RESOLUTION NO. 9691-N.S.

A RESOLUTION APPROVING MINUTES OF THE COUNCIL MEETINGS

---oOo---

BE IT HEREBY RESOLVED that the minutes of the regular Council meeting of December 26, 1951 be and they are hereby ordered approved.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 2nd day of January, 1952 by Councilman Mellis, who moved its adoption, which motion being duly seconded by Councilman Merrill, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent:Councilmen: R. Adams and Annan

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9692-N.S.

A RESOLUTION ACCEPTING DEEDS FROM ALBERT SGRO AND ROSE SGRO, HUSBAND AND WIFE AND FROM FREDERICK KNORR

---oOo---

BE IT HEREBY RESOLVED that a deed be accepted from Albert Sgro and Rose Sgro, husband and wife, on the West 30 feet of South 65 feet of East half of Lot 7 of the Rice Colony to be used for street purposes (Ramona Avenue), and

BE IT FURTHER RESOLVED that deed be accepted from Frederick Knorr for land to be used for street purposes (Ramona Avenue and for land to be used for widening of alley along the West boundary of his property in the Rice Colony, as set forth in said deed.

BE IT FURTHER RESOLVED that the City Clerk be directed to record deeds 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 2nd day of January, 1952 by Commissioner Mellis, who moved its adoption, which motion being duly seconded by Councilman M. Adams, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: R. Adams and Annan

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9693-N.S.

A RESOLUTION APPOINTING DAVID L. ARATA AS COUNCILMAN OF THE CITY OF MODESTO TO SERVE THE UNEXPIRED TERM OF COUNCILMAN A. M. FRAD

---oOo---

WHEREAS, Councilman A. M. Frad having resigned from the City Council on December 26, 1951, and

WHEREAS, it is agreeable with the entire Council that David L. Arata, a long time resident of the City of Modesto, be appointed to serve out the unexpired term of said Councilman A. M. Frad until the next general election to be held in April, 1953 or until the first special municipal election, as provided by Section 702 of the Charter of the City of Modesto.

NOW THEREFORE BE IT RESOLVED that David L. Arata be and he is hereby appointed Councilman of the City of Modesto as of this date to serve until the next

general election to be held in April, 1953 or until the first special municipal election, as provided by Section 702 of the Charter 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 2nd day of January, 1952 by Councilman Merrill, who moved its adoption, which motion being duly seconded by Councilman Mellis, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, Mellis, Merrill, Mayor Marks

Noes: Councilmen: None

Absent:Councilmen: R. Adams and Annan

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9694-N.S.

A RESOLUTION AUTHORIZING THE CITY CLERK TO ADVERTISE FOR BIDS FOR GASOLINE

---oOo---

BE IT HEREBY RESOLVED that the City Clerk be authorized to advertise for bids for approximately 25,000 gallons of first grade gasoline (Ethyl) and approximately 40,000 gallons of second grade gasoline (Regular) to be furnished during a period from the 16th day of January, 1952 to the 15th day of January, 1953, said bids to be filed at the office of the City Clerk, not later than 10:00 A. M. on Wednesday, January 16, 1952 and award to be made by action of the Council in regular session at a subsequent 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, 1952 by Councilman M. Adams, who moved its adoption, which motion being duly seconded by Councilman Merrill it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, Mellis, Merrill, Mayor Marks

Noes: Councilmen: None

Absent:Councilmen: R. Adams and Annan

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9695-N.S.

A RESOLUTION AUTHORIZING THE CITY CLERK TO ADVERTISE FOR BIDS FOR NEW AIR COMPRESSOR

---oOo---

BE IT HEREBY RESOLVED that the City Clerk be authorized to call for bids for a new air compressor in accordance with specifications set forth in the Notice to Bidders, said bids to be filed at the office of the City Clerk not later than 4:00 P. M. January 21, 1952, all bids to be opened at the above specified time and award to be made by action of the Council at a subsequent 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, 1952 by Councilman M. Adams, who moved its adoption, which motion being duly seconded by Councilman Mellis, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, Mellis, Merrill, Mayor Marks

Noes: Councilmen: None

Absent:Councilmen: R. Adams and Annan

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9696-N.S.

A RESOLUTION AUTHORIZING THE CANCELLATION OF CERTAIN ASSESSMENTS ON THE 1951-52 TAX ROLL

BE IT HEREBY RESOLVED that the following assessments on the 1951-52 Tax Roll of the City of Modesto be and they are hereby cancelled:

Assessment #722, Block 228, N. E. cor. owner, Charles T. Carroll, et ux, improvements $8,250.00, rate $1.28, tax $105.60. This property assessment is also assessed to Charles T. Carroll in the first annex to the City of Modesto, Block 2173, Lot A (double assessment).

Assessment #3118, Block 82, Lots 21 and 22, owner G. P. Page, improvements $7,285.00. Rate $1.28, tax $93.24. This property was destroyed by fire in 1950 and was reassessed in error this year at full value.

Assessment #984, Block 64, Lots 29 and 30, owner R. J. Crow, et ux., improvements $1,470.00, rate $1.28, tax $18.82.

Assessment #2415, Block 64, Lots 27 and 28, owner Jules Loeb, improvements $200.00, rate $1.28, tax $2.56.

Assessment #107, Block 67, Lots 27 and 28, M. E. Angelo, improvements $5,355.00, rate $1.28, tax $68.54.

(Assessments 984, #2415 and #107, were removed prior to the first Monday in March, 1951 (improvements) and should not be included on the 1951-52 tax roll)

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 2nd day of January, 1952 by Councilman Merrill, who moved its adoption, which motion being duly seconded by Councilman M. Adams, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent:Councilmen: R. Adams and Annan

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9697-N.S.

A RESOLUTION APPROVING CLAIMS PAID BY THE CITY OF MODESTO

---oOo---

BE IT HEREBY RESOLVED that the following claims paid by the City of Modesto be and they are hereby approved:

Month	Amount	Check Numbers (City)			Check Numbers (Library)		
July	174,391.61	#1503	to	1703	#10694	to	10710
August	118,391.04	1704	to	1920	10711	to	10720
September	114,209.15	1921	to	2117	10721	to	10739
October	129,669.58	2118	to	2357	10740	to	10752
November	139,844.13	2358	to	2585	10753	to	10772

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 2nd day of January, 1952, by Councilman Merrill, who moved its adoption which motion being duly seconded by Councilman M. Adams, it was upon roll call carried and the resoltuion adopted by the following vote:

Ayes: Councilmen: M. Adams, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent:Councilmen: R. Adams and Frad

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9698-N.S.

A RESOLUTION GRANTING THE McCLATCHY NEWSPAPERS A PERMIT TO MAINTAIN A RETAINING CURB WITHIN THE SIDEWALK AREA ON THE WEST SIDE OF FOURTEENTH STREET BETWEEN "H" AND "I" STREETS IN THE CITY OF MODESTO

BE IT HEREBY RESOLVED by the City Council of the City of Modesto that McClatchy Newspapers, a corporation, be and it is hereby granted a revocable permit to maintain a concrete or masonry retaining curb as presently constructed within the sidewalk area on the West side of Fourteenth Street between "H" and "I" Streets in the City of Modesto, said curb to be used for the purpose of providing protection for flowers and shrubbery to be planted along the side of the new building of the Modesto Bee.

This permit is granted upon the further condition that the McClatchy Newspapers shall protect and save harmless the City of Modesto from all damage, costs and causes of action of any nature or kind whatsoever which have or might arise out of the construction, installation, and maintenance of said retaining curb.

This permit is granted pursuant to the application heretofore filed by said McClatchy Newspapers.

The foregoing Resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 2nd day of January, 1952, by Councilman Mellis who moved its adoption which move being duly seconded by Councilman Merrill, it was upon roll call carried and the Resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, Mellis, Merrill, Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: R. Adams and Annan

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9699-N.S.

A RESOLUTION APPROVING MINUTES OF COUNCIL MEETING OF JANUARY 2, 1952

BE IT HEREBY RESOLVED that the minutes of the regular Council meeting of January 2, 1952 be and they are hereby approved.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of January, 1952, by Councilman M. Adams, who moved its adoption, which motion being duly seconded by Councilman R. Adams, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Arata, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: Annan

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9700-N.S.

A RESOLUTION ACKNOWLEDGING RECEIPT OF A COPY OF NOTICE OF INTENTION TO CIRCULATE A PETITION TO ANNEX TERRITORY TO THE CITY OF MODESTO AND APPROVING THE CIRCULATION OF THE PETITION.

WHEREAS, on December 22, 1951, certain persons residing within the boundaries of the territory described therein caused to be published in the Modesto Bee, the official newspaper of the City of Modesto, a notice of intention to circulate a petition for the annexation of certain territory to the City of Modesto pursuant to the provisions of Section 35111 of the Government Code of the State of California, a copy of which notice marked "Exhibit A" is attached hereto and hereby referred to and made a part hereof as though set forth in full, and

WHEREAS, said territory is inhabited, and

WHEREAS, said notice contained the names of the proponents intending to circulate the petition and the specific boundaries of the territory proposed to be annexed and was accompanied by a printed statement not exceeding 500 words in length

containing the reasons for the petition, and

WHEREAS, on December 28, 1951, and within ten days after publication of said notice, there was filed in the office of the City Clerk of the City of Modesto a copy of said notice and statement, together with an affidavit of the publication thereof,

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Modesto acknowledges receipt of the affidavit of publication, and said City Council hereby approves the circulation of the petition for annexation within the territory described in said notice.

The foregoing Resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of January, 1952 by Councilman Mellis who moved its adoption, which motion being duly seconded by Councilman Merrill was upon roll call duly carried and the Resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Arata, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent:Councilmen: Annan

ATTEST: REX E. GAILFUS, CITY CLERK

PETITION FOR ANNEXATION OF INHABITED TERRITORY
TO THE CITY OF MODESTO

To the Honorable City Council of the City of Modesto:

We, the undersigned qualified electors of the County of Stanislaus, residing in the territory hereinafter described, which is adjacent to the corporate limits of the City of Modesto, hereby petition your Honorable Body that the said territory be annexed to the City of Modesto. We hereby further petition your Honorable Body to call a special election and submit to the electors residing in said territory the question whether or not said territory shall be annexed to, incorporated in, and made a part of the City of Modesto.

