire Protection District, and the Assessor of Stanislaus County.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 18th day of June, 1962, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilman Shastid

ATTEST: _____
City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62- 280

A RESOLUTION SETTING THE DATE OF A PUBLIC HEARING ON THE REVOCATION OF THE CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY ISSUED TO YELLOW CAB COMPANY TO OPERATE TAXICABS WITHIN THE CITY.

WHEREAS, it is alleged that the Yellow Cab Company has violated the provisions of Section 4-6.213(e) of the Modesto Municipal Code which requires that the owner of any taxicab certificate pay all of the fees and payments required to be paid by him by the provisions of Chapter 6 of Title IV and Chapter 1 of Title VI of the Modesto Municipal Code, and

WHEREAS, the City Manager, on recommendation of the Director of Finance and the Director of Parking and Traffic, has recommended that the taxicab certificates issued to the Yellow Cab Company be suspended for violation of the provisions of the Municipal Code,

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

SECTION 1. Monday, July 2, 1962, at 5:00 P.M., in the Council Chambers, located at 801 11th Street in the City of Modesto, is hereby set as the time and place for a public hearing on the matter of the revocation of the taxicab certificates issued to the Yellow Cab Company in accordance with the provisions of Section 4-6.213 of the Modesto Municipal Code.

SECTION 2. The City Clerk is hereby directed to serve a copy of this resolution on the Yellow Cab Company by sending such copy to the Yellow Cab Company by registered or certified mail addressed to such organization at its last known address.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 18th day of June, 1962, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Johansen, was upon

roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Shastid

ATTEST: _____
City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-281

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND THE STATE OF CALIFORNIA, DEPARTMENT OF PUBLIC WORKS, DIVISION OF HIGHWAYS, FOR THE MAINTENANCE OF STATE HIGHWAY IN THE CITY OF MODESTO

WHEREAS, the State of California, through its Department of Public Works, Division of Highways, has presented an agreement for maintenance of the State highway in the City of Modesto effective July 1, 1962, and to remain in effect until amended or terminated;

NOW, THEREFORE, BE IT RESOLVED BY the Council of the City of Modesto that said Agreement for Maintenance of State Highway in the City is hereby approved and execution of said Agreement by the designated city officials authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 18th day of June, 1962 by Councilman Tabbert, who moved its adoption, which motion being duly seconded by Councilman Mitchell, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen Shastid

ATTEST

Rex E. Gailfus, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 62-282

A RESOLUTION SETTING THE TIME AND PLACE FOR A PUBLIC HEARING BEFORE THE COUNCIL OF THE CITY OF MODESTO ON A PROPOSED AMENDMENT TO AMEND SECTION 19 OF THE ZONING MAP

WHEREAS, the Modesto City Planning Commission held a public hearing on June 12, 19 62, in the Council Chamber for the purpose of considering an amendment to Section 19 of the zoning map

the following described property:

Beginning at a point on the center line of Tully Road 350 feet north of the north line of Leonard Avenue which is the true point of beginning of this description; thence northerly along the center line of Tully Road a distance of 174 feet to the north line of the property owned by Iva E. Causey; thence westerly along the north line of said property a distance of 532 feet to the northwest corner of the Causey property; thence southerly along the west line of said property a distance of 248 feet to the southwest corner of said Causey property; thence easterly along the south property line of the Causey property a distance of 357 feet; thence northerly 75 feet; thence easterly 178 feet to the center line of Tully Road and the point of beginning; a...

and

WHEREAS, the said Commission, after hearing evidence both oral and documentary, on the proposed amendment, adopted Resolution No. 811 recommending to the Council that rezoning of the area as requested was required by public necessity, convenience and general welfare,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that a public hearing on the proposed amendment be set for 8:15 P.M., o'clock, July 9, 19 62, in the Council Chamber of the City of Modesto as recommended by the Modesto City Planning Commission.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 18th day of June, 19 62, by Councilman Johansen, who moved its adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Shastid

ATTEST: _____
City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 62-283

A RESOLUTION APPROVING MISCELLANEOUS APPROPRIATION TRANSFERS

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the following appropriation transfers be approved:

GENERAL FUND (101)

From Miscellaneous Unclassified (65):	
428, Misc. Expense	$ 48
426, Group Health Insurance	285
233, Roman Case Litigation	750
225, Mtc., Rental Property	670
232, M.I.D. Litigation	200
414, Surety Bond Insurance	269
420, Taxes	329
	$ 2,551
To: Miscellaneous Unclassified (65)	
431, Commissions on Tax Collections	$ 651
425, S.E.R.S. Contributions	1,900
	$ 2,551

GENERAL FUND (101) From Streets (51), Salaries & Wages Regular (110)	$ 4,265
To: Civil Defense (26) Salaries & Wages Regular (110)	$ 20
Community Service Center (34) Salaries & Wages, Regular (110)	45
Water (50) Salaries & Wages, Regular (110)	800
Garden Refuse (54) Salaries & Wages, Regular (110)	3,400
	$4,265

GENERAL FUND (101 From Parks and Recreation, Street Trees (36) Salaries & Wages, Regular (110)	$ 2,262
9-Hole Golf Course (37) Equipment Rental Charges (218)	420
	$ 2,682
To: Parks and Recreation, 9-Hole Municipal Golf Course (37) Salaries & Wages, Regular (110)	$ 1,375
Dryden Park Muni. Golf Course (38) Salaries & Wages, Regular (110)	1,307
	$ 2,682

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 18th day of June, 1962 by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Johansen, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Shastid

ATTEST: Rex E. Gallius, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 62-284

A RESOLUTION URGING REDELEGATION TO THE SAN FRANCISCO OFFICE OF THE U. S. DEPARTMENT OF LABOR, OF AUTHORITY TO CLEAR EMPLOYMENT OF NEEDED FOREIGN LABOR IN STANISLAUS COUNTY TO AVOID DANGEROUS DELAY TO HARVEST OF PERISHABLE CROPS

WHEREAS, Stanislaus County has been designated by the Federal Department of Commerce as an area of "substantial and persistent unemployment"; and

WHEREAS, the farm labor needs for harvesting in this County (which ranks among the top ten in the nation in farm production) vary sharply with the weather, and may increase by several thousand almost overnight, depending on the rapid ripening of a crop; and

WHEREAS, part of the solution to this problem has been the importation of foreign workers, under Public Law 78, and

WHEREAS, since the designation of Stanislaus County as an area of "substantial and persistent unemployment", approval for the use of foreign workers for crop harvesting, formerly received through the San Francisco office of the Bureau of Employment Security, U. S. Department of Labor, now must be obtained through the Department of Labor in Washington, D. C.--with dangerous delay to perishable crops; and

WHEREAS, it is obviously intended that this change in requirements for clearing the use of foreign workers will reduce unemployment in designated areas by giving local labor "first chance" at available jobs; and

WHEREAS, it is readily understandable that those unfamiliar with the special "stoop labor" needs of California agriculture would not know, without acquaintance with local conditions, that this kind of labor is seldom interchangeable with others, since its physical requirements are especially severe; and

WHEREAS, agriculture, a predominant activity here, also strongly influences the seasonal work schedules of food processing and related manufacturing plants which make up a major portion of our local industry; and

WHEREAS, therefore, failure to begin harvesting on the right day (ripe strawberries, for instance, won't wait) means not only heavy losses to the farmer, but subsequent reduced employment in food processing and related industries, with adverse effects on the whole local economy;

NOW, THEREFORE, BE IT RESOLVED, that in the interests of the over-all economy of this area, the U. S. Department of Labor is urgently requested to again delegate to its San Francisco office the clearance of foreign labor to harvest crops when needed; and

BE IT FURTHER RESOLVED that the immediate and continuing cooperation and assistance of Modesto city officials is pledged to help in every way possible to obtain an immediate solution of this critical problem; and

BE IT FURTHER RESOLVED that copies of this Resolution are to be mailed to the legislative representatives of Stanislaus County, to appropriate Federal and State officials, and to other interested persons and groups.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the eighteenth day of June, 1962, by Councilman Johansen, who moved its adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the resolution adopted by the following vote:

AYES: Johansen, Mitchell, Patton, Tabbert, VanderWall, Mayor Hammond

NOES: None

ABSENT: Councilman Shastid

ATTEST: _____
City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-285

A RESOLUTION AUTHORIZING THE CLOSING OF BRUCE AVENUE BETWEEN JASMIN AVENUE AND DANA LANE ON THE EVENING OF JULY 3, 1962

WHEREAS, Mrs. Richard L. Dinubilo has filed a request for the closing of Bruce Avenue between Jasmin Avenue and Dana Lane between the hours of 8:00 P.M. and 12:00 Midnight on July 3, 1962, to hold a Block Party,

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

SECTION 1. Permission is hereby granted to close Bruce Avenue between Jasmin Avenue and Dana Lane between the hours of 8:00 P.M. and 12:00 Midnight on the evening of July 3, 1962, subject to the following provisions of this resolution:

(a) Permittee shall indemnify and save the City harmless of and from all damages, costs and charges of any kind or character arising out of or relating thereto or in any way connected with the exercise of the rights granted by this permit.

(b) Permittee shall assume the responsibility for cleaning the street after its use.

(c) Proper arrangements shall be cleared by the Permittee through the Chief of Police and Director of Parking and Traffic.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 25th day of June, 1962, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Patton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Tabbert, VanderWall, Mayor Hammond

NOES: None ABSENT: Councilman Shastid

ATTEST: _____
CITY CLERK

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-286

A RESOLUTION AUTHORIZING THE CLOSING OF THE 1200 BLOCK OF PURDUE AVENUE FOR FOURTH OF JULY BLOCK PARTY

WHEREAS, Mrs. Cleo Alexander has filed a request for the closing of the 1200 Block on Purdue Avenue between the hours of 4:00 P.M. and 9:00 P.M. for a Block Party on July 4, 1962,

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

Section 1. Permission is hereby granted to close the 1200 Block of Purdue Avenue from 4:00 P.M. to 9:00 P.M. July 4, 1962, to hold a Block Party, subject to the following provisions of this resolution:

(a) Permittee shall indemnify and save the City harmless of and from all damages, costs and charges of any kind or character arising out of or relating thereto or in any way connected with the exercise of the rights granted by this permit.

(b) Permittee shall assume the responsibility for cleaning the street after its use.

(c) Proper arrangements shall be cleared by the Permittee through the Chief of Police and Director of Parking and Traffic.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 25th day of June, 1962 by Councilman Johansen, who moved its adoption, which motion being duly seconded by Councilman Mitchell, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Tabbert, VanderWall, Mayor Hammond

NOES: None ABSENT: Councilman Shastid

ATTEST: [signature]
CITY CLERK

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-287

A RESOLUTION AUTHORIZING THE CLOSING OF THE 1500 BLOCK OF CHERRYWOOD DRIVE FOR FOURTH OF JULY BLOCK PARTY

WHEREAS, John McCaffery has filed a request for the closing of the 1500 Block of Cherrywood Drive between the hours of 4:00 P.M. and 10:00 P.M., July 4, 1962, for a Block Party,

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

Section 1. Permission is hereby granted to close the 1500 Block of Cherrywood Drive from 4:00 P.M. to 10:00 P.M. July 4, 1962, to hold a Block Party, subject to the following provisions of this resolution:

(a) Permittee shall indemnify and save the City harmless of and from all damages, costs and charges of any kind or character arising out of or relating thereto or in any way connected with the exercise of the rights granted by this permit.

(b) Permittee shall assume the responsibility for cleaning the street after its use.

(c) Proper arrangements shall be cleared by the Permittee through the Chief of Police and Director of Parking and Traffic.

The foregoing resolution wasintroduced at a regular meeting of the Council of the City of Modesto held on the 25th day of June, 1962 by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None ABSENT: Councilman Shastid

ATTEST: [signature]
CITY CLERK

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-288

A RESOLUTION ACCEPTING GIFT OF LANDSCAPING MATERIAL IN THE AMOUNT OF $5.00 FROM MR. AND MRS. ELROY VAUGHN FOR USE AT CHILDREN'S PARK

WHEREAS, the Director of Parks and Recreation, acting as the agent of Mr. and Mrs. Elroy Vaughn, has purchased landscape material in the amount of $5.00 for the Birthday Area in Modesto Children's Park, as a memorial to Alfred Matthews, deceased,

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the donation of landscape material in the amount of $5.00 for the Birthday Area of Children's Park be, and it is hereby accepted, and

BE IT FURTHER RESOLVED that the Mayor be authorized to send a letter expressing the appreciation of the Council of the City of Modesto for the donation.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 25th day of June, 1962, by Councilman Mitchell, who moved its adoption, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Shastid

ATTEST: _____
CITY CLERK

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-289

A RESOLUTION ACCEPTING GIFT OF LANDSCAPE MATERIAL IN THE AMOUNT OF $50.00 FROM THE HOME AND GARDEN CLUB FOR USE AT CHILDREN'S PARK

WHEREAS, the Director of Parks and Recreation, acting as the agent of The Home and Garden Club, has purchased landscape material in the amount of $50.00 for Modesto Children's Park,

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the donation of landscape material in the amount of $50.00 for Modesto Children's Park be, and it is hereby accepted, and

BE IT FURTHER RESOLVED that the Mayor be authorized to send a letter expressing the appreciation of the Council of the City of Modesto for the donation.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 25th day of June, 1962, by Councilman Tabbert, who moved its adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Shastid

ATTEST: [signature]

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-290

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING THE CALLING FOR BIDS FOR BIDS FOR THE IMPROVEMENT OF BOWEN AVENUE BETWEEN THE TIDEWATER SOUTHERN RAILROAD TRACKS AND McHENRY AVENUE

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

Section 1. The plans and specifications for the improvement of Bowen Avenue between the Tidewater Southern Railroad Tracks and McHenry Avenue, copies of which are on file, are hereby accepted and approved.

Section 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 - 11th Street, in the City of Modesto, on July 10, 1962, at 2:00 P.M., and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form and manner provided by law.

Section 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 25th day of June, 1962, by Councilman Johansen, who moved its adoption, which motion being duly seconded by Councilman Mitchell, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Shastid

ATTEST: [signature] CITY CLERK

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-291

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS FOR INDUSTRIAL WASTES TREATMENT WORKS ADDITIONS

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the plans and specifications for Industrial Wastes Treatment Works Additions, copies of which are on file, are hereby accepted and approved.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 25th day of June, 1962 by Councilman Tabbert, who moved its adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the resolution adopted by the following vote.

AYES:	Councilmen:	Johansen, Mitchell, Patton, Tabbert, VanderWall, Mayor Hammond
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Shastid

ATTEST: Rex E. Gailfus, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 62-292

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND THE STATE PERSONNEL BOARD COOPERATIVE PERSONNEL SERVICES TO FURNISH EXAMINATIONS AS NEEDED

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the Agreement between the City of Modesto and The State Personnel Board Cooperative Personnel Services for furnishing examinations as needed

be, and it is hereby approved, and

BE IT FURTHER RESOLVED that the execution of said Agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 25th day of June, 19 62, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Patton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Shastid

ATTEST: [signature]
CITY CLERK

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-293

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND RICHFIELD OIL CORPORATION EXTENDING EXPIRATION DATE OF AGREEMENT COVERING THE CITY'S GASOLINE REQUIREMENTS

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the Agreement between the City of Modesto and Richfield Oil Corporation, extending the expiration date of the City's present agreement covering its gasoline needs ~~for~~ to June 30, 1963,

be, and it is hereby approved, and

BE IT FURTHER RESOLVED that the execution of said Agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 25th day of June, 1962, by Councilman Mitchell, who moved its adoption, which motion being duly seconded by Councilman Patton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Shastid

ATTEST: [signature]
CITY CLERK

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-294

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND H. R. MANNING FOR THE RENTAL OF THE WEST ONE-HALF OF HANGAR NO. 1 AT THE MODESTO CITY-COUNTY AIRPORT

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the Agreement between the City of Modesto and H. R. Manning

for the rental of the west one-half of Hangar No. 1 at the Modesto City-County Airport for the period of one year beginning July 1, 1962

be, and it is hereby approved, and

BE IT FURTHER RESOLVED that the execution of said Agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 25th day of June, 1962, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Johansen, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Shastid

ATTEST: [signature]
CITY CLERK

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-295

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND DONALD R. MONTGOMERY FOR THE RENTAL OF THE EAST ONE-HALF OF HANGAR NO. 1 AT THE MODESTO CITY-COUNTY AIRPORT

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the Agreement between the City of Modesto and Donald R. Montgomery

for the rental of the east one-half of Hangar No. 1 at the Modesto City-County Airport for a period of one year beginning July 1, 1962

be, and it is hereby approved, and

BE IT FURTHER RESOLVED that the execution of said Agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 25th day of June, 1962, by Councilman Johansen, who moved its adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Shastid

ATTEST: [signature]
CITY CLERK

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-296

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND ORVILLE OKERSON FOR OPERATION OF GASOLINE CONCESSION BUSINESS AT THE MODESTO CITY-COUNTY AIRPORT

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the Agreement between the City of Modesto and Orville Okerson

for operation of the gasoline concession business at the Modesto City-County Airport for a period of one year commencing July 1, 1962

be, and it is hereby approved, and

BE IT FURTHER RESOLVED that the execution of said Agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 25th day of June, 1962, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Shastid

ATTEST: [signature]
CITY CLERK

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-297

A RESOLUTION REJECTING THE CLAIM OF JACK A. DORRITY AND MILTON D. EDDIE FOR DAMAGES AGAINST THE CITY OF MODESTO

WHEREAS, Jack A.Dorrity and Milton D. Eddie have filed a claim for damages against the City of Modesto on the 19th day of June, 1962, a copy of which claim is on file in the office of the City Clerk, and

WHEREAS, the claim is in the amount of $58,000 for damages alleged to have been sustained on May 4, 1962, as the result of a fire at 426 - 7th Street, and

WHEREAS, the claim should be rejected by reason of the fact that the City has no liability in this matter,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the claim of Jack A. Dorrity and Milton D. Eddie against the City of Modesto in the amount of $58,000 be, and it is hereby, rejected in its entirety, both as to the City of Modesto and the officials therein.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 25th day of June, 1962, by Councilman Johansen, who moved its adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Shastid

ATTEST: REX E. GAILFUS, City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-298

A RESOLUTION INSTRUCTING THE SUPERINTENDENT OF STREETS TO GIVE NOTICE REQUIRING CONSTRUCTION OF CURBS AND GUTTERS ALONG CERTAIN STREETS IN THE CITY OF MODESTO. (BLOCK 2095, LOT 12)

WHEREAS, Chapter 27 of Part 3 of Division 7 of the Streets and Highways Code of the State of California establishes a procedure pursuant to which the construction of curbs and gutters may be required, and

WHEREAS, in accordance with Section 5876 of the Streets and Highways Code, the Superintendent of Streets finds that curbs and gutters have been constructed in front of the properties constituting more than fifty per cent (50%) of the street frontage of 410 Covena Avenue (Block 2095, Lot 12)

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

SECTION 1. The Superintendent of Streets is hereby directed to notify the owners of record of the properties described as follows:

All that real property in the State of California, County of Stanislaus, City of Modesto, described as follows:

All of Lot 12, Block 2095 of the COVENA PARK TRACT No. 2 as per map filed April 16, 1946, in Volume 14 of Maps, Page 49, Stanislaus County Records.

to construct or cause to be constructed curbs and gutters along the street frontage of the property/~~properties~~ hereinabove described, all of said construction to be in accordance with City of Modesto standards for such construction work.

SECTION 2. The 16th day of July, 1962, at 5:00 o'clock P.M. in the Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California, is set as the time and place where the Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons relating to the proposed work.

SECTION 3. The Superintendent of Streets is hereby authorized to implement the provisions of this resolution in accordance with the procedure contained in Chapter 27, Part 3, Division 7 of the Streets and Highways Code of the State of California.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 25th day of June, 1962, by Councilman Tabbert, who moved its adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilman Shastid

ATTEST: Rex Chandler
City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-299

A RESOLUTION APPROVING THE FINAL MAP OF THE SUBDIVISION OF BLOCK 6985 OF McHENRY HIGHLANDS SUBDIVISION OF THE CITY OF MODESTO.

WHEREAS, TEAKWOOD TERRACE, INC., a corporation, is possessed of a tract of land situate in the City of Modesto, County of Stanislaus, consisting of 2.33 acres, known as the Subdivision of Block 6985 of McHenry Highlands Subdivision, and

WHEREAS, a revised tentative map of said tract was approved by the City Planning Commission on the 17th day of April, 1962, and

WHEREAS, the final map of said tract has been approved by the Secretary of the City Planning Commission, and

WHEREAS, the City Engineer of the City of Modesto has certified that the final map of said Subdivision of Block 6985 of McHenry Highlands Subdivision meets all of the provisions of the California Subdivision Map Act and the provisions of the Modesto Municipal Code relating to subdivisions, and that the map is technically correct,

NOW, THEREFORE, BE IT RESOLVED that said final map of the Subdivision of Block 6985 of McHenry Highlands Subdivision be approved; that the easements as shown thereon within the boundaries of said tract be accepted on behalf of the public for public use; and that the City Clerk be authorized to certify the map of said tract on behalf of the City of Modesto after the fees in the amount of One Hundred Forty-Nine and 70/100ths ($149.70) Dollars, as required by the Modesto Municipal Code, for checking, copies of maps, recording and parks and playgrounds have been paid.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 25th day of June, 1962, by Councilman Mitchell, who moved its adoption, which motion being duly seconded by Councilman Patton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Tabbert, VanderWall, Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: Shastid

ATTEST: _____
City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-300

A RESOLUTION ADOPTING AND SUBMITTING A BUDGET FOR EXPENDITURE OF STATE ALLOCATED (ENGINEERING) FUNDS

WHEREAS, a master agreement has been executed by the City and the State of California on February 17, 1960, for expenditure of State allocated (engineering) funds under Section 2107.5 of the Streets and Highways Code; and,

WHEREAS, the City Council has prepared a budget proposal showing estimated expenditures of such funds recommended to be made during the 1962-63 fiscal year; and

WHEREAS, the City Council has reviewed said budget proposal and is familiar with the contents thereof;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Modesto that said budget proposal be and it is hereby adopted as the budget of proposed expenditures of the State allocated funds for engineering to cities, said budget proposal to be and the same is hereby approved and the City Manager and the City Clerk are directed to sign the same on behalf of said City, and said budget proposal to be submitted to the Department of Public Works, State of California, in accordance with the provisions of Section 197 of the Streets and Highways Code.

The following resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 25th day of June, 1962 by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Patton, was upon roll call carried and the resolution adopted by the following vote:

AYES: COuncilmen: Johansen, Mitchell, Patton, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Shastid

ATTEST: Rex E. Gailfus, City Clerk

MODESTO CITY COUNCIL

RESOLUTION NO. 62-301

A RESOLUTION FIXING THE TIME AND PLACE FOR A PUBLIC HEARING ON AN UNCLASSIFIED USE PERMIT TO J. O. KINNEY FOR AN EQUIPMENT RENTAL BUSINESS AT 1331-1337 COLDWELL AVENUE

WHEREAS, the Modesto City Planning Commission has, by resolution filed with the Council, recommended the approval of the following application for an unclassified use permit,

Application for an unclassified use permit for an equipment rental business at 1331-1337 Coldwell Avenue

and,

WHEREAS, Section 10-2.2112 of the Modesto Municipal Code provides that the Council shall conduct a duly advertised public hearing on such matters,

NOW, THEREFORE, BE IT HEREBY RESOLVED that a public hearing be held on said application for an unclassified use permit in the Council Chambers, City Hall, 801 - 11th Street, in the City of Modesto at 4:30 o'clock p.m. on July 16, 1962.

BE IT FURTHER RESOLVED that the City Clerk give notice of the time and place of said hearing as provided in Section 10-2206(b) of the Modesto Municipal Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 25th day of June, 1962, by Councilman Johansen, who moved its adoption, which motion being duly seconded by Councilman Mitchell, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Tabbert, VanderWall, Mayor Hammond

NOES: None

ABSENT: Councilman Shastid

ATTEST: REX E. GAILFUS, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 62-302

A RESOLUTION GIVING NOTICE OF THE PROPOSED ANNEXATION TO THE CITY OF MODESTO OF UNINHABITED TERRITORY DESCRIBED HEREIN AND DESIGNATED AS CRESTWOOD TERRACE ADDITION AND GIVING NOTICE OF TIME AND PLACE FOR HEARING PROTESTS THERETO.

BE IT RESOLVED by the Council of the City of Modesto:

1. That, pursuant to the provisions of the Annexation of Uninhabited Territory Act of 1939, a petition signed by owners of not less than one fourth of the land in the hereinafter described territory by area and by assessed value as shown on the last equalized assessment roll of the County of Stanislaus, was filed with the Council of the City of Modesto on June 4, 1962, requesting annexation of the hereinafter described territory to said City.

2. That the territory which the petitioners request be annexed to the City of Modesto and which said City and its Council propose to annex, is situate in the County of Stanislaus, State of California, hereby designated as CRESTWOOD TERRACE ADDITION, and described as follows:

CRESTWOOD TERRACE ADDITION

All that real property situate in the State of California, County of Stanislaus, Section 9, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, being all the property conveyed to Kenneth F. Duffin and George B. Pierrou, by Deeds recorded November 28, 1961, as Instrument 39368, and February 2, 1962, as Instrument 4364, Stanislaus County Records, more particularly described as follows:

Beginning at a point on the existing City Limits as established by the Northeastern corner of the Sherwood Manor Addition, as per description filed July 15, 1959, as Instrument 20526, Stanislaus County Records, said point being on the Section Line common to Sections 9 and 16; thence along said Section Line and the existing City Limits, North 89° 30' West, 32.51 feet, to the Southwestern corner of said Duffin and Pierrou property; thence along the Western line of said property, North 0° 45' West, 420.00 feet, to the Northwestern corner thereof; thence along the Northern line of said property, South 89° 30' East, 659.21 feet, to the Northeastern corner thereof; thence along the Eastern line of said property, South 0° 44' 30" East, 420.00 feet, to the Southeastern corner thereof and a point on the Section Line; thence along the Section Line, North 89° 30' West, 626.64 feet, to the point of beginning, containing 6.356 Acres, more or less.

3. That the County Boundary Commission of Stanislaus County, California, did in session duly assembled on May 29, 19 62, consider the proposed annexation boundaries of said CRESTWOOD TERRACE ADDITION, as above described, and as submitted to said Commission by the proponents of said annexation.

4. No change in school district boundaries shall be effected by reason of the annexation of the hereinabove described area to the City of Modesto.

5. NOTICE IS HEREBY GIVEN that the 6th day of August, 1962, at the hour of 4:30 o'clock P.M. of said day, in the Council Chambers at the City Hall, located at 801 Eleventh Street in the City of Modesto, be and the same is hereby fixed as the time and place for considering said petition, at which time and place any person owning real property within such territory and having any objections to the proposed annexation may appear before the Council of the City of Modesto and show cause why such territory should not be so annexed. The protest must be in writing, may be filed at any time before the hour set for hearing objections to the proposed annexation, and shall state the name or names of the owner or owners of property affected and the description and area of such property, in general terms.

6. The City Clerk shall cause a copy of this resolution to be published at least twice, but not oftener than once a week, in The Modesto Tribune, a newspaper of general circulation, published in the City of Modesto and being the official newspaper of the City of Modesto. Said publications shall be completed at least twenty (20) days prior to the date set for the hearing.

7. The City Clerk of the City of Modesto shall also cause written notice of such proposed annexation to be mailed to each person to whom land within the territory proposed to be annexed is assessed on the last equalized county assessment roll available on the date the proceedings were initiated, at the address shown on said assessment roll

as known to said Clerk, and to any person who has filed his name and address and the designation of the land in which he has any interest, either legal or equitable, with said Clerk. Said notices shall be mailed not less than twenty (20) days before the public hearing on the proposed annexation.

8. In the event any land within the territory proposed to be annexed is owned by the County of Stanislaus, the City Clerk is directed to cause written notice of such proposed annexation to be mailed to the Board of Supervisors of the County, such notice to be given not less than twenty (20) days before the public hearing on the proposed annexation.

9. In the event there is, upon the land proposed to be annexed, a structural improvement owned, being acquired or leased by a county fire protection district, the City Clerk is directed to cause written notice of such proposed annexation to be mailed to the governing body of such district, such notice to be sent not less than ten (10) days before the public hearing on the proposed annexation.

10. The City Clerk is directed to cause written notice to be given to such other persons as may be legally entitled thereto, in the manner required by law.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 25th day of June, 19 62, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Shastid

ATTEST: _____
City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-303

A RESOLUTION APPROVING APPROPRIATION TRANSFERS

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the following appropriation transfer be approved:

GENERAL FUND, 101

FROM:		
Streets (51)	Construction Materials (321)	$750
Streets (51)	Equipment Rental Charges (218)	$750
TO:		
Streets (51)	Oil New Streets and Alleys (503)	$1,500
FROM:		
Engr. and Admins. (41)	Salaries and Wages, Extra, (120)	$3,000
TO:		
Water (50)	Utilities (210)	$3,000
FROM:	General Reserve (600)	$875
TO:	Miscellaneous Unclassified (65) "Forward Modesto-1962"	$875

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 25th day of June, 19 62, by Councilman Johansen, who moved its adoption, which motion being duly seconded by Councilman Mitchell, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Shastid

ATTEST: [signature]
CITY CLERK

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-304

A RESOLUTION AUTHORIZING THE CLOSING OF THE 1500 BLOCK OF DEL MONTE AVENUE FOR FOURTH OF JULY BLOCK PARTY

WHEREAS, Thomas Harrell has requested permission to close the 1500 Block of Del Monte Avenue between the hours of 12:00 Noon and 11:00 P.M. on July 4, 1962, for a Block Party,

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

Section 1. Permission is hereby granted to close the 1500 Block of Del Monte Avenue from 12:00 Noon to 11:00 P.M., July 4, 1962, to hold a Block Party, subject to the following provisions of this resolution:

(a) Permittee shall indemnify and save the City harmless of and from all damages, costs and charges of any kind or character arising out of or relating thereto or in any way connected with the exercise of the rights granted by this permit.

(b) Permittee shall assume the responsibility for cleaning the street after its use.

(c) Proper arrangements shall be cleared by the Permittee through the Chief of Police and Director of Parking and Traffic.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 25th day of June, 1962 by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Johansen, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None ABSENT: Councilman Shastid

ATTEST: [signature]
CITY CLERK

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-305

A RESOLUTION URGING THE FISH AND GAME COMMISSION OF THE STATE OF CALIFORNIA TO RATIFY AGREEMENT BETWEEN THE STATE DEPARTMENT OF FISH AND GAME, TURLOCK AND MODESTO IRRIGATION DISTRICTS, AND THE CITY AND COUNTY OF SAN FRANCISCO IN CONNECTION WITH THE CONSTRUCTION OF THE NEW DON PEDRO DAM PROJECT

WHEREAS, representatives of the State Department of Fish and Game, Turlock and Modesto Irrigation Districts and the City and County of San Francisco have, after many months of study and negotiation, reached an agreement whereby the king salmon fishery in the Tuolumne River will be protected during and following the construction of the New Don Pedro Dam Project, and

WHEREAS, said agreement will greatly enhance the possibility of an early commencement of the construction of the New Don Pedro Dam, and

WHEREAS, said agreement will be considered for ratification by the Fish and Game Commission of the State of California on June 29, 1962.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Modesto hereby urges the Fish and Game Commission of the State of California to ratify the agreement between the State Department of Fish and Game, Turlock and Modesto Irrigation Districts, and the City and County of San Francisco, which provides for the maintenance and protection of the king salmon fishery in the Tuolumne River.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 25th day of June, 1962 by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Johansen, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Johansen, Mitchell, Patton, Tabbert, VanderWall, Mayor Hammond
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Shastid

ATTEST

Rex E. Gailfus, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 62-306

A RESOLUTION TRANSFERRING MONEY FOR CONSTRUCTION OF INDUSTRIAL WASTE TREATMENT WORKS ADDITIONS

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the following appropriation transfer be approved:

1953 Sewer Improvement Fund (404)

From:

1953 Sewer Improvement Fund Reserve (600)	$90,000

To:

1953 Industrial Waste Treatment Works Additions (503)	$90,000

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of June, 1962, by Councilman Johansen, who moved its adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Shastid

ATTEST: _____ CITY CLERK

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-307

A RESOLUTION ACCEPTING THE BID OF STANDARD MATERIALS COMPANY IN THE AMOUNT OF $43,966.50 FOR THE IMPROVEMENT OF TULLY ROAD BETWEEN STODDARD AND LEONARD

WHEREAS, Resolution No. 62-242, adopted by the Council of the City of Modesto on May 28, 1962, approved the plans and specifications for the improvement of Tully Road between Stoddard and Leonard and authorized the calling for bids, and

WHEREAS, the bids received for the improvement of Tully Road between Stoddard and Leonard were opened at 2:00 P.M., June 12, 1962, and later tabulated by the Public Works Department for the consideration of the Council, and

WHEREAS, the Director of Public Works has recommended that the bid of Standard Materials Company in the amount of $43,966.50 be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED that the bid of Standard Materials Company in the amount of $43,966.50 be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 2nd day of July, 1962, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen None

ATTEST: [signature]
CITY CLERK

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-308

A RESOLUTION APPROVING A MODIFIED DEVELOPMENT PLAN FOR PLANNED DEVELOPMENT ZONE, P-D(3) (TEAKWOOD TERRACE).

WHEREAS, by Section 1 of Resolution No. 61-240, adopted May 22, 1961, the Council approved a development plan for a Planned Development Zone, P-D(3) (Deeter), and

WHEREAS, an application for an unclassified use permit for development of a portion of the Planned Development Zone has been received, said application requesting permission to construct twenty-seven (27) units in Block 6985, an increase of three (3) units over and above the number approved by said Resolution No. 61-240, and

WHEREAS, after a public hearing held on June 5, 1962, the Planning Commission found and determined that:

1. The density which would result from the additional units would not increase beyond eight (8) families per acre, as originally approved;

2. The small increase in the number of units will not materially affect traffic in the area; and

3. The proposed density will not substantially change the population of the neighborhood as recommended in the General Plan, and

WHEREAS, after a public hearing held on July 2, 1962, the Council found and determined that the application of John H. Deeter for approval of a modified development plan for Planned Development Zone, P-D(3) should be granted as consonant with public necessity, convenience and general welfare for the reasons set forth above,

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

SECTION 1. The modified development plan for Planned Development Zone, P-D(3) is hereby approved in accordance with the plan dated April 20, 1962, on file in the office of the Planning Director.

SECTION 2. Except as otherwise provided in this resolution, the provisions of Resolution No. 61-240 shall continue to be in full force and effect.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 2nd day of July, 1962, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Johansen, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: _____
City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-309

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND ARTHUR J. WYLIE AND FLORENCE E. WYLIE COVERING OPTION TO PURCHASE PARK SITE ADJACENT TO CATHERINE EVERETT ELEMENTARY SCHOOL

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the Agreement between the City of Modesto and Arthur J. Wylie and Florence E. Wylie

for Option to Purchase Park Site adjacent to Catherine Everett Elementary School on Mount Vernon between Carver and Tully Roads (Land Acquisition Project 62-9)

be, and it is hereby approved, and

BE IT FURTHER RESOLVED that the execution of said Agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 2nd day of July, 19 62, by Councilman Mitchell, who moved its adoption, which motion being duly seconded by Councilman Shastid, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: [signature]
CITY CLERK

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-310

A RESOLUTION AUTHORIZING THE CLOSING OF ARBOR DRIVE FOR FOURTH OF JULY BLOCK PARTY

WHEREAS, Mrs. Galen Rydeluis filed a request for the closing of Arbor Drive between Madrone and Cypress Avenue between the hours of 5:00 P.M. and 10:00 P.M. to hold a Block Party on July 4,

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

SECTION 1. Permission is hereby granted to close Arbor Drive between Madrone and Cypress Avenue from 5:00 P.M. and 10:00 P.M. to hold a July 4 Block Party, subject to the following provisions of this resolution:

(a) Permittee shall indemnify and save the City harmless of and from all damages, costs and charges of any kind or character arising out of or relating thereto or in any way connected with the exercise of the rights granted by this permit.

(b) Permittee shall assume the responsibilities for cleaning the street after its use.

(c) Proper arrangements shall be cleared by the Permittee through the Chief of Police and Director of Parking and Traffic.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 2nd day of July, 1962 by Councilman Johansen, who moved its adoption, which motion being duly seconded by Councilman Patton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond
NOES: None ABSENT: None

ATTEST: [signature]
CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 62-311

A RESOLUTION AUTHORIZING THE GOLF COURSE PROFESSIONAL TO SET 4:30 P.M. ON JULY 4 AS THE LATEST STARTING TIME AT MODESTO MUNICIPAL GOLF COURSE

BE IT RESOLVED BY THE COUNCIL of the City of Modesto that the Golf Course Professional be, and he is hereby authorized to set 4:30 P.M. as the latest starting time at the Modesto Municipal Golf Course on July 4, 1962, and each Fourth of July hereafter, in order to clear said golf course by 7:00 P.M., but only in the event fire works are to be displayed at Del Webb Field on said date.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 2nd day of July, 1962 by Councilman Shastid, who moved its adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: _____
CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 62-312

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF $1,640 FROM GENERAL FUND, GENERAL RESERVE TO AIRPORT, SERVICES PROFESSIONAL AND OTHER AND PARTITION

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the following appropriation transfer be approved:

GENERAL FUND (101)

FROM:	General Reserve (600)		$1,640
TO:	Airport (46),		
	Services, Professional and Other (235)	$1,440	
	Partition (502)	200	
			$1,640

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 2nd day of July, 1962, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Patton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: Shastid

ABSENT: Councilmen: None

ATTEST: [signature]
CITY CLERK

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-313

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF $46,750 FROM SPECIAL GAS TAX STREET IMPROVEMENT FUND, GENERAL RESERVE TO TULLY AVENUE IMPROVEMENT, (PROJECT 60)

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the following appropriation transfer be approved:

SPECIAL GAS TAX STREET IMPROVEMENT FUND (207)

FROM:	General Reserve (600)	$46,750
TO:	Tully Road Improvement, Project 60 (503)	$46,750

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 2nd day of July, 19 62, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Johansen, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: [signature]
CITY CLERK

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-314

A RESOLUTION APPROVING THE SALE OF CERTAIN REAL PROPERTY BELONGING TO THE CITY OF MODESTO TO S. W. A. P., A JOINT VENTURE.

WHEREAS, the City of Modesto owns that certain parcel of real property situated in the City of Modesto, County of Stanislaus, State of California, delineated as Parcel B as shown on the drawing entitled "Record of Survey, Northern Boulevard and Blocks 6195 and 6196, Snedigar Property, File No. 3-C-96", dated January 19, 1962, on file in the office of the Director of Public Works, and

WHEREAS, S. W. A. P., a joint venture, desires to purchase said parcel of real property from the City of Modesto,

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

SECTION 1. APPROVAL OF AGREEMENT. That certain agreement between the City of Modesto and S. W. A. P., a joint venture, relating to the sale of that certain real property hereinabove referred to, a copy of which is on file in the office of the City Clerk of the City of Modesto, is hereby approved and the City Manager and City Clerk are hereby authorized to execute and attest said agreement respectively, on behalf of the City of Modesto and do all things necessary to carry out the terms of said agreement.

SECTION 2. EXECUTION OF DEED. The Mayor and the City Clerk are hereby authorized on behalf of the City to execute and attest respectively a deed granting the aforesaid parcel of property to S. W. A. P., a joint venture.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 2nd day of July, 1962, by Councilman Tabbert, who moved its adoption, which motion being duly seconded by Councilman

Patton, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Johansen, Mitchell, Patton, Shastid, Tabbert and Mayor Hammond
NOES:	Councilmen:	VanderWall
ABSENT:	Councilmen:	None

ATTEST: _____
City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-315

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING THE CALLING FOR BIDS FOR SALE OF DRIED DIGESTED SLUDGE AT SEWAGE TREATMENT PLANT FOR FISCAL YEAR 1962-63

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

Section 1. The plans and specifications for sale of dried digested sludge at Sewage Treatment Plant for fiscal year 1962-63, copies of which are on file, are hereby accepted and approved.

Section 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 - 11th Street, in the City of Modesto, on July 31, 1962 at 2:00 P.M. and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form and manner provided by law.

Section 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of July, 1962, by Councilman Johansen, who moved its adoption, which motion being duly seconded by Councilman Mitchell, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen Johansen, Mitchell, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen None

ABSENT: Councilmen Patton

ATTEST: [signature]
CITY CLERK

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-316

A RESOLUTION APPROVING APPROPRIATION TRANSFER IN THE AMOUNT OF $3,269 FROM GENERAL FUND, GENERAL RESERVE TO MUSIC AND PROMOTION, CHRISTMAS DECORATIONS

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the following appropriation transfer be approved:

GENERAL FUND 101

FROM:	General Reserve (600)	$3,269
TO:	Music and Promotion (61) Christmas Decorations (446)	$3,269

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of July, 1962, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Mitchell, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Patton

ATTEST: [signature]
CITY CLERK

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-317

A RESOLUTION REFERRING BACK TO THE PLANNING COMMISSION THE APPLICATION OF IVA E. CAUSEY TO RECLASSIFY FROM SINGLE-FAMILY ZONE, R-1, AND MULTIPLE-FAMILY ZONE, R-3, TO PLANNED DEVELOPMENT ZONE, P-D, PROPERTY LOCATED WEST OF TULLY ROAD, SOUTH OF PRINCETON AVENUE

WHEREAS, the Council of the City of Modesto held a public hearing at 8:15 P.M., July 9, 1962, on the application of Iva Causey to reclassify from Single-Family Zone, R-1, and Multiple-Family Zone, R-3, to Planned Development Zone, P-D, certain property located west of Tully Road, south of Princeton Avenue, and

WHEREAS, the Council, after hearing both documentary and oral evidence, determined that the matter should be referred back to the Planning Commission for further action,

NOW, THEREFORE, BE IT RESOLVED that the application of Iva E. Causey to reclassify from Single-Family Zone, R-1, and Multiple-Family Zone, R-3, to Planned Development Zone, P-D, certain property located west of Tully Road, south of Princeton Avenue, be and it is hereby referred back to the Modesto City Planning Commission with the recommendation that the parking requirement, as shown on the Development Plan, be increased to 1.5 parking spaces per unit, and that the Plan Development be modified accordingly.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of July, 1962, by Councilman Johansen, who moved its adoption, which motion being duly seconded by Councilman Mitchell, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Tabbert, VanderWall, Mayor Hammond
NOES: Councilmen: Shastid
ABSENT: Councilmen: Patton

ATTEST: _____
CITY CLERK

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-318

A RESOLUTION AUTHORIZING THE RELEASE OF THE GLENS FALLS INSURANCE COMPANY SUBDIVISION BOND FILED TO GUARANTEE IMPROVEMENTS IN YORKSHIRE MANOR NO. 1 SUBDIVISION

WHEREAS, Wolverine Building Service, Inc., Arthur J. Mylie and Florence Mylie, subdividers of Yorkshire Manor No. 1 Subdivision, have filed with the City of Modesto a contract bond to guarantee the improvements in the aforesaid subdivision, and

WHEREAS, the Director of Public Works has reported that the improvements have been completed in the aforesaid subdivision to his satisfaction, and has recommended the release of the contract bond.

NOW, THEREFORE, BE IT HEREBY RESOLVED that the Glens Falls Insurance Company Subdivision Amended Bond No. 76-67-46 in the sum of $2500 filed by Wolverine Building Service, Inc., Arthur J. Mylie and Florence Mylie, to guarantee the improvements in Yorkshire Manor No. 1 Subdivision, be and it is hereby released.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of July, 1962, by Councilman Shastid, who moved its adoption, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Patton

ATTEST: [signature]
CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 62-319

A RESOLUTION AUTHORIZING THE RELEASE OF THE BALANCE OF THE CASH DEPOSIT IN THE AMOUNT OF TWO THOUSAND ($2,000) DOLLARS FILED TO GUARANTEE IMPROVEMENTS IN YORKSHIRE MANOR NO. 2 SUBDIVISION

WHEREAS, Wolverine Building Service, Inc., Arthur J. Wylie and Florence Wylie, subdividers of Yorkshire Manor No. 2 Subdivision have deposited with the City of Modesto the sum of Twelve Thousand Eight Hundred ($12,800) Dollars to guarantee the improvements in the aforesaid subdivision, and

WHEREAS, the Director of Public Works has reported that the improvements have been completed in the aforesaid subdivision to his satisfaction, and has recommended the release of the balance of the aforesaid deposit in the amount of Two Thousand ($2,000) Dollars,

NOW, THEREFORE, BE IT HEREBY RESOLVED that the balance of the cash deposit, in the amount of Two Thousand ($2,000) Dollars, filed by Wolverine Building Service, Inc., Arthur J. Wylie and Florence Wylie to guarantee improvements in Yorkshire Manor No. 2 Subdivision, be and it is hereby released.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of July, 1962, by Councilman Shastid, who moved its adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Patton

ATTEST: _____
CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 62-320

A RESOLUTION AUTHORIZING THE RELEASE OF THE BALANCE OF THE CASH DEPOSIT IN THE AMOUNT OF NINE HUNDRED ($900) DOLLARS FILED TO GUARANTEE IMPROVEMENTS IN YORKSHIRE MANOR NO. 3 SUBDIVISION

WHEREAS, Wolverine Building Service, Inc., Arthur J. Wylie and Florence Wylie, subdividers of Yorkshire Manor No. 3 Subdivision, have deposited with the City of Modesto the sum of Three Thousand ($3,000) Dollars to guarantee the improvements in the aforesaid subdivision, and

WHEREAS, the Director of Public Works has reported that the improvements have been completed in the aforementioned subdivision to his satisfaction, and has recommended the release of the balance of the cash deposit in the amount of Nine Hundred ($900) Dollars,

NOW, THEREFORE, BE IT HEREBY RESOLVED that the balance of the cash deposit in the amount of Nine Hundred ($900) Dollars filed by Wolverine Building Service, Inc., Arthur J. Wylie and Florence Wylie, subdividers, to guarantee improvements in Yorkshire Manor No. 3 Subdivision, be and it is hereby released.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of July, 1962, by Councilman Shastid, who moved its adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Patton

ATTEST: _____
CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 62-321

AMENDMENT TO
A RESOLUTION APPROVING /AGREEMENT BETWEEN THE CITY OF MODESTO AND THE CALIFORNIA ATHLETIC CLUB, INC. RELATING TO THE USE OF DEL WEBB FIELD

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the amended Agreement between the City of Modesto and The California Athletic Club, Inc.

for the use of Del Webb Field during the summer months of 1962 for the purpose of promoting professional wrestling shows

be, and it is hereby approved, and

BE IT FURTHER RESOLVED that the execution of said Agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of July, 1962, by Councilman Shastid, who moved its adoption, which motion being duly seconded by Councilman Johansen, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Shastid, Tabbert, VanderWall, Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: Patton

ATTEST: [signature]
CITY CLERK

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-322

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND MONIGHAN AND ASSOCIATES FOR SEWER SERVICE TO PROPERTY LOCATED AT SPENCER AVENUE, LATERAL NO. 5 AND CALIFORNIA AVENUE

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the Agreement between the City of Modesto and Monighan and Associates

for sewer service to property located at Spencer Avenue, Lateral No. 5 and California Avenue

be, and it is hereby approved, and

BE IT FURTHER RESOLVED that the execution of said Agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of July, 1962, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Mitchell, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Shastid, Tabbert, VanderWall, Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: Patton

ATTEST: [signature]
CITY CLERK

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-323

A RESOLUTION REJECTING THE CLAIM OF SPRINGFIELD FIRE AND MARINE INSURANCE COMPANY FOR DAMAGES AGAINST THE CITY OF MODESTO

WHEREAS, Springfield Fire and Marine Insurance Company has filed a claim for damages against the City of Modesto on June 28, 1962, a copy of which claim is on file in the office of the City Clerk, and

WHEREAS, the claim is in the amount of $10,000 for damages alleged to have been sustained on May 4, 1962, as the result of a fire at 426 Seventh Street, and

WHEREAS, the claim should be rejected by reason of the fact that the City has no liability in this matter,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the claim of Springfield Fire and Marine Insurance Company against the City of Modesto in the amount of $10,000 be, and it is hereby, rejected in its entirety, both as to the City of Modesto and the officials therein.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of July, 1962, by Councilman Shastid, who moved its adoption, which motion being duly seconded by Councilman Johansen, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Patton

ATTEST: [signature]
CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 62-324

A RESOLUTION REJECTING THE CLAIM OF NEW HAMPSHIRE INSURANCE COMPANY FOR DAMAGES AGAINST THE CITY OF MODESTO

WHEREAS, New Hampshire Insurance Company has filed a claim for damages against the City of Modesto on June 28, 1962, a copy of which claim is on file in the office of the City Clerk, and

WHEREAS, the claim is in the amount of $5,000 for damages alleged to have been sustained on May 4, 1962, as the result of a fire at 426 Seventh Street, and

WHEREAS, the claim should be rejected by reason of the fact that the City has no liability in this matter,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the claim of New Hampshire Insurance Company against the City of Modesto in the amount of $5,000 be, and it is hereby rejected in its entirety, both as to the City of Modesto and the officials therein.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of July, 1962, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Shastid, Tabbert, VanderWall, Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: Patton

ATTEST: _____
CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 62-325

A RESOLUTION APPROVING TERMINATION OF AGREEMENT BETWEEN THE CITY OF MODESTO AND CHARLES E. SARGENT FOR T HANGAR NO. 3 IN UNIT NO. 7 AT MODESTO CITY-COUNTY AIRPORT

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the Agreement between the City of Modesto and Charles E. Sargent be terminated, releasing each from the respective obligations contained in lease agreement, dated ~~for~~ August 8, 1956 for an airplane hangar (T Hangar No. 3 in Unit No. 7) at Modesto City-County Airport,

~~xx~~, and it is hereby approved, and

BE IT FURTHER RESOLVED that the execution of said Termination of Agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of July, 1962, by Councilman Shastid, who moved its adoption, which motion being duly seconded by Councilman Johansen, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Patton

ATTEST: [signature]
CITY CLERK

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-326

A RESOLUTION APPROVING APPROPRIATION TRANSFER IN THE AMOUNT OF $1,355 FROM SPECIAL AVIATION FUND, GENERAL RESERVE, TO SPECIAL AVIATION, TEE HANGAR

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the following appropriation transfer be approved:

FROM:	Special Aviation (306)	General Reserve (600)	$1,355
TO:	Special Aviation (306)	Tee Hangar (502)	$1,355

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of July, 19 62, by Councilman Shastid, who moved its adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Shastid, Tabbert, VanderWall, Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: Patton

ATTEST: [signature]
CITY CLERK

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62- 327

A RESOLUTION AUTHORIZING THE INSTITUTION OF CONDEMNATION PROCEEDINGS TO ACQUIRE CERTAIN REAL PROPERTY WITH IMPROVEMENTS THEREON IN THE CITY OF MODESTO TO BE USED FOR PARK PURPOSES.
(Rose Avenue Park Site - Landini)

BE IT RESOLVED by the Council of the City of Modesto that it finds and determines and hereby declares that:

The public interest, convenience, and necessity require the acquisition of a certain parcel of real property with improvements located thereon to be used for park purposes.

The use of all of said parcel of real property for the provision of a public park is a public use authorized by law.

The proposed development of said park is planned and located in a manner which will be most compatible with the greatest public good and the least private injury; and

BE IT FURTHER RESOLVED that the City Attorney of the City of Modesto be authorized and directed to commence and maintain in the name of the City of Modesto such actions and proceedings of eminent domain in the Superior Court of the State of California, in and for the County of Stanislaus, as are necessary for the purpose of condemning and acquiring the hereinafter described parcel of real property together with improvements thereon for the purposes and uses aforesaid.

The real property hereinabove referred to, the condemnation of which is hereby authorized for the purpose aforesaid, is situated in the City of Modesto, Modesto Irrigation District, County of Stanislaus, State of California, and is more particularly described as follows:

> All that real property in the State of California, County of Stanislaus, Section 22, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, being a portion of Lot 18 of the Broughton Colony Tract, as per map filed March 17, 1904, in Volume 1 of Maps, Page 78, Stanislaus County Records, described as follows:
>
> Commencing at the Southwestern corner of said Lot 18, said corner being on the center line of a 40 foot Public Road known as Rose Avenue; thence along the Southern line of Lot 18, North 89° 59' East, 883.00 feet, to the true point of beginning of this description; thence continuing along said Southern line of Lot 18, North 89° 59' East, 433.14 feet, to the Southeastern corner of Lot 18; thence along the Eastern line of Lot 18, North 0° 37' West, 511.00 feet; thence parallel with the Southern line of Lot 18, South 89° 59' West, 433.14 feet; thence parallel with the Western line of Lot 18, South 0° 37' East, 511.00 feet, to the point of beginning, containing 5.081 Acres, more or less.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 16th day of July, 1962, by Councilman Mitchell, who moved its adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Shastid

ATTEST: _____
City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-328

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING THE CALLING FOR BIDS FOR TWO PARKING ENFORCEMENT VEHICLES

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

Section 1. The plans and specifications for two parking enforcement vehicles,

copies of which are on file, are hereby accepted and approved.

Section 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on August 1, 1962 at 2:00 P.M. and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form and manner provided by law.

Section 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 16th day of July, 1962, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Shastid

ATTEST: _____
CITY CLERK

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-329

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING THE CALLING FOR BIDS FOR CONSTRUCTION OF WATER LINES IN WYLDEWOOD PARK NO. 1 SUBDIVISION - UNIT A; AND IN KEARNEY AVENUE - UNIT B

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

Section 1. The plans and specifications for construction of water lines in Wyldewood Park No. 1 Subdivision - Unit A; and in Kearney Avenue - Unit B, copies of which are on file, are hereby accepted and approved.

Section 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 - 11th Street, in the City of Modesto, on July 31, 1962 at 2:15 P.M. and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form and manner provided by law.

Section 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 16th day of July, 1962, by Councilman Johansen, who moved its adoption, which motion being duly seconded by Councilman Mitchell, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen None

ABSENT: Councilmen None

ATTEST: [signature]
CITY CLERK

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. ~~62x~~ 62- 330

A RESOLUTION ORDERING THE WORK OF CONSTRUCTION OF CURBS AND GUTTERS ALONG CERTAIN STREETS IN THE CITY OF MODESTO. (BLOCK 2095, LOT 12)

WHEREAS, Chapter 27 of Part 3 of Division 7 of the Streets and Highways Code of the State of California establishes a procedure pursuant to which the construction of curbs and gutters may be required, and

WHEREAS, in accordance with Section 5876 of the Streets and Highways Code, the Superintendent of Streets findsthat curbs and gutters have been constructed in front of the properties constituting more than fifty per cent (50%) of the street frontage along 410 Covena Avenue (Block 2095, Lot 12)

WHEREAS, the Council, did, on June 25, 19 62, adopt its Resolution No. 62-298, directing the Superintendent of Streets to give notice requiring the construction of curbs and gutters along certain streets in the city of Modesto, as provided therein, and

WHEREAS, the Council, did by said resolution, set the 16th day of July, 19 62, at 5:00 o'clock P.M. in the Council Chambers, as the time and place for a hearing for the purpose of passing upon objections or protests, if any, which may be raised by the property owners or other interested persons relating to the proposed work, and

WHEREAS, the Superintendent of Streets has caused notice to be given as directed by said Resolution No. 62-298, and

WHEREAS, at the time set for hearing the protests and objections, if any, to the proposed work, the said Council proceeded to hear the same and no protests having been received,

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

SECTION 1. All protests and objections of any kind or nature whatsoever to the proposed work are hereby overruled or denied.

SECTION 2. The Superintendent of Streets is hereby directed to proceed with the project in accordance with the provisions of Resolution No. 62-298 and Chapter 27, Part 3, Division 7 of the Streets and Highways Code of the State of California.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 16th day of July, 1962, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Patton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: None

ABSENT: None

ATTEST: _____
City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-331

A RESOLUTION CONGRATULATING THE MODESTO IRRIGATION DISTRICT ON ITS 75TH ANNIVERSARY.

WHEREAS, in 1887, through the adoption of the Wright Act, the State of California Legislature created the law by which the Modesto and Turlock Irrigation Districts became the first Districts organized for the delivery of irrigation water, and

WHEREAS, from its formation on July 23, 1887, the Modesto Irrigation District has made a steady progress in the development of water, and

WHEREAS, with the construction of the Don Pedro Dam in 1923, the District commenced the distribution of electrical power and today provides power for home and industry at low cost, and

WHEREAS, the contemplated construction of the New Don Pedro Dam will assure the continuance of plentiful water and power, and

WHEREAS, the City of Modesto, together with the surrounding rural area, has prospered within the Modesto Irrigation District,

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Modesto does hereby recognize the tremendous contribution by the Modesto Irrigation District to the economic growth and development of the City of Modesto and the surrounding rural area.

BE IT FURTHER RESOLVED that the citizens of the Modesto Irrigation District and the District Directors and Officers, both past and present, are hereby commended for their foresight in providing ever expanding water and power facilities to the people of the area.

BE IT FURTHER RESOLVED that the Council of the City of Modesto does hereby congratulate the Modesto Irrigation District on the Seventy-Fifth Anniversary of the formation of the District on July 23, 1887.

BE IT FURTHER RESOLVED that the City Clerk be and he is hereby requested to transmit a certified copy of this resolution to the Secretary of the Modesto Irrigation District.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 16th day of July, 1962, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall and Mayor Hammond.

NOES: Councilmen: None.

ABSENT: Councilmen: None.

ATTEST: _____
City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-332

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND MODESTO'S NEIGHBORHOOD CHURCH FOR SEWER SERVICE FOR A SENIOR CITIZENS DEVELOPMENT LOCATED ON WOODROW AVENUE NEAR TULLY ROAD

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the Agreement between the City of Modesto and Modesto's Neighborhood Church

for sewer service for a Senior Citizens Development located on Woodrow Avenue near Tully Road

be, and it is hereby approved, and

BE IT FURTHER RESOLVED that the execution of said Agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 16th day of July, 1962, by Councilman Mitchell, who moved its adoption, which motion being duly seconded by Councilman Patton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: [signature]
CITY CLERK

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-333

A RESOLUTION APPROVING THE FINAL MAP OF THE WYLDEWOOD PARK NO. 1 SUBDIVISION OF THE CITY OF MODESTO.

WHEREAS, ARTHUR J. WYLIE and FLORENCE E. WYLIE, husband and wife, are possessed of a tract of land situate in the City of Modesto, County of Stanislaus, consisting of 11.32 acres, known as the WYLDEWOOD PARK NO. 1 SUBDIVISION, and

WHEREAS, a tentative map of said tract was approved by the City Planning Commission on the 6th day of February, 1962, and

WHEREAS, the final map of said tract has been approved by the Secretary of the City Planning Commission, and

WHEREAS, the City Engineer of the City of Modesto has certified that the final map of said WYLDEWOOD PARK NO. 1 SUBDIVISION meets all of the provisions of the California Subdivision Map Act and the provisions of the Modesto Municipal Code relating to subdivisions, and that the map is technically correct;

NOW, THEREFORE, BE IT RESOLVED that said final map of the WYLDEWOOD PARK NO. 1 SUBDIVISION be approved; that the streets, alleys and easements as shown thereon within the boundaries of said tract be accepted on behalf of the public for public use; and that the City Clerk be authorized to certify the map of said tract on behalf of the City of Modesto after the fees in the amount of THREE THOUSAND SEVEN HUNDRED FORTY-THREE and 13/100ths ($3,743.13) Dollars, as required by the Modesto Municipal Code, for checking, copies of maps, recording and parks and playgrounds have been paid, and subdividers have furnished a bond acceptable to the City Attorney, or, in lieu thereof, have posted a cash deposit with the City Clerk in the sum of FORTY-NINE THOUSAND and No/100ths ($49,000.00) Dollars.

BE IT FURTHER RESOLVED that the City Manager and the City Clerk be authorized to execute and attest, respectively, an agreement

with subdividers as required by Section 4-4.604 (c) of the Modesto Municipal Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 16th day of July, 1962, by Councilman Tabbert, who moved its adoption, which motion being duly seconded by Councilman Shastid, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: [signature]
City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62- 334

A RESOLUTION ASSUMING RESPONSIBILITY FOR THE ENFORCEMENT OF PART 2 OF DIVISION 13 OF THE HEALTH AND SAFETY CODE OF THE STATE OF CALIFORNIA RELATING TO MOBILE HOMES AND MOBILE HOME PARKS.

WHEREAS, the Legislature of the State of California enacted Chapter 2176 of Statutes 1961, repealing and re-establishing the State Trailer Park Act, Part 2 of Division 13 of the Health and Safety Code of the State of California (Sections 18000, et seq.), and

WHEREAS, Section 18010 of said Health and Safety Code provides that any city may assume responsibility for the enforcement of said provisions by notifying the State Division of Housing in writing, and

WHEREAS, the City of Modesto desires to assume the responsibility for the enforcement of said provisions,

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

SECTION 1. In accordance with the provisions in Section 18010 of the Health and Safety Code of the State of California, the City of Modesto hereby assumes the responsibility for the enforcement of Part 2 of Division 13 of the Health and Safety Code of the State of California relating to mobile homes and mobile home parks.

SECTION 2. The Chief Building Official of the City is hereby assigned the general responsibility for the administration and enforcement of said provisions on behalf of the City, including specific responsibility for the processing of permits in accordance with the provisions of Chapter 4 of Part 2 of Division 13 of said Code. The various offices and departments of the City shall be responsible for the administration and enforcement of the provisions of Part 2 of Division 13 of the Health and Safety Code relating to mobile homes and mobile home parks which fall within

the scope of the functions and duties assigned to such respective offices or departments by the provisions of Chapter 3 of Title 2 of the Modesto Municipal Code.

SECTION 3. The City Clerk is hereby directed to transmit a certified copy of this resolution to the Division of Housing of the Department of Industrial Relations of the State of California.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 16th day of July, 1962, by Councilman Johansen, who moved its adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: [signature]
City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-335

LEASE

A RESOLUTION APPROVING/AGREEMENT BETWEEN THE CITY OF MODESTO AND LEOLA JONES FOR RENTAL OF PREMISES AT 223 ELM STREET ON A MONTH TO MONTH TENANCY

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the Agreement between the City of Modesto and Leola Jones

for rental of premises located at 223 Elm Street on a month to month tenancy, for a rental fee of Fifty ($50) Dollars per month

be, and it is hereby approved, and

BE IT FURTHER RESOLVED that the execution of said Agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 16th day of July, 1962, by Councilman Shastid, who moved its adoption, which motion being duly seconded by Councilman Johansen, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: [signature]
CITY CLERK

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62- 336

A RESOLUTION ESTABLISHING FEES TO BE PAID FOR OBTAINING COPIES OF OFFICIAL POLICE DEPARTMENT ACCIDENT REPORTS AND POLICE PHOTOGRAPHS, AND RESCINDING RESOLUTION NO. 55-546.

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

SECTION 1. The following fees are hereby established and shall be collected for preparation of copies of any official police department accident report and photograph on file in the office of the Police Department.

(a) Original reports, consisting of not more than 3 pages . . . . $2.00 per report

(1) Additional pages . . . . . $1.00 each

(2) Extra copies of reports (3 pages). . . . . $1.00 each

(3) Extra copies of additional pages . . . . . $ .50 each

(b) Enlargement of police photographs $2.50 each

These fees shall not apply to any governmental agency.

SECTION 2. The Chief of Police shall cause a fee book to be kept by his department. All fees collected by his department for copies of these reports and photographs shall be entered in the book with the date, name of payer and the nature of the service in each case. At least weekly, these fees shall be paid into the City treasury.

SECTION 3. Resolution No. 55-546 adopted by the Council of the City of Modesto on December 21, 1955, is hereby rescinded.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 16th day of July, 1962, by Councilman Shastid, who moved its adoption, which motion being duly seconded by ~~COUNCILM-~~

~~MOV~~ Mayor Hammond, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond
NOES:	Councilmen:	None
ABSENT:	Councilmen:	None

ATTEST: _____
City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62- 337

A RESOLUTION GIVING NOTICE OF PROPOSED DEMOLITION OF THE BUILDINGS LOCATED AT 118 PLEASANT STREET IN THE CITY OF MODESTO IN ACCORDANCE WITH THE PROVISIONS OF SECTION 203 (a) OF THE UNIFORM BUILDING CODE AND FIXING THE TIME AND PLACE FOR HEARING PROTESTS THERETO.

WHEREAS, the Uniform Building Code, 1958 Edition, has been adopted by reference by Section 9-1.01 of Chapter 1 of Title IX of the Modesto Municipal Code on the 6th day of October, 1954, as amended, and

WHEREAS, Section 203 (a) of the Uniform Building Code, 1958 Edition, provides that a building which is structurally unsafe, or which constitutes a fire hazard, or is otherwise dangerous to human life and is declared to be a public nuisance, shall be abated by repair, rehabilitation, demolition, or removal in accordance with the procedure specified in said Uniform Building Code, 1958 Edition, and

WHEREAS, the Chief Building Official after examining the buildings at 118 Pleasant Street, found them to be unsafe and dangerous, and gave to Victor Brown, the owner thereof, written notice stating the defects thereof, and requiring commencement of work to make required repairs within forty-eight (48) hours from such notice or to demolish and remove the buildings, and

WHEREAS, the owner, Victor Brown, was advised in accordance with Section 203 (b) of the Uniform Building Code, 1958 Edition, to comply with the order of the Building Official by registered mail addressed to him at his residence address at 143 Palmetto, Modesto, California, which envelope was then sealed and postage fully prepaid thereon, and thereafter was on June 18, 1962, deposited in the United States mail at Modesto, California, and

WHEREAS, in accordance with Section 203 (c) of said Building Code, the Building Official caused signs to be posted at the hereinabove referred to property, declaring the buildings unsafe, and

WHEREAS, the owner of the above referred to property has failed and neglected to comply with the notice to commence the required repairs or demolish and remove the buildings located thereon,

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

SECTION 1. DECLARATION OF INTENTION. The Council hereby declares its intention to proceed in accordance with the provisions of Section 203 (d) of the Uniform Building Code, 1958 Edition, to authorize and direct the Chief Building Official to demolish and remove the aforesaid described buildings as constituting unsafe buildings and a public nuisance, the owner having failed and neglected to comply with the aforementioned notice to commence the required repairs or to demolish and remove the aforesaid buildings.

SECTION 2. NOTICE OF TIME AND PLACE FOR HEARING. Notice is hereby given that the 6th day of August, 1962, at the hour of 4:45 o'clock P.M., of said day in the Council Chambers at the City Hall located at 801 Eleventh Street in the City of Modesto, be and the same is hereby fixed as the time and place for considering said matter, at which time and place any person owning such real or personal property and having any objections to the proposed removal or demolition of said buildings may appear before the Council of the City of Modesto and show cause why said buildings should not be ordered demolished and removed.

SECTION 3. MAILING OF NOTICE TO OWNER OR OWNERS. The City Clerk shall cause a copy of this resolution to be mailed by registered mail to the owner or owners of the property affected at least ten (10) days prior to the date set for the hearing.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 16th day of July, 1962, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: _____
City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-338

A RESOLUTION REFERRING TO THE MODESTO CITY PLANNING COMMISSION A PETITION FOR ANNEXATION OF CERTAIN UNINHABITED TERRITORY TO THE CITY OF MODESTO KNOWN AS **GANT ADDITION.**

WHEREAS, a petition has been filed in the office of the City Clerk requesting the annexation of certain uninhabited territory to the City of Modesto, which territory is more specifically described hereinafter, and

WHEREAS, the County Boundary Commission has certified to the definiteness and accuracy of the boundaries of said territory,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that said petition for the annexation of the following described uninhabited territory be referred to the Planning Commission for its report and recommendation.

The territory herein referred to is situated in the County of Stanislaus, State of California, and more particularly described as attached hereto.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 16th day of July, 19 62, by Councilman Shastid, who moved its adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: [signature]
City Clerk

(SEAL)

GANT ADDITION

All that real property in the State of California, County of Stanislaus, Section 31, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits as established by the Northeastern corner of the Paradise Center No. 2 Addition as per description filed April 14, 1959, as Instrument 10647, Stanislaus County Records, said point being on the East line of Section 31 which is also the center line of a 60 foot Public Road known as Sutter Avenue; thence along the existing City Limits the following bearings and distances, South 89° 02' West, 30.00 feet; North 65° 34' 45" West, 145.77 feet; South 49° 48' 30" West, 429.42 feet, to the Northern corner of the Navon Addition as per description filed June 29, 1960, as Instrument 18294, Stanislaus County Records; thence North 02° 33' 14" West, 82.74 feet, to the point of intersection of the Northwestern line of a 66 foot Public Road known as Paradise Road and the Western line of Lot G of the "Resurvey of Brichman's Addition to the City of Modesto" as per map filed October 15, 1904, in Volume 2 of Maps, Page 1, Stanislaus County Records; thence along the Western line of Lot G, North 00° 58' West, 666.98 feet, to the Northwestern corner of Lot G, said point being on the Southern line of a 60 foot Public Road known as Briggs Avenue; thence along the Southern line of Briggs Avenue and its Easterly extension, North 89° 44' East, 496.68 feet, to a point on the Western line of the original boundary of the City of Modesto as incorporated August 1, 1884, said point on the East line of Section 31, said point also being on the center line of a 60 foot Public Road known as Franklin Street; thence along said Section line and the center lines of Franklin Street and Sutter Avenue, South 00° 58' East, 534.57 feet to the point of beginning, containing 6.603 Acres, more or less.

MODESTO CITY COUNCIL
RESOLUTION NO. 62-339

A RESOLUTION APPROVING APPROPRIATION TRANSFER IN THE AMOUNT OF $24,900 FROM SPECIAL FUND FOR CAPITAL OUTLAYS, GENERAL RESERVE TO PARK ACQUISITION, ROSE AVENUE NEIGHBORHOOD #11

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the following appropriation transfer be approved:

SPECIAL FUND FOR CAPITAL OUTLAYS (321)

FROM:	General Reserve (600)	$24,900
TO:	Park Acquisition, Rose Avenue Neighborhood #11	$24,900

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 16th day of July, 1962, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Mitchell, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: _____
CITY CLERK

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-340

A RESOLUTION APPROVING A REQUEST OF NINETY NINES, INC., INTERNATIONAL ORGANIZATION LICENSED WOMEN PILOTS, TO WAIVE THE TIE DOWN FEE AT THE MODESTO CITY-COUNTY AIRPORT ON SEPTEMBER 28 AND 29, 1962

WHEREAS, Section 7-3.404 of the Modesto Municipal Code provides a tie down fee shall be charged for all transient planes at the Modesto City-County Airport, and

WHEREAS, more than 100 women pilots, members of Ninety-Nines, Inc., International Organization Licensed Women Pilots, from Utah, Arizona, Nevada and California are flying their planes to Modesto for their annual fall convention on September 28 and 29, 1962, and

WHEREAS, Mrs. Ed Wyatt, Chairman, Southwest Fall Meeting, Ninety Nines, Inc., has requested that the tie down fees for the members of Ninety Nines, Inc., using the Modesto City-County Airport on September 28 and 29, 1962 be waived, and

WHEREAS, the Director of Public Works has recommended that the request be approved,

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Council of the City of Modesto that the request of Ninety Nines, Inc., International Organization Licensed Women Pilots, that tie down fees for members of this organization at Modesto City-County Airport be waived on September 28 and 29, 1962 be, and it is hereby approved.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of July, 1962, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Johansen, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Tabbert, VanderWall, Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: Shastid

ATTEST: Pauline P. Stanley
Acting City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 62-341

A RESOLUTION GRANTING A REVOCABLE ENCROACHMENT PERMIT TO THE UNITED STATES POST OFFICE DEPARTMENT TO INSTALL A SIGN IN THE SIDEWALK AREA ON THE WEST SIDE OF KEARNEY AVENUE IN THE CITY OF MODESTO.

WHEREAS, the United States Post Office Department has filed a request with the Council of the City of Modesto for permission to install a sign in the sidewalk area on the west side of Kearney Avenue just north of the United States Post Office building,

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

SECTION 1. An encroachment permit, revocable upon thirty (30) days' written notice by City is hereby granted to said applicant to install a sign in the sidewalk area on the west side of Kearney Avenue just north of the United States Post Office building, subject to the other provisions of this resolution.

SECTION 2. Said revocable encroachment permit is granted for each of the conditions herein set forth, which conditions Permittee agrees, by acceptance of this permit, to faithfully perform to-wit:

(a) Permittee, its successors and assigns, during the term of this permit, shall indemnify and save the City harmless of and from all damages, costs, and charges of any kind or character arising out of or relating thereto or in any way connected with the exercise of the rights granted by this permit.

(b) Permittee, its successors and assigns, shall comply with all laws of the City.

(c) Permittee, its successors and assigns, at its own cost and expense, shall defend any and all law suits, if any, arising out of or in any way connected with the exercise of the rights granted by this permit.

(d) In the event of revocation of this permit by the City, Permittee agrees to remove such portions of the sign as is located on public property, including appurtenances, at its own expense.

SECTION 3. The City Clerk shall furnish Permittee with a copy of this resolution. Permittee shall have twenty (20) days from and after the adoption of this resolution within which to file written acceptance of this permit and no right shall be conferred hereby until said acceptance is filed.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of July, 1962, by Councilman Mitchell, who moved its adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: Pauline P. Stanley
PAULINE P. STANLEY, Acting City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-342

A RESOLUTION APPROVING THE SALE OF SURPLUS AWNING FRAMES TO MR. E. H. DRUFFEL

WHEREAS, Mr. E. H. Druffel has offered to purchase four used awning frames, surplus to the needs of the City, and formerly used at the McHenry Public Library, for the amount of two dollars each, the estimated value of the frames,

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Council of the City of Modesto that the sale of four used awning frames to E. H. Druffel for the amount of two dollars each, be and it is hereby approved.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of July, 1962 by Councilman Shastid, who moved its adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: None

ATTEST: Pauline P. Stanley
ACTING CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 62-343

A RESOLUTION ACCEPTING THE BID OF M. J. RUDDY & SON IN THE AMOUNT OF $25,392.50 FOR THE IMPROVEMENT OF BOWEN AVENUE BETWEEN THE TIDEWATER SOUTHERN RAILROAD TRACKS AND McHENRY AVENUE

WHEREAS, Resolution No. 62-290, adopted by the Council of the City of Modesto on June 25, 19 62, approved the plans and specifications for the improvement of Bowen Avenue between the Tidewater Southern Railroad Tracks and McHenry Ave. and authorized the calling for bids, and

WHEREAS, the bids received for the improvement of Bowen Avenue between the Tidewater Southern Railroad Tracks and McHenry Avenue were opened at 2:00 P.M., July 10, 1962 and later tabulated by the Public Works Department for the consideration of the Council, and

WHEREAS, the Director of Public Works has recommended that the bid of M. J. Ruddy & Son in the amount of $25,392.50

be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED that the bid of M. J. Ruddy & Son in the amount of $25,392.50
be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of July, 19 62, by Councilman Shastid, who moved its adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen None

ATTEST: Pauline P. Stanley
ACTING CITY CLERK

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-344

A RESOLUTION APPROVING APPROPRIATION TRANSFER IN THE AMOUNT OF $32,151 FROM SPECIAL GAS TAX STREET IMPROVEMENT FUND, GENERAL RESERVE TO IMPROVE BOWEN, TWSRR TO McHENRY, PROJECT 89

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the following appropriation transfer be approved:

SPECIAL GAS TAX STREET IMPROVEMENT (207)

FROM:	General Reserve (600)	$32,151
TO:	Improve Bowen, TWSRR to McHenry, Project 89 (503)	$32,151

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of July, 1962, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Shastid, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: Pauline P. Stanley
ACTING CITY CLERK

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-345

A RESOLUTION WITHDRAWING CERTAIN DESCRIBED TERRITORY FROM THE Salida County FIRE PROTECTION DISTRICT BY REASON OF ITS ANNEXATION TO THE CITY OF MODESTO. (Klemm Addition)

WHEREAS, a portion of the Salida County Fire Protection District was annexed to the City of Modesto by Ordinance No. 514 -C.S., adopted on July 9, 1962, and

WHEREAS, said territory officially became a part of the City on July 11, 1962, and

WHEREAS, the Health and Safety Code of the State of California provides that whenever any portion of such a District is included within a city by reason of annexation, such portion may be withdrawn from the District by the filing with the State Board of Equalization, the governing body of the District, and the County Assessor of copies of a resolution of the legislative body of the city, describing the included portion, and declaring such portion withdrawn, and

WHEREAS, it is to the best interests of the residents in the area of said Fire District which has been annexed to the City that the area be withdrawn from said Fire District and provided fire prevention and fire fighting services by the City,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the following described territory be withdrawn from the boundaries of the Salida County Fire Protection District:

KLEMM ADDITION

All that real property in the State of California, County of Stanislaus, Section 13, Township 3 South, Range 8 East, Mount Diablo Base and Meridian, described as follows:

Beginning at the Northwestern corner of the existing City Limits as established by the Park Manor Addition, as per description filed June 2, 1960, as Instrument 15668, Stanislaus County Records, said corner also being the Southeastern corner of the property conveyed to Walter Kellstrom, et ux, as per deed recorded January 8, 1957, as Instrument 715, Stanislaus County Records; thence along the Eastern line of said Kellstrom property, North 00° 40' West, 317.82 feet, to the Southeastern corner of the property conveyed to Magdalena A. Conant, as per deed recorded May 13, 1939, as Instrument 5874, Stanislaus County Records; thence along the Southern line of said Conant property, South 88° 59' 30" West, 816.13 feet, to the Northwestern corner of said Kellstrom property; thence along the Western line of the Kellstrom property, South 0° 40' East, 322.90 feet, to the Southwestern corner of the Kellstrom property and the Southeastern corner of the property conveyed to Lloyd L. Cunningham, et ux, as per deed recorded January 8, 1957, as Instrument 632, Stanislaus County Records, said corner also being a point on the Northern line of the property conveyed to Walter Kellstrom, et ux, as per deed recorded January 2, 1952, as Instrument 77, Stanislaus County Records; thence along the Southern line of the Cunningham property and the Northern line of said Kellstrom property, South 88° 39' West, 471.97 feet, to a point on the Eastern line of a 40.00 foot Public Road known as Conant Avenue said line being parallel with and 40.00 feet, at right angles, Easterly from the North-South quarter section line of Section 13; thence along the Eastern line of Conant Avenue, South 0° 40' East, 320.68 feet, to a point on the Northern line of the existing City Limits as established by the Gish Addition, as per description filed August 3, 1961, as Instrument 24553, Stanislaus County Records; thence along the Northern line of the Gish Addition, North 88° 59' 30" East, 1286.99 feet, to a point on the Western line of the Park Manor Addition; thence along said Western line, North 0° 40' West, 328.33 feet, to the point of beginning, containing 15.590 Acres, more or less.

BE IT FURTHER RESOLVED that the City Clerk be, and he is hereby directed to file a certified copy of this resolution with the State Board of Equalization, the governing body of said Fire Protection District, and the Assessor of Stanislaus County.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of July, 1962, by Councilman Mitchell, who moved its adoption, which motion being duly seconded by Councilman Patton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: None

ABSENT: None

ATTEST: Pauline P. Stanley
Acting City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-346

A RESOLUTION WITHDRAWING CERTAIN DESCRIBED TERRITORY FROM THE McHENRY DRY CREEK FIRE PROTECTION DISTRICT BY REASON OF ITS ANNEXATION TO THE CITY OF MODESTO. (Wylie Addition)

WHEREAS, a portion of the McHenry Dry Creek Fire Protection District was annexed to the City of Modesto by Ordinance No. 513 -C.S., adopted on July 9, 19___, and

WHEREAS, said territory officially became a part of the City on July 11, 19 62, and

WHEREAS, the Health and Safety Code of the State of California provides that whenever any portion of such a District is included within a city by reason of annexation, such portion may be withdrawn from the District by the filing with the State Board of Equalization, the governing body of the District, and the County Assessor of copies of a resolution of the legislative body of the city, describing the included portion, and declaring such portion withdrawn, and

WHEREAS, it is to the best interests of the residents in the area of said Fire District which has been annexed to the City that the area be withdrawn from said Fire District and provided fire prevention and fire fighting services by the City,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the following described territory be withdrawn from the boundaries of the McHenry Dry Creek Fire Protection District:

WYLIE ADDITION

All that real property in the State of California, County of Stanislaus, Section 22, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, being a portion of Lots 19 and 22 of the Broughton Colony Tract, as per map filed March 17, 1904, in Volume 1 of Maps, at Page 78, Stanislaus County Records, described as follows:

Beginning at the Southeastern corner of the existing City Limits as established by the Lorenzen Addition, as per description filed June 27, 1961, as Instrument 20145, Stanislaus County Records, said point being on the Western line of a 40 foot Public Right of Way known as Rose Avenue, as per map of said Broughton Colony Tract; thence along the Western line of said Rose Avenue, South 0° 35' East, 822.74 feet, to the Southern line of Lot 22 of said Broughton Colony Tract; thence along the Southern line of Lot 22, North 89° 56' 15" West, 400.00 feet; thence parallel with the Western line of Rose Avenue, North 0° 35' West, 822.88 feet, to the Southern line of said Lorenzen Addition; thence along the Southern line of said Lorenzen Addition, South 89° 55' East, 400.00 feet, to the point of beginning, containing 7.556 Acres, more or less.

BE IT FURTHER RESOLVED that the City Clerk be, and he is hereby directed to file a certified copy of this resolution with the State Board of Equalization, the governing body of said Fire Protection District, and the Assessor of Stanislaus County.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of July, 1962, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Johansen, was upon roll call carried and the resolution adopted by the following vote:

AYES: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: None

ABSENT: None

ATTEST: Pauline P Stanley
Acting City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-347

A RESOLUTION WITHDRAWING CERTAIN DESCRIBED TERRITORY FROM THE WOODLAND FIRE PROTECTION DISTRICT BY REASON OF ITS ANNEXATION TO THE CITY OF MODESTO. (STENSAAS ADDITION)

WHEREAS, a portion of the Woodland Fire Protection District was annexed to the City of Modesto by Ordinance No. 515 -C.S., adopted on July 9, 1962, and

WHEREAS, said territory officially became a part of the City on July 11, 1962, and

WHEREAS, the Health and Safety Code of the State of California provides that whenever any portion of such a District is included within a city by reason of annexation, such portion may be withdrawn from the District by the filing with the State Board of Equalization, the governing body of the District, and the County Assessor of copies of a resolution of the legislative body of the city, describing the included portion, and declaring such portion withdrawn, and

WHEREAS, it is to the best interests of the residents in the area of said Fire District which has been annexed to the City that the area be withdrawn from said Fire District and provided fire prevention and fire fighting services by the City,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the following described territory be withdrawn from the boundaries of the Woodland Fire Protection District:

STENSAAS ADDITION

All that real property in the State of California, County of Stanislaus, Section 19, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits as established by the Northeastern corner of the Campus Edge Addition, as per description filed July 24, 1956, as Instrument 20020, Stanislaus County Records, said point being on the center line of a 60 foot Public Road known as Carver Road; thence along the existing City Limits, the following courses, North 89° 15' West, 220.00 feet, North 00° 02' East, 50.00 feet, North 89° 15' West, 40.00 feet; thence along the Eastern line and its Northerly extension, of the property conveyed to Ronald L. Dodson, et al, by deed Recorded November 22, 1960, as Instrument 33258, Stanislaus County Records, North 00° 02' East, 200.00 feet, to a point on the Northern line of a 50 foot Public Road known as Clayton Avenue; thence along said Northern line, South 89° 15' East, 23.26 feet, to the Eastern line of the property conveyed to Joseph S. Enos, et ux, by deed Recorded January 27, 1948, as Instrument 1975, Stanislaus County Records; thence along said Eastern line, North 00° 02' East, 114.88 feet, to a point on the existing City Limits as established by the Southern line of the Garrison School Addition as per description filed January 29, 1957, as Instrument 2646; thence along said Southern line, South 89° 16' 30" East, 236.74 feet, to a point on the existing City Limits as established by the Western line of the Northwest Addition as per description filed December 10, 1951 as Instrument 28460, said point being on the center line of Carver Road; thence along said City Limits, South 00° 02' West, 364.99 feet, to the point of beginning, containing 2.070 Acres, more or less.

BE IT FURTHER RESOLVED that the City Clerk be, and he is hereby directed to file a certified copy of this resolution with the State Board of Equalization, the governing body of said Fire Protection District, and the Assessor of Stanislaus County.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of July, 1962, by Councilman Johansen, who moved its adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the resolution adopted by the following vote:

AYES: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: None

ABSENT: None

ATTEST: Pauline P. Stanley
Acting City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62- 348

A RESOLUTION GRANTING AN UNCLASSIFIED USE PERMIT TO J. O. KINNEY FOR EQUIPMENT RENTAL BUSINESS AT 1331 and 1337 COLDWELL AVENUE.

WHEREAS, a verified application for the granting of an unclassified use permit for an equipment rental business on Coldwell Avenue was filed by J. O. Kinney on June 8, 1962, and

WHEREAS, said application was set for public hearing before the Planning Commission in the Council Chambers located in the City Hall, 801 11th Street in the City of Modesto at 7:40 P.M. on June 19, 1962, and

WHEREAS, said hearing was held at the above time and place and evidence, both oral and documentary, was taken and introduced, and

WHEREAS, thereafter, the Planning Commission adopted Resolution No. 813 recommending to the Council that an unclassified use permit be granted in accordance with the provisions of said resolution, and

WHEREAS, said matter was set for public hearing before the Council in the Council Chambers located in the City Hall, 801 11th Street in the City of Modesto, at 8:05 P.M. on July 23, 1962, and

WHEREAS, said hearing was held before the Council at the above time and place and evidence, both oral and documentary, was taken and introduced and the Council found and determined that:

1. Equipment rental is considered an open use in the Commercial-Industrial Zone and need not be conducted entirely within an enclosed building or within an area enclosed on all sides by a solid wall or fence;

2. The property is located between a C-1 Zone on the east and a C-M and M-1 Zone on the west and is zoned C-M; and

3. The proposed use would be compatible with existing uses and zoning in the area,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that an unclassified use permit be granted to J. O. Kinney for an equipment rental business at 1331 and 1337 Coldwell Avenue, subject to the following conditions:

1. That a solid six (6') foot redwood fence or a wall be constructed on the north side of the property and along the east and west sides to within a maximum of fifty (50') feet from the south property line; the remainder of the property to be enclosed with a six (6') foot cyclone fence;

2. That no equipment higher than six (6') feet be stored closer than fifteen (15') feet to the residential zone boundary on the north;

3. That all maintenance and repair of equipment be conducted entirely within an enclosed building;

4. That the storage areas be improved and maintained so as to eliminate dust and mud;

5. That all driveway areas be improved in accordance with Section 10-2.1807 of the Municipal Code not later than one year from the effective date of the permit;

6. That dedication and installation of curbs, gutters, sidewalks and paving to city collector street standards be provided for the widening of Coldwell Avenue within eighteen (18) months after granting of said unclassified use permit; and

7. That a bond (either cash, corporate surety or savings and loan certificate) for the required improvements on Coldwell Avenue be posted within thirty (30) days following approval of said permit in an amount to be determined by the City Engineer as sufficient to cover the cost of said improvements.

Failure to comply with the above conditions shall constitute grounds for revocation of the permit.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of July, 1962, by Councilman Mitchell, who moved its adoption, which motion being duly seconded by Councilman Shastid, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: Pauline P. Stanley
PAULINE P. STANLEY, Acting City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-349

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND JOE MINENI, JR., NINA MINENI AND RETHA FUKUI WHEREBY THE CITY AGREES TO PURCHASE A PARCEL OF LAND FOR THE BRIGHTON AVENUE RIGHT OF WAY (PROJECT 61-18)

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the Agreement between the City of Modesto and Joe Mineni, Jr., Nina Mineni and Retha Fukui

for purchase of land by the City for the Brighton Avenue right of way (Project 61-18)

be, and it is hereby approved, and

BE IT FURTHER RESOLVED that the execution of said Agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of July, 1962, by Councilman Shastid, who moved its adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: Pauline P. Stanley
ACTING CITY CLERK

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-350

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND DOROTHY MARTIN FOR THE RENTAL OF CITY-OWNED PROPERTY AT 207 ELM STREET

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the Agreement between the City of Modesto and Dorothy Martin

for rental of 207 Elm Street on a month to month tenancy, beginning July 10, 1962 for $65 per month

be, and it is hereby approved, and

BE IT FURTHER RESOLVED that the execution of said Agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of July, 1962, by Councilman Shastid, who moved its adoption, which motion being duly seconded by Councilman Johansen, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond
NOES:	Councilmen:	None
ABSENT:	Councilmen:	None

ATTEST: Pauline P. Stanley
ACTING CITY CLERK

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-351

A RESOLUTION APPROVING THE FINAL MAP OF THE JONI MANOR SUBDIVISION OF THE CITY OF MODESTO.

WHEREAS, LANCE E. ELLIS and CAROL L. ELLIS, husband and wife, are possessed of a tract of land situate in the City of Modesto, County of Stanislaus, consisting of 20 acres, known as the JONI MANOR SUBDIVISION, and

WHEREAS, a tentative map of said tract was approved by the City Planning Commission on the 15th day of May, 1962, and

WHEREAS, the final map of said tract has been approved by the Secretary of the City Planning Commission, and

WHEREAS, the City Engineer of the City of Modesto has certified that the final map of said JONI MANOR SUBDIVISION meets all of the provisions of the California Subdivision Map Act and the provisions of the Modesto Municipal Code relating to subdivisions, and that the map is technically correct;

NOW, THEREFORE, BE IT RESOLVED that said final map of the JONI MANOR SUBDIVISION be approved; that the streets, alleys and easements as shown thereon within the boundaries of said tract be accepted on behalf of the public for public use; and that the City Clerk be authorized to certify the map of said tract on behalf of the City of Modesto after the fees in the amount of FIVE THOUSAND FIFTY-THREE and 75/100ths ($5,053.75) Dollars, as required by the Modesto Municipal Code, for checking, copies of maps, recording and parks and playgrounds have been paid, and subdividers have furnished a bond acceptable to the City Attorney, or, in lieu thereof, have posted a cash deposit with the City Clerk in the sum of SEVENTY-SEVEN THOUSAND and No/100ths ($77,000.00) Dollars.

BE IT FURTHER RESOLVED that the City Manager and the City Clerk be authorized to execute and attest, respectively, an agreement

with subdividers as required by Section 4-4.604 (c) of the Modesto Municipal Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of July, 1962, by Councilman Johansen, who moved its adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: Pauline P. Stanley
Acting City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-352

A RESOLUTION REFERRING TO THE MODESTO CITY PLANNING COMMISSION A PETITION FOR ANNEXATION OF CERTAIN UNINHABITED TERRITORY TO THE CITY OF MODESTO KNOWN AS RENEE MANOR ADDITION.

WHEREAS, a petition has been filed in the office of the City Clerk requesting the annexation of certain uninhabited territory to the City of Modesto, which territory is more specifically described hereinafter, and

WHEREAS, the County Boundary Commission has certified to the definiteness and accuracy of the boundaries of said territory,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that said petition for the annexation of the following described uninhabited territory be referred to the Planning Commission for its report and recommendation.

The territory herein referred to is situated in the County of Stanislaus, State of California, and more particularly described as attached hereto.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of July, 1962, by Councilman Johansen, who moved its adoption, which motion being duly seconded by Councilman Mitchell, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: Pauline P. Stanley
Acting City Clerk

(SEAL)

RENEE MANOR ADDITION

All that real property situate in the State of California, County of Stanislaus, Sections 7 and 18, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits as established by the Northwestern corner of the Gregory Gardens No. 4 Addition, as per description filed May 28, 1959, Instrument 15694, and by the Southwestern corner of the Neighborhood Church Addition, as per description filed February 2, 1961, Instrument 3513, Stanislaus County Records, said point being on the Section Line common to Sections 7 and 18; thence along the Western line of said Gregory Gardens No. 4 Addition and the existing City Limits, South 0° 51' 30" East, 254.76 feet, to a point on the Southern line of property conveyed to Lance E. Ellis, et ux, by Deed recorded January 31, 1962, Instrument 4044, Stanislaus County Records; thence along said Southern line of Ellis property, North 89° 10' 30" West, 1531.23 feet, to a point on the Eastern line of a 40 foot Public Road known as Carver Road; thence along the Eastern line of Carver Road, North 0° 56' 30" West, 253.44 feet, to a point on the Section Line common to Sections 7 and 18; thence continuing along the Eastern line of Carver Road, North 0° 49' West, 1320.70 feet, to a point on the Northern line of said Ellis property; thence along the Northern line of said Ellis property, South 89° 09' East, 1838.62 feet, to a point on the existing City Limits at the Northwestern corner of the Neighborhood Church Addition; thence along the Western line of the Neighborhood Church Addition and the existing City Limits, the following bearings and distances: South 14° 49' West, 289.90 feet; North 88° 16' 15" West, 232.04 feet; South 0° 59' East, 1040.92 feet, to the point of beginning, containing 56.996 Acres.

MODESTO CITY COUNCIL
RESOLUTION NO. 62-353

A RESOLUTION FIXING THE TIME AND PLACE FOR A PUBLIC HEARING ON AN UNCLASSIFIED USE PERMIT TO MODESTO'S NEIGHBORHOOD CHURCH FOR APPROVAL OF A MODIFIED DEVELOPMENT PLAN AND DEVELOPMENT SCHEDULE FOR P-D (7) LOCATED ON WOODROW EAST OF TULLY ROAD

WHEREAS, the Modesto City Planning Commission has, by resolution, filed with the City Council, recommended the approval of the following application for an unclassified permit:

> Application for an unclassified use permit for approval of a modified development plan and development schedule for P-D (7) located on Woodrow east of Tully Road, to increase apartment units from 103 to 110, decrease off-street parking spaces from 92 to 72, and to modify the starting and completion date, filed by Modesto's Neighborhood Church, and

WHEREAS, Section 10-2.2112 of the Modesto Municipal Code provides that the Council shall conduct a duly advertised public hearing on such matters,

NOW, THEREFORE, BE IT HEREBY RESOLVED that a public hearing be held on said application for an unclassified use permit in the Council Chambers, City Hall, 801 11th Street, in the City of Modesto at 8:00 P.M. on August 27, 1962.

BE IT FURTHER RESOLVED that the City Clerk give notice of the time and place of said hearing as provided in Section 10-2.2206(b) of the Modesto Municipal Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of July, 1962, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: None

ATTEST: Pauline P. Stanley
ACTING CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 62-354

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF $4,100 FROM SPECIAL CAPITAL OUTLAY FUND, SPECIAL CAPITAL OUTLAY RESERVE TO SPECIAL CAPITAL OUTLAY, MISCELLANEOUS STREET IMPROVEMENTS

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the following appropriation transfer be approved:

SPECIAL CAPITAL OUTLAY FUND (321)

FROM:	Special Capital Outlay Reserve (600)	$4,100
TO:	Miscellaneous Street Improvements (503)	$4,100

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of July, 1962, by Councilman Shastid, who moved its adoption, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: None

ATTEST: Pauline P. Stanley
ACTING CITY CLERK

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-355

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF $500 FROM GENERAL FUND, GENERAL RESERVE TO MISCELLANEOUS UNCLASSIFIED, ELECTIONS

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the following appropriation transfer be approved:

GENERAL FUND (101)

FROM:	General Reserve (600)	$500
TO:	Miscellaneous Unclassified (65) Elections (238)	$500

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of July, 19 62, by Councilman Mitchell, who moved its adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: None

ATTEST: Pauline P. Stanley
ACTING CITY CLERK

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-356

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND ORRICK, DAHLQUIST, HERRINGTON AND SUTCLIFFE AS SPECIAL BOND COUNSEL, POLICE-COMMUNICATIONS BUILDING AND CONSOLIDATION OF SPECIAL MUNICIPAL ELECTION WITH THE GENERAL STATE-WIDE ELECTION OF NOVEMBER 6, 1962

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the Agreement between the City of Modesto and Orrick, Dahlquist, Herrington and Sutcliffe as Special Bond Counsel, Police-Communications Building and consolidation ~~for~~ of Special Municipal Election with the General State-Wide Election of November 6, 1962

be, and it is hereby approved, and

BE IT FURTHER RESOLVED that the execution of said Agreement by the designated city officials be authorized.

The foregoing resolution was introduced at an adjourned regular meeting of the Council of the City of Modesto held on the 26th day of July, 1962, by Councilman Johansen, who moved its adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Johansen, ~~XXXXXXX~~, Shastid, Tabbert, VanderWall, Mayor Hammond
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Mitchell, Patton

ATTEST: Pauline P. Stanley
ACTING CITY CLERK

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-357

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF $78,200 FROM SPECIAL FUND FOR CAPITAL OUTLAYS, GENERAL RESERVE, TO FREEWAY UTILITY RELOCATION AND ADDITIONAL STREET LIGHTS, MISCELLANEOUS STREET IMPROVEMENT, AND FENCING-CORPORATION YARD AND CHILDREN'S PARK WADING POOL

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the following appropriation transfer be approved:

SPECIAL FUND FOR CAPITAL OUTLAYS (321)

FROM: General Reserve (600)		$78,200
TO: Freeway Utility Relocation and Additional Street Lights (503)	$50,000	
Miscellaneous Street Improvement (503)	23,900	
Fencing, Corporation Yard (503)	4,000	
Children's Park Wading Pool (503)	300	
		$78,200

The foregoing resolution was introduced at an adjourned regular meeting of the Council of the City of Modesto held on the 26th day of July, 1962, by Councilman Johansen, who moved its adoption, which motion being duly seconded by Councilman Shastid, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Mitchell, Patton

ATTEST: Pauline P. Stanley
ACTING CITY CLERK

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-358

A RESOLUTION FIXING THE TIME AND PLACE FOR A PUBLIC HEARING IN THE MATTER OF GRANTING A LICENSE FOR THE OPERATION OF TAXICABS IN THE CITY OF MODESTO

WHEREAS, Lois L. Lane, owner and operator of the Red Top Taxi, has filed application with the City Clerk for license to operate a 1962 Dodge Fordor, in addition to the ten vehicles already in operation, in the City of Modesto, and

WHEREAS, Section 4-6.215 of the Modesto Municipal Code provides that any person holding a license to operate one or more taxicabs who desires to add to the number of such vehicles, shall do so only after a public hearing and determination by the Council that the public convenience and necessity require the proposed taxi service,

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Council of the City of Modesto that Monday, August 13, 1962 at 8:00 P.M. in the Council Chambers of the City Hall is hereby fixed as the time and place for a public hearing upon said application for license to operate one additional taxicab in the City of Modesto.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of August, 1962, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Patton, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Mitchell, Shastid

ATTEST: [signature]
CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 62-359

A RESOLUTION ACCEPTING THE BID OF HAGER SUPPLY COMPANY TO PURCHASE DRIED DIGESTED SLUDGE FROM THE SEWAGE TREATMENT PLANT FOR THE SUM OF $ .40 PER CUBIC YARD, FOR FISCAL YEAR 1962-63

WHEREAS, Resolution No. 62-315, adopted by the Council of the City of Modesto on July 9, 1962, approved the ~~plans and specifications for~~ the sale of dried digested sludge from the Sewage Treatment Plant for fiscal year 1962-63 and authorized the calling for bids, and

WHEREAS, the bids received for the dried digested sludge from the Sewage Treatment Plant for fiscal year 1962-63 were opened at 2:00 P.M., July 31, 1962 and later tabulated by the Public Works Department for the consideration of the Council, and

WHEREAS, the Director of Public Works has recommended that the bid of Hager Supply Company, in the sum of $ .40 per cubic yard be accepted as the ~~lowest~~ highest responsible bid.

NOW, THEREFORE, BE IT RESOLVED that the bid of Hager Supply Company, in the sum of $ .40 per cubic yard be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of August, 1962, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Patton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Patton, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen Mitchell, Shastid

ATTEST: [signature]
CITY CLERK

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-360

A RESOLUTION REJECTING ALL BIDS AND AUTHORIZING THE WORK TO BE PERFORMED BY THE CITY FOR THE CONSTRUCTION OF WATER LINES IN WYLDEWOOD PARK NO. 1 SUBDIVISION - UNIT A; AND IN KEARNEY AVENUE - UNIT B

WHEREAS, the Council of the City of Modesto adopted Resolution No. 62-329, on July 16, 1962, approving the plans and specifications for the construction of water lines in Wyldewood Park No. 1 Subdivision - Unit A; and in Kearney Avenue - Unit B

and directed the City Clerk to advertise for sealed proposals for doing said work, and providing that bids be submitted on the 31st day of July, 1962, and

WHEREAS, the City Clerk, in accordance with said Resolution, thereafter duly and regularly caused a notice to be published in the manner and for the time prescribed by law, and

WEREAS, all bids received pursuant to said notice were opened, examined and publicly declared at the time specified in said advertisement for bids, and

WHEREAS, the lowest responsible bid was submitted by Calaveras Plumbing and Heating Company, in the sum of $5,634.10, and

WHEREAS, the Director of Public Works estimates that the cost of such work to be performed by city forces for the sum of $4,104.25, thus effecting a savings to the taxpayers of approximately $1,529.85, which cost estimate has been approved by the City Manager, and

WHEREAS, the Council declares and determines that, in its opinion, based upon the estimate approved by the City Manager, the work in question may be performed better and more economically by the City with its own employees,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that, in accordance with the provisions of Section 1307 of the Charter of the City of Modesto, all bids received pursuant to

the aforesaid notice be, and they are hereby rejected and the City Manager is hereby authorized to proceed to have the work in question performed by the City by its own employees.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of August, 1962, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Patton, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Mitchell, Shastid

ATTEST: [signature]
City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 62-361

A RESOLUTION ACCEPTING THE BID OF J.M. EQUIPMENT COMPANY FOR TWO 3-WHEEL MOTORCYCLES FOR THE SUM OF $2,328, INCLUDING TAX AND TRADE-IN

WHEREAS, Resolution No. 62-328, adopted by the Council of the City of Modesto on July 16, 19 62, approved the plans and specifications for the purchase of two 3-wheel motorcycles to replace two 1953 Harley-Davidson 3-wheel Servicycles, Serial Nos. 53G1680 (City Car 341) and 53G1681 (City Car 342) and authorized the calling for bids, and

WHEREAS, the bids received for the two West Coaster Traffic Master Gasoline Cars for the sum of $2,328, including tax and trade-in were opened at 2:00 P.M., August 1, 1962 and later tabulated by the Purchasing Agent for the consideration of the Council, and

WHEREAS, the Purchasing Agent has recommended that the bid of J.M. Equipment Company in the sum of $2,328, including tax and trade-in be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED that the bid of J.M. Equipment Company in the sum of $2,328, including tax and trade-in be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of August, 19 62, by Councilman Johansen, who moved its adoption, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Patton, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen Mitchell, Shastid

ATTEST: [signature]
CITY CLERK

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-362

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING THE CALLING FOR BIDS FOR CONSTRUCTION OF TRAFFIC SIGNALS AND STREET LIGHTS AT COLLEGE AND ORANGEBURG AVENUES

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

Section 1. The plans and specifications for construction of traffic signals and street lights at College and Orangeburg Avenues

copies of which are on file, are hereby accepted and approved.

Section 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on August 22, 1962 at 2:00 P.M. and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form and manner provided by law.

Section 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of August, 1962, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Johansen, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Patton, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Mitchell, Shastid

ATTEST: _____
CITY CLERK

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-363

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING THE CALLING FOR BIDS FOR THE CONSTRUCTION OF WATER LINES IN: UNIT A-JONI MANOR SUBDIVISION; UNIT B-LORENZEN PARK NO. 1 SUBDIVISION; UNIT C-QUARESMA HOMES UNIT 4 SUBDIVISION; AND UNIT D-SCOTT MANOR SUBDIVISION

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

Section 1. The plans and specifications for the construction of water lines in: Unit A-Joni Manor Subdivision; Unit B-Lorenzen Park No. 1 Subdivision; Unit C-Quaresma Homes Unit 4 Subdivision; and Unit D-Scott Mahor Subdivision, copies of which are on file, are hereby accepted and approved.

Section 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on August 21, 1962 at 2:00 P.M. and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form and manner provided by law.

Section 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of August, 1962, by Councilman Tabbert, who moved its adoption, which motion being duly seconded by Councilman Patton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Patton, VanderWall, Tabbert, Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: Mitchell, Shastid

ATTEST: _____
CITY CLERK

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62- 364

A RESOLUTION CONFIRMING THE REPORT OF THE SUPERINTENDENT OF STREETS CONCERNING THE WORK OF CONSTRUCTION OF CURBS AND GUTTERS ALONG CERTAIN STREETS IN THE CITY OF MODESTO IN ACCORDANCE WITH THE IMPROVEMENT DISTRICT ACT OF 1911, ASSESSING THE COST OF CONSTRUCTION AGAINST THE PARCEL OF REAL PROPERTY FRONTING UPON THE IMPROVEMENT, AND DIRECTING THE METHOD OF COLLECTION OF THE AMOUNT OF SAID LIEN. (BLOCK 6003, HILTON STREET)

WHEREAS, Chapter 27 of Part 3 of Division 7 (Sections 5870 et seq.) of the Streets and Highways Code of the State of California establishes a procedure pursuant to which the construction of curbs and gutters may be required, and

WHEREAS, the Council, did, on March 12, 19 62, adopt its Resolution No. 62-109, directing the Superintendent of Streets to give notice requiring the construction of curbs and gutters along certain streets in the City of Modesto, as provided therein, and

WHEREAS, the Superintendent of Streets proceeded to cause the completion of the construction of curbs and gutters as aforesaid, in compliance with the provisions of Chapter 27 of Part 3 of Division 7 of the Streets and Highways Code, and

WHEREAS, August 6, 19 62, at 4:35 P.M. in the Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California, was set as the time and place for a hearing and passing upon the report of the Superintendent of Streets with respect to the construction of said improvement, and

WHEREAS, upon the completion of said hearing, said Council confirmed the report of the Superintendent of Streets, as submitted, and on file in the office of the City Clerk, the cost of said work specified in Section 1 of this resolution being determined in the total amount of Two Hundred Five and 25/100ths ($205.25) Dollars.

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

SECTION 1. That the cost of the aforesaid work, being the amount of Two Hundred Five and 25/100ths ($205.25) Dollars, be assessed as a lien against the parcel(s) of property fronting upon the work so constructed, to wit,

421 Hilton Street in the City of Modesto, described as follows:

All of Lots 30 and 31 except the Northerly 7.5 feet of Lot 31, Block 6003, Monaco Tract, as per map recorded December 29, 1939, Volume 11 of Maps, Page 67, Instrument 16958, Stanislaus County Records.

SECTION 2. In accordance with the provisions of Section 5893 of the California Streets and Highways Code, it is hereby ordered that the notice of said lien be delivered to the Stanislaus County Auditor, who shall enter the amount thereof on the County Assessment Book opposite the description of the particular property and the amount shall be collected together with all other taxes thereon against the property. The Director of Finance shall deliver said notice of lien to the County Auditor before the date fixed by law for the delivery of the Assessment Book to the County Board of Equalization. The lien shall be collected in accordance with the procedure prescribed in Section 5894 of the California Streets and Highways Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of August, 1962, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and the resolution adopted by the following vote:

AYES: Johansen, Patton, Tabbert, VanderWall, Mayor Hammond

NOES: None

ABSENT: Mitchell, Shastid

ATTEST: [signature]
City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. ~~62x~~ 62-365

A RESOLUTION CONFIRMING THE REPORT OF THE SUPERINTENDENT OF STREETS CONCERNING THE WORK OF REPAIR OF SIDEWALK IN FRONT OF PROPERTY LOCATED AT 1515 "F" STREET IN THE CITY OF MODESTO IN ACCORDANCE WITH THE IMPROVEMENT DISTRICT ACT OF 1911, ASSESSING THE COST OF CONSTRUCTION AGAINST THE PARCEL OF REAL PROPERTY, AND DIRECTING THE METHOD OF COLLECTION OF THE AMOUNT OF SAID LIEN.

WHEREAS, Chapter 22 of Part 3 of Division 7 of the Streets and Highways Code of the State of California establishes a procedure pursuant to which the repair of sidewalks may be required, and

WHEREAS, the Superintendent of Streets did, on May 18, 1962, notify the owner of the property fronting on 1515 "F" Street in the City of Modesto to repair said sidewalk by mailing a written notice with postage thereon prepaid, to the owner thereof at his last known address, and

WHEREAS, the Superintendent of Streets did thereafter on June 13, 1962, cause to be posted in a conspicuous place on the property a notice to repair said sidewalk within two (2) weeks, and

WHEREAS, the owner having failed to repair said sidewalk as required by the notice to repair, the Superintendent of Streets proceeded to complete the said work as aforesaid, in compliance with the provisions of Chapter 22 of Part 3 of Division 7 of the Streets and Highways Code, and

WHEREAS, August 6, 1962, at 4:40 o'clock P.M. in the Council Chambers, located in the City Hall, 801 - 11th Street, Modesto, California, was set as the time and place for hearing and passing upon the report of the Superintendent of Streets, as submitted, and on file in the office of the City Clerk, the cost

of said work specified in Section 1 of this resolution being determined in the total amount of Forty-One and 95/100ths ($41.95) Dollars,

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

SECTION 1. That the cost of the aforesaid work, being the amount of Forty-One and 95/100ths ($41.95) Dollars, be assessed as a lien against the parcel of property fronting upon the sidewalk so repaired, to wit, 1515 "F" Street, Modesto, California, described as follows:

> All that real property in the State of California, County of Stanislaus, City of Modesto, described as follows:
>
> All of Lots 14, 15 and 16 of Block 119 of the City of Modesto as per map filed December 21, 1942, in Volume 15 of Maps, Stanislaus County Records. EXCEPT the Southwestern 66.00 feet.

SECTION 2. In accordance with the provisions of Section 5628 of the Streets and Highways Code, it is hereby ordered that the notice of said lien be delivered to the Stanislaus County Auditor, who shall enter the amount thereof on the County Assessment Book opposite the description of the particular property and the amount shall be collected together with all other taxes thereon against the property. The City Clerk shall deliver said notice of lien to the County Auditor before the date fixed by law for the delivery of the Assessment Book to the County Board of Equalization. The lien shall be collected in accordance with the procedure prescribed by Section 5629 of the California Streets and Highways Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of August, 1962, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Johansen, was upon roll call carried and the

resolution adopted by the following vote:

AYES: Councilmen: Johansen, Patton, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Mitchell, Shastid

ATTEST: _____
City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-366

A RESOLUTION APPROVING APPROPRIATION TRANSFERS

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the following appropriation transfers be approved:

SPECIAL GAS TAX STREET IMPROVEMENT (207)

FROM:	General Reserve (600)		$91,758
TO:	Improve Tully, 9th St. to Leonard-Project 60 (503)	$ 269	
	Improve Roseburg, Virginia to Alma, Project 68 (503)	11,598	
	Improve Granger, TWSRR to Florida-Project 79 (503)	1,891	
	Improve Coffee Rd., Alley Blk. 1032 to City Limit Project 90 (503)	20,500	
	Improve Roseburg, Mills to Carver-Project 92 (503)	57,500	
			$91,758

PARKING FUND (209)

FROM:	General Reserve (600)	$5,000
TO:	Parking Lots (501)	$5,000

SEWER SERVICE FUND (212)

FROM:	General Reserve (600)		$59,400
TO:	Subtrunks and Perimeter Sewers (503)	$40,000	
	Coffee Road Subtrunk (503)	19,400	
			$59,400

SPECIAL FUND FOR CAPITAL OUTLAYS (321)

FROM:	General Reserve (600)		$654,624
TO:	Public Works Corporation Yard		
	Preliminary Plans (502)	$1,500	
	Disposal Garbage and Refuse		
	Purchase Land for Land Fill (501)	5,000	
	Sewers and Sewage Disposal		
	Rose Avenue Trunk (503)	46,500	
	Maintenance Shop (502)	5,000	
	Various Trunk and Subtrunk Extensions (503)	15,600	
	Streets		
	Briggsmore Ave., Imp. (Carver to Prescott) (503)	70,800	
	Hatch Rd. Realignment (503)	4,500	
	Northern Blvd. (r/w Carver to Prescott (503)	5,900	
	Street Lighting		
	Junior College Lights (joint City-School) (503)	7,874	
	Perimeter Street Lights (503)	3,000	
	Parking and Traffic-Traffic Signals		
	9th at Needham, Kansas and Tully (503)	400	
	Modernization Downtown (503)	7,800	

R.R. Crossing Signal, Santa Cruz, Kerr, M & ET (503)	$2,000
10th & D, 7th & L, Granger & McHenry, Orangeburg & College (503)	17,500
Parks and Recreation	
Dryden Park Neece Drive Entrance (503)	3,500
Park Acquisition, Downey High Area (501)	45,000
Park Acquisition, Carver Road, Neighborhood #2 (501)	33,000
Park Acquisition, Mark Twain, Neighborhood #18 (501)	28,500
Park Acquisition, Davis Community (501)	76,000
Park Acquisition, north of Sylvan School, New Site, Neighborhodd #4 (501)	35,000
Park Development, Whitmore (503)	7,000
Additional amount recommended to complete project as originally approved by Planning Commission (503)	4,500
Rest Stops & Fountains, 99 Hwy. (503)	1,000
Westside Park, Resurface Tennis Court (503)	1,500
Light & Resurface Parking Lot, Community Service Center (503)	1,250
Curbs, Gutters, Sidewalks various parks (503)	16,500
Park Development, Roosevelt (503)	2,500
Fire and Police	
Fire Station, Kearney-Coldwell Area (502)	16,500
Police Building and Communications Center (502)	162,500
Pumper, Station #4 (504)	27,000
	$654,624

PARK AND RECREATION FACILITIES FUND (325)

FROM:	General Reserve (600)		$30,300
TO:	Roosevelt Park Improvements (503)	$10,300	
	Davis Community Park Acquisition (503)	20,000	
			$30,300

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of August, 1962, by Councilman Johansen, who moved its adoption, which motion being duly seconded by Councilman Patton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Patton, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Mitchell, Shastid

ATTEST: [signature]
CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 62-367

A RESOLUTION AUTHORIZING THE RELEASE OF THE BALANCE OF THE CASH DEPOSIT IN THE AMOUNT OF ONE THOUSAND TWO HUNDRED ($1,200) DOLLARS FILED TO GUARANTEE IMPROVEMENTS IN SARATOGA MANOR NO. 1 SUBDIVISION

WHEREAS, Arthur J. Wylie and Florence E. Wylie, subdividers of Saratoga Manor No. 1 Subdivision, have deposited with the City of Modesto the sum of One Thousand Two Hundred ($1,200) Dollars to guarantee the improvements in the aforesaid subdivision, and

WHEREAS, the Director of Public Works has reported that the improvements have been completed in the aforementioned subdivision to his satisfaction, and has recommended the release of the balance of the cash deposit in the amount of One Thousand Two Hundred ($1,200) Dollars,

NOW, THEREFORE, BE IT HEREBY RESOLVED that the balance of the cash deposit in the amount of One Thousand Two Hundred ($1,200) Dollars filed by Arthur J. Wylie and Florence E. Wylie, subdividers, to guarantee improvements in Saratoga Manor No. 1 Subdivision be and it is hereby released.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of August, 1962, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Johansen, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Patton, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Mitchell, Shastid

ATTEST: [signature]
CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 62-368

A RESOLUTION AUTHORIZING THE RELEASE OF THE BALANCE OF THE CASH DEPOSIT IN THE AMOUNT OF THREE THOUSAND ($3,000) DOLLARS FILED TO GUARANTEE IMPROVEMENTS IN SARATOGA MANOR NO. 3 SUBDIVISION

WHEREAS, Arthur J. Wylie and Florence E. Wylie, subdividers of Saratoga Manor No. 3 Subdivision, have deposited with the City of Modesto the sum of Three Thousand ($3,000) Dollars to guarantee the improvements in the aforesaid subdivision, and

WHEREAS, the Director of Public Works has reported that the improvements have been completed in the aforementioned subdivision to his satisfaction, and has recommended the release of the balance of the cash deposit in the amount of Three Thousand ($3,000) Dollars,

NOW, THEREFORE, BE IT HEREBY RESOLVED that the balance of the cash deposit in the amount of Three Thousand ($3,000) Dollars filed by Arthur J. Wylie and Florence E. Wylie, subdividers, to guarantee improvements in Saratoga Manor No. 3 Subdivision be and it is hereby released.

The foregoing resolutinn was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of August, 1962, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Johansen, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Patton, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Mitchell, Shastid

ATTEST: [signature]
CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 62-369

A RESOLUTION OF INTENTION TO APPROVE AN AMENDMENT TO CONTRACT BETWEEN THE CITY OF MODESTO AND THE BOARD OF ADMINISTRATION OF THE STATE EMPLOYEES' RETIREMENT SYSTEM

WHEREAS, the State Employees' Retirement Law permits the participation of public agencies and their employees in the State Employees' Retirement System by the execution of a contract, and sets forth the procedure by which said public agencies may elect to subject themselves and their employees to amendments to said Law, and

WHEREAS, one step in said procedure is the adoption by the legislative body of the public agency of a resolution giving notice of its intention to approve an amendment to said contract, which resolution shall contain a summary of the changes proposed in said contract, and

WHEREAS, the following is a statement of the proposed change:

> Paragraph 3 of the contract which now provides that Police Court Department Employees shall be excluded from membership shall be changed to provide that employees compensated on an hourly basis who are hired after October 1, 1962, shall be excluded as well as Police Court Department Employees.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Modesto gives, and it does hereby give notice of intention to approve an amendment to contract between the City of Modesto and the Board of Administration of the State Employees' Retirement System, a copy of said amendment being attached hereto, marked "Exhibit A," and by this reference made a part hereof.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of August, 1962, by Councilman Johansen, who moved its adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Patton, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Mitchell, Shastid

ATTEST: _____
CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 62-370

A RESOLUTION SETTING THE TIME AND PLACE FOR THE HEARING ON THE APPEAL TO THE DECISION OF THE MODESTO CITY PLANNING COMMISSION FILED BY RICHARD C. SMITH ON THE REZONING OF PROPERTY LOCATED IN BLOCK 6601 (NORTHWEST CORNER OF TULLY AND BRIGGSMORE)

WHEREAS, the Modesto City Planning Commission held a public hearing in the Council Chambers, located in the City Hall, 801 11th Street, in the City of Modesto, on July 17, 1962 at 8:10 P.M. for the purpose of considering an application for an amendment to Section 18 of the Zoning Map, filed by Richard C. Smith, 1817 Tully Road, Modesto, on July 2, 1962, to reclassify from Multiple-Family Zone, R-3, to Planned Development Zone, P-D the following property:

Parcels 32, 33 and 36 in Block 6601 on the northwest corner of Tully and Briggsmore, and

WHEREAS, said Commission, after hearing evidence, both oral and documentary, adopted Resolution No. 824, denying the request for the amendment to Section 18 of the Zoning Map, and

WHEREAS, on July 19, 1962, Richard C. Smith filed an appeal with the City Clerk on the decision of the Planning Commission denying the request for rezoning, and

WHEREAS, Section 10=2.2112 of the Municipal Code of the City of Modesto requires that the Council hold a public hearing within a period not to exceed 40 days following the filing of a written appeal from an order of the Commission denying an application for an amendment,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that a public hearing on the appeal of the decision of the Modesto City Planning Commission be set for Monday, August 27, 1962 at 8:05 P.M. in the Council Chambers of the City of Modesto.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of August, 1962, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Patton, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Mitchell, Shastid

ATTEST: _____
CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 62-371

A RESOLUTION SETTING THE TIME AND PLACE FOR THE HEARING ON THE APPEAL TO THE DECISION OF THE MODESTO CITY PLANNING COMMISSION FILED BY LUTHER E. FLORENCE ON THE REZONING OF PROPERTY LOCATED IN BLOCK 342

WHEREAS, the Modesto City Planning Commission held a public hearing in the Council Chambers located in the City Hall, 801 11th Street, in the City of Modesto, on July 17, 1962 at 7:55 P.M. for the purpose of considering an application for an amendment to Section 32 of the Zoning Map, filed by Luther E. Florence, 2301 Meta Court, Modesto, on June 26, 1962, to reclassify from Two-Family Zone, R-2, to Neighborhood-Commercial Zone, C-1, the following described property:

> Lots 1 to 6 inclusive in Block 342 and including also the southerly 33 feet of Paradise Avenue from the existing Neighborhood Commercial Zone on the west to the center line of Alturas Avenue extended on the east; the west 30 feet of Alturas Avenue from its intersection with the southerly right of way line of Paradise Avenue to its intersection with the northerly right of way line of Tuolumne Boulevard; and the north 50 feet of Tuolumne Boulevard from the center line of Alturas Avenue to the existing commercial C-1 zone on the west, and

WHEREAS, said Commission, after hearing evidence, both oral and documentary, adopted Resolution No. 822, denying the request for the amendment to Section 32 of the Zoning Map, and

WHEREAS, on July 24, 1962, Luther E. Florence filed an appeal with the City Clerk on the decision of the Planning Commission denying the request for rezoning, and

WHEREAS, Section 10-2.2112 of the Municipal Code of the City of Modesto requires that the Council hold a public hearing within a period not to exceed 40 days following the filing of a written appeal from an order of the Commission denying an application for an amendment,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that a public hearing on the appeal of the decision of the Modesto City Planning Commission be set for Monday, August 27, 1962 at 8:10 P.M. in the Council Chambers of the City of Modesto.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of August, 1962, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Tabbert, was upon roll call

carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Patton, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Mitchell, Shastid

ATTEST: _____
CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 62-372

A RESOLUTION APPROVING THE FINAL MAP OF THE SCOTT MANOR SUBDIVISION OF THE CITY OF MODESTO.

WHEREAS, GEORGE KLEMM and MOLLIE KLEMM, husband and wife, and DANIEL E. SODERLUND, an individual, are possessed of a tract of land situate in the City of Modesto, County of Stanislaus, consisting of 11.7 acres, known as the SCOTT MANOR SUBDIVISION, and

WHEREAS, a tentative map of said tract was approved by the City Planning Commission on the 14th day of December, 1961, and

WHEREAS, the final map of said tract has been approved by the Secretary of the City Planning Commission, and

WHEREAS, the City Engineer of the City of Modesto has certified that the final map of said SCOTT MANOR SUBDIVISION meets all of the provisions of the California Subdivision Map Act and the provisions of the Modesto Municipal Code relating to subdivisions, and that the map is technically correct;

NOW, THEREFORE, BE IT RESOLVED that said final map of the SCOTT MANOR SUBDIVISION be approved; that the streets, alleys and easements as shown thereon within the boundaries of said tract be accepted on behalf of the public for public use; and that the City Clerk be authorized to certify the map of said tract on behalf of the City of Modesto after the fees in the amount of ONE THOUSAND SEVEN HUNDRED SIXTY-ONE and 70/100ths ($1,761.70) Dollars, as required by the Modesto Municipal Code, for checking, copies of maps, recording and parks and playgrounds have been paid, and subdividers have furnished a bond acceptable to the City Attorney, or, in lieu thereof, have posted a cash deposit with the City Clerk in the sum of TWENTY-TWO THOUSAND THREE HUNDRED and No/100ths ($22,300.00) Dollars.

BE IT FURTHER RESOLVED that the City Manager and the City Clerk be authorized to execute and attest, respectively, an agreement

with subdividers as required by Section 4-4.604 (c) of the Modesto Municipal Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of August, 19 62, by Councilman Tabbert, who moved its adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Johansen, Patton, Tabbert, VanderWall, Mayor Hammond
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Mitchell, Shastid

ATTEST: _____
City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-373

A RESOLUTION APPROVING THE FINAL MAP OF THE MORAN ESTATES UNIT NO. 2 SUBDIVISION OF THE CITY OF MODESTO.

WHEREAS, PHILIP MORAN, ALSO KNOWN AS PHILLIP MORAN, JUSTINA GONI, CARMEN POLSTON, and JOSIE JOHNSON are possessed of a tract of land situate in the City of Modesto, County of Stanislaus, consisting of 9.07 acres, known as the MORAN ESTATES UNIT NO. 2 SUBDIVISION, and

WHEREAS, a tentative map of said tract was approved by the City Planning Commission on the 17th day of April, 1962, and

WHEREAS, the final map of said tract has been approved by the Secretary of the City Planning Commission, and

WHEREAS, the City Engineer of the City of Modesto has certified that the final map of said MORAN ESTATES UNIT NO. 2 SUBDIVISION meets all of the provisions of the California Subdivision Map Act and the provisions of the Modesto Municipal Code relating to subdivisions, and that the map is technically correct;

NOW, THEREFORE, BE IT RESOLVED that said final map of the MORAN ESTATES UNIT NO. 2 SUBDIVISION be approved; that the streets, alleys and easements as shown thereon within the boundaries of said tract be accepted on behalf of the public for public use; and that the City Clerk be authorized to certify the map of said tract on behalf of the City of Modesto after the fees in the amount of TWO THOUSAND SIXTY-FOUR and 47/100ths ($2,064.47) Dollars, as required by the Modesto Municipal Code, for checking, copies of maps, recording and parks and playgrounds have been paid, and subdividers have furnished a bond acceptable to the City Attorney, or, in lieu thereof, have posted a cash deposit with the City Clerk in the sum of THIRTY-ONE THOUSAND EIGHT HUNDRED and No/100ths ($31,800.00) Dollars.

BE IT FURTHER RESOLVED that the City Manager and the City Clerk be authorized to execute and attest, respectively, an agreement

Cost Dept

with subdividers as required by Section 4-4.604 (c) of the Modesto Municipal Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of August, 1962, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Patton, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Johansen, Patton, Tabbert, VanderWall, Mayor Hammond
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Mitchell, Shastid

ATTEST: _____
City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-374

A RESOLUTION APPROVING THE FINAL MAP OF THE LORENZEN PARK NO. 1 SUBDIVISION OF THE CITY OF MODESTO.

WHEREAS, ARTHUR J. WYLIE and FLORENCE E. WYLIE, husband and wife, and WOLVERINE BUILDING SERVICE, incorporated are possessed of a tract of land situate in the City of Modesto, County of Stanislaus, consisting of 6.5 acres, known as the LORENZEN PARK NO. 1 SUBDIVISION, and

WHEREAS, a tentative map of said tract was approved by the City Planning Commission on the 17th day of April, 1962, and

WHEREAS, the final map of said tract has been approved by the Secretary of the City Planning Commission, and

WHEREAS, the City Engineer of the City of Modesto has certified that the final map of said LORENZEN PARK NO. 1 SUBDIVISION meets all of the provisions of the California Subdivision Map Act and the provisions of the Modesto Municipal Code relating to subdivisions, and that the map is technically correct;

NOW, THEREFORE, BE IT RESOLVED that said final map of the LORENZEN PARK NO. 1 SUBDIVISION be approved; that the streets, alleys and easements as shown thereon within the boundaries of said tract be accepted on behalf of the public for public use; and that the City Clerk be authorized to certify the map of said tract on behalf of the City of Modesto after the fees in the amount of ONE THOUSAND THREE HUNDRED THIRTY-SEVEN and 70/100ths ($1,337.70) Dollars, as required by the Modesto Municipal Code, for checking, copies of maps, recording and parks and playgrounds have been paid, and subdividers have furnished a bond acceptable to the City Attorney, or, in lieu thereof, have posted a cash deposit with the City Clerk in the sum of THIRTY-THREE THOUSAND and No/100ths ($33,000.00) Dollars.

BE IT FURTHER RESOLVED that the City Manager and the City Clerk be authorized to execute and attest, respectively, an agreement

with subdividers as required by Section 4-4.604 (c) of the Modesto Municipal Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of August, 19 62, by Councilman Johansen, who moved its adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Patton, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Mitchell, Shastid

ATTEST: [signature]
City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-375

A RESOLUTION APPROVING THE FINAL MAP OF THE QUARESMA HOMES UNIT NO. 4 SUBDIVISION OF THE CITY OF MODESTO.

WHEREAS, JOHN QUARESMA and BERNICE QUARESMA, husband and wife, are possessed of a tract of land situate in the City of Modesto, County of Stanislaus, consisting of 6.59 acres, known as the QUARESMA HOMES UNIT NO. 4 SUBDIVISION, and

WHEREAS, a tentative map of said tract was approved by the City Planning Commission on the 23rd day of December, 1958, and

WHEREAS, the final map of said tract has been approved by the Secretary of the City Planning Commission, and

WHEREAS, the City Engineer of the City of Modesto has certified that the final map of said QUARESMA HOMES UNIT NO. 4 SUBDIVISION meets all of the provisions of the California Subdivision Map Act and the provisions of the Modesto Municipal Code relating to subdivisions, and that the map is technically correct;

NOW, THEREFORE, BE IT RESOLVED that said final map of the QUARESMA HOMES UNIT NO. 4 SUBDIVISION be approved; that the streets, alleys, and easements as shown thereon within the boundaries of said tract be accepted on behalf of the public for public use; and that the City Clerk be authorized to certify the map of said tract on behalf of the City of Modesto after the fees in the amount of FIVE HUNDRED NINETY-NINE and 70/100ths ($599.70) Dollars, as required by the Modesto Municipal Code, for checking, copies of maps, recording, and parks and playgrounds have been paid, and subdividers have furnished a bond acceptable to the City Attorney, or, in lieu thereof, have posted a cash deposit with the City Clerk in the sum of SEVENTEEN THOUSAND THREE HUNDRED and No/100ths ($17,300.00) Dollars.

BE IT FURTHER RESOLVED that the City Manager and the City Clerk be authorized to execute and attest, respectively, an agreement

with subdividers as required by Section 4-4.604 (c) of the Modesto Municipal Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of August, 1962, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Johansen, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Johansen, Patton, Tabbert, VanderWall, Mayor Hammond
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Mitchell, Shastid

ATTEST: _____
City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-376

A RESOLUTION AUTHORIZING THE INSTITUTION OF INJUNCTION PROCEEDINGS TO ENFORCE THE PROVISIONS OF THE MODESTO MUNICIPAL CODE RELATING TO ZONING REGULATIONS. (Jack Lamb Trailer - 920 La Loma Avenue)

BE IT RESOLVED that the City Attorney of the City of Modesto be authorized and directed to commence and maintain in the name of the City of Modesto such actions and proceedings of injunction in the Superior Court of the State of California, in and for the County of Stanislaus against Jack Lamb of 920 La Loma Avenue, Modesto, California, as are necessary for the purpose of enforcing the zoning regulations as contained in the Modesto Municipal Code relating to maintenance of trailers in residential areas.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of August, 1962, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Johansen, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Patton, Tabbert, VanderWall & Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Mitchell, Shastid

ATTEST: _____
City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-377

A RESOLUTION APPROVING RIGHT OF WAY AGREEMENT BETWEEN THE CITY OF MODESTO AND LAUDER E. WICK AND CARRIE WICK FOR TULLY ROAD RIGHT OF WAY PROJECT NO. 56-15

BE IT HEREBY RESOLVED by the Council of the City of Modesto that Right of Way Agreement between the City of Modesto and Lauder E. Wick and Carrie Wick

forfifteen (15') feet of property on Tully Road for Tully Road Right of Way Project No. 56-15

be and it is hereby approved. For further particulars, reference is made to a copy of the Agreement on file in the office of the City Clerk.

BE IT FURTHER RESOLVED that the City Manager and City Clerk of the City of Modesto be, and they are hereby authorized and directed to execute said Right of Way Agreement on behalf of the City of Modesto.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of August, 1962, by Councilman Tabbert, who moved its adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Patton, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Mitchell, Shastid

ATTEST: [signature]
CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 62-378

A RESOLUTION SETTING THE TIME AND PLACE FOR A PUBLIC HEARING BEFORE THE COUNCIL OF THE CITY OF MODESTO ON A PROPOSED AMENDMENT TO SECTION 21 OF THE ZONING MAP BY MANUEL JAMES DePONTE (Drake Addition)

WHEREAS, the Modesto City Planning Commission held a public hearing on July 17, 19 62, in the Council Chamber for the purpose of considering an amendment to Section 21 of the Zoning Map of the City of Modesto by Manuel James DePonte (Drake Addition), to change the following described property from One-Family Zone, R-1 to Commercial Industrial Zone, C-M :

~~the following described property~~

Beginning at a point on the City limits line as established by the Granger Addition, said point also being the northwestern corner of the East Orangeburg Addition; thence North 0° 10' West, 510.00 feet; thence South 89° 00' East 340.40 feet; thence South 0°10' East, 160.00 feet, to the Northern line of a 40-foot public road known as Coolidge Avenue; thence South 89° 00' East, 149.60 feet; thence South 0° 10' East, 125.00 feet; thence South 89° 00' East, 95.00 feet; thence South 0° 10' East, 85.00 feet to the northern line of a 50-foot public road known as Drake Avenue; thence along the northern line of Drake Avenue, North 89° 00' West, 115.00 feet; thence South 0° 10' East, 140.00 feet; thence north 89° 00' West, 470.00 feet to the point of beginning being located east of McHenry Avenue south of McHenry Village Addition

and

WHEREAS, the said Commission, after hearing evidence both oral and documentary, on the proposed amendment, adopted Resolution No. 823 recommending to the Council that rezoning of the area as requested was required by public necessity, convenience and general welfare,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that a public hearing on the proposed amendment be set for 4:30 P.M., Tuesday, September 4, 19 62, in the Council Chamber of the City of Modesto as recommended by the Modesto City Planning Commission.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of August, 19 62, by Councilman Johansen, who moved its adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Patton, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Mitchell, Shastid

ATTEST: _____
City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 62-379

A RESOLUTION REFERRING TO THE MODESTO CITY PLANNING COMMISSION A PETITION FOR ANNEXATION OF CERTAIN UNINHABITED TERRITORY TO THE CITY OF MODESTO KNOWN AS **ROBERTS ADDITION.**

WHEREAS, a petition has been filed in the office of the City Clerk requesting the annexation of certain uninhabited territory to the City of Modesto, which territory is more specifically described hereinafter, and

WHEREAS, the County Boundary Commission has certified to the definiteness and accuracy of the boundaries of said territory,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that said petition for the annexation of the following described uninhabited territory be referred to the Planning Commission for its report and recommendation.

The territory herein referred to is situated in the County of Stanislaus, State of California, and more particularly described as attached hereto.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of August, 1962, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Patton, Tabbert, Vanderall, Mayor Hammond.
NOES: Councilmen: None.
ABSENT: Councilmen: Mitchell, Shastid

ATTEST: [signature]
City Clerk

(SEAL)

ROBERTS ADDITION

All that real property in the State of California, County of Stanislaus, Section 21, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, being the South 165.00 feet of Lot 5 of the Rice Colony as per map filed February 19, 1904, in Volume 1 of Maps, Page 54, Stanislaus County Records, described as follows:

Beginning at a point on the existing City Limits as established by the Downey High School and New John Muir School Site, as per Resolution 8932, Filed July 27, 1950, as Instrument 16443, Stanislaus County Records, said point also being the Southwestern corner of Lot 5 of the Rice Colony and the Southwestern corner of the property, conveyed to Emmett L. Roberts, et ux, as per deed recorded July 16, 1946, as Instrument 18834, Stanislaus County Records; thence along the Western line of said Lot 5 of the Rice Colony and the Western line of the Roberts property, North 0° 30' 00" West, 165.00 feet to the Northwestern corner of said Roberts property; thence along the Northern line and its Easterly extension of said Roberts property, South 89° 57' 00" East, 654.45 feet, to the center line of a 50 foot public road known as Coffee Road, said point also being on the section line common to Section 21 and 22 and also being on the existing City Limits; thence along the section line and the City Limits, South 0° 30' 00" East, 165.00 feet, to a point on the Easterly extension of the Southern line of said Lot 5 of the Rice Colony; thence along the City Limits and the Southern line and its Easterly extension, North 89° 57' 00" West, 654.45 feet, to the point of beginning, containing 2.404 Acres, more or less.

MODESTO CITY COUNCIL
RESOLUTION NO. 62-380

A RESOLUTION CONFIRMING THE APPOINTMENT OF MEMBERS TO THE FORWARD MODESTO COMMITTEE '62 AND DEFINING THE FUNCTION OF SAID COMMITTEE

WHEREAS, in order to:

(1) Assure that the community will keep pace with the increasing needs for urban facilities and services brought about by an ever expanding population,

(2) Promote the orderly growth and development of the City,

(3) Insure that the City will continue to be the kind of a City that its residents and their posterity will desire to live in and point to with pride and gratification, and

(4) Increase community understanding of problems, needs, and possible solutions;

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

SECTION 1. APPOINTMENT. The establishment of Forward Modesto Committee '62 and the appointment of the following members to the Committee is hereby approved and confirmed:

Alford, Robert E.
Allewalt, Wm. F. Jr.
Anderson, Henry G.
Appelbaum, Morey
Ayres, Robert

Bartlett, Leonard
Barton, V. E. (Pete)
Beard, Kennan H.
Bennett, Mervin
Berry, Wesley
Beyer, Fred
Birmingham, Paul
Boyle, Thomas W.
Bradford, Clark Jr.
Bradley, Wayman
Brack, Mrs. Esther
Brooks, Leslie

Carmichael, Mrs. Sue
Carner, Bert
Carter, Robert
Clark, Lowell
Cloward, R. L.
Corby, Mrs. Felice
Correia, Wm.

Dalzell, Robert
Davies, Lee
Dow, Charles
Downs, Saxon
Dunker, C. W.

Earle, Fred A. "Fritz" III
Ellison, Gene O.
Evey, Paul

Ferrucci, Ray
Floden, Folke
Ford, Robert W.
Fovinci, Mario
Gaard, Mrs. Pat
Gagos, George S. Jr.
Gallo, R. J.
Garcia, Dr. Walter
Giddings, Richard J.
Good, Joe
Gould, William
Grandt, Laurence
Gremp, L. E.
Grinage, Lou

Halley, Francis
Hamaway, Al
Hammer, Louie
Hawley, Craig
Heckman, Clarence W.
Henning, W. H.
Heyman, Edward
Hudelson, Paul
Hynes, J. Don

Jensen, Thomas
Johnson, Fred
Jones, Dean

Kirkish, Fred J.
Knoles, Leslie
Kriese, Jack
Kullijian, Harry

LaCore, Walter (Bud)
LaFaille, Leon
Lyng, Richard

McAuley, D. W.
Maino, Mrs. Jeanette
Marks, Roger
May, E. Graham
Mellis, Spiro
Mellis, Tom
Metcalf, Terry
Meyer, Henry
Miller, Robert H.
Moon, Dr. Robert

Negley, James
Nelson, Dr. William
Nessier, Joe
Northup, Rev. Truman

Olsen, Richard

Patterson, Vernon
Pedersen, Albert
Price, E. Dean
Purviance, Cal

Quinn, Harry

Rhodes, Harvey B.
Robinson, Lawrence Jr.
Rolfe, Robert
Russo, Frank
Ryan, Mrs. Charlotte

Saletta, Joseph
Sanders, J. Randolph
Sanderson, L. V.
Sconyers, Hal
Schmidt, Donald
Schwark, Louis
Shearn, Dr. Raymond
Shoob, Leo
Simon, Ray
Srenaski, Edward
Starn, Ray
Stewart, Sam
Stonum, Robert
Sutton, John
Sutton, Mrs. Nelda
Sypolt, Charles

Thiemann, Fred
Tremain, I. J.
Turpen, Robert

Van Overbeek, Mrs. Thelma

Whitburn, Ray
Wiser, Mrs. Inez

Young, James H.

The Mayor is hereby authorized to approve and appoint additional members who have been proposed when their availability to serve has been confirmed.

SECTION 2. APPOINTMENT OF CHAIRMAN AND OF EXECUTIVE COMMITTEE. The appointment of Paul Birmingham to serve as Chairman of the Forward Modesto Committee '62 and of the executive committee, and the appointment of the following committee members to serve as an executive committee to coordinate the work of the Committee and of subcommittees (with one member of such executive committee assigned specifically to

each subcommittee to serve as liaison representative) is hereby approved and confirmed:

Clarkson Bradford, Jr.	Francis W. Halley
Leslie Brooks	Robert R. Moon
Robert D. Carter	Rev. Truman R. Northup
Lee Davies	L. V. Sanderson
Joseph M. Good	Edward J. Srenaski

SECTION 3. ASSIGNMENT OF STUDY TOPICS TO SUBCOMMITTEES AND APPOINTMENT OF SUBCOMMITTEE CHAIRMEN. The assignment of the following subcommittee study topics and appointment of the subcommittee chairman for each is hereby approved and confirmed:

	Subcommittee	Subcommittee Chairman
1.	Jobs and Automation	D. W. McAuley
2.	Community Development	Folke Floden
3.	Utilities	Walter "Bud" LaCore
4.	Cultural Facilities	Mrs. Thelma Van Overbeek
5.	Community Protection	C. W. Dunker
6.	Leisure Time Facilities	Wesley Berry
7.	Transportation	Ray Starn
8.	Governmental Facilities and Services	E. Graham May
9.	Finance	Terry Metcalf
10.	Publicity	Saxon Downs

SECTION 4. ORGANIZATION. The Forward Modesto Committee '62 shall organize forthwith and shall consist of a Chairman, Vice-Chairman, Executive Committee, and chairmen and members of each of the subcommittees listed in Section 3 of this resolution.

SECTION 5. FUNCTIONS. It shall be the purpose of the Forward Modesto Committee '62 to analyze the potentials, problems and needs of the community and prepare and submit to the Council a report which shall include:

(1) Recommendations of the whole Committee from a broad community point of view on community needs in each area of study;

(2) Suggestions for the enhancement of the City of Modesto, physical, cultural and economic;

(3) Recommendations as to priorities of community improvements needed; and

(4) Recommendations for specific action needed.

SECTION 6. PUBLIC RECORD. The Committee shall keep a public record of its official actions, including a record of its motions, resolutions, findings, determinations, and recommendations.

SECTION 7. TIME FOR REPORTS. The Committee is requested to submit to the Council a final consolidated report by March 1, 1963, so that its recommendations may also be considered by the Modesto City Planning Commission in its recommendations for the Capital Improvement Program which it is required to submit to the Council by May 1, 1963.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of August, 1962, by Councilman Johansen, who moved its adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Patton, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Mitchell, Shastid

ATTEST: _____
CITY CLERK

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-381

A RESOLUTION AUTHORIZING ACCEPTANCE OF FEDERAL GRANT FOR SEWAGE TREATMENT WORKS

BE IT HEREBY RESOLVED that the City Manager is authorized to execute, on behalf of the City of Modesto, acceptance of federal grant for sewage treatment works, under 33 U.S.C. 466 et. seq., Project No. WPC-CAL-123.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of August, 1962, by Councilman Tabbert, who moved its adoption, which motion being duly seconded by Councilman Shastid, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Mitchell

ATTEST: _____
CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 62-382

A RESOLUTION ACCEPTING THE CONSTRUCTION OF CLARIFIER RELIEF LINE AT THE SEWAGE TREATMENT PLANT BY STANDARD MATERIALS COMPANY

WHEREAS, a report has been filed by the Director of Public Works that the construction of clarifier relief line at the Sewage Treatment Plant
has been completed by Standard Materials Company

in accordance with the contract agreement, dated April 16, 1962.

NOW, THEREFORE, BE IT RESOLVED that the construction of clarifier relief line at the Sewage Treatment Plant
be accepted from said contractor, Standard Materials Company,

that Notice of Completion be filed with the Recorder of Stanislaus County and that payment of amounts due, as provided in the contract, be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of August, 1962, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Shastid, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: Mitchell

ATTEST: [signature]
CITY CLERK

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-383

A RESOLUTION GRANTING A REVOCABLE PERMIT TO RICHARD LYNG TO PLANT JUNIPERS IN PLANTING BOXES AROUND THE TREES IN THE PLANTING STRIP AT THIRTEENTH AND "K" STREETS IN THE AREA BETWEEN THE CURB AND THE SIDEWALK IN THE CITY OF MODESTO.

WHEREAS, Richard Lyng has filed a request with the Council of the City of Modesto for permission to plant junipers in planting boxes around the trees in the planting strip at Thirteenth and "K" Streets in the area between the curb and the sidewalk, providing ample sidewalk area through to the curb for easy access from parked vehicles,

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

SECTION 1. A permit, revocable upon thirty (30) days' written notice by City is hereby granted to said applicant to plant junipers in planting boxes around the trees in the planting strip at Thirteenth and "K" Streets in the area between the curb and sidewalk, providing ample sidewalk area through to the curb for easy access from parked vehicles. Said planting shall be done in accordance with the plan which is on file in the office of the City Clerk entitled, "13th and K Streets, Planting Strip, Alternate "A"", which was approved by the City Council at its meeting of August 13, 1962.

SECTION 2. Said revocable permit is granted for each of the conditions herein set forth, which conditions Permittee agrees, by acceptance of this permit to faithfully perform to wit:

(a) Permittee, his successors and assigns, during the term of this permit, shall indemnify and save the City harmless of and from all damages, costs and charges of any kind or character arising out of or relating thereto or in any way connected with the exercise of the rights granted by this permit.

(b) Permittee, his successors and assigns, shall comply with all laws of the City.

(c) Permittee, his successors and assigns, at his own cost and expense, shall defend any and all law suits, if any, arising out of or in any way connected with the exercise of the rights granted by this permit.

(d) Permittee, his successors and assigns, shall maintain said planting boxes in a neat and orderly manner, not allowing papers, trash or weeds to gather under the shrubs.

(e) Permittee, his successors and assigns, shall not permit the junipers in planting boxes around the trees in the planting strip to exceed three (3') feet in height and the plant structure shall not extend out beyond the planter box.

(f) Permittee, his successors and assigns shall insure that adequate water shall be applied to insure a healthy growth of the plant material and street trees selected for planting.

(g) In the event of revocation of this permit by the City, Permittee agrees to remove the junipers in the planting boxes around the trees in the planting strip in the area between the curb and the sidewalk, at its own expense and fill the enlarged planting boxes to meet with the normal boxes as per the City's specifications.

SECTION 3. The City Clerk shall furnish Permittee with a copy of this resolution. Permittee shall have twenty (20) days from and after the adoption of this resolution within which to file written acceptance of this permit and no right shall be conferred hereby until said acceptance is filed.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto on the 13th day of August, 1962, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by

Councilman Johansen, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Mitchell

ATTEST: _____
City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-384

RESERVATION OF RIGHTS
A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND GREAT AMERICAN INSURANCE COMPANY

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the Reservation of Rights Agreement between the City of Modesto and Great American Insurance Company, in the matter of John S. Ingram, Plaintiff, vs. City of Modesto, a Municipal Corporation, Defendant, Complaint for Negligence Resulting in Death of Dog, No. 14547

be, and it is hereby approved, and

BE IT FURTHER RESOLVED that the execution of said Agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of August, 1962, by Councilman Shastid, who moved its adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Johansen, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Mitchell

ATTEST: [signature]
CITY CLERK

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-385

A RESOLUTION SETTING THE TIME AND PLACE FOR A PUBLIC HEARING BEFORE THE COUNCIL OF THE CITY OF MODESTO ON A PROPOSED AMENDMENT TO SECTION 19 OF THE ZONING MAP OF MODESTO (Iva Causey property)

WHEREAS, the Modesto City Planning Commission held a public hearing on June 12, 1962, in the Council Chamber for the purpose of considering an amendment to Section 19 of the Zoning Map of Modesto (Iva Causey property)

the following described property:

Beginning at a point on the center line of Tully Road 350 feet north of the north line of Leonard Avenue which is the true point of beginning of this description; thence northerly along the center line of Tully Road a distance of 174 feet to the north line of the property owned by Iva E. Causey; thence westerly along the north line of said property a distance of 532 feet to the northwest corner of the Causey property; thence southerly along the west line of said property a distance of 248 feet to the southwest corner of said Causey property; thence easterly along the south property line of the Causey property, a distance of 357 feet; thence northerly 75 feet; thence easterly 178 feet to the center line of Tully Road and the point of beginning

and

WHEREAS, the said Commission, after hearing evidence both oral and documentary, on the proposed amendment, adopted Resolution No. 811 recommending to the Council that rezoning of the area as requested was required by public necessity, convenience and general welfare,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that a public hearing on the proposed amendment be set for 8:15 P.M., Monday, August 27, 1962, in the Council Chamber of the City of Modesto as recommended by the Modesto City Planning Commission.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of August, 1962, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Mitchell

ATTEST: [signature]
City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 62- 386

A RESOLUTION GIVING NOTICE OF THE PROPOSED ANNEXATION TO THE CITY OF MODESTO OF UNINHABITED TERRITORY DESCRIBED HEREIN AND DESIGNATED AS RENEE MANOR ADDITION AND GIVING NOTICE OF TIME AND PLACE FOR HEARING PROTESTS THERETO.

BE IT RESOLVED by the Council of the City of Modesto:

1. That, pursuant to the provisions of the Annexation of Uninhabited Territory Act of 1939, a petition signed by owners of not less than one fourth of the land in the hereinafter described territory by area and by assessed value as shown on the last equalized assessment roll of the County of Stanislaus, was filed with the Council of the City of Modesto on July 6, 1962, requesting annexation of the hereinafter described territory to said City.

2. That the territory which the petitioners request be annexed to the City of Modesto and which said City and its Council propose to annex, is situate in the County of Stanislaus, State of California, hereby designated as RENEE MANOR ADDITION, and described as follows:

6/21/62

RENEE MANOR ADDITION

All that real property situate in the State of California, County of Stanislaus, Sections 7 and 18, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits as established by the Northwestern corner of the Gregory Gardens No. 4 Addition, as per description filed May 28, 1959, Instrument 15694, and by the Southwestern corner of the Neighborhood Church Addition, as per description filed February 2, 1961, Instrument 3513, Stanislaus County Records, said point being on the Section Line common to Sections 7 and 18; thence along the Western line of said Gregory Gardens No. 4 Addition and the existing City Limits, South 0° 51' 30" East, 254.76 feet, to a point on the Southern line of property conveyed to Lance E. Ellis, et ux, by Deed recorded January 31, 1962, Instrument 4044, Stanislaus County Records; thence along said Southern line of Ellis property, North 89° 10' 30" West, 1531.23 feet, to a point on the Eastern line of a 40 foot Public Road known as Carver Road; thence along the Eastern line of Carver Road, North 0° 56' 30" West, 253.44 feet, to a point on the Section Line common to Sections 7 and 18; thence continuing along the Eastern line of Carver Road, North 0° 49' West, 1320.70 feet, to a point on the Northern line of said Ellis property; thence along the Northern line of said Ellis property, South 89° 09' East, 1838.62 feet, to a point on the existing City Limits at the Northwestern corner of the Neighborhood Church Addition; thence along the Western line of the Neighborhood Church Addition and the existing City Limits, the following bearings and distances: South 14° 49' West, 289.90 feet; North 88° 16' 15" West, 232.04 feet; South 0° 59' East, 1040.92 feet, to the point of beginning, containing 56.996 Acres.

3. That the County Boundary Commission of Stanislaus County, California, did in session duly assembled on June 26, 19 62, consider the proposed annexation boundaries of said RENEE MANOR ADDITION, as above described, and as submitted to said Commission by the proponents of said annexation.

4. No change in school district boundaries shall be effected by reason of the annexation of the hereinabove described area to the City of Modesto.

5. NOTICE IS HEREBY GIVEN that the 24th day of September, 19 62, at the hour of 8:10 o'clock P.M. of said day, in the Council Chambers at the City Hall, located at 801 Eleventh Street in the City of Modesto, be and the same is hereby fixed as the time and place for considering said petition, at which time and place any person owning real property within such territory and having any objections to the proposed annexation may appear before the Council of the City of Modesto and show cause why such territory should not be so annexed. The protest must be in writing, may be filed at any time before the hour set for hearing objections to the proposed annexation, and shall state the name or names of the owner or owners of property affected and the description and area of such property, in general terms.

6. The City Clerk shall cause a copy of this resolution to be published at least twice, but not oftener than once a week, in The Modesto Tribune, a newspaper of general circulation, published in the City of Modesto and being the official newspaper of the City of Modesto. Said publications shall be completed at least twenty (20) days prior to the date set for the hearing.

7. The City Clerk of the City of Modesto shall also cause written notice of such proposed annexation to be mailed to each person to whom land within the territory proposed to be annexed is assessed on the last equalized county assessment roll available on the date the proceedings were initiated, at the address shown on said assessment roll

or as known to said Clerk, and to any person who has filed his name and address and the designation of the land in which he has any interest, either legal or equitable, with said Clerk. Said notices shall be mailed not less than twenty (20) days before the public hearing on the proposed annexation.

8. In the event any land within the territory proposed to be annexed is owned by the County of Stanislaus, the City Clerk is directed to cause written notice of such proposed annexation to be mailed to the Board of Supervisors of the County, such notice to be given not less than twenty (20) days before the public hearing on the proposed annexation.

9. In the event there is, upon the land proposed to be annexed, a structural improvement owned, being acquired or leased by a county fire protection district, the City Clerk is directed to cause written notice of such proposed annexation to be mailed to the governing body of such district, such notice to be sent not less than ten (10) days before the public hearing on the proposed annexation.

10. The City Clerk is directed to cause written notice to be given to such other persons as may be legally entitled thereto, in the manner required by law.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of August, 1962, by Councilman Tabbert, who moved its adoption, which motion being duly seconded by Councilman Johansen, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Mitchell

ATTEST: _____
City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62- 387

A RESOLUTION GIVING NOTICE OF THE PROPOSED ANNEXATION TO THE CITY OF MODESTO OF UNINHABITED TERRITORY DESCRIBED HEREIN AND DESIGNATED AS GANT ADDITION AND GIVING NOTICE OF TIME AND PLACE FOR HEARING PROTESTS THERETO.

BE IT RESOLVED by the Council of the City of Modesto:

1. That, pursuant to the provisions of the Annexation of Uninhabited Territory Act of 1939, a petition signed by owners of not less than one fourth of the land in the hereinafter described territory by area and by assessed value as shown on the last equalized assessment roll of the County of Stanislaus, was filed with the Council of the City of Modesto on July 9, 19 62, requesting annexation of the hereinafter described territory to said City.

2. That the territory which the petitioners request be annexed to the City of Modesto and which said City and its Council propose to annex, is situate in the County of Stanislaus, State of California, hereby designated as GANT ADDITION, and described as follows:

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6/21/62

GANT ADDITION

All that real property in the State of California, County of Stanislaus, Section 31, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits as established by the Northeastern corner of the Paradise Center No. 2 Addition as per description filed April 14, 1959, as Instrument 10647, Stanislaus County Records, said point being on the East line of Section 31 which is also the center line of a 60 foot Public Road known as Sutter Avenue; thence along the existing City Limits the following bearings and distances, South 89° 02' West, 30.00 feet; North 65° 34' 45" West, 145.77 feet; South 49° 48' 30" West, 429.42 feet, to the Northern corner of the Navon Addition as per description filed June 29, 1960, as Instrument 18294, Stanislaus County Records; thence North 02° 33' 14" West, 82.74 feet, to the point of intersection of the Northwestern line of a 66 foot Public Road known as Paradise Road and the Western line of Lot G of the "Resurvey of Brichman's Addition to the City of Modesto" as per map filed October 15, 1904, in Volume 2 of Maps, Page 1, Stanislaus County Records; thence along the Western line of Lot G, North 00° 58' West, 666.98 feet, to the Northwestern corner of Lot G, said point being on the Southern line of a 60 foot Public Road known as Briggs Avenue; thence along the Southern line of Briggs Avenue and its Easterly extension, North 89° 44' East, 496.68 feet, to a point on the Western line of the original boundary of the City of Modesto as incorporated August 1, 1884, said point on the East line of Section 31, said point also being on the center line of a 60 foot Public Road known as Franklin Street; thence along said Section line and the center lines of Franklin Street and Sutter Avenue, South 00° 58' East, 534.57 feet to the point of beginning, containing 6.603 Acres, more or less.

3. That the County Boundary Commission of Stanislaus County, California, did in session duly assembled on June 12, 19 62, consider the proposed annexation boundaries of said GANT ADDITION, as above described, and as submitted to said Commission by the proponents of said annexation.

4. No change in school district boundaries shall be effected by reason of the annexation of the hereinabove described area to the City of Modesto.

5. NOTICE IS HEREBY GIVEN that the 24th day of September, 1962, at the hour of 8:00 o'clock P.M. of said day, in the Council Chambers at the City Hall, located at 801 Eleventh Street in the City of Modesto, be, and the same is hereby fixed as the time and place for considering said petition, at which time and place any person owning real property within such territory and having any objections to the proposed annexation may appear before the Council of the City of Modesto and show cause why such territory should not be so annexed. The protest must be in writing, may be filed at any time before the hour set for hearing objections to the proposed annexation, and shall state the name or names of the owner or owners of property affected and the description and area of such property, in general terms.

6. The City Clerk shall cause a copy of this resolution to be published at least twice, but not oftener than once a week, in The Modesto Tribune, a newspaper of general circulation, published in the City of Modesto and being the official newspaper of the City of Modesto, and shall also cause a copy of this resolution to be published in the Turlock Daily Journal, being a newspaper of general circulation published outside of the City of Modesto but in the County of Stanislaus. Said publications shall be completed at least twenty (20) days prior to the date set for the hearing.

7. The City Clerk of the City of Modesto shall also cause written notice of such proposed annexation to be mailed to each person to whom land within the territory proposed to be annexed is assessed on the last equalized county assessment roll available on the date the proceedings were initiated, at the address shown on said assessment roll

as known to said Clerk, and to any person who has filed his name and address and the designation of the land in which he has any interest, either legal or equitable, with said Clerk. Said notices shall be mailed not less than twenty (20) days before the public hearing on the proposed annexation.

8. In the event any land within the territory proposed to be annexed is owned by the County of Stanislaus, the City Clerk is directed to cause written notice of such proposed annexation to be mailed to the Board of Supervisors of the County, such notice to be given not less than twenty (20) days before the public hearing on the proposed annexation.

9. In the event there is, upon the land proposed to be annexed, a structural improvement owned, being acquired or leased by a county fire protection district, the City Clerk is directed to cause written notice of such proposed annexation to be mailed to the governing body of such district, such notice to be sent not less than ten (10) days before the public hearing on the proposed annexation.

10. The City Clerk is directed to cause written notice to be given to such other persons as may be legally entitled thereto, in the manner required by law.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of August, 1962, by Councilman Johansen, who moved its adoption, which motion being duly seconded by Councilman Shastid, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Mitchell

ATTEST: _____
City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-388

A RESOLUTION GIVING NOTICE OF THE PROPOSED ANNEXATION TO THE CITY OF MODESTO OF UNINHABITED TERRITORY DESCRIBED HEREIN AND DESIGNATED AS ROBERTS ADDITION AND GIVING NOTICE OF TIME AND PLACE FOR HEARING PROTESTS THERETO.

BE IT RESOLVED by the Council of the City of Modesto:

1. That, pursuant to the provisions of the Annexation of Uninhabited Territory Act of 1939, a petition signed by owners of not less than one fourth of the land in the hereinafter described territory by area and by assessed value as shown on the last equalized assessment roll of the County of Stanislaus, was filed with the Council of the City of Modesto on August 3, 1962, requesting annexation of the hereinafter described territory to said City.

2. That the territory which the petitioners request be annexed to the City of Modesto and which said City and its Council propose to annex, is situate in the County of Stanislaus, State of California, hereby designated as ROBERTS ADDITION, and described as follows:

6/21/62

ROBERTS ADDITION

All that real property in the State of California, County of Stanislaus, Section 21, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, being the South 165.00 feet of Lot 5 of the Rice Colony as per map filed February 19, 1904, in Volume 1 of Maps, Page 54, Stanislaus County Records, described as follows:

Beginning at a point on the existing City Limits as established by the Downey High School and New John Muir School Site, as per Resolution 8932, Filed July 27, 1950, as Instrument 16443, Stanislaus County Records, said point also being the Southwestern corner of Lot 5 of the Rice Colony and the Southwestern corner of the property, conveyed to Emmett L. Roberts, et ux, as per deed recorded July 16, 1946, as Instrument 18834, Stanislaus County Records; thence along the Western line of said Lot 5 of the Rice Colony and the Western line of the Roberts property, North 0° 30' 00" West, 165.00 feet to the Northwestern corner of said Roberts property; thence along the Northern line and its Easterly extension of said Roberts property, South 89° 57' 00" East, 654.45 feet, to the center line of a 50 foot public road known as Coffee Road, said point also being on the section line common to Section 21 and 22 and also being on the existing City Limits; thence along the section line and the City Limits, South 0° 30' 00" East, 165.00 feet, to a point on the Easterly extension of the Southern line of said Lot 5 of the Rice Colony; thence along the City Limits and the Southern line and its Easterly extension, North 89° 57' 00" West, 654.45 feet, to the point of beginning, containing 2.404 Acres, more or less.

3. That the County Boundary Commission of Stanislaus County, California, did in session duly assembled on July 31, 19 62, consider the proposed annexation boundaries of said ROBERTS ADDITION, as above described, and as submitted to said Commission by the proponents of said annexation.

4. No change in school district boundaries shall be effected by reason of the annexation of the hereinabove described area to the City of Modesto.

5. NOTICE IS HEREBY GIVEN that the 10th day of September, 1962, at the hour of 8:00 o'clock P.M. of said day, in the Council Chambers at the City Hall, located at 801 Eleventh Street in the City of Modesto, be and the same is hereby fixed as the time and place for considering said petition, at which time and place any person owning real property within such territory and having any objections to the proposed annexation may appear before the Council of the City of Modesto and show cause why such territory should not be so annexed. The protest must be in writing, may be filed at any time before the hour set for hearing objections to the proposed annexation, and shall state the name or names of the owner or owners of property affected and the description and area of such property, in general terms.

6. The City Clerk shall cause a copy of this resolution to be published at least twice, but not oftener than once a week, in The Modesto Tribune, a newspaper of general circulation, published in the City of Modesto and being the official newspaper of the City of Modesto. Said publications shall be completed at least twenty (20) days prior to the date set for the hearing.

7. The City Clerk of the City of Modesto shall also cause written notice of such proposed annexation to be mailed to each person to whom land within the territory proposed to be annexed is assessed on the last equalized county assessment roll available on the date the proceedings were initiated, at the address shown on said assessment roll

as known to said Clerk, and to any person who has filed his name and address and the designation of the land in which he has any interest, either legal or equitable, with said Clerk. Said notices shall be mailed not less than twenty (20) days before the public hearing on the proposed annexation.

8. In the event any land within the territory proposed to be annexed is owned by the County of Stanislaus, the City Clerk is directed to cause written notice of such proposed annexation to be mailed to the Board of Supervisors of the County, such notice to be given not less than twenty (20) days before the public hearing on the proposed annexation.

9. In the event there is, upon the land proposed to be annexed, a structural improvement owned, being acquired or leased by a county fire protection district, the City Clerk is directed to cause written notice of such proposed annexation to be mailed to the governing body of such district, such notice to be sent not less than ten (10) days before the public hearing on the proposed annexation.