The territory hereinabove referred to and which we ask to have annexed to the City of Modesto in accordance with this petition, is bounded and described in the attached "Exhibit A" entitled "Notice of Intention to Circulate a Petition for the Annexation of Territory to the City of Modesto ", which said description is hereby referred to and made a part hereof as though set forth in full.

This petition is subscribed to by the undersigned with the express understanding that in the event the territory herein described is annexed to and incorporated in and made a part of the City of Modesto, the said territory shall not be subject to taxation for any bonded indebtedness now owed by said municipal corporation or owing by said municipal corporation up to and including the day of the election to determine whether or not the residents in said above described territory desire said property to be annexed to said city.

We further suggest, in connection with the holding of said election and the proceedings pursuant thereto, that the said territory so proposed to be added to the said City of Modesto be designated by the following name or title:
GREATER MODESTO AREA.

In compliance with Section 1706 of the Elections Code of the State of California there is hereto attached and marked "Exhibit A", a copy of the Notice of Intention to Circulate Petition, together with accompanying statement, which ndice and statement was published in the Modesto Bee, the official newspaper of the City of Modesto. County of Stanislaus, State of California, on December 22, 1951.

RESOLUTION NO. 9701-N.S.

A RESOLUTION REQUESTING THE CENTRAL VALLEY DIVISION OF THE LEAGUE OF CALIFORNIA CITIES TO ASK THE STATE LEAGUE OF CITIES TO APPOINT A COMMITTEE TO STUDY AND RECOMMEND WAYS AND MEANS TO BETTER REPRESENT THE INTERESTS OF THE PEOPLE IN RATE HEARINGS BEFORE THE CALIFORNIA PUBLIC UTILITIES COMMISSION.

WHEREAS, the Public Utilities Commission of the State of California was established for the purpose of exercising supervision over and regulating Public Utilities in the State of California and fixing rates to be charged for commodities furnished or services rendered, and

WHEREAS, within the last five years many applications for increase in the rates to be charged for commodities furnished or services rendered by Public Utilities have been requested by the utilities and granted by the Public Utilities Commission, and

WHEREAS, from time to time, some cities in the State of California have appeared before the Public Utilities Commission in an effort to present the point of view of their inhabitants but because of the lack of an efficient procedure and organization, such representation has at times not been satisfactory, and

WHEREAS, the Public Utilities are in a position to employ competent technical, administrative, engineering and legal assistance to present their point of view, and

WHEREAS, there is no organization or funds available to similiarly present the point of view of the public or to investigate and report to the Commission the pertinent facts involved, other than the Public Utilities Commission itself, which must act in a judicial capacity in rendering its decisions;

NOW, THEREFORE, BE IT HEREBY RESOLVED that the City Council of the City of Modesto hereby recommends that the Central Valley Division of the League of California Cities ask the Board of Directors of the State League of California Cities to appoint a committee to study and report its findings and recommendations on ways and means to better represent the interests of the people in rate proceedings before the Public Utilities Commission.

BE IT HEREBY FURTHER RESOLVED that a copy of this Resolution be furnished to the Board of Directors of the League of California Cities, Hotel Claremont, Berkeley.

The foregoing Resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of January, 1952, by Councilman M. Adams, who moved its adoption which ~~move~~ motion being duly seconded by Councilman R. Adams it was upon roll call carried and the Resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Arata, Mellis, Merrill, Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: Annan

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9702-N.S.

A RESOLUTION AWARDING BIDS ON PIPE, FITTINGS, VALVES AND STREET NAME SIGNS

---oOo---

BE IT HEREBY RESOLVED that the following bids on pipe, valves and fittings and on street name signs be and they are hereby accepted; as these were the lowest

and best bids received:

Items	Material	Name of Bidders	Amount
1 through 5	Water pipe	United States Pipe and Foundry Company	$36,909.61
6 through 33	Cast iron fittings	Grinnell Company	1,401.86
34 through 38	Gate valves	Tay-Holbrook Co.	3,302.16
1	Street name signs	Cesco Contractor's Equipment & Supply Co.	1,984.19

and that the bid of Terco Equipment Co. be rejected, due to the failure to include a bond or certified check and the proposal form as specified in the bid call was not used, and

BE IT FURTHER RESOLVED that the City Clerk be directed to return the bidding checks to the unsuccessful bidders and payment is hereby authorized upon delivery and acceptance of the pipe, valves, fittings and street name signs.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of January, 1952 by Councilman Merrill, who moved its adoption, which motion being duly seconded by Councilman Arata, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Arata, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: Annan

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9703-N.S.

A RESOLUTION GRANTING PERMIT TO CHANGE ENTRANCE INTO THE PUBLIC PARKING LOT OPERATED BY THE PUBLIX PARKING CORPORATION IN BLOCK 84, LOTS 1 to 4 INC.

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WHEREAS, the Publix Parking Corporation, operating a public parking lot on the Southwest corner of 12th and J Streets, Block 84, Lots 1 to 4 inc. have requested that the present entrance driveway on the West side of 12th Street, South of J Street, be changed to conform with their revised parking plan,

NOW THEREFORE BE IT RESOLVED that permit be granted to said applicants to change the entrance driveway into their parking lot at above described location, under the supervision of and subject to the approval of the Director of Public Works and conditional upon the filling in of the abandoned 30 foot curb cut on 12th Street and the unused 40 foot curb cut near the alley on J Street.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of January, 1952 by Councilman Mellis, who moved its adoption, which motion being duly seconded by Councilman R. Adams, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Arata, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: Annan

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 9704-N.S.

A RESOLUTION AUTHORIZING THE INSTALLATION OF CURB CUT TO WILLIAM G. MORTIMER IN BLOCK 42, LOTS 30-32 Inc.

--oOo--

WHEREAS, William G. Mortimer, 930 7th Street, has filed a request for a 30 foot curb cut, lowering of catch basin and alley gutter on the south side of J Street, between 7th and 8th Streets, being Block 42, lots 30-32 Inc. to build a driveway entrance to his property.

NOW THEREFORE BE IT RESOLVED that permit be granted to said applicant to install a curb cut and lower catch basin under the supervision and subject to the approval of the City Director of Public Works.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of January, 1952 by Councilman R. Adams, who moved its adoption, which motion being duly seconded by Councilman M. Adams, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Arata, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent:Councilmen: Annan

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9705-N.S.

A RESOLUTION GRANTING PERMIT TO HOOVER E. LONG TO CUT CURB IN BLOCK 85, Lots 6 and 7, portion of lot 8

--oOo--

WHEREAS, Hoover E. Long has filed a request for a permit to cut the curb 16 feet in Block 85, lots 6 and 7, portion lot 8, on the west side of 12th Street for an entrance into his parking lot between the Scott Building and the American Trust Branch Office, as the traffic congestion in the alley is so heavy that it is necessary for him to have a street exit.

BE IT HEREBY RESOLVED that permit be granted to said applicant to cut the curb 16 feet for a driveway to serve his lot with the understanding that the location of the driveway and the width of the curb cut should be under the supervision of the City Manager and the Director of Public Works.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of January, 1952 by Councilman M. Adams, who moved its adoption, which motion being duly seconded by Councilman Arata, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Arata, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent:Councilmen: Annan

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9706-N.S.

A RESOLUTION APPOINTING COUNCILMAN DAN MELLIS TO REPRESENT THE COUNCIL AT THE MEETINGS ~~OF THE MEETINGS~~ OF THE CITY OF MODESTO PARKING AUTHORITY

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--oOo--

WHEREAS, the City of Modesto Parking Authority has filed a request with the Council that a member of the City Council be appointed to set in with the Parking Authority at all their meetings.

NOW THEREFORE BE IT RESOLVED that Councilman Dan Mellis be and he is hereby appointed representative of the City Council on the City of Modesto Parking Authority and authorized to attend the meetings of the Parking Authority.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of January, 1952 by Councilman Arata, who moved its adoption, which motion being duly seconded by Councilman Dan Mellis, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Arata, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent:Councilmen: Annan

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9707-N.S.

A RESOLUTION ESTABLISHING TWO HOUR PARKING ON ELEVENTH STREET BETWEEN L AND M STREETS

--oOo--

WHEREAS, the City Council of the City of Modesto by ordinance heretofore passed, is empowered by resolution to increase and/or diminish parking time limits for vehicles on the streets of said City; and

WHEREAS, by ordinance heretofore passed by said City Council by the erection of proper signs in the business district of said City and by resolution may enforce the provisions of all ordinances relating to the parking of vehicles in said City; and

WHEREAS, the best interest of the citizens of said City require that the length of time for which a vehicle may be parked in the following described areas shall be for the period of two hours between the hours of nine O'Clock A.M. and six O'Clock P.M.

NOW THEREFORE, said City Council by this resolution does hereby decreee that vehicles shall not be parked between the hours of nine O'Clock A.M. and six O'Clock P.M. for a period longer than one hundred twenty minutes consecutively in the following described areas:

Both sides of 11th Street between L and M Streets

BE IT FURTHER RESOLVED that said parking restrictions shall not be applicable on Sunday.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of January, 1952 by Councilman Merrill, who moved its adoption, which motion being duly seconded by Councilman M. Adams, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Arata, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent:Councilmen: Annan

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9708-N.S1

A resolution AUTHORIZING THE INSTALLATION OF STOP SIGNS IN THE CITY OF MODESTO AND DESIGNATING TULLY AVENUE AND COLLEGE AVENUE AS ARTERIAL STREETS

--oOo--

WHEREAS, the City Council of the City of Modesto, after due investigation and deliberation, is of the opinion that Tully Avenue and College Avenue should be designated as arterial streets, and

WHEREAS, the City Council is of the opinion that in the interest of traffic

safety, the existing stop signs on these arterial streets should be retained for the time being and until further studies are made.

NOW THEREFORE, the Council of the City of Modesto, does resolve as follows:

Tully Avenue and College Avenue are hereby designated as arterial streets.

The Department of Public Works is hereby authorized to install stop signs where required on all streets entering or crossing the two named arterial streets or thoroughfares.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of January, 1952 by Councilman M. Adams, who moved its adoption, which motion being duly seconded by Councilman R. Adams, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Arata, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent:Councilmen: Annan

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9709-N.S.

A RESOLUTION ESTABLISHING STOP SIGNS ON CERTAIN STREETS IN THE CITY OF MODESTO

--oOo--

WHEREAS, under and by virtue of provisions of Ordinance No. 558-N.S. of the City of Modesto; the City Council of said City has the power when and if the general welfare and safety of the citizens of the City of Modesto so require it, to erect boulevard stop signs at or adjacent to any intersection within the City of Modesto, and

WHEREAS, it appears to said City Council that the general welfare of the citizens of Modesto require that boulevard stop signs be erected and maintained at intersections herein designated and that at said intersections all of the provisions of Ordinance No. 558-N.S. of City of Modesto entitled: "AN ORDINANCE AMENDING SECTION 23 of ORDINANCE NO. 345-N.S. of the CITY OF MODESTO AS HEREAFTER AMENDED," shall be enforced and said stop signs shall be erected prohibiting drivers of vehicles from passing said boulevard stop signs without first stopping vehicles so operated by said operator.

NOW THEREFORE BE IT RESOLVED and ordered by said City Council that at the places hereinafter designated, the City Engineer shall erect or cause to be erected and maintained, boulevard stop signs and that said Ordinance No. 558-N.S. heretofore referred to shall be enforced at said intersections:

Southwest corner of Needham Avenue and Tenth Street, stopping traffice entereing Needham Avenue, Tenth Street and College Ave. intersection

Northeast corner of Needham Avenue and College Avenue, stopping traffic entering Needham Avenue, Tenth Street and College Ave. intersection

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the9th day of January, 1952 by Councilman R. Admas, who moved it s adoption, which motion being duly seconded by Councilman Merrill, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Arata, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent:Councilmen: Annan

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 9710-N.S.

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS FOR THE CONSTRUCTION OF A SANITARY SEWER LINE ON CAROLYN AVENUE

--oOo--

BE IT HEREBY RESOLVED that the plans and specifications for the construction of a sanitary sewer line on Carolyn Avenue, between Griswold Avenue and Brady Avenue, as presented by the Director of Public Works, be and they are hereby approved.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of January, 1952, by Councilman Merrill, who moved its adoption, which motion being duly seconded by Councilman Arata, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Arata, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent:Councilmen: Annen ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9711-N.S.

A RESOLUTION AUTHORIZING THE CITY CLERK TO CALL FOR BIDS ON CONSTRUCTION OF SANITARY SEWER LINE ON CAROLYN AVENUE

--oOo--

BE IT HEREBY RESOLVED that the City Clerk be authorized to call for bids on the construction of a sanitary sewer line on Carolyn Avenue, between Griswold Avenue and Brady Avenue in accordance with the plans and specifications on file in the office of the Directory of Public Works, said bids to be received not later than 2:00 P.M. on Wednesday, January 23, 1952, at the office of the City Clerk and to be opened at this time in the Council Chambers and award to be made by the Council in regular session at a subsequent meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of January, 1952 by Councilman Merrill, who moved its adoption, which motion being duly seconded by Councilman Arata, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Arata, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent:Councilmen: Annan

ATTEST: REX E. GAILFUS, CITY CLERK

****

RESOLUTION NO. 9712-N.S.

A RESOLUTION APPOINTING NEW MEMBERS OF THE CITY OF MODESTO PERSONNEL COMMISSION

--oOo--

WHEREAS, Mayor Marks has reported to the City Council that only one member of the present Personnel Commission of the City of Modesto is a resident of the City, and

WHEREAS, he has suggested that in order to conform with the new city charter, two new members, residents of the City, should be appointed at this time.

NOW THEREFORE BE IT RESOLVED that Ray W. Jones be and he is hereby appointed to serve out the unexpired term of Edward P. Griswold, until January 15, 1953 and Fred D. Condit be and he is hereby appointed to serve out the unexpired term of R.E. Markel, until January 15, 1955.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of January, 1952 by Councilman Merrill, who moved its adoption, which motion being duly seconded by Councilman M. Adams, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Arata, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent:Councilmen: Annan

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9713-N.S.

A RESOLUTION APPROVING CLAIMS FOR THE CITY OF MODESTO FOR THE MONTH OF DECEMBER, 1951

--oOo--

BE IT HEREBY RESOLVED that the claims be approved for the City of Modesto for the month of December, 1951 in the amount of $168,200.87, being check numbers 2586 to 2805 inc. for the City and check numbers 10773 to 10795 inc. for the McHenry Public Library and validating the issuing of warrants in payment by the City Clerk.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of January, 1952 by Councilman Mellis, who moved its adoption, which motion being duly seconded by Councilman Arata, it was upon roll call carried and the resolution adopted by the following vote:

Ayes:C Councilmen: M. Adams, R. Adams, Arata, Mellis, Merrill and Mayor Marks

Noes:C Councilmen: None

Absent:Councilmen: Annan

ATTEST: REX E. GAILFUS, CITY CLERK

****

RESOLUTION NO. 9714-N.S.

A RESOLUTION AUTHORIZING THE CITY MANAGER TO CONTACT THE STATE DEPARTMENT OF PUBLIC WORKS, DIVISION OF HIGHWAYS, REGARDING TRAFFIC CONDITIONS AT THE INTERSECTION OF MCHENRY AVENUE AND MORRIS AVENUE IN THE CITY OF MODESTO

--oOo--

BE IT HEREBY RESOLVED that the City Manager of the City of Modesto, be and he is hereby authorized to communicate with the State Department of Public Works, Division of Highways, to determine when the City of Modesto could expect a report from the State on the traffic conditions at the intersection of McHenry Avenue and Morris Avenue.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of January, 1952 by Councilman Mellis, who moved its adoption, which motion being duly seconded by Councilman Merrill, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Arata, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent:Councilmen: Annan

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9715-N.S.

A RESOLUTION AWARDING BID ON GASOLINE TO THE SHELL OIL COMPANY

--oOo--

BE IT HEREBY RESOLVED that the bid of the Shell Oil Company for gasoline for the City of Modesto for the period of January 16, 1952 to January 16, 1953 be accepted as follows; as this was the lowest and best bid:

Less than 400 gallons		Tank Wagon 400 Gals & over		Truck & Trailer Full Capacity		
Regular	Ethyl	Regular	Ethyl	Regular	Ethyl	
.197	.2145	.192	.2095	.182	.1995	Maximum prices

and that the bids of the Seaside Oil Company and the Tide Water Associated Oil Company-- be rejected due to their failure to include bid bonds and

BE IT FURTHER RESOLVED that the City Manager be appointed signatory official on agreement and the City Clerk be directed to return the bidding checks to the unsuccessful bidders.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 16th day of January, 1952 by Councilman Arata, who moved its adoption, which motion being duly seconded by Councilman R. Adams, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Arata, Mellis, Mayor pro tem Merrill

Noes: Councilmen: None

Absent:Councilmen: Annan and Mayor Marks

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9716-N.S.

A RESOLUTION APPOINTING HERBERT E. BROOKS AS A MEMBER OF THE MODESTO CITY PLANNING COMMISSION

--oOo--

BE IT HEREBY RESOLVED that Herbert E. Brooks be and he is hereby appointed a member of the Modesto City Planning Commission for a term of four years until January 1, 1956.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 16th day of January, 1952 by Councilman Mellis, who moved its adoption, which motion being duly seconded by Councilman M. Adams, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Arata, Mellis, Mayor pro tem Merrill

Noes: Councilmen: None

Absent:Councilmen: Annan and Mayor Marks

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RESOLUTION NO. 9717-N.S.

A RESOLUTION GRANTING PERMISSION FOR THE PLACING OF PLACARDS ON ELECTRIC LIGHT STANDARDS BY THE RETAIL MERCHANTS BUREAU

--oOo--

WHEREAS the Retail Merchants Bureau have filed a request for permission to place placards on 125 electric light standards in the business district of the city to advertise a "White Elephant Sale" set for January 17, 18, 19, 1952

NOW THEREFORE BE IT RESOLVED that permit be granted to said applicants to place these placards providing the Retail Merchants Bureau assume full responsibility for the placing of and removing of these placards following the sale.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 16th day of January, 1952 by Councilman R. Adams, who moved its adoption, which motion being duly seconded by Councilman M. Adams, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Arata, Mellis, Mayor pro tem Merrill

Noes: Councilmen: None

Absent:Councilmen: Annan and Mayor Marks

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 9718-N.S.

A RESOLUTION GRANTING PERMIT TO THE MODESTO JUNIOR CHAMBER OF COMMERCE FOR THE PLACING of WISHING WELLS IN THE BUSINESS DISTRICT

--oOo--

WHEREAS, the Modesto Junior Chamber of Commerce have filed a request for permission to place wishing wells on various downtown sidewalk locations until January 31, 1952 in connection with this year's March of Dimes campaign,

NOW THEREFORE BE IT RESOLVED that permit be granted to said applicants to place these wishing wells on the sidewalks in the business area during the month of January, 1952, with the understanding that the Junior Chamber of Commerce accept all liability therefore.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 16th day of January, 1952 by Councilman Arata, who moved its adoption, which motion being duly seconded by Councilman M. Adams, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Arata, Mellis, Mayor pro tem Merrill

Noes: Councilmen: None

Absent:Councilmen: Annan and Mayor Marks

ATTEST: REX E. GAILFUS, CITY CLERK

****

RESOLUTION NO. 9719-N.S.

A RESOLUTION AWARDING BID ON THE DUPLEX SLUDGE PUMP TO THE DORR COMPANY

--oOo--

BE IT HEREBY RESOLVED that the bid of the Dorr Company of $1649.00 for one new Duplex Plunger Pump, which includes a suction air chamber as part of the equipment as listed in their bid be and it is hereby accepted, as this company is a responsible bidder.

BE IT FURTHER RESOLVED that the City Clerk be directed to draw warrant in payment upon receipt and approval of equipment.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 16th day of January, 1952 by Councilman M. Adams, who moved its adoption, which motion being duly seconded by Councilman R. Adams, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Arata, Mellis, Mayor pro tem Merrill

Noes: Councilmen: None

Absent:Councilmen: Annan and Mayor Marks

ATTEST: REX E. GAILFUS, CITY CLERK

****

RESOLUTION NO. 9720-N.S.