10. The City Clerk is directed to cause written notice to be given to such other persons as may be legally entitled thereto, in the manner required by law.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of August, 19 62, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Mitchell

ATTEST: _____
City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62- 389

A RESOLUTION GRANTING THE REQUEST OF LOIS L. LANE, DOING BUSINESS AS RED TOP TAXI, FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO OPERATE ONE ADDITIONAL TAXICAB IN THE CITY OF MODESTO.

WHEREAS, Lois L. Lane, doing business as "Red Top Taxi" filed an application, dated August 2, 1962, with the City Clerk requesting the granting of a Certificate of Public Convenience and Necessity to operate one additional taxicab in the City of Modesto, pursuant to Section 4-6.215 of the Modesto Municipal Code, and

WHEREAS, the Council of the City of Modesto, at a regular meeting held on the 6th day of August, 1962, adopted Resolution No. 62-358 fixing 8:00 o'clock p.m., August 13, 1962, at its regular place of meeting, as the time and place for a public hearing on said application, and

WHEREAS, said application was investigated by the Director of Parking and Traffic who has reported his findings in connection therewith, and

WHEREAS, the Council of the City of Modesto has conducted a public hearing upon said application, and

WHEREAS, at said time and place, said City Council found and determined that the public convenience and necessity require the requested additional taxicab service,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the application of Lois L. Lane for a Certificate of Public Convenience and Necessity to operate one additional taxicab is hereby granted.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto on the 13th day of August, 1962, by Councilman Shastid, who moved its adoption, which motion

being duly seconded by Councilman VanderWall, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Johansen, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Mitchell

ATTEST: _____
City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-390

A RESOLUTION APPROVING APPROPRIATION TRANSFER FROM SPECIAL FUND FOR CAPITAL OUTLAYS, GENERAL RESERVE, TO STREET REALIGNMENT, 7TH AND TUOLUMNE

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the following appropriation transfer be approved:

SPECIAL FUND FOR CAPITAL OUTLAYS (321)

FROM:	General Reserve (600)	$2,000
TO:	Street Realignment, 7th and Tuolumne (503)	$2,000

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of August, 1962, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Shastid, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: Mitchell

ATTEST: _____
CITY CLERK

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-391

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING THE CALLING FOR BIDS FOR FURNISHING INCANDESCENT, FLUORESCENT AND MERCURY VAPOR LAMPS FOR MUNICIPAL LIGHTING TO THE CITY FOR THE PERIOD OCTOBER 1, 1962 TO SEPTEMBER 30, 1963

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

Section 1. The plans and specifications for incandescent, fluorescent and mercury vapor lamps for Municipal lighting for the period October 1, 1962 to September 30, 1963, copies of which are on file, are hereby accepted and approved.

Section 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on September 5, 1962 at 2:00 P.M. and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form and manner provided by law.

Section 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 20th day of August, 1962, by Councilman Tabbert, who moved its adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Patton, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Johansen, Mitchell, Shastid

ATTEST: _____
CITY CLERK

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-392

A RESOLUTION WITHDRAWING CERTAIN DESCRIBED TERRITORY FROM THE McHENRY DRY CREEK FIRE PROTECTION DISTRICT BY REASON OF ITS ANNEXATION TO THE CITY OF MODESTO. (Crestwood Terrace Addition)

WHEREAS, a portion of the McHenry Dry Creek Fire Protection District was annexed to the City of Modesto by Ordinance No. 517 -C.S., adopted on August 6, 1962, and

WHEREAS, said territory officially became a part of the City on August 8, 1962, and

WHEREAS, the Health and Safety Code of the State of California provides that whenever any portion of such a District is included within a city by reason of annexation, such portion may be withdrawn from the District by the filing with the State Board of Equalization, the governing body of the District, and the County Assessor of copies of a resolution of the legislative body of the city, describing the included portion, and declaring such portion withdrawn, and

WHEREAS, it is to the best interests of the residents in the area of said Fire District which has been annexed to the City that the area be withdrawn from said Fire District and provided fire prevention and fire fighting services by the City,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the following described territory be withdrawn from the boundaries of the McHenry Dry Creek Fire Protection District:

CRESTWOOD TERRACE ADDITION

All that real property situate in the State of California, County of Stanislaus, Section 9, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, being all the property conveyed to Kenneth F. Duffin and George B. Pierrou, by Deeds recorded November 28, 1961, as Instrument 39368, and February 2, 1962, as Instrument 4364, Stanislaus County Records, more particularly described as follows:

Beginning at a point on the existing City Limits as established by the Northeastern corner of the Sherwood Manor Addition, as per description filed July 15, 1959, as Instrument 20526, Stanislaus County Records, said point being on the Section Line common to Sections 9 and 16; thence along said Section Line and the existing City Limits, North 89° 30' West, 32.51 feet, to the Southwestern corner of said Duffin and Pierrou property; thence along the Western line of said property, North 0° 45' West, 420.00 feet, to the Northwestern corner thereof; thence along the Northern line of said property, South 89° 30' East, 659.21 feet, to the Northeastern corner thereof; thence along the Eastern line of said property, South 0° 44' 30" East, 420.00 feet, to the Southeastern corner thereof and a point on the Section Line; thence along the Section Line, North 89° 30' West, 626.64 feet, to the point of beginning, containing 6.356 Acres, more or less.

BE IT FURTHER RESOLVED that the City Clerk be, and he is hereby directed to file a certified copy of this resolution with the State Board of Equalization, the governing body of said Fire Protection District, and the Assessor of Stanislaus County.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 20th day of August, 1962, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and the resolution adopted by the following vote:

AYES: Patton, Tabbert, VanderWall, Mayor Hammond

NOES: None

ABSENT: Johansen, Mitchell, Shastid

ATTEST: _____
City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-393

A RESOLUTION ACCEPTING THE CONSTRUCTION OF SANITARY SEWER RELOCATION, BLOCK W (UNIT A); SANITARY SEWER RELIEF LINE IN CARVER ROAD (UNIT B) BY W. M. LYLES COMPANY

WHEREAS, a report has been filed by the Director of Public Works that the construction of sanitary sewer relocation, Block W (Unit A); sanitary sewer relief line in Carver Road (Unit B) has been completed by W. M. Lyles Company

in accordance with the contract agreement, dated May 14, 1962.

NOW, THEREFORE, BE IT RESOLVED that the construction of sanitary sewer relocation, Block W (Unit A); sanitary sewer relief line in Carver Road (Unit B) be accepted from said contractor W. M. Lyles Company

that Notice of Completion be filed with the Recorder of Stanislaus County and that payment of amounts due, as provided in the contract, be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 20th day of August, 1962, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Patton, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Mitchell, Johansen, Shastid

ATTEST: [signature]
CITY CLERK

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-394

A RESOLUTION GRANTING A PERMIT TO THE 20-30 CLUB OF MODESTO TO USE DEL WEBB BASEBALL FIELD FOR ANNUAL DONKEY BASEBALL GAME ON SEPTEMBER 22, 1962

WHEREAS, The 20-30 Club of Modesto has filed a request with the Council for permission to use Del Webb Baseball Field on September 22, 1962 for annual Donkey Baseball Game,

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

SECTION 1. A permit is hereby granted to said applicant to use Del Webb Baseball Field on September 22, 1962 for annual Donkey Baseball Game,
subject to the other provisions of this resolution.

SECTION 2. Said permit is granted for each of the conditions herein set forth, which conditions Permittee agrees, by acceptance of this permit, to faithfully perform to-wit:

(a) Permittee, its successors and assigns, during the term of this permit, shall indemnify and save the City harmless of and from all damages, costs, and charges of any kind or character arising out of or relating thereto or in any way connected with the exercise of the rights granted by this permit.

(b) Permittee, its successors and assigns, shall comply with all laws of the City.

(c) Permittee, its successors and assigns, at its own cost and expense, shall defend any and all law suits, if any, arising out of or in any way connected with the exercise of the rights granted by this permit.

(d) Permittee shall take out and maintain during the life of this permit such public liability and property damage insurance as shall protect it, and any person performing work under this permit, for claims for damages for personal injury, including accidental death, as well as from claims for property damage, which may arise out of the exercise of the rights granted by this permit, whether by itself, or by

any subcontractor, or by anyone directly or indirectly employed by either of them, and the amounts of such insurance shall be as follows:

Public Liability Insurance, in an amount not less than One hundred thousand and no/100ths ($100,000) Dollars for injuries, including accidental death, to any one person; and, subject to the same limit for each person, in an amount not less than Two hundred thousand and no/100ths ($200,000) Dollars on account of one occurrence; and

Property Damage Insurance, in an amount not less than Twenty-five thousand and no/100ths ($25,000) Dollars.

Permittee shall furnish City with satisfactory proof of carriage of the insurance required. Such insurance shall be absolutely non-cancellable for a period of not less than five (5) days after notice to the City.

Permittee shall assume the responsibilities for cleaning the facility after its use.

Proper arrangements shall be cleared by the Permittee through the appropriate city departments.

SECTION 3. The City Clerk shall furnish Permittee with a copy of this resolution. Permittee shall have 20 days from and after the adoption of this resolution within which to file written acceptance of this permit and a certificate of insurance as required by this resolution with the City Clerk, and no right shall be conferred hereby until said acceptance and certificate is filed.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of August, 19 62, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Shastid, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Johansen

ATTEST: [signature]
CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 62-395

A RESOLUTION AUTHORIZING WORK TO BE PERFORMED BY CITY FORCES FOR THE CONSTRUCTION OF WATER LINES IN UNIT A-JONI MANOR SUBDIVISION; UNIT B-LORENZEN PARK NO. 1 SUBDIVISION; UNIT C-QUARESMA HOMES UNIT 4 SUBDIVISION;AND UNIT D-SCOTT MANOR SUBDIVISION

WHEREAS, the Council of the City of Modesto adopted Resolution No. 62-363, on August 6, 1962, approving the plans and specifications for the construction of water lines in Unit A-Joni Manor Subdivision; Unit B-Lorenzen Park No. 1 Subdivision; Unit C-Quaresma Homes Unit 4 Subdivision; and Unit D-Scott Manor Subdivision and directed the City Clerk to advertise for sealed proposals for doing said work, and providing that bids be submitted on the 21st day of August, 1962, and

WHEREAS, the City Clerk, in accordance with said Resolution, thereafter duly and regularly caused a notice to be published in the manner and for the time prescribed by law, and

WHEREAS, no bids were received pursuant to said notice, and

WHEREAS, the Director of Public Works estimates that the cost of such work to be performed by city forces for the total sum of $31,500, which cost estimate has been approved by the City Manager, and

WHEREAS, the Council declares and determines that, in its opinion, based upon the estimate approved by the City Manager, the work in question may be performed better and more economically by the City with its own employees,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that, in accordance with the provisions of Section 1307 of the Charter of the City of Modesto, the City Manager is hereby authorized to proceed to have the work in question performed by the City by its own employees.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of August, 1962, by Councilman Mitchell, who moved

its adoption, which motion being duly seconded by Councilman Shastid, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Johansen

ATTEST: City Clerk

THE CHARTER OF THE CITY OF MODESTO

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THE CHARTER OF THE CITY OF MODESTO

We, the people of the City of Modesto, State of California, do ordain and establish this Charter as the organic law of said City under the Constitution of said State.

ARTICLE I.

INCORPORATION AND SUCCESSION

Section 100. Name of the City. The municipal corporation now existing and known as the City of Modesto shall remain and continue a body politic and corporate in name and in fact, by the name of the City of Modesto.

Section 101. Boundaries. The boundaries of the City of Modesto shall continue as now established until changed in the manner authorized by law.

Section 102. Rights and Liabilities. The City of Modesto shall remain vested with, and continue to have, hold, and enjoy, all property, rights of property and rights of action of every nature and description now pertaining to this municipality, and is hereby declared to be the successor of the same. It shall be subject to all the liabilities that now exist against this municipality.

Section 103. Ordinances. All lawful ordinances, resolutions, rules and regulations, or portions thereof, in force at the time this Charter takes effect and not in conflict with or inconsistent herewith, are hereby continued in force until the same have been duly repealed, amended, changed or superseded by proper authority.

Section 104. Continuance of Contracts and Public Improvements. All contracts entered into by the City, or for its benefit prior to the effective date of this Charter, shall continue in full force and effect. Public improvements for which proceedings have been instituted under laws existing at the time this Charter takes effect, in the discretion of the City Council, may be carried to completion as nearly as practicable in accordance with the provisions of such existing laws or may be continued or perfected under this Charter.

Section 105. Pending Actions and Proceedings. No action or proceeding, civil or criminal, pending at the time when this Charter takes effect, brought by or against the City or any officer, office, department or agency thereof, shall be affected or abated by the adoption of this Charter or by anything herein contained, but all such actions or proceedings may be continued notwithstanding that functions, powers and duties of any officer, office, department or agency a party thereto, may be assigned or transferred by or under this Charter to another officer, office, department or agency, but in that event the same may be prosecuted or defended by the head of the office, department or agency to which such functions, powers and duties have been assigned or transferred by or under this Charter.

Section 106. Continuance of present Officers and Employees. The members of the City Council in office at the time of the approval of this Charter by the Legislature shall continue to hold office and discharge their duties for the balance of the term for which they were elected, or until their successors are elected and qualified. All appointive officials, officers and employees of the City now in office or employed at the time of the approval of this Charter by the Legislature, shall continue to hold their office or employment until they are reappointed or their successors are appointed in their place in accordance with the provisions of this Charter.

Section 107. Emergency Powers. Notwithstanding any general or special provision of this Charter, the Council, in order to insure continuity of governmental operations in periods of emergency resulting from disasters of whatever nature, shall have the power and immediate duty:

(a) To provide for prompt and temporary succession to the powers and duties of all City officers, of whatever nature and whether filled by election or appointment, the incumbents of which may become unavailable for carrying on the powers and duties of such offices, and

(b) To adopt such other measures as may be necessary and proper for insuring the continuity of City operations, including, but not limited to, the financing thereof. In the exercise of the powers hereby conferred, the Council in all respects shall conform to the requirements of this Charter except to the extent that in the judgment of the Council so to do would be impractical or would admit of an undue delay.

ARTICLE II.

POWERS OF THE CITY

Section 200. General. Powers. The City shall have the power to make and enforce all laws and regulations in respect to municipal affairs, subject only to such restrictions and limitations as may be provided in this Charter and in the Constitution of the State of California. It shall also have the power to exercise any and all rights, powers and privileges heretofore or hereafter established, granted or prescribed by any law of the State, by this Charter, or by other lawful authority, or which a municipal corporation might or could exercise under the Constitution of the State of California.

The City shall have the power to expend such sum as the Council shall deem proper not to exceed five per cent (5%) of the property tax levy in any one fiscal year for music, publicity and promotion.

The enumeration in this Charter of any particular power shall not be held to be exclusive of, or any limitation upon, this general grant of power.

Section 201. Procedures. The City shall have the power and may act pursuant to any procedure established by any law of the State, unless a different procedure is established by this Charter, or by ordinance.

ARTICLE III.

ELECTIONS

Section 300. General Municipal Elections. General Municipal Elections for the election of officers and for such other purposes as the Council may prescribe shall be held biannually on the third Tuesday in April of each odd-numbered year commencing with the year 1963.

Section 301. Special Municipal Elections. All other municipal elections that may be held by authority of this Charter, or of general law, or by ordinance, shall be known as special municipal elections.

Section 302. Procedure for Holding Elections. Unless otherwise provided by ordinances hereafter enacted, all elections shall be held in accordance with the provisions of the Elections Code of the State of California, as the same now exist or may hereafter be amended, for the holding of elections in general law cities, insofar as the same are not in conflict with this Charter.

Section 303. The Initiative, Referendum and Recall. Except insofar as is otherwise provided by ordinances hereinafter enacted, the provisions of the Elections Code of the State of California, as the same now exist or may hereafter be amended, governing the initiative, the referendum and the recall of municipal officers shall apply to the use thereof in the City insofar as the same are not in conflict with this Charter.

ARTICLE IV.

FORM OF GOVERNMENT

Section 400. Council-Manager Form of Government. The municipal government provided by this Charter shall be known as the "Council-Manager" form of government.

ARTICLE V.

THE ELECTIVE OFFICERS

Section 500. Enumeration. The elective officers of the City of Modesto shall be a Mayor and six (6) Councilmen. The Council shall consist of the Mayor and six (6) Councilmen, each of whom, including the Mayor, shall have the right to vote on all questions coming before the Council.

Section 501. Elected at Large. The Mayor and Councilmen shall be elected at the general municipal election on a general ticket from the City at large.

Section 502. Council Vacancies. The provisions of Section 1770 of the Government Code of the State of California as they now exist or may hereafter be amended shall govern the existence of a vacancy.

ARTICLE VI.

THE MAYOR

Section 600. Term of Office. The Mayor shall hold office for a term of four (4) years from and after the first Tuesday following his election and until his successor is qualified and elected.

Section 601. Powers and Duties. The Mayor shall be President of the City Council and shall preside at all its meetings and perform such other duties consistent with his office as may be imposed by the Council or by vote of the people. He shall be entitled to, and must vote, but shall possess no veto power. He shall be recognized as the official head of the City for all ceremonial purposes, by the Courts for the purpose of serving civil processes and by the Governor for military purposes. In time of public danger or emergency, he may, with the consent of the Council, take command of the police, maintain order and enforce laws.

Section 602. Additional Duties. The Mayor shall exercise such other powers and perform such other duties as may be prescribed by law or ordinance or by resolution of the Council, except as limited by this Charter.

Section 603. Vice Mayor. At the second meeting of the Council following the election or appointment of a member to the Council, the Council shall elect one of its members as Vice Mayor who shall act as Mayor during the absence or inability of the Mayor to act. In the case of the temporary absence or disability of both the Mayor and the Vice Mayor, the Council shall elect one of its members to act as Mayor Pro Tempore.

ARTICLE VII.

THE COUNCIL

Section 700, Councilmen. Term of Office. Except as otherwise provided in this Charter, the members of the Council shall hold office for

a term of four (4) years from and after the first Tuesday following their election. The members of the Council in office at the time this Charter takes effect shall continue in office until the expiration of their terms or until their successors are elected and qualified.

Three (3) Councilmen shall be elected at the general municipal election in 1963 and at each general municipal election thereafter.

A Mayor shall be elected at the general municipal election in 1963 and at each alternate general municipal election thereafter.

Ties in voting among candidates for any office shall be settled by the drawing of lots, the procedure for which shall be determined by the Council. Each member of the Council shall have the right to vote on all matters coming before the Council.

Each elective office shall be deemed a separate office to be filled at any election. The City Clerk shall designate each such elective office by an appropriate descriptive designation. No candidate shall file for more than one elective office; and no incumbent member of the Council shall run for a seat other than that which he holds except that any incumbent member of the Council may run for the seat of Mayor, and an incumbent Mayor may run for the seat of Mayor or for any other seat on the Council. Such designation shall be used on all nomination papers, certificates of election and all election papers referring to the office, The person receiving the highest number of votes for each designated office shall be declared elected. After election, the designation shall have no further significance except for the purpose of designating incumbency.

Section 701. Eligibility. No person shall be eligible to be nominated for or to hold office as a member of the Council or as Mayor unless he is and shall have been for at least three (3) years preceding his election or appointment a resident and registered elector of the City of Modesto or of territory annexed thereto.

Section 702. Vacancies. If a vacancy shall occur in the office of Mayor or Councilman, the Council shall forthwith appoint a person to fill such vacancy. Said appointee shall possess such qualifications for eligibility as are set forth in Section 701 of this Article and shall hold office until his successor is duly elected and qualified. Such successor shall be chosen at the next general municipal election, or as otherwise may be required by recall proceedings instituted involving the office of Mayor or a Councilman.

In the event that the Council shall fail to fill a vacancy by appointment within thirty (30) days after such office shall have become vacant, it shall forthwith cause an election to be held to fill such vacancy.

Section 703. Compensation. The Mayor and Councilmen shall receive no compensation for their services as such except to the extent heretofore or hereafter approved by the electorate, but the Mayor and members of the Council shall receive reimbursement for traveling and other expenses incurred in the performance of their official duties.

Section 704. Councilman to Hold No Other Office. 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; nor 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.

Section 705. Administering Oaths. Subpoenas. Each member of the Council shall have the power to administer oaths and affirmations in any investigation or proceeding pending before the Council. The Council shall have the power and authority to compel the attendance of witnesses, to examine them under oath and to compel the production of evidence before it. Subpoenas may be issued in the name of the City and be attested by the City Clerk. Disobedience of such subpoena or the refusal to testify (upon other than constitutional grounds), shall be deemed contempt and shall be punishable as provided by the general laws of this State.

Section 706. Governing Body. All powers herein granted to and vested in the City of Modesto shall, except as herein otherwise provided, be exercised by a Council to be designated the Council of the City of Modesto. Said Council shall be the governing body of the City and, subject to the express limitations of this Charter, shall be vested with all powers of legislation in municipal affairs adequate to a complete system of local government consistent with the Constitution of the State.

Section 707. Meetings of the Council. The Council shall provide for the time, place and manner of holding its meetings by ordinance, not inconsistent with the provisions of this section. Copies of such ordinances shall be kept on file in the office of the City Clerk where they shall be available for public inspection. Except as is otherwise provided by the laws of this State, all meetings of the Council shall be open to the public, and all persons shall be permitted to attend any meeting thereof. The Council shall hold at least one regular meeting each month.

Section 708. Special Meetings. A special meeting may be ordered at any time by the Mayor whenever in his opinion the public

business may require it, or upon the written request of any four (4) members of the Council. Whenever a special meeting shall be called, the City Clerk shall cause written notice of such meeting to be given to each member of the Council and to each local newspaper of general circulation, radio or television station requesting notice in writing. Such notice must be delivered personally or must be deposited in the United States mail, postage prepaid, at least twenty-four (24) hours before the time of such meeting as specified in the notice. The notice and order shall specify the time and place of the special meeting and the business to be transacted. No other business shall be considered at such meetings by the Council.

Written notice to each member of the Council may be dispensed with as to any member of the Council, who, at or prior to the time the meeting convenes, files with the City Clerk a written waiver of notice. The waiver may be given by telegram. The written notice may also be dispensed with as to any member of the Council who is actually present at the meeting at the time it convenes.

Section 709. Quorum. A majority of the Council shall constitute a quorum for the transaction of business, but a less number may adjourn from time to time and postpone the consideration of pending business.

Section 710. Rules of Proceedings. The Council shall determine its own rules of procedure, may punish its members for disorderly conduct and compel their attendance at the Council meetings.

Section 711. Ordinances and Resolutions. Method of Action. Legislative action shall be taken by the Council only by means of an ordinance or resolution.

Section 712. Ayes and Noes. The ayes and noes shall be taken upon the passage of all ordinances and resolutions and entered upon the journal of the proceedings of the Council. Upon the request of any member, the ayes and noes shall be taken and recorded on any vote. All members, when present, must vote.

Section 713. Majority Vote of Council. No ordinance or resolution shall be passed or become effective without receiving the affirmative votes of at least four (4) members of the Council.

Section 714. Title. Every ordinance shall be preceded by a brief title which shall indicate the subject and purport thereof.

Section 715. Enacting Clause of Ordinances. The ordaining clause of all ordinances adopted by the Council shall be substantially as follows: "The Council of the City of Modesto does ordain as follows", and the ordaining clause of all ordinances adopted by the people shall be, "The People of the City of Modesto do ordain as follows".

Section 716. Requirements of Ordinances. Emergency Ordinances. With the sole exception of ordinances which take effect upon adoption referred to in this Article, no ordinance shall be passed by the Council on the day of its introduction nor within five (5) days thereafter nor at any other time than at a regular meeting, nor until its publication at least once in full in the official newspaper of the City of Modesto at least three (3) days before its adoption; and in case of amendment being made thereto before the final adoption of the ordinance, it must in like manner be republished in full as amended at least one day before its adoption as amended. The correction of typographical or clerical errors shall not constitute an amendment within the meaning of the foregoing sentence.

Emergency Ordinances. Any ordinance declared by the Council to be necessary as an emergency measure for preserving the public peace, health or safety, and containing a statement of reasons for its urgency may be introduced and adopted at one and the same meeting if passed by at least five (5) affirmative votes.

Section 717. Ordinances. When Required. Each legislative act of the Council establishing a fine or penalty, imposing a new or additional tax, or granting a franchise, or when so provided by this Charter, shall be by ordinance.

Section 718. Reconsideration. When any ordinance is put upon its final passage and fails to pass, and a motion is made to reconsider, the vote upon such motion shall not be taken except at a meeting of the Council, held not less than one week after the meeting at which such motion was made.

Section 719. Signing and Attesting. All ordinances shall be signed by the Mayor and attested by the City Clerk.

Section 720. Revision and Amendment. No ordinance shall be revised, re-enacted or amended by reference to its title only, but the ordinance to be revised or re-enacted, or the section or subsection thereof to be amended, or the new section or subsection to be added thereto, shall be set forth and adopted in the method provided in this section for the adoption of ordinances.

Section 721. Repeal. No ordinance or any part thereof shall be repealed except by an ordinance adopted in the manner provided in this Charter.

Section 722. Ordinances. Effective Date. No ordinance adopted by the Council shall become effective until thirty (30) days from and after the date of its adoption, except the following which shall take effect upon adoption:

(a) An ordinance calling or otherwise relating to an election;

(b) An improvement proceeding ordinance adopted under some law or procedural ordinance;

(c) An ordinance declaring the amount of money necessary to be raised by taxation, or fixing the rate of taxation, or levying the annual tax upon property;

(d) An emergency ordinance adopted in the manner provided for in this Article;

(e) An ordinance annexing areas to the City; or

(f) An ordinance providing for a tax levy or appropriation for the usual current expenses of the City.

Section 723. Record of City Ordinances. A true and correct copy of all ordinances shall be kept and certified to by the City Clerk in a book marked "City Ordinances". Such record copy, with such certificate, or the original ordinance, shall be prima facie evidence of the contents of the ordinance and of the due passage and publication of the same, and shall be admissible as such in any court or proceeding. Such records shall not be filed in any case, but shall be returned to the custody of the City Clerk. Nothing herein contained shall be construed to prevent the proof of the passage and publication of an ordinance in the usual way.

Section 724. Codification of Ordinances. Any or all ordinances of the City which have been enacted and published in the manner required at the time of their adoption, and which have not been repealed, may be compiled, consolidated, revised, indexed and arranged as a comprehensive ordinance code, and such code may be adopted by reference with the same effect as an ordinance by the passage of an ordinance for such purpose. Such code need not be published in the manner required for other ordinances, but not less than three (3) copies thereof shall be filed for use and examination by the public in the office of the City Clerk prior to the adoption thereof. Ordinances codified shall be repealed as of the effective date of the code. Subsequent amendments to sections of the code shall be enacted in the same manner as herein required for the amendment of ordinances generally.

Detailed regulations pertaining to any subject such as the construction of buildings, plumbing, wiring or other subjects which require extensive regulations, when arranged as a comprehensive code, may likewise be adopted by reference in the manner provided in this section.

ARTICLE VIII.

THE CITY MANAGER

Section 800. City Manager. There shall be a City Manager who shall be the chief executive officer and head of the administrative branch of the City government. He shall be chosen on the basis of his executive and administrative qualifications with special reference to his actual experience in, or his knowledge of accepted practices with respect to the duties of his office as hereinafter set forth. No member of the Council shall be eligible for appointment to the office of City Manager during the term for which he shall have been elected or appointed, nor within one year thereafter. He need not be a resident of the City or State at the time of his appointment, but during his tenure of office, he shall reside within the City.

The Council shall appoint the City Manager for an indefinite term and may remove him by a majority vote of its members provided, however, that the City Manager shall not be removed from office during or within a period of ninety (90) days next succeeding the election of a member of the Council. The purpose of this provision is to allow any newly elected member of the Council to observe the actions and ability of the City Manager in the performance of powers and duties of his office.

Section 801. Powers and Duties. The City Manager shall be head of the Administrative Branch of the City government. He shall be responsible to the Council for the proper administration of all affairs of the City and to that end, subject to the personnel provisions of this Charter, he shall have power and shall be required to:

(a) Appoint and, when necessary for the good of the service, discipline and remove all officers and employees of the City except as otherwise provided by this Charter, and except as he may authorize the head of any department or office to appoint or remove subordinates in such department or office.

(b) Prepare the budget annually and submit it to the Council and be responsible for its administration after its adoption.

(c) Prepare and submit to the Council as of the end of the fiscal year, a complete report on the finances and administrative activities of the City for the preceding year.

(d) Review procedures relating to the assessment, levy and collection of ad valorem property taxes and make recommendations regarding the same to the Council if deemed appropriate.

(e) Establish a centralized purchasing system for all City offices, departments and agencies.

(f) Establish and enforce specifications for supplies, materials and equipment required by the City.

(g) Cause all supplies purchased by the City to be inspected and a determination made that the same comply with specifications.

(h) Prepare rules and regulations governing the contracting for, purchasing, storing inventory, distribution or disposal of all supplies, materials and equipment required by any office, department or agency of the City government and recommend them to the Council for its adoption by ordinance. Preference shall be given to the purchase of supplies, materials and equipment from local merchants, quality and price being equal.

(i) Enforce the laws of the State pertaining to the City, the provisions of this Charter and the ordinances, franchises and rights of the City.

(j) Keep the Council advised of the financial conditions and future needs of the City and make such recommendations on any matter as may to him seem desirable.

(k) Make and execute contracts on behalf of the City involving budgeted or appropriated expenditures of $2,500.00, or less.

(l) Appoint advisory boards, without compensation, to assist him in the performance of his duty, if he deems it necessary.

(m) Interchange employees between or among departments if he deems it proper so to do.

(n) Immediately upon taking office, and annually thereafter, inventory and place a value on all real estate, buildings, furniture and fixtures, supplies and movable property of every kind and nature belonging to the City; and to require each officer or department head to inventory the same or any portion thereof. One copy of such inventory shall be filed with the Council and one with the Auditor.

(o) Be responsible for the custody and control of all City property, the custody and control of which has not otherwise been provided for by this Charter.

(p) Perform such other duties as may be prescribed by this Charter or required of him by the Council not inconsistent with this Charter.

The City Manager shall have the authority to transfer equipment and supplies between departments, and with the approval of the Council, sell obsolete, unused or surplus personal property of the City.

The City Manager shall be accorded a seat at the Council table and shall be entitled to participate in the deliberations of the Council, but shall not have a vote. The Council shall appoint one of the other officers of the City to serve as Manager Pro Tempore during any absence or disability of the City Manager.

The Council shall have the right to instruct the City Manager in matters of policy and any action, determination or omission of the City Manager shall be subject to review by the Council, but no such action, determination or omission shall be overruled or modified by a vote of less than four-sevenths (4/7ths) of the members of such Council.

ARTICLE IX.

OFFICERS AND EMPLOYEES

Section 900. Officers and Employees. General. The officers of the City of Modesto shall consist of a Mayor, the Council, a City Manager, a City Attorney, a City Clerk, a City Auditor and such other or subordinate officers, assistants, deputies and employees as the Council may deem necessary to provide by ordinance or resolution.

The City Attorney, the City Clerk, and the City Auditor shall be appointed by and may be removed by the affirmative votes of four (4) members of the Council, provided, however, that neither the City Attorney, the City Clerk nor the City Auditor shall be removed from office during or within a period of ninety (90) days next succeeding the election of a member of the Council. The purpose of this provision is to allow any newly elected member of the Council, to observe the actions and abilities of these officers in the performance of the powers and duties of the respective offices.

The City Manager shall be appointed and removed as provided by Section 800 of this Charter. Except as otherwise provided in this section all other officers and department heads of the City shall be appointed by the City Manager and shall serve at the pleasure of the City Manager.

Section 901. Office of the City Clerk. The office of the City Clerk is hereby established. It shall be the duty of the City Clerk to:

(a) Attend all meetings of the Council and be responsible for the recording and maintaining of a record of all the actions of the Council;

(b) Keep all ordinances and resolutions of the Council in such manner that the information contained therein will be readily accessible and open to the public. He shall attach to the original copy of each ordinance a certificate which will state the date that the ordinance was adopted, and as to an ordinance requiring publication, that the same has been published in accordance with the Charter;

(c) Keep all records of the Council and of his office in such manner that the information contained therein will be readily accessible and open to the public until such time as any of the records may be destroyed, or reproduced and the original thereof destroyed, in accordance with State law;

(d) Be the custodian of the seal of the City;

(e) Administer oaths or affirmations, take affidavits and depositions pertaining to the affairs and business of the City and certify copies of the official records;

(f) Have charge of all City elections;

(g) Be responsible for the publication of all official advertising of the City; and

(h) Perform such other duties consistent with this Charter as may be required of him by the Council.

Section 902. Office of the City Attorney. The Office of the City Attorney is hereby established. The City Attorney shall be an attorney at law, and shall be licensed to practice his profession in the State of California. In addition, he should have had at least five (5) years' experience in the practice of law prior to his appointment. The City Attorney shall have the power and duty to:

(a) Represent and appear for the City, its Council, boards and commissions in all actions or proceedings in which they are concerned or are a party; and represent and appear for a City officer or employee, or a former City officer or employee, in all actions or proceedings in which such officer or employee is a party-defendant due to the performance of his official duties, provided such representation and appearance, in the opinion of the City Attorney will not conflict with the City Attorney's duties to the City and will not adversely affect the interests of the City;

(b) Advise the Council and all City officers in all matters of law pertaining to their offices;

(c) Attend all meetings of the Council, except when excused or disabled, and give his advice or opinion on the legality of all matters under consideration by the Council or by any of the boards, commissions or officers of the City;

(d) Prepare ordinances, formal resolutions, contracts and other legal instruments as shall be required or as may be deemed necessary by him for the proper conduct of the business of the City, and approve the form of such contracts and the form of all bonds given to the City;

(e) Upon direction of the Council prosecute on behalf of the people all criminal cases for violation of City ordinances;

(f) Perform such other legal duties as may be required by the Council.

The Council may retain or employ other attorneys to take charge of any litigation or legal matter or to assist the City Attorney therein.

Section 903. Duties of Officers and Employees. After obtaining and considering the recommendations of the City Manager, the Council shall provide by ordinance or resolution, not inconsistent with this Charter, for the powers and duties of all officers and employees of the City.

Where the positions are not incompatible, the Council may combine in one person the powers and duties of two (2) or more offices created or provided for in the Charter. No office provided herein to be filled by appointment by the City Manager may be combined with an office provided herein to be filled by appointment by the Council.

Notwithstanding the foregoing, the Council may transfer or consolidate functions of the City government to or with appropriate functions of the State or County government, or may make use of such functions of the State or County government and in case of any such transfer or consolidation, the provisions of this Charter providing for the function of the City government so transferred or consolidated, shall be deemed suspended during the continuance of such transfer or consolidation, to the extent that such suspension is made necessary or convenient and is set forth in the ordinance or resolution establishing such transfer or consolidation. Any such transfer or consolidation may be repealed in like manner.

Section 904. Compensation of Officers and Employees. The compensation of all City officers and employees, except as otherwise provided in this Charter, shall be by salary to be fixed by ordinance or resolution. No officer or employee shall be allowed any fees, perquisites, emoluments, rewards or compensation, aside from the salary or compensation as fixed by the Council, but all fees received by him in connection with his official duties shall be paid by him into the City Treasury.

Section 905. Oath of Office. Every officer of the City, before entering upon the duties of his office, shall take the oath of office as provided for in the Constitution of this State, and shall file the same with the City Clerk.

Section 906. Official Bonds. The Council shall fix by ordinance the amounts and terms of the official bonds of all officials or employees who are required by ordinance to give such bonds. All bonds shall be executed by responsible corporate surety, shall be approved as to form by the City Attorney and shall be filed with the City Clerk. Premiums on official bonds shall be paid by the City.

There shall be no personal liability upon, or any right to recover against, a superior officer, or his bond, for any wrongful act or omission of his subordinate, unless such superior officer was a party to, or conspired in such wrongful act or omission.

Section 907. Financial Interest Prohibited. The provisions of Article 4, Chapter I, Division 4, Title I of the Government Code of the State of California, as the same now exist or hereafter may be amended, relating to prohibitions applicable to specified officers, are hereby adopted by reference and shall apply to the City of Modesto.

Section 908. Nepotism. The Council shall not appoint to a salaried position under the City government any person who is a relative by blood or marriage within the second degree of any one or more of the members of such Council and neither shall any department head or other officer having appointive power appoint any relative within such degree to any such position.

Section 909. Political and Religious Tests. Except as otherwise provided by the general laws of this State heretofore or hereafter enacted, no appointment to any position under the City government shall be made or be withheld by reason of any religious or political opinions or affiliations or political services, and no appointment to or selection for or removal from any office or employment and no transfer, promotion, reduction, reward or punishment shall be in any manner affected by such opinions, affiliations or service.

ARTICLE X.

EXECUTIVE AND ADMINISTRATIVE DEPARTMENTS

Section 1000. Assignment of Powers. Organization. After obtaining and considering the recommendations of the City Manager, the Council shall provide by ordinance, not inconsistent with this Charter, for the organization, functions, conduct and operation of the several offices and departments of the City, and may provide for the creation of additional departments, divisions, offices and agencies, and for their consolidation, alteration or abolition. It may further provide by ordinance or resolution for the assignment and reassignment of divisions, offices and agencies to departments, and for the number, titles, qualifications, powers, duties and compensation of all officers and employees.

ARTICLE XI.

APPOINTIVE BOARDS AND COMMISSIONS

Section 1100. In General. There shall be the boards and commissions enumerated in this Article which shall have the powers and duties as provided herein. Except as otherwise provided in this Article the number of members to comprise any board or commission shall be determined by ordinance. No member of any board or commission shall

hold any paid office or employment in the City government. Except as otherwise provided in this Article, in order to be eligible for appointment or to hold office as a member of any board or commission, a person shall be a registered elector of the City. In addition to the boards and commissions enumerated in this Article, the Council may create by ordinance such boards or commissions as in its judgment are required and may grant to them such powers and duties as are consistent with the provisions of this Charter.

Section 1101. Appropriations. The Council shall include in the annual budget such appropriations of funds as in its opinion shall be sufficient for the efficient and proper functioning of such boards and commissions.

Section 1102. Appointments. Terms. The members of each of such boards or commissions shall be appointed by the Council. They shall be subject to removal, by resolution of the Council adopted by at least four (4) affirmative votes. The members thereof shall serve for a term of four (4) years and until their respective successors are appointed and qualified.

The members first appointed to such boards and commissions shall so classify themselves by lot that each succeeding January 1st the term of one of their number shall expire. If the total number of members of a board or commission to be appointed exceeds four (4), the classification by lot shall provide for the grouping of terms to such an extent as is necessary in order that the term of at least one member shall expire on each succeeding January 1st, and that the number of terms expiring in any year does not exceed by more than one the number expiring in any other year.

Section 1103. Existing Boards. The members of the boards and commissions holding office when this Charter takes effect shall continue to hold office thereafter until their respective terms of office shall expire and until their successors shall be appointed and qualified. The successors of such members shall be appointed for terms of such duration, not exceeding four (4) years, as will carry into effect the plan for staggered terms prescribed in the preceding section.

Section 1104. Meetings. Chairmen. As soon as practicable following the first day of January of each year, each of such boards and commissions shall organize by electing one of its members to serve as presiding officer at the pleasure of such board or commission. Whenever a special meeting of any board or commission shall be called, the secretary shall cause written notice of such meeting to be given to each member of such board or commission and to each local newspaper of general circulation,

radio or television station requesting notice in writing. Such notice must be delivered personally or must be deposited in the United States mail, postage prepaid, at least twenty-four (24) hours before the time of such meeting as specified in the notice. The notice and order shall specify the time and place of the special meeting and the business to be transacted. No other business shall be considered at such meetings by said boards or commissions.

Written notice to each member of any board or commission may be dispensed with as to any member of any board or commission who, at or prior to the time the meeting convenes, files with the Secretary of such board or commission a written waiver of notice. The waiver may be given by telegram. The written notice may also be dispensed with as to any member of any board or commission who is actually present at the meeting at the time it convenes.

The affirmative or negative vote of a majority of the entire membership of such board or commission shall be necessary for it to take action.

Unless otherwise provided by the Council, or by this Charter, the City Manager shall provide a secretary for the recording of the minutes of each of such boards and commissions who shall keep a record of its proceedings and transactions. Each board and commission shall prepare and submit to the Council an annual report of its activities. Such report shall be made on the fiscal year basis and shall be submitted on or before September 1st of each year. Each board or commission shall prescribe its own procedural rules and regulations which shall be consistent with this Charter and copies of which shall be kept on file in the office of the City Clerk where they shall be available for public inspection.

Section 1105. Compensation. Vacancies. The members of boards and commissions shall serve without compensation for their services as such, but may receive reimbursement for necessary traveling and other expenses incurred in the performance of their official duties.

Any vacancies in any board or commission, from whatever cause arising, shall be filled by appointment by the Council. Upon a vacancy occurring, leaving an unexpired portion of a term, any appointment to fill such vacancy shall be for the unexpired portion of such term. If a member of a board or commission absents himself from three (3) regular meetings of such board or commission, consecutively, unless by permission of such board or commission, expressed in its official minutes, or is convicted of a crime involving moral turpitude, or ceases to be a qualified elector of the City, his office shall become vacant and shall be so declared by the Council.

Section 1106. Oaths. Affirmations. Each member of any such board or commission shall have the power to administer oaths and affirmations in any investigation or proceeding pending before such board or commission.

Section 1107. Planning Commission. There shall be a Planning Commission. The Planning Commission shall have the power and duty to:

(a) Recommend to the Council, after a public hearing thereon, the adoption, amendment or repeal of a General Plan or any part thereof for the physical development of the City; and

(b) Exercise such functions with respect to land subdivisions, planning and zoning as may be prescribed by ordinance or resolution.

(c) Perform such other duties relating to planning and zoning as the Council may require by ordinance or resolution.

Section 1108. Personnel Commission. There shall be a Personnel Commission, none of the members of which shall hold any salaried City office or employment while a member of the Commission nor for a period of one year after he has ceased for any reason to be a member, be eligible for appointment to any salaried office or employment in the services of the City nor to any City elective office.

Section 1109. Personnel Commission, Powers and Duties. The Personnel Commission shall have power and be required to:

(a) Act in an advisory capacity to the Council and the City Manager on personnel administration;

(b) Recommend to the Council after a public hearing thereon, the adoption, amendment or repeal of personnel rules and regulations;

(c) Hear appeals of any person in the classified service relative to any suspension, demotion or dismissal;

(d) Make any investigation which it may consider desirable concerning the administration of personnel in the municipal service and report its findings to the Council and the City Manager;

(e) Perform such other duties with reference to personnel administration not inconsistent with this Charter as the Council may require by ordinance or resolution.

Section 1110. Library and Culture Commission. There shall be a Library and Culture Commission consisting of seven (7) members, five (5) of whom shall be registered electors of the City, and two (2) of whom shall live outside the City but shall be registered electors of the Modesto High School District of Stanislaus County. The Commission shall have the power and duty to:

(a) Act in an advisory capacity to the Council and the City Manager in all matters pertaining to art, literature, music and other cultural activities;

(b) Formulate and recommend annually to the Council a program relating to art, literature, music and other cultural activities;

(c) Promote the preservation of historic sites, landmarks, documents, paintings and other objects associated with the history of the City and its area, and develop educational interest in all such historical matters;

(d) Act in an advisory capacity to the Council, City Manager and Director of any Museum or Cultural Center that may be established by the Council; and

(e) Act in an advisory capacity to the Council, City Manager and the head of the Public Library System providing library services for the inhabitants of the City.

ARTICLE XII.

PERSONNEL SYSTEM

Section 1200. Personnel System. Merit Principle. Appointments and promotions in the Classified Service of the City shall be made according to merit and fitness and from eligible lists to be established in accordance with personnel rules and regulations adopted in the manner provided in this Charter.

Section 1201. Unclassified and Classified Service. The administrative service of the City shall be divided into Unclassified and Classified Service.

(a) The Unclassified Service shall comprise the following officers and positions:

(1) All elected officers.

(2) City Manager, Deputy City Manager, City Attorney, City Clerk, City Auditor, and all heads of departments.

(3) All members of boards and commissions.

(4) Persons employed as unskilled laborers.

(5) Positions in any class or grade created for a special or temporary purpose for a period of not longer than 90 days in any one fiscal year.

(6) Persons employed to render professional, scientific, technical or expert services of any occasional or exceptional character.

(7) Part-time employees paid on an hourly or per diem basis.

(b) The Classified Service shall comprise all positions not specifically included by this section in the Unclassified Service.

Section 1202. Rules and Regulations. The Personnel System provided by this Article shall be implemented by such rules and regulations governing the administration thereof as are adopted by the Council upon the recommendation of the City Manager.

Section 1203. Political Activities Prohibited. No person holding any position in the Classified Service, or on an eligible list, shall take an active part in any municipal political campaign or contribute thereto in behalf of any candidates, nor shall such person seek signatures to any petition seeking to advance the candidacy of any person for any municipal office. Nothing in this section shall be construed to prevent any such person from seeking election or appointment to public office. Upon becoming a candidate for public office any such person shall request and be granted a leave of absence, without pay, to remain in effect during the period of time such person is a candidate.

Except as otherwise provided by the general laws of this State heretofore or hereafter enacted, no person in the Classified Service, or seeking admission thereto, shall be employed, promoted, demoted or discharged or in any way favored or discriminated against because of political opinions or affiliations or because of race or religious belief.

No officer or employee of the City and no candidate for any City Office shall, directly or indirectly, solicit any assessment, subscription or contribution, whether voluntary or involuntary, for any municipal political purpose whatever, from anyone on the eligible lists or holding any position in the Classified Service.

Section 1204. Contract for Performance of Administrative Functions. The Council may contract with the governing body of a city, or county within this State, or with a State department or other public or private agency for the preparation or conducting of competitive examinations for positions in the City service or for the performance of any other personnel administration service.

ARTICLE XIII.

FISCAL ADMINISTRATION

Section 1300. The Fiscal Year. The fiscal year of the City shall commence upon the first day of July of each year, or at such other time as may be fixed by ordinance.

Section 1301. Tax System. The Council shall by ordinance provide a system for the assessment, levy and collection of City taxes upon property.

Section 1302. Annual Budget. On such date in each year as shall be fixed by the Council, the City Manager shall send to the Council a careful estimate, in writing, of the amounts, specifying in detail the objects thereof required for the business and proper conduct of the various departments, offices, boards and commissions of the City, over which he has control, during the next ensuing year. The City Manager shall also at said time submit to the Council an estimate of the amount of income from fines, licenses, and other sources of revenue, exclusive of taxes upon property, and the probable amount required to be levied and raised by taxation.

Section 1303. Public Hearing on the Budget. After reviewing the proposed budget as submitted by the City Manager and making such revisions as it may deem advisable, the Council shall determine the time for holding of a public hearing upon, and shall cause a notice thereof to be published not less than ten (10) days prior to said hearing by at least one insertion in the official newspaper of the City.

Copies of the proposed budget shall be available for inspection by the public at the office of the City Clerk at least ten (10) days prior to said hearing.

At the time so advertised or at any time to which such public hearing from time to time be adjourned, the Council shall hold a public hearing on the proposed budget at which interested persons desiring to be heard shall be given such opportunity.

Section 1304. Adoption of the Budget. After the conclusion of the public hearing the Council shall further consider the proposed budget and make any revisions thereof that it may deem advisable and thereafter it shall adopt the budget with revisions, if any. Upon final adoption, the budget shall be in effect for the ensuing fiscal year.

From the effective date of the budget, the several amounts stated therein as proposed expenditures shall be and become appropriated to the various departments or activities therein described. All appropriations shall lapse at the end of the fiscal year to the extent that they shall not have been expended or lawfully encumbered.

At any meeting after the adoption of the budget, the Council may amend or supplement the budget by resolution.

Section 1305. Tax Limit. (a) General. The Council shall not levy a property tax for municipal purposes for any fiscal year in excess of $1.25 on each $100.00 of assessed value of the taxable property in the City, except as otherwise provided in this section, unless authorized by the affirmative votes of the majority of the electorate voting on a proposition to increase such levy at any election at which the question of such additional levy for municipal purposes is submitted to the electors. The number of years that such additional levy is to be made shall be specified in such proposition.

(b) Under County Tax System. For the fiscal year in which the City avails itself of the general laws relative to the assessment and collection of City taxes by County Officials, and for each succeeding fiscal year, the City Council may levy a rate of tax for any purpose for which a maximum rate is specified by this section up to an amount that exceeds such maximum rate in the proportion that the total assessed valuation of the entire City roll used in the fiscal year immediately preceding the year for which the City availed itself of the County tax assessing and collection services exceeded the total assessed valuation of the property within the City on the entire County roll for the same year.

(c) Additional Taxes. There shall be levied and collected at the time and in the same manner as other property taxes for municipal purposes are levied and collected, as additional taxes, if no other provision for the payment thereof is made:

(1) A tax sufficient to meet all obligations of the City for principal and interest of all bonds or judgments due and unpaid or to become due during the ensuing fiscal year which constitute the general obligations of the City;

(2) A tax sufficient to meet all obligations of the City to the State Employees' Retirement System for retirement of the City employees, if any, due and unpaid or to become due during the ensuing fiscal year.

(d) Special Levies. Special levies in addition to the above may be made annually in amounts not to exceed the limits hereinafter enumerated in this section, respectively, on each $100.00 of the assessed value of the taxable property in the City:

(1) For the support and maintenance of free public libraries and reading rooms, Twenty cents (20¢).

The proceeds of any such special levy shall be used solely for the respective purposes for which it is levied.

Section 1306. Independent Audit. The Council shall employ, at the beginning of each fiscal year, an independent certified public accountant who, at such time or times as may be specified by the Council, at least annually, shall examine the books, records, inventories, and reports of all officers and employees who receive, handle or disburse public funds and all such other officers and employees and departments as the Council may direct.

As soon as practicable after the end of the fiscal year, a final audit and report shall be submitted by such accountant to the Council, one copy thereof to be distributed to each member, one to the City Auditor, one to the City Manager and City Attorney respectively, and three (3) additional copies to be placed on file in the office of the City Clerk, where they shall be available for inspection by the general public.

Section 1307. Public Work to be Done by Contract. Every project involving an expenditure of City moneys of more than the amount specified in Section 37902 of the Government Code of the State of California, as the same now exists or may hereafter be amended for the construction or improvement of public buildings, works, drains, sewers, utilities, parks, playgrounds, and streets (exclusive of projects for resurfacing, maintenance and repair of streets) shall be let by contract to the lowest responsible bidder after notice by publication in the official newspaper by one or more insertions, the first of which shall be at least seven (7) days before the time for opening bids.

All bids shall be accompanied by either a certified, or cashier's check, or a bidder's bond executed by a corporate surety authorized to engage in such business in California, made payable to the

City. Such security shall be in an amount not less than that specified in the notice inviting bids or in the specifications referred to therein, or if no amount be so specified then in an amount not less than ten per cent (10%) of the aggregate amount of the bid. If the successful bidder neglects or refuses to enter into the contract, within the time specified in the notice inviting bids or specifications referred to therein, the amount of his bidder's security shall be declared forfeited to the City and shall be collected and paid into its general fund and all bonds so forfeited shall be prosecuted and the amount thereof collected and paid into such fund.

The Council may reject any and all bids presented and may readvertise in its discretion.

The Council after rejecting bids, or if no bids are received, may declare and determine that, in its opinion, based on estimates approved by the City Manager the work in question may be performed better or more economically by the City with its own employees and after the adoption of a resolution to this effect by at least five (5) affirmative votes of the Council may proceed to have said work done in the manner stated, without further observance of the provisions of this section. Such contracts likewise may be let without advertising for bids, if such work shall be deemed by the City Council to be of urgent necessity for the preservation of life, health or property and shall be authorized by resolution passed by at least five (5) affirmative votes of the Council and containing a declaration of the facts constituting such urgency.

Nothing in this section shall be construed to apply to the acquisition or purchase of electricity, electric power or electric energy by the City for any use or purpose.

Section 1308. Collusion with Bidder. Any officer of the City, or of any department thereof, who shall aid or assist a bidder in securing a contract to furnish labor, materials or supplies at a higher price than that proposed by any other bidder, or who shall favor one bidder over another by giving or withholding information, or who shall wilfully mislead any bidder in regard to the character of the materials or supplies called for, or who shall knowingly accept materials or supplies of a quality inferior to those called for by the contract or who shall knowingly certify to a greater amount of labor performed than has been actually performed, or to the receipt of a greater amount or different kind of materials or supplies than has been actually received shall be deemed guilty of malfeasance and shall be removed from office.

Section 1309. Collusion by Bidder. If at any time it shall be found that the person to whom a contract has been awarded has, in presenting any bid or bids, colluded with any other party or parties for the purpose of preventing any other bid being made, then the contract so awarded shall be null and void, and the Council shall advertise for a

new contract for said works, or provide for such public work to be done by the City.

Section 1310. Demands Against the City. Moneys shall be drawn from the City Treasury only in the manner prescribed by ordinance of the Council.

Section 1311. Contracts for Official Advertising. The Council shall let annually contracts for the official advertising for the ensuing fiscal year. In the event there is more than one newspaper of general circulation published and circulated in the City, the Council shall advertise for one day, setting forth distinctly and specifically the work contemplated to be done, and asking for sealed proposals therefor. The proposals shall specify the type and spacing to be used at the rate or rates named in the bids. The Council shall let the contracts for such official advertising to the lowest responsible bidder publishing a newspaper in the City which is a newspaper of general circulation and has been in existence at the time of the awarding of the contract at least one year; provided, that the Council may reject any or all bids and advertise for new bids.

Section 1312. Filing of Claims. Except as otherwise provided by the provisions of State law applicable to chartered cities, claims against the City shall be filed as prescribed by ordinance.

Section 1313. Purchase of Supplies and Equipment. The Council, by ordinance, within one year following the adoption of this section, shall adopt policies and procedures, including bidding regulations, governing purchases of supplies and equipment by the City. Said policies and procedures may include provisions authorizing joint purchasing with other local governmental agencies. Following the adoption of such policies and procedures, purchases of supplies and equipment by the City shall be made in accordance therewith.

ARTICLE XIV.

FRANCHISES

Section 1400. Franchises to Operate. No person, firm or corporation shall exercise any franchise, right or privilege mentioned

in this Article in the City except insofar as he or it may be entitled to do so by direct authority of the Constitution of the State of California or of the United States, unless he or it shall have obtained a grant therefor in accordance with the provisions of this Charter and in accordance with the procedure prescribed by ordinance. Nothing contained in the Article shall be construed to invalidate any lawful franchise heretofore granted nor to necessitate the obtaining of a new franchise for a use for which a franchise holder shall have a valid unexpired franchise.

Section 1401. Authority to Grant Franchises. The Council is empowered to grant by ordinance a franchise to any person, firm or corporation, whether operating under an existing franchise or not, to furnish the City and its inhabitants with transportation, communication, terminal facilities, water, light, heat, power, refrigeration, storage or any other public utility or service, or to use the public streets, ways, alleys and places, as the same may now or may hereafter exist, in connection therewith.

Section 1402. Franchise Terms, Conditions and Procedures. The Council shall, by ordinance, prescribe the terms and conditions under which franchises will be granted, subject to the provisions of this Charter, and the procedure for granting franchises; provided, however, that such procedural ordinance or ordinances shall make provisions for the giving of notice of franchise applications, for protests against the granting of such franchises and for public hearings on such applications.

The Council, in granting franchises, shall prescribe the terms and conditions of such franchises in accordance with the applicable provisions of this Charter and any ordinance adopted pursuant thereto, and may in such franchise impose such other and additional terms and conditions not in conflict with said Charter or ordinances, whether governmental or contractual in character, as in the judgment of said Council are in the public interest or as the people, by initiative, indicate they desire to have so imposed.

Section 1403. Method of Granting Franchise. The Council may grant a franchise without calling for bids or may, in its discretion, advertise for bids for the sale of a franchise upon a basis, not in conflict with the provisions of this Article, to be set out in the advertisement for bids and notice of sale.

Section 1404. Term of Franchise. Every franchise shall be either a fixed term not to exceed twenty (20) years, or for an indeterminate period. If for a fixed term, the franchise shall state the terms for which it is granted; if indeterminate, it shall set forth the terms and conditions under which it may be terminated.

Section 1405. Purchase or Condemnation by City. No franchise grant shall in any way or to any extent impair or affect the right of the City now or hereafter conferred upon it by law to acquire the property of the grantee thereof either by purchase or through the exercise of the right of eminent domain, and nothing herein contained shall be construed to contract away or to modify or to abridge either for a term or in perpetuity the City's right of eminent domain with respect to any public utility.

Section 1406. Minimum Compensation. No new franchise or the renewal of an existing franchise shall be granted without reserving to the City just and adequate compensation.

Section 1407. Article Not Applicable to Certain Cases. Nothing in this Article shall be construed as applying to or requiring the operators of refrigeration or storage utilities or the carriers of freight or passengers not operating over a fixed route, or other public utilities or services not specifically described in this Article, to obtain a franchise to operate within the City unless required so to do by ordinance of the City of Modesto.

Section 1408. Exercising Right Without Franchise. The exercise by any person, firm or corporation of any privilege for which a franchise is required without procuring such franchise shall be a misdemeanor, and each such day that such condition continues shall constitute a separate violation.

ARTICLE XV.

SCHOOL SYSTEM

Section 1500. Board of Education. The control, management and administration of the public schools of the City of Modesto, and the territory that is now or may hereafter be annexed thereto for school purposes, in accordance with the Constitution and general laws of the State of California, are hereby vested in a Board of Education. In all matters not specifically provided for in this Article, the Board shall be governed by the provisions of the general law relating to such matters and shall be vested with all the powers and charged with all the duties provided by the laws of the State for city boards of education. The Board of Education shall be the governing body of the Modesto City School District of Stanislaus County, the Modesto High School District of Stanislaus County, and the Modesto Junior College District of Stanislaus County. The Board of Education shall consist of five (5) members who shall serve without compensation. The members of the Board of Education shall be elected

at large from the territory within the boundaries of the school district or districts which are under the jurisdiction of the Board. The members of the Board of Education shall hold office for a period of four (4) years from and after the first Tuesday following their election and continuing until their successors are elected and have qualified. No person shall be eligible to be nominated for or to hold office as a member of the Board of Education unless he is and shall have been for at least three (3) years preceding his election or appointment a resident and registered elector of the school district or districts which are under the jurisdiction of the Board of Education.

If a vacancy shall occur on the Board of Education, the Board shall forthwith appoint a person to fill such vacancy. Said appointee shall hold office until his successor is duly elected at the next general municipal election and has qualified. The members of the Board of Education shall be subject to recall as provided in this Charter.

All territory included within the limits of any school district or districts which are under the jurisdiction of the Board of Education, but not within the City limits, shall be deemed a part of the City for the purpose of holding municipal elections and shall constitute one or more separate election precincts, and the qualified electors therein shall vote only for members of the Board of Education and on questions submitted to a vote of the people at special or general elections pertaining to school matters.

The members of the Board of Education in office at the time this Charter takes effect shall continue in office until the expiration of their terms. Their successors shall be elected for a term of four (4) years at the general municipal election to be held during the year each of said respective terms expires, it being the intention of this section that the terms of the five (5) members shall be staggered, three (3) members being elected at the General Municipal Election to be held in 1963, and two (2) members being elected at the General Municipal Election to be held in 1965, and staggered accordingly successively thereafter at each General Municipal Election.

ARTICLE XVI.

MISCELLANEOUS

Section 1600. Effective Date of Charter. The provisions of this Charter shall become effective immediately when the concurrent resolution of the Legislature approving this Charter is filed with the Secretary of State.

Section 1601. Validity of Charter. Severability. If any provision of this Charter, or the application thereof to any person or

circumstances is held invalid, the remainder of the Charter and the application of such provision to other persons or circumstances shall not be affected thereby.

Section 1602. Violation of Charter and Ordinances. The violation of any provision of this Charter or of any ordinance of the City shall be deemed a misdemeanor, and may be prosecuted by the authorities of the City in the name of the people of the State of California, or may be redressed by civil action, at the option of said authorities. The maximum penalty upon conviction for the violation of any provision of this Charter, or of any ordinance of the City, shall be by a fine of not exceeding $1000 or by imprisonment for a term of not exceeding one year or by both such fine and imprisonment. Any person sentenced to imprisonment for the violation of a provision of this Charter or of any ordinance may be imprisoned in the City jail, or, if the Council by ordinance shall so prescribe, in the county jail of the county in which the City of Modesto is situated, or any road camp established in Stanislaus County, in which case the expense of such imprisonment shall be a charge in favor of such county against the City of Modesto.

Section 1603. Definitions. Unless the provisions or the context otherwise require, as used in this Charter:

(a) "Shall" is mandatory and "may" is permissive;

(b) "City" is the City of Modesto and "department", "board", "commission", "agency", "officer", or "employee", is a department, board, commission, agency, officer or employee, as the case may be of the City of Modesto;

(c) "Council" is the Council of the City of Modesto;

(d) A "member of the Council" means any one of the seven (7) members of the Council, including the Mayor;

(e) A "Councilman" means any one of the members of the Council other than the Mayor;

(f) "County" is the County of Stanislaus;

(g) "State" is the State of California;

(h) "Newspaper of general circulation within the City" is as defined by Section 6000 of the Government Code of the State of California;

(i) "Public Utility or Service" as used in this Charter means the supply by the City to its inhabitants, or any portion thereof, with water, light, heat, power, transportation service or telephone, telegraph

or wireless communication service, except that said term shall not include furnishing of sewer or sewage disposal services, drainage service, airport services or taxicab services; and

(j) "Election" is the day of the election.

[M #1]

RESOLUTION NO. 62-396

PROPOSING A CHARTER ON THE MOTION OF THE COUNCIL, CALLING A SPECIAL MUNICIPAL ELECTION IN THE CITY OF MODESTO TO BE HELD ON TUESDAY, NOVEMBER 6, 1962, FOR THE PURPOSE OF SUBMITTING TO THE ELECTORS OF SAID CITY A PROPOSAL TO ADOPT A NEW CHARTER FOR SAID CITY; FIXING THE MANNER OF HOLDING SAID ELECTION AND PROVIDING FOR NOTICE THEREOF; AND CONSOLIDATING SAID SPECIAL MUNICIPAL ELECTION WITH THE STATE OF CALIFORNIA GENERAL ELECTION TO BE HELD ON SAID DATE.

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

Section 1. The Council of the City of Modesto on its own motion has framed or caused to be framed a new charter for the City of Modesto to read as set forth in the notice entitled "Proposed New Charter for the City of Modesto" hereinafter set forth in Section 3 of this resolution.

Section 2. The Council of the City of Modesto hereby proposes to and does hereby on its own motion submit to the qualified electors of the City of Modesto, at the special municipal election hereinafter provided for, the proposal to adopt said new Charter of the City of Modesto set forth in said notice hereinafter set forth in Section 3 of this resolution and hereby designates and refers to said proposal as the proposal to be set forth in the form of ballot hereinafter prescribed for use at said special municipal election.

Section 3. The City Clerk of the City of Modesto is hereby ordered and directed to cause said proposed new Charter for the City of Modesto to be published once, not less than forty (40) and not more than sixty (60) days prior to the date of the special municipal election hereinafter provided for, in THE MODESTO TRIBUNE, the official newspaper of said City, and in each edition thereof, during the day of publication, said newspaper being a newspaper of general circulation published once a week in said City of Modesto; and such publication may be in substantially the following form, to wit:

PROPOSED NEW CHARTER for

THE CITY OF MODESTO

Special Municipal Election November 6, 1962

The Council of the City of Modesto has on its own motion framed or caused to be framed a proposed new charter for the City of Modesto, to read as follows:

The Council of the City of Modesto hereby proposes to and does hereby on its own motion submit to the qualified electors of the City of Modesto at a special municipal election to be held in said City of Modesto on Tuesday, November 6, 1962 (which said election will be consolidated with the State of California General Election to be held in said City of Modesto on November 6, 1962) the following proposal to adopt said new charter, as follows:

MEASURE ( ) City of Modesto Charter Proposal:	Shall the proposed new Charter of the City of Modesto, the text of which is set forth in Section 3 of Resolution No. 62-396 adopted by the Council of said City on Monday, August 27, 1962, and on file in the office of the City Clerk, be adopted?	YES	
		NO	

I hereby certify that the foregoing Charter proposal was ordered submitted to the qualified electors of the City of Modesto by the Council of the City of Modesto.

Dated: August 27, 1962

[SEAL]

City Clerk of the City of Modesto

Section 4. (a) A special municipal election is hereby called to be held in the City of Modesto, on Tuesday, November 6, 1962, for the purpose of submitting to the qualified electors of said City said proposal set forth in Section 3 of this resolution to adopt a new Charter of said City as in said proposal and in this resolution provided and as hereby submitted by the Council of the City of Modesto on its own motion.

(b) Said special municipal election hereby called shall be held and conducted, and the votes thereat canvassed and the returns thereof made, and the results

thereof ascertained and determined as herein provided, and in all particulars not prescribed in this resolution, said special municipal election shall be held as provided for in the Charter of said City and in all particulars not provided for therein said election shall be held as provided by law for the holding of special municipal elections in the City of Modesto and otherwise in accordance with the Elections Code of the State of California.

(c) All persons qualified to vote at municipal elections in said City of Modesto on the day of said special municipal election herein provided for shall be qualified to vote upon said new Charter hereby proposed by the Council of the City of Modesto on its own motion and submitted at said special municipal election.

(d) The polls at the polling places hereinafter referred to for said special municipal election shall be opened at 7:00 A.M. (P.S.T.) of said day of election, and shall be kept open continuously thereafter until 7:00 P.M. (P.S.T.) of said day of election, when the polls shall be closed (except as provided in Section 14436 of the Elections Code), and the election officers shall thereupon proceed to canvass the ballots cast thereat.

(e) Said special municipal election shall be and is hereby consolidated with the State of California General Election to be held in Stanislaus County and in the City of Modesto on the date of said special municipal election hereby called, and the election precincts, polling places and voting booths shall in every case be the same,

and there shall be only one set of election officers in each of said precincts; and the precincts, polling places and officers of election within said City for said special municipal election shall be the same as those selected or to be selected and designated by the Board of Supervisors of Stanislaus County for said State of California General Election and set forth or to be set forth in the notice of election officers and polling places for said General Election published or to be published by the County Clerk of said County, as required by law, to which notice reference is hereby specifically made for a designation of the precincts, polling places and election officers for said special municipal election hereby called. Only qualified voters of said City shall be permitted to vote at said special municipal election hereby called. The Board of Supervisors of Stanislaus County is authorized to canvass, or cause to be canvassed, the returns of said special municipal election with respect to the votes cast in said City and to certify the results to the Council.

(f) On the ballots to be used at said General Election and said special municipal election hereby consolidated therewith, in addition to all other matters required by law to be printed thereon, shall appear the proposal set forth in Section 3 hereof.

(g) To vote in favor of said proposal to adopt said new charter for the City of Modesto a voter shall stamp a cross (X) in the blank space opposite the word "YES" on the ballot to the right of said proposal, and to vote against said proposal a voter shall stamp a

cross (X) in the blank space opposite the word "NO" on the ballot to the right of said proposal. The votes cast for and against said proposal shall be counted separate and apart from all other measures to be submitted at said General Election and said special municipal election hereby called, and if a majority of the qualified voters voting on said proposed new Charter vote in favor thereof, said new Charter shall be deemed approved.

(h) At the next regular meeting of the Council occurring after the returns of said special municipal election have been canvassed by the Board of Supervisors of Stanislaus County and the certification of the results thereof to the Council, or at a special meeting called thereafter for such prupose, the Council shall cause to be spread upon its minutes a statement of the results of said special municipal election as ascertained by said canvass.

Section 5. The City Clerk of the City of Modesto is hereby authorized to prepare and sign a list of election officers and polling places and a notice of measures to be voted on, in the respective forms required by law, relating to said special municipal election hereby called, and said City Clerk is hereby authorized and directed to publish said list and notice in the time and manner required by law in THE MODESTO TRIBUNE, the official newspaper of said City and a newspaper of general circulation printed and published in said City.

Section 6. The City Clerk of the City of Modesto is hereby authorized and directed (1) to cause copies of the text of said proposed charter to be printed

(from the type set by The Modesto Tribune) for distribution to electors who apply for such copies, and (2) to publish five times in THE MODESTO TRIBUNE, a newspaper of general circulation in said City, and five times in THE MODESTO BEE, a newspaper of general circulation in said City, a notice that copies of said proposed charter may be had on application therefor. Said notice shall be in substantially the following form:

NOTICE OF AVAILABILITY OF PROPOSED NEW CHARTER

NOTICE IS HEREBY GIVEN to the qualified electors of the City of Modesto that copies of the new charter for the City of Modesto, proposed by the Council on its own motion, are on file in the office of the City Clerk, 717 Tenth Street, Modesto, California, and may be had upon application therefor.

City Clerk of the City of Modesto

PASSED AND ADOPTED this 27th day of August, 1962, by the following vote, upon motion of Councilman Shastid, seconded by Councilman Tabbert, viz.:

AYES:	Councilmen:	Patton, Mitchell, Shastid, Tabbert, VanderWall, Mayor Hammond
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Johansen

Mayor of the City of Modesto, California

Attest:

City Clerk of the City of Modesto, California

CLERK'S CERTIFICATE

I, Rex E. Gailfus, City Clerk of the City of Modesto, California, do hereby certify that the foregoing is a full, true and correct copy of a resolution duly adopted at a regular meeting of the Council of said City duly and regularly held at the regular meeting place thereof on the 27th day of August, 1962, of which meeting all of the members of said Council had due notice and at which a majority thereof was present; that at said meeting said resolution was introduced by Councilman Shastid and read in full, and was thereupon, upon motion of Councilman Shastid, seconded by Councilman Tabbert, adopted by the following vote:

AYES:	Councilmen:	Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Johansen

That I have carefully compared the same with the original minutes of said meeting on file and of record in my office and that said resolution is a full, true and correct copy of the original resolution adopted at said meeting and entered in said minutes. That said resolution has not been amended, modified or rescinded since the date of its adoption and the same is now in full force and effect.

WITNESS my hand and the seal of said City of Modesto, this 28th day of August, 1962.

City Clerk of the City of Modesto, California.

MODESTO CITY COUNCIL
RESOLUTION NO. 62-397

RESOLUTION AND ORDER OF THE COUNCIL OF THE CITY OF MODESTO PROVIDING FOR A SPECIAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 6, 1962, FOR THE PURPOSE OF SUBMITTING TO THE ELECTORS OF SAID CITY THE MEASURE HEREIN SET FORTH; FIXING THE MANNER OF HOLDING SAID ELECTION AND PROVIDING FOR NOTICE THEREOF; AND CONSOLIDATING SAID SPECIAL MUNICIPAL ELECTION WITH THE STATE OF CALIFORNIA GENERAL ELECTION TO BE HELD ON SAID DATE.

WHEREAS, the Council of the City of Modesto desires to submit an advisory measure to the qualified electors of the City relating to the prohibition of commercial cardrooms within the City,

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

1. A special municipal election is hereby called to be held on Tuesday, November 6, 1962, in the City of Modesto for the purpose of submitting to the qualified electors of said City the following measure, to wit:

MEASURE ( ) City of Modesto Advisory Measure:	Shall commercial cardrooms open to the public be prohibited in the City of Modesto?	YES NO

2. Said special municipal election shall be held and conducted, and the votes thereat canvassed and the returns thereof made and the results thereof ascertained and determined as herein provided; and in all particulars

not prescribed in this resolution said election shall be held as provided for in the Charter of said City and in all particulars not provided for therein said election shall be held as provided by law for the holding of special municipal elections in the City of Modesto and otherwise in accordance with the Elections Code of the State of California.

3. All persons qualified to vote at municipal elections in the City of Modesto on the day of said special municipal election herein provided for shall be qualified to vote on said measure. The polls at the polling places hereinafter referred to for said special municipal election shall be opened at 7:00 A.M. (P.S.T.) of said day of election and shall be kept open continuously thereafter until 7:00 P.M. (P.S.T.) of said day of election, when the polls shall be closed (except as provided in Section 14436 of the Elections Code), and the election officers shall thereupon proceed to canvass the ballots cast thereat.

4. Said special municipal election herein provided for shall be and is hereby consolidated with the State of California General Election to be held in Stanislaus County and in the City of Modesto on the date of said special municipal election and the election precincts, polling places and voting booths shall in every case be the same and there shall be only one set of election officers in each of the precincts; and the precincts, polling places and officers of election within said City for said special municipal election shall be

the same as those selected or to be selected and designated by the Board of Supervisors of Stanislaus County for said State of California General Election and set forth or to be set forth in the notice of election officers and polling places for said General Election published or to be published by the County Clerk of said County, as required by law, to which notice reference is hereby specifically made for a designation of the precincts, polling places and election officers for said special municipal election. Only qualified voters of said City shall be permitted to vote at said special municipal election. The Board of Supervisors of said County is authorized to canvass, or cause to be canvassed, the returns of said special municipal election with respect to the votes cast in said City and to certify the results to the Council.

5. On the ballots to be used at said General Election and said special municipal election hereby consolidated therewith, in addition to all other matters required by law to be printed thereon, shall appear the measure set forth in Section 1 hereof. To vote in favor of said measure a voter shall stamp a cross (X) in the blank space opposite the word "YES" on the ballot to the right of said measure, and to vote against said measure a voter shall stamp a cross (X) in the blank space opposite the word "NO" on the ballot to the right of said measure. The votes cast for and against said measure shall be counted separate and apart from all other measures to be submitted at said General Election and said special municipal election hereby called and the Council shall

be advised by the votes for and against said measure as to the views of the qualified electors voting on said measure.

6. At the next regular meeting of the Council occurring after the returns of said special municipal election have been canvassed by the Board of Supervisors of Stanislaus County and the certification of the results thereof to the Council, or at a special meeting called thereafter for such purpose, the Council shall cause to be spread upon its minutes a statement of the results of said special municipal election as ascertained by said canvass.

7. A list of election officers and polling places and a notice of measures to be voted on relating to said special municipal election shall be published by the City Clerk in the MODESTO TRIBUNE, the official newspaper of said City, in the time and manner required by law.

PASSED AND ADOPTED this 27th day of August, 1962, by the following vote:

AYES: Councilmen: Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Johansen

Mayor of the City of Modesto, California

ATTEST:

City Clerk of the City of Modesto, California

CLERK'S CERTIFICATE

I, Rex E. Gailfus, City Clerk of the City of Modesto, California, do hereby certify that the foregoing is a full, true and correct copy of a resolution duly adopted at a regular meeting of the Council of said City duly and regularly held at the regular meeting place thereof on the 27th day of August, 1962, of which meeting all of the members of said Council had due notice and at which a majority thereof was present; that at said meeting said resolution was introduced by Councilman Vanderwall and read in full, and was thereupon, upon motion of Councilman Vanderwall, seconded by Councilman Patton, adopted by the following vote:

AYES: Councilmen: Mitchell, Patton, Shastid, Tabbert, Vanderwall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Johansen

That I have carefully compared the same with the original minutes of said meeting on file and of record in my office and that said resolution is duly entered of record in Book 26 of Resolutions, at pages --- to ---, inclusive, and said resolution is a full, true and correct copy of the original resolution adopted at said meeting and entered in said minutes; that said resolution has not been amended, modified or rescinded since the date of its adoption and the same is now in full force and effect.

WITNESS my hand and the seal of said City of Modesto, this 28th day of August, 1962.

City Clerk of the City of Modesto, California

[SEAL]

MODESTO CITY COUNCIL
RESOLUTION NO. 62-398

RESOLUTION AND ORDER OF THE COUNCIL OF THE CITY OF MODESTO PROVIDING FOR ELECTION OF TWO COUNCILMEN AT SPECIAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 6, 1962, AND CONSOLIDATING SAID ELECTION OF COUNCILMEN WITH THE STATE OF CALIFORNIA GENERAL ELECTION TO BE HELD ON SAID DATE.

WHEREAS, the Council of the City of Modesto has, by resolution heretofore adopted on this date, proposed a new Charter and submitted it to the electors of the City of Modesto at a special municipal election to be held on November 6, 1962, and to be consolidated with the State of California General Election to be held on said date in Stanislaus County and in the City of Modesto; and

WHEREAS, two Councilmen were heretofore appointed by this Council to fill two vacancies in the office of Councilman and Section 702 of the Charter of the City of Modesto provides that each such appointee shall hold office until his successor is duly elected and qualified and that such successor shall be chosen at the next general municipal election or at the first succeeding special municipal election, called for any other purpose, and there has been no general municipal election since said appointments and said special municipal election to be held November 6, 1962, is the first special municipal election called to be held in the City for any other purpose since said appointments;

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

1. Pursuant to Section 702 of the Charter of the City of Modesto, at the special municipal election to be held on Tuesday, November 6, 1962, in the City of Modesto at which a new Charter is to be submitted, two Councilmen shall be elected

to fill offices now held by appointees and shall hold office for the unexpired terms of former incumbents, which terms expire on April 9, 1963, and April 12, 1965, respectively.

2. Said election of two Councilmen herein referred to shall be held and conducted, and the votes thereat canvassed and the returns thereof made and the results thereof ascertained and determined as herein provided; and in all particulars not prescribed in this resolution said election of two Councilmen shall be held as provided for in the Charter of said City and in all particulars not provided for therein said election shall be held as provided by law for the holding of special municipal elections in the City of Modesto and otherwise in accordance with the Elections Code of the State of California.

3. All persons qualified to vote at municipal elections in the City of Modesto on the day of said special municipal election herein referred to shall be qualified to vote thereat for the election of two Councilmen. The polls at the polling places hereinafter referred to for said special municipal election shall be opened at 7:00 A.M. (P.S.T.) of said day of election and shall be kept open continuously thereafter until 7:00 P.M. (P.S.T.) of said day of election, when the polls shall be closed (except as provided in Section 14436 of the Elections Code), and the election officers shall thereupon proceed to canvass the ballots cast thereat.

4. Said special municipal election and said election of two Councilmen herein referred to shall be and are hereby consolidated with the State of California General Election to be held in Stanislaus County and in the City of Modesto on the date of said special municipal election herein referred to and the election precincts, polling places and voting booths

shall in every case be the same and there shall be only one set of election officers in each of the precincts; and the precincts, polling places and officers of election within said City for said special municipal election and said election of two Councilmen shall be the same as those selected or to be selected and designated by the Board of Supervisors of Stanislaus County for said State of California General Election and set forth or to be set forth in the notice of election officers and polling places for said General Election published or to be published by the County Clerk of said County, as required by law, to which notice reference is hereby specifically made for a designation of the precincts, polling places and election officers for said special municipal election and said election of two Councilmen. Only qualified voters of said City shall be permitted to vote at said special municipal election and said election of two Councilmen. The Board of Supervisors of said County is authorized to canvass, or cause to be canvassed, the returns of said special municipal election and said election of two Councilmen with respect to the votes cast in said City and to certify the results to the Council.

5. On the ballots to be used at said General Election and said election hereby consolidated therewith, in addition to all other matters required by law to be printed thereon, shall appear the names of all candidates for each of said two offices of Councilman as certified by the City Clerk to the County Clerk of Stanislaus County. Said ballots shall conform to the requirements of Elections Code Sections 22870-22872, inclusive, to the extent that the same shall be applicable.

6. At the next regular meeting of the Council occurring after the returns of said special municipal election and said election of two Councilmen have been canvassed by the Board of

Supervisors of Stanislaus County and the certification of the results thereof to the Council, or at a special meeting called thereafter for such purpose, the Council shall cause to be spread upon its minutes a statement of the results of said special municipal election and said election of two Councilmen as ascertained by said canvass.

7. A notice of election, a list of election officers and polling places and a list of nominees for public office relating to said election of two Councilmen shall be published by the City Clerk in the MODESTO TRIBUNE, the official newspaper of said City, in the time and manner required by law.

PASSED AND ADOPTED this 27th day of August, 1962, by the following vote:

AYES:	Councilmen:	Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Johansen

Mayor of the City of Modesto, California

ATTEST:

City Clerk of the City of Modesto, California

CLERK'S CERTIFICATE

I, Rex E. Gailfus, City Clerk of the City of Modesto, California, do hereby certify that the foregoing is a full, true and correct copy of a resolution duly adopted at a regular meeting of the Council of said City duly and regularly held at the regular meeting place thereof on the 27th day of August, 1962, of which meeting all of the members of said Council had due notice and at which a majority thereof was present; that at said meeting said resolution was introduced by Councilman Tabbert and read in full, and was thereupon, upon motion of Councilman Tabbert, seconded by Councilman Mitchell, adopted by the following vote:

AYES:	Councilmen:	Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Johansen

That I have carefully compared the same with the original minutes of said meeting on file and of record in my office and that said resolution is duly entered of record in Book 26 of Resolutions, at pages ---- to ----, inclusive, and said resolution is a full, true and correct copy of the original resolution adopted at said meeting and entered in said minutes; that said resolution has not been amended, modified or rescinded since the date of its adoption and the same is now in full force and effect.

WITNESS my hand and the seal of said City of Modesto, this 28th day of August, 1962.

City Clerk of the City of Modesto, California

[SEAL]

MODESTO CITY COUNCIL
RESOLUTION NO. 62-399

RESOLUTION OF THE COUNCIL OF THE CITY OF MODESTO REQUESTING THE BOARD OF SUPERVISORS OF STANISLAUS COUNTY TO PROVIDE FOR THE CONSOLIDATION OF TWO SPECIAL MUNICIPAL ELECTIONS AND ELECTION OF TWO COUNCILMEN WITH THE STATE OF CALIFORNIA GENERAL ELECTION TO BE HELD NOVEMBER 6, 1962.