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND NEIL M. CECIL

--oOo--

BE IT HEREBY RESOLVED that the agreement between the City of Modesto and Neil M. Cecil, owner of the water system in the College Gardens Tract recently annexed to the City; and to provide for the payment of $600.00 to Neil M. Cecil as compensation for hydrant connections in this tract; also to provide for the installation by the City of such fire hydrants in said water distribution system as are deemed necessary by the City; to provide for the use by the City of water for fire protection and fire fighting uses without cost to the City and to provide for emergency standby connection and service for both the City and the owner, Neil M. Cecil; be and it is hereby approved

BE IT FURTHER RESOLVED that the City Manager and City Clerk be and they are hereby appointed signatory officials.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 16th day of January, 1952 by Councilman M. Adams, who moved its adoption, which motion being duly seconded by Councilman Arata, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Arata, Mellis, Mayor pro tem Merrill

Noes: Councilmen: None

Absent:Councilmen: Annan and Mayor Marks

ATTEST: REX E. GAILFUS, CITY CLERK

****

RESOLUTION NO. 9721-N.S.

A RESOLUTION GRANTING PERMIT TO GENE THOMPSON TO CUT CURB IN BLOCK 65

--oOo--

WHEREAS, Gene Thompson, used car dealer at 1204 Tenth Street has filed a request for a 12 foot curb cut on L Street for a new used car lot to be operated in Block 65, westerly portion of lots 17 and 18

NOW THEREFORE BE IT RESOLVED that permit be granted to the said applicant for a 12 foot curb cut on L Street as requested, the work to be done under the supervision and subject to the approval of the City Director of Public Works

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 16th day of January, 1952 by Councilman Mellis, who moved its adoption, which motion being duly seconded by Councilman R. Adams, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Arata, Mellis, Mayor pro tem Merrill

Noes: Councilmen: None

Absent:Councilmen: Annan and Mayor Marks

ATTEST: REX E. GAILFUS, CITY CLERK

****

RESOLUTION NO. 9722-N.S.

A RESOLUTION ESTABLISHING STOP SIGNS ON CERTAIN STREETS IN THE CITY OF MODESTO

--oOo--

WHEREAS, under and by virtue of provisions of Ordinance No. 558-N.S. of the City of Modesto; the City Council of said City has the power when and if the general welfare and safety of the citizens of the City of Modesto so require it, to erect boulevard stop signs at or adjacent to any intersection within the City of Modesto, and

WHEREAS, it appears to said City Council that the general welfare of the citizens of Modesto require that boulevard stop signs be erected and maintained at intersections herein designated and that at said intersections all of the provisions of Ordinance No. 558-N.S. of City of Modesto entitled: "AN ORDINANCE AMENDING SECTION 23 OF ORDINANCE NO. 345-N.S. OF THE CITY OF MODESTO AS HEREAFTER AMENDED," shall be enforced and said stop signs shall be erected prohibiting drivers of vehicles from passing said boulevard stop signs without first stopping vehicles so operated by said operator.

NOW THEREFORE BE IT RESOLVED and ordered by said City Council that at the placed hereinafter designated, the City Engineer shall erect or cause to be erected and maintained, boulevard stop signs and that said Ordinance No. 558-N.S. heretofore referred to shall be enforced at said intersections:

on the southwest and northeast corners of M Street At Tenth Street stopping traffic entering 10th Street

on the southwest and northeast corners of N Street at Tenth Street stopping traffic entering 10th Street

on the southwest and northeast corner s of O Street at Tenth Street stopping traffic entering 10th Street

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 16th day of January, 1952 by Councilman Mellis, who moved its adoption, which motion being duly seconded by Councilman Arata, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Arata, Mellis, Mayor pro tem Merrill

Noes: Councilmen: None

Absent:Councilmen: Annan and Mayor Marks

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9723-N.S.

A RESOLUTION APPROVING MINUTES OF COUNCIL MEETINGS

--oOo--

BE IT HEREBY RESOLVED that the minutes of the regular meeting of the Council of the City of Modesto for January 9th and January 16th, 1952 be and they are 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 January, 1952 by Councilman M. Adams, who moved its adoption, which motion being duly seconded by Councilman Mellis, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, Arata, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent:Councilmen: Annan and R. Adams

ATTEST: REX E. GAILFUS, CITY CLERK

****

A RESOLUTION REAPPOINTING ROY BYLLING A MEMBER OF THE CITY OF MODESTO PARKING AUTHORITY

RESOLUTION NO. 9724-N.S.

--oOo--

BE IT HEREBY RESOLVED that Roy Bylling be and he is hereby reappointed a member of the City of Modesto Parking Authority for a term of four years from January 18, 1952.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of January, 1952 by Councilman Mellis, who moved its adoption, which motion being duly seconded by Councilman Arata, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Arata, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent:Councilmen: Annan

ATTEST: REX E. GAILFUS, CITY CLERK

****

RESOLUTION NO. 9725-N.S.

A RESOLUTION APPROVING THE OBTAINING OF SPECIAL HELP IN THE SETTING UP OF FORMS AND PROCEDURES FOR IMPROVEMENT DISTRICTS

--oOo--

WHEREAS, the City Manager has reported to the Council that property owners in some areas recently annexed to the City have indicated that they desire improvements that can best be provided through the improvement district procedure and that a great

many improvement districts might be initiated following the annexation of the large outer urban area under the unification program, and

WHEREAS, these districts are set up under very strict state regulation, and

WHEREAS, the City Manager has suggested that consideration should be given to obtaining special assistance in setting up the forms and procedure on handling these districts and the City Attorney has stated that this would save time and expense if there could be some guidance on the first districts.

NOW THEREFORE BE IT RESOLVED that the Council hereby approves the obtaining of special help in the setting up of forms and procedures for such districts and the City Manager is authorized to proceed with this work.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of January, 1952 by Councilman M. Adams, who moved its adoption, which motion being duly seconded by Councilman Arata, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Arata, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent:Councilmen: Annan

ATTEST: REX E. GAILFUS, CITY CLERK

****

RESOLUTION NO. 9726-N.S.

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND PERCY M. AND ELIZABETH P. PIKE

--oOo--

WHEREAS, City Manager Miller has recommended that the City enter into an agreement for the use of certain portions of the J.M. Pike Park for street and alley purposes, with Percy M. Pike and Elizabeth P. Pike, and

WHEREAS, he has reported that the said Percy M. Pike and Elizabeth P. Pike wanted to be sure that the park was called the "J.M. Pike Park".

NOW THEREFORE BE IT RESOLVED that the agreement be approved between the City of Modesto and Percy M. and Elizabeth P. Pike and the City Manager and City Clerk be and they are hereby appointed signatory officials, and

BE IT FURTHER RESOLVED that the Council does hereby reaffirm the name "J.M. Pike Park" as the official name of the park.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto, held on the 23rd day of January, 1952, by Councilman Mellis, who moved its adoption, which motion being duly seconded by Councilman Arata, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Arata, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent:Councilmen: Annan

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9727-N.S.

A RESOLUTION AUTHORIZING PARTIAL PAYMENT TO KING-KNIGHT COMPANY ON CONVERSION OF PUMP AT STATION NO. 6, ACCEPTING CONTRACT AS COMPLETED AND AUTHORIZING RECORDING OF NOTICE OF COMPLETION

--oOo--

WHEREAS, Marvin E. Ray, Director of Public Works has filed a report on the conversion of an existing electric motor driven turbine pump to a combination gas engine and electric motor driven unit with automatic controls at pump station No. 6

by contractors, King-Knight Company, and

WHEREAS, he has reported that the work has been done by the said contractor in accordance with the specifications and had been tested and approved by City Engineer Lange and himself and he recommends that the job be accepted.

NOW THEREFORE BE IT RESOLVED that the contract as completed by King-Knight Company be accepted and partial payment in the amount of $5,919.94 be authorized as provided by the contract and the City Clerk is hereby directed to file a Notice of Completion, with the County Recorder.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of January, 1952 by Councilman Arata, who moved its adoption, which motion being duly seconded by Councilman R. Adams, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Arata, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent:Councilmen: Annan

ATTEST: REX E. GAILFUS, CITY CLERK

****

RESOLUTION NO. 9728-N.S.

A RESOLUTION AWARDING BID ON SANITARY SEWER LINE ON CAROLYN AVENUE TO THE STANDARD MATERIALS, INC.

--oOo--

BE IT HEREBY RESOLVED that the bid of the Standard Materials, Inc. of $2,997.00 for the construction of a sanitary sewer line on Carolyn Avenue, between Griswold Avenue and Brady Avenue be and it is hereby accepted as it was the lowest responsible bid and the City Manager and City Clerk are hereby appointed signatory officials on contract for completion of the work.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of January, 1952 by Councilman Merrill, who moved its adoption, which motion being duly seconded by Councilman R. Adams, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Arata, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent:Councilmen: Annan

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9729-N.S.

A RESOLUTION APPROVING MINUTES OF COUNCIL MEETING

--oOo--

BE IT HEREBY RESOLVED that the minutes of the Council meeting of January 23, 1952 be and they are hereby approved.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of February, 1952 by Councilman M. Adams, who moved its adoption, which motion being duly seconded by Councilman Merrill, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, Arata, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent:Councilmen: R. Adams and Annan

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 9730-N.S.

A RESOLUTION AUTHORIZING PAYMENT OF WAGES DUE W. WORSHAM TO WIDOW

--oOo--

WHEREAS there is due W. Worsham, deceased former employee of the City of Modesto, four days wages, amounting to $48.77

NOW THEREFORE BE IT RESOLVED that payment of the above amount due W. Worsham be authorized to Roxie A. Worsham, his widow and the City Clerk is directed to draw a warrant as directed.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of February, 1952 by Councilman Merrill, who moved its adoption, which motion being duly seconded by Councilman Arata, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent:Councilmen: R. Adams

ATTEST: REX E. GAILFUS, CITY CLERK

****

RESOLUTION NO. 9731-N.S.

A RESOLUTION ESTABLISHING PARALLEL PARKING ON A PORTION OF 13th STREET IN THE CITY OF MODESTO

--oOo--

BE IT HEREBY RESOLVED that parallel parking be and it is hereby established at the following locations:

a - North side of 13th Street, from the east property line of H Street, east 82 feet

b - South side of 13th Street from the east property line of H Street, east 69.75 feet.

c - North side of 13th Street from the east property line of J Street, east 69.50 feet.

d - South side of 13th Street from the east property line of J Street, east 83.75 feet.
e - North side of 13th Street from the west property line of J Street, west 128 feet
f - South side of 13th Street from a point 93 feet west of the west property line of J Street to a point 117 feet west of the property line of J Street.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of February, 1952 by Councilman Merrill, who moved its adoption, which motion being duly seconded by Councilman M. Adams, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent:Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

****

RESOLUTION NO. 9732-N.S.

A RESOLUTION AUTHORIZING THE AMENDING OF THE PRESENT SUBDIVISION ORDINANCE TO PROVIDE FOR THE PROPER PAVING OF STREETS IN SUBDIVISIONS AT THE SUBDIVIDERS EXPENSE

--oOo--

WHEREAS, Cyril M. Henderson, Director of Planning has reported that the basic differences between the county subdivision ordinance and the city subdivision ordinance in so far as improvements required to be made by the subdividers are as follows:

1 - The County requires the paving of streets curb to curb, whereas the city requires only grading of the streets and oiling at the expense of the general taxpayer.

2 - The county requires street trees to be planted at the expense of the subdividers if planted at all, whereas street trees in new subdivisions within the city are planted at city expense.

3 - The county has no requirements in regard to street lights whereas the city requires that the materials for street lights, at least one per intersection, be paid for by the subdividers, installation being made at the city's expense.

and

WHEREAS it is agreed by the Council that the city's policy in regard to planting of trees is one to be continued and that the city is justified in contributing the cost of installing street lights in new subdivisions as the light provides for increased traffic safety and facilitates police protection services, and

WHEREAS the matter of street paving is considered as requiring immediate action.

NOW THEREFORE BE IT RESOLVED that the City Attorney, the Director of Public Works and the Director of Planning be and they are hereby authorized to draft an amendment to the present subdivision ordinance to provide for the proper paving of streets in any subdivision at the subdividers expense.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of February, 1952 by Councilman M. Adams, who moved its adoption, which motion being duly seconded by Councilman Arata, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent:Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

****

RESOLUTION NO. 9733-N.S.

A RESOLUTION GRANTING PERMIT TO A. W. WELTY TO REMOVE TREE FROM IN FRONT OF HIS PROPERTY AT 318 LEON AVENUE

--oOo--

WHEREAS, A. W. Welty has requested permission to remove one tree infront of his property at 318 Leon Avenue, and

WHEREAS, the Director of Public Works has investigated the trees and reported that there are three trees at this location in a distance of 40 feet, making them 20 feet apart, which is too close for proper growth and has recommended that the center tree be removed at the expense of Mr. Welty

NOW THEREFORE BE IT RESOLVED that permission be and it is hereby granted to A.W. Welty to remove the center tree in front of his property at 318 Leon Avenue at his own expense.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on February 6, 1952 by Councilman Mellis, who moved its adoption, which motion being duly seconded by Councilman Annan, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Mayor Marks

Noes: Councilmen: Merrill

Absent:Councilmen: none

ATTEST: REX E. GAILFUS, CITY CLERK

****

RESOLUTION NO. 9734-N.S.

A RESOLUTION AWARDING BID ON AIR COMPRESSOR TO RIX COMPANY, INC.

--oOo--

BE IT HEREBY RESOLVED that the alternate bid of Rix Company, Inc. of $2,669.06 for a LeRoi Single Stage Compressor be and it is hereby accepted as it was the lowest responsible bid and the City Clerk is directed to return the bidding checks to the unsuccessful bidders.

BE IT HEREBY RESOLVED that the City Clerk is hereby directed to draw warrant in payment upon receipt and approval of equipment.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of February, 1952 by Councilman Annan, who moved its adoption, which motion being duly seconded by Councilman M. Adams, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent:Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

****

RESOLUTION NO. 9735-N.S.

A RESOLUTION AUTHORIZING THE CITY MANAGER TO PROCEED WITH FINAL PLANS FOR THE FURNISHING OF SANITARY SEWER SERVICE TO ANNEXED AREAS

--oOo--

WHEREAS the City Manager has reported that requests for sanitary sewer service has been received from the two newly annexed areas, Maze Court Addition and the Northwest Addition and that the engineering department had done some work on sewer service plans for these areas but he wished to be authorized to proceed with the final plans.

NOW THEREFORE BE IT RESOLVED that the City Manager be authorized to proceed with final plans for the furnishing of sanitary sewer service to the Maze Court Addition and the Northwest Addition.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of February, 1952 by Councilman Annan, who moved its adoption, which motion being duly seconded by Councilman M. Adams, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent:Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

****

RESOLUTION NO. 9736-N.S.

A RESOLUTION APPROVING CLAIMS FOR MONTH OF JANUARY, 1952

--oOo--

BE IT HEREBY RESOLVED that the claims for the City of Modesto for the month of January, 1952 in amount of $127,460.22 being check numbers 2806 to 3009 inc., for the City and check numbers 10796 to 10824 inc. for the McHenry Public Library, be and they are hereby approved and the issuing of warrants in payment by the City Clerk are hereby validated.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of February, 1952 by Councilman R. Adams, who moved its adoption, which motion being duly seconded by Councilman Merrill, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent:Councilmen: Arata

ATTEST: REX E. GAILFUS, CITY CLERK

****

RESOLUTION NO. 9737-N.S.

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS ON SANITARY SEWER LINES AND AUTHORIZE CLERK TO CALL FOR BIDS

--oOo--

BE IT HEREBY RESOLVED that the plans and specifications for construction of a sanitary sewer in Robertson Road, between Sutter Avenue and Hammond Avenue, and for sanitary sewer extension in Morris Avenue, between Coffee Road and Block 1007, as prepared and presented by the Director of Public Works, be and they are hereby approved.

BE IT FURTHER RESOLVED that the City Clerk be authorized to call for bids, said bids to be received at the Clerk's Office, 717 10th Street, not later than 2:00 P.M. on Monday, March 3, 1952. All bids will be opened and read at the above specified time in the Council Chambers and any award to be made, or contract entered into, shall be by action of the Council in regular session at a subsequent meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of February, 1952 by Councilman Annan, who moved its adoption, which motion being duly seconded by Councilman Mellis, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent:Councilmen: Arata

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9738-N.S.

A RESOLUTION AUTHORIZING THE ATTENDANCE OF CITY MANAGER MILLER TO CONFERENCE AND APPOINTING ALLEN GRIMES, CITY MANAGER PRO TEMPORE

--oOo--

BE IT HEREBY RESOLVED that City Manager Miller be authorized to attend, with expenses paid, the Annual Spring Conference of the City Manager's Section of the League of California Cities, to be held in Riverside, February 20, 21, 22, 1952, and

BE IT FURTHER RESOLVED that City Attorney, Allen Grimes be and he is hereby appointed City Manager Pro Tempore, during this absence of the City Manager.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of February, 1952 by Councilman Merrill, who moved its adoption, which motion being duly seconded by Councilman Annan, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent:Councilmen: Arata

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9739-N.S.

A RESOLUTION APPROVING MINUTES OF THE COUNCIL MEETINGS

--oOo--

BE IT HEREBY RESOLVED that the minutes of the regular meeting of the Council of the City of Modesto held on February 6, 1952 be and they are hereby approved.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 20th day of February, 1952 by Councilman M. Adams, who moved its adoption, which motion being duly seconded by Councilman Annen, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilman: M. Adams, R. Adams, Annan, Mellis, Mayor Marks
Noes: Councilmen: None
Absent: Councilmen: Arata and Merrill

Ayes: Councilmen: M. Adams, R. Adams, Annan, Mellis, Mayor Marks

Noes: Councilmen: None

Absent:Councilmen: Arata and Merrill

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9740-N.S.

A RESOLUTION GRANTING PERMIT TO GUSTAVE T. ALLIBERT TO CUT THE CURB IN BLOCK 58, LOTS 3, 4 and 5

--oOo--

WHEREAS, Gustave T. Allibert has filed a request for permission to cut the curb in Block 58, lots 3, 4 and 5, and

WHEREAS, the Director of Public Works has recommended that a 14 foot driveway be approved at this location and it would require the removal of one parking meter

NOW THEREFORE BE IT RESOLVED that permit be granted to said applicant to cut the curb 14 feet at the above described location.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 20th day of February, 1952 by Councilman M. Adams, who moved its adoption, which motion being duly seconded by Councilman R. Adams, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Mellis, Mayor Marks

Noes: Councilmen: None

Absent:Councilmen: Arata and Merrill

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9741-N.S.

A RESOLUTION ACCEPTING REPORT OF C. D. NATTINGER, C.P.A. ON POLICE COURT FINANCIAL RECORDS AND AUTHORIZING PAYMENT OF $75.00 FOR AUDIT

--oOo--

WHEREAS, THE EMPLOYMENT OF C.D. NATTINGER, C.P.A. was authorized by the Council to audit the financial accounts of the City Police Court as of December 31, 1951, the date of the closing of the City Police Court under the court reorganization plan, and

WHEREAS, Fred W. Lawrence, Director of Finance, has informed the Council that the report had been reviewed by the County Auditor and by himself and found to be in agreement with the records and

WHEREAS, Mr. Lawrence has recommended that the report be accepted and filed in the office of the City Clerk and that a fee of $75.00 be paid C.D. Nattinger, C.P.A.

NOW THEREFORE BE IT HEREBY RESOLVED that the report be accepted as recommended on the audit of the Police Court financial records and payment of $75.00 be authorized to C. D. Nattinger, C.P.A.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 20th day of February, 1952 by Councilman Mellis, who moved its adoption, which motion being duly seconded by Councilman Annan, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Mellis, Mayor Marks

Noes: Councilmen: None

Absent:Councilmen: Arata and Merrill

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 9742-N.S.

A RESOLUTION ACCEPTING THE RESIGNATION OF H.E. BROOKS FROM THE MODESTO CITY PLANNING COMMISSION

--oOo--

WHEREAS, H.E. Brooks, member of the Modesto City Planning Commission has filed a letter of resignation due to the fact he has moved to Seattle and can no longer serve on this Commission

NOW THEREFORE BE IT RESOLVED that the resignation of Mr. Brooks be accepted with regret, and

BE IT FURTHER RESOLVED that he be issued a certificate of service and a letter of appreciation for his services be sent to him by the City Manager.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 20th day of February, 1952 by Councilman Mellis, who moved its adoption, which motion being duly seconded by Councilman M. Adams, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Mellis, Annan, Mayor Marks

Noes: Councilmen: None

Absent:Councilmen: Arata and Merrill

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9743-N.S.