WHEREAS, the Council of the City of Modesto, in Stanislaus County, State of California, has adopted resolutions calling special municipal elections in said City to be held on Tuesday, November 6, 1962, at which will be submitted to the qualified electors of said City a measure to approve a new charter of said City and an advisory measure as hereinafter set forth and at which two Councilmen will be chosen to fill offices now held by appointees and to hold office for the unexpired terms of former incumbents; and

WHEREAS, a State of California General Election will be held on Tuesday, November 6, 1962, and it is the desire of said Council that said special municipal elections and said election to choose two Councilmen be consolidated with said General Election;

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

Section 1. Said special municipal elections and each of them and said election to choose two Councilmen shall be consolidated with the State of California General Election to be held on Tuesday, November 6, 1962, at which elections shall be submitted to the qualified electors of said City the election of two Councilmen and the following measures, and each of them, to wit:

CITY OF MODESTO

Councilman for Term
Expiring April 9, 1963 — Vote for One

Councilman for Term
Expiring April 12, 1965 — Vote for One

CITY OF MODESTO MEASURES

MEASURE ( ) City of Modesto Charter Proposal:	Shall the proposed new charter of the City of Modesto, the text of which is set forth in Section 3 of Resolution No. 62-396 adopted by the Council of said City on Monday, August 27, 1962, and on file in the office of the City Clerk, be adopted?	YES NO
MEASURE ( ) City of Modesto Advisory Measure:	Shall commercial cardrooms open to the public be prohibited in the City of Modesto?	YES NO

Section 2. The Board of Supervisors of Stanislaus County is hereby requested to order the consolidation of said special municipal elections and said election of two Councilmen with the State of California General Election to be held on TUESDAY, NOVEMBER 6, 1962, in so far as the City of Modesto is concerned, and to further provide that within the territory affected by said order of consolidation, to wit, the City of Modesto, the election precincts, polling places and voting booths shall in every case be the same, and there shall be only one set of election officers in each of said precincts. The names of the candidates for the two offices of Councilman and said measures and each of them shall be set forth on all ballots to be used at said General Election in so far as the same is held within said City of Modesto. Said Board of Supervisors of Stanislaus County is further requested to order the County Clerk of Stanislaus County (i) to set forth on all sample ballots relating to said consolidated elections, to be mailed to the qualified electors of said City, the names of the candidates for said two offices of Councilman and said measures and each of them hereinabove set forth, and to mail with said sample ballots to said electors printed copies of arguments (if any) for and against said measures and each of them, and (ii) to provide absent voter ballots for said General Election and said special municipal elections and said election of two Councilmen consolidated therewith for use by qualified electors of said City who are entitled thereto, in the manner provided by law.

Section 3. Said Board of Supervisors of Stanislaus County is hereby further authorized to canvass, or cause to be canvassed, as provided by law, the returns of said special municipal elections and said election of two Councilmen with respect to the votes cast on each of said measures and for each of said candidates and to certify such canvass of the votes cast for and against each of said measures and for each of said candidates to this Council.

Section 4. The City Clerk is hereby authorized and directed to certify to the due adoption of this resolution and to transmit a copy hereof so certified to the Board of Supervisors of Stanislaus County and to file a copy hereof so certified with the County Clerk of Stanislaus County.

PASSED AND ADOPTED this 27th day of August, 1962, by the following vote:

AYES: Councilmen Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Johansen

Mayor of the City of Modesto, California

ATTEST:

City Clerk

CLERK'S CERTIFICATE

I, Rex E. Gailfus, City Clerk of the City of Modesto, Stanislaus County, California, do hereby certify that the foregoing is a full, true and correct copy of a resolution duly adopted by the Council of said City at a regular meeting of said Council duly and regularly and legally held at the regular meeting place thereof on the 27th day of August, 1962, of which meeting all of the members of said Council had due notice and at which a majority thereof was present and acted; that at said meeting said resolution was introduced by Councilman Mitchell and read in full, and was thereupon, upon motion of Councilman ~~XXXXXXXXX~~ Mitchell, seconded by Councilman VanderWall, adopted by the following vote:

AYES:	Councilmen:	Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Johansen

That I have carefully compared the same with the original minutes of said meeting on file and of record in my office and that said resolution is duly entered of record in Book 26 of ~~XXXXXXX~~ Resolutions, at pages ---- to -----, inclusive, and said resolution is a full, true and correct copy of the original resolution adopted at said meeting and entered in said minutes. That said resolution has not been amended, modified or rescinded since the date of its adoption and the same is now in full force and effect.

WITNESS my hand and the seal of said City this 28th day of August, 1962.

City Clerk of the City of Modesto, California

MODESTO CITY COUNCIL
RESOLUTION NO. 62-400

A RESOLUTION AUTHORIZING THE RELEASE OF THE GLENS FALLS INSURANCE COMPANY SUBDIVISION BOND FILED TO GUARANTEE IMPROVEMENTS IN DAVIS PARK UNIT NO. 1 SUBDIVISION

WHEREAS, Max D. Hanney and David O. Hannah, subdividers of Davis Park Unit No. 1 Subdivision, have filed with the City of Modesto a Subdivision Bond to guarantee improvements in the aforesaid subdivision, and

WHEREAS, the Director of Public Works has reported that the improvements have been completed in the aforesaid subdivision to his satisfaction, and has recommended the release of the Subdivision Bond,

NOW, THEREFORE, BE IT HEREBY RESOLVED that the Glens Falls Insurance Company Subdivision Bond No. 867396 in the sum of Twenty-Two Thousand Eight Hundred ($22,800) Dollars filed by Max D. Hanney and David O. Hannah to guarantee the improvements in Davis Park Unit No. 1 Subdivision, be and it is hereby released.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of August, 1962, by Councilman Shastid, who moved its adoption, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Johansen

ATTEST: _____
CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 62-401

A RESOLUTION RELATING TO THE ALLOCATION OF FUNDS FOR CHRISTMAS DECORATIONS.

WHEREAS, the Modesto Retail Merchants Association, Downtown Division, the McHenry Village Merchants Association, and the Big U Merchants Association have made a request of the Council of the City of Modesto for allocation of funds to be used for the purchase, refurbishing, erection, and removal of Christmas decorations, and

WHEREAS, it is determined to be in the public interest of the City to encourage the decoration of the commercial areas during the Christmas season,

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Modesto does hereby declare that any allocation of City funds for the purchase, refurbishing, and erection of Christmas decorations to be installed on City streets and/or retail shopping areas shall be under the following conditions:

1. The request for the purchase, refurbishing, erection and removal of Christmas decorations shall be made in writing, prior to April 1st of each year, to the City Council by a bona fide non profit corporation comprised of an organized merchants group which is cooperating with and is recognized by the Greater Modesto Chamber of Commerce.

2. The request, whether for purchase, refurbishing, or erection and removal, shall include a description of the type of decoration to be used, the area to be decorated, and an estimate of the total cost.

3. All Christmas decorations must be installed on public streets or over public areas of shopping centers. The request for purchase or refurbishing shall be reviewed by the City staff for determination of reasonableness and conformance with appropriate regulations before City Council decision on approval.

4. The City Council, when all conditions imposed herein are met, may authorize City participation in the purchase or refurbishing of the Christmas decorations not to exceed 50% of the cost, as determined by actual certified vouchers. If the City Council allocates a fixed amount toward the purchase or refurbishing of Christmas decorations, it shall be prorated among the authorized Merchants' Associations on the basis of lineal front footage of retail businesses bordering street or shopping area to be decorated.

5. The City Council may, when all conditions imposed herein are met, authorize payment not to exceed $0.20 per lineal front foot of retail businesses bordering streets or shopping areas to be decorated for the purpose of defraying costs of erection and removal of Christmas decorations. In no case will the allocation exceed the actual cost as certified by the merchants' organizations. If the City Council allocates a fixed amount toward the erection and removal of Christmas decorations, it shall be prorated among the authorized Merchants' Associations on the basis of lineal front footage of retail businesses bordering street or shopping area to be decorated.

6. This resolution is not to be considered as any guarantee of City participation but merely sets up ground rules under which the City Council will consider requests for such assistance.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of August, 1962, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Patton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Mitchell, Patton, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: Shastid

ABSENT: Councilmen: Johansen

ATTEST: _____
City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-402

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF $3,500 FROM GENERAL FUND, GENERAL RESERVE TO MUSIC AND PROMOTION, SPECIAL TRADE EVENTS

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the following appropriation transfer be approved:

GENERAL FUND (101)

FROM:	General Reserve (600)	$3,500
TO:	Music and Promotion (61), Special Trade Events (446)	$3,500

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of August, 1962, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Mitchell, Patton, Tabbert, VanderWall, Mayor Hammond
NOES: Councilmen: Shastid
ABSENT: Councilmen: Johansen

ATTEST: [signature]
CITY CLERK

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62- 403

A RESOLUTION GIVING NOTICE OF PROPOSED DEMOLITION OF THE BUILDINGS LOCATED AT 102 SPRUCE STREET IN THE CITY OF MODESTO IN ACCORDANCE WITH THE PROVISIONS OF SECTION 203(a) OF THE UNIFORM BUILDING CODE AND FIXING THE TIME AND PLACE FOR HEARING PROTESTS THERETO.

WHEREAS, the Uniform Building Code, 1958 Edition, has been adopted by reference by Section 9-1.01 of Chapter 1 of Title IX of the Modesto Municipal Code on the 6th day of October, 1954, as amended, and

WHEREAS, Section 203(a) of the Uniform Building Code, 1958 Edition, provides that a building which is structurally unsafe, or which constitutes a fire hazard, or is otherwise dangerous to human life and is declared to be a public nuisance, shall be abated by repair, rehabilitation, demolition, or removal in accordance with the procedure specified in said Uniform Building Code, 1958 Edition, and

WHEREAS, the Chief Building Official, after examining the buildings at 102 Spruce Street, found them to be unsafe and dangerous, and gave to W. J. Brown, the owner thereof, written notice stating the defects thereof, and requiring commencement of work to make required repairs within forty-eight (48) hours from such notice or to demolish and remove the buildings, and

WHEREAS, the owner, W. J. Brown, was advised by personal service on August 14, 1962, in accordance with Section 203(b) of the Uniform Building Code, 1958 Edition, to comply with the order of the Building Official, and

WHEREAS, in accordance with Section 203(c) of said Building Code, the Building Official caused signs to be posted at the hereinabove referred to property, declaring the buildings unsafe, and

WHEREAS, the owner of the above referred to property has failed and neglected to comply with the notice to commence the required repairs or demolish and remove the buildings located thereon,

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

SECTION 1. DECLARATION OF INTENTION. The Council hereby declares its intention to proceed in accordance with the provisions of Section 203(d) of the Uniform Building Code, 1958 Edition, to authorize and direct the Chief Building Official to demolish and remove the aforesaid described buildings as constituting unsafe buildings and a public nuisance, the owner having failed and neglected to comply with the aforementioned notice to commence the required repairs or to demolish and remove the aforesaid buildings.

SECTION 2. NOTICE OF TIME AND PLACE FOR HEARING. Notice is hereby given that the 17th day of September, 1962, at the hour of 4:35 o'clock P.M. of said day, in the Council Chambers at the City Hall located at 801 Eleventh Street in the City of Modesto, be and the same is hereby fixed as the time and place for considering said matter, at which time and place any person owning such real or personal property and having any objections to the proposed removal or demolition of said buildings may appear before the Council of the City of Modesto and show cause why said buildings should not be ordered demolished and removed.

SECTION 3. MAILING OF NOTICE TO OWNER OR OWNERS. The City Clerk shall cause a copy of this resolution to be mailed by registered mail to the owner or owners of the property affected at least ten (10) days prior to the date set for the hearing.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of August, 1962, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and the resolution adopted by the following vote:

AYES: **Councilmen:** Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: **Councilmen:** None

ABSENT: **Councilmen:** Johansen

ATTEST: _____
City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-404

A RESOLUTION AMENDING RESOLUTION NO. 62-31 ENTITLED "A RESOLUTION ESTABLISHING SALARY SCHEDULES AND FIXING THE COMPENSATION FOR POSITIONS IN THE CITY SERVICE."

BE IT RESOLVED by the Council of the City of Modesto that Librarian I and Librarian II listed on "Exhibit B" of Resolution No. 62-31 entitled "A Resolution Establishing Salary Schedules and Fixing the Compensation for Positions in the City Service", be amended to read as follows:

LIBRARY RATES

Librarian I - Range 19

$395 - 415 - 436 - 458 - 481

Librarian II - Range 21

$436 - 458 - 481 - 505 - 530

The schedules of salary rates and ranges, and the compensation fixed for Librarian I and Librarian II by this resolution shall be effective on and after November 1, 1962.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of August, 1962, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Shastid, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: ~~XXXXXXX~~ Johansen

ATTEST: [signature]
City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-405

A RESOLUTION APPROVING A MODIFIED DEVELOPMENT PLAN AND DEVELOPMENT SCHEDULE FOR PLANNED DEVELOPMENT ZONE, P-D(7). (MODESTO'S NEIGHBORHOOD CHURCH)

WHEREAS, by Ordinance No. 500-C.S., effective March 20, 1962, the Council approved an amendment to Section 8 of the Zoning Map, reclassifying property from Single-Family Zone, R-1, to Planned Development Zone, P-D(7), and

WHEREAS, by Resolution No. 62-64, adopted February 12, 1962, the Council approved a development plan and development schedule for Planned Development Zone, P-D(7), and

WHEREAS, an application for an unclassified use permit for modified development of the Planned Development Zone, P-D(7), has been received, said application requesting permission to construct one hundred ten (110) apartment units, an increase of seven (7) over and above the number approved by Ordinance No. 500-C.S., and to decrease the off-street parking spaces to seventy-two (72), a decrease of twenty (20) spaces, and to modify the development schedule, and

WHEREAS, Section 10-2.2708(a) of the Modesto Municipal Code requires that any changes in development plan which involve uses shall be made in accordance with the procedures set forth in Article 21 for an unclassified use permit, and

WHEREAS, Section 10-2.2709(c) of the Modesto Municipal Code provides that upon the recommendation of the Planning Commission and for good cause shown by the property owner, the Council may extend the limits imposed by the development schedule, and

WHEREAS, after public hearing held on July 17, 1962, the Planning Commission found and determined that:

1. The density which would result from the additional units would not increase the neighborhood population to a great degree;

2. The proposed density will not substantially change the population in the neighborhood as recommended in the General Plan;

3. The modified development plan affords better access for emergency vehicles to the southeast units; and

4. Seventy-two (72) off-street parking spaces will be adequate for the one hundred ten (110) units, and

WHEREAS, after said public hearing the Planning Commission recommended to the Council that the application of Modesto's Neighborhood Church for approval of the modified development plan for Planned Development Zone, P-D(7), dated March 23, 1962, as amended on its face, on file in the office of the Planning Director, be approved subject to certain conditions, and

WHEREAS, the Planning Commission further recommended that the development schedule for said Planned Development Zone, P-D(7), be modified to extend the starting date to on or before January 15, 1963, and the project be completed on or before January 15, 1964, and

WHEREAS, after a public hearing held on August 27, 1962, the Council found and determined that the application of Modesto's Neighborhood Church for approval of a modified development plan and development schedule for Planned Development Zone, P-D(7), should be granted as consonant with public necessity, convenience and general welfare for the reasons set forth above,

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

SECTION 1. The modified development plan for Planned Development Zone, P-D(7), is hereby approved in accordance with the plan dated March 23, 1962, as amended on its face, on file in the office of the Planning Director, subject to the following conditions:

a. Applicant shall plant and maintain landscaping appropriate for the proposed development;

b. A vehicular driveway of not less than twenty (20) feet shall be provided from Tully Road to the southwesterly parking area as shown on the modified development plan;

c. The use of the facilities constructed pursuant to the development plan, and improvements, shall be limited to residents of the facility; and

d. Dedication shall be made and improvements installed to city collector street standards on Woodrow Avenue adjacent to the development as shown on the development plan.

SECTION 2. The limits imposed by the development schedule approved by Section 2 of Resolution No. 62-64, adopted February 12, 1962, as part of Planned Development Zone, P-D(7), are hereby extended as follows:

a. Construction shall begin on or before January 15, 1963, and the entire project shall be completed on or before January 15, 1964.

Failure to comply with the above conditions shall constitute grounds for revocation of the permit.

SECTION 3. Except as otherwise provided in this resolution, the provisions of Resolution No. 62-64 shall continue to be in full force and effect.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of August, 1962, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Johansen

ATTEST: _____
City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-406

A RESOLUTION AFFIRMING THE DECISION OF THE PLANNING COMMISSION DENYING THE APPLICATION OF RICHARD C. SMITH TO AMEND SECTION 18 OF THE ZONING MAP AS DESCRIBED IN PLANNING COMMISSION RESOLUTION NO. 824.

WHEREAS, a verified application for an amendment to Section 18 of the Zoning Map was filed by Richard C. Smith on July 2, 1962, to reclassify from Multiple-Family Zone, R-3, to Planned Development Zone, P-D, the following described property:

Parcels 32, 33, and 36 in Block 6601 on the northwest corner of Tully and Briggsmore, and

WHEREAS, the Planning Commission held a public hearing in the Council Chambers located in the City Hall at 801 Eleventh Street in the City of Modesto on July 17, 1962, on the proposed amendment, and after taking evidence, both oral and documentary, denied the application for rezoning by Resolution No. 824 adopted July 17, 1962, and

WHEREAS, an appeal was filed on July 20, 1962, to the decision of the Planning Commission, and the Council set August 27, 1962, at 8:05 o'clock P.M. in the Council Chambers as the time and place for a public hearing on the appeal, and

WHEREAS, on the basis of evidence, both oral and documentary taken and introduced at said public hearing, the Council found and determined that the decision of the Commission should be affirmed,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the appeal of applicant for an amendment to Section 18 of the Zoning Map be denied and the decision of the Commission be, and it is hereby affirmed on the basis of the findings set forth in its Resolution No. 824 adopted July 17, 1962.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of August, 1962, by Councilman Tabbert, who moved its adoption, which motion being duly seconded by Councilman Shastid, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond.

NOES: Councilmen: None.

ABSENT: Councilmen: Johansen.

ATTEST: _____
City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-407

A RESOLUTION AFFIRMING THE DECISION OF THE PLANNING COMMISSION DENYING THE APPLICATION OF LUTHER E. FLORENCE TO AMEND SECTION 32 OF THE ZONING MAP AS DESCRIBED IN PLANNING COMMISSION RESOLUTION NO. 822.

WHEREAS, a verified application for an amendment to Section 32 of the Zoning Map was filed by Luther E. Florence on June 26, 1962, to reclassify from Two-Family Zone, R-2, to Neighborhood Commercial Zone, C-1, the following described property:

> Lots 1 to 6 inclusive in Block 342 and including also the southerly 33 feet of Paradise Avenue from the existing Neighborhood Commercial Zone on the west to the center line of Alturas Avenue extended on the east; the west 30 feet of Alturas Avenue from its intersection with the southerly right of way line of Paradise Avenue to its intersection with the northerly right of way line of Tuolumne Boulevard; and the north 50 feet of Tuolumne Boulevard from the center line of Alturas Avenue to the existing commercial C-1 zone on the west, and

WHEREAS, the Planning Commission held a public hearing in the Council Chambers located in the City Hall at 801 Eleventh Street in the City of Modesto on July 17, 1962, on the proposed amendment, and after taking evidence, both oral and documentary, denied the application for rezoning by Resolution No. 822 adopted July 17, 1962, and

WHEREAS, an appeal was filed on July 26, 1962, to the decision of the Planning Commission, and the Council set August 27, 1962, at 8:10 o'clock P.M. in the Council Chambers as the time and place for a public hearing on the appeal, and

WHEREAS, on the basis of evidence, both oral and documentary taken and introduced at said public hearing, the Council found and determined that the decision of the Commission should be affirmed,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the appeal of applicant for an amendment to Section 32 of the Zoning Map be denied and the decision of the Commission be, and it is hereby affirmed on the basis of the findings set forth in its Resolution No. 822 adopted July 17, 1962.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of August, 1962, by Councilman Shastid, who moved its adoption, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Mitchell, Patton, Shastid, Tabbert, VanderWall

NOES: Councilmen: Mayor Hammond

ABSENT: Councilmen: Johansen

ATTEST: _____
City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62- 408

A RESOLUTION EXTENDING THE LIMITS IMPOSED BY THE DEVELOPMENT SCHEDULE APPROVED AS PART OF PLANNED DEVELOPMENT ZONE, P-D(6). (GLENN)

WHEREAS, by Ordinance No. 502-C.S., effective March 13, 1962, the Council amended Section 21 of the Zoning Map reclassifying property from Single-Family Zone, R-1, to Planned Development Zone, P-D(6), as requested by Ray Glenn, and

WHEREAS, the development schedule approved as part of said P-D(6) Zone called for construction to begin on or before September 1, 1962, and be completed on or before April 1, 1963, and

WHEREAS, the developer has been unable to complete financing arrangements in time to comply with the September 1, 1962 date, and

WHEREAS, a letter has been received from the applicant requesting that the limits imposed by the development schedule be extended for one year, and

WHEREAS, Section 10-2.2709(c) of the Modesto Municipal Code provides that upon the recommendation of the Planning Commission and for good cause shown by the property owner, the Council may extend the limits imposed by the development schedule, and

WHEREAS, after a public hearing held on August 21, 1962, the Planning Commission found and determined that the time allotted by the development schedule was insufficient to permit completion of financing arrangements, and

WHEREAS, after said public hearing the Planning Commission, by Resolution No. 838, adopted August 21, 1962, recommended to the Council that the limits imposed by the development schedule approved as part of Planned Development Zone, P-D(6), be extended for one year, as requested,

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

SECTION 1. The limits imposed by the development schedule approved by Section 2 of Resolution No. 62-65, adopted February 12, 1962, as part of Planned Development Zone, P-D(6), shall be extended as follows:

a. Construction shall begin on or before September 1, 1963, and the entire project shall be completed on or before April 1, 1964.

SECTION 2. Except as otherwise provided in this resolution, the provisions of Resolution No. 62-65 shall continue to be in full force and effect.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of August, 1962, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Patton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Johansen

ATTEST: _____
City Clerk

(SEAL)

RESOLUTION NO. 62-409

A RESOLUTION SETTING THE TIME AND PLACE FOR A PUBLIC HEARING BEFORE THE COUNCIL OF THE CITY OF MODESTO ON A PROPOSED AMENDMENT TO SECTION 5 OF THE ZONING MAP OF THE CITY OF MODESTO (PROPERTY LOCATED BETWEEN TUOLUMNE RIVER AND CROWS LANDING ROAD)

WHEREAS, the Modesto City Planning Commission held a public hearing on August 21, 1962, in the Council Chamber for the purpose of considering an amendment to Section 5 of the Zoning Map of the City of Modesto

the following described property:

That the zone classification of the following described property as shown on Section 5 of the Zoning Map of Modesto be changed from Light Industrial Zone, M-1, to Heavy Industrial Zone, M-2:

Beginning at a point on the Section line between Sections 4 and 5, Township 4 South, Range 9 East, Mount Diablo Base and Meridian, in the center line of Crows Landing Road, which point bears South 13.667 chains from the Northeast corner of said Section 5; thence North 89° 31' West 9.834 chains; thence North 1° 34' West 6.144 chains; thence South 88° 26' West 10.40 chains more or less, to the center line of Tuolumne River; thence southerly along the center line of Tuolumne River to a point which is due West of the most Northerly corner of the lands described in the Decree of Distribution had in the Matter of the Estate of Herbert Meakin, deceased, a certified copy of which Decree being recorded on February 13, 1943 in Volume 765, page 252, Stanislaus County Records; thence East to said most Northerly corner; thence South 9° 30' East 257.1 feet; thence East 555.26 feet; thence North 0° 30' West 156.9 feet; thence South 89° 41' East 852.74 feet to the East line of said Section 5, Township 4 South, Range 9 East; thence North along said line 2775.358 feet more or less to the point of beginning, excepting therefrom the area bounded on the north by the existing city limits as shown on the map of the Crows Landing Industrial Addition; on the east by the center line of Crows Landing Road; and on the south and west by the center line of the future U. S. 99 Freeway.

WHEREAS, the said Commission, after hearing evidence both oral and documentary, on the proposed amendment, adopted Resolution No. 836 recommending to the Council that rezoning of the area as requested was required by public necessity, convenience and general welfare,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that a public hearing on the proposed amendment be set for 4:45 P.M., Monday, September 17, 1962, in the Council Chamber of the City of Modesto as recommended by the Modesto City Planning Commission.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of August, 1962, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Patton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Johansen

ATTEST: [signature]
City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 62- 410

A RESOLUTION REFERRING TO THE MODESTO CITY PLANNING COMMISSION A PETITION FOR ANNEXATION OF CERTAIN UNINHABITED TERRITORY TO THE CITY OF MODESTO KNOWN AS **RUMBLE ADDITION.**

WHEREAS, a petition has been filed in the office of the City Clerk requesting the annexation of certain uninhabited territory to the City of Modesto, which territory is more specifically described hereinafter, and

WHEREAS, the County Boundary Commission has certified to the definiteness and accuracy of the boundaries of said territory,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that said petition for the annexation of the following described uninhabited territory be referred to the Planning Commission for its report and recommendation.

The territory herein referred to is situated in the County of Stanislaus, State of California, and more particularly described as attached hereto.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of August, 19 62, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by ~~Councilman~~ Mayor Hammond, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: Johansen

ATTEST: _____
City Clerk

(SEAL)

RUMBLE ADDITION

All that real property in the State of California, County of Stanislaus, Section 16, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, being the West half of Lot 1 of the Coffee Colony as per map filed January 13, 1906, in Volume 2 of Maps, Page 22, Stanislaus County Records, described as follows:

Beginning at a point on the existing City Limits as established by the Northeastern corner of the Sherwood Manor Addition, as per description filed July 15, 1959, as Instrument 20526, Stanislaus County Records, said point being the Northwestern corner of said Lot 1 of the Coffee Colony; thence along the Northern line of said Lot 1 of the Coffee Colony, South 89° 30' 00" East, 271.18 feet to the Northwestern corner of the property conveyed to Oliver E. Deatsch, et ux, as per Deed recorded April 27, 1951, as Instrument 10303, Stanislaus County Records; thence along the Western line and its Southerly extension of said property, South 0° 36' 30" East, 1339.82 feet, to a point on the existing City Limits as established by the Northern line of the East Floyd Addition as per description filed January 21, 1960, as Instrument 1678, Stanislaus County Records; thence along said City Limits North 89° 30' 30" West, 271.18 feet to a point on the Eastern line of Montgomery Village Addition, as per description filed August 3, 1959, as Instrument 22312, Stanislaus County Records; thence along the City Limits, and the Eastern line of said Montgomery Village Addition, North 0° 36' 30" West, 222.50 feet, to the Southeastern corner of Sherwood Manor Addition; thence continuing along the City Limits and the Eastern line of said Sherwood Manor Addition, North 0° 36' 30" West, 1117.36 feet to the point of beginning, containing 8.341 Acres more or less.

MODESTO CITY COUNCIL
RESOLUTION NO. 62-411

A RESOLUTION APPROVING ~~PLANS AND~~ SPECIFICATIONS AND AUTHORIZING THE CALLING FOR BIDS FOR THE PURCHASE OF A SELF-PROPELLED COMPACTION ROLLER

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

Section 1. The ~~plans and~~ specifications for the purchase of a self-propelled compaction roller,

copies of which are on file, are hereby accepted and approved.

Section 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on September 19, 1962 at 2:00 P.M. and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form and manner provided by law.

Section 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 4th day of September, 1962, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Shastid, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: None

ATTEST: [signature]
CITY CLERK

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-412

A RESOLUTION APPROVING ~~PLANS AND~~ SPECIFICATIONS AND AUTHORIZING THE CALLING FOR BIDS FOR THE FURNISHING OF PIPE, VALVES AND FITTINGS FOR FISCAL YEAR 1962-63

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

Section 1. The ~~plans and~~ specifications for the furnishing of pipe, valves and fittings for fiscal year 1962-63, copies of which are on file, are hereby accepted and approved.

Section 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on September 18, 1962 at 2:00 P.M. and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form and manner provided by law.

Section 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 4th day of September, 1962, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Johansen, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: [signature]
CITY CLERK

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-413

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING THE CALLING FOR BIDS FOR THE CONSTRUCTION OF "INDUSTRIAL WASTES TREATMENT WORKS ADDITIONS"

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

Section 1. The plans and specifications for the construction of "Industrial Wastes Treatment Works Additions,"

copies of which are on file, are hereby accepted and approved.

Section 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on October 2, 1962 at 2:00 P.M. and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form and manner provided by law.

Section 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 4th day of September, 1962, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: _____
CITY CLERK

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-414

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING THE CALLING FOR BIDS FOR THE CONSTRUCTION OF TRAFFIC SIGNALS AND STREET LIGHTING AT COLLEGE AND ORANGEBURG AVENUES

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

Section 1. The plans and specifications for the construction of traffic signals and street lighting at College and Orangeburg Avenues (Bids received on 8/22/62 were higher than the estimate. Project has been scaled down to reduce the cost) copies of which are on file, are hereby accepted and approved.

Section 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on September 26, 1962 at 2:00 P.M. and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form and manner provided by law.

Section 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 4th day of September, 1962, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Patton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: _____
CITY CLERK

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-415

A RESOLUTION ACCEPTING THE CONSTRUCTION OF THE IMPROVEMENT OF ROSEBURG AVENUE BETWEEN VIRGINIA AND ALMA AVENUES (UNIT A); AND GRANGER AVENUE BETWEEN FLORIDA AND McHENRY AVENUES (UNIT B) BY GEORGE REED

WHEREAS, a report has been filed by the Director of Public Works that the construction of the improvement of Roseburg Avenue between Virginia and Alma Avenues (Unit A); and Granger Avenue between Florida and McHenry Avenues (Unit B)
has been completed by George Reed

in accordance with the contract agreement, dated June 4, 1962.

NOW, THEREFORE, BE IT RESOLVED that the construction of the improvement of Roseburg Avenue between Virginia and Alma Avenues (Unit A); and Granger Avenue between Florida and McHenry Avenues (Unit B)
be accepted from said contractor George Reed

that Notice of Completion be filed with the Recorder of Stanislaus County and that payment of amounts due, as provided in the contract, be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 4th day of September, 1962, by Councilman Shastid, who moved its adoption, which motion being duly seconded by Councilman Patton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: None

ATTEST: [signature]
CITY CLERK

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-416

A RESOLUTION ACCEPTING THE CONSTRUCTION OF THE IMPROVEMENT OF TULLY ROAD BETWEEN STODDARD AND LEONARD AVENUES BY STANDARD MATERIALS COMPANY

WHEREAS, a report has been filed by the Director of Public Works that the construction of the improvement of Tully Road between Stoddard and Leonard Avenues has been completed by Standard Materials Company

in accordance with the contract agreement, dated July 2, 1962.

NOW, THEREFORE, BE IT RESOLVED that the construction of the improvement of Tully Road between Stoddard and Leonard Avenues be accepted from said contractor Standard Materials Company

that Notice of Completion be filed with the Recorder of Stanislaus County and that payment of amounts due, as provided in the contract, be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 4th day of September, 1962, by Councilman Shastid, who moved its adoption, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: [signature]
CITY CLERK

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-417

A RESOLUTION AUTHORIZING THE RELEASE OF THE CONTINENTAL CASUALTY COMPANY CONTRACT BOND FILED TO GUARANTEE IMPROVEMENTS IN EMERALD GARDENS SUBDIVISION

WHEREAS, Harold B. and Jean I. Monighan, subdividers of Emerald Gardens Subdivision, have filed with the City of Modesto a Contract Bond to guarantee the improvements in the aforesaid subdivision, and

WHEREAS, the Director of Public Works has reported that the improvements have been completed in the aforesaid subdivision to his satisfaction, and has recommended the release of the contract bond,

NOW, THEREFORE, BE IT HEREBY RESOLVED that the Continental Casualty Company Contract Bond No. 11 318 17 in the sum of Thirty Five Thousand Seven Hundred Fifteen and 41/100ths ($35,715.41) Dollars, with M. J. Ruddy, Jr., principle, to guarantee the improvements in Emerald Gardens Subdivision be and it is hereby released.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 4th day of September, 1962, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Johansen, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: _____
CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 62-418

A RESOLUTION AUTHORIZING THE RELEASE OF THE GREAT AMERICAN INSURANCE COMPANY CONTRACT BONDS FILED TO GUARANTEE IMPROVEMENTS IN PARK MANOR NO. 4 SUBDIVISION

WHEREAS, Lance E. and Carol L. Ellis, subdividers of Park Manor No. 4 Subdivision, have filed with the City of Modesto two contract bonds to guarantee the improvements in the aforesaid subdivision, and

WHEREAS, the Director of Public Works has reported that the improvements have been completed in the aforesaid subdivision to his satisfaction, and has recommended the release of the contract bonds,

NOW, THEREFORE, BE IT HEREBY RESOLVED that the Great American Insurance Company Contract Bond No. 8077825 in the sum of Forty Thousand ($40,000) Dollars, and the Great American Insurance Company Contract Bond No. 8077826 in the sum of Forty-Two Thousand ($42,000) Dollars, filed by Lance E. and Carol L. Ellis to guarantee the improvements in Park Manor No. 4 Subdivision be and they are hereby released.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 4th day of September, 1962, by Councilman Johansen, who moved its adoption, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: [signature]
CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 62-419

A RESOLUTION AUTHORIZING THE RELEASE OF THE FIREMAN'S FUND INSURANCE COMPANY SUBDIVISION BOND FILED TO GUARANTEE IMPROVEMENTS IN PARK MANOR NO. 4, UNIT NO. 2 SUBDIVISION

WHEREAS, Lance E. Ellis and Carol L. Ellis, subdividers of Park Manor No. 4, Unit No. 2 Subdivision, have filed with the City of Modesto a subdivision bond to guarantee the improvements in the aforesaid subdivision, and

WHEREAS, the Director of Public Works has reported that the improvements have been completed in the aforesaid subdivision to his satisfaction, and has recommended the release of the subdivision bond,

NOW, THEREFORE, BE IT HEREBY RESOLVED that the Fireman's Fund Insurance Company Subdivision Bond No. C-6082778 in the sum of Eleven Thousand ($11,000) Dollars filed by Lance E. and Carol L. Ellis to guarantee the improvements in Park Manor No. 4, Unit No. 2 Subdivision be and it is hereby released.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 4th day of September, 1962, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Shastid, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: [signature]
CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 62-420

A RESOLUTION APPROVING APPROPRIATION TRANSFER IN THE SUM OF $450 FROM PARKING, GENERAL RESERVE TO PARKING AND TRAFFIC DEPARTMENT, PRESENT LOT DEVELOPMENT

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the following appropriation transfer be approved:

PARKING (209)

FROM:	General Reserve (600)	$450
TO:	Parking and Traffic Dept.(57) Present Lot Development (503)	$450

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 4th day of September 19 62, by Councilman Johansen, who moved its adoption, which motion being duly seconded by Councilman Mitchell, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: None

ATTEST: [signature]
CITY CLERK

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-421

LEASE
A RESOLUTION APPROVING/ AGREEMENT BETWEEN THE CITY OF MODESTO, LESSEE, AND GUSTAVE T. ALLIBERT AND MARGUERITE M. ALLIBERT, LESSORS, AND JESSIE V. TRUEBLOOD, ASSIGNEE

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the Lease/Agreement between the City of Modesto, Lessee, and Gustave T. Allibert and Marguerite M. Allibert, Lessors and Jessie V. Trueblood, Assignee for use of the Tenth Street Parking Lot, described as follows:

> All of Lots 3, 4 and 5 of block 58 except the northerly approximate twenty (20) feet of the easterly seventy (70) feet of Lot 3, which is improved with a one-story building,

be, and it is hereby approved, and

BE IT FURTHER RESOLVED that the execution of said Agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 4th day of September, 1962, by Councilman Patton, who moved its adoption, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: None

ATTEST: [signature]
CITY CLERK

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-422

A RESOLUTION APPROVING AMENDED AGREEMENT BETWEEN THE CITY OF MODESTO AND JAMES S. MORTENSEN TO INCREASE THE NUMBER OF PARKING SPACES ON THE PARKING LOT LOCATED ON THE WEST SIDE OF 11TH STREET, BETWEEN F AND G STREETS

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the amended Agreement between the City of Modesto and James S. Mortensen to increase the number of parking spaces leased by the City from 6 to 8 on the parking lot ~~for~~ located on the west side of 11th Street between F and G Streets, commencing September 1, 1962

be, and it is hereby approved, and

BE IT FURTHER RESOLVED that the execution of said amended Agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 4th day of September, 1962, by Councilman Johansen, who moved its adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: [signature]
CITY CLERK

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-423

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND JUNIOR ACHIEVEMENT OF GREATER MODESTO, INC. FOR THE RENTAL OF THE FORMER CITY HALL BUILDING LOCATED AT 717 TENTH STREET

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the Agreement between the City of Modesto and Junior Achievement of Greater Modesto, Inc.

for the rental of the former city hall building located at 717 Tenth Street, commencing September 1, 1962

be, and it is hereby approved, and

BE IT FURTHER RESOLVED that the execution of said Agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 4th day of September, 1962, by Councilman Tabbert, who moved its adoption, which motion being duly seconded by Councilman Shastid, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: [signature]
CITY CLERK

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-424

A RESOLUTION REQUESTING THE LEAGUE OF CALIFORNIA CITIES TO SUPPORT LEGISLATION PROVIDING FOR INCREASED HIGHWAY USER TAXES TO PROVIDE ADDITIONAL FUNDS FOR CITY STREET CONSTRUCTION

WHEREAS, the most critical transportation issue facing the 1963 session of the California Legislature is the need of local government for additional funds to improve county roads and city streets, and

WHEREAS, legislation is proposed to increase revenues to local government for the improvement of city streets and county roads, and

WHEREAS, the only dependable source of revenue that cities have to finance street construction is the state's allocation of gasoline taxes, and

WHEREAS, traffic surveys demonstrate ninety (90%) per cent of city and county traffic is local in character, and

WHEREAS, the existing and well defined deficiencies in Modesto city streets cannot be corrected with funds available to the City of Modesto from present sources of revenue,

NOW, THEREFORE, BE IT RESOLVED that the League of California Cities is hereby requested to support legislation providing for increased highway user taxes to provide additional funds for city street construction.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of September, 1962, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Johansen, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: Shastid

ABSENT: Councilmen: None

ATTEST: _____
CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 62-425

A RESOLUTION AUTHORIZING THE RELEASE OF CASH DEPOSIT GUARANTEEING PAVEMENT PATCHING IN BROOKDALE PARK NO. 2 SUBDIVISION

WHEREAS, Robert P. Bomberger, Muriel F. Bomberger, Harold J. Kreutz, Needa M. Kreutz, Paul M. Zagaris, Liberty Zagaris and John E. Hirleman, Jr., subdividers of Brookdale Park No. 2 Subdivision, have deposited with the City of Modesto the sum of $1,000 to guarantee the patching of pavement in Brookdale Park No. 2 Subdivision, and

WHEREAS, the Director of Public Works has reported that the patching of pavement has been completed in the aforesaid subdivision to his satisfaction,

NOW, THEREFORE, BE IT HEREBY RESOLVED that the sum of $1,000 deposited with the City of Modesto by the aforesaid subdividers to guarantee pavement patching in Brookdale Park No. 2 Subdivision, be and it is hereby released.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of September, 1962, by Councilman Mitchell, who moved its adoption, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: CITY CLERK

100 9/12/62

MODESTO CITY COUNCIL
RESOLUTION NO. 62- 426

A RESOLUTION APPROVING THE FINAL MAP OF THE
CRESTWOOD TERRACE SUBDIVISION
OF THE CITY OF MODESTO.

WHEREAS, GEORGE B. PIERROU and JEANETTE L. PIERROU, husband and wife, and KENNETH F. DUFFIN and HELEN T. DUFFIN, husband and wife, are possessed of a tract of land situate in the City of Modesto, County of Stanislaus, consisting of 6 acres, known as the CRESTWOOD TERRACE SUBDIVISION, and

WHEREAS, a tentative map of said tract was approved by the City Planning Commission on the 7th day of August, 1962, and

WHEREAS, the final map of said tract has been approved by the Secretary of the City Planning Commission, and

WHEREAS, the City Engineer of the City of Modesto has certified that the final map of said CRESTWOOD TERRACE SUBDIVISION meets all of the provisions of the California Subdivision Map Act and the provisions of the Modesto Municipal Code relating to subdivisions, and that the map is technically correct;

NOW, THEREFORE, BE IT RESOLVED that said final map of the CRESTWOOD TERRACE SUBDIVISION be approved; that the streets, alleys and easements as shown thereon within the boundaries of said tract be accepted on behalf of the public for public use; and that the City Clerk be authorized to certify the map of said tract on behalf of the City of Modesto after the fees in the amount of NINE HUNDRED THIRTY-TWO and 45/100ths ($932.45) Dollars, as required by the Modesto Municipal Code, for checking, copies of maps, recording and parks and playgrounds have been paid, and subdividers have furnished a bond acceptable to the City Attorney, or, in lieu thereof, have posted a cash deposit with the City Clerk in the sum of EIGHTEEN THOUSAND and No/100ths ($18,000.00) Dollars.

BE IT FURTHER RESOLVED that the City Manager and the City Clerk be authorized to execute and attest, respectively, an agreement

with subdividers as required by Section 4-4.604 (c) of the Modesto Municipal Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of September, 1962, by Councilman Johansen, who moved its adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: _____
City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. ~~XXX~~ 62-427

A RESOLUTION APPROVING THE NEW DON PEDRO DAM PROJECT ON THE TUOLUMNE RIVER AND URGING ITS EARLY CONSTRUCTION.

WHEREAS, water rights on the Tuolumne River water shed were acquired by the Modesto Irrigation District and Turlock Irrigation District of Stanislaus and Merced Counties, State of California, originating as early as 1854 and implemented thereafter; and

WHEREAS, the flood control measures of the new Don Pedro Dam Project were authorized by the Congress of the United States in 1944, and additional water rights were granted by the State of California in 1953 to said districts in order to store water by said project, without objection from any parties; and

WHEREAS, plans for the construction of said New Don Pedro Dam have been approved and financing of the construction thereof is available; and

WHEREAS, said New Don Pedro Dam will greatly assist in the preservation of life and property; is an urgently needed reclamation and conservation project; will conserve seven times the water and generate three times the electrical power as the present reservoir and will be of incalculable benefit not only to the agricultural area served, but to sportsmen and industry alike; will provide additional water for domestic purposes to the people of the San Francisco peninsula; and protect and improve salmon spawning and hatching conditions on the Tuolumne River; and

WHEREAS, further delay at this time will increase construction costs and unnecessarily defer the commencement of construction without a corresponding benefit to any party legitimately interested in the Project,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it does hereby approve and recommend the New Don Pedro Dam Project and urges the commencement of construction and operation of said Project with all possible expedition; and

BE IT FURTHER RESOLVED that the City Clerk be, and he is hereby, directed to forward duly authenticated copies of this resolution to Stewart L. Udall, Secretary of the Interior; Joseph H. Gutride, Secretary of the Federal Power Commission; Honorable Edmund G. Brown, Governor of the State of California; Congressman John J. McFall; Congressman B. F. Sisk; Members of the California Legislature for the County of Stanislaus and the County of Merced, and to all officials and agencies of the State of California concerned.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of September, 1962, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Shastid, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62- 428

A RESOLUTION GIVING NOTICE OF THE PROPOSED ANNEXATION TO THE CITY OF MODESTO OF UNINHABITED TERRITORY DESCRIBED HEREIN AND DESIGNATED AS RUMBLE ADDITION AND GIVING NOTICE OF TIME AND PLACE FOR HEARING PROTESTS THERETO.

BE IT RESOLVED by the Council of the City of Modesto:

1. That, pursuant to the provisions of the Annexation of Uninhabited Territory Act of 1939, a petition signed by owners of not less than one fourth of the land in the hereinafter described territory by area and by assessed value as shown on the last equalized assessment roll of the County of Stanislaus, was filed with the Council of the City of Modesto on August 23, 19 62, requesting annexation of the hereinafter described territory to said City.

2. That the territory which the petitioners request be annexed to the City of Modesto and which said City and its Council propose to annex, is situate in the County of Stanislaus, State of California, hereby designated as RUMBLE ADDITION, and described as follows:

6/21/62

RUMBLE ADDITION

All that real property in the State of California, County of Stanislaus, Section 16, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, being the West half of Lot 1 of the Coffee Colony as per map filed January 13, 1906, in Volume 2 of Maps, Page 22, Stanislaus County Records, described as follows:

Beginning at a point on the existing City Limits as established by the Northeastern corner of the Sherwood Manor Addition, as per description filed July 15, 1959, as Instrument 20526, Stanislaus County Records, said point being the Northwestern corner of said Lot 1 of the Coffee Colony; thence along the Northern line of said Lot 1 of the Coffee Colony, South 89° 30' 00" East, 271.18 feet to the Northwestern corner of the property conveyed to Oliver E. Deatsch, et ux, as per Deed recorded April 27, 1951, as Instrument 10303, Stanislaus County Records; thence along the Western line and its Southerly extension of said property, South 0° 36' 30" East, 1339.82 feet, to a point on the existing City Limits as established by the Northern line of the East Floyd Addition as per description filed January 21, 1960, as Instrument 1678, Stanislaus County Records; thence along said City Limits North 89° 30' 30" West, 271.18 feet to a point on the Eastern line of Montgomery Village Addition, as per description filed August 3, 1959, as Instrument 22312, Stanislaus County Records; thence along the City Limits, and the Eastern line of said Montgomery Village Addition, North 0° 36' 30" West, 222.50 feet, to the Southeastern corner of Sherwood Manor Addition; thence continuing along the City Limits and the Eastern line of said Sherwood Manor Addition, North 0° 36' 30" West, 1117.36 feet to the point of beginning, containing 8.341 Acres more or less.

3. That the County Boundary Commission of Stanislaus County, California, did in session duly assembled on July 31, 19 62, consider the proposed annexation boundaries of said RUMBLE ADDITION, as above described, and as submitted to said Commission by the proponents of said annexation.

4. No change in school district boundaries shall be effected by reason of the annexation of the hereinabove described area to the City of Modesto.

5. NOTICE IS HEREBY GIVEN that the 15th day of October, 19 62, at the hour of 4:30 o'clock P.M. of said day, in the Council Chambers at the City Hall, located at 801 Eleventh Street in the City of Modesto, be and the same is hereby fixed as the time and place for considering said petition, at which time and place any person owning real property within such territory and having any objections to the proposed annexation may appear before the Council of the City of Modesto and show cause why such territory should not be so annexed. The protest must be in writing, may be filed at any time before the hour set for hearing objections to the proposed annexation, and shall state the name or names of the owner or owners of property affected and the description and area of such property, in general terms.

6. The City Clerk shall cause a copy of this resolution to be published at least twice, but not oftener than once a week, in The Modesto Tribune, a newspaper of general circulation, published in the City of Modesto and being the official newspaper of the City of Modesto. Said publications shall be completed at least twenty (20) days prior to the date set for the hearing.

7. The City Clerk of the City of Modesto shall also cause written notice of such proposed annexation to be mailed to each person to whom land within the territory proposed to be annexed is assessed on the last equalized county assessment roll available on the date the proceedings were initiated, at the address shown on said assessment roll

or as known to said Clerk, and to any person who has filed his name and address and the designation of the land in which he has any interest, either legal or equitable, with said Clerk. Said notices shall be mailed not less than twenty (20) days before the public hearing on the proposed annexation.

8. In the event any land within the territory proposed to be annexed is owned by the County of Stanislaus, the City Clerk is directed to cause written notice of such proposed annexation to be mailed to the Board of Supervisors of the County, such notice to be given not less than twenty (20) days before the public hearing on the proposed annexation.

9. In the event there is, upon the land proposed to be annexed, a structural improvement owned, being acquired or leased by a county fire protection district, the City Clerk is directed to cause written notice of such proposed annexation to be mailed to the governing body of such district, such notice to be sent not less than ten (10) days before the public hearing on the proposed annexation.

10. The City Clerk is directed to cause written notice to be given to such other persons as may be legally entitled thereto, in the manner required by law.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of September, 19 62, by Councilman Shastid, who moved its adoption, which motion being duly seconded by Councilman Mitchell, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: _____
City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62- 429

A RESOLUTION REFERRING TO THE MODESTO CITY PLANNING COMMISSION A PETITION FOR ANNEXATION OF CERTAIN UNINHABITED TERRITORY TO THE CITY OF MODESTO KNOWN AS ATHENS ADDITION.

WHEREAS, a petition has been filed in the office of the City Clerk requesting the annexation of certain uninhabited territory to the City of Modesto, which territory is more specifically described hereinafter, and

WHEREAS, the County Boundary Commission has certified to the definiteness and accuracy of the boundaries of said territory,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that said petition for the annexation of the following described uninhabited territory be referred to the Planning Commission for its report and recommendation.

The territory herein referred to is situated in the County of Stanislaus, State of California, and more particularly described as attached hereto.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of September, 1962, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Shastid, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: [signature]
City Clerk

(SEAL)

ATHENS ADDITION

All that certain real property situate in the State of California, County of Stanislaus, and being a portion of the North half of Southeast quarter of Section 16, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits as established by the East Floyd Addition, as per description filed January 21, 1960, as Instrument 1678, Stanislaus County Records, said point being also the Northeast corner of Revard Manor Subdivision, recorded June 23, 1952, Volume 17 of Maps, Page 38, Stanislaus County Records, said point being also on the East-West quarter Section line of Section 16; thence South 0° 00' 15" East, 616.05 feet, along the Eastern line of Revard Manor Subdivision to a point on the Southern line of the property conveyed to Edward B. Lawrence, et ux, by Deed Recorded June 5, 1951, as Instrument 13294, Stanislaus County Records; thence along said Southern line, South 88° 38' East, 1416.04 feet, to a point on the Western line of a 50.00 foot Public Road known as Coffee Road; thence North, 615.62 feet, along the Western line of Coffee Road to a point on the said East-West quarter section line of Section 16; thence North 88° 37' West, 920.34 feet, along said quarter section line to a point on the existing City Limits line as established by the said East Floyd Addition; thence continuing along said quarter section line and existing City Limits line, North 88° 37' West, 495.75 feet, to the point of beginning, containing 20.01 Acres, more or less.

MODESTO CITY COUNCIL
RESOLUTION NO. 62-430

A RESOLUTION REFERRING TO THE MODESTO CITY PLANNING COMMISSION A PETITION FOR ANNEXATION OF CERTAIN UNINHABITED TERRITORY TO THE CITY OF MODESTO KNOWN AS **SPENCER ADDITION.**

WHEREAS, a petition has been filed in the office of the City Clerk requesting the annexation of certain uninhabited territory to the City of Modesto, which territory is more specifically described hereinafter, and

WHEREAS, the County Boundary Commission has certified to the definiteness and accuracy of the boundaries of said territory,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that said petition for the annexation of the following described uninhabited territory be referred to the Planning Commission for its report and recommendation.

The territory herein referred to is situated in the County of Stanislaus, State of California, and more particularly described as attached hereto.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of September, 1962, by Councilman Tabbert, who moved its adoption, which motion being duly seconded by Councilman Patton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: [signature]
City Clerk

(SEAL)

SPENCER ADDITION

All that real property situate in the State of California, County of Stanislaus, Section 31, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits as established by the Southeastern line of the Emerald Gardens Addition, as per description filed February 5, 1962, Instrument 4485, Stanislaus County Records, said point being North 34° 37' East, 31.19 feet from the Southeastern corner of said Emerald Gardens Addition; thence continuing along said line, North 34° 37' East, 631.37 feet; thence along the Northern line and its Westerly extension of property conveyed to Tally E. Taylor, et ux, by Deed recorded March 3, 1948, Instrument 4993, Stanislaus County Records, North 89° 57' East, 560.26 feet, to the Western line of a 40 foot Public Road known as Spencer Avenue; thence along the Western line of Spencer Avenue, South 0° 10' West, 518.33 feet, to the Southern line of property conveyed to Jesse P. Bailey, et ux, by Deed recorded March 12, 1959, Instrument 7283, Stanislaus County Records; thence along the Southern line of said Bailey property and the Southern line of the property conveyed to Edna Alice Taylor by Deed recorded December 13, 1946 as Instruments Number 35674 and 35675, Stanislaus County Records, and its Westerly extension, South 89° 54' West, 917.43 feet, to the point of beginning, containing 8.796 Acres.

MODESTO CITY COUNCIL
RESOLUTION NO. 62-431

A RESOLUTION COMMENDING JOHN W. RAE FOR OUTSTANDING SERVICES RENDERED TO THE CITY OF MODESTO

WHEREAS, John W. Rae was appointed a member of the Modesto City Personnel Commission on February 5, 1962, and

WHEREAS, John W. Rae has served this community in an outstanding manner, and has been a devoted and sincere public servant for approximately ten months,

NOW, THEREFORE, BE IT RESOLVED that this Council, on its own behalf, and on behalf of the citizens of this City, hereby expresses its sincere appreciation to John W. Rae for his outstanding service to the community.

BE IT FURTHER RESOLVED that the City Clerk be directed to furnish a suitably inscribed certified copy of this resolution to John W. Rae in recognition of his outstanding services.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 17th day of September, 1962, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Shastid, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Patton, Shastid, VanderWall, Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: Mitchell, Tabbert

ATTEST: _____
CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 62-432

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING THE CALLING FOR BIDS FOR THE CONSTRUCTION OF WATER LINES IN CRESTWOOD TERRACE SUBDIVISION - UNIT B; AND IN SHERWOOD MANOR NO. 2 SUBDIVISION - UNIT A

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

Section 1. The plans and specifications for the construction of water lines in Crestwood Terrace Subdivision, Unit B; and in Sherwood Manor No. 2 Subdivision, Unit A, copies of which are on file, are hereby accepted and approved.

Section 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on October 2, 1962 at 2:45 P.M. and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form and manner provided by law.

Section 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 17th day of September, 1962, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Johansen, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, VanderWall, Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: Tabbert

ATTEST: _____
CITY CLERK

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-433

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND JOHN E. HIRLEMAN, JR. TO CONVEY TO THE CITY A RIGHT OF WAY FOR WATER LINE INSTALLATION TO SERVE SHERWOOD MANOR NO. 2 SUBDIVISION

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the Agreement between the City of Modesto and John E. Hirleman, Jr. to convey to the City a right of way for water line installation to serve Sherwood Manor No. ~~for~~ 2 Subdivision

be, and it is hereby approved, and

BE IT FURTHER RESOLVED that the execution of said Agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 17th day of September, 1962, by Councilman Johansen, who moved its adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Tabbert

ATTEST: [signature]
CITY CLERK

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-434

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING THE CALLING FOR BIDS FOR THE CONSTRUCTION OF UNIT A - CURB, GUTTER AND SIDEWALK IN STANDIFORD PARK; UNIT B - SIDEWALK IN ROOSEVELT PARK; AND UNIT C - SIDEWALK IN GARRISON PARK

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

Section 1. The plans and specifications for the construction of Unit A - Curb, Gutter and Sidewalk in Standiford Park; Unit B - Sidewalk in Roosevelt Park; and Unit C - Sidewalk in Garrison Park,

copies of which are on file, are hereby accepted and approved.

Section 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on October 2, 1962 at 2:30 P.M. and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form and manner provided by law.

Section 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 17th day of September, 1962, by Councilman Mitchell, who moved its adoption, which motion being duly seconded by Councilman Patton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Tabbert

ATTEST: [signature]
CITY CLERK

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-435

A RESOLUTION DIRECTING COLLECTION OF ASSESSMENTS UPON THE ROLLS FOR IMPROVEMENT DISTRICT NO. 8

WHEREAS, the City Council of the City of Modesto did, on the 3rd day of April, 1961, pass its Resolution of Intention No. 278 for the construction of improvements in Improvement District No. 8 of the City of Modesto, Stanislaus County, California, and

WHEREAS, said resolution provided for the collection of certain assessments on the tax rolls in accordance with the provisions of Chapter 18.1 of the Improvement Act of 1911,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto, County of Stanislaus, California, and said Council hereby finds that assessments of less than Fifty and no/100ths ($50.00) Dollars now remaining unpaid, together with the amount thereof, the description of the properties against which said assessments are a lien, and the amount of interest thereon from the date of the filing of the original list of unpaid assessments at the rate of one per cent (1%) per month to December 31, 1962, are as follows:

Assessment and Diagram No.	Amt. of Assessment	Description of Property	Amts. of Interest	Total Principal and Interest
6193-3	$23.04	(See Below)	$3.00	$26.04

Description of Property:

All that real property in the State of California, County of Stanislaus, City of Modesto, Section 17, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, being a portion of Lot 7 of the Fresno Tract as per map filed March 14, 1903 in Volume 1 of Maps, Page 76, Stanislaus County Records, described as follows:

Beginning at the Southeastern corner of the property conveyed to Robert L. Nickerson, by deed recorded February 9, 1959, as Instrument 3862, Stanislaus County Records, said point being the intersection of the Southern line of said Nickerson property and the Western line of a 60 foot public road known as Sherwood Avenue; thence along a tangent curve concave to the Southwest, having a radius of 12.63 feet, a central angle of 92° 31' 20", an arc length of 20.40 feet, to the point of compound curve; thence along a compound curve concave to the Southeast, having a radius of 212.44 feet, a central angle of 15° 36' 15", an arc length of 57.86 feet, to a point on the Southern line of the Nickerson property; thence along said Southern line, South 88° 48' West, 69.97 feet, to the point of beginning, containing 566 square feet, more or less.

BE IT FURTHER RESOLVED that the said assessments, together with the interest thereon to December 31, 1962, shall be extended upon the tax rolls upon which general taxes of the City of Modesto are collected, and

BE IT FURTHER RESOLVED that the said assessments shall be collected at the same time and in the same manner as the general municipal taxes of the City of Modesto are collected and shall be subject to the same penalties and interest, and the same procedure under foreclosure and sale in case of delinquency as provided for general municipal taxes, and

BE IT FURTHER RESOLVED that a certified copy of this resolution shall be delivered immediately to the County Auditor, County of Stanislaus, as the officer designated by the Modesto Municipal Code to extend City of Modesto taxes upon the general tax roll on which said taxes are collected, and

BE IT FURTHER RESOLVED that said assessments and the interest thereon so entered to the 31st day of December, 1962, shall become due and payable by the City of Modesto to the contractor or his assigns at the office of the City Treasurer of the said City of Modesto on the 2nd day of January, 1963.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 17th day of September, 1962, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Patton, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Johansen, Mitchell, Patton, Shastid, VanderWall, Mayor Hammond
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Tabbert

ATTEST: _____
CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 62- 436

A RESOLUTION ORDERING THE BUILDING OFFICIAL OF THE CITY OF MODESTO TO DEMOLISH THE BUILDINGS LOCATED AT 118 PLEASANT STREET IN THE CITY OF MODESTO IN ACCORDANCE WITH THE PROVISIONS OF SECTION 203(a) OF THE UNIFORM BUILDING CODE.

WHEREAS, the Uniform Building Code, 1958 Edition, has been adopted by reference by Section 9-1.01 of Chapter 1 of Title IX of the Modesto Municipal Code on the 6th day of October, 1954, as amended, and

WHEREAS, Section 203(a) of the Uniform Building Code, 1958 Edition, provides that a building which is structurally unsafe, or which constitutes a fire hazard, or is otherwise dangerous to human life and is declared to be a public nuisance, shall be abated by repair, rehabilitation, demolition, or removal in accordance with the procedure specified in said Uniform Building Code, 1958 Edition, and

WHEREAS, the Chief Building Official after examining the buildings at 118 Pleasant Street, found them to be unsafe and dangerous, and gave to the owner thereof written notice stating the defects thereof, and requiring commencement of work to make required repairs or to demolish and remove the buildings, and

WHEREAS, the owner was advised by registered mail on June 18, 1962, in accordance with Section 203(b) of the Uniform Building Code, 1958 Edition, to comply with the order of the Building Official, and

WHEREAS, in accordance with Section 203(c) of said Building Code, the Building Official caused signs to be posted at the hereinabove referred to property, declaring the buildings unsafe, and

WHEREAS, the owner of the above referred to property has failed and neglected to comply with the notice to commence the work of repair or remove the buildings located thereon, and

WHEREAS, the matter was set for public hearing before the Council of the City of Modesto in the Council Chambers, located in the City Hall, 801 - 11th Street, Modesto, California, at 4:45 o'clock P.M., on the 6th day of August, 1962, and

WHEREAS, after said hearing on the 6th day of August, 1962, the matter was continued to the 20th day of August, 1962, at 4:30 o'clock P.M., at which time said matter was again continued to the 17th day of September, 1962, at 4:30 o'clock P.M., and

WHEREAS, said hearing on the 17th day of September, 1962, at 4:30 o'clock P.M., was held before the Council at the above time and place, and evidence, both oral and documentary, was taken and introduced and the Council found and determined that:

1. All of the provisions of Section 203(b) of the Uniform Building Code, 1958 Edition, adopted by reference by Section 9-1.01 of the Modesto Municipal Code, have been complied with; and

2. The buildings referred to above are structurally unsafe, constitute a fire hazard, are otherwise dangerous to human life and are declared to be a public nuisance; and

3. A notice was given to the owner of said property in accordance with Section 3 of Resolution No. 62-337, adopted by the Council of the City of Modesto on July 16, 1962.

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

SECTION 1. DEMOLITION. In accordance with Section 203(d) of the Uniform Building Code, 1958 Edition, the owner having failed and neglected to comply with the notice to repair or demolish and remove said buildings, the Building Official is hereby authorized and directed to proceed with the work specified in the notice referred to above.

SECTION 2. COSTS. The costs incurred in the demolishing and removal of said buildings shall be paid out of the City Treasury. Such costs shall be charged and assessed against the premises involved as a special assessment lien on the land on which the buildings are located, and shall be collected in the manner provided for the collection of general property taxes of the City.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 17th day of September, 1962, by Councilman Johansen, who moved its adoption, which motion being duly seconded by Councilman Mitchell, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Tabbert

ATTEST: [signature]
City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-437

A RESOLUTION ORDERING THE BUILDING OFFICIAL OF THE CITY OF MODESTO TO DEMOLISH THE BUILDING(S) LOCATED AT 102 SPRUCE STREET IN THE CITY OF MODESTO IN ACCORDANCE WITH THE PROVISIONS OF SECTION 203(a) OF THE UNIFORM BUILDING CODE.

WHEREAS, the Uniform Building Code, 1958 Edition, has been adopted by reference by Section 9-1.01 of Chapter 1 of Title IX of the Modesto Municipal Code on the 6th day of October, 1954, as amended, and

WHEREAS, Section 203(a) of the Uniform Building Code, 1958 Edition, provides that a building which is structurally unsafe, or which constitutes a fire hazard, or is otherwise dangerous to human life and is declared to be a public nuisance, shall be abated by repair, rehabilitation, demolition, or removal in accordance with the procedure specified in said Uniform Building Code, 1958 Edition, and

WHEREAS, the Chief Building Official after examining the building(s) at 102 Spruce Street, found ~~it~~ (them) to be unsafe and dangerous, and gave to the owner thereof written notice stating the defects thereof, and requiring commencement of work to make required repairs or to demolish and remove the building(s), and

WHEREAS, the owner was advised by ~~registered mail~~ (personal service) on August 14, 1962, in accordance with Section 203(b) of the Uniform Building Code, 1958 Edition, to comply with the order of the Building Official, and

WHEREAS, in accordance with Section 203(c) of said Building Code, the Building Official caused signs to be posted at the hereinabove referred to property, declaring the building(s) unsafe, and

WHEREAS, the owner of the above referred to property has failed and neglected to comply with the notice to commence the work of repair or remove the building(s) located thereon, and

WHEREAS, the matter was set for public hearing before the Council of the City of Modesto in the Council Chambers, located in the City Hall, 801 - 11th Street, Modesto, California, at 4:35 o'clock P.M., on the 17th day of September, 1962, and

WHEREAS, said hearing was held before the Council at the above time and place, and evidence, both oral and documentary, was taken and introduced and the Council found and determined that:

1. All of the provisions of Section 203(b) of the Uniform Building Code, 1958 Edition, adopted by reference by Section 9-1.01 of the Modesto Municipal Code, have been complied with; and

2. The building(s) referred to above ~~is~~ (are) structurally unsafe, constitute(~~s~~) a fire hazard, ~~is~~ (are) otherwise dangerous to human life and ~~is~~ (are) declared to be a public nuisance; and

3. A notice was given to the owner of said property in accordance with Section 3 of Resolution No. 62-403, adopted by the Council of the City of Modesto on August 27, 1962,

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

SECTION 1. DEMOLITION. In accordance with Section 203(d) of the Uniform Building Code, 1958 Edition, the owner having failed and neglected to comply with the notice to repair or demolish and remove said building(s), the Building Official is hereby authorized and directed to proceed with the work specified in the notice referred to above.

SECTION 2. COSTS. The costs incurred in the demolishing and removal of said building(s) shall be paid out of the City Treasury. Such costs shall be charged and assessed against the premises involved as a special assessment lien on the land on which the building(s) ~~is~~ (are) located, and shall be collected

in the manner provided for the collection of general property taxes of the City.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 17th day of September, 1962, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Mitchell, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Johansen, Mitchell, Patton, Shastid, VanderWall, Mayor Hammond
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Tabbert

ATTEST: _____
City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-438

A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE OPTIONS FOR THE PURCHASE OF LAND FOR A PROPOSED POLICE-COMMUNICATIONS BUILDING

WHEREAS, the City of Modesto has provided One Hundred Sixty Two Thousand, Five Hundred and no/100ths ($162,000.00) Dollars in the 1962-63 budget for a Police-Communications Building, and

WHEREAS, it is necessary that the City acquire a site for the construction of said Police-Communications facility, and

WHEREAS, there is a possibility that Federal funds may be obtained by the City to assist the financing of the construction of said facility under certain specified conditions, including availability of site and immediate progression of work, and

WHEREAS, the obtaining of such Federal funds would save the taxpayers of the City of Modesto hundreds of thousands of dollars and avoid the necessity of adopting a bond issue, thus increasing property taxes to amortize the bonds, and

WHEREAS, the Planning Commission has indicated the general area, including alternate desirable sites, for the location of such a facility, and

WHEREAS, the City has entered into an agreement with an architect to prepare plans and specifications for said project, which work has progressed and preliminary plans and specifications of a general nature have been received, and

WHEREAS, the City Council feels that it would conserve public funds to secure options for purchase of a potential site,

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

(1) The City Manager or his deputy is hereby authorized to execute exclusive option agreements to purchase parcels of real property as a potential site for the construction of such a proposed Police-Communications facility at a suitable location within the area outlined by the Planning Commission and approved by the

Council Public Projects Committee provided, however, that said authorization to execute exclusive options to purchase parcels of property for said site shall not incur an expenditure on behalf of the City of Modesto in an aggregate amount, including all options which may be obtained and executed, in an amount exceeding $500.

(2) Any options to purchase any or all of the parcels of property for which options have been obtained shall not be exercised without the prior approval of the City Council.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 17th day of September, 1962, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Johansen, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Johansen, Mitchell, Patton, Shastid, VanderWall, Mayor Hammond
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Tabbert

ATTEST: _____
CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 62-439

A RESOLUTION APPROVING REQUEST OF DOWNTOWN MODESTO ASSOCIATION TO SELL FROM SIDEWALKS DURING FALL "SIDEWALK SALE" PROMOTION

WHEREAS, the Downtown Modesto Association has requested that merchants in the downtown area be permitted to sell from sidewalks as a part of its fall "Sidewalk Sale" promotion, and

WHEREAS, the sales promotion event is of community-wide interest and importance, and sponsored by a bona fide merchants' association, as provided in Section 4-5.08 of the Modesto Municipal Code,

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

SECTION 1. Permission is hereby granted to the Downtown Modesto Association of merchants, property owners and professional services, to sell from sidewalks as a part of its fall "Sidewalk Sale" promotion for a three-day period beginning October 4, 1962 and ending October 6, 1962, subject to the following conditions:

(a) Permittee, its successors and assigns, during the term of this permit, shall indemnify and save the City harmless of and from all damages, costs and charges of any kind or character arising out of or relating thereto or in any way connected with the exercise of the rights granted by this permit.

(b) Permittee, its successors and assigns, shall comply with all laws of the City.

(c) Permittee, its successors and assigns, at its own cost and expense, shall defend any and all law suits, if any, arising out of or in any way connected with the exercise of the rights granted by this permit.

(d) Permittee shall assume the responsibility for cleaning the facility after its use.

(e) Proper arrangements shall be cleared by the Permittee through the appropriate City departments.

SECTION 2. The City Clerk shall furnish Permittee with a copy of this resolution. Permittee shall have twenty (20) days from and after the adoption of this resolution within which to file written

acceptance of this permit, and no right shall be conferred hereby until said acceptance is filed.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of September, 1962, by Councilman Johansen, who moved its adoption, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: VanderWall

ATTEST: _____
CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 62-440

A RESOLUTION ACCEPTING THE BID OF UNITED STATES PIPE & FOUNDRY COMPANY FOR CAST IRON PIPE

WHEREAS, Resolution No. 62-412, adopted by the Council of the City of Modesto on September 4, 1962, approved the plans and specifications for the pipe, valves and fittings for the fiscal year 1962-63

and authorized the calling for bids, and

WHEREAS, the bids received for the pipe, valves and fittings

were opened at 2:00 P.M., September 18, 62 and later tabulated by the Public Works Department for the consideration of the Council, and

WHEREAS, the Director of Public Works has recommended that

the bid of United States Pipe & Foundry Company for Item 1, 2,000 feet of 4" Cast Iron Pipe in the sum of $2,690, plus tax; and Item 2, 20,000 feet of 6" Cast Iron Pipe in the sum of $37,000, plus tax - for a total of $39,690, plus tax
be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED that the bid of United States Pipe & Foundry Company

be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of September, 1962, by Councilman Johansen, who moved its adoption, which motion being duly seconded by Councilman Mitchell, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen VanderWall

ATTEST: [signature]
CITY CLERK

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-441

A RESOLUTION ACCEPTING THE BID OF U.S. INDUSTRIES, INC., FOR CEMENT ASBESTOS PIPE

WHEREAS, Resolution No. 62-412, adopted by the Council of the City of Modesto on September 4, 1962, approved the plans and specifications for the pipe, valves and fittings for the fiscal year 1962-63

and authorized the calling for bids, and

WHEREAS, the bids received for the pipe, valves and fittings

were opened at 2:00 P.M., Sept. 18, 1962 and later tabulated by the Public Works Department for the consideration of the Council, and

WHEREAS, the Director of Public Works has recommended that the bid of U.S. Industries, Inc., for Item 3a, 15,000 feet of 8" C.A.P. for the total sum of $26,250, plus tax

be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED that the bid of U.S. Industries, Inc.

be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of September, 1962, by Councilman Tabbert, who moved its adoption, which motion being duly seconded by Councilman Johansen, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen VanderWall

ATTEST: [signature]
CITY CLERK

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-442

A RESOLUTION ACCEPTING THE BID OF JOHNS-MANVILLE SALES CORPORATION FOR CEMENT ASBESTOS PIPE

WHEREAS, Resolution No. 62-412, adopted by the Council of the City of Modesto on September 4, 1962, approved the plans and specifications for the pipe, valves and fittings for the fiscal year 1962-63 and authorized the calling for bids, and

WHEREAS, the bids received for the pipe, valves and fittings were opened at 2:00 P.M., Sept. 18, 1962 and later tabulated by the Public Works Department for the consideration of the Council, and

WHEREAS, the Director of Public Works has recommended that the bid of Johns-Manville Sales Corporation for Item 4a, 5,000 feet of 10" C.A.P. in the sum of $12,650, plus tax; and Item 5a, 1,000 feet of 12" C.A.P. in the sum of $3,310, plus tax - for a total of $15,960, plus tax be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED that the bid of Johns-Manville Sales Corporation be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of September, 1962, by Councilman Mitchell, who moved its adoption, which motion being duly seconded by Councilman Patton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen VanderWall

ATTEST: [signature]
CITY CLERK

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-443

A RESOLUTION ACCEPTING THE BID OF TAY-HOLBROOK, INC., FOR GATE VALVES

WHEREAS, Resolution No. 62-412, adopted by the Council of the City of Modesto on September 4, 19 62, approved the plans and specifications for the pipe, valves and fittings for the fiscal year 1962-63

and authorized the calling for bids, and

WHEREAS, the bids received for the pipe, valves and fittings

were opened at 2:00 P.M., Sept. 18, 1962 and later tabulated by the Public Works Department for the consideration of the Council, and

WHEREAS, the Director of Public Works has recommended that

the bid of Tay-Holbrook, Inc., for the following Gate Valves: Item 6, 12-4", $367.08 plus tax; No.7, 110-6", $4,433 plus tax; No.8, 35-8", $2,194.15 plus tax; No.9, 10-10", $997.80 plus tax; and No. 10, 4-12", $500.36 plus tax - for a total of $8,472.39 plus tax be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED that the bid of Tay-Holbrook, Inc.

be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of September, 19 62, by Councilman Shastid, who moved its adoption, which motion being duly seconded by Councilman Mitchell, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen VanderWall

ATTEST: [signature]
CITY CLERK

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-444

A RESOLUTION ACCEPTING THE BID OF PARK-SON, INC., FOR FITTINGS

WHEREAS, Resolution No. 62-412, adopted by the Council of the City of Modesto on September 4, 19 62, approved the plans and specifications for the pipe, valves and fittings for the fiscal year 1962-63
and authorized the calling for bids, and

WHEREAS, the bids received for the pipe, valves and fittings were opened at 2:00 P.M., Sept. 18, 1962 and later tabulated by the Public Works Department for the consideration of the Council, and

WHEREAS, the Director of Public Works has recommended that the bid of Park-Son, Inc., for Items No. 11 through 23, inclusive, miscellaneous fittings, for a total of $4,035.01, plus tax be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED that the bid of Park-Son, Inc. be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of September, 19 62, by Councilman Tabbert, who moved its adoption, which motion being duly seconded by Councilman Shastid, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen VanderWall

ATTEST: [signature]
CITY CLERK

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-445

A RESOLUTION ACCEPTING THE BID OF MODESTO INDUSTRIAL ELECTRICAL COMPANY, INC., FOR INCANDESCENT, FLUORESCENT, AND MERCURY VAPOR LAMPS FOR MUNICIPAL LIGHTING FOR A PERIOD OF ONE YEAR, COMMENCING OCTOBER 1, 1962

WHEREAS, Resolution No. 62-391, adopted by the Council of the City of Modesto on August 20, 1962, approved the ~~plans and~~ specifications for the furnishing of incandescent, fluorescent and mercury vapor lamps for municipal lighting for a period of one year, commencing October 1, 1962 and authorized the calling for bids, and

WHEREAS, the bids received for the incandescent, fluorescent and mercury vapor lamps for municipal lighting were opened at 2:00 P.M., Sept. 5, 1962 and later tabulated by the ~~Public Works Department~~ Purchasing Agent for the consideration of the Council, and

WHEREAS, the ~~Director of Public Works~~ Purchasing Agent has recommended that the bid of Modesto Industrial Electrical Company, Inc.

be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED that the bid of Modesto Industrial Electrical Company, Inc., 43-1/2% from list price, less 2% discount 10th of month following be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of September, 1962, by Councilman Mitchell, who moved its adoption, which motion being duly seconded by Councilman Shastid, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen VanderWall

ATTEST: [signature]
CITY CLERK

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-446

A RESOLUTION APPROVING ~~XXXXXXXX~~ SPECIFICATIONS AND AUTHORIZING THE CALLING FOR BIDS FOR UTILITY DUMP BODY TRACTOR

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

Section 1. The ~~plans and~~ specifications for utility dump body tractor,

copies of which are on file, are hereby accepted and approved.

Section 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on October 16, 1962 at 2:00 P.M. and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form and manner provided by law.

Section 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of September, 1962, by Councilman Johansen, who moved its adoption, which motion being duly seconded by Councilman Patton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: VanderWall

ATTEST: _____
CITY CLERK

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-447

A RESOLUTION REJECTING THE CLAIM OF ROSE L. BAILEY FOR DAMAGES AGAINST THE CITY OF MODESTO

WHEREAS, Rose L. Bailey filed a claim for damages against the City of Modesto on the 12th day of September, 1962, a copy of which claim is on file in the office of the City Clerk, and

WHEREAS, the claim holds the City of Modesto liable for doctor, hospital and medical expenses incurred from injury sustained from a fall in the City Hall Building, 801 11th Street, and

WHEREAS, the claim should be rejected by reason of the fact that the City has no liability in this matter,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the claim of Rose L. Bailey against the City of Modesto for doctor, hospital and medical expenses be, and it is hereby rejected in its entirety, both as to the City of Modesto and the officials therein.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of September, 1962, by Councilman Mitchell, who moved its adoption, which motion being duly seconded by Councilman Johansen, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: VanderWall

ATTEST: [signature]
CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 62- 448

A RESOLUTION WITHDRAWING CERTAIN DESCRIBED TERRITORY FROM THE McHENRY DRY CREEK FIRE PROTECTION DISTRICT BY REASON OF ITS ANNEXATION TO THE CITY OF MODESTO. (ROBERTS ADDITION)

WHEREAS, a portion of the McHenry Dry Creek Fire Protection District was annexed to the City of Modesto by Ordinance No. 525 -C.S., adopted on September 10, 19 62, and

WHEREAS, said territory officially became a part of the City on September 12, 19 62, and

WHEREAS, the Health and Safety Code of the State of California provides that whenever any portion of such a District is included within a city by reason of annexation, such portion may be withdrawn from the District by the filing with the State Board of Equalization, the governing body of the District, and the County Assessor of copies of a resolution of the legislative body of the city, describing the included portion, and declaring such portion withdrawn, and

WHEREAS, it is to the best interests of the residents in the area of said Fire District which has been annexed to the City that the area be withdrawn from said Fire District and provided fire prevention and fire fighting services by the City,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the following described territory be withdrawn from the boundaries of the McHenry Dry Creek Fire Protection District:

All that real property in the State of California, County of Stanislaus, Section 21, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, being the South 165.00 feet of Lot 5 of the Rice Colony as per map filed February 19, 1904, in Volume 1 of Maps, Page 54, Stanislaus County Records, described as follows:

Beginning at a point on the existing City Limits as established by the Downey High School and New John Muir School Site, as per Resolution 8932, Filed July 27, 1950, as Instrument 16443, Stanislaus County Records, said point also being the Southwestern corner of Lot 5 of the Rice Colony and the Southwestern corner of the property, conveyed to Emmett L. Roberts, et ux, as per deed recorded July 16, 1946, as Instrument 18834, Stanislaus County Records; thence along the Western line of said Lot 5 of the Rice Colony and the Western line of the Roberts property, North 0° 30' 00" West, 165.00 feet to the Northwestern corner of said Roberts property; thence along the Northern line and its Easterly extension of said Roberts property, South 89° 57' 00" East, 654.45 feet, to the center line of a 50 foot public road known as Coffee Road, said point also being on the section line common to Section 21 and 22 and also being on the existing City Limits; thence along the section line and the City Limits, South 0° 30' 00" East, 165.00 feet, to a point on the Easterly extension of the Southern line of said Lot 5 of the Rice Colony; thence along the City Limits and the Southern line and its Easterly extension, North 89° 57' 00" West, 654.45 feet, to the point of beginning, containing 2.404 Acres, more or less.

BE IT FURTHER RESOLVED that the City Clerk be, and he is hereby directed to file a certified copy of this resolution with the State Board of Equalization, the governing body of said Fire Protection District, and the Assessor of Stanislaus County.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of September, 19 62, by Councilman Shastid, who moved its adoption, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, Mayor Hammond

NOES: None

ABSENT: VanderWall

ATTEST: [signature]
City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-449

A RESOLUTION ACCEPTING THE CONSTRUCTION OF TENNIS COURTS AT ROOSEVELT PARK BY GEORGE REED

WHEREAS, a report has been filed by the Director of Public Works that the construction of tennis courts at Roosevelt Park

has been completed by George Reed

in accordance with the contract agreement, dated June 4, 1962.

NOW, THEREFORE, BE IT RESOLVED that the construction of tennis courts at Roosevelt Park

be accepted from said contractor George Reed

that Notice of Completion be filed with the Recorder of Stanislaus County and that payment of amounts due, as provided in the contract, be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of September, 1962, by Councilman Tabbert, who moved its adoption, which motion being duly seconded by Councilman Shastid, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: VanderWall

ATTEST: [signature]
CITY CLERK

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-450

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF $617 FROM GENERAL FUND, GENERAL RESERVE TO CITY ATTORNEY, SALARIES AND WAGES, EXTRA HELP

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the following appropriation transfer be approved:

GENERAL FUND (101)

FROM:	General Reserve (600)	$617
TO:	City Attorney (13) Salaries & Wages, Extra Help (120)	$617

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of September, 19 62, by Councilman Shastid, who moved its adoption, which motion being duly seconded by Councilman Mitchell, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: VanderWall

ATTEST: [signature]
CITY CLERK

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-451

A RESOLUTION APPROVING ACCEPTANCE OF DONATION OF $344 IN MEMORY OF ELEANOR DENNETT AND APPROPRIATION TRANSFER OF $344 FROM LIBRARY, GENERAL RESERVE TO BOOKS AND PERIODICALS

WHEREAS, donations in the amount of $344 in memory of Eleanor Dennett have been received by the City of Modesto to be used for library purposes,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the donations, totaling $344 be, and they are hereby accepted.