A RESOLUTION AUTHORIZING THE CITY ATTORNEY TO PREPARE AN AGREEMENT BETWEEN THE CITY OF MODESTO AND JOHN QUARESMA AND ROY R. CARLSON, SUBDIVIDERS, FOR THE IMPROVEMENT OF THE COLLEGE CENTRE SUBDIVISION

--oOo--

WHEREAS, John Quaresma and Roy R. Carlson, Subdividers of the College Centre Subdivision, have advised the Council that having proceeded with the improvement to this tract under Ordinances No. 720-N.S. and No. 962-N.S. they are convinced that the costs of the improvements as set up in the new subdivision Ordinance No. 1019-N.S. would increase the price of the lots to a point where it would not be profitable to continue with the work, and

WHEREAS, after a lengthy discussion by the Council concerning the necessity in these subdivisions it was decided that the improvements for the installation of proper streets and other improvements of this particular subdivision, which had been started prior to the consideration of the new ordinance should be completed without strict adherence to the new regulations.

NOW THEREFORE BE IT RESOLVED that the City Attorney prepare an agreement with Mr. Quaresma and Mr. Carlson providing that for all street work in addition to the improvements required under the old ordinance, the subdividers will furnish the gravel and oil and the city will furnish the labor and equipment to construct the streets according to the specifications that would be required under the new ordinance, this agreement to cover only the interior streets in this tract which would be presented to the Council for its acceptance prior to the time the final map is presented.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 20th day of February, 1952 by Councilman M. Adams, who moved its adoption, which motion being duly seconded by Councilman R. Adams, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Mellis, Mayor Marks

Noes: Councilmen: None

Absent:Councilmen: Arata and Merrill

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 9744-N.S.

A RESOLUTION REMOVING STOP SIGNS FROM CERTAIN STREETS IN THE CITY

--oOo--

WHEREAS it is the recommendation of the Inter-departmental Traffic Committee that the stop sign at Campus Way and Arc Way be removed as it is an isolated stop sign and it serves no useful purpose and the stop signs on G Street at 12th Street also be removed as this traffic is rather evenly balanced and stopping the traffic on G Street for the benefit of that on 12th Street is not justified.

NOW THEREFORE BE IT RESOLVED that the removal of these stop signs by the Director of Public Works 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 February, 1952 by Councilman Annan, who moved its adoption, which motion being duly seconded by Councilman R. Adams, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Mellis, Mayor Marks

Noes: Councilmen: None

Absent:Councilmen: Arata and Merrill

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9745-N.S.

A RESOLUTION APPROVING SPECIFICATIONS FOR TURBINE PUMP AND AUTHORIZE CLERK TO CALL FOR BIDS

--oOo--

BE it HEREBY RESOLVED that the specifications for the furnishing and installing of a deep well turbine pump with motor be and they are hereby approved, and

BE IT FURTHER PROVIDED that the City Clerk be authorized to call for bids, said bids to be received not later than 2:00 P.M. on Wednesday, February 27, 1952, at the Council Chambers and opened at that time, any award made or contract entered into shall be by action of the Council, meeting in regular session at a subsequent meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 20th day of February, 1952 by Councilman M. Adams, who moved its adoption, which motion being duly seconded by Councilman Mellis, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Mellis, Mayor Marks

Noes: Councilmen: None

Absent:Councilmen: Arata and Merrill

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9746-N.S.

A RESOLUTION AUTHORIZING THE TRANSFER OF $900.00 FROM THE GENERAL RESERVE TO THE CITY PARKS BUDGET

--oOo--

BE IT HEREBY RESOLVED that the appropriation transfer of $900.00 from the General Reserve to the City Parks Budget be authorized, said appropriation to cover the cost of the installation of an irrigation pipe line through the J.M. Pike Park.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 20th day of February, 1952 by Councilman R. Adams, who moved its adoption, which motion being duly seconded by Councilman

M. Adams, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Mellis, Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: Arata and Merrill

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9747-N.S.

A RESOLUTION APPOINTING PERSON TO PREPARE SPECIAL IMPROVEMENT PROCEEDINGS AND AUTHORIZING AGREEMENT

--oOo--

BE IT HEREBY RESOLVED, that Eugene K. Sturgis be and he is hereby appointed as special counsel to supervise all proceedings and to prepare all resolutions, notices and other papers and proceedings for any work and improvement that may be hereinafter authorized by the City Council of the City of Modesto for construction of improvements by special improvement proceedings in "Improvement District No. 1, City of Modesto, County of Stanislaus, State of California"; and

BE IT FURTHER RESOLVED, that the improvement district for the construction of said improvements, if finally authorized by theCity Council of the City of Modesto, shall be known as "Improvement District No. 1, City of Modesto, County of Stanislaus, State of California"; and

BE IT FURTHER RESOLVED, that the employment of the said Eugene K. Sturgis be made as provided in the attached agreement; and

BE IT FURTHER RESOLVED, that the City Manager of the City of Modesto and the City Clerk of the City of Modesto be and they are hereby authorized to sign and attest the attached agreement employing the said Eugene K. Sturgis as special attorney for and on behalf of the said City of Modesto.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 20th day of February, 1952 by Councilman Annan, who moved its adoption, which motion being duly seconded by Councilman R. Adams, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Mellis, Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: Arata and Merrill

ATTEST: REX E. GAILFUS, CITY CLERK

AGREEMENT

THIS AGREEMENT, made this 25th day of February, 1952, by and between the City of Modesto, a political subdivision, State of California, FIRST PARTY, and EUGENE K. STURGIS, Attorney at Law, SECOND PARTY:

W I T N E S S E T H:

That for and in consideration of the mutual covenants herein contained, the parties hereto agree as follows:

1. CITY OF MODESTO proposes to initiate special improvement proceedings for improvements in "Improvement District No. 1, City of Modesto, County of Stanislaus, State of California."

2. CITY OF MODESTO, FIRST PARTY, employs EUGENE K. STURGIS, SECOND PARTY; and SECOND PARTY hereby agrees to accept employment by FIRST PARTY as special attorney for said proceedings. Said services shall include the following:

a. Preparation of all resolutions, notices and other papers, documents and proceedings required by the provisions of the "Special Assessment Investigation, Limitation and Majority Protest Act of 1931" of the State of California;

b. Preparation of all resolutions, notices and other papers and proceedings required by the provisions of the Improvement Act of 1911 in carrying through the proceedings for the work contemplated;

c. Furnishing of opinion to the contractor performing said work and improvement, or his assigns; opinion on the validity of the contract; opinion on the validity of the assessment, warrant and diagram; and opinion on the validity of the bonds if, when and as issued;

d. Supervision and direction of all legal steps taken or required to be taken by the City Council of the City of Modesto, or its officers, agents or employees in connection with said work and improvement.

e. Rendition of general consultation and advice to FIRST PARTY, its officers and employees, with respect to the planning, preparation, handling, processing and completion of all phases of the aforesaid improvement proceedings.

f. Attendance, at his own expense, at such conferences and public meetings in the City of Modesto as may be reasonably necessary to perform this contract of employment.

3. Said services shall not include any services for litigation or services in connection with the procurement of easements or rights-of-way. In the event of services being rendered by SECOND PARTY in litigation or procurement of easements or rights-of-way, compensation shall be in addition to that herein fixed.

4. SECOND PARTY shall receive as compensation for the doing and performance of said work the sum of three (3) per cent of the contract price, but in no event shall the amount of compensation which the SECOND PARTY receives be less than One Thousand Dollars ($1,000.00). Incidental costs and expenses incurred in connection with the proceedings shall not be included in determining the amount of the contract price as that term is used herein.

5. Said compensation shall be paid to SECOND PARTY as follows:

a. Three-fourths (3/4ths) thereof at the time of signing the contract with the contractor who may be awarded said contract by the City Council of the City of Modesto;

b. The balance thereof at the time of recording the warrant, diagram and assessment.

6. In the event that said proceedings shall fail to be carried through to conclusion then SECOND PARTY shall be paid a reasonable compensation for the services which he has performed.

IN WITNESS WHEREOF, the parties have hereunto subscribed their names, the FIRST PARTY by its duly authorized representatives, this 25th day of February, 1952.

APPROVED AS TO FORM:

By (Signed)
Allen Grimes, City Attorney

CITY OF MODESTO, a municipal corporation

By (Signed)
ROSS MILLER, City Manager, FIRST PARTY

ATTEST:

By (Signed)
Rex E. Gailfus, City Clerk

(Signed)
EUGENE K. STURGIS, SECOND PARTY

****

RESOLUTION NO. 9748-N.S.

A RESOLUTION APPROVING THE MINUTES OF THE COUNCIL MEETING OF FEBRUARY 13, 1952

--oOo--

BE IT HEREBY RESOLVED that the minutes of the regular meeting of the Council of February 13, 1952 be and they are hereby approved.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of February, 1952 by Councilman M. Adams, who moved its adoption, which motion being duly seconded by Councilman R. Adams, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent:Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9749-N.S.

A RESOLUTION AUTHORIZING THE MAYOR TO SIGN AND MAIL LETTER TO MRS. M. HALLER CONCERNING THE CROW PROPERTY AT THE CORNER OF 11th and H STREETS IN THE CITY OF MODESTO

--oOo--

WHEREAS, Mayor Marks has reported that he has received a letter from Mrs. M. Haller concerning the "unsightly corner of 11th and H Streets", being the former Hotel Modesto building, owned by Henry T. Crow, Block 69, lots 10-16 inc., which had been destroyed by fire on May 3, 1944 in which she had asked why "Something was not done coneerning this corner.", and

WHEREAS, Mayor Marks read a letter he had written in reply to Mrs. Haller, a copy of which is on file in the City Clerk's Office, in which he explained the problems involved in the correction of this situation,

NOW THEREFORE BE IT RESOLVED that the Mayor be and he is hereby authorized to sign and mail the letter to Mrs. Haller and to have copies delivered to the various news agencies in the city.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of February, 1952 by Councilman Merrill, who moved its adoption, which resolution was seconded by Councilman M. Adams, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent:Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9750-N.S.

A RESOLUTION ADOPTING STANDARD SPECIFICATIONS FOR SUBDIVISION IMPROVEMENTS IN THE CITY OF MODESTO

--oOo--

BE IT HEREBY RESOLVED, that that certain document entitled "Standard Specifications for Subdivision Improvements in the City of Modesto, dated February, 1952", on file in the office of the Director of Public Works, which said document is by this reference made a part of this resolution as fully as though the same were set forth at length herein, is hereby adopted for the City of Modesto to become effective upon the effective date of Ordinance No. 1019-N.S. entitled "An Ordinance Amending Ordinance No. 720-N.S. of the City of Modesto Entitled, 'An Ordinance Prescribing Subdivision Regulations to Be Observed in the City of Modesto by Subdividers of Land and Persons Filing Maps of Subdivisions of Land', as Amended, by Amending Section 5 Thereof, and Repealing Section 2 of Ordinance No. 962-N.S."

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of February, 1952 by Councilman Mellis who moved its adoption, which motion being duly seconded by Councilman M. Adams, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent:Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 9751-N.S.

A RESOLUTION DIRECTING THE CITY MANAGER TO INVESTIGATE AND REPORT ON THE RENDITION OF PUBLIC HEALTH SERVICES

--oOo--

WHEREAS, basic public health services are necessary to protect and promote the health of the people in the City of Modesto; and

WHEREAS, at present both the County of Stanislaus and the City of Modesto render basic public health services to their respective jurisdictions, and

WHEREAS by reason thereof duplication of expense and effort may result; and

WHEREAS, Section 476 of the Health & Safety Code of the State of California provides that a city may obtain the services of the County Health Officer to render public health services within the city; and

WHEREAS, it is to the best interests of the City of Modesto that the most economical and efficient means be utilized to provide public health services to the people of the City;

NOW, THEREFORE, BE IT RESOLVED that the City Manager forthwith investigate the matter of the provision of public health services to the residents of the City and submit a written report thereupon to the Council, which report shall include the following:

(1) The nature and extent of the duties and fuctions now being performed by the City Health Department.

(2) The nature and extent of the duties and functions now being performed by the County Health Officer.

(3) The comparative advantages and disadvantages of obtaining public health services within the City by utilizing the services of the County Health Officer as contrasted with the operation of a City Health Department, including, but not limited to, the relative costs and levels of service obtained under each method available.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of February 1952 by Councilman Annan, who moved its adoption, which motion being duly seconded by Councilman R. Adams, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent:Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9752-N.S.

A RESOLUTION ESTABLISHING THE REVOLVING FUND At $435.00 IN THE DEPARTMENT OF FINANCE RESCIND RESOLUTION NO. 9287-N.S.

--oOo--

WHEREAS Resolution No. 9287-N.S. established the revolving Fund in the Office of the Treasurer of the City of Modesto as $475.00, and

WHEREAS the Police Court had been furnished $40.00 of this revolving fund for their operation, and

WHEREAS the Police Court has been closed as of December 31, 1951 under the court reorganization plan.

NOW THEREFORE BE IT RESOLVED as follows:

1 - Resolution No. 9287-N.S. entitled: "A RESOLUTION INCREASING REVOLVING FUND FROM $415.00 to $475.00 in THE OFFICE OF THE TREASURER OF THE CITY OF MODESTO AND AUTHORIZING THE AUDITOR TO DRAW WARRANT IN AMOUNT OF $60.00" be and it is hereby rescinded

2 - The Director of Finance is hereby directed to redeposit the $40.00 received from the Police Court in the General Fund

3 - The Revolving Fund in the office of the Director of Finance is hereby established at $435.00.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of February, 1952 by Councilman Merrill, who moved its adoption, which motion being duly seconded by Councilman Mellis, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Mellis, Arata, Merrill and Mayor Marks

Noes: Councilmen: None

Absent:Councilmen: None

Attest: REX E. GAILFUS, CITY CLERK

****

RESOLUTION NO. 9753-N.S.

A RESOLUTION AWARDING BID ON DEEP WELL TURBINE PUMP TO LAYNE & BOWLER CORPORATION FOR $3,185.28

--oOo--

WHEREAS the City Manager reported that four bids had been received on the furnishing and installing of a deep well turbine pump with motor and these bids had been opened at 2:00 P.M. on this date in the presence of the Director of Public Works, the City Clerk and L.M. McFarland, as well as representatives of the companies bidding, and

WHEREAS these bids had been tabulated by the Public Works Department and the Public Works Director had reported that although the bid of the Stanislaus Implement and Hardware Company was the lowest bid, it did not completely meet the specifications and that the delivery date of the Layne and Bowler Corporation was the earliest of all the bids received and that the specifications provided that consideration could be given to the factor of early delivery, due to the possibility for early sprinkling this spring.

NOW THEREFORE BE IT RESOLVED that the bid of the Layne & Bowler Corporation for $3,185.28 be accepted as this was the best bid received due to the prompt delivery date and due to the fact that the bid submitted by Stanislaus Implement & Hardware Company did not completely meet the specification, and

BE IT FURTHER RESOLVED that the City Clerk be directed to draw warrant in payment upon receipt and approval of equipment and to return the bidding checks to the unsuccessful bidder.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of February, 1952 by Councilman M. Adams, who moved its adoption, which motion being duly seconded by Councilman R. Adams, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill, Mayor Marks

Noes: Councilmen: None

Absent:Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

****

RESOLUTION NO. 9754-N.S.

A RESOLUTION APPOINTING NEIL M. CECIL ON THE MODESTO CITY PLANNING COMMISSION

--oOo--

WHEREAS, Herbert E. Brooks, member of the Modesto City Planning Commission, has tendered his resignation due to the fact he has been transferred to Seattle.

NOW THEREFORE BE IT RESOLVED that Neil M. Cecil, resident of the newly annexed Northwest Addition to the City of Modesto, be and he is hereby appointed to serve for

the unexpired term of Herbert E. Brooks, until January 1, 1956 on 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 February, 1952 by Councilman M. Adams, who moved its adoption, which motion being duly seconded by Councilman Merrill, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent:Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9755-N.S.

A RESOLUTION EMPOWERING THE CITY MANAGER TO GRANT PERMIT TO THE AMERICAN NATIONAL RED CROSS, STANISLAUS COUNTY CHAPTER TO INSTALL A RED CROSS BANNER

--oOo--

WHEREAS, a request has been filed by the American National Red Cross, Stanislaus County Chapter, for permission to install a Red Cross Poster, size about 20 feet by 10 feet, on the island off of H Street, at LaLoma Street for the 1952 campaign, starting March 3, 1952, and

WHEREAS, the City Manager informed the Council that A.A. Hamaway, member of the Publicity Committee of the Red Cross, assured him that they would meet all safety requirements and all other regulations in regard to the installation of this sign, and

WHEREAS, Councilman Mellis has brought to the attention of the Council the very hazardous traffic condition at this intersection with many crossings all in less than a one-half block area, and he has stated that he opposed the installation of this sign as he thought it would be an added hazard at this location.

NOW THEREFORE BE IT RESOLVED that the City Manager be empowered to grant a permit to the said applicant to install a banner providing, if after investigation, he found that it would not add to the traffic hazard at this location and if, it was found to be a traffic hazard at this location, the City Manager is empowered to grant permit to install the banner at some other location which he considered proper.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of February, 1952 by Councilman Arata, who moved its adoption, which motion being duly seconded by Councilman Merrill, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent:Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9756-N.S.

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO WORK WITH OTHER CITIES IN the COUNTY AND WITH THE COUNTY FOR THE PURPOSE OF ESTABLISHING A CITY-COUNTY COMMITTEE IN STANISLAUS COUNTY

--oOo--

WHEREAS, the City Manager has reported that the League of California Cities has requested the Mayor of Modesto to take the initiative in setting up a City-County Committee in Stanislaus County and to proceed with the study of City-County relations and other problems that might be worked out locally.

NOW THEREFORE BE IT HEREBY RESOLVED that the Mayor and City Manager be authorized

to work with the other cities in the county and with the county for the purpose of establishing such a committee.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of February, 1952 by Councilman Merrill, who moved its adoption, which motion being duly seconded by Councilman Mellis, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent:Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9757-N.S.

A RESOLUTION GRANTING PERMIT TO HENRY JOHNSON TO CUT THE CURB 10 FEET IN BLOCK 87, LOTS 28 and 29

--oOo--

WHEREAS, Henry Johnson, owner of Block 87, lots 28 and 29 has filed a request for a permit to cut the curb on this property to install a driveway so that the property could be used as a private parking area for employees of the Sears Roebuck Company, and

WHEREAS, the Director of Public Works has made an investigation of the property and has recommended that a 10 foot curb cut be granted to the applicant, said cut to be located on the north side of 11th Street, 98 feet, beginning from the easterly line of M Street and that the entrance to this parking lot be from the street and the exit from the alley.

NOW THEREFORE BE IT RESOLVED that permit be granted to Henry Johnson for a 10 foot curb cut as recommended by the Director of Public Works, with the entrance of the lot on 11th Street and the exit from the alley.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of February, 1952 by Councilman Annan, who moved its adoption, which motion being duly seconded by Councilman Arata, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent:Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

****

RESOLUTION NO. 9758-N.S.

A RESOLUTION DESIGNATING THE ENTIRE LENGTH OF WASHINGTON STREET AS AN ARTERIAL STREET AND DIRECTING THE DIRECTOR OF PUBLIC WORKS TO INSTALL STOP SIGNS WHERE REQUIRED.

--oOo--

WHEREAS, the City Manager has reported that the Interdepartmental Traffic Committee had recommended that the entire length of Washington Street be included in the arterial street system, and

WHEREAS, their recommendation was based on the following considerations:

1 - Washington Street separates the old town from the new.

2 - Jefferson Street passes through an area which is practically entirely residential and also next to one of the city parks.

3 - Washington Street is today paved for a greater portion of its length than is Jefferson Street.

4 - It carries today a larger volume of traffic than does Jefferson Street.

5 - For a considerable portion of its length the east side of Washington Street is already zoned for commercial or industrial use and it is contemplated that future zoning of the old part of town in this area will be of less restricted nature also.

NOW THEREFORE BE IT RESOLVED that the entire length of Washington Street be designated as an arterial street and the Director of Public Works is hereby directed to install stop signs where required.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of February, 1952 by Councilman R. Adams, who moved its adoption, which motion being duly seconded by Councilman Mellis, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

****

RESOLUTION NO. 9759-N.S.

A RESOLUTION APPROVING THE MINUTES OF THE COUNCIL MEETING

BE IT HEREBY RESOLVED that the minutes of the regular Council meeting of February 20, 1952, be and they are hereby approved.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on March 5, 1952 by Councilman Mellis, who moved its adoption, which motion being duly seconded by Councilman R. Adams, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, A nnan, Arata, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9760-N.S.