BE IT FURTHER RESOLVED that the following appropriation transfer to approved:

LIBRARY (201)

FROM:	General Reserve (600)	$344
TO:	Books and Periodicals (302)	$344

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of September, 1962, by Councilman Johansen, who moved its adoption, which motion being duly seconded by Councilman Shastid, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: VanderWall

ATTEST: [signature]
CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 62-452

A RESOLUTION GIVING NOTICE OF THE PROPOSED ANNEXATION TO THE CITY OF MODESTO OF UNINHABITED TERRITORY DESCRIBED HEREIN AND DESIGNATED AS ATHENS ADDITION AND GIVING NOTICE OF TIME AND PLACE FOR HEARING PROTESTS THERETO.

BE IT RESOLVED by the Council of the City of Modesto:

1. That, pursuant to the provisions of the Annexation of Uninhabited Territory Act of 1939, a petition signed by owners of not less than one fourth of the land in the hereinafter described territory by area and by assessed value as shown on the last equalized assessment roll of the County of Stanislaus, was filed with the Council of the City of Modesto on August 31, 1962, 1962, requesting annexation of the hereinafter described territory to said City.

2. That the territory which the petitioners request be annexed to the City of Modesto and which said City and its Council propose to annex, is situate in the County of Stanislaus, State of California, hereby designated as ATHENS ADDITION, and described as follows:

6/21/62

All that certain real property situate in the State of California, County of Stanislaus, and being a portion of the North half of Southeast quarter of Section 16, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits as established by the East Floyd Addition, as per description filed January 21, 1960, as Instrument 1678, Stanislaus County Records, said point being also the Northeast corner of Revard Manor Subdivision, recorded June 23, 1952, Volume 17 of Maps, Page 38, Stanislaus County Records, said point being also on the East-West quarter Section line of Section 16; thence South 0° 00' 15" East, 616.05 feet, along the Eastern line of Revard Manor Subdivision to a point on the Southern line of the property conveyed to Edward B. Lawrence, et ux, by Deed Recorded June 5, 1951, as Instrument 13294, Stanislaus County Records; thence along said Southern line, South 88° 38' East, 1416.04 feet, to a point on the Western line of a 50.00 foot Public Road known as Coffee Road; thence North, 615.62 feet, along the Western line of Coffee Road to a point on the said East-West quarter section line of Section 16; thence North 88° 37' West, 920.34 feet, along said quarter section line to a point on the existing City Limits line as established by the said East Floyd Addition; thence continuing along said quarter section line and existing City Limits line, North 88° 37' West, 495.75 feet, to the point of beginning, containing 20.01 Acres, more or less.

3. That the County Boundary Commission of Stanislaus County, California, did in session duly assembled on July 31, 1962, consider the proposed annexation boundaries of said ATHENS ADDITION, as above described, and as submitted to said Commission by the proponents of said annexation.

4. No change in school district boundaries shall be effected by reason of the annexation of the hereinabove described area to the City of Modesto.

5. NOTICE IS HEREBY GIVEN that the 5th day of November, 1962, at the hour of 4:30 o'clock P.M. of said day, in the Council Chambers at the City Hall, located at 801 Eleventh Street in the City of Modesto, be and the same is hereby fixed as the time and place for considering said petition, at which time and place any person owning real property within such territory and having any objections to the proposed annexation may appear before the Council of the City of Modesto and show cause why such territory should not be so annexed. The protest must be in writing, may be filed at any time before the hour set for hearing objections to the proposed annexation, and shall state the name or names of the owner or owners of property affected and the description and area of such property, in general terms.

6. The City Clerk shall cause a copy of this resolution to be published at least twice, but not oftener than once a week, in The Modesto Tribune, a newspaper of general circulation, published in the City of Modesto and being the official newspaper of the City of Modesto. Said publications shall be completed at least twenty (20) days prior to the date set for the hearing.

7. The City Clerk of the City of Modesto shall also cause written notice of such proposed annexation to be mailed to each person to whom land within the territory proposed to be annexed is assessed on the last equalized county assessment roll available on the date the proceedings were initiated, at the address shown on said assessment roll

or as known to said Clerk, and to any person who has filed his name and address and the designation of the land in which he has any interest, either legal or equitable, with said Clerk. Said notices shall be mailed not less than twenty (20) days before the public hearing on the proposed annexation.

8. In the event any land within the territory proposed to be annexed is owned by the County of Stanislaus, the City Clerk is directed to cause written notice of such proposed annexation to be mailed to the Board of Supervisors of the County, such notice to be given not less than twenty (20) days before the public hearing on the proposed annexation.

9. In the event there is, upon the land proposed to be annexed, a structural improvement owned, being acquired or leased by a county fire protection district, the City Clerk is directed to cause written notice of such proposed annexation to be mailed to the governing body of such district, such notice to be sent not less than ten (10) days before the public hearing on the proposed annexation.

10. The City Clerk is directed to cause written notice to be given to such other persons as may be legally entitled thereto, in the manner required by law.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of September, 1962, by Councilman Mitchell, who moved its adoption, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: VanderWall

ATTEST: _____
City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62- 453

A RESOLUTION GIVING NOTICE OF THE PROPOSED ANNEXATION TO THE CITY OF MODESTO OF UNINHABITED TERRITORY DESCRIBED HEREIN AND DESIGNATED AS SPENCER ADDITION AND GIVING NOTICE OF TIME AND PLACE FOR HEARING PROTESTS THERETO.

BE IT RESOLVED by the Council of the City of Modesto:

1. That, pursuant to the provisions of the Annexation of Uninhabited Territory Act of 1939, a petition signed by owners of not less than one fourth of the land in the hereinafter described territory by area and by assessed value as shown on the last equalized assessment roll of the County of Stanislaus, was filed with the Council of the City of Modesto on September 6, 1962, requesting annexation of the hereinafter described territory to said City.

2. That the territory which the petitioners request be annexed to the City of Modesto and which said City and its Council propose to annex, is situate in the County of Stanislaus, State of California, hereby designated as SPENCER ADDITION, and described as follows:

6/21/62

SPENCER ADDITION

All that real property situate in the State of California, County of Stanislaus, Section 31, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits as established by the Southeastern line of the Emerald Gardens Addition, as per description filed February 5, 1962, Instrument 4485, Stanislaus County Records, said point being North 34° 37' East, 31.19 feet from the Southeastern corner of said Emerald Gardens Addition; thence continuing along said line, North 34° 37' East, 631.37 feet; thence along the Northern line and its Westerly extension of property conveyed to Tally E. Taylor, et ux, by Deed recorded March 3, 1948, Instrument 4993, Stanislaus County Records, North 89° 57' East, 560.26 feet, to the Western line of a 40 foot Public Road known as Spencer Avenue; thence along the Western line of Spencer Avenue, South 0° 10' West, 518.33 feet, to the Southern line of property conveyed to Jesse P. Bailey, et ux, by Deed recorded March 12, 1959, Instrument 7283, Stanislaus County Records; thence along the Southern line of said Bailey property and the Southern line of the property conveyed to Edna Alice Taylor by Deed recorded December 13, 1946 as Instruments Number 35674 and 35675, Stanislaus County Records, and its Westerly extension, South 89° 54' West, 917.43 feet, to the point of beginning, containing 8.796 Acres.

3. That the County Boundary Commission of Stanislaus County, California, did in session duly assembled on June 26, 1962, consider the proposed annexation boundaries of said SPENCER ADDITION, as above described, and as submitted to said Commission by the proponents of said annexation.

4. No change in school district boundaries shall be effected by reason of the annexation of the hereinabove described area to the City of Modesto.

5. NOTICE IS HEREBY GIVEN that the 5th day of November, 1962, at the hour of 4:35 o'clock P.M. of said day, in the Council Chambers at the City Hall, located at 801 Eleventh Street in the City of Modesto, be and the same is hereby fixed as the time and place for considering said petition, at which time and place any person owning real property within such territory and having any objections to the proposed annexation may appear before the Council of the City of Modesto and show cause why such territory should not be so annexed. The protest must be in writing, may be filed at any time before the hour set for hearing objections to the proposed annexation, and shall state the name or names of the owner or owners of property affected and the description and area of such property, in general terms.

6. The City Clerk shall cause a copy of this resolution to be published at least twice, but not oftener than once a week, in The Modesto Tribune, a newspaper of general circulation, published in the City of Modesto and being the official newspaper of the City of Modesto. Said publications shall be completed at least twenty (20) days prior to the date set for the hearing.

7. The City Clerk of the City of Modesto shall also cause written notice of such proposed annexation to be mailed to each person to whom land within the territory proposed to be annexed is assessed on the last equalized county assessment roll available on the date the proceedings were initiated, at the address shown on said assessment roll

or as known to said Clerk, and to any person who has filed his name and address and the designation of the land in which he has any interest, either legal or equitable, with said Clerk. Said notices shall be mailed not less than twenty (20) days before the public hearing on the proposed annexation.

8. In the event any land within the territory proposed to be annexed is owned by the County of Stanislaus, the City Clerk is directed to cause written notice of such proposed annexation to be mailed to the Board of Supervisors of the County, such notice to be given not less than twenty (20) days before the public hearing on the proposed annexation.

9. In the event there is, upon the land proposed to be annexed, a structural improvement owned, being acquired or leased by a county fire protection district, the City Clerk is directed to cause written notice of such proposed annexation to be mailed to the governing body of such district, such notice to be sent not less than ten (10) days before the public hearing on the proposed annexation.

10. The City Clerk is directed to cause written notice to be given to such other persons as may be legally entitled thereto, in the manner required by law.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of September, 1962, by Councilman Mitchell, who moved its adoption, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: VanderWall

ATTEST: _____
City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-454

A RESOLUTION EXPRESSING THE APPRECIATION OF THE COUNCIL OF THE CITY OF MODESTO FOR THE WELCOME AND HOSPITALITY EXTENDED BY THE MAYOR OF SAN JUAN, PUERTO RICO, TO CITY MANAGER ROSS MILLER

WHEREAS, the City Manager of Modesto, Ross Miller, recently visited the City of San Juan, Puerto Rico, and

WHEREAS, Mayor Felisa Rincon de Gautier of San Juan, Puerto Rico, extended to him a warm welcome and presented to him the key to the City of San Juan, and a beautiful set of flags, and

WHEREAS, the Mayor of San Juan and members of her staff extended the hospitality of the City to the City Manager of Modesto throughout his stay in Puerto Rico,

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Modesto expresses its sincere appreciation to the Mayor and members of her staff and to the City of San Juan for this friendly welcome and hospitality, and

BE IT FURTHER RESOLVED that the Mayor of San Juan and other city officials of that city be extended a special invitation to visit the City of Modesto, California.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of September, 1962, by Councilman Mitchell, who moved its adoption, which motion being duly seconded by Councilman Shastid, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: VanderWall

ATTEST: Roy E. Gaines
CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 62-455

A RESOLUTION EXPRESSING THE APPRECIATION OF THE COUNCIL OF THE CITY OF MODESTO FOR THE WELCOME AND HOSPITALITY EXTENDED BY THE MAYOR OF BARRANQUILLA AND OTHER REPRESENTATIVES OF THAT CITY TO CITY MANAGER ROSS MILLER, SISTER CITY CHAIRMAN DR. JOHN WOOLLEY, AND MRS. WOOLLEY

WHEREAS, the City of Barranquilla, Colombia, has joined with the City of Modesto, California, as a Sister City, under the Town Affiliation Program, and

WHEREAS, Dr. John Woolley, Chairman of the Modesto Town Affiliation Committee, and his wife, Mrs. Anne Woolley, and Ross Miller, City Manager of Modesto, recently visited the City of Barranquilla, and

WHEREAS, they were greeted by a warm welcome and extended friendly hospitality by officials and citizens of Barranquilla, and

WHEREAS, the City of Barranquilla took official action to declare these representatives from Modesto to be honorary citizens of Barranquilla, and

WHEREAS, keys to the City of Barranquilla were presented to these representatives, and

WHEREAS, these representatives from Modesto have reported back to the City of Modesto and its citizens the sincere interest in Barranquilla, in the Sister City Program and continuing association and exchange between our cities,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the appreciation of this city and the citizens of Modesto is expressed to the Mayor of Barranquilla and other officials and citizens of that city for the welcome and hospitality extended to the representatives of Modesto, and for the messages of friendship expressed by the citizens of Barranquilla, and

BE IT FURTHER RESOLVED that the City of Modesto and its citizens extend to the Mayor of Barranquilla and other citizens of Barranquilla a special invitation to visit Modesto so that we may have an opportunity to become better acquainted and in some small measure to show our sincere appreciation for the welcome and hospitality shown to our representatives.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of September, 1962, by Councilman Tabbert, who moved its adoption, which motion being duly seconded by Councilman Johansen, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: VanderWall

ATTEST: _____
CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 62-456

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF $5,000 FROM SPECIAL FUND FOR CAPITAL OUTLAYS, GENERAL RESERVE TO PARK PLANS AND ENGINEERING

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the following appropriation transfer be approved:

SPECIAL FUND FOR CAPITAL OUTLAYS (321)

FROM:	General Reserve (600)	$5,000
TO:	Park Plans and Engineering (503)	$5,000

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of September, 19 62, by Councilman Shastid, who moved its adoption, which motion being duly seconded by Councilman Johansen, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Johansen, Mitchell, Patton, Shastid, Tabbert, Mayor Hammond
NOES:	Councilmen:	None
ABSENT:	Councilmen:	VanderWall

ATTEST: _____
CITY CLERK

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-457

A RESOLUTION APPROVING A DEVELOPMENT PLAN FOR PLANNED-DEVELOPMENT ZONE, P-D (9).
(CAUSEY)

WHEREAS, a verified application for an amendment to Section 19 of the Zoning Map was filed by Iva E. Causey on March 30, 1962, to reclassify from One-Family Zone, R-1, and Multiple-Family Zone, R-3, to Planned-Development Zone, P-D, the following described property:

Beginning at a point on the center line of Tully Road 350 feet north of the north line of Leonard Avenue which is the true point of beginning of this description; thence northerly along the center line of Tully Road a distance of 174 feet to the north line of the property owned by Iva E. Causey; thence westerly along the north line of said property a distance of 532 feet to the northwest corner of the Causey property; thence southerly along the west line of said property a distance of 248 feet to the southwest corner of said Causey property; thence easterly along the south property line of the Causey property a distance of 357 feet; thence northerly 75 feet; thence easterly 178 feet to the center line of Tully Road and the point of beginning.

WHEREAS, after public hearing held on June 12, and on August 7, 1962, 1962, it was found and determined by the Planning Commission that rezoning of the property as requested is required by public necessity, convenience and general welfare for the following reasons:

1. The front twenty (20) feet of the property is zoned Multiple-Family Zone, R-3, and the balance of the property is adjacent to a Multiple-Family Zone to the south;

2. The property in question is located on a major street and in close proximity to areas of activity;

3. The modified plan of development provides a transitional density between the Multiple-Family Zone on the south and the One-Family Zone to the north, and provides for the recommended parking ratio of 1.5 spaces per unit; and

4. Development as requested would be in harmony with existing and potential uses of the area, and

WHEREAS, after a public hearing held on July 9, which was continued to August 27, 1962, 1962 / the Council found and determined that the application of Iva E. Causey for a Planned-Development Zone should be granted as consonant with public necessity, convenience and general welfare for the reasons set forth above, and

WHEREAS, the Council has introduced Ordinance No. _____-C.S. on the _____ day of _____, 1962, reclassifying the above-described property from Single-Family Zone, R-1, and Multiple-Family Zone, R-3, / to Planned-Development Zone, P-D (9).

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

SECTION 1. DEVELOPMENT PLAN. The development plan for Planned-Development Zone, P-D (9), is hereby approved in accordance with the plan titled "Proposed Apartment House Development 56 Units", as amended on its face, / dated July 20, 1962, / which said plan is on file in the office of the Planning Director.

SECTION 2. DEVELOPMENT SCHEDULE. The following development schedule is hereby approved for said Planned-Development Zone, P-D (9):

a. The entire construction program shall be accomplished in two (2) phases as shown on the development plan:

Phase I shall include construction of one fifteen (15) unit, single-story apartment building; one four (4) unit, single-story apartment building; and one three (3) unit, single-story apartment building; twenty (20) private landscaped patios, parking area for six (6) boats, parking and driveway areas to serve the three (3) structures to be completed in this phase of the work; common laundry and storage areas for the three (3)

structures; a six (6) foot masonry fence on all the property lines as shown on the development plan, dated July 20, 1962, and dedication and improvement of a ten (10) foot strip to create a full twenty (20) foot alley to city standards along the north side of the property; construction shall commence on or before August 1, 1963, and shall be completed on or before August 1, 1964.

Phase II shall include construction of one eleven (11) unit, two (2) story apartment building; one twenty-three (23) unit, two (2) story apartment building; swimming pool and patio area, putting green, common laundry and storage areas to serve the two (2) story structures; landscaping, parking and driveway areas to serve the units to be completed in Phase II; construction shall start not later than August 1, 1964, and shall be completed on or before August 1, 1966.

SECTION 3. CHANGES IN DEVELOPMENT PLAN. Any changes in the above-mentioned development plan which involve uses shall be made in accordance with the procedure set forth in Article 21 of Title X of the Modesto Municipal Code for an unclassified use permit. Any changes in the development plan which do not involve uses shall be reviewed by the Board of Zoning Adjustment and such changes, if approved, shall be made in accordance with the procedure set forth in Article 20 of Title X of the Modesto Municipal Code for a conditional use permit.

SECTION 4. COMPLIANCE WITH CODE PROVISIONS, ETC. In all other respects said planned development shall be accomplished in accordance and in strict adherence to the provisions of Article 27 of Title X of the Modesto Municipal Code relating to Planned-Development Zones and other applicable City laws, rules, regulations and procedures.

SECTION 5. EFFECTIVE DATE. This resolution shall not become effective unless and until the ordinance reclassifying the above-described property to Planned-Development Zone, P-D(9) becomes effective.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th

day of September, 19 62, by Councilman Johansen, who moved its adoption, which motion being duly seconded by Councilman Mitchell, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Johansen, Mitchell, Patton, Tabbert, Mayor Hammond
NOES:	Councilmen:	Shastid, VanderWall
ABSENT:	Councilmen:	None

ATTEST: _____
City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-458

A RESOLUTION ACCEPTING THE BID OF COLLINS ELECTRICAL COMPANY FOR THE CONSTRUCTION OF TRAFFIC SIGNALS AND STREET LIGHTING AT COLLEGE AND ORANGEBURG AVENUES

WHEREAS, Resolution No. 62-414, adopted by the Council of the City of Modesto on September 4, 1962, approved the plans and specifications for the construction of traffic signals and street lighting at College and Orangeburg Avenues and authorized the calling for bids, and

WHEREAS, the bids received for the construction of traffic signals and street lighting at College and Orangeburg Avenues were opened at 2:00 P.M., Sept. 26, 1962 and later tabulated by the ~~Public Works~~ Parking and Traffic Department for the consideration of the Council, and

WHEREAS, the Director of ~~Public Works~~ Parking and Traffic has recommended that the bid of Collins Electrical Company

be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED that the bid of Collins Electrical Company be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 1st day of October, 1962, by Councilman Shastid, who moved its adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen None

ATTEST: [signature]
CITY CLERK

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-459

A RESOLUTION WITHDRAWING CERTAIN DESCRIBED TERRITORY FROM THE EMPIRE FIRE PROTECTION DISTRICT BY REASON OF ITS ANNEXATION TO THE CITY OF MODESTO. (Ruffino Addition)

WHEREAS, a portion of the Empire Fire Protection District was annexed to the City of Modesto by Ordinance No. 516 -C.S., adopted on July 23, 1962, and

WHEREAS, said territory officially became a part of the City on July 25, 1962, and

WHEREAS, the Health and Safety Code of the State of California provides that whenever any portion of such a District is included within a city by reason of annexation, such portion may be withdrawn from the District by the filing with the State Board of Equalization, the governing body of the District, and the County Assessor of copies of a resolution of the legislative body of the city, describing the included portion, and declaring such portion withdrawn, and

WHEREAS, it is to the best interests of the residents in the area of said Fire District which has been annexed to the City that the area be withdrawn from said Fire District and provided fire prevention and fire fighting services by the City,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the following described territory be withdrawn from the boundaries of the Empire Fire Protection District:

RUFFINO ADDITION

All that real property situate in the State of California, County of Stanislaus, Section 27, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

All of Lot 14 in Block 2196 of the Alta Vista Tract, as per map filed September 12, 1946, in Volume 14 of Maps, Page 75, Stanislaus County Records, and also described as follows:

Beginning at a point on the existing City Limits as established by the Southeastern corner of the Phoenix Station Addition, as per description filed March 11, 1959, as Instrument 6959, Stanislaus County Records, said point being the Northeastern corner Lot 14 of Block 2196; thence along the Northern line of Lot 14 and the Southern line of said Phoenix Station Addition, North 89° 50' West, 127.65 feet, to the Eastern line of the alley in Block 2196 and the existing City Limits as established by the La Loma-Yosemite Addition, as per description filed December 4, 1953, as Instrument 30045, Stanislaus County Records; thence along the Eastern line of the alley and the existing City Limits, South 0° 34' 40" East, 60 feet, to the Southwestern corner of said Lot 14; thence along the Southern line of Lot 14 and the existing City Limits, South 89° 50' East, 127.67 feet, to the Southeastern corner of Lot 14 and the Western line of Phoenix Avenue; thence along the Eastern line of Lot 14 and the Western line of Phoenix Avenue, North 0° 35' 40" West, 60 feet to the point of beginning, containing 0.176 Acres, more or less.

BE IT FURTHER RESOLVED that the City Clerk be, and he is hereby directed to file a certified copy of this resolution with the State Board of Equalization, the governing body of said Fire Protection District, and the Assessor of Stanislaus County.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 1st day of October, 1962, by Councilman Johansen, who moved its adoption, which motion being duly seconded by Councilman Shastid, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: [signature]
City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-460

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND THE COUNTY OF STANISLAUS FOR ANNUAL RECREATION ALLOCATION OF $14,783.08

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the Agreement between the City of Modesto and the County of Stanislaus

for annual recreation allocation of $14,783.08

be, and it is hereby approved, and

BE IT FURTHER RESOLVED that the execution of said Agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 1st day of October, 1962, by Councilman Mitchell, who moved its adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: None

ATTEST: [signature]
CITY CLERK

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-461

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND THE MODESTO CITY SCHOOL DISTRICT OF STANISLAUS COUNTY FOR ANNUAL RECREATION ALLOCATION OF $6500

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the Agreement between the City of Modesto and the Modesto City School District of Stanislaus County

for annual recreation allocation of $6500

be, and it is hereby approved, and

BE IT FURTHER RESOLVED that the execution of said Agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 1st day of October, 19 62, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Johansen, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: [signature]
CITY CLERK

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-462

A RESOLUTION AUTHORIZING THE REFUND OF OVERPAYMENT OF BUSINESS LICENSE FEE TO SNO WHITE DRIVE IN FOR THE TAX PERIOD ENDED JUNE 30, 1962

WHEREAS, Sno White Drive In has submitted a request for refund of the overpayment of business license fee in the sum of $171.74 for tax erroneously paid for the quarter ended June 30, 1962, and

WHEREAS, Section 6-1.130(c) of the Municipal Code states a refund may be made under the following conditions: "Where the amount paid was in excess of the amount required by law,"

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the refund of the overpayment of business license fee to Sno White Drive In in the sum of $171.74 for the quarter ended June 30, 1962, be and it is hereby authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 1st day of October, 1962, by Councilman Shastid, who moved its adoption, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: [signature]

MODESTO CITY COUNCIL
RESOLUTION NO. 62-463

A RESOLUTION DETERMINING THE GENERAL PREVAILING RATES OF PER DIEM WAGES.

WHEREAS, Section 1773.3 of the Labor Code of the State of California requires that the awarding body of each city shall file, annually, with the Director of Industrial Relations its determination, made pursuant to Section 1733 of the Labor Code, of the general prevailing rates of per diem wages in the locality in which the public work is to be performed,

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

SECTION 1. The general prevailing rates of per diem wages in the locality of the City of Modesto is hereby determined to be those shown on the document entitled "General Prevailing Rates of Per Diem Wages", attached hereto, marked "Exhibit A", and hereby made a part of this resolution.

SECTION 2. The City Clerk is hereby instructed to transmit a copy of this resolution, with attachment, to the Director of Industrial Relations of the State of California for filing.

SECTION 3. Resolution No. 61-53 adopted by the Council of the City of Modesto on February 8, 1961, is hereby rescinded.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 1st day of October, 1962, by Councilman Johansen, who moved its adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the resolution adopted by the following vote:

AYES: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond
NOES: None

ABSENT: None

ATTEST: [signature]
City Clerk

(SEAL)

BIT "A"

HOURLY RATE PLUS TOTAL FRINGE BENEFIT - PER DIEM WAGE (Hour)

Craft	Hourly Rate	Vacation Plan	H & W	Pension Plan	Total Fr. Benefits	Per Diem Wage (Hour)	Overtime
Tool Operator	$3.575	.07	.13	.05	.25	$3.825	1½ Sat. DT S&H
alt Rakers and Ironers	3.575	.07	.13	.05	.25	3.825	1½ Sat. DT S&H
H Layers	4.25	-	-	-	-0-	4.25	DT Sat. Sun &H
enters	3.95	.15	.16	.15	.46	4.41	DT Sat. Sun &H
nt Mason	4.00	.15	.11	.10	.36	4.36	1½ Sat. DT S&H
ago Boom	4.66	.15	.10	.145	.395	5.055	1½ Sat. DT S&H
ination Road Oiler-Bootman	3.965	.15	.11	.15	.41	4.375	1½ Sat. DT S&H
ressor	3.85	.15	.145	.10	.395	4.245	1½ Sat. DT S&H
ressor (2 to 6)	4.28	.15	.145	.10	.395	4.675	1½ Sat. DT S&H
rete Laborer	3.425	.07	.13	.05	.25	3.675	1½ Sat. DT S&H
rete Mixer (up to 1 yd.)	3.85	.15	.145	.10	.395	4.245	1½ Sat. DT S&H
truction Laborer	3.325	.07	.13	.05	.25	3.575	1½ Sat. DT S&H
icks	4.76	.15	.145	.10	.395	5.155	1½ Sat. DT S&H
ting Machinery Engineers	4.33	.15	.145	.10	.395	4.725	1½ Sat. DT S&H
trucks, under 4 yds.	3.525	.15	.165	.15	.465	3.99	1½ Sat. DT S&H
trucks, 4 yds. & under 6	3.60	.15	.165	.15	.465	4.065	1½ Sat. DT S&H
trucks, 6 yds. & under 8	3.81	.15	.165	.15	.465	4.275	1½ Sat. DT S&H
trucks, 8 yds. & over	4.06	.15	.165	.15	.465	4.525	1½ Sat. DT S&H
trical Workers	4.22	.25(6%)	.18	.0465(1%)	.4765	4.6965	DT Sat. Sun &H
e Erector	4.75	.10	.15	.10	.35	5.10	DT Sat. Sun &H
Racks carrying under 500 lbs.	3.525	.15	.165	.15	.465	3.99	1½ Sat. DT S&H
Racks carrying over 500 lbs.	3.72	.15	.165	.15	.465	4.185	1½ Sat. DT S&H
Lift or Lumber Stacker	4.19	.15	.145	.10	.395	4.585	1½ Sat. DT S&H
-Crane	4.39	.15	.145	.10	.395	4.785	1½ Sat. DT S&H
Duty Repairman or Welders	4.46	.15	.145	.10	.395	4.855	1½ Sat. DT S&H
Duty Repairman's Helper	3.71	.15	.145	.10	.395	4.105	1½ Sat. DT S&H
arrier, Brick	3.40	-	.10	-	.10	3.50	DT Sat. Sun &H
arrier, Plaster	3.25	-	.10	-	.10	3.35	DT Sat. Sun &H
Workers, Structural	4.75	.10	.15	.10	.35	5.10	DT Sat. Sun &H
rial Hoist, 1 drum	4.19	.15	.145	.10	.395	4.585	1½ Sat. DT S&H
rial Hoist, 2 or more drums	4.39	.15	.145	.10	.395	4.785	1½ Sat. DT S&H
ters, Brush	3.60	-	.15	-	.15	3.75	1½ Sat. Sun &H
ters, Spray	3.85	-	.15	-	.15	4.00	1½ Sat. Sun &H
ment Breakers	4.39	.15	.145	.10	.395	4.785	1½ Sat. DT S&H
up Trucks	3.525	.15	.165	.15	.465	3.99	1½ Sat. DT S&H

(SEAL)

BIT "A" (Page 2)

HOURLY RATE PLUS TOTAL FRINGE BENEFIT - PER DIEM WAGE (Hour)

Craft	Hourly Rate	Vacation Plan	H & W	Pension Plan	Total Fr. Benefits	Per Diem Wage (Hour)	Overtime
Layers, Caulkers, Banders	$3.575	.07	.13	.05	.25	$3.825	1½ Sat. DT S&H
erer	3.65	-	.10	-	.10	3.75	DT Sat. Sun &H
bers, Pipe and Steamfitters	5.02 VPI	-	.15	.10	.25	5.27	DT Sat. Sun &H
r Blade Operator	4.66	.15	.145	.10	.395	5.055	1½ Sat. DT S&H
r Crane, over 1 yd.	4.89	.15	.145	.10	.395	5.285	1½ Sat. DT S&H
r Shovel, and/or other vating equipment with el-type controls, up to including 1 yd.	4.76	.15	.145	.10	.395	5.155	1½ Sat. DT S&H
r Shovel, and/or other vating equipment with el-type contraols, over	4.89	.15	.145	.10	.395	5.285	1½ Sat. DT S&H
ers	4.33	.15	.145	.10	.395	4.725	1½ Sat. DT S&H
ers, Foreman	4.505	-	.18	-	.18	4.685	DT Sat. Sun &H
ers, Journeyman	4.12	-	.18	-	.18	4.30	DT Sat. Sun &H
pmobile (When used as oader)	4.39	.15	.145	.10	.395	4.785	1½ Sat. DT S&H
pmobile (When used a oist)	4.19	.15	.145	.10	.395	4.585	1½ Sat. DT S&H
el, Dragline, 1 yd. or less	4.76	.15	.145	.10	.395	5.155	1½ Sat. DT S&H
tor Loader, up to 2 yds.	4.57	.15	.145	.10	.395	4.965	1½ S t. DT S&H
tors	4.46	.15	.145	.10	.395	4.855	1½ Sat. DT S&H
tors (boom)	4.66	.15	.145	.10	.395	5.055	1½ Sat. DT S&H
tors (tandem)	4.76	.15	.145	.10	.395	5.155	1½ Sat. DT S&H
sit Mix, under 6 yds.	3.675	.15	.16	.15	.46	4.135	1½ Sat. DT S&H
sit Mix, 6 yds. under 8 yds	3.775	.15	.16	.15	.46	4.235	1½ Sat. DT S&H
sit Mix, 8 yds. & over	3.875	.15	.16	.15	.46	4.335	1½ Sat. DT S&H
ching Machine	4.39	.15	.145	.10	.395	4.785	1½ Sat. DT S&H
k Type Loader	4.39	.15	.145	.10	.395	4.785	1½ Sat. DT S&H
r Trucks under 2,500 gals.	3.635	.15	.165	.15	.465	4.10	1½ Sat. DT S&H
r Trucks 2,500 gals. er 4,000	3.735	.15	.165	.15	.465	4.20	1½ Sat. DT S&H
r Trucks 4,000 gals. er 5,000	3.835	.15	.165	.15	.465	4.30	1½ Sat. DT S&H
r Trucks 5,000 gals. & over	3.935	.15	.165	.15	.465	4.40	1½ Sat. DT S&H

(SEAL)

ber 1, 1962

MODESTO CITY COUNCIL
RESOLUTION NO. 62-464

A RESOLUTION REFERRING TO THE MODESTO CITY PLANNING COMMISSION A PETITION FOR ANNEXATION OF CERTAIN UNINHABITED TERRITORY TO THE CITY OF MODESTO KNOWN AS **HELM ADDITION**

WHEREAS, a petition has been filed in the office of the City Clerk requesting the annexation of certain uninhabited territory to the City of Modesto, which territory is more specifically described hereinafter, and

WHEREAS, the County Boundary Commission has certified to the definiteness and accuracy of the boundaries of said territory,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that said petition for the annexation of the following described uninhabited territory be referred to the Planning Commission for its report and recommendation.

The territory herein referred to is situated in the County of Stanislaus, State of California, and more particularly described as attached hereto.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 1st day of October, 19 62, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: [signature]
City Clerk

(SEAL)

All that real property in the State of California, County of Stanislaus, Section 21, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, being a portion of Lot 15, Mensinger Colony as per map filed May 18, 1909 in Volume 4 of Maps, Page 25, Stanislaus County Records, described as follows:

Beginning at a point on the intersection of the existing City Limits as established by the North Central Addition as per description filed August 15, 1953, as Instrument 17507, Stanislaus County Records, and the Westerly extension of the Southern line of said Lot 15 of Mensinger Colony; thence along the City Limits, North 0° 56' West, 330.33 feet to a point on the Westerly extension of the Northern line of Lot 15 of Mensinger Colony; thence along the Northern line and its Westerly extension, South 89° 48' East, 674.90 feet, to a point on the Northerly extension of the Eastern line of the property conveyed to Frank M. Helm, as per Deed recorded March 15, 1962 as Instrument 10030, Stanislaus County Records; thence along the Eastern line and its Northerly extension of said Helm property, South 0° 50' East, 330.24 feet, to the Southeastern corner of said Helm property, said point also being on the Southern line of Lot 15 of Mensinger Colony; thence along the Southern line of Lot 15 and its Westerly extension, North 89° 49' West, 674.80 feet, to the point of beginning, containing 5.117 Acres more or less.

MODESTO CITY COUNCIL
RESOLUTION NO. 62- 465

A RESOLUTION REFERRING TO THE MODESTO CITY PLANNING COMMISSION A PETITION FOR ANNEXATION OF CERTAIN UNINHABITED TERRITORY TO THE CITY OF MODESTO KNOWN AS DODSON ADDITION.

WHEREAS, a petition has been filed in the office of the City Clerk requesting the annexation of certain uninhabited territory to the City of Modesto, which territory is more specifically described hereinafter, and

WHEREAS, the County Boundary Commission has certified to the definiteness and accuracy of the boundaries of said territory,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that said petition for the annexation of the following described uninhabited territory be referred to the Planning Commission for its report and recommendation.

The territory herein referred to is situated in the County of Stanislaus, State of California, and more particularly described as attached hereto.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 1st day of October, 19 62, by Councilman Tabbert, who moved its adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: [signature]
City Clerk

(SEAL)

DODSON ADDITION

All that real property situate in the State of California, County of Stanislaus, Section 19, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits as established by the most Westerly line of the Stensaas Addition, as per description filed July 23, 1962, as Instrument 27722, Stanislaus County Records, said point being on the Northern line of a 50 foot Public Road known as Clayton Avenue, and bearing North 89° 15' West, 260.00 feet from the center line of a 60 foot Public Road known as Carver Road; thence along the existing City Limits, South 00° 02' West, 200.00 feet, to a point on the existing City Limits as established by the Northern line of the Campus Edge Addition, as per description filed July 24, 1956, as Instrument 20020, Stanislaus County Records; thence along the existing City Limits, North 89° 15' West, 288.28 feet, to the Southwestern corner of property conveyed to Ronald L. Dodson, et al, by Deed recorded November 22, 1960, as Instrument 33258, Stanislaus County Records; thence along the Western line and its Northerly extension of said Dodson property, North 00° 02' East, 200.00 feet, to the Northern line of Clayton Avenue; thence along the Northern line of Clayton Avenue, South 89° 15' East, 15.86 feet, to the Southeastern corner of property conveyed to Clarence L. Hantz, et ux, by Deed recorded June 8, 1960, as Instrument 16227, Stanislaus County Records; thence along the Eastern line of said Hantz property, North 00° 02' East, 114.76 feet, to a point on the existing City Limits, as established by the Southern line of the Garrison School Addition, as per description filed January 29, 1957, as Instrument 2646, Stanislaus County Records; thence along the existing City Limits, South 89° 16' 30" East, 295.68 feet, to the Northwestern corner of the Stensaas Addition; thence along the existing City Limits, South 00° 02' West, 114.88 feet, to the Northern line of Clayton Avenue; thence along the existing City Limits and the Northern line of Clayton Avenue, North 89° 15' West, 23.26 feet, to the point of beginning, containing 2.103 Acres, more or less.

MODESTO CITY COUNCIL
RESOLUTION NO. 62-466

A RESOLUTION APPOINTING GERALD V. UNDERWOOD A MEMBER OF THE MODESTO CITY BOARD OF ZONING ADJUSTMENT

WHEREAS, a vacancy now exists in the Board of Zoning Adjustment of the City of Modesto previously held by Jack R. Jones, who resigned September 30, 1962, and

WHEREAS, Section 1105 of the City Charter provides that if a vacancy shall occur in any board or commission the Council shall appoint a person to fill such vacancy, and

WHEREAS, the Council believes that Gerald V. Underwood is eminently qualified for the appointment to the Board of Zoning Adjustment and will serve the City in such capacity in the interests of the entire community,

NOW, THEREFORE, BE IT RESOLVED that Gerald V. Underwood be appointed to the Board of Zoning Adjustment of the City of Modesto to fill the aforesaid vacancy and serve until January 1, 1966.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 1st day of October, 1962 by Councilman Mitchell, who moved its adoption, which motion being duly seconded by Councilman Shastid, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Johansen, Mitchell, Patton, Shastid Tabbert, VanderWall, Mayor Hammond

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: _____
CITY CLERK

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-467

A RESOLUTION ACCEPTING THE BID OF THE RIX COMPANY, INC. FOR ONE SELF PROPELLED COMPACTION ROLLER

WHEREAS, Resolution No. 62-411, adopted by the Council of the City of Modesto on September 4, 19 62, approved the plans and specifications for the purchase of one self propelled compaction roller

and authorized the calling for bids, and

WHEREAS, the bids received for the purchase of one self propelled compaction roller

were opened at 2 P.M., September 19, 1962 and later tabulated by the ~~Public Works~~ Finance Department for the consideration of the Council, and

WHEREAS, the ~~Director of Public Works~~ Purchasing Department has recommended that the bid of The Rix Company, Inc.

be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED that the bid of The Rix Company, Inc.

be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of October, 19 62, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen Shastid

ATTEST: [signature]
CITY CLERK

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-468

A RESOLUTION ACCEPTING THE BID OF TANNER CONSTRUCTION COMPANY FOR THE CONSTRUCTION OF UNIT A - CURB, GUTTER AND SIDEWALK IN STANDIFORD PARK: UNIT B - SIDEWALK IN ROOSEVELT PARK; AND UNIT C - SIDEWALK IN GARRISON PARK

WHEREAS, Resolution No. 62-434, adopted by the Council of the City of Modesto on September 17, 1962, approved the plans and specifications for the construction of Unit A - Curb, Gutter and Sidewalk in Standiford Park; Unit B - Sidewalk in Roosevelt Park; and Unit C - Sidewalk in Garrison Park and authorized the calling for bids, and

WHEREAS, the bids received for the construction of Unit A - curb, gutter and sidewalk in Standiford Park; Unit B - sidewalk in Roosevelt Park; and Unit C - sidewalk in Garrison Park were opened at 2:30 P.M October 2, 1962 and later tabulated by the Public Works Department for the consideration of the Council, and

WHEREAS, the Director of Public Works has recommended that the bid of Tanner Construction Company be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED that the bid of Tanner Construction Company be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of October, 1962, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen Shastid

ATTEST: [signature]
CITY CLERK

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-469

A RESOLUTION AUTHORIZING WORK TO BE PERFORMED BY CITY FORCES FOR CONSTRUCTION OF WATER LINES IN UNIT A - SHERWOOD MANOR NO. 2 SUBDIVISION; AND UNIT B - CRESTWOOD TERRACE SUBDIVISION

WHEREAS, the Council of the City of Modesto adopted Resolution No. 62-432, on September 17-19 62, approving the plans and specifications for the construction of water lines in Unit A - Sherwood Manor No. 2 Subdivision; and Unit B - Crestwood Terrace Subdivision and directed the City Clerk to advertise for sealed proposals for doing said work, and providing that bids be submitted on the 2nd day of October, 19 62, and

WHEREAS, the City Clerk, in accordance with said Resolution, thereafter duly and regularly caused a notice to be published in the manner and for the time prescribed by law, and

WHEREAS, no bids were received pursuant to said notice, and

WHEREAS, the Director of Public Works estimates that the cost of such work to be performed by city forces for the total sum of $2440.10, which cost estimate has been approved by the City Manager, and

WHEREAS, the Council declares and determines that, in its opinion, based upon the estimate approved by the City Manager, the work in question may be performed better and more economically by the City with its own employees,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that, in accordance with the provisions of Section 1307 of the Charter of the City of Modesto, the City Manager is hereby authorized to proceed to have the work in question performed by the City by its own employees.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of October, 19 62, by Councilman VanderWall, who moved

its adoption, which motion being duly seconded by Councilman Johansen, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Shastid

ATTEST: _____
City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 62-470

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING THE CALLING FOR BIDS FOR THE CONSTRUCTION OF CURB, GUTTER AND SIDEWALK IN UNIT A - CALIFORNIA AVENUE PARK; AND UNIT B - JAMES MARSHALL PARK

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

Section 1. The plans and specifications for the construction of curb, gutter and sidewalk in Unit A - California Avenue Park; and Unit B - James Marshall Park copies of which are on file, are hereby accepted and approved.

Section 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on October 23, 1962, at 2:00 P.M. and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form and manner provided by law.

Section 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of October, 19 62, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Johansen, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: [signature]
CITY CLERK

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-471

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND THE DIVISION OF HIGHWAYS, STATE OF CALIFORNIA, FOR RELOCATION OF STREET LIGHT FACILITIES TO ACCOMMODATE THE MODESTO FREEWAY PROJECT

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the Agreement between the City of Modesto and The Division of Highways, State of California,

for relocation of street light facilities to accommodate the Modesto Freeway Project

be, and it is hereby approved, and

BE IT FURTHER RESOLVED that the execution of said Agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of October, 1962, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Johansen, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: [signature]
CITY CLERK

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62- 472

A RESOLUTION WITHDRAWING CERTAIN DESCRIBED TERRITORY FROM THE BURBANK-PARADISE FIRE PROTECTION DISTRICT BY REASON OF ITS ANNEXATION TO THE CITY OF MODESTO. (Gant Addition)

WHEREAS, a portion of the Burbank-Paradise Fire Protection District was annexed to the City of Modesto by Ordinance No. 527 -C.S., adopted on September 24, 19 62, and

WHEREAS, said territory officially became a part of the City on September 26, 19 62, and

WHEREAS, the Health and Safety Code of the State of California provides that whenever any portion of such a District is included within a city by reason of annexation, such portion may be withdrawn from the District by the filing with the State Board of Equalization, the governing body of the District, and the County Assessor of copies of a resolution of the legislative body of the city, describing the included portion, and declaring such portion withdrawn, and

WHEREAS, it is to the best interests of the residents in the area of said Fire District which has been annexed to the City that the area be withdrawn from said Fire District and provided fire prevention and fire fighting services by the City,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the following described territory be withdrawn from the boundaries of the Burbank-Paradise Fire Protection District:

GANT ADDITION

All that real property in the State of California, County of Stanislaus, Section 31, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits as established by the Northeastern corner of the Paradise Center No. 2 Addition as per description filed April 14, 1959, as Instrument 10647, Stanislaus County Records, said point being on the East line of Section 31 which is also the center line of a 60 foot Public Road known as Sutter Avenue; thence along the existing City Limits the following bearings and distances, South 89° 02' West, 30.00 feet; North 65° 34' 45" West, 145.77 feet; South 49° 48' 30" West, 429.42 feet, to the Northern corner of the Navon Addition as per description filed June 29, 1960, as Instrument 18294, Stanislaus County Records; thence North 02° 33' 14" West, 82.74 feet, to the point of intersection of the Northwestern line of a 66 foot Public Road known as Paradise Road and the Western line of Lot G of the "Resurvey of Brichman's Addition to the City of Modesto" as per map filed October 15, 1904, in Volume 2 of Maps, Page 1, Stanislaus County Records; thence along the Western line of Lot G, North 00° 58' West, 666.98 feet, to the Northwestern corner of Lot G, said point being on the Southern line of a 60 foot Public Road known as Briggs Avenue; thence along the Southern line of Briggs Avenue and its Easterly extension, North 89° 44' East, 496.68 feet, to a point on the Western line of the original boundary of the City of Modesto as incorporated August 1, 1884, said point on the East line of Section 31, said point also being on the center line of a 60 foot Public Road known as Franklin Street; thence along said Section line and the center lines of Franklin Street and Sutter Avenue, South 00° 58' East, 534.57 feet to the point of beginning, containing 6.603 Acres, more or less.

BE IT FURTHER RESOLVED that the City Clerk be, and he is hereby directed to file a certified copy of this resolution with the State Board of Equalization, the governing body of said Fire Protection District, and the Assessor of Stanislaus County.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of October, 1962, by Councilman Johansen, who moved its adoption, which motion being duly seconded by Councilman Mitchell, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: [signature]
City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-473

A RESOLUTION CONFIRMING THE REPORT OF THE SUPERINTENDENT OF STREETS CONCERNING THE WORK OF CONSTRUCTION OF CURBS AND GUTTERS ALONG CERTAIN STREETS IN THE CITY OF MODESTO IN ACCORDANCE WITH THE IMPROVEMENT DISTRICT ACT OF 1911, ASSESSING THE COST OF CONSTRUCTION AGAINST THE PARCEL OF REAL PROPERTY FRONTING UPON THE IMPROVEMENT, AND DIRECTING THE METHOD OF COLLECTION OF THE AMOUNT OF SAID LIEN. (BLOCK 2095, LOT 12)

WHEREAS, Chapter 27 of Part 3 of Division 7 (Sections 5870 et seq.) of the Streets and Highways Code of the State of California establishes a procedure pursuant to which the construction of curbs and gutters may be required, and

WHEREAS, the Council, did, on June 25, 1962, adopt its Resolution No. 62-298, directing the Superintendent of Streets to give notice requiring the construction of curbs and gutters along certain streets in the City of Modesto, as provided therein, and

WHEREAS, the Superintendent of Streets proceeded to cause the completion of the construction of curbs and gutters as aforesaid, in compliance with the provisions of Chapter 27 of Part 3 of Division 7 of the Streets and Highways Code, and

WHEREAS, July 16, 1962, at 5:00 P.M. in the Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California, was set as the time and place for a hearing and passing upon the report of the Superintendent of Streets with respect to the construction of said improvement, and

WHEREAS, upon the completion of said hearing, said Council confirmed the report of the Superintendent of Streets, as submitted, and on file in the office of the City Clerk, the cost of said work specified in Section 1 of this resolution being determined in the total amount of One Hundred Fifty-Two and 95/100ths ($152.95) Dollars.

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

SECTION 1. That the cost of the aforesaid work, being the amount of One Hundred Fifty-Two and 95/100ths ($152.95) Dollars, be assessed as a lien against the parcel of property fronting upon the work so constructed, to wit,

410 Covena Avenue in the City of Modesto, described as follows:

All of Lot 12, Block 2095 of the COVENA PARK TRACT No. 2 as per map filed April 16, 1946 in Volume 14 of Maps, Page 49, Stanislaus County Records.

SECTION 2. In accordance with the provisions of Section 5893 of the California Streets and Highways Code, it is hereby ordered that the notice of said lien be delivered to the Stanislaus County Auditor, who shall enter the amount thereof on the County Assessment Book opposite the description of the particular property and the amount shall be collected together with all other taxes thereon against the property. The Director of Finance shall deliver said notice of lien to the County Auditor before the date fixed by law for the delivery of the Assessment Book to the County Board of Equalization. The lien shall be collected in accordance with the procedure prescribed in Section 5894 of the California Streets and Highways Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of October, 1962, by Councilman Johansen, who moved its adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: [signature]
City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-474

A RESOLUTION APPROVING RENEWAL OF COMPREHENSIVE AUTOMOBILE LIABILITY INSURANCE AND BOILER AND MACHINERY INSURANCE FOR THE CITY OF MODESTO

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the city's comprehensive automobile liability insurance policy with the Springfield Fire and Marine Insurance Company be renewed for a policy period from October 13, 1962 to October 13, 1963.

BE IT FURTHER RESOLVED that the city's boiler and machinery insurance policy with the Columbia Casualty Company be renewed for the three-year period from October 15, 1962 to October 15, 1965.

BE IT FURTHER RESOLVED that the Director of Finance be authorized to pay the total advance premium due for the comprehensive automobile liability insurance in the sum of $6,943.48 to the Springfield Fire and Marine Insurance Company, and the total advance premium due for boiler and machinery insurance in the sum of $373.98 to Columbia Casualty Company.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of October, 1962, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Shastid, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: _____
CITY CLERK

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-475

A RESOLUTION ACCEPTING THE CONSTRUCTION OF CHLORINE CONTROL STRUCTURES AT THE SEWAGE TREATMENT PLANT BY A. TEICHERT & SON, INC.

WHEREAS, a report has been filed by the Director of Public Works that the construction of chlorine control structures at the Sewage Treatment Plant

has been completed by A. Teichert & Son, Inc.

in accordance with the contract agreement, dated May 7, 19 62.

NOW, THEREFORE, BE IT RESOLVED that the construction of chlorine control structures at the Sewage Treatment Plant

be accepted from said contractor, A. Teichert & Son, Inc.,

that Notice of Completion be filed with the Recorder of Stanislaus County and that payment of amounts due, as provided in the contract, be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of October, 19 62, by Councilman Johansen, who moved its adoption, which motion being duly seconded by Councilman Shastid, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: [signature]
CITY CLERK

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62- 476

A RESOLUTION WITHDRAWING CERTAIN DESCRIBED TERRITORY FROM THE WOODLAND FIRE PROTECTION DISTRICT BY REASON OF ITS ANNEXATION TO THE CITY OF MODESTO. (Renee Manor Addition)

WHEREAS, a portion of the Woodland Fire Protection District was annexed to the City of Modesto by Ordinance No. 528 -C.S., adopted on September 24, 1962, and

WHEREAS, said territory officially became a part of the City on September 26, 19____, and

WHEREAS, the Health and Safety Code of the State of California provides that whenever any portion of such a District is included within a city by reason of annexation, such portion may be withdrawn from the District by the filing with the State Board of Equalization, the governing body of the District, and the County Assessor of copies of a resolution of the legislative body of the city, describing the included portion, and declaring such portion withdrawn, and

WHEREAS, it is to the best interests of the residents in the area of said Fire District which has been annexed to the City that the area be withdrawn from said Fire District and provided fire prevention and fire fighting services by the City,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the following described territory be withdrawn from the boundaries of the Woodland Fire Protection District:

All that real property situate in the State of California, County of Stanislaus, Sections 7 and 18, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits as established by the Northwestern corner of the Gregory Gardens No. 4 Addition, as per description filed May 28, 1959, Instrument 15694, and by the Southwestern corner of the Neighborhood Church Addition, as per description filed February 2, 1961, Instrument 3513, Stanislaus County Records, said point being on the Section Line common to Sections 7 and 18; thence along the Western line of said Gregory Gardens No. 4 Addition and the existing City Limits, South 0° 51' 30" East, 254.76 feet, to a point on the Southern line of property conveyed to Lance E. Ellis, et ux, by Deed recorded January 31, 1962, Instrument 4044, Stanislaus County Records; thence along said Southern line of Ellis property, North 89° 10' 30" West, 1531.23 feet, to a point on the Eastern line of a 40 foot Public Road known as Carver Road; thence along the Eastern line of Carver Road, North 0° 56' 30" West, 253.44 feet, to a point on the Section Line common to Sections 7 and 18; thence continuing along the Eastern line of Carver Road, North 0° 49' West, 1320.70 feet, to a point on the Northern line of said Ellis property; thence along the Northern line of said Ellis property, South 89° 09' East, 1838.62 feet, to a point on the existing City Limits at the Northwestern corner of the Neighborhood Church Addition; thence along the Western line of the Neighborhood Church Addition and the existing City Limits, the following bearings and distances: South 14° 49' West, 289.90 feet; North 88° 16' 15" West, 232.04 feet; South 0° 59' East, 1040.92 feet, to the point of beginning, containing 56.996 Acres.

BE IT FURTHER RESOLVED that the City Clerk be, and he is hereby directed to file a certified copy of this resolution with the State Board of Equalization, the governing body of said Fire Protection District, and the Assessor of Stanislaus County.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of October, 19 62, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Shastid, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: _____
City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-477

A RESOLUTION SETTING THE TIME AND PLACE FOR A PUBLIC HEARING BEFORE THE COUNCIL OF THE CITY OF MODESTO ON A PROPOSED AMENDMENT TO SECTION 16 OF THE ZONING MAP OF MODESTO

WHEREAS, the Modesto City Planning Commission held a public hearing on October 2, 1962, in the Council Chamber for the purpose of considering an amendment to Section 16 of the Zoning Map of Modesto, to reclassify from Planned Development Zone, P-D(2) to One Family Zone, R-1, the following described property:

All that portion of Lots 7 and 8 of the Pomona Villa Tract more particularly described as follows:

Commencing at the west quarter corner of Section 16; thence South 89° 37' 17" East along the east-west quarter section line of said Section 16 a distance of 25.00 feet to the east right of way line of McHenry Avenue and the true point of beginning of this description; thence continuing South 89° 37' 17" East along said quarter section line a distance of 632.92 feet; thence South 0° 49' 10" East along the west boundary line and its northerly prolongation of the Village Park Tract as recorded April 15, 1960, in Volume 19 of Maps at Page 38, Stanislaus County Records a distance of 634.82 feet to the north right of way line of Tokay Avenue, being a 50-foot right of way as shown on said Pomona Villa Tract Map; thence North 89° 36' 55" West along said north right of way line a distance of 303.19 feet; thence North 0° 47' 40" West parallel to McHenry Avenue a distance of 330.00 feet; thence North 89° 36' 55" West parallel to Tokay Avenue a distance of 330.00 feet to the east right of way line of McHenry Avenue; thence North 0° 47' 40" West along said east right of way line a distance of 304.74 feet to the point of beginning; said property being located north of Tokay Avenue east of McHenry Avenue; and

WHEREAS, the said Commission, after hearing evidence both oral and documentary, on the proposed amendment, adopted Resolution No. 848 recommending to the Council that rezoning of the area as requested was required by public necessity, convenience and general welfare,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that a public hearing on the proposed amendment be set for 4:45 P.M., Monday, November 5, 1962, in the Council Chamber of the City of Modesto as recommended by the Modesto City Planning Commission.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of October, 1962, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Shastid, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall. Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: [signature]
City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 62- 478

A RESOLUTION GIVING NOTICE OF THE PROPOSED ANNEXATION TO THE CITY OF MODESTO OF UNINHABITED TERRITORY DESCRIBED HEREIN AND DESIGNATED AS DODSON ADDITION AND GIVING NOTICE OF TIME AND PLACE FOR HEARING PROTESTS THERETO.

BE IT RESOLVED by the Council of the City of Modesto:

1. That, pursuant to the provisions of the Annexation of Uninhabited Territory Act of 1939, a petition signed by owners of not less than one fourth of the land in the hereinafter described territory by area and by assessed value as shown on the last equalized assessment roll of the County of Stanislaus, was filed with the Council of the City of Modesto on September 26, 1962, requesting annexation of the hereinafter described territory to said City.

2. That the territory which the petitioners request be annexed to the City of Modesto and which said City and its Council propose to annex, is situate in the County of Stanislaus, State of California, hereby designated as DODSON ADDITION, and described as follows:

6/21/62

DODSON ADDITION

All that real property situate in the State of California, County of Stanislaus, Section 19, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits as established by the most Westerly line of the Stensaas Addition, as per description filed July 23, 1962, as Instrument 27722, Stanislaus County Records, said point being on the Northern line of a 50 foot Public Road known as Clayton Avenue, and bearing North 89° 15' West, 260.00 feet from the center line of a 60 foot Public Road known as Carver Road; thence along the existing City Limits, South 00° 02' West, 200.00 feet, to a point on the existing City Limits as established by the Northern line of the Campus Edge Addition, as per description filed July 24, 1956, as Instrument 20020, Stanislaus County Records; thence along the existing City Limits, North 89° 15' West, 288.28 feet, to the Southwestern corner of property conveyed to Ronald L. Dodson, et al, by Deed recorded November 22, 1960, as Instrument 33258, Stanislaus County Records; thence along the Western line and its Northerly extension of said Dodson property, North 00° 02' East, 200.00 feet, to the Northern line of Clayton Avenue; thence along the Northern line of Clayton Avenue, South 89° 15' East, 15.86 feet, to the Southeastern corner of property conveyed to Clarence L. Hantz, et ux, by Deed recorded June 8, 1960, as Instrument 16227, Stanislaus County Records; thence along the Eastern line of said Hantz property, North 00° 02' East, 114.76 feet, to a point on the existing City Limits, as established by the Southern line of the Garrison School Addition, as per description filed January 29, 1957, as Instrument 2646, Stanislaus County Records; thence along the existing City Limits, South 89° 16' 30" East, 295.68 feet, to the Northwestern corner of the Stensaas Addition; thence along the existing City Limits, South 00° 02' West, 114.88 feet, to the Northern line of Clayton Avenue; thence along the existing City Limits and the Northern line of Clayton Avenue, North 89° 15' West, 23.26 feet, to the point of beginning, containing 2.103 Acres, more or less.

3. That the County Boundary Commission of Stanislaus County, California, did in session duly assembled on September 18, 1962, consider the proposed annexation boundaries of said DODSON ADDITION, as above described, and as submitted to said Commission by the proponents of said annexation.

4. No change in school district boundaries shall be effected by reason of the annexation of the hereinabove described area to the City of Modesto.

5. NOTICE IS HEREBY GIVEN that the 19th day of November, 1962, at the hour of 4:30 o'clock P.M. of said day, in the Council Chambers at the City Hall, located at 801 Eleventh Street in the City of Modesto, be, and the same is hereby fixed as the time and place for considering said petition, at which time and place any person owning real property within such territory and having any objections to the proposed annexation may appear before the Council of the City of Modesto and show cause why such territory should not be so annexed. The protest must be in writing, may be filed at any time before the hour set for hearing objections to the proposed annexation, and shall state the name or names of the owner or owners of property affected and the description and area of such property, in general terms.

6. The City Clerk shall cause a copy of this resolution to be published at least twice, but not oftener than once a week, in The Modesto Tribune, a newspaper of general circulation, published in the City of Modesto and being the official newspaper of the City of Modesto, and shall also cause a copy of this resolution to be published in the Turlock Daily Journal, being a newspaper of general circulation published outside of the City of Modesto but in the County of Stanislaus. Said publications shall be completed at least twenty (20) days prior to the date set for the hearing.

7. The City Clerk of the City of Modesto shall also cause written notice of such proposed annexation to be mailed to each person to whom land within the territory proposed to be annexed is assessed on the last equalized county assessment roll available on the date the proceedings were initiated, at the address shown on said assessment roll

or as known to said Clerk, and to any person who has filed his name and address and the designation of the land in which he has any interest, either legal or equitable, with said Clerk. Said notices shall be mailed not less than twenty (20) days before the public hearing on the proposed annexation.

8. In the event any land within the territory proposed to be annexed is owned by the County of Stanislaus, the City Clerk is directed to cause written notice of such proposed annexation to be mailed to the Board of Supervisors of the County, such notice to be given not less than twenty (20) days before the public hearing on the proposed annexation.

9. In the event there is, upon the land proposed to be annexed, a structural improvement owned, being acquired or leased by a county fire protection district, the City Clerk is directed to cause written notice of such proposed annexation to be mailed to the governing body of such district, such notice to be sent not less than ten (10) days before the public hearing on the proposed annexation.

10. The City Clerk is directed to cause written notice to be given to such other persons as may be legally entitled thereto, in the manner required by law.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of October, 1962, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: [signature]
City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62- 479

A RESOLUTION GIVING NOTICE OF THE PROPOSED ANNEXATION TO THE CITY OF MODESTO OF UNINHABITED TERRITORY DESCRIBED HEREIN AND DESIGNATED AS HELM ADDITION AND GIVING NOTICE OF TIME AND PLACE FOR HEARING PROTESTS THERETO.

BE IT RESOLVED by the Council of the City of Modesto:

1. That, pursuant to the provisions of the Annexation of Uninhabited Territory Act of 1939, a petition signed by owners of not less than one fourth of the land in the hereinafter described territory by area and by assessed value as shown on the last equalized assessment roll of the County of Stanislaus, was filed with the Council of the City of Modesto on September 26, 1962, requesting annexation of the hereinafter described territory to said City.

2. That the territory which the petitioners request be annexed to the City of Modesto and which said City and its Council propose to annex, is situate in the County of Stanislaus, State of California, hereby designated as HELM ADDITION, and described as follows:

6/21/62

All that real property in the State of California, County of Stanislaus, Section 21, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, being a portion of Lot 15, Mensinger Colony as per map filed May 18, 1909 in Volume 4 of Maps, Page 25, Stanislaus County Records, described as follows:

Beginning at a point on the intersection of the existing City Limits as established by the North Central Addition as per description filed August 15, 1953, as Instrument 17507, Stanislaus County Records, and the Westerly extension of the Southern line of said Lot 15 of Mensinger Colony; thence along the City Limits, North 0° 56' West, 330.33 feet to a point on the Westerly extension of the Northern line of Lot 15 of Mensinger Colony; thence along the Northern line and its Westerly extension, South 89° 48' East, 674.90 feet, to a point on the Northerly extension of the Eastern line of the property conveyed to Frank M. Helm, as per Deed recorded March 15, 1962 as Instrument 10030, Stanislaus County Records; thence along the Eastern line and its Northerly extension of said Helm property, South 0° 50' East, 330.24 feet, to the Southeastern corner of said Helm property, said point also being on the Southern line of Lot 15 of Mensinger Colony; thence along the Southern line of Lot 15 and its Westerly extension, North 89° 49' West, 674.80 feet, to the point of beginning, containing 5.117 Acres more or less.

3. That the County Boundary Commission of Stanislaus County, California, did in session duly assembled on September 18, 19 62, consider the proposed annexation boundaries of said HELM ADDITION, as above described, and as submitted to said Commission by the proponents of said annexation.

4. No change in school district boundaries shall be effected by reason of the annexation of the hereinabove described area to the City of Modesto.

5. NOTICE IS HEREBY GIVEN that the 13th day of November, 19 62, at the hour of 8:00 o'clock P.M. of said day, in the Council Chambers at the City Hall, located at 801 Eleventh Street in the City of Modesto, be and the same is hereby fixed as the time and place for considering said petition, at which time and place any person owning real property within such territory and having any objections to the proposed annexation may appear before the Council of the City of Modesto and show cause why such territory should not be so annexed. The protest must be in writing, may be filed at any time before the hour set for hearing objections to the proposed annexation, and shall state the name or names of the owner or owners of property affected and the description and area of such property, in general terms.

6. The City Clerk shall cause a copy of this resolution to be published at least twice, but not oftener than once a week, in The Modesto Tribune, a newspaper of general circulation, published in the City of Modesto and being the official newspaper of the City of Modesto. Said publications shall be completed at least twenty (20) days prior to the date set for the hearing.

7. The City Clerk of the City of Modesto shall also cause written notice of such proposed annexation to be mailed to each person to whom land within the territory proposed to be annexed is assessed on the last equalized county assessment roll available on the date the proceedings were initiated, at the address shown on said assessment roll

or as known to said Clerk, and to any person who has filed his name and address and the designation of the land in which he has any interest, either legal or equitable, with said Clerk. Said notices shall be mailed not less than twenty (20) days before the public hearing on the proposed annexation.

8. In the event any land within the territory proposed to be annexed is owned by the County of Stanislaus, the City Clerk is directed to cause written notice of such proposed annexation to be mailed to the Board of Supervisors of the County, such notice to be given not less than twenty (20) days before the public hearing on the proposed annexation.

9. In the event there is, upon the land proposed to be annexed, a structural improvement owned, being acquired or leased by a county fire protection district, the City Clerk is directed to cause written notice of such proposed annexation to be mailed to the governing body of such district, such notice to be sent not less than ten (10) days before the public hearing on the proposed annexation.

10. The City Clerk is directed to cause written notice to be given to such other persons as may be legally entitled thereto, in the manner required by law.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of October, 1962, by Councilman Mitchell, who moved its adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: None

ATTEST: _____
City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-480

A RESOLUTION APPROVING APPROPRIATION TRANSFER FROM GENERAL FUND, GENERAL RESERVE, TO INSURANCE AND RETIREMENT, PUBLIC LIABILITY INSURANCE

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the following appropriation transfer be approved:

GENERAL FUND (101)

From:	General Reserve (600)	$570.00
To:	Insurance and Retirement (64) Public Liability Insurance (415)	$570.00

To provide additional funds for general comprehensive liability insurance, excepting automobile, for the policy period of June 27, 1961 to June 27, 1962.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of October, 19 62, by Councilman Shastid, who moved its adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: [signature]
CITY CLERK

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-481

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING THE CALLING FOR BIDS FOR ONE POLICE CAR

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

Section 1. The plans and specifications for one police car

copies of which are on file, are hereby accepted and approved.

Section 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on October 30, 1962 at 2:00 P.M. and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form and manner provided by law.

Section 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 15th day of October, 1962, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: ~~XXXXXXXX~~, Mitchell, Patton, ~~XXXXXX~~, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: ~~None~~ Johansen, Shastid

ATTEST: _____
CITY CLERK

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-482

A RESOLUTION AUTHORIZING THE RELEASE OF THE UNITED PACIFIC INSURANCE COMPANY PERFORMANCE BOND FILED TO GUARANTEE IMPROVEMENTS IN GLEN AULEN SUBDIVISION

WHEREAS, G. A. Stevens, Juanita Stevens, J. D. Trombetta, Helen Trombetta, W. M. Mineni and Rose Marie Mineni, subdividers of Glen Aulen Subdivision, have filed with the City of Modesto a performance bond to guarantee the improvements in the aforesaid subdivision, and

WHEREAS, the Director of Public Works has reported that the improvements have been completed in the aforesaid subdivision to his satisfaction, and has recommended the release of the performance bond,

NOW, THEREFORE, BE IT HEREBY RESOLVED that the United Pacific Insurance Company Performance Bond No. B-57851 in the sum of $37,000 filed by G. A. Stevens, Juanita Stevens, J. D. Trombetta, Helen Trombetta, W. M. Mineni and Rose Marie Mineni to guarantee the improvements in Glen Aulen Subdivision, be and it is hereby released.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 15th day of October, 1962, by Councilman Tabbert, who moved its adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: ~~XXXXXXXX~~, Mitchell, Patton, ~~XXXXXX~~, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: ~~XXXX~~ Johansen, Shastid

ATTEST: [signature]
CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 62-483

A RESOLUTION ACCEPTING THE CONSTRUCTION OF THE IMPROVEMENT OF BOWEN AVENUE BETWEEN TIDEWATER SOUTHERN RAILROAD AND McHENRY AVENUE BY M. J. RUDDY & SON

WHEREAS, a report has been filed by the Director of Public Works that the construction of the improvement of Bowen Avenue between Tidewater Southern Railroad and McHenry Avenue

has been completed by M. J. Ruddy & Son

in accordance with the contract agreement, dated July 23, 1962.

NOW, THEREFORE, BE IT RESOLVED that the construction of the improvement of Bowen Avenue between Tidewater Southern Railroad and McHenry Avenue

be accepted from said contractor M. J. Ruddy & Son

that Notice of Completion be filed with the Recorder of Stanislaus County and that payment of amounts due, as provided in the contract, be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 15th day of October, 1962, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Mitchell, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: ~~XXXXXXXX~~, Mitchell, Patton, ~~XXXXXX~~, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: ~~XXXX~~ Johansen, Shastid

ATTEST: [signature]
CITY CLERK

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-484

A RESOLUTION EXPRESSING APPRECIATION TO TOM MELLIS FOR EXTENDING INVITATION TO THE NEW YORK YANKEES AND SAN FRANCISCO GIANTS TO USE DEL WEBB FIELD FOR BATTING DRILL

WHEREAS, residents of the City of Modesto were given the unprecedented opportunity of witnessing the New York Yankees and the San Francisco Giants in batting drill at Modesto's Del Webb Field on October 14, 1962 and

WHEREAS, the presence of the two teams at Del Webb Field was made possible by the invitation of Tom Mellis, sports enthusiast and one of the founders of the S.O.S. Club,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the appreciation of the City and the citizens of Modesto is hereby expressed to Tom Mellis for his effort in making the appearance of the two baseball teams at Del Webb Field possible.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 15th day of October, 1962 by Councilman Patton, who moved its adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Mitchell, Patton, Tabbert, VanderWall, Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: Johansen, Shastid

ATTEST: [signature]
CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 62- 485 Project No. CFA-1101

RESOLUTION PROVIDING FOR INCREASE IN PLANNED TOTAL EXPENDITURE FOR CAPITAL IMPROVEMENT PROJECTS.

WHEREAS, under the terms of Public Law 87-658, approved September 14, 1962, the United States of America has authorized the making of a grant to aid in financing the construction of a specific public works project, provided the proposed or planned total expenditure of the public body for its capital improvement projects is increased by an amount approximately equal to the non-Federal funds required to complete such public works project:

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

1. That as of the date of filing of an application by the City of Modesto, hereafter called Applicant, with the Housing and Home Finance Agency, United States Government, for a grant to aid in the financing of the construction of the police-communications building, the Applicant had a capital improvements plan or capital improvement budget for the fiscal year or years during which construction of the proposed project is expected to occur; and that the total expenditure for capital improvements in said plan or budget was $ 844,093.00 for the fiscal year ending June 30, 1963 and $ Unknown for the fiscal year ending June 30, 1964.

2. That, in the event that said Federal grant is approved by the United States of America, said capital improvements plan or capital budget is hereby increased by $ 709,208.00 for the fiscal year ending June 30, 1963 and $ -0- for the fiscal year ending -0- for a total increase of $ 354,604.00 in the proposed or planned total expenditure for capital improvement projects (exclusive of Federal funds).

3. That said total increase in the proposed or planned total expenditure for capital improvement projects is approximately equal to the non-Federal funds required to complete the public works project for which the application is to be submitted.

The foregoing resolution was introduced at a regular adjourned meeting of the Council of the City of Modesto held on the 19th day of October, 1962, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and the resolution adopted by the following vote:

AYES: **Councilmen:** Johansen, Tabbert, VanderWall, Mayor Hammond

NOES: **Councilmen:** None

ABSENT: **Councilmen:** Mitchell, Patton, Shastid

ATTEST: [signature]
City Clerk

(SEAL)

CERTIFICATE OF RECORDING OFFICER

The undersigned duly qualified and acting City Clerk of the City of Modesto does hereby certify: That the attached resolution is a true and correct copy of the resolution, providing for an increase in the proposed or planned total expenditures for capital improvement projects, as regularly adopted at a legally convened meeting of the Council of the City of Modesto duly held on the 19th day of October, 1962; and further that such resolution has been fully recorded in the journal of proceedings and records in my office.

IN WITNESS WHEREOF, I have hereunto set my hand this 19th day of October, 1962.

REX E. GAILFUS, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 62-485A

A RESOLUTION SUPPORTING PROPOSITION 1-A ON THE NOVEMBER 6, 1962 BALLOT

WHEREAS, the growth and development of the Stanislaus State College is directly related to the provision of permanent physical facilities for this institution, and

WHEREAS, Proposition 1-A, which is to be submitted to the voters at the general election in November, 1962, would provide some 4.6 million dollars for initial construction of a permanent campus, and

WHEREAS, such construction would provide new jobs in Stanislaus County and thereby relieve the present situation of relatively high unemployment, and

WHEREAS, in view of the above the Trustees of the California State Colleges, at the request of the Governor of California, have authorized the continuation of planning work in order that construction may commence as rapidly as funds are made available,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that said Council favors the passage of Proposition 1-A and urges the voters of the City of Modesto to vote "yes" on said proposition.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 29th day of October, 1962, by Councilman Johansen, who moved its adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: [signature]
CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 62- 486 Project No. CFA-1101

RESOLUTION AUTHORIZING FILING OF APPLICATION WITH THE HOUSING AND HOME FINANCE AGENCY, UNITED STATES OF AMERICA, FOR A GRANT UNDER THE TERMS OF PUBLIC LAW 345, 84TH CONGRESS, AS AMENDED BY THE PUBLIC WORKS ACCELERATION ACT.

WHEREAS, under the terms of said Public Law 345, as amended, the United States of America has authorized the making of grants to public bodies to aid in financing the construction of specific public projects:

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

1. That the City Manager be and he is hereby authorized to execute and file an application on behalf of the City of Modesto with the Housing and Home Finance Agency, United States Government, for a grant to aid in the financing of the construction of the police-communications building.

2. That Ross Miller, City Manager, be and he is hereby authorized and directed to furnish such information as the Housing and Home Finance Agency may reasonably request in connection with the application which is herein authorized to be filed.

The foregoing resolution was introduced at a regular adjourned meeting of the Council of the City of Modesto held on the 19th day of October, 1962, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and the resolution adopted by the following vote:

AYES: **Councilmen:** Johansen, Tabbert, VanderWall, Mayor Hammond

NOES: **Councilmen:** None

ABSENT: **Councilmen:** Mitchell, Patton, Shastid

ATTEST: _____
City Clerk

(SEAL)

CERTIFICATE OF RECORDING OFFICER

The undersigned duly qualified and acting City Clerk of the City of Modesto does hereby certify: That the attached resolution is a true and correct copy of the resolution, authorizing the filing of application with the Housing and Home Finance Agency, as regularly adopted at a legally convened meeting of the Council of the City of Modesto duly held on the 19th day of October, 1962; and further that such resolution has been fully recorded in the journal of proceedings and records in my office.

IN WITNESS WHEREOF, I have hereunto set my hand this 19th day of October, 1962.

REX E. GAILFUS, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 62-486 A

A RESOLUTION ACCEPTING THE BID OF NANCE FORD TRACTOR COMPANY IN THE SUM OF $2,890, INCLUDING SALES TAX, FOR ONE GASOLINE POWERED TRACTOR WITH ONE CUBIC YARD DUMP BOX BODY FOR GOLF COURSE USE

WHEREAS, Resolution No. 62-446, adopted by the Council of the City of Modesto on September 24, 19 62, approved the ~~plans and~~ specifications for the gasoline powered tractor with one cubic yard dump box body for golf course use and authorized the calling for bids, and

WHEREAS, the bids received for the gasoline powered tractor with dump box body were opened at 2:00 P.M., Oct. 16, 1962 and later tabulated by the Public Works Department for the consideration of the Council, and

WHEREAS, the Director of Public Works has recommended that the bid of Nance Ford Tractor Company in the sum of $2,890, including sales tax be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED that the bid of Nance Ford Tractor Company be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a ~~regular~~ special meeting of the Council of the City of Modesto held on the 29th day of October, 19 62, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Patton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen None

ATTEST: [signature]
CITY CLERK

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-487

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND STANDARD OIL COMPANY OF CALIFORNIA, WESTERN OPERATIONS, INC., FOR A SITE FOR AIRPLANE FUELING FACILITIES AT MODESTO CITY-COUNTY AIRPORT (Commencing October 1, 1962)

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the Agreement between the City of Modesto and Standard Oil Company of California, Western Operations, Inc.

for a site for airplane fueling facilities at Modesto City-County Airport (commencing October 1, 1962)

be, and it is hereby approved, and

BE IT FURTHER RESOLVED that the execution of said Agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 19th day of October, 1962, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Johansen, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Mitchell, Patton, Shastid

ATTEST: _____
CITY CLERK

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-487 A

A RESOLUTION INCREASING THE LIMITS FOR GENERAL COMPREHENSIVE AUTOMOBILE LIABILITY, AND BOILER AND MACHINERY INSURANCE COVERAGE TO $100,000 EACH

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the City's present automobile comprehensive liability insurance coverage be, and it is hereby increased to $100,000, effective October 30, 1962.

BE IT FURTHER RESOLVED by the Council of the City of Modesto that the City's present boiler and machinery insurance coverage be, and it is hereby increased to $100,000, effective October 30, 1962.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 29th day of October, 1962, by Councilman Shastid, who moved its adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: _____
CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 62- 488

RESOLUTION AUTHORIZING FILING OF APPLICATION WITH THE HOUSING AND HOME FINANCE AGENCY, UNITED STATES OF AMERICA, FOR A GRANT TO ACQUIRE OPEN-SPACE LAND.

WHEREAS, Title VII of the Housing Act of 1961 provides for the making of grants by the Housing and Home Finance Administrator to States and local public bodies to assist them in the acquisition of permanent interests in land for open-space purposes where such acquisition is deemed essential to the proper long-range development and welfare of urban areas in accordance with plans for the allocation of land to such purposes; and

WHEREAS, the City of Modesto desires to acquire fee simple title to certain land known as Grace Davis High School Community Park, which land, in accordance with the Modesto Urban Area General Plan adopted January 28, 1959, by the Modesto City Council, is to be held and used for permanent open-space land as a public park; and

WHEREAS, it is estimated that the total consideration to be paid for the acquisition of said interest will be ~~Sixty~~ One Hundred ~~Six Thousand~~ Four Thousand, Five Hundred and No/100ths ($14,500.00) Dollars:

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

1. That an application be made to the Housing and Home Finance Agency for a grant in an amount authorized by Title VII of the Housing Act of 1961, which amount is presently estimated to be ~~Twenty-Eight~~ Thirty-One Thousand, ~~Eight~~ Three Hundred Fifty and No/100ths ($31,350.00) Dollars, and that the City of Modesto will pay the balance of the consideration for the acquisition of such interest and the total of all related costs from other funds available to it.

2. That the City Manager is hereby authorized and directed to execute and to file such application with the Housing and Home Finance Agency, to provide additional information and to furnish such documents as may be required by said Agency, to execute such contracts as are required by said Agency, and to act as the authorized correspondent of the City of Modesto.

3. That the proposed acquisition is in accordance with the Modesto Urban Area General Plan adopted January 28, 1959, by the Modesto City Council for the preservation of permanent open-space land, and that, should said grant be made, the City of Modesto will retain said land for the use designated in said application and approved by the Housing and Home Finance Agency.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 19th day of October, 1962, by Councilman Johansen, who moved its adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Mitchell, Patton, Shastid

ATTEST: _____
City Clerk

(SEAL)

CERTIFICATE OF RECORDING OFFICER

The undersigned hereby certifies that:

1. He is the duly qualified and acting City Clerk of the City of Modesto, herein called the "Applicant", and the keeper of its records.

2. The attached resolution is a true and correct copy of the resolution as finally adopted at a meeting of the Applicant held on the 19th day of October, 1962, and duly recorded in his office.

3. Said meeting was duly convened and held in all respects in accordance with law and, to the extent required by law, due and proper notice of such meeting was given. A legal quorum was present throughout the meeting, and a legally sufficient number of members of the Applicant voted in the proper manner for the adoption of said resolution. All other requirements and proceedings under law incident to the proper adoption or passage of said resolution have been duly fulfilled, carried out, and otherwise observed.

4. If an impression of the seal has been affixed below, it constitutes the official seal of the Applicant, and this certificate is hereby executed under such official seal. If no seal has been affixed below, the Applicant does not have and is not legally required to have an official seal.

5. The undersigned is duly authorized to execute this certificate.

IN WITNESS WHEREOF, the undersigned has hereunto set his hand this 19th day of October, 1962.

REX E. GAILFUS, City Clerk

ATTEST:

REX E. GAILFUS, City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-488 A

A RESOLUTION APPROVING APPROPRIATION TRANSFERS TO INCREASE THE LIMITS OF LIABILITY FOR PROPERTY DAMAGE COVERED BY THE BOILER AND MACHINERY, AND AUTOMOBILE GENERAL COMPREHENSIVE LIABILITY INSURANCE POLICIES TO $100,000 EACH

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the following appropriation transfer(s) be approved:

GENERAL FUND (101)

FROM:	General Reserve (600)	$14.00
TO:	Insurance & Retirement (64) Boiler & Machinery Insurance (416)	$14.00

To increase the limits of liability for property damage covered by the Boiler and Machinery Insurance Policy to $100,000, and

SERVICE DIVISION WORKING CAPITAL FUND (512)

FROM:	Reserve Appropriation (600)	$110.00
TO:	Public Works Service Division Auto Insurance (48-412)	$110.00

To increase the limits of liability for property damage covered by the Auto General Comp. Liability Policy to $100,000

The foregoing resolution was introduced at a ~~regular~~ special meeting of the Council of the City of Modesto held on the 29th day of October, 19 62, by Councilman Shastid, who moved its adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: [signature]
CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 62-489

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND LEROY AND HELEN EAMES FOR THE RENTAL OF CITY OWNED PROPERTY AT 217 ELM STREET ON A MONTH TO MONTH TENANCY FOR THE SUM OF $60 PER MONTH (Effective November 1, 1962)

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the Agreement between the City of Modesto and Leroy and Helen Eames

for rental of city owned property at 217 Elm Street on a month to month tenancy for the sum of $60 per month, effective November 1, 1962

be, and it is hereby approved, and

BE IT FURTHER RESOLVED that the execution of said Agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a special ~~regular~~ meeting of the Council of the City of Modesto held on the 29th day of October, 1962, by Councilman Johansen, who moved its adoption, which motion being duly seconded by Councilman Shastid, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: [signature]
CITY CLERK

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-490

A RESOLUTION RESCINDING COUNCIL RESOLUTION NO. 62-467

BE IT HEREBY RESOLVED by the Council of the City of Modesto that Council Resolution No. 62-467, awarding the Rix Company a sales contract for the purchase of a compaction roller be, and it is hereby rescinded.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto, held on the 29th day of October, 1962, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Shastid, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 62-491

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF $270 FROM GENERAL FUND, GENERAL RESERVE, TO MISCELLANEOUS UNCLASSIFIED, SPECIAL SURVEYS

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the following appropriation transfer(s) be approved:

GENERAL FUND (101)

FROM:	General Reserve (600)	$270
TO:	Miscellaneous Unclassified Special Surveys (65-421)	$270

To pay the State Department of Finance for a population estimate to be effective January 1, 1963.

The foregoing resolution was introduced at a ~~regular~~ special meeting of the Council of the City of Modesto held on the 29th day of October, 1962, by Councilman Johansen, who moved its adoption, which motion being duly seconded by Councilman Shastid, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: _____
CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 62- 492

A RESOLUTION REFERRING TO THE MODESTO CITY PLANNING COMMISSION A PETITION FOR ANNEXATION OF CERTAIN UNINHABITED TERRITORY TO THE CITY OF MODESTO KNOWN AS NORTHLAND ESTATES ADDITION.

WHEREAS, a petition has been filed in the office of the City Clerk requesting the annexation of certain uninhabited territory to the City of Modesto, which territory is more specifically described hereinafter, and

WHEREAS, the County Boundary Commission has certified to the definiteness and accuracy of the boundaries of said territory,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that said petition for the annexation of the following described uninhabited territory be referred to the Planning Commission for its report and recommendation.

The territory herein referred to is situated in the County of Stanislaus, State of California, and more particularly described as attached hereto.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 29th day of October, 19 62, by Councilman Mitchell, who moved its adoption, which motion being duly seconded by Councilman Johansen, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: [signature]
City Clerk

(SEAL)

NORTHLAND ESTATES ADDITION

All that real property in the State of California, County of Stanislaus, and being a portion of Section 8, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning on the existing City Limits as established by the Northeastern corner of the Neighborhood Church Addition filed February 2, 1961, as Instrument 3513, Stanislaus County Records, said point being on the Southern line of a 40 foot Public Road known as Woodrow Avenue; thence along the Northerly extension of the Eastern line of said Neighborhood Church Addition, North 1° 23' West, 40 feet, to a point on the Northern line of Woodrow Avenue; thence along the Northern line of Woodrow Avenue, South 89° 08' East, 914.81 feet to a point on the North-South quarter section line of Section 8; thence along the quarter section line, South 1° 19' East, 1.26 feet; thence along the Northern line of Woodrow Avenue South 89° 30' East, 590.14 feet to the Southeastern corner of the North Star Estates Subdivision, as per map filed October 4, 1961, Volume 19 of Maps, Page 84, Stanislaus County Records; thence along the Southerly extension of the Eastern line of the North Star Estates Subdivision, South 1° 13' East, 40.02 feet, to a point on the Southern line of Woodrow Avenue, thence along the Southern line of Woodrow Avenue, South 89° 30' East, 230.59 feet to the Northwestern corner of property conveyed to Stanley B. Dufton as per Deed recorded December 19, 1956, Instrument 34090, Stanislaus County Records; thence along the Western line of Dufton property, South 1° 19' East, 641.33 feet, to the Southwestern corner of Dufton property, said point also being on the Northern line of property conveyed to Gertrude Ruddy, as per Deed recorded June 6, 1956, Instrument 15613, Stanislaus County Records; thence along the Northern line of Ruddy property, North 89° 27' 30" West, 790.80 feet, to the Northwestern corner of Ruddy property, said point also being on the Eastern line of Tidewater Southern Railroad Right of Way; thence along the Eastern line of Tidewater Southern Railroad Right of Way, North 1° 19' West, 640.73 feet, to the Southern line of Woodrow Avenue; thence along the Southern line of Woodrow Avenue, North 89° 30' West 30.07 feet, to a point on the North-South quarter section line of Section 8; thence along said quarter section line, North 1° 19' West, 1.26 feet to the Southern line of Woodrow Avenue; thence along the Southern line of Woodrow Avenue, North 89° 08' West, 914.65 feet to the point of beginning, containing 13.328 Acres, more or less.

MODESTO CITY COUNCIL
RESOLUTION NO. 62-493

A RESOLUTION SETTING THE TIME AND PLACE FOR A PUBLIC HEARING BEFORE THE COUNCIL OF THE CITY OF MODESTO ON A PROPOSED AMENDMENT TO SECTION 21 OF THE ZONING MAP (Portion Block 649 - Allen Addition)

WHEREAS, the Modesto City Planning Commission held a Public Hearing on October 16, 1962, in the Council Chambers for the purpose of considering an amendment to Section 21 of the Zoning Map to rezone from One-Family Zone, R-1, to General Commercial Zone, C-2, that portion of Block 649 annexed on October 30, 1959 as the Allen Addition, more particularly described as follows:

> Beginning at a point on the south line of Hintze Avenue 238 feet east of the center line of McHenry Avenue; thence west along the south line of Hintze Avenue a distance of 263 feet to a point which is 25 feet west of the center line of McHenry Avenue; thence north 0° 56' west, 163.44 feet; thence north 88° 57' east 275 feet; thence north 0° 56' west 21.56 feet; thence north 88° 57' east 80 feet; thence south 0° 56' east, 125 feet to the north line of Hintze Avenue; thence westerly along the north line of Hintze Avenue a distance of 92 feet; thence south 0° 56' east, 60 feet to the point of beginning; and

WHEREAS, the said Commission, after hearing evidence both oral and documentary, on the proposed amendment, adopted Resolution No. 855 recommending to the Council the following:

1. That rezoning of the single-family home fronting on Hintze Avenue would be an extension of commercial zoning onto a residential street, and therefore, that the following described property be rezoned from One-Family Zone, R-1, to General Commercial Zone, C-2, to conform to commercial uses and zoning in the area:

> Beginning at a point on the south line of Hintze Avenue 238 feet west of the center line of McHenry Avenue; thence South 88° 57' West 263.00 feet; thence North 0° 56' West 163.44 feet; thence North 88° 57' East 275.00 feet; thence South 0° 56' East 125 feet; thence South 88° 57' West 12.00 feet; thence South 0° 56' East 60 feet to the point of beginning; and

2. That the single-family home fronting on Hintze Avenue should be the same zone as the County zoning, R-3, to the east, and that the following described property therefore be rezoned from One-Family Zone, R-1, to Multiple-Family Zone, R-3:

> Beginning at a point on the North line of Hintze Avenue 250.00 feet West of the center line of McHenry Avenue; thence North 88° 57' East 80.00 feet; thence North 0° 56' West 125.00 feet; thence South 88° 57' West 80.00 feet; thence South 0° 56' East 125.00 feet to the point of beginning.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that a public hearing on the proposed amendment be set for 4:35 P.M., Monday, November 19, 1962, in the Council Chambers of the City of Modesto as recommended by the Modesto City Planning Commission.

The foregoing resolution was introduced at a ~~regular~~ special meeting of the Council of the City of Modesto held on the 29th day of October, 1962, By Councilman Shastid, who moved its adoption, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: [signature]
CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 62-494

A RESOLUTION SETTING THE TIME AND PLACE FOR A PUBLIC HEARING BEFORE THE COUNCIL OF THE CITY OF MODESTO ON A PROPOSED AMENDMENT TO SECTION 27 OF THE ZONING MAP (Ruffino and Phoenix FIRE STATION SITE)

WHEREAS, the Modesto City Planning Commission held a public hearing on October 16, 1962, in the Council Chambers for the purpose of considering an amendment to Section 27 of the Zoning Map (Ruffino and Phoenix Fire Station Site) to formally zone Lot 14 in Block 2196 to General Commercial Zone, C-2, and to rezone from One-Family Zone, R-1, to General Commercial Zone, C-2, the adjoining Lot 13 in Block 2196, and

WHEREAS, the said Commission, after hearing evidence both oral and documentary, on the proposed amendments, adopted Resolution No. 854, recommending to the Council the following:

1. That Lot 14 in Block 2196, known as the Ruffino Addition, be formally zoned General Commercial Zone, C-2, as initiated and as currently interim zoned, said zoning being required by public necessity, convenience and general welfare; and

2. That Lot 13 in Block 2196 be rezoned from One-Family Zone, R-1, to Multiple Family Zone, R-3, instead of General Commercial Zone, C-2, as requested.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that a public hearing on the proposed amendments be set for 4:45 P.M., Monday, November 19, 1962, in the Council Chambers of the City of Modesto as recommended by the Modesto City Planning Commission.

The foregoing resolution was introduced at a ~~regular~~ special meeting of the Council of the City of Modesto held on the 29th day of October, 1962, By Councilman Johansen, who moved its adoption, which motion being duly seconded by Councilman Mitchell, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: [signature]
CITY CLERK

RESOLUTION NO. 62-495

A RESOLUTION SETTING THE TIME AND PLACE FOR A PUBLIC HEARING BEFORE THE COUNCIL OF THE CITY OF MODESTO ON A PROPOSED AMENDMENT TO SECTION 28 OF THE ZONING MAP (Ghilotti)

WHEREAS, the Modesto City Planning Commission held a public hearing on October 16, 1962, in the Council Chamber for the purpose of considering an amendment to Section 28 of the Zoning Map (Ghilotti) to reclassify from One-Family Zone, R-1, to Planned Development Zone, P-D,

the following described property:

Beginning at the intersection of the center line of El Vecino Avenue and the center line of Lucern Avenue; thence easterly along the center line of Lucern Avenue a distance of 205 feet; thence southerly along the west boundary of Esgar Subdivision a distance of 495 feet; thence westerly a distance of 205 feet to the center line of El Vecino Avenue; thence northerly along the center line of El Vecino Avenue 495 feet to the point of beginning, said property being located at the southeast corner of Lucern and El Vecino Avenues,

and

WHEREAS, the said Commission, after hearing evidence both oral and documentary, on the proposed amendment, adopted Resolution No. 857 recommending to the Council that rezoning of the area as requested was required by public necessity, convenience and general welfare,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that a public hearing on the proposed amendment be set for 8:00 P.M., Monday, November 26, 1962, in the Council Chamber of the City of Modesto as recommended by the Modesto City Planning Commission.

The foregoing resolution was introduced at a ~~regular~~ special meeting of the Council of the City of Modesto held on the 29th day of October, 1962, by Councilman Mitchell, who moved its adoption, which motion being duly seconded by Councilman Shastid, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: [signature]
City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 62-496

A RESOLUTION SETTING THE TIME AND PLACE FOR A PUBLIC HEARING BEFORE THE COUNCIL OF THE CITY OF MODESTO ON A PROPOSED AMENDMENT TO SECTION 21 OF THE ZONING MAP (Roberts)

WHEREAS, the Modesto City Planning Commission held a public hearing on October 16, 1962, in the Council Chamber for the purpose of considering an amendment to Section 21 of the Zoning Map (Roberts) to reclassify from One-Family Zone, R-1, to Planned Development Zone, P-D,

the following described property:

Beginning at a point on the southwestern corner of Lot 5 of the Rice Colony; thence along the Western line of said Lot 5, North 0° 30' West 165 feet; thence South 89° 57' East, 654.45 feet to the center line of Coffee Road; thence South 0° 30' East, 165.00 feet; thence North 89° 57' West, 654.45 feet to the point of beginning, containing 2.404 acres, more or less, and located on the west side of Coffee Road north of John Muir School;

and

WHEREAS, the said Commission, after hearing evidence both oral and documentary, on the proposed amendment, adopted Resolution No. 856 recommending to the Council that rezoning of the area as requested was required by public necessity, convenience and general welfare,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that a public hearing on the proposed amendment be set for 8:15 P.M., Monday, November 26, 1962, in the Council Chamber of the City of Modesto as recommended by the Modesto City Planning Commission.

The foregoing resolution was introduced at a ~~regular~~ special meeting of the Council of the City of Modesto held on the 29th day of October, 1962, by Councilman Tabbert, who moved its adoption, which motion being duly seconded by Councilman Shastid, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: [signature]
City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 62-497

A RESOLUTION ACCEPTING THE BID OF TANNER CONSTRUCTION COMPANY FOR THE CONSTRUCTION OF CURBS, GUTTERS AND SIDEWALKS AT UNIT A - CALIFORNIA-FRANKLIN PARK; AND UNIT B - JAMES MARSHALL PARK FOR A TOTAL SUM OF $3,939.28

WHEREAS, Resolution No. 62-470, adopted by the Council of the City of Modesto on October 8, 1962, approved the plans and specifications for the construction of curbs, gutters and sidewalks at Unit A - California-Franklin Park; and Unit B - James Marshall Park, and authorized the calling for bids, and

WHEREAS, the bids received for the construction of curbs, gutters and sidewalks at California-Franklin and James Marshall Parks were opened at 2:00 P.M., October 23, 1962 and later tabulated by the Public Works Department for the consideration of the Council, and

WHEREAS, the Director of Public Works has recommended that the bid of Tanner Construction Company for a total sum of $3939.28 be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED that the bid of Tanner Construction Company be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a ~~regular~~ special meeting of the Council of the City of Modesto held on the 29th day of October, 1962, by Councilman Shastid, who moved its adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: _____
CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 62-498

A RESOLUTION APPROVING THE FINAL MAP OF THE SHERWOOD MANOR NO. 2 SUBDIVISION OF THE CITY OF MODESTO.

WHEREAS, JOHN E. HIRLEMAN, JR. are possessed of a tract of land situate in the City of Modesto, County of Stanislaus, consisting of 4.42 acres, known as the Sherwood Manor No. 2 Subdivision, and

WHEREAS, a tentative map of said tract was approved by the City Planning Commission on the 7th day of August, 19 62, and

WHEREAS, the final map of said tract has been approved by the Secretary of the City Planning Commission, and

WHEREAS, the City Engineer of the City of Modesto has certified that the final map of said Sherwood Manor No. 2 Subdivision meets all of the provisions of the California Subdivision Map Act and the provisions of the Modesto Municipal Code relating to subdivisions, and that the map is technically correct;

NOW, THEREFORE, BE IT RESOLVED that said final map of the Sherwood Manor No. 2 Subdivision be approved; that the streets, alleys and easements as shown thereon within the boundaries of said tract be accepted on behalf of the public for public use; and that the City Clerk be authorized to certify the map of said tract on behalf of the City of Modesto after the fees in the amount of One Thousand Four Hundred Fifteen and 78/100ths ($1,415.78) Dollars, as required by the Modesto Municipal Code, for checking, copies of maps, recording and parks and playgrounds have been paid, and subdividers have furnished a bond acceptable to the City Attorney, or, in lieu thereof, have posted a cash deposit with the City Clerk in the sum of Seven Thousand Six Hundred and No/100ths ($7,600.00) Dollars.

BE IT FURTHER RESOLVED that the City Manager and the City Clerk be authorized to execute and attest, respectively, an agreement

with subdividers as required by Section 4-4.604 (c) of the Modesto Municipal Code.

The foregoing resolution was introduced at a ~~regular~~ special meeting of the Council of the City of Modesto held on the 29th day of October, 19 62, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Mitchell, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: [signature]
City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62- 499

A RESOLUTION APPROVING THE FINAL MAP OF THE NORTHGATE ESTATES SUBDIVISION OF THE CITY OF MODESTO.

WHEREAS, NORTHVIEW ESTATES, INC., a corporation, and PAUL T. BENNINGFIELD and LEONA J. BENNINGFIELD, husband and wife, are possessed of a tract of land situate in the City of Modesto, County of Stanislaus, consisting of 9.2 acres, known as the NORTHGATE ESTATES SUBDIVISION, and

WHEREAS, a tentative map of said tract was approved by the City Planning Commission on the 15th day of May, 19 62, and

WHEREAS, the final map of said tract has been approved by the Secretary of the City Planning Commission, and

WHEREAS, the City Engineer of the City of Modesto has certified that the final map of said NORTHGATE ESTATES SUBDIVISION meets all of the provisions of the California Subdivision Map Act and the provisions of the Modesto Municipal Code relating to subdivisions, and that the map is technically correct;

NOW, THEREFORE, BE IT RESOLVED that said final map of the NORTHGATE ESTATES SUBDIVISION be approved; that the streets, alleys and easements as shown thereon within the boundaries of said tract be accepted on behalf of the public for public use; and that the City Clerk be authorized to certify the map of said tract on behalf of the City of Modesto after the fees in the amount of ONE THOUSAND NINE HUNDRED TWENTY-SEVEN and 34/100ths ($1,927.34) Dollars, as required by the Modesto Municipal Code, for checking, copies of maps, recording and parks and playgrounds have been paid, and subdividers have furnished a bond acceptable to the City Attorney, or, in lieu thereof, have posted a cash deposit with the City Clerk in the sum of THIRTY-THREE THOUSAND FIVE HUNDRED and No/100ths ($33,500.00) Dollars.

BE IT FURTHER RESOLVED that the City Manager and the City Clerk be authorized to execute and attest, respectively, an agreement

with subdividers as required by Section 4-4.604 (c) of the Modesto Municipal Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 29th day of October, 19 62, by Councilman Mitchell, who moved its adoption, which motion being duly seconded by Councilman Shastid, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: [signature]
City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62- 500

A RESOLUTION APPROVING THE FINAL MAP OF THE
NORTHGATE SUBDIVISION NO. 4
OF THE CITY OF MODESTO.

WHEREAS, NORTHGATE ENTERPRISES, a corporation, who acquired title as ROOSEVELT CENTER, INC., a corporation, are possessed of a tract of land situate in the City of Modesto, County of Stanislaus, consisting of 3.6 acres, known as the NORTHGATE SUBDIVISION NO. 4, and

WHEREAS, a tentative map of said tract was approved by the City Planning Commission on the 15th day of May, 19 62, and

WHEREAS, the final map of said tract has been approved by the Secretary of the City Planning Commission, and

WHEREAS, the City Engineer of the City of Modesto has certified that the final map of said NORTHGATE SUBDIVISION NO. 4 meets all of the provisions of the California Subdivision Map Act and the provisions of the Modesto Municipal Code relating to subdivisions, and that the map is technically correct;

NOW, THEREFORE, BE IT RESOLVED that said final map of the NORTHGATE SUBDIVISION NO. 4 be approved; that the streets, alleys and easements as shown thereon within the boundaries of said tract be accepted on behalf of the public for public use; and that the City Clerk be authorized to certify the map of said tract on behalf of the City of Modesto after the fees in the amount of SEVEN HUNDRED SIXTY-SIX and 2/100ths ($766.02) Dollars, as required by the Modesto Municipal Code, for checking, copies of maps, recording and parks and playgrounds have been paid, and subdividers have furnished a bond acceptable to the City Attorney, or, in lieu thereof, have posted a cash deposit with the City Clerk in the sum of EIGHT THOUSAND TWO HUNDRED and No/100ths ($8,200.00) Dollars.

BE IT FURTHER RESOLVED that the City Manager and the City Clerk be authorized to execute and attest, respectively, an agreement

with subdividers as required by Section 4-4.604 (c) of the Modesto Municipal Code.

The foregoing resolution was introduced at a ~~regular~~ special meeting of the Council of the City of Modesto held on the 29th day of October, 19 62, by Councilman Shastid, who moved its adoption, which motion being duly seconded by Councilman Johansen, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: [signature]
City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-501

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING THE CALLING FOR BIDS FOR CONSTRUCTION OF WATER LINES IN NORTHGATE NO. 4 AND NORTHGATE ESTATES SUBDIVISIONS

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

Section 1. The plans and specifications for construction of water lines in Northgate No. 4 and Northgate Estates Subdivisions, copies of which are on file, are hereby accepted and approved.

Section 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on November 13, 1962 at 2:00 P.M. and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form and manner provided by law.

Section 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a ~~regular~~ special meeting of the Council of the City of Modesto held on the 29th day of October, 1962, by Councilman Tabbert, who moved its adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: None

ATTEST: [signature]
CITY CLERK

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-502

A RESOLUTION APPROVING THE FINAL MAP OF THE SARATOGA MANOR NO. 5 SUBDIVISION OF THE CITY OF MODESTO.

WHEREAS, Wallace E. Blomdahl and Anna E. Blomdahl, husband and wife, are possessed of a tract of land situate in the City of Modesto, County of Stanislaus, consisting of 12.68 acres, known as the Saratoga Manor No. 5 Subdivision, and

WHEREAS, a tentative map of said tract was approved by the City Planning Commission on the 16th day of January, 19 62, and

WHEREAS, the final map of said tract has been approved by the Secretary of the City Planning Commission, and

WHEREAS, the City Engineer of the City of Modesto has certified that the final map of said Saratoga Manor No. 5 Subdivision meets all of the provisions of the California Subdivision Map Act and the provisions of the Modesto Municipal Code relating to subdivisions, and that the map is technically correct;

NOW, THEREFORE, BE IT RESOLVED that said final map of the Saratoga Manor No. 5 Subdivision be approved; that the streets, alleys and easements as shown thereon within the boundaries of said tract be accepted on behalf of the public for public use; and that the City Clerk be authorized to certify the map of said tract on behalf of the City of Modesto after the fees in the amount of Two Thousand, Four Hundred Seven and 20/100ths ($2,407.20) Dollars, as required by the Modesto Municipal Code, for checking, copies of maps, recording and parks and playgrounds have been paid, and subdividers have furnished a bond acceptable to the City Attorney, or, in lieu thereof, have posted a cash deposit with the City Clerk in the sum of Forty-Nine Thousand, Five Hundred and No/100ths ($49,500.00) Dollars.

BE IT FURTHER RESOLVED that the City Manager and the City Clerk be authorized to execute and attest, respectively, an agreement

with subdividers as required by Section 4-4.604 (c) of the Modesto Municipal Code.

The foregoing resolution was introduced at a ~~regular~~ special meeting of the Council of the City of Modesto held on the 29th day of October, 19 62, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Shastid, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: [signature]
City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-503

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING THE CALLING FOR BIDS FOR CONSTRUCTION OF WATER LINES IN SARATOGA MANOR NO. 5 SUBDIVISION

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

Section 1. The plans and specifications for construction of water lines in Saratoga Manor No. 5 Subdivision,

copies of which are on file, are hereby accepted and approved.

Section 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on November 13, 1962 at 2:15 P.M. and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form and manner provided by law.

Section 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a ~~regular~~ special meeting of the Council of the City of Modesto held on the 29th day of October, 1962, by Councilman Shastid, who moved its adoption, which motion being duly seconded by Councilman Johansen, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: [signature]
CITY CLERK

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-504

A RESOLUTION GRANTING HARRY E. BROWN A PERMIT TO ENCROACH ON THE PUBLIC RIGHT OF WAY

WHEREAS, Harry E. Brown, Building Contractor, has filed a request for an encroachment to permit installation of a five-inch brick veneer on the H Street front of the Hudson Post Office Building at 18th and H Streets; if not permitted to install the five-inch veneer, requesting permission to install one-inch quarry tile on the pilasters next to the doors of the building, and

WHEREAS, the Director of Public Works has recommended that a permit be granted the applicant to install one-inch quarry tile on the pilasters next to the doors of the building,

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

SECTION 1. A revocable permit is hereby granted to said applicant to place a one-inch quarry tile on the pilasters next to the doors of the Hudson Post Office Building at 18th and H Streets.

SECTION 2. Said permit is granted for each of the conditions herein set forth, which conditions permittee agrees, by acceptance of this permit, to faithfully perform to wit:

(a) Permittee, his successors and assigns, during the term of this permit, shall indemnify and save the City harmless of and from all damages, costs and charges of any kind or character arising out of or relating thereto or in any way connected with the exercise of the rights granted by this permit.

(b) Permittee, his successors and assigns, subject to the provisions of this resolution, shall comply with all laws of the City, including the securing of a building permit for the placement of the one-inch quarry tile.

(c) Permittee, his successors and assigns, at his own cost and expense, shall defend any and all law suits, if any, arising out of or in any way connected with the exercise of the rights granted by this permit.

SECTION 3. The City Clerk shall furnish permittee with a copy of this resolution. Permittee shall have twenty (20) days from and after the adoption of this resolution within which to file written acceptance of this permit with the City Clerk, and no right shall be conferred hereby until said acceptance is filed.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 29th day of October, 1962, by Councilman Shastid, who moved its adoption, which motion being duly seconded by Councilman Mitchell, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, VanderWall, Mayor Hammond

NOES: Councilmen: ~~XXXX~~ Tabbert

ABSENT: Councilmen: None

ATTEST: _____
CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 62- 505

A RESOLUTION INSTRUCTING THE SUPERINTENDENT OF STREETS TO GIVE NOTICE REQUIRING CONSTRUCTION OF CURBS AND GUTTERS ALONG CERTAIN STREETS IN THE CITY OF MODESTO. (Block 212, Portion of Lot 4)

WHEREAS, Chapter 27 of Part 3 of Division 7 of the Streets and Highways Code of the State of California establishes a procedure pursuant to which the construction of curbs and gutters may be required, and

WHEREAS, in accordance with Section 5876 of the Streets and Highways Code, the Superintendent of Streets finds that curbs and gutters have been constructed in front of the properties constituting more than fifty per cent (50%) of the street frontage of 218 Walden (Block 212, Portion of Lot 4)

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

SECTION 1. The Superintendent of Streets is hereby directed to notify the owners of record of the properties described as follows:

All that real property in the State of California, County of Stanislaus, City of Modesto, Section 28, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

The East 50.00 feet of the West 253.00 feet of Lot 4, Block 212 of the City of Modesto as per map filed December 21, 1942, in Volume 15 of Maps, Page 212, Stanislaus County Records.

to construct or cause to be constructed curbs and gutters along the street frontage of the property/~~properties~~ hereinabove described, all of said construction to be in accordance with City of Modesto standards for such construction work.

SECTION 2. The 13th day of November, 1962, at 8:05 o'clock P.M. in the Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California, is set as the time and place where the Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons relating to the proposed work.

SECTION 3. The Superintendent of Streets is hereby authorized to implement the provisions of this resolution in accordance with the procedure contained in Chapter 27, Part 3, Division 7 of the Streets and Highways Code of the State of California.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 29th day of October, 1962, by Councilman Shastid, who moved its adoption, which motion being duly seconded by Councilman Patton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: [signature]
City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-506

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND STATE OF CALIFORNIA, DIVISION OF HIGHWAYS, FOR CONSTRUCTION OF TRAFFIC SIGNALS AND STREET LIGHTS

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the Agreement between the City of Modesto and State of California, Division of Highways

for traffic signals and street lights at Granger & McHenry Avenues and 7th and L Streets

be, and it is hereby approved, and

BE IT FURTHER RESOLVED that the execution of said Agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a ~~regular~~ special meeting of the Council of the City of Modesto held on the 29th day of October, 1962, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Shastid, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: [signature]
CITY CLERK

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62- 507

A RESOLUTION WITHDRAWING CERTAIN DESCRIBED TERRITORY FROM THE McHENRY-DRY CREEK FIRE PROTECTION DISTRICT BY REASON OF ITS ANNEXATION TO THE CITY OF MODESTO. (Rumble Addition)

WHEREAS, a portion of the McHenry-Dry Creek Fire Protection District was annexed to the City of Modesto by Ordinance No. 530 -C.S., adopted on October 15, 1962, and

WHEREAS, said territory officially became a part of the City on October 17, 1962, and

WHEREAS, the Health and Safety Code of the State of California provides that whenever any portion of such a District is included within a city by reason of annexation, such portion may be withdrawn from the District by the filing with the State Board of Equalization, the governing body of the District, and the County Assessor of copies of a resolution of the legislative body of the city, describing the included portion, and declaring such portion withdrawn, and

WHEREAS, it is to the best interests of the residents in the area of said Fire District which has been annexed to the City that the area be withdrawn from said Fire District and provided fire prevention and fire fighting services by the City,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the following described territory be withdrawn from the boundaries of the McHenry-Dry Creek Fire Protection District:

RUMBLE ADDITION

All that real property in the State of California, County of Stanislaus, Section 16, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, being the West half of Lot 1 of the Coffee Colony as per map filed January 13, 1906, in Volume 2 of Maps, Page 22, Stanislaus County Records, described as follows:

Beginning at a point on the existing City Limits as established by the Northeastern corner of the Sherwood Manor Addition, as per description filed July 15, 1959, as Instrument 20526, Stanislaus County Records, said point being the Northwestern corner of said Lot 1 of the Coffee Colony; thence along the Northern line of said Lot 1 of the Coffee Colony, South 89° 30' 00" East, 271.18 feet to the Northwestern corner of the property conveyed to Oliver E. Deatsch, et ux, as per Deed recorded April 27, 1951, as Instrument 10303, Stanislaus County Records; thence along the Western line and its Southerly extension of said property, South 0° 36' 30" East, 1339.82 feet, to a point on the existing City Limits as established by the Northern line of the East Floyd Addition as per description filed January 21, 1960, as Instrument 1678, Stanislaus County Records; thence along said City Limits North 89° 30' 30" West, 271.18 feet to a point on the Eastern line of Montgomery Village Addition, as per description filed August 3, 1959, as Instrument 22312, Stanislaus County Records; thence along the City Limits, and the Eastern line of said Montgomery Village Addition, North 0° 36' 30" West, 222.50 feet, to the Southeastern corner of Sherwood Manor Addition; thence continuing along the City Limits and the Eastern line of said Sherwood Manor Addition, North 0° 36' 30" West, 1117.36 feet to the point of beginning, containing 8.341 Acres more or less.

BE IT FURTHER RESOLVED that the City Clerk be, and he is hereby directed to file a certified copy of this resolution with the State Board of Equalization, the governing body of said Fire Protection District, and the Assessor of Stanislaus County.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 29th day of October, 19 62, by Councilman Johansen, who moved its adoption, which motion being duly seconded by Councilman Mitchell, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: [signature]
City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62- 508

A RESOLUTION REFERRING TO THE MODESTO CITY PLANNING COMMISSION A PETITION FOR ANNEXATION OF CERTAIN UNINHABITED TERRITORY TO THE CITY OF MODESTO KNOWN AS ATHENS NO. 2 ADDITION.

WHEREAS, a petition has been filed in the office of the City Clerk requesting the annexation of certain uninhabited territory to the City of Modesto, which territory is more specifically described hereinafter, and

WHEREAS, the County Boundary Commission has certified to the definiteness and accuracy of the boundaries of said territory,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that said petition for the annexation of the following described uninhabited territory be referred to the Planning Commission for its report and recommendation.

The territory herein referred to is situated in the County of Stanislaus, State of California, and more particularly described as attached hereto.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 29th day of October, 19 62, by Councilman Shastid, who moved its adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: [signature]
City Clerk

(SEAL)

ATHENS NO. 2 ADDITION

All that real property in the State of California, County of Stanislaus, Section 16, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits as established by the East Floyd Addition, as per description filed January 21, 1960, as Instrument 1678, Stanislaus County Records, said point being the Southeastern corner of said East Floyd Addition; thence along the City Limits and the Eastern line of the East Floyd Addition, North 0° 53' West, 245.94 feet to the Southwestern corner of the East Floyd No. 2 Addition as per description filed June 29, 1960, as Instrument 18293, Stanislaus County Records; thence continuing along the City Limits and the Southern line of the East Floyd No. 2 Addition, South 89° 30' East, 414.34 feet to the Southeastern corner of the East Floyd No. 2 Addition; thence continuing along the City Limits and the Eastern line of the East Floyd No. 2 Addition, North 0° 53' West, 144.00 feet, to the Southwestern corner of the East Floyd No. 3 Addition as per description filed July 19, 1961, as Instrument 22858, Stanislaus County Records; thence along the City Limits and the Southern line of the East Floyd No. 3 Addition, South 89° 30' East, 346.00 feet to the Southeastern corner of the East Floyd No. 3 Addition; thence along the Southerly extension of the Eastern line of the East Floyd No. 3 Addition, South 0° 53' East, 389.94 feet, to a point on the center line of the Cavil Drain, said point being on the Southern line of property conveyed to Harry G. Russell, Et Ux, as per deed recorded September 6, 1960, as Instrument 25270, Stanislaus County Records; thence along the Southern line of said Russell property and the center line of the Cavil Drain, North 89° 30' West, 760.34 feet to the point of beginning, containing 5.437 Acres more or less.

MODESTO CITY COUNCIL
RESOLUTION NO. 62- 509

A RESOLUTION REFERRING TO THE MODESTO CITY PLANNING COMMISSION A PETITION FOR ANNEXATION OF CERTAIN UNINHABITED TERRITORY TO THE CITY OF MODESTO KNOWN AS CRESTVIEW NO. 2 ADDITION.

WHEREAS, a petition has been filed in the office of the City Clerk requesting the annexation of certain uninhabited territory to the City of Modesto, which territory is more specifically described hereinafter, and

WHEREAS, the County Boundary Commission has certified to the definiteness and accuracy of the boundaries of said territory,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that said petition for the annexation of the following described uninhabited territory be referred to the Planning Commission for its report and recommendation.

The territory herein referred to is situated in the County of Stanislaus, State of California, and more particularly described as attached hereto.

The foregoing resolution was introduced at a ~~regular~~ special meeting of the Council of the City of Modesto held on the 29th day of October, 1962, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Shastid, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: [signature]
City Clerk

(SEAL)

CRESTVIEW NO. 2 ADDITION

All that real property in the State of California, County of Stanislaus, Section 22, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, being a portion of Downey Park No. 1 as per map filed August 18, 1959, in Volume 19 of Maps, Page 26, Stanislaus County Records, described as follows:

Beginning at a point on the existing City Limits as established by the Lorenzen Addition as per description filed June 27, 1961, as Instrument 20145, Stanislaus County Records, said point being the Northwestern corner of said Downey Park No. 1; thence along the Northern line of Downey Park No. 1, East, 395.00 feet, to the Northeastern corner of Lot 4, Block 1102, Downey Park No. 1; thence along the Eastern line of said Lot 4, South 12° 20' 00" West 159.83 feet to the Southeastern corner of said Lot 4; thence South 1° 35' 05" East, 65.86 feet to a point on the existing City Limits as established by the Crestview Addition as per description filed March 16, 1962, as Instrument 10152, Stanislaus County Records, said point being the Northeastern corner of Lot 4, Block 1101 of Downey Park No. 1; thence along the City Limits, West, 362.68 feet to a point on the Eastern line of Lorenzen Addition; thence continuing along the City Limits and the Eastern line of Lorenzen Addition North, 222.00 feet to the point of beginning, containing 1.890 Acres more or less.

MODESTO CITY COUNCIL
RESOLUTION NO. 62=510

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF $1,200 FROM GENERAL FUND, GENERAL RESERVE, TO AIRPORT, MAINTENANCE AND REPAIR, BUILDINGS AND GROUNDS

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the following appropriation transfer(s) be approved:

GENERAL FUND (101)

FROM:	General Reserve (600)	$1,200
TO:	Airport (46) Maintenance and Repair Buildings and Grounds (224)	$1,200

To maintain the airport for the balance of the fiscal year. (During budget preparation, an estimate was prepared for reoiling taxiway based on using .25 gallon of oil per square yard. Actual conditions encountered required .55 gallons of road oil per square yard.)

The foregoing resolution was introduced at a ~~regular~~ special meeting of the Council of the City of Modesto held on the 29th day of October, 1962, by Councilman Shastid, who moved its adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: _____
CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 62-511

A RESOLUTION GRANTING A PERMIT TO THE SALVATION ARMY TO PLACE A KETTLE HOUSE IN FRONT OF THE S. H. KRESS & COMPANY STORE, 944 TENTH STREET, IN THE CITY OF MODESTO DURING THE CHRISTMAS SEASON

WHEREAS, the Salvation Army has filed a request with the City Council for permission to install one kettle house in two parking spaces in front of S.H. Kress & Company, 944 Tenth Street, during the Christmas season, beginning November 28, through December 24, 1962,

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

SECTION 1. A permit is hereby granted to said applicant to place a (8' x 6' x 4') kettle house in front of S.H. Kress & Company store, 944 Tenth Street, during the Christmas season, beginning November 28, 1962 and ending December 24, 1962, subject to the other provisions of this resolution.

SECTION 2. Said permit is granted for each of the conditions herein set forth, which conditions Permittee agrees, by acceptance of this permit, to faithfully perform to wit:

(a) Permittee, its successors and assigns, during the term of this permit, shall indemnify and save the City harmless of and from all damages, costs and charges of any kind or character arising out of or relating thereto or in any way connected with the exercise of the rights granted by this permit.

(b) Permittee, its successors and assigns, shall comply with all laws of the City.

(c) Permittee, its successors and assigns, at its own cost and expense, shall defend any and all law suits, if any, arising out of or in any way connected with the exercise of the rights granted by this permit.

(d) Permittee is permitted to operate the kettle house on a 24 hour basis providing it works out arrangements with the Police and Traffic Departments for properly marking the house at night and arrange to remove the debris from the street area around the house since it would be impossible for the street sweeper to sweep the street.

SECTION 3. The City Clerk shall furnish Permittee with a copy of this resolution. Permittee shall have on file a written acceptance of this permit with the City Clerk and no right shall be conferred hereby until said acceptance is filed.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 5th day of November, 1962, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Patton, Mitchell, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Shastid

ATTEST: Pauline P. Stanley
ACTING CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 62-512

A RESOLUTION COMMENDING C. WAYNE SEGUIN FOR OUTSTANDING SERVICES RENDERED TO THE CITY OF MODESTO

WHEREAS, C. Wayne Seguin was appointed a member of the Modesto City Board of Zoning Adjustment on June 10, 1959, and

WHEREAS, Mr. Seguin has served this community in an outstanding manner, and has been a devoted and sincere public servant for approximately three years,

NOW, THEREFORE, BE IT RESOLVED that this Council, on its own behalf, and on behalf of the citizens of this City, hereby expresses its sincere appreciation to C. Wayne Seguin for his outstanding service to the community.

BE IT FURTHER RESOLVED that the City Clerk be directed to furnish a suitably inscribed certified copy of this resolution to C. Wayne Seguin in recognition of his outstanding service.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 5th day of November, 1962, by ~~Councilman~~ Mayor Hammond, who moved its adoption, which motion being duly seconded by Councilman Johansen, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Shastid

ATTEST: Pauline P. Stanley
ACTING CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 62-513

A RESOLUTION GRANTING ENCROACHMENT PERMIT TO FRANKLIN & DOWNS FUNERAL HOME FOR CONSTRUCTION OF A DRIVEWAY APPROACH OVER THE PUBLIC RIGHT OF WAY

WHEREAS, Franklin & Downs Funeral Home has filed a request for an encroachment permit to completely reconstruct a concrete driveway approach, reinforced with steel, which will extend into the public street area on the 12th Street side of the Franklin & Downs Funeral Home at 12th and G Streets,

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

SECTION 1. A revocable permit is hereby granted to said applicant to completely reconstruct a concrete driveway approach with steel reinforcement on the 12th Street side of the Franklin & Downs Funeral Home at 12th and G Streets.

SECTION 2. Said permit is granted for each of the conditions herein set forth, which conditions permittee agrees, by acceptance of this permit, to faithfully perform to wit:

(a) Permittee, its successors and assigns, during the term of this permit, shall indemnify and save the City harmless of and from all damages, costs and charges of any kind or character arising out of or relating thereto or in any way connected with the exercise of the rights granted by this permit.

(b) Permittee, its successors and assigns, subject to the provisions of this resolution, shall comply with all laws of the City, including the securing of a building permit for the reconstruction of the driveway approach.

(c) Permittee, its successors and assigns, at its own cost and expense, shall defend any and all law suits, if any, arising out of or in any way connected with the exercise of the rights granted by this permit.

(d) In the event of transfer of title to the property to a use other than funeral home, or a change in use of the property by the present owner, permittee shall be required to reconstruct the driveway approach to conform with the provisions of the Modesto Municipal Code.

SECTION 3. The City Clerk shall furnish permittee with a copy of this resolution. Permittee shall have twenty (20) days from and after the adoption of this resolution within which to file written acceptance of this permit with the City Clerk, and no right shall be conferred hereby until said acceptance is filed.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 5th day of November, 1962, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Johansen, Mitchell, Patton, Tabbert, VanderWall, Mayor Hammond
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Shastid

ATTEST: Pauline P. Stanley
ACTING CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 62-514

A RESOLUTION ACCEPTING THE BID OF HELM CHEVROLET COMPANY FOR ONE POLICE CAR (BISCAYNE 4 DOOR SEDAN WITH LAMINATED GLASS) FOR A TOTAL SUM OF $2,139.60, INCLUDING SALES TAX

WHEREAS, Resolution No. 62-481, adopted by the Council of the City of Modesto on October 15, 19 62, approved the plans and specifications for the one police car

and authorized the calling for bids, and

WHEREAS, the bids received for the police car

were opened at 2:00 P.M., Oct. 30, 1962, and later tabulated by the Purchasing Agent for the consideration of the Council,

and

WHEREAS, the Purchasing Agent has recommended that

the bid of Helm Chevrolet Company for one Biscayne 4 door sedan, including laminated safety glass, except in rear window, for a total sum of $2,139.60, including sales tax

be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED that the bid of Helm Chevrolet Company

be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 5th day of November, 19 62, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Patton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Shastid

ATTEST: Pauline P. Stanley
ACTING CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 62-515

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING THE CALLING FOR BIDS FOR RELOCATION OF STREET LIGHTING FACILITIES TO ACCOMMODATE THE MODESTO FREEWAY PROJECT

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

Section 1. The plans and specifications for relocation of street lighting facilities to accommodate the Modesto Freeway Project,

copies of which are on file, are hereby accepted and approved.

Section 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on November 27, 1962 at 2:00 P.M. and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form and manner provided by law.

Section 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 5th day of November, 1962, by Councilman Johansen, who moved its adoption, which motion being duly seconded by Councilman Mitchell, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Shastid

ATTEST: Pauline P. Stanley
ACTING CITY CLERK

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-516

A RESOLUTION AUTHORIZING THE SALE OF ALL THE LEAVES COLLECTED BY THE CITY CREWS AND STOCKPILED AT THE MODESTO CITY SEWER FARM FOR THE BALANCE OF THE FISCAL YEAR 1962-63 TO THE ORGANIC COMPANY OF TURLOCK FOR THE SUM OF $250

WHEREAS, the Organic Company of Turlock has offered to buy all the leaves harvested from the city streets by the City of Modesto and stockpiled at the City of Modesto Sewer Farm for the balance of the fiscal year 1962-63 for the sum of $250, payable in advance, and

WHEREAS, this company has offered to remove all of the leaves from the Sewer Farm by June 1, 1963,

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

SECTION 1. The sale of all the leaves harvested from the City streets for the balance of the fiscal year 1962-63 to the Organic Company of Turlock for the sum of $250 is hereby authorized and approved, and the City Manager is authorized to implement said sale.

SECTION 2. Resolution No. 57-166, adopted by the Council of the City of Modesto on April 17, 1957, establishing the policy and price for the sale of leaves shall continue in effect, except insofar as it is superseded by the provisions of this resolution for the fiscal year 1962-63.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 5th day of November, 1962, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilman: Johansen, Mitchell, Patton, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: ~~XXXX~~ Shastid

ATTEST: Pauline P. Stanley
ACTING CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 62-517

A RESOLUTION APPROVING LEASE/AGREEMENT BETWEEN THE CITY OF MODESTO AND EARLEY ELLERD FOR CITY OWNED PROPERTY (FUTURE DOWNEY PARK SITE) FOR THE PERIOD FROM NOVEMBER 6, 1962 TO SEPTEMBER 15, 1963

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the Lease/Agreement between the City of Modesto and Earley Ellerd

for city owned property (future Downey Park site) for the period from November 6, 1962 to September 15, 1963, for a rental of 20% of the gross proceeds from the crops produced on the property be, and it is hereby approved, and

BE IT FURTHER RESOLVED that the execution of said Agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 5th day of November, 1962, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Johansen, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Johansen, Mitchell, Patton, Tabbert, VanderWall, Mayor Hammond
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Shastid

ATTEST: Pauline P. Stanley
ACTING CITY CLERK

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62- 518

A RESOLUTION REFERRING TO THE MODESTO CITY PLANNING COMMISSION A PETITION FOR ANNEXATION OF CERTAIN UNINHABITED TERRITORY TO THE CITY OF MODESTO KNOWN AS FRANCEK ADDITION.

WHEREAS, a petition has been filed in the office of the City Clerk requesting the annexation of certain uninhabited territory to the City of Modesto, which territory is more specifically described hereinafter, and

WHEREAS, the County Boundary Commission has certified to the definiteness and accuracy of the boundaries of said territory,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that said petition for the annexation of the following described uninhabited territory be referred to the Planning Commission for its report and recommendation.

The territory herein referred to is situated in the County of Stanislaus, State of California, and more particularly described as attached hereto.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 5th day of November, 1962, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Tabbert, VanderWall, Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: Shastid

ATTEST: Pauline P. Stanley
Acting City Clerk

(SEAL)

FRANCEK ADDITION

All that real property situate in the State of California, County of Stanislaus, Sections 7 and 8, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits as established by the Northern line of the Neighborhood Church Addition, as per description filed February 2, 1961, as Instrument 3513, Stanislaus County Records, said point being the intersection of the Section Line common to Sections 7 and 8, said Section Line being the center line of a 40 foot Public Road known as Tully Road, and the Southern line of a 40 foot Public Road known as Woodrow Avenue; thence along the existing City Limits and the center line of Tully Road, North 0° 54' West, 23.11 feet, to the South line of the Northeast quarter of the Southeast quarter of Section 7; thence along the existing City Limits and said South line, North 89° 12' West, 1009.71 feet, to the Northwestern corner of said Neighborhood Church Addition and the Northeastern corner of the Renee Manor Addition, as per description filed October 18, 1962, as Instrument 39841 , Stanislaus County Records; thence continuing along the existing City Limits, North 89° 12' West, 311.27 feet, to the West line of the Northeast quarter of the Southeast quarter of Section 7; thence along said West line, North 1° 02' 40" West, 1298.12 feet, to the Southern line of 40 foot Public Road known as Standiford Avenue; thence along the Southern line of Standiford Avenue, South 89° 09' East, 1324.15 feet, to the center line of Tully Road and the Section Line common to Sections 7 and 8; thence continuing along the Southern line of Standiford Avenue and along the Northern line of Lots 38, 37, and 36 of Standiford Colony, as per map filed December 11, 1912 in Volume 7 of Maps, Page 17, Stanislaus County Records, South 89° 09' East, 1040.96 feet, to the Northeast corner of said Lot 36; thence along the Eastern line of Lot 36, South 0° 54' East, 640.00 feet, to the Northern line of Lot 42 of said Standiford Colony; thence along the Northern line of Lot 42, South 89° 09' East, 340.32 feet, to the Northeast corner of said Lot 42; thence along the Eastern line of Lot 42, South 0° 54' East, 640.00 feet, to the Northern line of Woodrow Avenue; thence along the Northern line of Woodrow Avenue, and the Southern line of Lot 43, South 89° 09' East, 340.32 feet, to the Eastern line of said Lot 43; thence along the Southerly extension of the Eastern line of Lot 43, South 0° 54' East, 40.00 feet, to the Northeastern corner of the Neighborhood Church Addition on the Southern line of Woodrow Avenue and the existing City Limits; thence along the existing City Limits, North 89° 09' West, 1721.60 feet, to the point of beginning, containing 76.525 Acres, more or less.

MODESTO CITY COUNCIL
RESOLUTION NO. 62-519

A RESOLUTION APPROVING LEASE/AGREEMENT BETWEEN THE CITY OF MODESTO AND THE FEDERAL AVIATION AGENCY COVERING LAND FOR THE TERMINAL TVOR FACILITY TO BE INSTALLED AT THE CITY-COUNTY AIRPORT

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the Lease/Agreement between the City of Modesto and the Federal Aviation Agency

for land for the Terminal TVOR facility to be installed at the City-County Airport, effective October 1, 1962 for a rental of One ($1) Dollar per year for the first year, with an option to renew from year to year., be, and it is hereby approved, and

BE IT FURTHER RESOLVED that the execution of said Agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 5th day of November, 1962, by Councilman Patton, who moved its adoption, which motion being duly seconded by Councilman Johansen, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: Pauline P. Stanley
ACTING CITY CLERK

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62- 520

A RESOLUTION APPROVING THE FINAL MAP OF THE MORADA ESTATES SUBDIVISION OF THE CITY OF MODESTO.

WHEREAS, Rex E. Higbee and Frances G. Higbee, husband and wife, are possessed of a tract of land situate in the City of Modesto, County of Stanislaus, consisting of 16.79 acres, known as the Morada Estates Subdivision, and

WHEREAS, a tentative map of said tract was approved by the City Planning Commission on the 7th day of August, 19 62, and

WHEREAS, the final map of said tract has been approved by the Secretary of the City Planning Commission, and

WHEREAS, the City Engineer of the City of Modesto has certified that the final map of said Morada Estates Subdivision meets all of the provisions of the California Subdivision Map Act and the provisions of the Modesto Municipal Code relating to subdivisions, and that the map is technically correct;

NOW, THEREFORE, BE IT RESOLVED that said final map of the Morada Estates Subdivision be approved; that the streets, alleys and easements as shown thereon within the boundaries of said tract be accepted on behalf of the public for public use; and that the City Clerk be authorized to certify the map of said tract on behalf of the City of Modesto after the fees in the amount of Two Thousand Five Hundred Thirty and 70/100ths ($2,530.70) Dollars, as required by the Modesto Municipal Code, for checking, copies of maps, recording and parks and playgrounds have been paid, and subdividers have furnished a bond acceptable to the City Attorney, or, in lieu thereof, have posted a cash deposit with the City Clerk in the sum of Forty-Six Thousand Five Hundred and No/100ths ($46,500.00) Dollars.

BE IT FURTHER RESOLVED that the City Manager and the City Clerk be authorized to execute and attest, respectively, an agreement

with subdividers as required by Section 4-4.604 (c) of the Modesto Municipal Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 5th day of November, 19 62, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: Pauline P. Stanley
Acting City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-521

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND ROBERT THOMSEN FOR DEVELOPMENT OF ROSELENE TERRACE SUBDIVISION

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the Agreement between the City of Modesto and Robert Thomsen

for the development of Roselene Terrace Subdivision

be, and it is hereby approved, and

BE IT FURTHER RESOLVED that the execution of said Agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 5th day of November, 19 62, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: Pauline R. Stanley
ACTING CITY CLERK

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-522

A RESOLUTION FIXING THE TIME AND PLACE FOR A PUBLIC HEARING ON AN UNCLASSIFIED USE PERMIT TO MODESTO NEIGHBORHOOD CHURCH FOR PAROCHIAL SCHOOL

WHEREAS, the Modesto City Planning Commission has, by resolution filed with the City Council, recommended the approval of the following application for an unclassified use permit, Modesto Neighborhood Church for a parochial school, grades one through six, in existing classrooms, with a maximum of 30 full-time students,

and,

WHEREAS, Section 10-2.2112 of the Modesto Municipal Code provides that the Council shall conduct a duly advertised public hearing on such matters,

NOW, THEREFORE, BE IT HEREBY RESOLVED that a public hearing be held on said application for an unclassified use permit in the Council Chambers, City Hall, 801 11th Street in the City of Modesto at 8:30 P.M. on November 26, 1962.

BE IT FURTHER RESOLVED that the City Clerk give notice of the time and place of said hearing as provided in Section 10-2.2206 (b) of the Modesto Municipal Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 5th day of November, 1962, by Councilman Shastid, who moved its adoption, which motion being duly seconded by Councilman Johansen, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Jhhansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: Pauline P. Stanley
ACTING CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 62-523

A RESOLUTION FIXING THE TIME AND PLACE FOR A PUBLIC HEARING ON AN UNCLASSIFIED USE PERMIT TO JOHN DEETER FOR INCREASE IN UNITS IN P-D (3) AND TO CHANGE FROM OWN-YOUR-OWN TO RENTAL (Development located on Floyd Avenue)

WHEREAS, the Modesto City Planning Commission has, by resolution filed with the City Council, recommended the approval of the following application for an unclassified use permit, John Deeter for an increase of 14 units in Phase II of P-D (3) - Floyd Avenue - to be used as rental units, and to change the 22 approved own-your-own apartments to rentals,

and,

WHEREAS, Section 10-2.2112 of the Modesto Municipal Code provides that the Council shall conduct a duly advertised public hearing on such matters,

NOW, THEREFORE, BE IT HEREBY RESOLVED that a public hearing be held on said application for an unclassified use permit in the Council Chambers, City Hall, 801 11th Street in the City of Modesto at 8:35 **P.M. on** November 26, **19**62.

BE IT FURTHER RESOLVED that the City Clerk give notice of the time and place of said hearing as provided in Section 10-2.2206 (b) of the Modesto Municipal Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 5th **day of** November, **19**62, **by Councilman** Shastid, **who moved its adoption, which motion being duly seconded by Councilman** Patton, **was upon roll call carried and the resolution adopted by the following vote:**

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: Pauline F. Stanley
ACTING **CITY CLERK**

Received by Dept. 3-4-63
63-115,

MODESTO CITY COUNCIL
RESOLUTION NO. 62- 524

A RESOLUTION ESTABLISHING RATES AND CONDITIONS FOR PLAY ON THE MODESTO MUNICIPAL GOLF COURSE AND THE DRYDEN PARK MUNICIPAL GOLF COURSE AND RESCINDING RESOLUTION NO. 61-355.

WHEREAS, the Council finds that by reason of increased costs of maintenance of the Modesto Municipal Golf Course and the Dryden Park Municipal Golf Course, said courses are now being operated at a deficit, and the rates for players using said courses should be increased,

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

SECTION 1. RATES. The rates for players upon the Modesto Municipal Golf Course and the Dryden Park Municipal Golf Course are hereby established as follows:

Monthly Unlimited Family Ticket (2 adults, 2 or more children)	$18.00
Monthly Unlimited Family Ticket (2 adults, 1 child)	17.00
Monthly Unlimited Family Ticket (2 adults)	16.00
Monthly Unlimited Family Ticket (1 adult, 2 or more children)	16.00
Monthly Unlimited Family Ticket (1 adult, 1 child)	14.00
Monthly Unlimited Individual Ticket	12.00
Monthly Limited Student Ticket (Weekdays and after 12 o'clock noon only on Saturdays, Sundays and holidays)	5.00
Monthly Weekday Family Ticket	11.00
Monthly Weekday Individual Ticket	7.00
Monthly Weekday Student Ticket	2.50
Weekdays, for 18 holes	1.50
After 3 o'clock P.M. any day during such time as Pacific Standard Time is in effect	1.00

After 5 o'clock P.M. any day during such time as Pacific Daylight Saving Time is in effect	$ 1.00
Weekends and holidays	2.00
Weekdays for 9 holes (applies only to the Modesto Municipal 9 Hole Golf Course)	1.00

SECTION 2. TICKETS. (a) Monthly Tickets. Each monthly ticket issued will become invalid on the last day of the month issued and will not be validated for play on the golf courses until the appropriate monthly rate has been paid.

(b) Complimentary Tickets. Complimentary tickets without fee may be issued by or under the direction of the Professional Golf Course Instructor and Manager to visiting professionals or others, for services rendered, or when in his opinion it will be for the advantage or best interest of the course to issue such complimentary tickets.

(c) Student Tickets. Student tickets for students of Modesto Schools and Modesto Junior College are to be issued only upon presentation by holder of a current Student Body Card, and shall be issued only to students who have not yet reached their twenty-first birthday. Monthly limited student tickets will not be valid on Saturdays, Sundays and holidays before noon. Monthly weekday student tickets will not be valid on Saturdays, Sundays or holidays. Students wishing to play during these periods shall be subject to the regular greens fees.

SECTION 3. HOLIDAYS. "Holidays" as used herein, shall mean New Year's Day, Washington's Birthday, Memorial Day, Independence Day, Labor Day, Armistice Day, Thanksgiving Day and Christmas Day.

SECTION 4. SIGNS. The Professional Golf Course Instructor and Manager be, and he is hereby authorized and directed to post a sign in a conspicuous place informing all golfers of the established greens fees.

SECTION 5. EFFECTIVE DATE. Said rates as herein established are to be effective as of November 6, 1962.

SECTION 6. REPEALS. Resolution No. 61-355 adopted on August 7, 1961 is hereby rescinded.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 5th day of November, 1962, by Councilman Mitchell, who moved its adoption, which motion being duly seconded by Councilman Patton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: Pauline R. Stanley
Acting City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-525

A RESOLUTION APPROVING AGREEMENTS BETWEEN THE CITY OF MODESTO AND LA REAY V. BRAHIC, JAMES S. MORTENSEN AND STANISLAUS IMPLEMENT AND HARDWARE CO., LTD. FOR TEST BORINGS (Proposed Police-Communications Center Building Site)

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the Agreements between the City of Modesto and La Reay V. Brahic, James S. Mortensen and Stanislaus Implement and Hardware Co., Ltd.

for test borings (Proposed Police-Communications Center Building Site)

be, and it is hereby approved, and

BE IT FURTHER RESOLVED that the execution of said Agreements by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 5th day of November, 1962, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Johansen, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: None

ATTEST: Pauline P. Stanley
ACTING CITY CLERK

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62- 526

A RESOLUTION RESCINDING RESOLUTION NO. 61-147 ENTITLED, "A RESOLUTION APPROVING A DEVELOPMENT PLAN FOR PLANNED-DEVELOPMENT ZONE, P-D(2). (OVERHOLTZER AND MAY)."

BE IT RESOLVED by the Council of the City of Modesto that Resolution No. 61-147 entitled "A Resolution Approving A Development Plan for Planned-Development Zone, P-D(2). (Overholtzer and May)," is hereby rescinded.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 5th day of November, 1962, by Councilman Johansen, who moved its adoption, which motion being duly seconded by Councilman Mitchell, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Shastid

ATTEST: Pauline P. Stanley
Acting City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-527

A RESOLUTION AMENDING SECTION 2 OF RESOLUTION NO. 62-29 ENTITLED, "A RESOLUTION ESTABLISHING ONE-WAY STREETS AND ALLEYS AND ANGLE PARKING IN THE CITY OF MODESTO AND RESCINDING RESOLUTION NO. 59-191, ENTITLED, 'A RESOLUTION ESTABLISHING PARKING METER ZONES, ONE-WAY STREETS AND ALLEYS AND ANGLE PARKING IN THE CITY OF MODESTO AND RESCINDING ALL PRIOR RESOLUTIONS AND REGULATIONS RELATING THERETO', AND RESCINDING ALL SUBSEQUENT RESOLUTIONS AND REGULATIONS RELATING THERETO."

BE IT RESOLVED by the Council of the City of Modesto that Section 2 of Resolution No. 62-29 entitled, "A Resolution Establishing One-Way Streets and Alleys and Angle Parking in the City of Modesto and Rescinding Resolution No. 59-191, Entitled 'A Resolution Establishing Parking Meter Zones, One-Way Streets and Alleys and Angle Parking in the City of Modesto and Rescinding All Prior Resolutions and Regulations Relating Thereto', and Rescinding all Subsequent Resolutions and Regulations Relating Thereto" be amended to read as follows:

SECTION 2. ANGLE PARKING. Angle parking is hereby established at the following locations:

6th Street, between F and G Streets (northeast side) (diagonal)

15th Street, between F and H Streets (southwesterly side) on Sundays and 6 p.m. to midnight all other days (45° angle). At other times parallel to curb.

F Street, between 10th and 11th Streets (south side) (diagonal)

G Street, between 14th and 16th Streets (northwesterly side) on Sundays and 6 p.m. to midnight all other days (45° angle). At other times parallel to curb.

I Street, between 9th and 13th Streets (both sides) (diagonal)

P Street, between 9th and Needham Streets (both sides) (perpendicular)

Orangeburg Avenue, on the south side beginning at a point one hundred fifteen (115') feet west of the westerly curb line of McHenry Avenue and continuing westerly a distance of one hundred twenty-seven (127') feet. (45° angle)

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of November, 1962, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Mitchell, was upon roll call carried and the resolution adopted by the following vote:

AYES: **Councilmen:** Johansen, Mitchell, Patton, Tabbert, VanderWall, Mayor Hammond

NOES: **Councilmen:** None

ABSENT: **Councilmen:** Shastid

ATTEST: _____
City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62- 528

A RESOLUTION REFERRING TO THE MODESTO CITY PLANNING COMMISSION A PETITION FOR ANNEXATION OF CERTAIN UNINHABITED TERRITORY TO THE CITY OF MODESTO KNOWN AS NORTH STAR ESTATES ADDITION.

WHEREAS, a petition has been filed in the office of the City Clerk requesting the annexation of certain uninhabited territory to the City of Modesto, which territory is more specifically described hereinafter, and

WHEREAS, the County Boundary Commission has certified to the definiteness and accuracy of the boundaries of said territory,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that said petition for the annexation of the following described uninhabited territory be referred to the Planning Commission for its report and recommendation.

The territory herein referred to is situated in the County of Stanislaus, State of California, and more particularly described as attached hereto.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of November, 1962, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Patton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Tabbert, VanderWall, Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: Shastid

ATTEST: [signature]
City Clerk

(SEAL)

NORTH STAR ESTATES ADDITION

All that real property in the State of California, County of Stanislaus, being a portion of Section 8, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits as established by the Northern line of the Northland Estates Addition, as per description filed _____, 1962, as Instrument _____, Stanislaus County Records, said point being the intersection of the Northern line of a 40 foot County Road known as Woodrow Avenue and the Eastern line of the Tidewater Southern Railroad Right of Way, which is also the Southwestern corner of the North Star Estates Subdivision, as per map filed October 4, 1961, in Volume 19 of Maps, Page 84, Stanislaus County Records; thence along the Western line of the North Star Estates, North 1° 19' West, a distance of 1256.21 feet, to the Southern line of a 65 foot Public Road known as Standiford Avenue as shown on the map of the North Star Estates; thence along the Southern line of Standiford Avenue, South 89° 35' East, a distance of 562.31 feet, to the Eastern line of the North Star Estates; thence along the Eastern line of the North Star Estates, South 1° 13' East, a distance of 1256.96 feet, to the Northern line of Woodrow Avenue and the existing City Limits; thence along the existing City Limits and the Northern line of Woodrow Avenue, North 89° 30' West, a distance of 560.15 feet, to the point of beginning, containing 16.182 Acres, more or less.

MODESTO CITY COUNCIL
RESOLUTION NO. 62-529

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING THE CALLING FOR BIDS FOR THE CONSTRUCTION OF WATER LINES IN MORADA ESTATES SUBDIVISION

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

Section 1. The plans and specifications for the construction of water lines in Morada Estates Subdivision,

copies of which are on file, are hereby accepted and approved.

Section 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on November 27, 1962 at 2:15 P.M. and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form and manner provided by law.

Section 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of November, 1962, by Councilman Johansen, who moved its adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Shastid

ATTEST: [signature]
CITY CLERK

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-530

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING THE CALLING FOR BIDS FOR THE CONSTRUCTION OF WATER LINES IN NORTHLAND ESTATES SUBDIVISION

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

Section 1. The plans and specifications for the construction of water lines in Northland Estates Subdivision,

copies of which are on file, are hereby accepted and approved.

Section 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on November 27, 1962 at 2:30 P.M. and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form and manner provided by law.

Section 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of November, 19 62, by Councilman Johansen, who moved its adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Tabbert, VanderWall, Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: Shastid

ATTEST: _____
CITY CLERK

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-531

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING THE CALLING FOR BIDS FOR THE CONSTRUCTION OF TRAFFIC SIGNALS AND STREET LIGHTING AT GRANGER & McHENRY AVENUES; AND AT 7TH AND L STREETS

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

Section 1. The plans and specifications for the construction of traffic signals and street lighting at Granger and McHenry Avenues; and at 7th and L Streets, copies of which are on file, are hereby accepted and approved.

Section 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on December 19, 1962 at 2:00 P.M. and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form and manner provided by law.

Section 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of November, 1962, by Councilman Tabbert, who moved its adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Shastid

ATTEST: [signature]
CITY CLERK

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-532

A RESOLUTION AUTHORIZING WORK TO BE PERFORMED BY CITY FORCES FOR THE CONSTRUCTION OF WATER MAINS IN NORTHGATE NO. 4 AND NORTHGATE ESTATES SUBDIVISIONS

WHEREAS, the Council of the City of Modesto adopted Resolution No. 62-501, on Oct. 29, 1962, approving the plans and specifications for the construction of water mains in Northgate No. 4 and Northgate Estates Subdivisions

and directed the City Clerk to advertise for sealed proposals for doing said work, and providing that bids be submitted on the 13th day of November, 1962, and

WHEREAS, the City Clerk, in accordance with said Resolution, thereafter duly and regularly caused a notice to be published in the manner and for the time prescribed by law, and

WHEREAS, no bids were received pursuant to said notice, and

WHEREAS, the Director of Public Works estimates that the cost of such work to be performed by city forces for the sum of $3,641.98, which cost estimate has been approved by the City Manager, and

WHEREAS, the Council declares and determines that, in its opinion, based upon the estimate approved by the City Manager, the work in question may be performed better and more economically by the City with its own employees,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that, in accordance with the provisions of Section 1307 of the Charter of the City of Modesto, the City Manager is hereby authorized to proceed to have the work in question performed by the City by its own employees.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of November, 1962, by Councilman VanderWall, who moved

its adoption, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Shastid

ATTEST: _____
City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 62-533

A RESOLUTION AUTHORIZING WORK TO BE PERFORMED BY CITY FORCES FOR THE CONSTRUCTION OF WATER MAINS IN SARATOGA MANOR NO. 5 SUBDIVISION

WHEREAS, the Council of the City of Modesto adopted Resolution No. 62-503, on Oct. 29, 1962, approving the plans and specifications for the construction of water mains in Saratoga Manor No.5 Subdivision

and directed the City Clerk to advertise for sealed proposals for doing said work, and providing that bids be submitted on the 13th day of November, 1962, and

WHEREAS, the City Clerk, in accordance with said Resolution, thereafter duly and regularly caused a notice to be published in the manner and for the time prescribed by law, and

WHEREAS, no bids were received pursuant to said notice, and

WHEREAS, the Director of Public Works estimates that the cost of such work to be performed by city forces for the sum of $1,797.75, which cost estimate has been approved by the City Manager, and

WHEREAS, the Council declares and determines that, in its opinion, based upon the estimate approved by the City Manager, the work in question may be performed better and more economically by the City with its own employees,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that, in accordance with the provisions of Section 1307 of the Charter of the City of Modesto, the City Manager is hereby authorized to proceed to have the work in question performed by the City by its own employees.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of November, 1962, by Councilman Johansen, who moved

its adoption, which motion being duly seconded by Councilman Mitchell, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Shastid

ATTEST: City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 62-534

A RESOLUTION ACCEPTING AS COMPLETE THE IMPROVEMENTS IN SARATOGA MANOR NO. 4 SUBDIVISION

WHEREAS, Wallace E. and Anna E. Blomdahl, subdividers of Saratoga Manor No. 4 Subdivision, have filed with the County of Stanislaus a contract bond to guarantee the improvements in the aforesaid subdivision, and

WHEREAS, the Director of Public Works has reported that the improvements have been completed in the aforesaid subdivision to his satisfaction,

NOW, THEREFORE, BE IT HEREBY RESOLVED that the improvements in Saratoga Manor No. 4 Subdivision be and they are hereby accepted as complete.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of November, 1962, by Councilman Mitchell, who moved its adoption, which motion being duly seconded by Councilman Johansen, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Tabbert, VanderWall, Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: Shastid

ATTEST: [signature]
CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 62-535

A RESOLUTION ACCEPTING THE CONSTRUCTION OF UNIT A - CURB, GUTTER AND SIDEWALK AT STANDIFORD PARK; UNIT B - SIDEWALK AT ROOSEVELT PARK; AND UNIT C - SIDEWALK AT GARRISON PARK BY TANNER CONSTRUCTION COMPANY

WHEREAS, a report has been filed by the Director of Public Works that the construction of Unit A - curb, gutter and sidewalk at Standiford Park; Unit B - sidewalk at Roosevelt Park; and Unit C - sidewalk at Garrison Park has been completed by Tanner Construction Company

in accordance with the contract agreement, dated October 29, 1962.

NOW, THEREFORE, BE IT RESOLVED that the construction of Unit A - curb, gutter and sidewalk at Standiford Park; Unit B - sidewalk at Roosevelt Park; and Unit C - sidewalk at Garrison Park be accepted from said contractor Tanner Construction Company

that Notice of Completion be filed with the Recorder of Stanislaus County and that payment of amounts due, as provided in the contract, be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of November, 1962, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Johansen, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Shastid

ATTEST: [signature]
CITY CLERK

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-536

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND JOHN KIRKPATRICK FOR WATER SERVICE TO NORTHLAND ESTATES SUBDIVISION

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the Agreement between the City of Modesto and John Kirkpatrick

for water service to Northland Estates Subdivision

be, and it is hereby approved, and

BE IT FURTHER RESOLVED that the execution of said Agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of November, 1962, by Councilman Johansen, who moved its adoption, which motion being duly seconded by Councilman Mitchell, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Tabbert, VanderWall, Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: Shastid

ATTEST: _____
CITY CLERK

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-537

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF $515 FROM PARKING AND TRAFFIC, SIGNALS MODERNIZATION - DOWNTOWN, TO SIGNALS, 14TH AND K STREETS

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the following appropriation transfer(s) be approved:

PARKING AND TRAFFIC (321)

FROM:	Signals Modernization - Downtown (503)	$515
TO:	Signals, 14th & K Streets (503)	$515

For construction of flashing signals at 14th & K Streets

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of November, 19 62, by Councilman Mitchell, who moved its adoption, which motion being duly seconded by Councilman Patton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Shastid

ATTEST: [signature]
CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. ~~XXX~~ 62- 538

A RESOLUTION ORDERING THE WORK OF CONSTRUCTION OF CURBS AND GUTTERS ALONG CERTAIN STREETS IN THE CITY OF MODESTO. (Block 212, Portion of Lot 4)

WHEREAS, Chapter 27 of Part 3 of Division 7 of the Streets and Highways Code of the State of California establishes a procedure pursuant to which the construction of curbs and gutters may be required, and

WHEREAS, in accordance with Section 5876 of the Streets and Highways Code, the Superintendent of Streets find that curbs and gutters have been constructed in front of the properties constituting more than fifty per cent (50%) of the street frontage along 218 Walden (Block 212, Portion of Lot 4)

WHEREAS, the Council, did, on October 29, 19 62, adopt its Resolution No. 62-505, directing the Superintendent of Streets to give notice requiring the construction of curbs and gutters along certain streets in the city of Modesto, as provided therein, and

WHEREAS, the Council, did by said resolution, set the 13th day of November, 19 62, at 8:05 o'clock P.M. in the Council Chambers, as the time and place for a hearing for the purpose of passing upon objections or protests, if any, which may be raised by the property owners or other interested persons relating to the proposed work, and

WHEREAS, the Superintendent of Streets has caused notice to be given as directed by said Resolution No. 62-505, and

WHEREAS, at the time set for hearing the protests and objections, if any, to the proposed work, the said Council proceeded to hear the same and no protests having been received,

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

SECTION 1. All protests and objections of any kind or nature whatsoever to the proposed work are hereby overruled or denied.

SECTION 2. The Superintendent of Streets is hereby directed to proceed with the project in accordance with the provisions of Resolution No. 62-505 and Chapter 27, Part 3, Division 7 of the Streets and Highways Code of the State of California.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of November, 1962, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Mitchell, was upon roll call carried and the resolution adopted by the following vote:

AYES: COUNCILMEN: Johansen, Mitchell, Patton, Tabbert, VanderWall, Mayor Hammond

NOES: COUNCILMEN: None

ABSENT: COUNCILMEN: Shastid

ATTEST: [signature]
City Clerk

(SEAL)

Jackson
nov 2 & 29

MODESTO CITY COUNCIL
RESOLUTION NO. 62-539

A RESOLUTION GIVING NOTICE OF THE PROPOSED ANNEXATION TO THE CITY OF MODESTO OF UNINHABITED TERRITORY DESCRIBED HEREIN AND DESIGNATED AS ATHENS NO. 2 ADDITION AND GIVING NOTICE OF TIME AND PLACE FOR HEARING PROTESTS THERETO.

BE IT RESOLVED by the Council of the City of Modesto:

1. That, pursuant to the provisions of the Annexation of Uninhabited Territory Act of 1939, a petition signed by owners of not less than one fourth of the land in the hereinafter described territory by area and by assessed value as shown on the last equalized assessment roll of the County of Stanislaus, was filed with the Council of the City of Modesto on October 24, 1962, requesting annexation of the hereinafter described territory to said City.

2. That the territory which the petitioners request be annexed to the City of Modesto and which said City and its Council propose to annex, is situate in the County of Stanislaus, State of California, hereby designated as ATHENS NO. 2 ADDITION, and described as follows:

6/21/62

ATHENS NO. 2 ADDITION

All that real property in the State of California, County of Stanislaus, Section 16, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits as established by the East Floyd Addition, as per description filed January 21, 1960, as Instrument 1678, Stanislaus County Records, said point being the Southeastern corner of said East Floyd Addition; thence along the City Limits and the Eastern line of the East Floyd Addition, North 0° 53' West, 245.94 feet to the Southwestern corner of the East Floyd No. 2 Addition as per description filed June 29, 1960, as Instrument 18293, Stanislaus County Records; thence continuing along the City Limits and the Southern line of the East Floyd No. 2 Addition, South 89° 30' East, 414.34 feet to the Southeastern corner of the East Floyd No. 2 Addition; thence continuing along the City Limits and the Eastern line of the East Floyd No. 2 Addition, North 0° 53' West, 144.00 feet, to the Southwestern corner of the East Floyd No. 3 Addition as per description filed July 19, 1961, as Instrument 22858, Stanislaus County Records; thence along the City Limits and the Southern line of the East Floyd No. 3 Addition, South 89° 30' East, 346.00 feet to the Southeastern corner of the East Floyd No. 3 Addition; thence along the Southerly extension of the Eastern line of the East Floyd No. 3 Addition, South 0° 53' East, 389.94 feet, to a point on the center line of the Cavil Drain, said point being on the Southern line of property conveyed to Harry G. Russell, Et Ux, as per deed recorded September 6, 1960, as Instrument 25270, Stanislaus County Records; thence along the Southern line of said Russell property and the center line of the Cavil Drain, North 89° 30' West, 760.34 feet to the point of beginning, containing 5.437 Acres more or less.

3. That the County Boundary Commission of Stanislaus County, California, did in session duly assembled on October 23, 1962, consider the proposed annexation boundaries of said ATHENS NO. 2 ADDITION, as above described, and as submitted to said Commission by the proponents of said annexation.

4. No change in school district boundaries shall be effected by reason of the annexation of the hereinabove described area to the City of Modesto.

5. NOTICE IS HEREBY GIVEN that the 7th day of January, 1963, at the hour of 4:30 o'clock P.M. of said day, in the Council Chambers at the City Hall, located at 801 Eleventh Street in the City of Modesto, be and the same is hereby fixed as the time and place for considering said petition, at which time and place any person owning real property within such territory and having any objections to the proposed annexation may appear before the Council of the City of Modesto and show cause why such territory should not be so annexed. The protest must be in writing, may be filed at any time before the hour set for hearing objections to the proposed annexation, and shall state the name or names of the owner or owners of property affected and the description and area of such property, in general terms.

6. The City Clerk shall cause a copy of this resolution to be published at least twice, but not oftener than once a week, in The Modesto Tribune, a newspaper of general circulation, published in the City of Modesto and being the official newspaper of the City of Modesto. Said publications shall be completed at least twenty (20) days prior to the date set for the hearing.

7. The City Clerk of the City of Modesto shall also cause written notice of such proposed annexation to be mailed to each person to whom land within the territory proposed to be annexed is assessed on the last equalized county assessment roll available on the date the proceedings were initiated, at the address shown on said assessment roll

or as known to said Clerk, and to any person who has filed his name and address and the designation of the land in which he has any interest, either legal or equitable, with said Clerk. Said notices shall be mailed not less than twenty (20) days before the public hearing on the proposed annexation.

8. In the event any land within the territory proposed to be annexed is owned by the County of Stanislaus, the City Clerk is directed to cause written notice of such proposed annexation to be mailed to the Board of Supervisors of the County, such notice to be given not less than twenty (20) days before the public hearing on the proposed annexation.

9. In the event there is, upon the land proposed to be annexed, a structural improvement owned, being acquired or leased by a county fire protection district, the City Clerk is directed to cause written notice of such proposed annexation to be mailed to the governing body of such district, such notice to be sent not less than ten (10) days before the public hearing on the proposed annexation.

10. The City Clerk is directed to cause written notice to be given to such other persons as may be legally entitled thereto, in the manner required by law.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of November, 19 62, by Councilman Patton, who moved its adoption, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and the resolution adopted by the following vote:

AYES: COUNCILMEN: Johansen, Mitchell, Patton, Tabbert, VanderWall, Mayor Hammond

NOES: COUNCILMEN: None

ABSENT: COUNCILMEN: Shastid

ATTEST: [signature]
City Clerk

(SEAL)

Nov 22 + 29

MODESTO CITY COUNCIL
RESOLUTION NO. 62-540

A RESOLUTION GIVING NOTICE OF THE PROPOSED ANNEXATION TO THE CITY OF MODESTO OF UNINHABITED TERRITORY DESCRIBED HEREIN AND DESIGNATED AS CRESTVIEW NO. 2 ADDITION AND GIVING NOTICE OF TIME AND PLACE FOR HEARING PROTESTS THERETO.

BE IT RESOLVED by the Council of the City of Modesto:

1. That, pursuant to the provisions of the Annexation of Uninhabited Territory Act of 1939, a petition signed by owners of not less than one fourth of the land in the hereinafter described territory by area and by assessed value as shown on the last equalized assessment roll of the County of Stanislaus, was filed with the Council of the City of Modesto on October 25, 19 62, requesting annexation of the hereinafter described territory to said City.

2. That the territory which the petitioners request be annexed to the City of Modesto and which said City and its Council propose to annex, is situate in the County of Stanislaus, State of California, hereby designated as CRESTVIEW NO. 2 ADDITION, and described as follows:

6/21/62

All that real property in the State of California, County of Stanislaus, Section 22, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, being a portion of Downey Park No. 1 as per map filed August 18, 1959, in Volume 19 of Maps, Page 26, Stanislaus County Records, described as follows:

Beginning at a point on the existing City Limits as established by the Lorenzen Addition as per description filed June 27, 1961, as Instrument 20145, Stanislaus County Records, said point being the Northwestern corner of said Downey Park No. 1; thence along the Northern line of Downey Park No. 1, East, 395.00 feet, to the Northeastern corner of Lot 4, Block 1102, Downey Park No. 1; thence along the Eastern line of said Lot 4, South 12° 20' 00" West 159.83 feet to the Southeastern corner of said Lot 4; thence South 1° 35' 05" East, 65.86 feet to a point on the existing City Limits as established by the Crestview Addition as per description filed March 16, 1962, as Instrument 10152, Stanislaus County Records, said point being the Northeastern corner of Lot 4, Block 1101 of Downey Park No. 1; thence along the City Limits, West, 362.68 feet to a point on the Eastern line of Lorenzen Addition; thence continuing along the City Limits and the Eastern line of Lorenzen Addition North, 222.00 feet to the point of beginning, containing 1.890 Acres more or less.

3. That the County Boundary Commission of Stanislaus County, California, did in session duly assembled on October 23, 1962, consider the proposed annexation boundaries of said CRESTVIEW NO. 2 ADDITION, as above described, and as submitted to said Commission by the proponents of said annexation.

4. No change in school district boundaries shall be effected by reason of the annexation of the hereinabove described area to the City of Modesto.

5. NOTICE IS HEREBY GIVEN that the 7th day of January, 1963, at the hour of 4:35 o'clock P.M. of said day, in the Council Chambers at the City Hall, located at 801 Eleventh Street in the City of Modesto, be and the same is hereby fixed as the time and place for considering said petition, at which time and place any person owning real property within such territory and having any objections to the proposed annexation may appear before the Council of the City of Modesto and show cause why such territory should not be so annexed. The protest must be in writing, may be filed at any time before the hour set for hearing objections to the proposed annexation, and shall state the name or names of the owner or owners of property affected and the description and area of such property, in general terms.

6. The City Clerk shall cause a copy of this resolution to be published at least twice, but not oftener than once a week, in The Modesto Tribune, a newspaper of general circulation, published in the City of Modesto and being the official newspaper of the City of Modesto. Said publications shall be completed at least twenty (20) days prior to the date set for the hearing.

7. The City Clerk of the City of Modesto shall also cause written notice of such proposed annexation to be mailed to each person to whom land within the territory proposed to be annexed is assessed on the last equalized county assessment roll available on the date the proceedings were initiated, at the address shown on said assessment roll

or as known to said Clerk, and to any person who has filed his name and address and the designation of the land in which he has any interest, either legal or equitable, with said Clerk. Said notices shall be mailed not less than twenty (20) days before the public hearing on the proposed annexation.

8. In the event any land within the territory proposed to be annexed is owned by the County of Stanislaus, the City Clerk is directed to cause written notice of such proposed annexation to be mailed to the Board of Supervisors of the County, such notice to be given not less than twenty (20) days before the public hearing on the proposed annexation.

9. In the event there is, upon the land proposed to be annexed, a structural improvement owned, being acquired or leased by a county fire protection district, the City Clerk is directed to cause written notice of such proposed annexation to be mailed to the governing body of such district, such notice to be sent not less than ten (10) days before the public hearing on the proposed annexation.

10. The City Clerk is directed to cause written notice to be given to such other persons as may be legally entitled thereto, in the manner required by law.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of November, 1962, by Councilman Tabbert, who moved its adoption, which motion being duly seconded by Councilman Johansen, was upon roll call carried and the resolution adopted by the following vote:

AYES: COUNCILMEN: Johansen, Mitchell, Patton, Tabbert, VanderWall, Mayor Hammond

NOES: COUNCILMEN: None

ABSENT: COUNCILMEN: Shastid

ATTEST: _____
City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62- 541

A RESOLUTION GIVING NOTICE OF THE PROPOSED ANNEXATION TO THE CITY OF MODESTO OF UNINHABITED TERRITORY DESCRIBED HEREIN AND DESIGNATED AS FRANCEK ADDITION AND GIVING NOTICE OF TIME AND PLACE FOR HEARING PROTESTS THERETO.

BE IT RESOLVED by the Council of the City of Modesto:

1. That, pursuant to the provisions of the Annexation of Uninhabited Territory Act of 1939, a petition signed by owners of not less than one fourth of the land in the hereinafter described territory by area and by assessed value as shown on the last equalized assessment roll of the County of Stanislaus, was filed with the Council of the City of Modesto on October 25, 1962, requesting annexation of the hereinafter described territory to said City.

2. That the territory which the petitioners request be annexed to the City of Modesto and which said City and its Council propose to annex, is situate in the County of Stanislaus, State of California, hereby designated as FRANCEK ADDITION, and described as follows:

6/21/62

All that real property situate in the State of California, County of Stanislaus, Sections 7 and 8, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits as established by the Northern line of the Neighborhood Church Addition, as per description filed February 2, 1961, as Instrument 3513, Stanislaus County Records, said point being the intersection of the Section Line common to Sections 7 and 8, said Section Line being the center line of a 40 foot Public Road known as Tully Road, and the Southern line of a 40 foot Public Road known as Woodrow Avenue; thence along the existing City Limits and the center line of Tully Road, North 0° 54' West, 23.11 feet, to the South line of the Northeast quarter of the Southeast quarter of Section 7; thence along the existing City Limits and said South line, North 89° 12' West, 1009.71 feet, to the Northwestern corner of said Neighborhood Church Addition and the Northeastern corner of the Renee Manor Addition, as per description filed October 18, 1962, as Instrument 39841 , Stanislaus County Records; thence continuing along the existing City Limits, North 89° 12' West, 311.27 feet, to the West line of the Northeast quarter of the Southeast quarter of Section 7; thence along said West line, North 1° 02' 40" West, 1298.12 feet, to the Southern line of 40 foot Public Road known as Standiford Avenue; thence along the Southern line of Standiford Avenue, South 89° 09' East, 1324.15 feet, to the center line of Tully Road and the Section Line common to Sections 7 and 8; thence continuing along the Southern line of Standiford Avenue and along the Northern line of Lots 38, 37, and 36 of Standiford Colony, as per map filed December 11, 1912 in Volume 7 of Maps, Page 17, Stanislaus County Records, South 89° 09' East, 1040.96 feet, to the Northeast corner of said Lot 36; thence along the Eastern line of Lot 36, South 0° 54' East, 640.00 feet, to the Northern line of Lot 42 of said Standiford Colony; thence along the Northern line of Lot 42, South 89° 09' East, 340.32 feet, to the Northeast corner of said Lot 42; thence along the Eastern line of Lot 42, South 0° 54' East, 640.00 feet, to the Northern line of Woodrow Avenue; thence along the Northern line of Woodrow Avenue, and the Southern line of Lot 43, South 89° 09' East, 340.32 feet, to the Eastern line of said Lot 43; thence along the Southerly extension of the Eastern line of Lot 43, South 0° 54' East, 40.00 feet, to the Northeastern corner of the Neighborhood Church Addition on the Southern line of Woodrow Avenue and the existing City Limits; thence along the existing City Limits, North 89° 09' West, 1721.60 feet, to the point of beginning, containing 76.525 Acres, more or less.

3. That the County Boundary Commission of Stanislaus County, California, did in session duly assembled on October 23, 19 62, consider the proposed annexation boundaries of said FRANCEK ADDITION, as above described, and as submitted to said Commission by the proponents of said annexation.

4. No change in school district boundaries shall be effected by reason of the annexation of the hereinabove described area to the City of Modesto.

5. NOTICE IS HEREBY GIVEN that the 7th day of January, 19 63, at the hour of 4:40 o'clock P.M. of said day, in the Council Chambers at the City Hall, located at 801 Eleventh Street in the City of Modesto, be, and the same is hereby fixed as the time and place for considering said petition, at which time and place any person owning real property within such territory and having any objections to the proposed annexation may appear before the Council of the City of Modesto and show cause why such territory should not be so annexed. The protest must be in writing, may be filed at any time before the hour set for hearing objections to the proposed annexation, and shall state the name or names of the owner or owners of property affected and the description and area of such property, in general terms.

6. The City Clerk shall cause a copy of this resolution to be published at least twice, but not oftener than once a week, in The Modesto Tribune, a newspaper of general circulation, published in the City of Modesto and being the official newspaper of the City of Modesto, and shall also cause a copy of this resolution to be published in the Turlock Daily Journal, being a newspaper of general circulation published outside of the City of Modesto but in the County of Stanislaus. Said publications shall be completed at least twenty (20) days prior to the date set for the hearing.

7. The City Clerk of the City of Modesto shall also cause written notice of such proposed annexation to be mailed to each person to whom land within the territory proposed to be annexed is assessed on the last equalized county assessment roll available on the date the proceedings were initiated, at the address shown on said assessment roll

or as known to said Clerk, and to any person who has filed his name and address and the designation of the land in which he has any interest, either legal or equitable, with said Clerk. Said notices shall be mailed not less than twenty (20) days before the public hearing on the proposed annexation.

8. In the event any land within the territory proposed to be annexed is owned by the County of Stanislaus, the City Clerk is directed to cause written notice of such proposed annexation to be mailed to the Board of Supervisors of the County, such notice to be given not less than twenty (20) days before the public hearing on the proposed annexation.

9. In the event there is, upon the land proposed to be annexed, a structural improvement owned, being acquired or leased by a county fire protection district, the City Clerk is directed to cause written notice of such proposed annexation to be mailed to the governing body of such district, such notice to be sent not less than ten (10) days before the public hearing on the proposed annexation.

10. The City Clerk is directed to cause written notice to be given to such other persons as may be legally entitled thereto, in the manner required by law.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of November, 19 62, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Johansen, was upon roll call carried and the resolution adopted by the following vote:

AYES: COUNCILMEN: Johansen, Mitchell, Patton, Tabbert, VanderWall, Mayor Hammond

NOES: COUNCILMEN: None

ABSENT: COUNCILMEN: Shastid

ATTEST: [signature]
City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62- 542

A RESOLUTION GIVING NOTICE OF THE PROPOSED ANNEXATION TO THE CITY OF MODESTO OF UNINHABITED TERRITORY DESCRIBED HEREIN AND DESIGNATED AS NORTHLAND ESTATES ADDITION AND GIVING NOTICE OF TIME AND PLACE FOR HEARING PROTESTS THERETO.

BE IT RESOLVED by the Council of the City of Modesto:

1. That, pursuant to the provisions of the Annexation of Uninhabited Territory Act of 1939, a petition signed by owners of not less than one fourth of the land in the hereinafter described territory by area and by assessed value as shown on the last equalized assessment roll of the County of Stanislaus, was filed with the Council of the City of Modesto on October 16, 1962, requesting annexation of the hereinafter described territory to said City.

2. That the territory which the petitioners request be annexed to the City of Modesto and which said City and its Council propose to annex, is situate in the County of Stanislaus, State of California, hereby designated as NORTHLAND ESTATES ADDITION, and described as follows:

6/21/62

NORTHERN ESTATES ADDITION

All that real property in the State of California, County of Stanislaus, and being a portion of Section 8, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning on the existing City Limits as established by the Northeastern corner of the Neighborhood Church Addition filed February 2, 1961, as Instrument 3513, Stanislaus County Records, said point being on the Southern line of a 40 foot Public Road known as Woodrow Avenue; thence along the Northerly extension of the Eastern line of said Neighborhood Church Addition, North 1° 23' West, 40 feet, to a point on the Northern line of Woodrow Avenue; thence along the Northern line of Woodrow Avenue, South 89° 08' East, 914.81 feet to a point on the North-South quarter section line of Section 8; thence along the quarter section line, South 1° 19' East, 1.26 feet; thence along the Northern line of Woodrow Avenue South 89° 30' East, 590.14 feet to the Southeastern corner of the North Star Estates Subdivision, as per map filed October 4, 1961, Volume 19 of Maps, Page 84, Stanislaus County Records; thence along the Southerly extension of the Eastern line of the North Star Estates Subdivision, South 1° 13' East, 40.02 feet, to a point on the Southern line of Woodrow Avenue, thence along the Southern line of Woodrow Avenue, South 89° 30' East, 230.59 feet to the Northwestern corner of property conveyed to Stanley B. Dufton as per Deed recorded December 19, 1956, Instrument 34090, Stanislaus County Records; thence along the Western line of Dufton property, South 1° 19' East, 641.33 feet, to the Southwestern corner of Dufton property, said point also being on the Northern line of property conveyed to Gertrude Ruddy, as per Deed recorded June 6, 1956, Instrument 15613, Stanislaus County Records; thence along the Northern line of Ruddy property, North 89° 27' 30" West, 790.80 feet, to the Northwestern corner of Ruddy property, said point also being on the Eastern line of Tidewater Southern Railroad Right of Way; thence along the Eastern line of Tidewater Southern Railroad Right of Way, North 1° 19' West, 640.73 feet, to the Southern line of Woodrow Avenue; thence along the Southern line of Woodrow Avenue, North 89° 30' West 30.07 feet, to a point on the North-South quarter section line of Section 8; thence along said quarter section line, North 1° 19' West, 1.26 feet to the Southern line of Woodrow Avenue; thence along the Southern line of Woodrow Avenue, North 89° 08' West, 914.65 feet to the point of beginning, containing 13.328 Acres, more or less.

3. That the County Boundary Commission of Stanislaus County, California, did in session duly assembled on July 31, 19 62, consider the proposed annexation boundaries of said NORTHLAND ESTATES ADDITION, as above described, and as submitted to said Commission by the proponents of said annexation.

4. No change in school district boundaries shall be effected by reason of the annexation of the hereinabove described area to the City of Modesto.

5. NOTICE IS HEREBY GIVEN that the 7th day of January, 19 63, at the hour of 4:45 o'clock P.M. of said day, in the Council Chambers at the City Hall, located at 801 Eleventh Street in the City of Modesto, be and the same is hereby fixed as the time and place for considering said petition, at which time and place any person owning real property within such territory and having any objections to the proposed annexation may appear before the Council of the City of Modesto and show cause why such territory should not be so annexed. The protest must be in writing, may be filed at any time before the hour set for hearing objections to the proposed annexation, and shall state the name or names of the owner or owners of property affected and the description and area of such property, in general terms.

6. The City Clerk shall cause a copy of this resolution to be published at least twice, but not oftener than once a week, in The Modesto Tribune, a newspaper of general circulation, published in the City of Modesto and being the official newspaper of the City of Modesto. Said publications shall be completed at least twenty (20) days prior to the date set for the hearing.

7. The City Clerk of the City of Modesto shall also cause written notice of such proposed annexation to be mailed to each person to whom land within the territory proposed to be annexed is assessed on the last equalized county assessment roll available on the date the proceedings were initiated, at the address shown on said assessment roll

or as known to said Clerk, and to any person who has filed his name and address and the designation of the land in which he has any interest, either legal or equitable, with said Clerk. Said notices shall be mailed not less than twenty (20) days before the public hearing on the proposed annexation.

8. In the event any land within the territory proposed to be annexed is owned by the County of Stanislaus, the City Clerk is directed to cause written notice of such proposed annexation to be mailed to the Board of Supervisors of the County, such notice to be given not less than twenty (20) days before the public hearing on the proposed annexation.

9. In the event there is, upon the land proposed to be annexed, a structural improvement owned, being acquired or leased by a county fire protection district, the City Clerk is directed to cause written notice of such proposed annexation to be mailed to the governing body of such district, such notice to be sent not less than ten (10) days before the public hearing on the proposed annexation.

10. The City Clerk is directed to cause written notice to be given to such other persons as may be legally entitled thereto, in the manner required by law.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of November, 1962, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Johansen, was upon roll call carried and the resolution adopted by the following vote:

AYES: COUNCILMEN: Johansen, Mitchell, Patton, Tabbert, VanderWall, Mayor Hammond

NOES: COUNCILMEN: None

ABSENT: COUNCILMEN: Shastid

ATTEST: [signature]
City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-543

A RESOLUTION GRANTING HARRY E. BROWN A PERMIT TO ENCROACH ON THE PUBLIC RIGHT OF WAY AND AMENDING COUNCIL RESOLUTION NO. 62-504

WHEREAS, the Modesto City Council, by Resolution No. 62-504, adopted October 29, 1962, granted a permit to Harry E. Brown to encroach on the public right of way by permitting installation of one-inch quarry tile on the pilasters next to the doors of the Hudson Post Office Building at 18th and H Streets, and

WHEREAS, Harry E. Brown has further requested a permit to encroach on the public right of way by installing a tile wainscoat approximately four feet high the full length of the building to tie in with the pilasters,

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

1. Council Resolution No. 62-504 is hereby amended to grant an encroachment permit to the applicant to permit installation of a tile wainscoat approximately four feet high the full length of the building to tie in with the pilasters next to the doors of the Hudson Post Office Building located at 18th and H Streets.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of November, 1962, by Councilman Johansen, who moved its adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Shastid

ATTEST: _____
CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 62-544

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF $100 FROM PARKING FUND, GENERAL RESERVE, TO PARKING AND TRAFFIC, PRESENT LOT DEVELOPMENT

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the following appropriation transfer(s) be approved:

PARKING FUND (209)

FROM:	General Reserve (101)	$100
TO:	Parking and Traffic (57) Present Lot Development (503)	$100

To provide funds for murals in the parking garage

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of November, 19 62, by Councilman Johansen, who moved its adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Shastid

ATTEST: [signature]
CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 62-545

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING THE CALLING FOR BIDS FOR THE CONSTRUCTION OF WATER LINES TO SERVE ROSELENE TERRACE SUBDIVISION

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

Section 1. The plans and specifications for the construction of water lines to serve Roselene Terrace Subdivision, copies of which are on file, are hereby accepted and approved.

Section 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on December 4, 1962 at 2:00 P.M. and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form and manner provided by law.

Section 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 19th day of November, 1962, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Shastid

ATTEST: _____
CITY CLERK

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-546

A RESOLUTION REFERRING BACK TO THE PLANNING COMMISSION ITS APPLICATION TO AMEND SECTION 27 OF THE ZONING MAP OF THE CITY OF MODESTO (RUFFINO ADDITION AND PHOENIX FIRE STATION SITE)

WHEREAS, by Resolution No. 844, adopted on September 18, 1962, the Planning Commission initiated proceedings to formally zone Lot 14 in Block 2196 to General Commercial Zone, C-2, and to rezone from One-Family Zone, R-1, to General Commercial Zone, C-2, the adjoining city owned Lot 13 in Block 2196, and

WHEREAS, by Ordinance 520-C.S., adopted on November 5, 1962, the Council amended Section 27 of the Zoning Map to establish interim General Commercial, C-2, zoning for Lot 14, Block 2196, the Ruffino Addition, and

WHEREAS, the Council of the City of Modesto held a public hearing at 4:45 P.M., November 19, 1962 to consider the recommendation of the Planning Commission, as set forth in Planning Commission Resolution No. 854, adopted on October 16, 1962, that Lot 14, Block 2196 be formally zoned to General Commercial Zone, C-2, and the adjoining city owned Lot 13, Block 2196 be rezoned from One-Family Zone, R-1, to Multiple Family Residential Zone, R-3, and

WHEREAS, the Council, after hearing both documentary and oral evidence, determined that the matter of rezoning Lot 13, Block 2196, should be referred back to the Planning Commission for further consideration in view of the following circumstances:

1. A buffer zone already exists between the present C-2 zoning and residential properties to the north.
2. The present structure on Lot 13, Block 2196 can more readily be utilized for C-2 uses than R-3 purposes.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the recommendation of the Planning Commission to rezone Lot 13, Block 2196 from One-Family Zone, R-1, to Multiple Family Zone, R-3, be and it is hereby referred back to the Modesto City Planning Commission, pursuant to Section 10-2.2114 of the Modesto Municipal Code, for reconsideration and further report.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 19th day of November,

1962, by Councilman Johansen, who moved its adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Shastid

ATTEST: _____
CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 62- 547

A RESOLUTION WITHDRAWING CERTAIN DESCRIBED TERRITORY FROM THE McHENRY-DRY CREEK FIRE PROTECTION DISTRICT BY REASON OF ITS ANNEXATION TO THE CITY OF MODESTO. (ATHENS ADDITION)

WHEREAS, a portion of the McHenry-Dry Creek Fire Protection District was annexed to the City of Modesto by Ordinance No. 533 -C.S., adopted on November 5, 1962, and

WHEREAS, said territory officially became a part of the City on November 7, 1962, and

WHEREAS, the Health and Safety Code of the State of California provides that whenever any portion of such a District is included within a city by reason of annexation, such portion may be withdrawn from the District by the filing with the State Board of Equalization, the governing body of the District, and the County Assessor of copies of a resolution of the legislative body of the city, describing the included portion, and declaring such portion withdrawn, and

WHEREAS, it is to the best interests of the residents in the area of said Fire District which has been annexed to the City that the area be withdrawn from said Fire District and provided fire prevention and fire fighting services by the City,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the following described territory be withdrawn from the boundaries of the McHenry-Dry Creek Fire Protection District:

ATHENS ADDITION

All that certain real property situate in the State of California, County of Stanislaus, and being a portion of the North half of Southeast quarter of Section 16, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits as established by the East Floyd Addition, as per description filed January 21, 1960, as Instrument 1678, Stanislaus County Records, said point being also the Northeast corner of Revard Manor Subdivision, recorded June 23, 1952, Volume 17 of Maps, Page 38, Stanislaus County Records, said point being also on the East-West quarter Section line of Section 16; thence South 0° 00' 15" East, 616.05 feet, along the Eastern line of Revard Manor Subdivision to a point on the Southern line of the property conveyed to Edward B. Lawrence, et ux, by Deed Recorded June 5, 1951, as Instrument 13294, Stanislaus County Records; thence along said Southern line, South 88° 38' East, 1416.04 feet, to a point on the Western line of a 50.00 foot Public Road known as Coffee Road; thence North, 615.62 feet, along the Western line of Coffee Road to a point on the said East-West quarter section line of Section 16; thence North 88° 37' West, 920.34 feet, along said quarter section line to a point on the existing City Limits line as established by the said East Floyd Addition; thence continuing along said quarter section line and existing City Limits line, North 88° 37' West, 495.75 feet, to the point of beginning, containing 20.01 Acres, more or less.

BE IT FURTHER RESOLVED that the City Clerk be, and he is hereby directed to file a certified copy of this resolution with the State Board of Equalization, the governing body of said Fire Protection District, and the Assessor of Stanislaus County.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 19th day of November, 1962, by Councilman Mitchell, who moved its adoption, which motion being duly seconded by Councilman Johansen, was upon roll call carried and the resolution adopted by the following vote:

AYES: COUNCILMEN: Johansen, Mitchell, Patton, Tabbert, VanderWall, Mayor Hammond

NOES: COUNCILMEN: None

ABSENT: COUNCILMEN: Shastid

ATTEST: [signature]
City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-548

A RESOLUTION ACCEPTING THE BID OF RICKER MACHINERY COMPANY FOR ONE SELF-PROPELLED COMPACTION ROLLER FOR A TOTAL SUM OF $2,418, INCLUDING SALES TAX

WHEREAS, Resolution No. 62-411, adopted by the Council of the City of Modesto on September 4, 19 62, approved the plans and specifications for the self-propelled compaction roller for a total sum of $2,418, including sales tax and authorized the calling for bids, and

WHEREAS, the bids received for the self-propelled compaction roller were opened at 2:00 P.M., Sept. 19, 1962, and later tabulated by the Purchasing Department for the consideration of the Council, and

WHEREAS, the Purchasing Agent has recommended that the bid of Ricker Machinery Company for a total sum of $2,418, including sales tax be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED that the bid of Ricker Machinery Company be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 19th day of November, 19 62, by Councilman Johansen, who moved its adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Shastid

ATTEST: [signature]
CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 62-549

A RESOLUTION AUTHORIZING THE RELEASE OF THE GLENS FALLS INSURANCE COMPANY SUBDIVISION BOND FILED TO GUARANTEE IMPROVEMENTS IN TRACY HEIGHTS SUBDIVISION

WHEREAS, George Klemm, Mollie Klemm and Daniel E. Soderlund, subdividers of Tracy Heights Subdivision, have filed with the City of Modesto a Subdivision Bond to guarantee the improvements in the aforesaid subdivision, and

WHEREAS, the Director of Public Works has reported that the improvements have been completed in the aforesaid subdivision to his satisfaction, and has recommended the release of the contract bond,

NOW, THEREFORE, BE IT HEREBY RESOLVED that the Glens Falls Insurance Company Subdivision Bond No. 72 17 30 in the sum of $24,400 filed by George Klemm, Mollie Klemm and Daniel E. Soderlund to guarantee the improvements in Tracy Heights Subdivision be and it is hereby released.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 19th day of November, 1962, by Councilman Johansen, who moved its adoption, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Shastid

ATTEST: _____
CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 62- 550

A RESOLUTION REFERRING TO THE MODESTO CITY PLANNING COMMISSION A PETITION FOR ANNEXATION OF CERTAIN UNINHABITED TERRITORY TO THE CITY OF MODESTO KNOWN AS YOUNG ADDITION.

WHEREAS, a petition has been filed in the office of the City Clerk requesting the annexation of certain uninhabited territory to the City of Modesto, which territory is more specifically described hereinafter, and

WHEREAS, the County Boundary Commission has certified to the definiteness and accuracy of the boundaries of said territory,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that said petition for the annexation of the following described uninhabited territory be referred to the Planning Commission for its report and recommendation.

The territory herein referred to is situated in the County of Stanislaus, State of California, and more particularly described as attached hereto.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 19th day of November, 1962, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Mitchell, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Shastid

ATTEST: [signature]
City Clerk

(SEAL)

YOUNG ADDITION

All that real property in the State of California, County of Stanislaus, Section 5, Township 4 South, Range 9 East, Mount Diablo Base and Meridian, being a portion of Lots 2, 6, 7, 8, 9, 10, 11 and 12 of the Rouse Colony, as per map filed January 10, 1911, in Volume 5 of Maps, at Page 24, Stanislaus County Records, described as follows:

Beginning at a point on the existing City Limits as established by the Dryden-Durand Addition, as per description filed June 23, 1955, as Instrument 18187, Stanislaus County Records, said point being the intersection of the Eastern line of a 40 foot Right of Way known as Colorado Avenue and the Northern line of Lot 2 as they are shown on the map of the Rouse Colony; thence along the existing City Limits the following bearings and distances, South 57° 12' 25" East, 89.46 feet, North 51° 07' 05" East, 432.50 feet, North 35° 28' 35" East, 524.98 feet, North 52° 23' 20" East, 569.45 feet, North 19° 47' East, 215.98 feet, North 84° 13' West, 169.00 feet, North 14° 47' East, 123.00 feet, North 89° 45' West, 123.89 feet, to a point on the existing City Limits as established by the Southern line of the Club House Addition, as per description filed July 29, 1959, as Instrument 21781, Stanislaus County Records; thence along the existing City Limits the following bearings and distances, North 89° 45' West, 309.65 feet, North 0° 15' East, 264.22 feet, South 89° 45' East, 210.00 feet, North 0° 15' East, 175.00 feet, North 89° 45' West, 210.00 feet, North 0° 15' East, 212.20 feet, to the Northwestern corner of the Club House Addition and a point on the Northern line of Lot 11 of said Rouse Colony; thence leaving the existing City Limits and running along the Northern line of Lot 11 and Lot 12, North 89° 58' 30" West, 665.20 feet, to the Eastern line of Colorado Avenue; thence along the Eastern line of Colorado Avenue, South 0° 14' 10" West, 1989.90 feet to the point of beginning containing 34.359 Acres, more or less.

MODESTO CITY COUNCIL
RESOLUTION NO. 62- 551

A RESOLUTION REFERRING TO THE MODESTO CITY PLANNING COMMISSION A PETITION FOR ANNEXATION OF CERTAIN UNINHABITED TERRITORY TO THE CITY OF MODESTO KNOWN AS **GOULD ADDITION.**

WHEREAS, a petition has been filed in the office of the City Clerk requesting the annexation of certain uninhabited territory to the City of Modesto, which territory is more specifically described hereinafter, and

WHEREAS, the County Boundary Commission has certified to the definiteness and accuracy of the boundaries of said territory,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that said petition for the annexation of the following described uninhabited territory be referred to the Planning Commission for its report and recommendation.

The territory herein referred to is situated in the County of Stanislaus, State of California, and more particularly described as attached hereto.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 19th day of November, 19 62, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Johansen, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Tabbert, VanderWall, Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: Shastid

ATTEST: [signature]
City Clerk

(SEAL)

All that real property in the State of California, County of Stanislaus, Section 22, Township 3 South, Range 9 East, Mount Diablo Base and Meridian and being a portion of the South Half of Lot 30 of the Broughton Colony Tract, as recorded March 19, 1904, in Volume 1 of Maps, at Page 78, Stanislaus County Records, and more particularly described as follows:

Commencing at the Southwestern corner of said Section 22, said point being on the existing City Limits as established by the Downey High School and New John Muir School Site by the Board of Supervisors Resolution 8932, filed August 27, 1950, as Instrument 16443, Stanislaus County Records; thence along the Section line and the City Limits, North 0° 14' West, 20.00 feet to the true point of beginning; thence continuing along the Section line and the City Limits, North 0° 14' West, 308.35 feet to a point on the intersection of the Section line and the Western extension of the Northern line of the property conveyed to Stanislaus Medical Building Corporation as per Deed recorded April 29, 1954, as Instrument 10859, Stanislaus County Records; thence along the City Limits and the Northern line and its Western extension of said Stanislaus Medical Building Corporation property, South 89° 42' East, 683.35 feet to a point on the Eastern line of said Lot 30, said point also being on the Western line of a 20.00 foot County Road known as Sunnyside Avenue as per Road Deed recorded October 11, 1956, as Instrument 27944, Stanislaus County Records; thence along the Eastern line of said Lot 30 and the Western line of Sunnyside Avenue, South 0° 14' East, 308.35 feet to a point on the Northern line of a 40 foot Public Road known as Lucern Avenue; thence along the Northern line and its Western extension of Lucern Avenue, North 89° 42' West, 683.35 feet to the point of beginning, containing 4.837 Acres.

RESOLUTION NO. 62-552

RESOLUTION OF THE COUNCIL OF THE CITY OF MODESTO CONFIRMING CANVASS BY BOARD OF SUPERVISORS OF STANISLAUS COUNTY OF ELECTION OF TWO COUNCILMEN AND OF TWO SPECIAL MUNICIPAL ELECTIONS HELD NOVEMBER 6, 1962

WHEREAS, the Board of Supervisors of Stanislaus County did, on the 19th day of November, 1962, canvass or cause to be canvassed, the votes cast in the City of Modesto, County of Stanislaus, State of California, at the election of two Councilmen and the two special municipal elections consolidated with the State of California General Election held on November 6, 1962, in said city, by the electors of said city upon the candidates and measures hereinafter set forth, and did certify to this Council the result of the votes cast at said election upon said candidates and measures, which said certification is now on file in the office of the City Clerk of said City of Modesto,

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

1. Said canvass by the Board of Supervisors of Stanislaus County as shown by said certification and the results of said elections is hereby ratified, confirmed and approved.

2. At said elections the following measures were submitted to the electors of said city and the

number of votes cast in said city for and against each of said measures was as follows:

		Total Vote "YES"	Total Vote "NO"
MEASURE (A) City of Modesto Charter Proposal:	Shall the proposed new charter of the City of Modesto, the text of which is set forth in Section 3 of Resolution No. 62-396 adopted by the Council of said City on Monday, August 27, 1962, and on file in the office of the City Clerk, be adopted?	9,622	2,879
MEASURE (B) City of Modesto Advisory Measure:	Shall commercial cardrooms open to the public be prohibited in the City of Modesto?	8,807	5,400

3. The total number of votes cast in said City of Modesto at each of said special municipal elections and the total number of votes given in each precinct and by absentee voters of said city for and against each of said measures was and is as set forth in said canvass by the Board of Supervisors of Stanislaus County.

4. That more than a majority of all of the votes cast at said special municipal election on said charter measure were in favor of said charter measure and that said charter measure did _____ carry and was _____ approved and ratified by a majority of the qualified voters voting on said charter measure.

5. That more than a majority of all of the votes cast at said special municipal elections on said

advisory measure were in favor of said advisory measure and that said advisory measure did _____ carry and was _____ approved by a majority of the qualified voters voting on said advisory measure.

6. The list of candidates nominated for the office of Councilman to be filled at said election of two Councilmen and the names of the candidates which were set forth in the petitions assembled and filed with the City Clerk, as required by law, and the number of votes cast in favor of each of the candidates, were as follows:

List of Names of Candidates	Total
William R. Patton	12,776
Jon B. Shastid	11,987

7. That William R. Patton and Jon B. Shastid received the highest number of votes given for said office of Councilman, and William R. Patton was thereby elected Councilman for the unexpired term of former incumbent expiring on April 9, 19 63 and Jon B. Shastid was thereby elected Councilman for the unexpired term of former incumbent expiring on April 12, 19 65, and the City Clerk is hereby authorized to sign and deliver to said William R. Patton and Jon B. Shastid a Certificate of Election

and to administer to each of said persons the Oath of Office prescribed in the Constitution of the State of California.

PASSED AND ADOPTED this 19th day of November, 1962, by the following vote:

AYES:	Councilmen:	Johansen, Mitchell, Patton, Tabbert, VanderWall and Mayor Hammond
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Shastid

Mayor of the City of Modesto,
State of California

ATTEST:

City Clerk of the City of Modesto,
State of California

CITY CLERK'S CERTIFICATE

I, Rex E. Gailfus, City Clerk of the City of Modesto, California, do hereby certify that the foregoing is a full, true and correct copy of a resolution duly adopted at a regular meeting of the Council of said city duly and regularly and legally held at the regular meeting place thereof on the 19th day of November, 1962, of which meeting all of the members of said Council had due notice and at which a majority thereof was present; that at said meeting said resolution was introduced by Councilman VanderWall and read in full, and was thereupon, upon motion of Councilman VanderWall, seconded by Councilman Tabbert, adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Tabbert, VanderWall and Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Shastid

That I have carefully compared the same with the original minutes of said meeting on file and of record in my office and that said resolution is duly entered of record in Book 26 of Resolutions at pages --- to ---, inclusive, and said resolution is a full, true and correct copy of the original resolution adopted at said meeting and entered in said minutes. That said resolution has not been amended, modified or rescinded since the date of its adoption and that the same is now in full force and effect.

WITNESS my hand and the seal of the City of Modesto this 27 day of November, 1962.

Rex E. Gailfus

City Clerk of the City of Modesto,
State of California

MODESTO CITY COUNCIL
RESOLUTION NO. 62-553

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING THE CALLING FOR BIDS FOR THE CONSTRUCTION OF A CHAIN LINK FENCE AT THE CORPORATION YARD SITE (BLOCKS 433 AND 434)

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

Section 1. The plans and specifications for the construction of a chain link fence at the Corporation Yard site (Blocks 433 and 434),

copies of which are on file, are hereby accepted and approved.

Section 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on December 18, 1962 at 2:00 P.M. and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form and manner provided by law.

Section 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of November, 1962, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Mitchell, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: _____
CITY CLERK

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-554

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING THE CALLING FOR BIDS FOR THE CONSTRUCTION OF WATER MAINS TO BROOKDALE PARK NO. 4 SUBDIVISION

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

Section 1. The plans and specifications for the construction of water mains to Brookdale Park No. 4 Subdivision, copies of which are on file, are hereby accepted and approved.

Section 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on December 11, 1962 at 2:00 P.M. and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form and manner provided by law.

Section 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of November, 1962, by Councilman Johansen, who moved its adoption, which motion being duly seconded by Councilman Mitchell, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: None

ATTEST: [signature]
CITY CLERK

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-555

A RESOLUTION APPROVING RIGHT OF WAY AGREEMENT BETWEEN THE CITY OF MODESTO AND GEORGE A. AND MARGARET E. LOUDENBACK FOR THE WIDENING OF TULLY ROAD (Parcel 55-20-6621-2)

BE IT HEREBY RESOLVED by the Council of the City of Modesto that Right of Way Agreement between the City of Modesto and George A. and Margaret E. Loudenback

for the widening of Tully Road (Parcel 55-20-6621-2)

be and it is hereby approved. For further particulars, reference is made to a copy of the Agreement on file in the office of the City Clerk.

BE IT FURTHER RESOLVED that the City Manager and City Clerk of the City of Modesto be, and they are hereby authorized and directed to execute said Right of Way Agreement on behalf of the City of Modesto.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of November, 19 62, by Councilman Shastid, who moved its adoption, which motion being duly seconded by Councilman Johansen, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: [signature]
CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 62-556

A RESOLUTION APPROVING RIGHT OF WAY AGREEMENT BETWEEN THE CITY OF MODESTO AND GLEN A. DELAPLANE FOR THE WIDENING OF TULLY ROAD (Parcel 55-9-6075-1)

BE IT HEREBY RESOLVED by the Council of the City of Modesto that Right of Way Agreement between the City of Modesto and Glen A. Delaplane

for the widening of Tully Road (Parcel 55-9-6075-1)

be and it is hereby approved. For further particulars, reference is made to a copy of the Agreement on file in the office of the City Clerk.

BE IT FURTHER RESOLVED that the City Manager and City Clerk of the City of Modesto be, and they are hereby authorized and directed to execute said Right of Way Agreement on behalf of the City of Modesto.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of November, 19 62, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Shastid, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: [signature]
CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 62-557

A RESOLUTION AUTHORIZING PAYMENT OF DRAINAGE ASSESSMENT ON RIGHT OF WAY DEDICATED BY R. C. BURROWS TO THE CITY OF MODESTO FOR THE WIDENING OF ROSEBURG AVENUE (Improvement District No. 8, Parcel 741-9)

WHEREAS, R. C. Burrows has dedicated a right of way to the City of Modesto for the widening of Roseburg Avenue (Parcel No. 741-9), and

WHEREAS, the drainage assessment for Improvement District No. 8 on this parcel was paid by R. C. Burrows prior to the dedication of the Roseburg Avenue right of way, and

WHEREAS, consideration of this payment was inadvertently overlooked at the time the right of way was dedicated to the City of Modesto,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that reimbursement of $50.87 to R. C. Burrows, covering the drainage assessment on Parcel 741-9, dedicated to the City of Modesto for right of way purposes by Mr. Burrows, be and it is hereby authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of November, 1962, by Councilman Shastid, who moved its adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: _____
CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 62- 558

A RESOLUTION AUTHORIZING THE EXECUTION OF ESCROW INSTRUCTIONS BY THE CITY MANAGER FOR ACQUISITION BY THE CITY OF MODESTO OF A PARK SITE ADJACENT TO CATHERINE EVERETT ELEMENTARY SCHOOL ON THE SOUTH SIDE OF MT. VERNON DRIVE FROM ARTHUR J. AND FLORENCE E. WYLIE. (Project No. 62-9)

WHEREAS, Arthur J. Wylie and Florence E. Wylie own that certain parcel of real property adjacent to Catherine Everett Elementary School on the south side of Mt. Vernon Drive in the City of Modesto, and

WHEREAS, the City of Modesto desires to acquire said parcel of real property for use for municipal purposes, and

WHEREAS, the City and Arthur J. Wylie and Florence E. Wylie entered into an Option to Purchase Agreement relating to said property on the 2nd day of July, 1962, which option has been exercised by the City,

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

SECTION 1. AUTHORIZATION TO SIGN ESCROW INSTRUCTIONS. The City Manager is hereby authorized to execute escrow instructions on behalf of the City to complete the purchase of the real property described in said Option to Purchase Agreement entered into between Arthur J. Wylie, et ux., and the City of Modesto dated July 2, 1962, in accordance with the terms of said agreement. The City Manager is further authorized to do all things necessary to complete the acquisition of said property from Arthur J. Wylie, et ux., in accordance with the terms of said option agreement for a purchase price of Twenty-Six Thousand, Five Hundred Fifteen and no/100ths ($26,515.00) Dollars, plus the payment of the additional sum of Five Thousand, Nine Hundred Twenty-Three and 57/100ths ($5,923.57) Dollars by City to Sellers which represents the cost of the improvements to be provided in accordance with said Option to Purchase Agreement.

SECTION 2. ACCEPTANCE AND RECORDING OF DEED. The City of Modesto hereby accepts the deed from Arthur J. Wylie and Florence E. Wylie conveying the above mentioned property to the City of Modesto and authorizes the City Clerk to record said deed with the Recorder of Stanislaus County.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of November, 1962, by Councilman Johansen, who moved its adoption, which motion being duly seconded by Councilman Mitchell, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Johansen, Mitchell, Patton, Tabbert, VanderWall, Mayor Hammond
NOES:	Councilmen:	Shastid
ABSENT:	Councilmen:	None

ATTEST: [illegible]
City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-559

A RESOLUTION ACCEPTING THE CONSTRUCTION OF CURB, GUTTER AND SIDEWALK IN UNIT A - CALIFORNIA-FRANKLIN PARK; AND UNIT B - JAMES MARSHALL PARK BY TANNER CONSTRUCTION COMPANY

WHEREAS, a report has been filed by the Director of Public Works that the construction of curb, gutter and sidewalk in Unit A - California-Franklin Park; and Unit B - James Marshall Park has been completed by Tanner Construction Company

in accordance with the contract agreement, dated October 29, 19 62.

NOW, THEREFORE, BE IT RESOLVED that the construction of curb, gutter and sidewalk in Unit A - California-Franklin Park; and Unit B - James Marshall Park be accepted from said contractor Tanner Construction Company

that Notice of Completion be filed with the Recorder of Stanislaus County and that payment of amounts due, as provided in the contract, be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of November, 1962, by Councilman Shastid, who moved its adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: [signature]
CITY CLERK

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62- 560

A RESOLUTION WITHDRAWING CERTAIN DESCRIBED TERRITORY FROM THE McHENRY-DRY CREEK FIRE PROTECTION DISTRICT BY REASON OF ITS ANNEXATION TO THE CITY OF MODESTO. (Helm Addition)

WHEREAS, a portion of the McHenry-Dry Creek Fire Protection District was annexed to the City of Modesto by Ordinance No. 537 -C.S., adopted on November 13, 19 62, and

WHEREAS, said territory officially became a part of the City on November 15, 19 62, and

WHEREAS, the Health and Safety Code of the State of California provides that whenever any portion of such a District is included within a city by reason of annexation, such portion may be withdrawn from the District by the filing with the State Board of Equalization, the governing body of the District, and the County Assessor of copies of a resolution of the legislative body of the city, describing the included portion, and declaring such portion withdrawn, and

WHEREAS, it is to the best interests of the residents in the area of said Fire District which has been annexed to the City that the area be withdrawn from said Fire District and provided fire prevention and fire fighting services by the City,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the following described territory be withdrawn from the boundaries of the McHenry-Dry Creek Fire Protection District:

All that real property in the State of California, County of Stanislaus, Section 21, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, being a portion of Lot 15, Mensinger Colony as per map filed May 18, 1909 in Volume 4 of Maps, Page 25, Stanislaus County Records, described as follows:

Beginning at a point on the intersection of the existing City Limits as established by the North Central Addition as per description filed August 15, 1953, as Instrument 17507, Stanislaus County Records, and the Westerly extension of the Southern line of said Lot 15 of Mensinger Colony; thence along the City Limits, North 0° 56' West, 330.33 feet to a point on the Westerly extension of the Northern line of Lot 15 of Mensinger Colony; thence along the Northern line and its Westerly extension, South 89° 48' East, 674.90 feet, to a point on the Northerly extension of the Eastern line of the property conveyed to Frank M. Helm, as per Deed recorded March 15, 1962 as Instrument 10030, Stanislaus County Records; thence along the Eastern line and its Northerly extension of said Helm property, South 0° 50' East, 330.24 feet, to the Southeastern corner of said Helm property, said point also being on the Southern line of Lot 15 of Mensinger Colony; thence along the Southern line of Lot 15 and its Westerly extension, North 89° 49' West, 674.80 feet, to the point of beginning, containing 5.117 Acres more or less.

BE IT FURTHER RESOLVED that the City Clerk be, and he is hereby directed to file a certified copy of this resolution with the State Board of Equalization, the governing body of said Fire Protection District, and the Assessor of Stanislaus County.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of November, 1962, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Johansen, was upon roll call carried and the resolution adopted by the following vote:

AYES: COUNCILMEN: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: COUNCILMEN: None

ABSENT: COUNCILMEN: None

ATTEST: [signature]
City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-561

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND JOHN E. HIRLEMAN, JR. FOR WATER SERVICE TO BROOKDALE PARK NO. 4 SUBDIVISION

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the Agreement between the City of Modesto and John E. Hirleman, Jr.

for water service to Brookdale Park No. 4 Subdivision

be, and it is hereby approved, and

BE IT FURTHER RESOLVED that the execution of said Agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of November, 19 62 by Councilman Mitchell, who moved its adoption, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: None

ATTEST: [signature]
CITY CLERK

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62- 562

A RESOLUTION APPROVING THE FINAL MAP OF THE RENEE MANOR UNIT NO. 1 SUBDIVISION OF THE CITY OF MODESTO.

WHEREAS, George Klemm and Helyn Soderlund are possessed of a tract of land situate in the City of Modesto, County of Stanislaus, consisting of 25.81 acres, known as the Renee Manor Unit No. 1 Subdivision, and

WHEREAS, a tentative map of said tract was approved by the City Planning Commission on the 27th day of April, 1962, and

WHEREAS, the final map of said tract has been approved by the Secretary of the City Planning Commission, and

WHEREAS, the City Engineer of the City of Modesto has certified that the final map of said Renee Manor Unit No. 1 Subdivision meets all of the provisions of the California Subdivision Map Act and the provisions of the Modesto Municipal Code relating to subdivisions, and that the map is technically correct;

NOW, THEREFORE, BE IT RESOLVED that said final map of the Renee Manor Unit No. 1 Subdivision be approved; that the streets, alleys and easements as shown thereon within the boundaries of said tract be accepted on behalf of the public for public use; and that the City Clerk be authorized to certify the map of said tract on behalf of the City of Modesto after the fees in the amount of Four Thousand Forty-Five and 70/100ths ($4,045.70) Dollars, as required by the Modesto Municipal Code, for checking, copies of maps, recording and parks and playgrounds have been paid, and subdividers have furnished a bond acceptable to the City Attorney, or, in lieu thereof, have posted a cash deposit with the City Clerk in the sum of Ninety-Two Thousand and No/100ths ($92,000.00) Dollars.

BE IT FURTHER RESOLVED that the City Manager and the City Clerk be authorized to execute and attest, respectively, an agreement

with subdividers as required by Section 4-4.604 (c) of the Modesto Municipal Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of November, 19 62, by Councilman Johansen, who moved its adoption, which motion being duly seconded by Councilman Mitchell, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: [signature]
City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-563

A RESOLUTION APPROVING APPROPRIATION TRANSFERS

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the following appropriation transfer(s) be approved:

PARKING AND TRAFFIC (321)

FROM:	Traffic Signal Modernization - Downtown (503)	$200
TO:	Railroad Crossing Street Lighting (503)	$200

To improve lighting at railroad crossing on 8th Street at Washington Street; and

SPECIAL FUND FOR CAPITAL OUTLAYS (321)

FROM:	General Reserve (600)	$600
TO:	Children's Park Wading Pool(503)	$600

For the installation of a filter system in the wading pool at Children's Park.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of November, 19 62, by Councilman Shastid, who moved its adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: [signature]
CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 62-564

A RESOLUTION AUTHORIZING APPLICATION TO THE PUBLIC UTILITIES COMMISSION FOR REIMBURSEMENT TO CITY FOR ONE-HALF THE CITY'S SHARE OF COSTS IN INSTALLING TWO STREET LIGHTS AT INTERSECTION OF 8TH AND WASHINGTON STREETS

WHEREAS, the Director of Parking and Traffic has recommended that additional intersection lighting is needed at the 8th and Washington Street crossing, and

WHEREAS, the Southern Pacific Company has agreed by letter dated October 23, 1962 to participate in the installation of two 20,000 lumen mercury vapor street lights on 30-foot standards at the aforementioned crossing on a 50-50 basis in an amount not to exceed $200, and

WHEREAS, one-half the City's share of the cost of installation is reimbursible from the P.U.C. Grade Crossing Protection Fund,

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

(1) The letter agreement submitted by the Southern Pacific Company to share in the cost of installing two 20,000 lumen mercury vapor street lights on 30-foot standards at the intersection of 8th and Washington Streets is hereby approved.

(2) The City Manager is hereby authorized to submit an application to the Public Utilities Commission for reimbursement for one-half of the City's share of the cost of installation.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of November, 1962, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: _____
CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 62-565

A RESOLUTION DECLINING TO CONSENT TO THE COMMENCEMENT OF PROCEEDINGS FOR ANNEXATION OF UNINHABITED TERRITORY KNOWN AS THE NORTH STAR ESTATES ADDITION

WHEREAS, Resolution No. 62-528, adopted by the Council of the City of Modesto, referred a petition for annexation of certain uninhabited territory known as the North Star Estates Addition to the Modesto City Planning Commission for report and recommendation, and

WHEREAS, at its meeting of November 20, 1962 the Modesto City Planning Commission considered the petition for annexation of the uninhabited territory known as the North Star Estates Addition, and recommended to the Council of the City of Modesto that the proceedings not be commenced because of circumstances under which the territory was being annexed,and

WHEREAS, the Planning Commission has further recommended that the Council encourage the residents of this territory to initiate inhabited annexation proceedings,

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

(1) That consent not be granted for the commencement of proceedings to annex uninhabited territory known as the North Star Estates Addition.

(2) That the residents of the territory known as the North Star Estates Addition be encouraged to initiate proceedings to annex said territory to the City in accordance with the Annexation of Inhabited Territory Act and the City staff is hereby authorized and requested to assist.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of November, 1962, by Councilman Mitchell, who moved its adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: [signature]
CITY CLERK

adv
Dec 6 & 13
25 newspaper copies

MODESTO CITY COUNCIL
RESOLUTION NO. 62- 566

A RESOLUTION GIVING NOTICE OF THE PROPOSED ANNEXATION TO THE CITY OF MODESTO OF UNINHABITED TERRITORY DESCRIBED HEREIN AND DESIGNATED AS YOUNG ADDITION AND GIVING NOTICE OF TIME AND PLACE FOR HEARING PROTESTS THERETO.

BE IT RESOLVED by the Council of the City of Modesto:

1. That, pursuant to the provisions of the Annexation of Uninhabited Territory Act of 1939, a petition signed by owners of not less than one fourth of the land in the hereinafter described territory by area and by assessed value as shown on the last equalized assessment roll of the County of Stanislaus, was filed with the Council of the City of Modesto on November 14, 1962, requesting annexation of the hereinafter described territory to said City.

2. That the territory which the petitioners request be annexed to the City of Modesto and which said City and its Council propose to annex, is situate in the County of Stanislaus, State of California, hereby designated as YOUNG ADDITION, and described as follows:

6/21/62

YOUNG ADDITION

All that real property in the State of California, County of Stanislaus, Section 5, Township 4 South, Range 9 East, Mount Diablo Base and Meridian, being a portion of Lots 2, 6, 7, 8, 9, 10, 11 and 12 of the Rouse Colony, as per map filed January 10, 1911, in Volume 5 of Maps, at Page 24, Stanislaus County Records, described as follows:

Beginning at a point on the existing City Limits as established by the Dryden-Durand Addition, as per description filed June 23, 1955, as Instrument 18187, Stanislaus County Records, said point being the intersection of the Eastern line of a 40 foot Right of Way known as Colorado Avenue and the Northern line of Lot 2 as they are shown on the map of the Rouse Colony; thence along the existing City Limits the following bearings and distances, South 57° 12' 25" East, 89.46 feet, North 51° 07' 05" East, 432.50 feet, North 35° 28' 35" East, 524.98 feet, North 52° 23' 20" East, 569.45 feet, North 19° 47' East, 215.98 feet, North 84° 13' West, 169.00 feet, North 14° 47' East, 123.00 feet, North 89° 45' West, 123.89 feet, to a point on the existing City Limits as established by the Southern line of the Club House Addition, as per description filed July 29, 1959, as Instrument 21781, Stanislaus County Records; thence along the existing City Limits the following bearings and distances, North 89° 45' West, 309.65 feet, North 0° 15' East, 264.22 feet, South 89° 45' East, 210.00 feet, North 0° 15' East, 175.00 feet, North 89° 45' West, 210.00 feet, North 0° 15' East, 212.20 feet, to the Northwestern corner of the Club House Addition and a point on the Northern line of Lot 11 of said Rouse Colony; thence leaving the existing City Limits and running along the Northern line of Lot 11 and Lot 12, North 89° 58' 30" West, 665.20 feet, to the Eastern line of Colorado Avenue; thence along the Eastern line of Colorado Avenue, South 0° 14' 10" West, 1989.90 feet to the point of beginning containing 34.359 Acres, more or less.

3. That the County Boundary Commission of Stanislaus County, California, did in session duly assembled on March 27, 19 62, consider the proposed annexation boundaries of said YOUNG ADDITION, as above described, and as submitted to said Commission by the proponents of said annexation.

4. No change in school district boundaries shall be effected by reason of the annexation of the hereinabove described area to the City of Modesto.

5. NOTICE IS HEREBY GIVEN that the 7th day of January, 1963, at the hour of 4:55 o'clock P.M. of said day, in the Council Chambers at the City Hall, located at 801 Eleventh Street in the City of Modesto, be and the same is hereby fixed as the time and place for considering said petition, at which time and place any person owning real property within such territory and having any objections to the proposed annexation may appear before the Council of the City of Modesto and show cause why such territory should not be so annexed. The protest must be in writing, may be filed at any time before the hour set for hearing objections to the proposed annexation, and shall state the name or names of the owner or owners of property affected and the description and area of such property, in general terms.

6. The City Clerk shall cause a copy of this resolution to be published at least twice, but not oftener than once a week, in The Modesto Tribune, a newspaper of general circulation, published in the City of Modesto and being the official newspaper of the City of Modesto. Said publications shall be completed at least twenty (20) days prior to the date set for the hearing.

7. The City Clerk of the City of Modesto shall also cause written notice of such proposed annexation to be mailed to each person to whom land within the territory proposed to be annexed is assessed on the last equalized county assessment roll available on the date the proceedings were initiated, at the address shown on said assessment roll

or as known to said Clerk, and to any person who has filed his name and address and the designation of the land in which he has any interest, either legal or equitable, with said Clerk. Said notices shall be mailed not less than twenty (20) days before the public hearing on the proposed annexation.

8. In the event any land within the territory proposed to be annexed is owned by the County of Stanislaus, the City Clerk is directed to cause written notice of such proposed annexation to be mailed to the Board of Supervisors of the County, such notice to be given not less than twenty (20) days before the public hearing on the proposed annexation.

9. In the event there is, upon the land proposed to be annexed, a structural improvement owned, being acquired or leased by a county fire protection district, the City Clerk is directed to cause written notice of such proposed annexation to be mailed to the governing body of such district, such notice to be sent not less than ten (10) days before the public hearing on the proposed annexation.

10. The City Clerk is directed to cause written notice to be given to such other persons as may be legally entitled thereto, in the manner required by law.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of November, 1962, by Councilman Mitchell, who moved its adoption, which motion being duly seconded by Councilman Johansen, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: _____
City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-567

A RESOLUTION GIVING NOTICE OF THE PROPOSED ANNEXATION TO THE CITY OF MODESTO OF UNINHABITED TERRITORY DESCRIBED HEREIN AND DESIGNATED AS GOULD ADDITION AND GIVING NOTICE OF TIME AND PLACE FOR HEARING PROTESTS THERETO.

BE IT RESOLVED by the Council of the City of Modesto:

1. That, pursuant to the provisions of the Annexation of Uninhabited Territory Act of 1939, a petition signed by owners of not less than one fourth of the land in the hereinafter described territory by area and by assessed value as shown on the last equalized assessment roll of the County of Stanislaus, was filed with the Council of the City of Modesto on November 8, 1962, requesting annexation of the hereinafter described territory to said City.

2. That the territory which the petitioners request be annexed to the City of Modesto and which said City and its Council propose to annex, is situate in the County of Stanislaus, State of California, hereby designated as GOULD ADDITION, and described as follows:

6/21/62

All that real property in the State of California, County of Stanislaus, Section 22, Township 3 South, Range 9 East, Mount Diablo Base and Meridian and being a portion of the South Half of Lot 30 of the Broughton Colony Tract, as recorded March 19, 1904, in Volume 1 of Maps, at Page 78, Stanislaus County Records, and more particularly described as follows:

Commencing at the Southwestern corner of said Section 22, said point being on the existing City Limits as established by the Downey High School and New John Muir School Site by the Board of Supervisors Resolution 8932, filed August 27, 1950, as Instrument 16443, Stanislaus County Records; thence along the Section line and the City Limits, North 0° 14' West, 20.00 feet to the true point of beginning; thence continuing along the Section line and the City Limits, North 0° 14' West, 308.35 feet to a point on the intersection of the Section line and the Western extension of the Northern line of the property conveyed to Stanislaus Medical Building Corporation as per Deed recorded April 29, 1954, as Instrument 10859, Stanislaus County Records; thence along the City Limits and the Northern line and its Western extension of said Stanislaus Medical Building Corporation property, South 89° 42' East, 683.35 feet to a point on the Eastern line of said Lot 30, said point also being on the Western line of a 20.00 foot County Road known as Sunnyside Avenue as per Road Deed recorded October 11, 1956, as Instrument 27944, Stanislaus County Records; thence along the Eastern line of said Lot 30 and the Western line of Sunnyside Avenue, South 0° 14' East, 308.35 feet to a point on the Northern line of a 40 foot Public Road known as Lucern Avenue; thence along the Northern line and its Western extension of Lucern Avenue, North 89° 42' West, 683.35 feet to the point of beginning, containing 4.837 Acres.

3. That the County Boundary Commission of Stanislaus County, California, did in session duly assembled on September 18, 19 62, consider the proposed annexation boundaries of said GOULD ADDITION, as above described, and as submitted to said Commission by the proponents of said annexation.

4. No change in school district boundaries shall be effected by reason of the annexation of the hereinabove described area to the City of Modesto.

5. NOTICE IS HEREBY GIVEN that the 7th day of January, 1963, at the hour of 4:50 o'clock P.M. of said day, in the Council Chambers at the City Hall, located at 801 Eleventh Street in the City of Modesto, be and the same is hereby fixed as the time and place for considering said petition, at which time and place any person owning real property within such territory and having any objections to the proposed annexation may appear before the Council of the City of Modesto and show cause why such territory should not be so annexed. The protest must be in writing, may be filed at any time before the hour set for hearing objections to the proposed annexation, and shall state the name or names of the owner or owners of property affected and the description and area of such property, in general terms.

6. The City Clerk shall cause a copy of this resolution to be published at least twice, but not oftener than once a week, in The Modesto Tribune, a newspaper of general circulation, published in the City of Modesto and being the official newspaper of the City of Modesto. Said publications shall be completed at least twenty (20) days prior to the date set for the hearing.

7. The City Clerk of the City of Modesto shall also cause written notice of such proposed annexation to be mailed to each person to whom land within the territory proposed to be annexed is assessed on the last equalized county assessment roll available on the date the proceedings were initiated, at the address shown on said assessment roll

or as known to said Clerk, and to any person who has filed his name and address and the designation of the land in which he has any interest, either legal or equitable, with said Clerk. Said notices shall be mailed not less than twenty (20) days before the public hearing on the proposed annexation.

8. In the event any land within the territory proposed to be annexed is owned by the County of Stanislaus, the City Clerk is directed to cause written notice of such proposed annexation to be mailed to the Board of Supervisors of the County, such notice to be given not less than twenty (20) days before the public hearing on the proposed annexation.

9. In the event there is, upon the land proposed to be annexed, a structural improvement owned, being acquired or leased by a county fire protection district, the City Clerk is directed to cause written notice of such proposed annexation to be mailed to the governing body of such district, such notice to be sent not less than ten (10) days before the public hearing on the proposed annexation.

10. The City Clerk is directed to cause written notice to be given to such other persons as may be legally entitled thereto, in the manner required by law.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of November, 1962, by Councilman Shastid, who moved its adoption, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and the resolution adopted by the following vote:

AYES: COUNCILMEN: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: COUNCILMEN: None

ABSENT: COUNCILMEN: None

ATTEST: [signature]
City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-568

A RESOLUTION APPROVING A DEVELOPMENT PLAN FOR PLANNED-DEVELOPMENT ZONE, P-D (11). (GHILOTTI)

WHEREAS, a verified application for an amendment to Section 28 of the Zoning Map was filed by Dr. A. E. Ghilotti on September 28, 1962, to reclassify from One-Family Zone, R-1 to Planned-Development Zone, P-D, the following described property:

Beginning at the intersection of the center line of El Vecino Avenue and the center line of Lucern Avenue; thence easterly along the center line of Lucern Avenue a distance of 205 feet; thence southerly along the west boundary of Esgar Subdivision a distance of 495 feet; thence westerly a distance of 205 feet to the center line of El Vecino Avenue; thence northerly along the center line of El Vecino Avenue 495 feet to the point of beginning, said property being located at the southeast corner of Lucern and El Vecino Avenues.

WHEREAS, after public hearing held on October 16, 1962, it was found and determined by the Planning Commission that rezoning of the property as requested is required by public necessity, convenience and general welfare for the following reasons:

1. The density of the proposed development is compatible with the surrounding single family residential area.

2. The number of dwelling units proposed provides a more efficient use of this parcel than the number permitted in an R-1 zone.

3. The proposed development provides flexibility in site design which avoids facing dwellings on El Vecino Avenue and the rear of double frontage lots facing on El Cajon Avenue, and

WHEREAS, after a public hearing held on November 26, 1962, the Council found and determined that the application of Dr. A. E. Ghilotti for a Planned-Development Zone should be granted as consonant with public necessity, convenience and general welfare for the reasons set forth above, and

WHEREAS, the Council has introduced Ordinance No. 542 -C.S. on the 26th day of November, 1962, reclassifying the above-described property from One-Family Zone, R-1 to Planned-Development Zone, P-D(11).

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

SECTION 1. DEVELOPMENT PLAN. The development plan for Planned-Development Zone, P-D(11), is hereby approved in accordance with the plan titled, "Apartment Rental Development--Lucern and El Vecino Avenues," dated September 26, 1962, which said plan is on file in the office of the Planning Director, subject to the following conditions:

1. That dedication of right of way be provided for the alley to south and for the widening of Lucern and El Vecino Avenues and improvements be installed as a part of Phase 1.

2. That all driveway areas be improved so as to eliminate dust and mud.

SECTION 2. DEVELOPMENT SCHEDULE: The following development schedule is hereby approved for said Planned-Development Zone, P-D(11):

The entire construction program be accomplished in four (4) phases as shown on the development plan:

> Phase I shall include construction of one building containing four (4) units, a six (6) place carport, driveway, planters, and lawn, dedication and improvement of the east-west alley along the south boundary of the property; dedication of the right of way for the widening of El Vecino and Lucern Avenues, construction of a six (6) foot masonry wall along the east property line from the alley on the south to within fifteen (15) feet of the property line of Lucern Avenue; to be erected on the north one hundred fifteen (115) feet on El Vecino by one hundred seventy-five (175) feet on Lucern, construction to begin on or before July 1, 1963 and be completed on or before January 1, 1964.

Phase II shall include construction of one building containing three (3) units, a five (5) place carport, planters, swimming pool, lawn, and an additional parking area for one boat to be located on the south one hundred seventeen and five-tenths (117.5) feet on El Vecino Avenue by one hundred seventy-five (175) feet deep along the alley, construction to begin on or before October 1, 1963 and be completed on or before April 1, 1964.

Phase III shall include construction of one building containing four (4) units, a six (6) place carport, driveway, planters, lawn, swimming pool, to be located on the south one-half (1/2) of the north two hundred thirty and twenty-five one hundredths (230.25) feet on El Vecino Avenue by one hundred seventy-five (175) feet deep, construction to begin on or before January 1, 1964 and be completed on or before July 1, 1964.

Phase IV shall include construction of one building containing four (4) units, a six (6) place carport, driveway, planters, swimming pool and lawns, to be located on the north one-half (1/2) of the south two hundred thirty-five (235) feet on El Vecino Avenue by one hundred seventy-five (175) feet deep, construction to begin on or before April 1, 1964 and be completed on or before October 1, 1964.

SECTION 3. CHANGES IN DEVELOPMENT PLAN. Any changes in the above-mentioned development plan which involve uses shall be made in accordance with the procedure set forth in Article 21 of Title X of the Modesto Municipal Code for an unclassified use permit. Any changes in the development plan which do not involve uses shall be reviewed by the Board of Zoning Adjustment and such changes, if approved, shall be made in accordance with the procedure set forth in Article 20 of Title X of the Modesto Municipal Code for a conditional use permit.

SECTION 4. COMPLIANCE WITH CODE PROVISIONS, ETC. In all other respects said planned development shall be accomplished in accordance and in strict adherence to the provisions of Article 27 of Title X of the Modesto Municipal Code relating to Planned-Development Zones and other applicable City laws, rules, regulations and procedures.

SECTION 5. EFFECTIVE DATE. This resolution shall not become effective unless and until the ordinance reclassifying the above-described property to Planned-Development Zone, P-D (11) becomes effective.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th

day of November, 19 62, by Councilman Johansen, who moved its adoption, which motion being duly seconded by Councilman Patton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: _____
City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-569

A RESOLUTION APPROVING A DEVELOPMENT PLAN FOR PLANNED-DEVELOPMENT ZONE, P-D (10). (ROBERTS)

WHEREAS, a verified application for an amendment to Section 21 of the Zoning Map was filed by Emmett L. and Caryl V. Roberts on September 28, 1962, to reclassify from One-Family Zone, R-1 to Planned-Development Zone, P-D, the following described property:

Beginning at a point on the southwestern corner of Lot 5 of the Rice Colony; thence along the Western line of said Lot 5, North 0° 30' West 165 feet; thence South 89° 57' East, 654.45 feet to the center line of Coffee Road; thence South 0° 30' East, 165.00 feet; thence North 89° 57' West, 654.45 feet to the point of beginning, containing 2.404 acres, more or less, and located on the west side of Coffee Road north of John Muir School;

WHEREAS, after public hearing held on October 16, 1962, it was found and determined by the Planning Commission that rezoning of the property as requested is required by public necessity, convenience and general welfare for the following reasons:

1. The property fronts on a major street across from and adjacent to traffic generating uses;

2. The uses proposed will be compatible with the surrounding residential and non-residential uses and are best located on a major street on the periphery of a neighborhood.

WHEREAS, after a public hearing held on November 26, 1962, the Council found and determined that the application of Emmett L. and Caryl V. Roberts for a Planned-Development Zone should be granted as consonant with public necessity, convenience and general welfare for the reasons set forth above, and

WHEREAS, the Council has introduced Ordinance No. 543 -C.S. on the 26th day of November, 1962, reclassifying the above-described property from One-Family Zone, R-1, to Planned-Development Zone, P-D (10).

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

SECTION 1. DEVELOPMENT PLAN. The development plan for Planned-Development Zone, P-D (10), is hereby approved in accordance with the plan titled, "Plot Plan, 803 Coffee Road", dated September 28, 1962, as amended on its face, which said plan is on file in the office of the Planning Director, subject to the following conditions:

1. That dedication be made for the widening of Coffee Road and improvements be installed to major street standards as a part of Phase I.

2. That off-street parking be provided at a ratio of one space for each 300 square feet of gross floor area as each phase is developed.

3. That a landscaping plan be approved by the Board of Zoning Adjustment at the time of filing of an application for a conditional use permit.

SECTION 2. DEVELOPMENT SCHEDULE. The following development schedule is hereby approved for said Planned-Development Zone, P-D (10): The entire construction program be accomplished in two (2) phases as shown on the development plan.

Phase I shall include construction of the three (3) easterly buildings, parking at a ratio of one space for each 300 sq. ft. of gross floor area; dedication of right of way for widening of Coffee Road and improve to major street standards; landscaping, and a temporary driveway connecting the north and south drives. Construction to begin on or before April 1, 1963, and be completed on or before January 1, 1964.

Phase II shall include construction of the remaining five (5) buildings, off-street parking spaces at a ratio of one space for each 300 sq. ft. of gross floor area, and all remaining landscaping. Construction to begin on or before January 1, 1964, and be completed on or before September 1, 1965.

SECTION 3. CHANGES IN DEVELOPMENT PLAN. Any changes in the above-mentioned development plan which involve uses shall be made in accordance with the procedure set forth in Article 21 of Title X of the Modesto Municipal Code for an unclassified use permit. Any changes in the development plan which do not involve uses shall be reviewed by the Board of Zoning Adjustment and such changes, if approved, shall be made in accordance with the procedure set forth in Article 20 of Title X of the Modesto Municipal Code for a conditional use permit.

SECTION 4. COMPLIANCE WITH CODE PROVISIONS, ETC. In all other respects said planned development shall be accomplished in accordance and in strict adherence to the provisions of Article 27 of Title X of the Modesto Municipal Code relating to Planned-Development Zones and other applicable City laws, rules, regulations and procedures.

SECTION 5. EFFECTIVE DATE. This resolution shall not become effective unless and until the ordinance reclassifying the above-described property to Planned-Development Zone, P-D (10) becomes effective.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th

day of November, 19 62, by Councilman ~~XXXXXX~~ VanderWall who moved its adoption, which motion being duly seconded by Councilman ~~VanderWall~~ Shastid, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond
NOES:	Councilmen:	None
ABSENT:	Councilmen:	None

ATTEST: _____
City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-570

A RESOLUTION GRANTING AN UNCLASSIFIED USE PERMIT TO JOHN DEETER (TEAKWOOD TERRACE) FOR INCREASE IN UNITS IN P-D(3)

WHEREAS, a verified application for the granting of an unclassified use permit for an increase of fourteen (14) rental units in Planned Development Zone, P-D(3), and to change the twenty-two (22) originally approved units from own-your-own to rental, was filed by John Deeter on September 25, 1962, and

WHEREAS, said application was set for public hearing before the Planning Commission in the Council Chambers located in the City Hall, 801 11th Street in the City of Modesto at 8:25 P.M. on October 16, 1962, and

WHEREAS, said hearing was held at the above time and place and evidence, both oral and documentary, was taken and introduced, and

WHEREAS, thereafter, the Planning Commission adopted Resolution No. 858, recommending to the Council that an unclassified use permit be granted in accordance with the provisions of said resolution, and

WHEREAS, said matter was set for public hearing before the Council in the Council Chambers located in the City Hall, 801 11th Street in the City of Modesto, at 8:35 P.M. on November 26, 1962, and

WHEREAS, said hearing was held before the Council at the above time and place and evidence, both oral and documentary, was taken and introduced and the Council found and determined that:

1. The proposed change in density and dwelling types does not significantly alter the compatibility of this development with the surrounding residential uses.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that an unclassified use permit be granted to John Deeter for an increase of fourteen (14) units to be offered as rental units, in Block 6985 in Planned Development Zone, P-D(3) and to change the use of the originally approved twenty-two (22) own-your-own units to rental units, subject to the following donditions:

1. That the development be in conformance with the plan titled, "Modesto Rentals #3," dated October 12, 1962, and on file in the office of the Planning Director.

2. That the exterior treatment of the rental units be the same as that on the present own-your-own units on Floyd Avenue.

Failure to comply with the above conditions shall constitute grounds for revocation of the permit.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of November, 1962, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Mitchell, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: _____
CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 62-571

A RESOLUTION COMMENDING PROFESSOR FRANK MANCINI FOR HIS CONTRIBUTION TO THE CULTURAL ENRICHMENT OF THE MODESTO COMMUNITY.

WHEREAS, Professor Frank Mancini has through forty (40) years of unselfish, unceasing personal effort made the Modesto community rich in music, and

WHEREAS, under Professor Mancini's sensitive, inspiring leadership hundreds of citizens of this community have been given the opportunity to participate creatively in musical activities of unusual quality, and

WHEREAS, Professor Mancini began in 1921, with seven (7) young people, the Boys Band (and within a year developed it into a thirty-two (32) instrument group) which, under his training and leadership, repeatedly won honors in State-wide competition, and

WHEREAS, since 1923 Professor Mancini has contributed substantially to the outstanding level of achievement by Modesto school students which has won national recognition, and

WHEREAS, since 1930 Modesto has enjoyed the unique opportunity for a city of its size of attending fine symphony concerts produced and staged by its own local musicians under the direction of Professor Mancini, and

WHEREAS, over the years the open-air band concerts of the Mancini Concert Band have made many summer evenings memorable for countless people, and

WHEREAS, Professor Mancini--"Prof" to his students, "Mr. Music" personified to the rest of our community--through his generosity of spirit and rare ability to impart to others the uplifting quality of his musicianship has enriched our whole community,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that Professor Frank Mancini be recognized and commended for his outstanding contribution to his fellow citizens in the Modesto Community.

BE IT FURTHER RESOLVED that a duly authenticated copy of this resolution be presented to said Professor Frank Mancini in recognition of the performance of outstanding services.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of November, 1962, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Johansen, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall and Mayor Hammond
NOES:	Councilmen:	None
ABSENT:	Councilmen:	None

ATTEST: _____
City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-572

A RESOLUTION COMMENDING THE CITIZENS' CHARTER REVIEW COMMITTEE FOR OUTSTANDING SERVICE TO THE CITY OF MODESTO.

WHEREAS, a Citizens' Charter Review Committee was appointed by the Council of the City of Modesto by Resolution No. 61-154 on April 17, 1961, and

WHEREAS, from April 17, 1961, up to and including November 6, 1962, when the proposed revised Charter of the City of Modesto was presented to the electorate of the City of Modesto, the members of the Committee gave unselfishly and untiringly of their time in serving on said Committee by attending semi-monthly meetings to consider and make recommendations on each section of the original Charter, serving on sub-committees, making appearances before various groups to explain its recommendations for Charter revision and reasons therefor, and arranging financing for and placement of newspaper publicity so that all the citizens of Modesto would understand their recommendations,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the Citizens' Charter Review Committee be and it is hereby recognized and commended for its outstanding service to the City of Modesto and the residents thereof, and

BE IT FURTHER RESOLVED that the Council wishes to express its appreciation to the Citizens' Charter Review Committee and to each individual member listed herein for the outstanding and city-wide service performed in presenting a revised Charter to achieve better City government which was accepted by the electorate of the City:

Mr. Lee Davies, Chairman
Mrs. John Mensinger, Vice Chairman
Mr. Joseph Nessier, Treasurer
Mr. Henry Anderson
Mr. Nathan McVay
Mrs. Lois Ritter
Mrs. Kent Sacknitz
Mr. Ray Simon
Mr. John Sutton
Mr. Carl Ulrich
Mr. Richard VanderWall, Council Liaison Representative
Mr. Donald West
Mr. Charles Wherry
Reverend Charles Williams
Mr. John Woodworth

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of November, 1962, by Councilman Tabbert, who moved its adoption, which motion being duly seconded by Councilman Shastid, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall and Mayor Hammond.

NOES: Councilmen: None.

ABSENT: Councilmen: None.

ATTEST: _____
CITY CLERK

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-573

A RESOLUTION GRANTING AN UNCLASSIFIED USE PERMIT TO MODESTO NEIGHBORHOOD CHURCH FOR A PAROCHIAL SCHOOL

WHEREAS, a verified application for an unclassified use permit for a parochial school for thirty (30) full-time students and two (2) instructors, grades one through six (6), was filed by Modesto Neighborhood Church on September 28, 1962, and

WHEREAS, said application was set for public hearing before the Planning Commission in the Council Chambers located in the City Hall, 801 11th Street in the City of Modesto at 8:20 P.M. on October 16, 1962, and

WHEREAS, said hearing was held at the above time and place and evidence, both oral and documentary, was taken and introduced, and

WHEREAS, thereafter, the Planning Commission adopted Resolution No. 859 recommending to the Council that an unclassified use permit be granted in accordance with the provisions of said resolution, and

WHEREAS, said matter was set for public hearing before the Council in the Council Chambers located in the City Hall, 801 11th Street in the City of Modesto, at 8:30 P.M. on November 26, 1962, and

WHEREAS, said hearing was held before the Council at the above time and place and evidence, both oral and documentary, was taken and introduced and the Council found and determined that:

1. The use proposed can be accommodated within existing classrooms and improvements meet necessary standards.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that an unclassified use permit be granted to Modesto Neighborhood Church for a parochial school at 3200 Tully Road, subject to the following condition:

1. That the occupancy load of the classrooms be approved by the Chief Building Official and City Fire Department at the time of the opening of the school, and be reviewed one year thereafter.

Failure to comply with the above condition shall constitute grounds for revocation of the permit.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of November, 1962, by Councilman Johansen, who moved its adoption, which motion being duly seconded by Councilman Shastid, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: _____
CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 62-574

A RESOLUTION ACCEPTING THE BID OF INDUSTRIAL ELECTRICAL COMPANY FOR THE RELOCATION OF FREEWAY STREET LIGHTING FOR THE TOTAL SUM OF $17,030.65

WHEREAS, Resolution No. 62-515, adopted by the Council of the City of Modesto on November 5, 1962, approved the plans and specifications for the relocation of freeway street lighting
and authorized the calling for bids, and

WHEREAS, the bids received for the relocation of freeway street lighting
were opened at 2:00 P.M., Nov. 27, 1962 and later tabulated by the Public Works Department for the consideration of the Council, and

WHEREAS, the Director of Public Works has recommended that the bid of Industrial Electrical Company for the total sum of $17,030.65
be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED that the bid of Industrial Electrical Company
be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd day of December, 1962, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Shastid, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: None

ATTEST: [signature]
CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 62-575

A RESOLUTION AUTHORIZING WORK TO BE PERFORMED BY CITY FORCES FOR THE CONSTRUCTION OF WATER LINES TO SERVE MORADA ESTATES SUBDIVISION

WHEREAS, the Council of the City of Modesto adopted Resolution No. 62-529, on November 13, 1962, approving the plans and specifications for the construction of water lines to serve Morada Estates Subdivision

and directed the City Clerk to advertise for sealed proposals for doing said work, and providing that bids be submitted on the 27th day of November, 1962, and

WHEREAS, the City Clerk, in accordance with said Resolution, thereafter duly and regularly caused a notice to be published in the manner and for the time prescribed by law, and

WHEREAS, no bids were received pursuant to said notice, and

WHEREAS, the Director of Public Works estimates that the cost of such work to be performed by city forces for the sum of $8,909.26, which cost estimate has been approved by the City Manager, and

WHEREAS, the Council declares and determines that, in its opinion, based upon the estimate approved by the City Manager, the work in question may be performed better and more economically by the City with its own employees,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that, in accordance with the provisions of Section 1307 of the Charter of the City of Modesto, the City Manager is hereby authorized to proceed to have the work in question performed by the City by its own employees.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd day of December, 1962, by Councilman Johansen, who moved

its adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: _____
City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 62-576

A RESOLUTION AUTHORIZING WORK TO BE PERFORMED BY CITY FORCES FOR THE INSTALLATION OF WATER LINES IN NORTHLAND ESTATES SUBDIVISION

WHEREAS, the Council of the City of Modesto adopted Resolution No. 62-530, on November 13 19 62, approving the plans and specifications for the installation of water lines in Northland Estates Subdivision

and directed the City Clerk to advertise for sealed proposals for doing said work, and providing that bids be submitted on the 27th day of November, 19 62, and

WHEREAS, the City Clerk, in accordance with said Resolution, thereafter duly and regularly caused a notice to be published in the manner and for the time prescribed by law, and

WHEREAS, no bids were received pursuant to said notice, and

WHEREAS, the Director of Public Works estimates that the cost of such work to be performed by city forces for the sum of $8,307.72, which cost estimate has been approved by the City Manager, and

WHEREAS, the Council declares and determines that, in its opinion, based upon the estimate approved by the City Manager, the work in question may be performed better and more economically by the City with its own employees,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that, in accordance with the provisions of Section 1307 of the Charter of the City of Modesto, the City Manager is hereby authorized to proceed to have the work in question performed by the City by its own employees.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd day of December, 19 62, by Councilman Shastid, who moved

its adoption, which motion being duly seconded by Councilman Johansen, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 62-577

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING THE CALLING FOR BIDS FOR THE CONSTRUCTION OF WATER MAINS TO SERVE RENEE MANOR NO. 1 SUBDIVISION

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

Section 1. The plans and specifications for the construction of water mains to serve Renee Manor No. 1 Subdivision, copies of which are on file, are hereby accepted and approved.

Section 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on December 18, 1962 at 2:15 P.M. and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form and manner provided by law.

Section 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd day of December, 1962, by Councilman Mitchell, who moved its adoption, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: None

ATTEST: [signature]
CITY CLERK

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-578

A RESOLUTION ACCEPTING THE CONSTRUCTION OF TRAFFIC SIGNALS AND STREET LIGHTING AT COLLEGE AND ORANGEBURG AVENUES BY COLLINS ELECTRICAL COMPANY

WHEREAS, a report has been filed by the Director of Parking and Traffic that the construction of traffic signals and street lighting at College and Orangeburg Avenues has been completed by Collins Electrical Company

in accordance with the contract agreement, dated October 1, 1962.

NOW, THEREFORE, BE IT RESOLVED that the construction of traffic signals and street lighting at College and Orangeburg Avenues be accepted from said contractor Collins Electrical Company

that Notice of Completion be filed with the Recorder of Stanislaus County and that payment of amounts due, as provided in the contract, be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd day of December, 1962, by Councilman Shastid, who moved its adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: None

ATTEST: [signature]
CITY CLERK

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62- 579

A RESOLUTION WITHDRAWING CERTAIN DESCRIBED TERRITORY FROM THE WOODLAND FIRE PROTECTION DISTRICT BY REASON OF ITS ANNEXATION TO THE CITY OF MODESTO. (Dodson Addition)

WHEREAS, a portion of the Woodland Fire Protection District was annexed to the City of Modesto by Ordinance No. 539 -C.S., adopted on November 19, 19 62, and

WHEREAS, said territory officially became a part of the City on November 21, 19 62, and

WHEREAS, the Health and Safety Code of the State of California provides that whenever any portion of such a District is included within a city by reason of annexation, such portion may be withdrawn from the District by the filing with the State Board of Equalization, the governing body of the District, and the County Assessor of copies of a resolution of the legislative body of the city, describing the included portion, and declaring such portion withdrawn, and

WHEREAS, it is to the best interests of the residents in the area of said Fire District which has been annexed to the City that the area be withdrawn from said Fire District and provided fire prevention and fire fighting services by the City,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the following described territory be withdrawn from the boundaries of the Woodland Fire Protection District:

DODSON ADDITION

All that real property situate in the State of California, County of Stanislaus, Section 19, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits as established by the most Westerly line of the Stensaas Addition, as per description filed July 23, 1962, as Instrument 27722, Stanislaus County Records, said point being on the Northern line of a 50 foot Public Road known as Clayton Avenue, and bearing North 89° 15' West, 260.00 feet from the center line of a 60 foot Public Road known as Carver Road; thence along the existing City Limits, South 00° 02' West, 200.00 feet, to a point on the existing City Limits as established by the Northern line of the Campus Edge Addition, as per description filed July 24, 1956, as Instrument 20020, Stanislaus County Records; thence along the existing City Limits, North 89° 15' West, 288.28 feet, to the Southwestern corner of property conveyed to Ronald L. Dodson, et al, by Deed recorded November 22, 1960, as Instrument 33258, Stanislaus County Records; thence along the Western line and its Northerly extension of said Dodson property, North 00° 02' East, 200.00 feet, to the Northern line of Clayton Avenue; thence along the Northern line of Clayton Avenue, South 89° 15' East, 15.86 feet, to the Southeastern corner of property conveyed to Clarence L. Hantz, et ux, by Deed recorded June 8, 1960, as Instrument 16227, Stanislaus County Records; thence along the Eastern line of said Hantz property, North 00° 02' East, 114.76 feet, to a point on the existing City Limits, as established by the Southern line of the Garrison School Addition, as per description filed January 29, 1957, as Instrument 2646, Stanislaus County Records; thence along the existing City Limits, South 89° 16' 30" East, 295.68 feet, to the Northwestern corner of the Stensaas Addition; thence along the existing City Limits, South 00° 02' West, 114.88 feet, to the Northern line of Clayton Avenue; thence along the existing City Limits and the Northern line of Clayton Avenue, North 89° 15' West, 23.26 feet, to the point of beginning, containing 2.103 Acres, more or less.

BE IT FURTHER RESOLVED that the City Clerk be, and he is hereby directed to file a certified copy of this resolution with the State Board of Equalization, the governing body of said Fire Protection District, and the Assessor of Stanislaus County.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd day of December, 1962, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and the resolution adopted by the following vote:

AYES: COUNCILMEN: Johansen, Mitchell, Patton, Tabbert, Shastid, VanderWall, Mayor Hammond

NOES: COUNCILMEN: None

ABSENT: COUNCILMEN: None

ATTEST: [signature]
City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-580

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND DEPARTMENT OF FINANCE, STATE OF CALIFORNIA FOR A CITY POPULATION ESTIMATE

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the Agreement between the City of Modesto and Department of Finance, State of California

for a City population estimate

be, and it is hereby approved, and

BE IT FURTHER RESOLVED that the execution of said Agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd day of December, 1962, by Councilman Shastid, who moved its adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: None

ATTEST: [signature]
CITY CLERK

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. ~~XXX~~ 62-581

A RESOLUTION AUTHORIZING THE EXECUTION OF ESCROW INSTRUCTIONS BY THE CITY MANAGER FOR ACQUISITION BY THE CITY OF MODESTO OF CERTAIN REAL PROPERTY TO BE USED FOR THE PROPOSED SITE FOR THE CONSTRUCTION OF A POLICE-COMMUNICATIONS FACILITY FROM STANISLAUS IMPLEMENT AND HARDWARE COMPANY, LTD. (Project No. 62-15)

WHEREAS, Stanislaus Implement and Hardware Company, Ltd. owns that certain parcel of real property known as Parcel No. 71-2, Lot(s) 14, 15 and 16 of Block 71 in the City of Modesto, and

WHEREAS, the City of Modesto desires to acquire said parcel of real property for use for municipal purposes, and

WHEREAS, the City and Stanislaus Implement and Hardware Company, Ltd. entered into an Option to Purchase Agreement relating to said property on the 25th day of September, 1962,

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

SECTION 1. EXERCISE OF OPTION. The City of Modesto hereby declares its intention and does hereby exercise that certain option entered into between the City and Stanislaus Implement and Hardware Company, Ltd. dated September 25, 1962, to purchase the property known as Parcel No. 71-2 in the City of Modesto.

SECTION 2. AUTHORIZATION TO SIGN ESCROW INSTRUCTIONS. The City Manager is hereby authorized to execute escrow instructions on behalf of the City to complete the purchase of the real property described in said Option to Purchase Agreement entered into between Stanislaus Implement and Hardware Company, Ltd. and the City of Modesto dated September 25, 1962, in accordance with the terms of said agreement. The City Manager is further authorized to do all things necessary to complete the acquisition of said property from Stanislaus Implement and Hardware Company, Ltd. in accordance with the terms of said option agreement for a purchase price of Thirty-Two Thousand, Five Hundred and no/100ths ($32,500.00) Dollars.

SECTION 3. ACCEPTANCE AND RECORDING OF DEED. The City of Modesto hereby accepts the deed from Stanislaus Implement and Hardware Company, Ltd. conveying the above mentioned property to the City of Modesto and authorizes the City Clerk to record said deed with the Recorder of Stanislaus County.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd day of December, 1962, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Johansen, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond
NOES:	Councilmen:	None
ABSENT:	Councilmen:	None

ATTEST: [signature]
City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-582

A RESOLUTION AUTHORIZING THE EXECUTION OF ESCROW INSTRUCTIONS BY THE CITY MANAGER FOR ACQUISITION BY THE CITY OF MODESTO OF CERTAIN REAL PROPERTY TO BE USED FOR THE PROPOSED SITE FOR THE CONSTRUCTION OF A POLICE-COMMUNICATIONS FACILITY FROM LA REAY V. BRAHIC.
(Project No. 62-15)

WHEREAS, LaReay V. Brahic owns that certain parcel of real property known as Parcel No. 71-4, Lot(s) 9 and 10 of Block 71 in the City of Modesto, and

WHEREAS, the City of Modesto desires to acquire said parcel of real property for use for municipal purposes, and

WHEREAS, the City and LaReay V. Brahic entered into an Option to Purchase Agreement relating to said property on the 18th day of September, 1962,

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

SECTION 1. EXERCISE OF OPTION. The City of Modesto hereby declares its intention and does hereby exercise that certain option entered into between the City and LaReay V. Brahic dated September 18, 1962, to purchase the property known as Parcel No. 71-4 in the City of Modesto.

SECTION 2. AUTHORIZATION TO SIGN ESCROW INSTRUCTIONS. The City Manager is hereby authorized to execute escrow instructions on behalf of the City to complete the purchase of the real property described in said Option to Purchase Agreement entered into between LaReay V. Brahic and the City of Modesto dated September 18, 1962, in accordance with the terms of said agreement. The City Manager is further authorized to do all things necessary to complete the acquisition of said property from LaReay V. Brahic in accordance with the terms of said option agreement for a purchase price of Fourteen Thousand, Five Hundred and no/100ths ($14,500.00) Dollars.

SECTION 3. ACCEPTANCE AND RECORDING OF DEED. The City of Modesto hereby accepts the deed from LaReay V. Brahic conveying the above mentioned property to the City of Modesto and authorizes the City Clerk to record said deed with the Recorder of Stanislaus County.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd day of December, 1962, by Councilman Johansen, who moved its adoption, which motion being duly seconded by Councilman Mitchell, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond
NOES:	Councilmen:	None
ABSENT:	Councilmen:	None

ATTEST: [signature]
City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-583

A RESOLUTION AUTHORIZING THE EXECUTION OF ESCROW INSTRUCTIONS BY THE CITY MANAGER FOR ACQUISITION BY THE CITY OF MODESTO OF CERTAIN REAL PROPERTY TO BE USED FOR THE PROPOSED SITE FOR THE CONSTRUCTION OF A POLICE-COMMUNICATIONS FACILITY FROM JAMES S. MORTENSEN.
(Project No. 62-15)

WHEREAS, James S. Mortensen owns that certain parcel of real property known as Parcel No. 71-3, Lot(s) 11, 12 and 13 of Block 71 in the City of Modesto, and

WHEREAS, the City of Modesto desires to acquire said parcel of real property for use for municipal purposes, and

WHEREAS, the City and James S. Mortensen entered into an Option to Purchase Agreement relating to said property on the 18th day of September, 1962,

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

SECTION 1. EXERCISE OF OPTION. The City of Modesto hereby declares its intention and does hereby exercise that certain option entered into between the City and James S. Mortensen dated September 18, 1962, to purchase the property known as Parcel No. 71-3 in the City of Modesto.

SECTION 2. AUTHORIZATION TO SIGN ESCROW INSTRUCTIONS. The City Manager is hereby authorized to execute escrow instructions on behalf of the City to complete the purchase of the real property described in said Option to Purchase Agreement entered into between James S. Mortensen and the City of Modesto dated September 18, 1962, in accordance with the terms of said agreement. The City Manager is further authorized to do all things necessary to complete the acquisition of said property from James S. Mortensen in accordance with the terms of said option agreement for a purchase price of Twenty-Five Thousand and no/100ths ($ 25,000.00) Dollars.

SECTION 3. ACCEPTANCE AND RECORDING OF DEED. The City of Modesto hereby accepts the deed from James S. Mortensen _____ conveying the above mentioned property to the City of Modesto and authorizes the City Clerk to record said deed with the Recorder of Stanislaus County.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd day of December, 1962, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: _____
City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-584

A RESOLUTION AUTHORIZING THE RELEASE OF THE GLENS FALLS INSURANCE COMPANY SUBDIVISION BOND FILED TO GUARANTEE IMPROVEMENTS IN WYLDEWOOD PARK NO. 1 SUBDIVISION

WHEREAS, Arthur J. and Florence E. Wylie, subdividers of Wyldewood Park No. 1 Subdivision, have filed with the City of Modesto a subdivision bond to guarantee the improvements in the aforesaid subdivision, and

WHEREAS, the Director of Public Works has reported that the improvements have been completed in the aforesaid subdivision to his satisfaction, and has recommended the release of the subdivision bond,

NOW, THEREFORE, BE IT HEREBY RESOLVED that the Glens Falls Insurance Company Subdivision Bond No. 83-90-41 in the sum of $49,000 filed by Arthur J. and Florence E. Wylie to guarantee the improvements in Wyldewood Park No. 1 Subdivision, be and it is hereby released.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd day of December, 1962, by Councilman Shastid, who moved its adoption, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: [signature]
CITY CLERK

[illegible] GOVERNING BODY OF APPLICANT

[illegible] 62585 Project No. _____

For HHFA Use

Resolution authorizing Filing of Application with the Housing and Home Finance Agency, United States of America, for a grant under the terms of Public Law 345, 84th Congress, as amended by the Public Works Acceleration Act.

WHEREAS, under the terms of said Public Law 345, as amended, the United States of America has authorized the making of grants to public bodies to aid in financing the construction of specific public projects:

Now Therefore, Be It Resolved By the Council of the City of Modesto as follows:
(Governing Board of Applicant)

1. That the City Manager (Designated Official) be and he is hereby authorized to execute and file an application on behalf of the City of Modesto (Exact Legal (Corporate) Name of Applicant) with the Housing and Home Finance Agency, United States Government, for a grant to aid in financing the construction of Garrison Park site (6.6 acres) (Brief Project Description)

2. That Ross Miller (Name of Authorized Representative), City Manager (Title) be and he is hereby authorized and directed to furnish such information as the Housing and Home Finance Agency may reasonably request in connection with the application which is herein authorized to be filed.

CERTIFICATE OF RECORDING OFFICER

The undersigned duly qualified and acting City Clerk (Title of Officer) of the City of Modesto (Exact Legal (Corporate) Name of Applicant) does hereby certify: That the attached resolution is a true and correct copy of the resolution, authorizing the filing of application with the Housing and Home Finance Agency, as regularly adopted at a legally convened meeting of the Council of the City of Modesto (Name of Governing Body of Applicant) duly held on the 3rd day of December, 19 62; and further that such resolution has been fully recorded in the journal of proceedings and records in my office.

In Witness Whereof, I have hereunto set my hand this 3rd day of Dec, 19 62.

If the applicant has an official seal, impress here:

Signature of Recording Officer

City Clerk
Title of Recording Officer

HOUSING AND HOME FINANCE AGENCY
COMMUNITY FACILITIES ADMINISTRATION

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd day of December, 1962, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Shastid, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: _____
CITY CLERK

RESOLUTION OF GOVERNING BODY OF APPLICANT

RESOLUTION NO. 62-585 Project No. _____ (For HHFA use.)

Resolution providing for increase in planned total expenditure for capital improvement projects.

Whereas, under the terms of Public Law 87-658, approved September 14, 1962, the United States of America has authorized the making of a grant to aid in financing the construction of a specific public works project, provided the proposed or planned total expenditure of the public body for its capital improvement projects is increased by an amount approximately equal to the non-Federal funds required to complete such public works project:

How, Therefore, Be It Resolved By the Council of the City of Modesto as follows:
(Governing Board of Applicant)

1. That as of the date of filing of an application by the City of Modesto (Exact Legal Corporate Name of Applicant) (hereafter called Applicant) with the Housing and Home Finance Agency, United States Government, for a grant to aid in financing the construction of Garrison Park site (6.6 acres) (Brief Project Description) the Applicant had a capital improvements plan or capital improvement budget for the fiscal year or years during which construction of the proposed project is expected to occur; and that the total expenditure for capital improvements in said plan or budget was $920,693. for the fiscal year ending 6-30-63 and $ - for the fiscal year ending - .

2. That, in the event that said Federal grant is approved by the United States of America, said capital improvements plan or capital budget will be /is hereby/ increased by $ 46,800. for the fiscal year ending 6-30-63 and $ - for the fiscal year ending _____ for a total increase of $ 23,400. in the proposed or planned total expenditure for capital improvement projects (exclusive of Federal funds).

3. That said total increase in the proposed or planned total expenditure for capital improvement projects is approximately equal to the non-Federal funds required to complete the public works project for which the application is to be submitted.

This resolution is adopted pursuant to the authority provided by the Charter of the City of Modesto. (cite applicable State or local law).

CERTIFICATE OF RECORDING OFFICER

The undersigned duly qualified and acting City Clerk (Title of Officer) of the City of Modesto (Exact Legal Corporate Name of Applicant) does hereby certify: That the attached resolution is a true and correct copy of the resolution, providing for an increase in the proposed or planned total expenditures for capital improvement projects, as regularly adopted at a legally convened meeting of the Council of the City of Modesto (Name of Governing Body of Applicant) duly held on the 3rd day of December, 19 62 and further that such resolution has been fully recorded in the journal of proceedings and records in my office.

In Witness Whereof, I have hereunto set my hand this 3rd day of December, 1962.

If the applicant has an official seal, impress here

Signature of Recording Officer

City Clerk

RESOLUTION NO. 62-[illegible] Project No. _____

For HHFA Use

Resolution authorizing filing of application with the Housing and Home Finance Agency, United States of America, for a grant under the terms of Public Law 345, 81st Congress, as amended by the Public Works Acceleration Act.

WHEREAS, under the terms of said Public Law 345, as amended, the United States of America is authorized the making of grants to public bodies to aid in financing the construction of certain public projects;

Now Therefore, Be It Resolved By the Council of the City of Modesto as follows:
(Governing Board of Applicant)

1. That the City Manager (Designated Official) be and he is hereby authorized to execute and file an application on behalf of the City of Modesto (Exact Legal (Corporate) Name of Applicant) with the Housing and Home Finance Agency, United States Government, for a grant to aid in financing the construction of California-Franklin Park (9.4 acres) (Brief Project Description)

2. That Ross Miller (Name of Authorized Representative), City Manager (Title) be and he is hereby authorized and directed to furnish such information as the Housing and Home Finance Agency may reasonably request in connection with the application which is herein authorized to be filed.

CERTIFICATE OF RECORDING OFFICER

The undersigned duly qualified and acting City Clerk (Title of Officer) of the City of Modesto (Exact Legal (Corporate) Name of Applicant) does hereby certify: That the attached resolution is a true and correct copy of the resolution, authorizing the filing of application with the Housing and Home Finance Agency, as regularly adopted at a legally convened meeting of the Council of the City of Modesto (Name of Governing Body of Applicant) duly held on the 3rd day of December, 1962; and further that such resolution has been fully recorded in the journal of proceedings and records in my office.

In Witness Whereof, I have hereunto set my hand this 3rd day of Dec, 1962.

If the applicant has an official seal, impress here

[illegible]
Signature of Recording Officer

City Clerk
Title of Recording Officer

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd day of December, 1962, by Councilman Shastid, who moved its adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: _____
CITY CLERK

RESOLUTION OF GOVERNING BODY OF APPLICANT

RESOLUTION NO. 4 5 8 6 Project No. _____
(For HHFA use.)

Resolution providing for increase in planned total expenditure for capital improvement projects.

Whereas, under the terms of Public Law 87-658, approved September 14, 1962, the United States of America has authorized the making of grants to aid in financing construction of specific public works projects, provided the proposed or planned total expenditure of the public body for its capital improvement projects is increased by an amount approximately equal to the non-Federal funds required to complete such public works projects;

Now, Therefore, Be It Resolved By the Council of the City of Modesto as follows:
Governing Board of Applicant

1. That as of the date of filing of an application by the City of Modesto
(Exact Legal Corporate Name of Applicant)
(hereafter called Applicant) with the Housing and Home Finance Agency, United States Government, for a grant to aid in financing the construction of California-Franklin Park site 9.4 acres.
(Brief Project Description)
the Applicant had a capital improvements plan or capital improvement budget for the fiscal year or years during which construction of the proposed project is expected to occur; and that the total expenditure for capital improvements in said plan or budget was $920,693 for the fiscal year ending 6-30-63 and $_____ for the fiscal year ending _____.

2. That, in the event that said Federal grant is approved by the United States of America, said capital improvements plan or capital budget will be /is hereby/ increased by $54,400 for the fiscal year ending 6-30-63 and $_____ for the fiscal year ending _____ for a total increase of $ 27,200 in the proposed or planned total expenditure for capital improvement projects (exclusive of Federal funds).

3. That said increase in the proposed or planned total expenditure for capital improvement projects is approximately equal to the non-Federal funds required to complete the public works project for which the application is to be submitted.

This resolution is adopted pursuant to the authority provided by the Charter of the City of Modesto
(cite applicable State or local law).

CERTIFICATE OF RECORDING OFFICER

The undersigned duly qualified and acting City Clerk of the City of Modesto
(Title of Officer) (Exact Legal Corporate Name of Applicant)
does hereby certify: That the attached resolution is a true and correct copy of the resolution, providing for an increase in the proposed or planned total expenditures for capital improvement projects, as regularly adopted at a legally convened meeting of the Council of the City of Modesto duly held on the 3rd day of December, 1962; and further that such resolution has been fully recorded in the journal of proceedings and records in my office.
(Name of Governing Body of Applicant)

In Witness Whereof, I have hereunto set my hand this 3rd day of December, 1962

If the applicant has an official seal, impress here

Signature of Recording Officer

Title of Recording Officer

MODESTO CITY COUNCIL
RESOLUTION NO. 62-587

A RESOLUTION APPROVING REDUCTION OF THE CASH DEPOSIT FILED BY PHILIP MORAN, JUSTINA GONI, CARMEN POLSTON AND JOSIE JOHNSON TO GUARANTEE IMPROVEMENTS IN MORAN ESTATES NO. 2 SUBDIVISION

WHEREAS, Philip Moran, Justina Goni, Carmen Polston and Josie Johnson posted a cash deposit with the City of Modesto to guarantee the improvements in Moran Estates No. 2 Subdivision, and

WHEREAS, the Department of Public Works has reported that all work in the subdivision is complete with the exception of the improvement of the north alley,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the cash deposit filed by Philip Moran, Justina Goni, Carmen Polston and Josie Johnson to guarantee the improvements in Moran Estates No. 2 Subdivision be reduced to $900.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd day of December, 1962, by Councilman Tabbert, who moved its adoption, which motion being duly seconded by Councilman Shastid, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: [signature]
CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 62-588

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND DAVID NEWSOME FOR THE RENTAL OF CITY-OWNED PROPERTY AT 202 LAUREL STREET ON A MONTH TO MONTH TENANCY BEGINNING OCTOBER 1, 1962 AT A RENTAL RATE OF $75 PER MONTH

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the Agreement between the City of Modesto and David Newsome

for the rental of city-owned property at 202 Laurel Street on a month to month tenancy beginning October 1, 1962 at a rental rate of $75 per month

be, and it is hereby approved, and

BE IT FURTHER RESOLVED that the execution of said Agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd day of December, 1962, by Councilman Patton, who moved its adoption, which motion being duly seconded by Councilman Shastid, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: [signature]
CITY CLERK

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-589

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND ILA BREAUX AND GLORIA ARNOLD FOR THE RENTAL OF CITY-OWNED PROPERTY AT 206 LAUREL STREET ON A MONTH TO MONTH TENANCY BEGINNING NOVEMBER 10, 1962 AT A RENTAL RATE OF $75 PER MONTH

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the Agreement between the City of Modesto and Ila Breaux and Gloria Arnold

for the rental of city-owned property at 206 Laurel Street on a month to month tenancy beginning November 10, 1962 at a rental rate of $75 per month

be, and it is hereby approved, and

BE IT FURTHER RESOLVED that the execution of said Agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd day of December, 1962, by Councilman Shastid, who moved its adoption, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond
NOES:	Councilmen:	None
ABSENT:	Councilmen:	None

ATTEST: [signature]
CITY CLERK

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-590

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND BETTY JEAN THREADGILL FOR THE RENTAL OF CITY-OWNED PROPERTY AT 701 SOUTH FRANKLIN ON A MONTH TO MONTH TENANCY BEGINNING DECEMBER 1, 1962 AT A RENTAL RATE OF $55 PER MONTH

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the Agreement between the City of Modesto and Betty Jean Threadgill

for the rental of city-owned property at 701 South Franklin on a month to month tenancy beginning December 1, 1962 at a rental rate of $55 per month

be, and it is hereby approved, and

BE IT FURTHER RESOLVED that the execution of said Agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd day of December, 1962, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: None

ATTEST: [signature]
CITY CLERK

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-591

A RESOLUTION INSTRUCTING THE SUPERINTENDENT OF STREETS TO GIVE NOTICE REQUIRING CONSTRUCTION OF CURBS AND GUTTERS ALONG CERTAIN STREETS IN THE CITY OF MODESTO. (BLOCK 2016, LOT E) and (BLOCK 2016, PORTION LOTS G and H)

WHEREAS, Chapter 27 of Part 3 of Division 7 of the Streets and Highways Code of the State of California establishes a procedure pursuant to which the construction of curbs and gutters may be required, and

WHEREAS, in accordance with Section 5876 of the Streets and Highways Code, the Superintendent of Streets finds that curbs and gutters have been constructed in front of the properties constituting more than fifty per cent (50%) of the street frontage of 119 Wilson Avenue (Block 2016, Lot E) and Wilson Avenue at 919 Yosemite Boulevard (Block 2016, Portion of Lots G and H)

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

SECTION 1. The Superintendent of Streets is hereby directed to notify the owners of record of the properties described as follows:

(a) Lot "E" of THE FIRST RESUBDIVISION OF EL CAMINO PARK, as per map filed April 15, 1927, in Volume 11 of Maps, Page 3, Stanislaus County Records.

(b) Lot "G" and the East 20 feet of Lot "H" of THE FIRST RESUBDIVISION OF EL CAMINO PARK, as per map filed April 15, 1927, in Volume 11 of Maps, Page 3, Stanislaus County Records.

Excepting therefrom the North 70 feet of said Lot "G" and the North 70 feet of the East 20 feet of said Lot "H".

to construct or cause to be constructed curbs and gutters along the street frontage of the ~~property~~/properties hereinabove described, all of said construction to be in accordance with City of Modesto standards for such construction work.

SECTION 2. The 10th day of December, 1962, at 8:10 o'clock P.M. in the Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California, is set as the time and place where the Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons relating to the proposed work.

SECTION 3. The Superintendent of Streets is hereby authorized to implement the provisions of this resolution in accordance with the procedure contained in Chapter 27, Part 3, Division 7 of the Streets and Highways Code of the State of California.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd day of December, 1962, by Councilman Shastid, who moved its adoption, which motion being duly seconded by Councilman Johansen, was upon roll call carried and the resolution adopted by the following vote:

AYES:	COUNCILMEN:	Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond
NOES:	COUNCILMEN:	None
ABSENT:	COUNCILMEN:	None

ATTEST: [signature]
City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-592

A RESOLUTION DECLARING THE INTENTION OF THE COUNCIL OF THE CITY OF MODESTO TO INITIATE ON ITS OWN MOTION PROCEEDINGS TO ANNEX CERTAIN UNINHABITED TERRITORY, HEREINAFTER DESCRIBED AND DESIGNATED AS BRIGHTON AVENUE PARK ADDITION TO THE CITY OF MODESTO; AND AUTHORIZING AND DIRECTING THE CITY CLERK TO FILE SUCH PROPOSAL WITH, AND SUBMIT SUCH PROPOSAL TO THE BOUNDARY COMMISSION OF THE COUNTY OF STANISLAUS, STATE OF CALIFORNIA, FOR A REPORT THEREON AS REQUIRED BY LAW.

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

SECTION 1. That the Council of the City of Modesto, for the reasons hereinafter mentioned, desires, intends, and proposes to initiate on its own motion, as soon as it can legally do so, proceedings to annex to the City of Modesto all of the territory hereinafter described, as uninhabited territory, under and by virtue and in accordance and in compliance with the provisions of the Annexation of Uninhabited Territory Act of 1939 as set forth in Sections 35300 through 35325, inclusive, of the Government Code of the State of California.

SECTION 2. That the said Council's reasons for proposing to initiate said annexation proceedings as aforesaid are as follows: That the annexation of the hereinafter described territory will contribute to the orderly growth of the City and provide the proper land use in conformity with the overall zoning plan of said City.

SECTION 3. That said territory which said Council proposes to annex as aforesaid is hereby described and identified as BRIGHTON AVENUE PARK ADDITION, and said territory includes, consists of, and is further described as all that real property situate in the County of Stanislaus, State of California, more particularly described as follows:

BRIGHTON AVENUE PARK ADDITION

All that real property in the State of California, County of Stanislaus, Section 22, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, being that portion of Lot 20 of the BROUGHTON COLONY as per map filed March 17, 1904 in Volume 1 of Maps, page 78, Stanislaus County Records as conveyed to the City of Modesto by deed recorded October 30, 1961 as Instruments 39818 and 39819, Stanislaus County Records, described as follows:

Beginning at a point on the existing City Limits as established by the Southwestern corner of the Lorenzen Addition as per description filed June 27, 1961 as Instrument 20145, Stanislaus County Records, said corner also being the Northeastern corner of the Downey High School Addition as per description filed July 27, 1950, as Instrument 16443, Stanislaus County Records; thence along the existing City Limits and Northern line of the Downey High School Addition, North 89° 59' 45" West, 958.88 feet, to the Southwestern corner of the City Property; thence along the Western line of said City Property, North 00° 27' West, 493.51 feet, to the Northwestern corner of said City Property; thence along the Northern line of said City Property, North 89° 57' 30" East, 958.30 feet, to the Northeastern corner of said City Property, said corner being on the existing City Limits as established by the Western line of the Lorenzen Addition; thence along the existing City Limits and the Western line of said Lorenzen Addition, South 00° 30' 30" East, 494.05 feet, to the point of beginning, containing 10.879 Acres more or less.

SECTION 4. That the City Clerk of the City of Modesto is hereby authorized and directed to file with, and submit to the Boundary Commission of the County of Stanislaus, State of California, on behalf of the Council of the City of Modesto, and in accordance with, and for a report thereon by said Commission in accordance with the provisions of Section 35002 of the Government Code of the State of California, the said proposal of the Council of the City of Modesto to initiate on its own motion said proceedings to annex the hereinabove described uninhabited territory to the City of Modesto.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd day of December, 1962, by Councilman Tabbert, who moved its adoption, which motion being duly seconded by Councilman Shastid, was upon roll call carried and the resolution adopted by the following vote:

AYES: COUNCILMEN: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: COUNCILMEN: None

ABSENT: COUNCILMEN: None

ATTEST: [signature]
City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-593

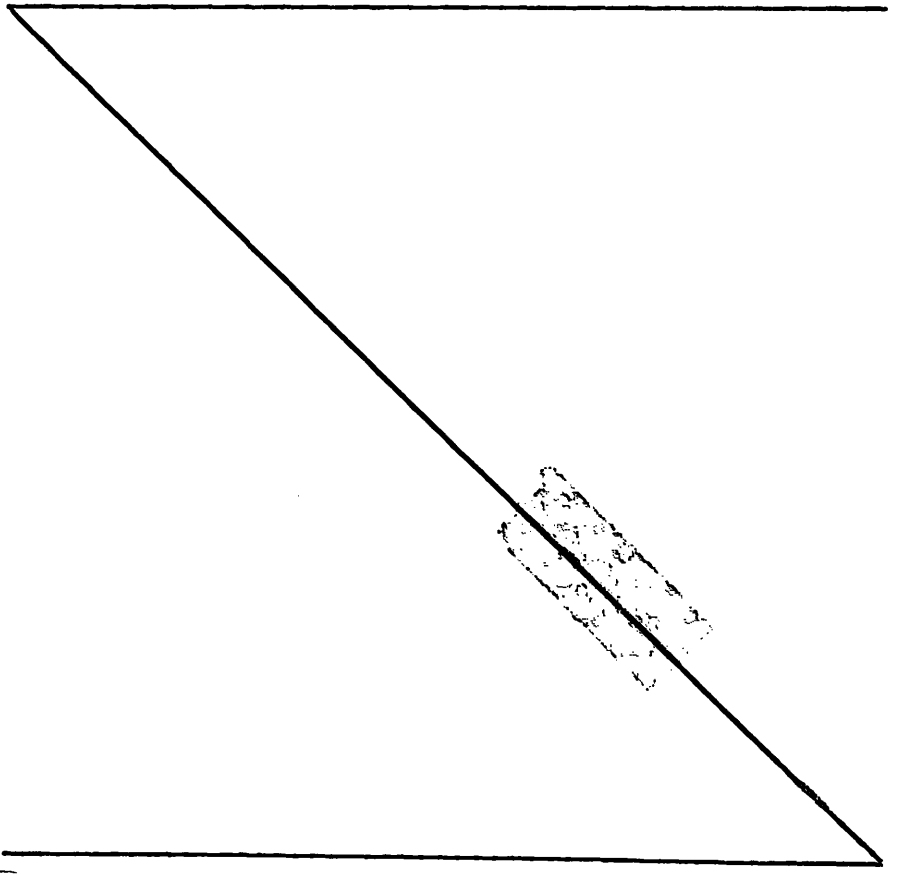
A RESOLUTION REFERRING TO THE MODESTO CITY PLANNING COMMISSION A PETITION FOR ANNEXATION OF CERTAIN UNINHABITED TERRITORY TO THE CITY OF MODESTO, KNOWN AS FAIR ADDITION.

WHEREAS, a petition has been filed in the office of the City Clerk requesting the annexation of certain uninhabited territory to the City of Modesto, which territory is more specifically described hereinafter, and

WHEREAS, the County Boundary Commission has certified to the definiteness and accuracy of the boundaries of said territory,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that said petition for the annexation of the following described uninhabited territory be referred to the Planning Commission for its report and recommendation.

The territory herein referred to is situated in the County of Stanislaus, State of California, and more particularly described as follows:



All that real property in the State of California, County of Stanislaus, Section 21, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits as established by the Allen Addition, as per description filed November 10, 1959, as Instrument 32914, Stanislaus County Records, said point also being on the Northeastern corner of said Allen Addition; thence along the existing City Limits the following bearings and distances, South 88° 57' West, 80.00 feet, South 0° 56' East, 21.56 feet, South 88° 57' West, 275.00 feet; thence continuing along the existing City Limits, on a line parallel with and 25 feet at right angles Westerly from the Section Line common to Sections 20 and 21, said Section Line being the center line of a Public right of way known as McHenry Avenue, North 0° 56' West, 1406.06 feet to the Southern line of a 40 foot Public Road known as Roseburg Avenue; thence along the Southern line of Roseburg Avenue, South 89° 51' East, 237.00 feet to the Northeastern corner of property conveyed to Vito Gentile, et ux, as per deed recorded June 1, 1944, as Instrument 7768, Stanislaus County Records; thence along the Eastern line of said Gentile property, South 0° 56' East, 98.00 feet, to the Northern line of property conveyed to Gladys G. Crane, as per deed recorded May 6, 1955, as Instrument 13441, Stanislaus County Records; thence along the Northern line of said Crane property, South 89° 51' East, 80.00 feet, to the Northeastern corner of said Crane property; thence along the Eastern line of said Crane property, South 0° 56' East, 196.00 feet, to the Northern line of a 40 foot Public Road known as Palm Avenue; thence along the Northern line of Palm Avenue, North 89° 51' West, 80.00 feet, to its intersection with the Northerly extension of the Eastern line of property conveyed to Alford W. Webb, et ux, as per deed recorded April 15, 1955, as Instrument 11168, Stanislaus County Records; thence along said Eastern line and its Northerly extension, South 0° 56' East, 176.90 feet, to the Northern line of property conveyed to Alford W. Webb, et ux, as per deed recorded November 23, 1960, as Instrument 33354, Stanislaus County Records; thence along the Northern line of said Webb property, South 89° 51' East, 80.65 feet, to the Northeastern corner of said Webb property; thence along the Eastern line of said Webb property, South 0° 56' East, 126.65 feet, to the Northern line of a 50 foot Public Road known as Corson Avenue; thence along the Northern line of Corson Avenue, North 89° 51' West, 3.75 feet, to its intersection with the Northerly extension of the Eastern line of the property conveyed to Goldie Fair, as per deed recorded November 25, 1960, as Instrument 33513, Stanislaus County Records; thence along said Eastern line and its Northerly extension and the Eastern line of properties conveyed to V. E. Barton, et ux, as per deed recorded March 8, 1960, as Instrument 6707, Roy E. Cornelius, et ux, as per deed recorded April 23, 1959, as Instrument 11783, Fay M. McNary, as per deed recorded February 1, 1943, as Instrument 1462, and Lawrence E. Meeker, et ux, as per deed recorded March 23, 1956, as Instrument 8313, Stanislaus County Records, South 0° 56' East, 360.00 feet, to the Northern line of a 40 foot Public Road known as Fairmont Avenue; thence along the Northern line of Fairmont Avenue, North 89° 51' West, 69.22 feet, to its intersection with the Northerly extension of the Eastern line of property conveyed to Milton E. L. Loewenthal, as per deed recorded January 14, 1947, as Instrument 1071, Stanislaus County Records; thence along said Eastern line and its Northerly extension, South 0° 56' East, 123.26 feet, to the Northern line of property conveyed to Kenneth K. Kimes, et al, as per deed recorded June 23, 1961, as Instrument 19927, Stanislaus County Records; thence along the Northern line of said Kimes property, South 89° 51' East, 119.99 feet, to the Northeastern corner of said Kimes property; thence along the Eastern line of said Kimes property and the Easternline of property conveyed to David L. Arata, as per deed recorded January 21, 1955, as Instrument 1964, Stanislaus County Records, South 0° 56' East, 195.47 feet, to the Southeastern corner of said Arata property; thence along the Southern line of said Arata property, North 88° 50' West, 9.47 feet, to its intersection with the Northerly extension of the Eastern line of property conveyed to H. E. Austin, et ux, as per deed recorded September 30, 1952, as Instrument 23941, Stanislaus County Records; thence along the Eastern line and its Northerly extension of said Austin property, South 0° 51' 06" East, 100.94 feet, to the point of beginning, containing 9.755 Acres more or less.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd day of December, 19 62, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and the resolution adopted by the following vote:

AYES: COUNCILMEN: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: COUNCILMEN: None

ABSENT: COUNCILMEN: None

ATTEST: [signature]
City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-594

A RESOLUTION APPROVING APPROPRIATION TRANSFER FROM GENERAL FUND, GENERAL RESERVE, TO PARKS AND RECREATION, PARKS, AIRPORT, MISCELLANEOUS UNCLASSIFIED

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the following appropriation transfer(s) be approved:

GENERAL FUND (101)

FROM:	General Reserve (600)		$1,495
TO:	Parks & Recreation, Parks (35) Taxes (430)	$406	
	Airport (46) Taxes (430)	$466	
	Miscellaneous Unclassified (65) Taxes (430)	$623	
			$1,495

To provide additional amounts estimated to be needed to June 30, 1963, for City-County property taxes (areas not yet annexed), special assessments, and sales taxes (3-year audit and increased purchases ex tax).

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd day of December, 1962, by Councilman Mitchell, who moved its adoption, which motion being duly seconded by Councilman Patton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: _____
CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 62-595

A RESOLUTION APPOINTING FRANK RUSSO A MEMBER OF THE MODESTO CITY PERSONNEL COMMISSION TO FILL THE VACANCY CREATED BY THE RESIGNATION OF JOHN W. RAE

WHEREAS, Section 1100 of the Charter of the City of Modesto requires the City Council to appoint members to the Modesto City Personnel Commission, and

WHEREAS, a vacancy has been created on said Commission by the resignation of John W. Rae, as of September 17, 1962,

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

SECTION 1. The following person is hereby appointed to the Modesto City Personnel Commission for the term as indicated:

Frank Russo, for a term expiring January 1, 1964

SECTION 2. The City Clerk is hereby directed to transmit a copy of this resolution to the newly appointed member of the Modesto City Personnel Commission and the Secretary thereof.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd day of December, 1962, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Mitchell, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: None

ATTEST: _____
CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 62-596

A RESOLUTION APPOINTING WILBUR M. NICHOLS A MEMBER OF THE MODESTO CITY BOARD OF ZONING ADJUSTMENT TO FILL THE VACANCY CREATED BY THE RESIGNATION OF C. WAYNE SEGUIN

WHEREAS, Section 1100 of the Charter of the City of Modesto requires the City Council to appoint members to the Modesto City Board of Zoning Adjustment, and

WHEREAS, a vacancy has been created on said Board by the resignation of C. Wayne Seguin, as of October 25, 1962,

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

SECTION 1. The following person is hereby appointed to the Modesto City Board of Zoning Adjustment:

Wilbur M. Nichols, for a term expiring January 1, 1966

SECTION 2. The City Clerk is hereby directed to transmit a copy of this resolution to the newly appointed member of the Modesto City Board of Zoning Adjustment and the Secretary thereof.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd day of December, 1962, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Shastid, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: None

ATTEST: _____
CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 62-597

A RESOLUTION AUTHORIZING WORK TO BE PERFORMED BY CITY FORCES FOR THE CONSTRUCTION OF WATER LINES TO SERVE ROSELENE TERRACE SUBDIVISION

WHEREAS, the Council of the City of Modesto adopted Resolution No. 62-545, on November 19 1962, approving the plans and specifications for the construction of water lines to serve Roselene Terrace Subdivision

and directed the City Clerk to advertise for sealed proposals for doing said work, and providing that bids be submitted on the 4th day of December, 1962, and

WHEREAS, the City Clerk, in accordance with said Resolution, thereafter duly and regularly caused a notice to be published in the manner and for the time prescribed by law, and

WHEREAS, no bids were received pursuant to said notice, and

WHEREAS, the Director of Public Works estimates that the cost of such work to be performed by city forces for the sum of $3,278, which cost estimate has been approved by the City Manager, and

WHEREAS, the Council declares and determines that, in its opinion, based upon the estimate approved by the City Manager, the work in question may be performed better and more economically by the City with its own employees,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that, in accordance with the provisions of Section 1307 of the Charter of the City of Modesto, the City Manager is hereby authorized to proceed to have the work in question performed by the City by its own employees.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of December, 1962, by Councilman Mitchell, who moved

its adoption, which motion being duly seconded by Councilman Patton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: _____
City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 62-598

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING THE CALLING FOR BIDS FOR THE CONSTRUCTION OF WADING POOLS AT UNIT A - ROOSEVELT PARK; AND UNIT B - WHITMORE PARK

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

Section 1. The plans and specifications for the construction of wading pools at Unit A - Roosevelt Park; and Unit B - Whitmore Park,

copies of which are on file, are hereby accepted and approved.

Section 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on January 2, 1963 at 2:15 P.M. and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form and manner provided by law.

Section 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of December, 19 62, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: None

ATTEST: [signature]
CITY CLERK

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62- 599

A RESOLUTION NAMING THE ROAD EXTENDING FROM RIVER ROAD TO SOUTH OF PECOS AVENUE WEST OF THE CROWS LANDING ROAD AS ZEFF ROAD.

WHEREAS, confusion exists as to the proper name of the road extending from River Road to south of Pecos Avenue west of the Crows Landing Road, and

WHEREAS, according to the records of the County Recorder's Office, a name for this portion of the road has not been officially recorded, and

WHEREAS, the County has requested that the Planning Commission consider designating said road as Zeff Road, and

WHEREAS, the Planning Commission has recommended that said road be officially named "Zeff Road",

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

1. That the road extending from River Road to south of Pecos Avenue west of the Crows Landing Road be officially named "Zeff Road".

2. That the Director of Public Works be directed to erect road name signs accordingly.

3. That the City Clerk be directed to record a certified copy of this resolution with the Recorder of Stanislaus County and transmit a copy of this resolution to the Board of Supervisors, the County Clerk and the County Surveyor of Stanislaus County.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of December, 1962, by Councilman Johansen, who moved its adoption, which motion being duly seconded by Councilman Mitchell, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: [signature]
City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62- 600

A RESOLUTION GIVING NOTICE OF THE PROPOSED ANNEXATION TO THE CITY OF MODESTO OF UNINHABITED TERRITORY DESCRIBED HEREIN AND DESIGNATED AS FAIR ADDITION AND GIVING NOTICE OF TIME AND PLACE FOR HEARING PROTESTS THERETO.

BE IT RESOLVED by the Council of the City of Modesto:

1. That, pursuant to the provisions of the Annexation of Uninhabited Territory Act of 1939, a petition signed by owners of not less than one fourth of the land in the hereinafter described territory by area and by assessed value as shown on the last equalized assessment roll of the County of Stanislaus, was filed with the Council of the City of Modesto on November 27, 19 62, requesting annexation of the hereinafter described territory to said City.

2. That the territory which the petitioners request be annexed to the City of Modesto and which said City and its Council propose to annex, is situate in the County of Stanislaus, State of California, hereby designated as FAIR ADDITION, and described as follows:

6/21/62

All that real property in the State of California, County of Stanislaus, Section 21, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits as established by the Allen Addition, as per description filed November 10, 1959, as Instrument 32914, Stanislaus County Records, said point also being on the Northeastern corner of said Allen Addition; thence along the existing City Limits the following bearings and distances, South 88° 57' West, 80.00 feet, South 0° 56' East, 21.56 feet, South 88° 57' West, 275.00 feet; thence continuing along the existing City Limits, on a line parallel with and 25 feet at right angles Westerly from the Section Line common to Sections 20 and 21, said Section Line being the center line of a Public right of way known as McHenry Avenue, North 0° 56' West, 1406.06 feet to the Southern line of a 40 foot Public Road known as Roseburg Avenue; thence along the Southern line of Roseburg Avenue, South 89° 51' East, 237.00 feet to the Northeastern corner of property conveyed to Vito Gentile, et ux, as per deed recorded June 1, 1944, as Instrument 7768, Stanislaus County Records; thence along the Eastern line of said Gentile property, South 0° 56' East, 98.00 feet, to the Northern line of property conveyed to Gladys G. Crane, as per deed recorded May 6, 1955, as Instrument 13441, Stanislaus County Records; thence along the Northern line of said Crane property, South 89° 51' East, 80.00 feet, to the Northeastern corner of said Crane property; thence along the Eastern line of said Crane property, South 0° 56' East, 196.00 feet, to the Northern line of a 40 foot Public Road known as Palm Avenue; thence along the Northern line of Palm Avenue, North 89° 51' West, 80.00 feet, to its intersection with the Northerly extension of the Eastern line of property conveyed to Alford W. Webb, et ux, as per deed recorded April 15, 1955, as Instrument 11168, Stanislaus County Records; thence along said Eastern line and its Northerly extension, South 0° 56' East, 176.90 feet, to the Northern line of property conveyed to Alford W. Webb, et ux, as per deed recorded November 23, 1960, as Instrument 33354, Stanislaus County Records; thence along the Northern line of said Webb property, South 89° 51' East, 80.65 feet, to the Northeastern corner of said Webb property; thence along the Eastern line of said Webb property, South 0° 56' East, 126.65 feet, to the Northern line of a 50 foot Public Road known as Corson Avenue; thence along the Northern line of Corson Avenue, North 89° 51' West, 3.75 feet, to its intersection with the Northerly extension of the Eastern line of the property conveyed to Goldie Fair, as per deed recorded November 25, 1960, as Instrument 33513, Stanislaus County Records; thence along said Eastern line and its Northerly extension and the Eastern line of properties conveyed to V. E. Barton, et ux, as per deed recorded March 8, 1960, as Instrument 6707, Roy E. Cornelius, et ux, as per deed recorded April 23, 1959, as Instrument 11783, Fay M. McNary, as per deed recorded February 1, 1943, as Instrument 1462, and Lawrence E. Meeker, et ux, as per deed recorded March 23, 1956, as Instrument 8313, Stanislaus County Records, South 0° 56' East, 360.00 feet, to the Northern line of a 40 foot Public Road known as Fairmont Avenue; thence along the Northern line of Fairmont Avenue, North 89° 51' West, 69.22 feet, to its intersection with the Northerly extension of the Eastern line of property conveyed to Milton E. L. Loewenthal, as per deed recorded January 14, 1947, as Instrument 1071, Stanislaus County Records; thence along said Eastern line and its Northerly extension, South 0° 56' East, 123.26 feet, to the Northern line of property conveyed to Kenneth K. Kimes, et al, as per deed recorded June 23, 1961, as Instrument 19927, Stanislaus County Records; thence along the Northern line of said Kimes property, South 89° 51' East, 119.99 feet, to the Northeastern corner of said Kimes property; thence along the Eastern line of said Kimes property and the Easternline of property conveyed to David L. Arata, as per deed recorded January 21, 1955, as Instrument 1964, Stanislaus County Records, South 0° 56' East, 195.47 feet, to the Southeastern corner of said Arata property; thence along the Southern line of said Arata property, North 88° 50' West, 9.47 feet, to its intersection with the Northerly extension of the Eastern line of property conveyed to H. E. Austin, et ux, as per deed recorded September 30, 1952, as Instrument 23941, Stanislaus County Records; thence along the Eastern line and its Northerly extension of said Austin property, South 0° 51' 06" East, 100.94 feet, to the point of beginning, containing 9.755 Acres more or less.

3. That the County Boundary Commission of Stanislaus County, California, did in session duly assembled on July 25, 1961, consider the proposed annexation boundaries of said FAIR ADDITION, as above described, and as submitted to said Commission by the proponents of said annexation.

4. No change in school district boundaries shall be effected by reason of the annexation of the hereinabove described area to the City of Modesto.

5. NOTICE IS HEREBY GIVEN that the 21st day of January, 1963, at the hour of 4:30 o'clock P.M. of said day, in the Council Chambers at the City Hall, located at 801 Eleventh Street in the City of Modesto, be, and the same is hereby fixed as the time and place for considering said petition, at which time and place any person owning real property within such territory and having any objections to the proposed annexation may appear before the Council of the City of Modesto and show cause why such territory should not be so annexed. The protest must be in writing, may be filed at any time before the hour set for hearing objections to the proposed annexation, and shall state the name or names of the owner or owners of property affected and the description and area of such property, in general terms.

6. The City Clerk shall cause a copy of this resolution to be published at least twice, but not oftener than once a week, in The Modesto Tribune, a newspaper of general circulation, published in the City of Modesto and being the official newspaper of the City of Modesto, and shall also cause a copy of this resolution to be published in the Turlock Daily Journal, being a newspaper of general circulation published outside of the City of Modesto but in the County of Stanislaus. Said publications shall be completed at least twenty (20) days prior to the date set for the hearing.

7. The City Clerk of the City of Modesto shall also cause written notice of such proposed annexation to be mailed to each person to whom land within the territory proposed to be annexed is assessed on the last equalized county assessment roll available on the date the proceedings were initiated, at the address shown on said assessment roll

or as known to said Clerk, and to any person who has filed his name and address and the designation of the land in which he has any interest, either legal or equitable, with said Clerk. Said notices shall be mailed not less than twenty (20) days before the public hearing on the proposed annexation.

8. In the event any land within the territory proposed to be annexed is owned by the County of Stanislaus, the City Clerk is directed to cause written notice of such proposed annexation to be mailed to the Board of Supervisors of the County, such notice to be given not less than twenty (20) days before the public hearing on the proposed annexation.

9. In the event there is, upon the land proposed to be annexed, a structural improvement owned, being acquired or leased by a county fire protection district, the City Clerk is directed to cause written notice of such proposed annexation to be mailed to the governing body of such district, such notice to be sent not less than ten (10) days before the public hearing on the proposed annexation.

10. The City Clerk is directed to cause written notice to be given to such other persons as may be legally entitled thereto, in the manner required by law.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of December, 1962, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Patton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: _____
City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62- 601

A RESOLUTION INSTRUCTING THE SUPERINTENDENT OF STREETS TO GIVE NOTICE REQUIRING CONSTRUCTION OF CURBS AND GUTTERS ALONG CERTAIN STREETS IN THE CITY OF MODESTO (BLOCK 2016, LOT E) and (BLOCK 2016, PORTION LOTS G and H) AND RESCINDING RESOLUTION NO. 62-591, ENTITLED "A RESOLUTION INSTRUCTING THE SUPERINTENDENT OF STREETS TO GIVE NOTICE REQUIRING CONSTRUCTION OF CURBS AND GUTTERS ALONG CERTAIN STREETS IN THE CITY OF MODESTO. (BLOCK 2016, LOT E) and (BLOCK 2016, PORTION LOTS G and H).

WHEREAS, Chapter 27 of Part 3 of Division 7 of the Streets and Highways Code of the State of California establishes a procedure pursuant to which the construction of curbs and gutters may be required, and

WHEREAS, in accordance with Section 5876 of the Streets and Highways Code, the Superintendent of Streets finds that curbs and gutters have been constructed in front of the properties constituting more than fifty per cent (50%) of the street frontage of 119 Wilson Avenue (Block 2016, Lot E) and Wilson Avenue at 919 Yosemite Boulevard (Block 2016, Portion of Lots G and H),

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

SECTION 1. The Superintendent of Streets is hereby directed to notify the owners of record of the properties described as follows:

(a) Lot "E" of THE FIRST RESUBDIVISION OF EL CAMINO PARK, as per map filed April 15, 1927, in Volume 11 of Maps, Page 3, Stanislaus County Records.

(b) Lot "G" and the East 20 feet of Lot "H" of THE FIRST RESUBDIVISION OF EL CAMINO PARK, as per map filed April 15, 1927, in Volume 11 of Maps, Page 3, Stanislaus County Records.

Excepting therefrom the North 70 feet of said Lot "G" and the North 70 feet of the East 20 feet of said Lot "H".

to construct or cause to be constructed curbs and gutters along the street frontage of the properties hereinabove described, all of said construction to be in accordance with City of Modesto standards for such construction work.

SECTION 2. The 7th day of January, 1963, at 5:00 o'clock P.M. in the Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California, is set as the time and place where the Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons relating to the proposed work.

SECTION 3. The Superintendent of Streets is hereby authorized to implement the provisions of this resolution in accordance with the procedure contained in Chapter 27, Part 3, Division 7 of the Streets and Highways Code of the State of California.

SECTION 4. Resolution No. 62-591 adopted by the Council of the City of Modesto on the 3rd day of December, 1962, is hereby rescinded.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of December, 1962, by Councilman Mitchell, who moved its adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: [signature]
City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-602

A RESOLUTION APPROVING APPROPRIATION TRANSFER FROM GENERAL FUND, GENERAL RESERVE TO MISCELLANEOUS UNCLASSIFIED, MISCELLANEOUS LITIGATION

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the following appropriation transfer(s) be approved:

GENERAL FUND (101)

FROM:	General Reserve (600)	$300
TO:	Miscellaneous Unclassified (65) Miscellaneous Litigation (234)	$300

To provide an appropriation for various litigation costs incurred by the City Attorney's office

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of December, 19 62, by Councilman Shastid, who moved its adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: None

ATTEST: [signature]
CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 62-603

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING THE CALLING FOR BIDS FOR ONE 125 CFM ROTARY COMPRESSOR TO REPLACE A 105 CFM PISTON TYPE 1952 LEROI COMPRESSOR

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

Section 1. The plans and specifications for one 125 cfm rotary compressor to replace a 105 cfm piston type 1952 Leroi compressor,

copies of which are on file, are hereby accepted and approved.

Section 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on January 8, 1963 at 2:00 P.M. and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form and manner provided by law.

Section 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 17th day of December, 19 62, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Johansen, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, ~~XXXXX~~, Shastid, Tabbert, VanderWall, Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: ~~XXXX~~ Patton

ATTEST: _____
CITY CLERK

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-604

A RESOLUTION SETTING THE TIME AND PLACE FOR THE HEARING ON THE APPEAL TO THE DECISION OF THE MODESTO CITY PLANNING COMMISSION FILED BY FILLES DE JESUS, NOTRE DAME CONVENT ON THE REZONING OF PROPERTY LOCATED BETWEEN GRANGER AND BRIGGSMORE AVENUES, EAST OF TIDEWATER SOUTHERN RAILROAD TRACK

WHEREAS, the Modesto City Planning Commission held public hearings in the Council Chambers located in the City Hall, 801 11th Street, in the City of Modesto, on October 16 and December 4, 1962 for the purpose of considering an application for an amendment to Section 17 of the zoning map, filed by Filles de Jesus, Notre Dame Convent, on September 24, 1962, to reclassify from One-Family Zone, R-1, to Planned Development Zone, P-D, the following described property:

> Lot 10 of the Fresno Tract, containing approximately 16 acres, located between Granger Avenue and Modesto Irrigation District Lateral No. 3, and between the Tidewater Southern Railroad Tracks and the Our Lady of Fatima Church property, and

WHEREAS, said commission, after hearing evidence, both oral and documentary, adopted Resolution No. 876, denying the request for the amendment to Section 17 of the zoning map, and

WHEREAS, on December 7, 1962, Filles de Jesus, Notre Dame Convent filed an appeal with the City Clerk on the decision of the Planning Commission denying the request for rezoning, and

WHEREAS, Section 10-2.2112 of the Municipal Code of the City of Modesto requires that the Council hold a public hearing within a period not to exceed 40 days following the filing of a written appeal from an order of the Commission denying an application for an amendment,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that a public hearing on the appeal of the decision of the Modesto City Planning Commission be set for Monday, January 14, 1963 at 8:00 P.M. in the Council Chambers of the City of Modesto.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 17th day of December, 1962, by Councilman VanderWall, who moved its adoption,

which motion being duly seconded by Councilman Mitchell, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: _____
CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 62-605

A RESOLUTION APPROVING THE SALE OF SURPLUS PAVEMENT MARKING STENCILS TO THE CITY OF CERES

WHEREAS, the City of Ceres has offered to purchase fifteen used pavement marking stencils, made obsolete by a change in state standards for pavement lettering in the City of Modesto's maintenance of markings on state highways, for a total amount of five dollars, the estimated value of the stencils,

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Council of the City of Modesto that the sale of fifteen used pavement marking stencils to the City of Ceres for a total amount of five dollars, be and it is hereby approved.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 17th day of December, 1962, by Councilman Shastid, who moved its adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: None

ATTEST: [signature]
CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 62-606

A RESOLUTION AUTHORIZING THE RELEASE OF THE GLENS FALLS INSURANCE COMPANY SUBDIVISION BOND FILED TO GUARANTEE IMPROVEMENTS IN LORENZEN PARK NO. 1 SUBDIVISION

WHEREAS, Arthur J. Wylie, Florence E. Wylie and Wolverine Building Service, Inc., subdividers of Lorenzen Park No. 1 Subdivision, have filed with the City of Modesto a subdivision bond to guarantee the improvements in the aforesaid subdivision, and

WHEREAS, the Director of Public Works has reported that the improvements have been completed in the aforesaid subdivision to his satisfaction, and has recommended the release of the subdivision bond,

NOW, THEREFORE, BE IT HEREBY RESOLVED that the Glens Falls Insurance Company Subdivision Bond No. 83-90-42 in the sum of $33,000 filed by Arthur J. Wylie, Florence E. Wylie and Wolverine Building Service, Inc., to guarantee the improvements in Lorenzen Park No. 1 Subdivision, be and it is hereby released.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 17th day of December, 1962, by Councilman Johansen, who moved its adoption, which motion being duly seconded by Councilman Mitchell, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: [signature]
CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 62-607

A RESOLUTION ACCEPTING THE BID OF CALIFORNIA PHYSICIANS SERVICE FOR EMPLOYEES GROUP HOSPITAL-MEDICAL INSURANCE FOR A MONTHLY RATE OF $5.45 FOR INDIVIDUAL EMPLOYEE AND $12.83 FOR FAMILY COVERAGE

WHEREAS, the City desires to cancel its group insurance contract with Intercoast Mutual Life Insurance Company for the employees of the City of Modesto, effective December 31, 1962, and

WHEREAS, the Personnel Department has called for written and sealed bids for the furnishing of Employees Group Hospital-Medical Insurance, and

WHEREAS, the bids received for the Employees Group Hospital-Medical Insurance were opened at 4:00 P.M. on December 10, 1962 and later tabulated by the Personnel Department for the consideration of the Council, and

WHEREAS, the Personnel Technician has recommended that the bid of California Physicians Service for a monthly rate of $5.45 for each employee of the City, and $12.83 for family coverage be accepted as the lowest responsible bid,

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

SECTION 1. The City Manager is hereby authorized to give notice of termination of the present policy with Intercoast Mutual Life Insurance Company, effective December 31, 1962.

SECTION 2. The bid of California Physicians Service for Employees Group Hospital-Medical Insurance for a monthly rate of $5.45 for each employee of the City, and $12.83 for family coverage, effective January 1, 1963, is hereby accepted.

SECTION 3. Execution of the contract by the designated city officials is hereby authorized.

SECTION 4. Resolution No. 60-468 entitled, "A Resolution Relating to Employees Group Health Insurance," is hereby rescinded.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 17th day of

December, 1962, by Councilman Shastid, who moved its adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: _____
CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 62-608

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND THE MODESTO IRRIGATION DISTRICT AND THE COUNTY OF STANISLAUS FOR RECONSTRUCTION OF A PORTION OF MODESTO IRRIGATION DISTRICT LATERAL NO. 3

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the Agreement between the City of Modesto and Modesto Irrigation District and the County of Stanislaus

for reconstruction of a portion of Modesto Irrigation District Lateral No. 3 (in connection with the improvement of the Prescott, Briggsmore, Northern Boulevard construction) be, and it is hereby approved, and

BE IT FURTHER RESOLVED that the execution of said Agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 17th day of December, 1962, by Councilman Mitchell, who moved its adoption, which motion being duly seconded by Councilman Johansen, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: None

ATTEST: [signature]
CITY CLERK

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-609

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND RAYMOND V. ALESSI, ADELINE ALESSI AND VERNON DANTE ALESSI FOR OPTION TO PURCHASE REAL PROPERTY FOR GRACE DAVIS HIGH SCHOOL COMMUNITY PARK SITE IN BLOCK 6738 (Land Acquisition Project No. 62-17)

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the Agreement between the City of Modesto and Raymond V. Alessi, Adeline Alessi and Vernon Dante Alessi

for option to purchase real property for Grace Davis High School Community Park Site in Block 6738 (Land Acquisition Project No. 62-17)

be, and it is hereby approved, and

BE IT FURTHER RESOLVED that the execution of said Agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 17th day of December, 1962, by Councilman Tabbert, who moved its adoption, which motion being duly seconded by Councilman Patton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Tabbert, Mayor Hammond
NOES: Councilmen: Shastid
ABSENT: Councilmen: VanderWall

ATTEST: [signature]
CITY CLERK

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-610

A RESOLUTION ESTABLISHING CHARGES FOR SUPPLYING VARIOUS ASPECTS OF THE MODESTO MUNICIPAL CODE TO THE PUBLIC, AND RESCINDING RESOLUTION NO. 54-360.

WHEREAS, on November 17, 1954, the Council adopted Resolution No. 54-360 establishing the prices for the public sale of the Modesto Municipal Code, and

WHEREAS, since that time expenses incurred in the printing of said Code have increased substantially,

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

SECTION 1. The following charges are hereby established for supplying various aspects of the Modesto Municipal Code to the public:

(a) Complete Municipal Code with one binder: $20.00, plus sales tax.

(b) Municipal Code with two (2) binders: $25.00, plus sales tax.

(c) Municipal Code without binder: $15.00, plus sales tax.

(d) Continuing Code service: $15.00 per year, plus sales tax.

(e) Individual titles of the Municipal Code: $2.50, plus sales tax.

(f) Individual chapters of the Municipal Code: $1.00, plus sales tax.

(g) Each page of the Municipal Code: $ .05, plus sales tax.

SECTION 2. Resolution No. 54-360, adopted by the Council on November 17, 1954, is hereby rescinded.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 17th day of December, 1962, by Councilman Shastid, who moved its adoption, which motion being duly seconded by

Councilman Johansen, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: VanderWall

ATTEST: _____
City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-611

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND THE COUNTY OF STANISLAUS WHEREBY THE CITY SHALL DESIGN AND INSPECT. CONSTRUCTION OF TRAFFIC SIGNALS AT SCENIC DRIVE AND OLD OAKDALE ROAD

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the Agreement between the City of Modesto and the County of Stanislaus

for design and inspection of construction by the City of traffic signals at Scenic Drive and Old Oakdale Road

be, and it is hereby approved, and

BE IT FURTHER RESOLVED that the execution of said Agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 17th day of December, 19 62, by Councilman Johansen, who moved its adoption, which motion being duly seconded by Councilman Patton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: VanderWall

ATTEST: [signature]
CITY CLERK

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-612

A RESOLUTION APPROVING RIGHT OF WAY AGREEMENT BETWEEN THE CITY OF MODESTO AND JOHN LAURENS MACFARLANE AND ELIZABETH F. MACFARLANE FOR WIDENING OF ROSEBURG AVENUE (Project No. 55-16, Parcel 6012-6)

BE IT HEREBY RESOLVED by the Council of the City of Modesto that Right of Way Agreement between the City of Modesto and John Laurens Macfarlane and Elizabeth F. Macfarlane for ten feet of property for widening of Roseburg Avenue (Project No. 55-16, Parcel 6012-6), be and it is hereby approved. For further particulars, reference is made to a copy of the Agreement on file in the office of the City Clerk.

BE IT FURTHER RESOLVED that the City Manager and City Clerk of the City of Modesto be, and they are hereby authorized and directed to execute said Right of Way Agreement on behalf of the City of Modesto.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 17th day of December, 1962, by Councilman Tabbert, who moved its adoption, which motion being duly seconded by Councilman Shastid, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: VanderWall

ATTEST: _____
CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 62-613

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF $1,500 FROM GENERAL FUND, GENERAL RESERVE, TO OFFICE SERVICES, POSTAGE

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the following appropriation transfer(s) be approved:

GENERAL FUND (101)

FROM:	General Reserve (600)	$1,500
TO:	Office Services (58) Postage (201)	$1,500

For the estimated amount needed for the balance of the 1962-63 fiscal year in the Office Services Division Budget for postage.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 17th day of December, 1962, by Councilman Shastid, who moved its adoption, which motion being duly seconded by Councilman Mitchell, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Johansen, Mitchell, Patton, Shastid, Tabbert, Mayor Hammond
NOES:	Councilmen:	None
ABSENT:	Councilmen:	VanderWall

ATTEST: [signature]
CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 62-614

A RESOLUTION AUTHORIZING CITY PARTICIPATION IN THE PREMIUM PAYMENT FOR A GROUP HEALTH INSURANCE PLAN FOR EMPLOYEES OF THE CITY OF MODESTO AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE INSURANCE APPLICATION FORM ON BEHALF OF THE CITY AND AUTHORIZEING PAYROLL DEDUCTION FOR PREMIUMS IN EXCESS OF CITY PARTICIPATION

WHEREAS, the Modesto City Personnel Commission and City Manager have recommended that the City participate in the premium payment of a single group health insurance program for all City employees in an amount not to exceed $5.45 per month, and

WHEREAS, it is determined to be in the interest of the City to participate in the premium payment as so recommended, and

WHEREAS, a group health insurance plan is available to employees and their dependents at substantial premium savings on the basis of employer participation,

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

1. That the City of Modesto will participate in the payment of the premium for a single group health insurance plan for the employees of the City to a maximum of $5.45 per month, with the understanding that dividends, if any, will be prorated proportionately to contributions.

2. That the City Manager is authorized to sign the application for the group health insurance plan on behalf of the City of Modesto.

3. That upon the execution of the forms requesting and approving payroll deduction, the Director of Finance is authorized to withhold from payroll checks the amount for the group health insurance plan, for employees and their dependents, which may be in excess of the City participation.

4. That the City does not assume financial responsibility for the payment of any premiums due under the group health insurance plan beyond that authorized and accepted by this resolution.

5. That Resolution No. 58-289, entitled, "A Resolution Authorizing City Participation in the Premium Payment for a Group Health Insurance Plan for Employees of the City of Modesto and Authorizing the City

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 17th day of December, 1962, by Councilman Shastid, who moved its adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: _____
CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 62-615

A RESOLUTION AUTHORIZING WORK TO BE PERFORMED BY CITY FORCES FOR THE CONSTRUCTION OF WATER MAINS TO RENEE MANOR NO. 1 SUBDIVISION

WHEREAS, the Council of the City of Modesto adopted Resolution No. 62-577, on December 3, 1962, approving the plans and specifications for the construction of water mains to Renee Manor No. 1 Subdivision

and directed the City Clerk to advertise for sealed proposals for doing said work, and providing that bids be submitted on the 18th day of December, 1962, and

WHEREAS, the City Clerk, in accordance with said Resolution, thereafter duly and regularly caused a notice to be published in the manner and for the time prescribed by law, and

WHEREAS, no bids were received pursuant to said notice, and

WHEREAS, the Director of Public Works estimates that the cost of such work to be performed by city forces for the sum of $19,460, which cost estimate has been approved by the City Manager, and

WHEREAS, the Council declares and determines that, in its opinion, based upon the estimate approved by the City Manager, the work in question may be performed better and more economically by the City with its own employees,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that, in accordance with the provisions of Section 1307 of the Charter of the City of Modesto, the City Manager is hereby authorized to proceed to have the work in question performed by the City by its own employees.

The foregoing resolution was introduced at a regular adjourned meeting of the Council of the City of Modesto held on the 26th day of December, 1962, by Councilman Johansen, who moved

its adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Mitchell

ATTEST: City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 62-616

A RESOLUTION AUTHORIZING WORK TO BE PERFORMED BY CITY FORCES FOR THE CONSTRUCTION OF WATER MAINS IN BROOKDALE PARK NO. 4 SUBDIVISION

WHEREAS, the Council of the City of Modesto adopted Resolution No. 62-554, on November 26 19 62, approving the plans and specifications for the construction of water mains in Brookdale Park No. 4 Subdivision

and directed the City Clerk to advertise for sealed proposals for doing said work, and providing that bids be submitted on the 11th day of December, 19 62, and

WHEREAS, the City Clerk, in accordance with said Resolution, thereafter duly and regularly caused a notice to be published in the manner and for the time prescribed by law, and

WHEREAS, no bids were received pursuant to said notice, and

WHEREAS, the Director of Public Works estimates that the cost of such work to be performed by city forces for the sum of $2,582.55, which cost estimate has been approved by the City Manager, and

WHEREAS, the Council declares and determines that, in its opinion, based upon the estimate approved by the City Manager, the work in question may be performed better and more economically by the City with its own employees,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that, in accordance with the provisions of Section 1307 of the Charter of the City of Modesto, the City Manager is hereby authorized to proceed to have the work in question performed by the City by its own employees.

The foregoing resolution was introduced at a regular adjourned meeting of the Council of the City of Modesto held on the 26th day of December, 19 62, by Councilman Shastid, who moved

its adoption, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Mitchell

ATTEST: [signature]
City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 62-617

A RESOLUTION ACCEPTING THE BID OF STOCKTON FENCE AND MATERIAL COMPANY IN THE AMOUNT OF $2,638.75 FOR THE CONSTRUCTION OF A CHAIN LINK FENCE AT THE CORPORATION YARD SITE (BLOCKS 433 AND 434)

WHEREAS, Resolution No. 62-553, adopted by the Council of the City of Modesto on November 26, 1962, approved the plans and specifications for the construction of a chain link fence at the corporation yard site (Blocks 433 and 434) and authorized the calling for bids, and

WHEREAS, the bids received for the construction of a chain link fence at the corporation yard site (Blocks 433 and 434) were opened at 2:00 P.M., Dec. 18, 1962, and later tabulated by the Public Works Department for the consideration of the Council, and

WHEREAS, the Director of Public Works has recommended that the bid of Stockton Fence and Material Company in the amount of $2,638.75 be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED that the bid of Stockton Fence and Material Company in the amount of $2,638.75 be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular/adjourned meeting of the Council of the City of Modesto held on the 26th day of December, 1962, by Councilman Shastid, who moved its adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: Mitchell

ATTEST: [signature]
CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 62-618

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING THE CALLING FOR BIDS FOR FURNISHING REVISED OR SUPPLEMENTAL PAGES OF THE MODESTO MUNICIPAL CODE FOR CALENDAR YEAR 1963

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

Section 1. The plans and specifications for furnishing revised or supplemental pages of the Modesto Municipal Code for calendar year 1963,
copies of which are on file, are hereby accepted and approved.

Section 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on January 11, 1963 at 2:00 P.M. and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form and manner provided by law.

Section 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular adjourned meeting of the Council of the City of Modesto held on the 26th day of December, 1962, by Councilman Shastid, who moved its adoption, which motion being duly seconded by Councilman Johansen, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: Mitchell

ATTEST: [signature]
CITY CLERK

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-619

A RESOLUTION ESTABLISHING RENTAL FEES TO BE CHARGED FOR THE USE OF MANCINI BOWL IN GRACEADA PARK AND RESCINDING RESOLUTION NO. 8831-N.S.

WHEREAS, Section 12-4.102(b) of Article 1 of Chapter 4 of Title XII of the Modesto Municipal Code authorizes the Council from time to time to establish the rental charge for authorized use of Mancini Bowl,

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

SECTION 1. The rental fee to be charged for authorized use of Mancini Bowl pursuant to Section 12-4.102 of Article 1 of Chapter 4 of Title XII of the Modesto Municipal Code shall be as follows:

(a) Daytime use without concessions, Ten and no/100ths ($10.00) Dollars.

(b) Evening use after 6:00 P.M. without concessions, Fifteen and no/100ths ($15.00) Dollars.

(c) Day or night use with concessions, Thirty and no/100ths ($30.00) Dollars.

SECTION 2. Resolution No. 8831-N.S., adopted by the Council of the City of Modesto on March 15, 1950, is hereby rescinded.

SECTION 3. This resolution shall become effective from and after December 18, 1962.

The foregoing resolution was introduced at a regular adjourned meeting of the Council of the City of Modesto held on the 26th day of December, 1962, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Shastid, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Mitchell

ATTEST: [signature]
City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62- 620

A RESOLUTION WITHDRAWING CERTAIN DESCRIBED TERRITORY FROM THE WOODLAND FIRE PROTECTION DISTRICT BY REASON OF ITS ANNEXATION TO THE CITY OF MODESTO. (SPENCER ADDITION)

WHEREAS, a portion of the Woodland Fire Protection District was annexed to the City of Modesto by Ordinance No. 549 -C.S., adopted on December 10, 1962, and

WHEREAS, said territory officially became a part of the City on December 12, 1962, and

WHEREAS, the Health and Safety Code of the State of California provides that whenever any portion of such a District is included within a city by reason of annexation, such portion may be withdrawn from the District by the filing with the State Board of Equalization, the governing body of the District, and the County Assessor of copies of a resolution of the legislative body of the city, describing the included portion, and declaring such portion withdrawn, and

WHEREAS, it is to the best interests of the residents in the area of said Fire District which has been annexed to the City that the area be withdrawn from said Fire District and provided fire prevention and fire fighting services by the City,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the following described territory be withdrawn from the boundaries of the Woodland Fire Protection District:

SPENCER ADDITION

All that real property situate in the State of California, County of Stanislaus, Section 31, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits as established by the Southeastern line of the Emerald Gardens Addition, as per description filed February 5, 1962, Instrument 4485, Stanislaus County Records, said point being North 34° 37' East, 31.19 feet from the Southeastern corner of said Emerald Gardens Addition; thence continuing along said line, North 34° 37' East, 631.37 feet; thence along the Northern line and its Westerly extension of property conveyed to Tally E. Taylor, et ux, by Deed recorded March 3, 1948, Instrument 4993, Stanislaus County Records, North 89° 57' East, 560.26 feet, to the Western line of a 40 foot Public Road known as Spencer Avenue; thence along the Western line of Spencer Avenue, South 0° 10' West, 518.33 feet, to the Southern line of property conveyed to Jesse P. Bailey, et ux, by Deed recorded March 12, 1959, Instrument 7283, Stanislaus County Records; thence along the Southern line of said Bailey property and the Southern line of the property conveyed to Edna Alice Taylor by Deed recorded December 13, 1946 as Instruments Number 35674 and 35675, Stanislaus County Records, and its Westerly extension, South 89° 54' West, 917.43 feet, to the point of beginning, containing 8.796 Acres.

BE IT FURTHER RESOLVED that the City Clerk be, and he is hereby directed to file a certified copy of this resolution with the State Board of Equalization, the governing body of said Fire Protection District, and the Assessor of Stanislaus County.

The foregoing resolution was introduced at a regular adjourned meeting of the Council of the City of Modesto held on the 26th day of December, 1962, by Councilman Shastid, who moved its adoption, which motion being duly seconded by Councilman Johansen, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: None

ABSENT: Mitchell

ATTEST: [signature]
City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-621

AMENDMENT TO
A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND SOUTHERN PACIFIC COMPANY EXTENDING TIME FOR EXERCISE OF EASEMENT ACROSS SOUTHERN PACIFIC RIGHT OF WAY AT KANSAS AVENUE

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the Supplemental Agreement between the City of Modesto and Southern Pacific Company extending time for exercise of easement across Southern Pacific Right of Way at Kansas ~~xxxx~~ Avenue to November 10, 1963

be, and it is hereby approved, and

BE IT FURTHER RESOLVED that the execution of said Agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular adjourned meeting of the Council of the City of Modesto held on the 26th day of December, 19 62, by Councilman Tabbert, who moved its adoption, which motion being duly seconded by Councilman Patton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: Mitchell

ATTEST: [signature]
CITY CLERK

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62- 622

A RESOLUTION AUTHORIZING THE INSTITUTION OF CONDEMNATION PROCEEDINGS TO ACQUIRE CERTAIN REAL PROPERTY IN THE CITY OF MODESTO REQUIRED FOR RIGHT OF WAY FOR PRESCOTT-BRIGGSMORE-NORTHERN BOULEVARD PROJECT. (Project No. 61-1, Winn Property)

BE IT RESOLVED by the Council of the City of Modesto that it finds and determines and hereby declares that:

The public interest, convenience, and necessity require the acquisition of certain real property required for right of way purposes.

The use of said real property for right of way purposes is a public use authorized by law.

The proposed right of way is planned in a manner which will be most compatible with the greatest public good and the least private injury; and

BE IT FURTHER RESOLVED that the City Attorney of the City of Modesto be authorized and directed to commence and maintain in the name of the City of Modesto such actions and proceedings of eminent domain in the Superior Court of the State of California, in and for the County of Stanislaus, as are necessary for the purpose of condemning and acquiring the hereinafter described real property for the purposes and uses aforesaid.

BE IT FURTHER RESOLVED that the City Attorney be authorized to make application to said Court for an order fixing the amount of such security in the way of money deposit as such Court may direct, for an order permitting the City of Modesto to take immediate possession and use of said real property for the purposes and uses aforesaid.

BE IT FURTHER RESOLVED that the City Manager and City Auditor be authorized to make such deposits of such security out of proper funds under the control of the City in such amounts as

so fixed and determined and in such manner as said Court in which said condemnation proceedings are pending may direct.

The real property hereinabove referred to, the condemnation of which is hereby authorized for the purpose aforesaid, is situated in the City of Modesto, Modesto Irrigation District, County of Stanislaus, State of California, and is more particularly described as follows:

Parcel 6531-1

All that portion of Section 18, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Commencing at the Southeastern corner of Lot 10 of the KNAPP TRACT as per map filed November 16, 1904 in Volume 2 of Maps, Page 2, Stanislaus County Records; thence along the Eastern line of said Lot 10, North 00° 42' West, 51.31 feet, to the Southern line of the Modesto Irrigation District Lateral Number 3; thence along the Southern line of Lateral Number 3, North 84° 15' West, 25.09 feet to the true point of beginning; thence continuing along the Southern line of Lateral Number 3, North 84° 15' West, 429.35 feet; thence on a tangent curve concave to the Southeast, having a Radius of 265.00 feet, a Central Angle of 64° 09' 30", an Arc Length of 296.74 feet; thence South 31° 35' 30" West, 429.35 feet; thence leaving Lateral Number 3 on a tangent curve concave to the Southeast having a Radius of 950.00 feet, a Central Angle of 64° 09' 30" an Arc Length of 1063.79 feet, to the point of beginning, containing 1.278 Acres, more or less.

Parcel 6532-2

All that portion of Section 18, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at the intersection of the Northern line of the Modesto Irrigation District Lateral Number 3 and the Eastern line of a 40 foot Public Road known as Prescott Road; thence along the Eastern line of Prescott Road, North 00° 37' West, 810.00 feet, to a point on the Southern line of Lot 10 of the Knapp Tract, as per map filed November 16, 1904, in Volume 2 of Maps, Page 2, Stanislaus County Records; thence along the Southern line of said Lot 10, South 89° 17' 57" East, 25.00 feet; thence along a line parallel with and 25.00 feet at right angles Easterly from the Eastern line of Prescott Road, South 00° 37' East 267.87 feet; thence

on a tangent curve concave to the North, having a Radius of 112.39 feet, a Central Angle of 147° 47' 30", an Arc Length of 289.90 feet; thence on a tangent Reverse Curve concave to the Southeast, having a Radius of 1110.00 feet, a Central Angle of 18° 55' 29", an Arc Length of 366.63 feet, to a point on the Northern line of the Modesto Irrigation District Lateral Number 3; thence along the Northern line of Lateral Number 3, South 31° 35' 30" West, 891.44 feet, to the point of beginning, containing 2.018 Acres, more or less.

The foregoing resolution was introduced at a regular adjourned meeting of the Council of the City of Modesto held on the 26th day of December, 1962, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Shastid, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Mitchell

ATTEST: [signature]
City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 62-623

A RESOLUTION DECLARING THAT PROCEEDINGS HAVE BEEN INITIATED BY THE COUNCIL OF THE CITY OF MODESTO TO ANNEX TO SAID CITY CERTAIN UNINHABITED TERRITORY DESCRIBED HEREIN AND DESIGNATED AS DOWNEY PARK ADDITION, AND GIVING NOTICE OF SUCH PROPOSED ANNEXATION.

BE IT RESOLVED by the Council of the City of Modesto:

1. That, pursuant to the provisions of the "Annexation of Uninhabited Territory Act of 1939," as amended, proceedings have been initiated by the Council of the City of Modesto, on its own motion, to annex to the City of Modesto all that uninhabited territory situate in the County of Stanislaus, State of California, hereby designated as the DOWNEY PARK ADDITION, ~~and~~ previously referred to as BRIGHTON AVENUE PARK ADDITION, and described as follows:

All that real property in the State of California, County of Stanislaus, Section 22, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, being that portion of Lot 20 of the BROUGHTON COLONY as per map filed March 17, 1904 in Volume 1 of Maps, page 78, Stanislaus County Records as conveyed to the City of Modesto by deed recorded October 30, 1961 as Instruments 39818 and 39819, Stanislaus County Records, described as follows:

Beginning at a point on the existing City Limits as established by the Southwestern corner of the Lorenzen Addition as per description filed June 27, 1961 as Instrument 20145, Stanislaus County Records, said corner also being the Northeastern corner of the Downey High School Addition as per description filed July 27, 1950, as Instrument 16443, Stanislaus County Records; thence along the existing City Limits and Northern line of the Downey High School Addition, North 89° 59' 45" West, 958.88 feet, to the Southwestern corner of the City Property; thence along the Western line of said City Property, North 00° 27' West, 493.51 feet, to the Northwestern corner of said City Property; thence along the Northern line of said City Property, North 89° 57' 30" East, 958.30 feet, to the Northeastern corner of said City Property, said corner being on the existing City Limits as established by the Western line of the Lorenzen Addition; thence along the existing City Limits and the Western line of said Lorenzen Addition, South 00° 30' 30" East, 494.05 feet, to the point of beginning, containing 10.879 Acres more or less.

2. That the said Council of the City of Modesto desires to annex said uninhabited territory to the City of Modesto for the following reasons: Said territory is contiguous to the City of Modesto, and its proposed annexation will contribute to and facilitate the orderly growth and development of both the City of Modesto and the territory proposed to be annexed; and will provide and facilitate proper over-all planning and zoning of lands, and subdivision of lands in said City and said uninhabited territory, in a manner most conducive to the welfare of said City and said uninhabited territory.

3. That if said territory is annexed it shall remain ~~[illegible]~~ part of the school district of the City of Modesto.

4. That the County Boundary Commission of Stanislaus County, California, did in session duly assembled on December 18, 1962, approve the proposed annexation boundaries of said DOWNEY PARK ADDITION, previously referred to as BRIGHTON AVENUE PARK ADDITION, as above described, and as submitted to said Commission by the Council of the City of Modesto prior to the initiation of said annexation proceedings.

5. That February 11, 1963, at the hour of 8:00 o'clock P.M. of said day, in the Council Chambers at the City Hall, located at 801 Eleventh Street in the City of Modesto, County of Stanislaus, California, is hereby fixed as the time and place when and where any person owning real property within the uninhabited territory above described and proposed to be annexed to the City of Modesto and having any objections to the proposed annexation may appear before the Council of the City of Modesto and show cause why such uninhabited territory should not be so annexed to said City of Modesto. Such protest must be in writing, may be filed at any time before the hour set for hearing objections to the proposed annexation, and shall state the name or names of the owner or owners of property affected and the description and area of such property in general terms.

6. The City Clerk of the City of Modesto is hereby authorized and directed to cause a copy of this resolution to be published at least twice, but no oftener than once a week in The Modesto Tribune, a newspaper of general circulation published in said City of Modesto

the city to which it is proposed to annex the aforesaid territory, and also in the Turlock Daily Journal, a newspaper of general circulation published outside the City of Modesto, but in the County of Stanislaus, California, the county in which is located the territory proposed to be annexed to the City of Modesto, said publication to be completed at least twenty (20) days prior to the date set for hearing.

7. The said City Clerk is further authorized and directed to cause written notice of such proposed annexation to be mailed to each person to whom land within the territory proposed to be annexed is assessed in the last equalized county assessment roll available on the date the above said proceedings were initiated, at the addresses shown on said assessment roll or known to said Clerk, and to any person who has filed his name and address and the designation of the lands in which he has an interest, either legal or equitable, with said Clerk, such notice to be given not less than twenty (20) days before the public hearing on the proposed annexation.

8. In the event any land within the territory proposed to be annexed is owned by a county, the said City Clerk is directed to cause written notice of such proposed annexation to be mailed to the Board of Supervisors of such county, such notice to be given not less than twenty (20) days before the public hearing on the proposed annexation.

9. In the event there is, upon the land proposed to be annexed, a structural improvement owned, being acquired or leased by a county fire protection district, the said Clerk is directed to cause written notice of such proposed annexation to be mailed to the governing body of such district, such notice to be sent not less than ten (10) days before the public hearing on the proposed annexation.

10. The said City Clerk is directed to cause written notice to be given to such other persons as may be legally entitled thereto, in the manner required by law.

The foregoing resolution was introduced at a regular adjourned meeting of the Council of the City of Modesto on the 26th day of December, 19 62, by Councilman VanderWall,

who moved its adoption, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Johansen, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Mitchell

ATTEST: _____
City Clerk

(SEAL)