A RESOLUTION GRANTING PERMIT TO THE MODESTO MINISTERIAL ASSOCIATION TO USE MANCINI BOWL FOR EASTER SUNRISE SERVICES April 13, 1952.

---oOo---

WHEREAS, the Modesto Ministerial Association have filed a request with the Council for the use of the Mancini Bowl in Graceada Park for Easter Sunrise Services, April 13, 1952, in which all denominations participate.

NOW THEREFORE BE IT RESOLVED that permit be granted to the said applicant to hold Easter Sunrise Services in the Mancini Bowl in Graceada Park, April 13, 1952.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 5th day of March, 1952 by Councilman R. Adams, who moved its adoption, which motion being duly seconded by Councilman Arata, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

****

RESOLUTION NO. 9761-N.S.

A RESOLUTION GRANTING THE REQUEST OF THE MODESTO CHURCH FEDERATION TO HOLD SUNDAY EVENING MEETINGS IN THE MANCINI MUSIC BOWL IN GRACEADA PARK

---oOo---

WHEREAS the Modesto Church Federation have requested permission to use the Mancini Music Bowl for Sunday evening meetings during the summer season from June 15th

through September 7, 1952 and

WHEREAS Mr. Oden, representing the Modesto Church Federation has assured the Council that the loud speakers would be properly regulated so that they would not disturb the adjoining residential area.

NOW THEREFORE BE IT RESOLVED that permit be granted to the Modesto Church Federation to use the Mancini Bowl during the summer season beginning June 15th through Sept. 7, 1952 in accordance with the stipulations set forth in Resolution No. 8831-N.S. adopted by the Council on March 15, 1950, entitled: "A RESOLUTION ESTABLISHING POLICY FOR THE USE OF MANCINI BOWL IN GRACEADA PARK".

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 5th day of March, 1952 by Councilman Mellis, who moved its adoption, which motion being duly seconded by Councilman Merrill, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilman: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

****

RESOLUTION NO. 9762-N.S.

A RESOLUTION SETTING THE OFFICIAL TIME AND DATE FOR A PUBLIC HEARING TO CONSIDER TAXICABS OPERATING IN THE CITY OF MODESTO

---oOo---

WHEREAS the Council requested that a detailed report on the taxicab situation in the city as to licenses, companies and stands be presented, and

WHEREAS, the City Manager has presented a report to the Council made by the Director of Finance showing the present set-up of the taxicab companies and the number of permits and free stands in use, and

WHEREAS, the City Attorney has reported that the City ordinance had not been followed in the transfer of permits from one company to another and he has suggested that a study of the report be made by himself and the Director of Finance and that a meeting be held with representatives of the taxicab companies prior to the Council meeting of March 12th.

NOW THEREFORE BE IT RESOLVED that March 12, at 7:35 P.M. be set as the Official time and date of a public meeting to finally consider this matter.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 5th day of March, 1952 by Councilman Arata, who moved its adoption, which motion being duly seconded by Councilman M. Adams, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks

Noes: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

****

RESOLUTION NO. 9763-N.S.

A RESOLUTION AWARDING BID ON CONSTRUCTION OF SANITARY SEWER IN ROBERTSON ROAD AND SANITARY SEWER EXTENSION IN MORRIS AVENUE TO THE LENTZ CONSTRUCTION COMPANY.

---oOo---

WHEREAS the City Manager has reported that seven bids have been received

on the construction of sanitary sewer in Robertson Road, between Sutter Avenue and Hammond Avenue and sanitary sewer extension in Morris Avenue, between Coffee Road and Block 1007, and

WHEREAS these bids were opened at 2:00 P.M. on Monday, March 3, 1952 in the presence of the Director of Public Works, the City Clerk and L.A. McFarland, as well as representatives of the companies bidding. These bids were tabulated by the Public Works Department and the Director of Public Works recommended that the bid be awarded to Lentz Construction Company for $9,050.00 as their bid was the lowest bid received.

NOW THEREFORE BE IT RESOLVED that the bid of $9,050.00 of the Lentz Construction Company be accepted as it is the lowest and best bid received and the Lentz Construction Company are a responsible Company. The Mayor and City Clerk are hereby appointed signatory officials on the contract for the completion of this work.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 5th day of March, 1952 by Councilman Annan, who moved its adoption, which motion being duly seconded by Councilman Mellis, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M.Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks
Noes: Councilmen: None
Absent:Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLE RK

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RESOLUTION NO. 9764-N.S.

A RESOLUTION AUTHORIZING THE CITY CLERK TO CALL FOR BIDS ON INDUSTRIAL TRACTOR

---oOo---

BE IT HEREBY RESOLVED that the City Clerk be authorized to call for bids for furnishing one new industrial type rubber-tired tractor in accordance with the specifications on file in the office of the Director of Public Works. All bids to be received not later than 2:00 P.M. on Tuesday, March 18, 1952. All bids will be opened and read at the above specified time in the City Council Chambers 717 Tenth Street, Modesto and any award made or contract entered into shall be by action of the Council meeting in regular session at a subsequent 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, 1952 by Councilman M. Adams, who moved its adoption, which motion being duly seconded by Councilman Arata, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks
Noes: Councilmen: None
Absent:Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

****

RESOLUTION NO. 9765-N.S.

A RESOLUTION TO SUBMIT PROPOSED CITY BUDGET TO THE COUNCIL FOR ITS CONSIDERATION NOT LATER THAN JUNE 1, 1952.

---oOo---

WHEREAS the City Manager reported to the Council on a budget calendar and operation schedule for the 1952-53 budget and he has stated that this schedule was being distributed to all department heads, and

WHEREAS he has recommended that the budget be submitted to the Council not

later than June 1, 1952.

NOW THEREFORE BE IT RESOLVED that the City Manager be directed, as provided by Article 8, Section 1302 of the City Charter, to submit the proposed city budget to the Council for the year 1952-53 for its consideration not later than June 1, 1952.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 5th day of March, 1952 by Councilman M. Adams, who moved its adoption, which motion being duly seconded by Councilman Merrill, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M.Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent:Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

****

RESOLUTION NO. 9766-N.S.

A RESOLUTION REJECTING THE CLAIM OF MRS. CAROLYN A. UTTERBACK FOR PERSONAL INJURIES AND DIRECTING THE CITY ATTORNEY TO REFER THE CLAIM TO THE INSURANCE CARRIER OF THE CITY OF MODESTO

---oOo---

WHEREAS, the City Attorney reported that the City Manager had been presented with a claim on February 25, 1952, on behalf of Mrs. Carolyn A. Utterback, 632 12th Street, for $75,000.00 due to personal injuries which she claimed were the result of an accident which occurred on January 3, 1952 at the corner of 12th and G Sts. while she was walking across the street and stepped in a small valve box cover causing her to fall to the pavement, fracturing her left hip.

NOW THEREFORE BE IT RESOLVED that the claim of Mrs. Carolyn A. Utterback be and it is hereby rejected and the City Attorney is directed to refer the claim to the insurance carrier 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, 1952 by Councilman R. Adams, who moved its adoption, which motion being duly seconded by Councilman Annan, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M.Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent:Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

****

RESOLUTION NO. 9767-N.S.

A RESOLUTION APPROVING MINUTES OF THE COUNCIL MEETINGS

---oOo---

BE IT HEREBY RESOLVED that the minutes of the Council meetings of February 27 and March 5, 1952 be and they are hereby approved.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of March, 1952 by Councilman M. Adams, who moved its adoption, which motion being duly seconded by Councilman Annan, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent:Councilmen: None

********** ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 9768-N.S.

A RESOLUTION SETTING THE TIME AND PLACE FOR A PUBLIC HEARING ON PROTEST FILED AGAINST THE VARIANCE GRANTED BY THE MODESTO CITY PLANNING COMMISSION TO THE BEARD LAND & INVESTMENT COMPANY

---oOo---

WHEREAS a protest has been filed with the Council by 74 property owners against the variance granted by the Modesto City Planning Commission to the Beard Land & Investment Company to operate an "Off Street Truck Parking and Preventative Maintenance of same" business at 225 Seventh Street, and

WHEREAS, Ordinance No. 700-N.S. (Zoning Ordinance) provides that a public hearing on the protest filed be held by the City Council.

NOW THEREFORE BE IT RESOLVED that the time and place for a public hearing on the protest be set as Wednesday, March 26, 1952 at 7:35 P.M. in the Council Chambers.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of March, 1952 by Councilman M. Adams, who moved its adoption, which motion being duly seconded by Councilman Mellis, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent:Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

****

RESOLUTION NO. 9769-N.S.

A RESOLUTION SETTING THE DATE FOR HEARING ON THE OPERATION OF TAXICABS IN THE CITY

---oOo---

WHEREAS, the City Attorney has reported that a meeting had been held with representatives of the owners of various taxicab companies operating in the city and city officials to discuss the regulating of taxicabs in the city and from this meeting considerable progress was made but it was not possible at the present time to have the hearing set for this date until further study had been made and he requested that a continuance of 2 weeks from this date be granted for the hearing

NOW THEREFORE BE IT RESOLVED that the continuance of two weeks requested be granted and the date for the hearing on the operation of taxicabs in the city be set as Wednesday, March 26, 1952 at 7:40 P.M. in the Council Chambers.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of March, 1952 by Councilman Mellis, who moved its adoption, which motion being duly seconded by Councilman M. Adams, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent:Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

****

RESOLUTION NO. 9770-N.S.

A RESOLUTION ACCEPTING CONTRIBUTION FROM "ANONYMOUS" FORMER EMPLOYEE

WHEREAS, the City Manager has reported that an anonymous letter had been received by the City of Modesto, Department of Public Works, which read as follows:

"Enclosed please find $5.00 in payment of items I borrowed with the intention of repaying while I was employed by the City."

NOW THEREFORE BE IT RESOLVED that the $5.00 be accepted and the Director of

Finance be directed to deposit same in the General Fund of 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 March, 1952 by Councilman Annan, who moved its adoption, which motion being duly seconded by Councilman M. Adams, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent:Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

****

RESOLUTION NO. 9771-N.S.

A RESOLUTION ESTABLISHING ONE HOUR PARKING ON THE NORTHEAST SIDE OF NINTH STREET BETWEEN "F" AND "G" STREETS IN THE CITY OF MODESTO.

WHEREAS, the City Council of the City of Modesto by ordinance heretofore passed is empowered by resolution to increase and/or diminish parking time limits for vehicles on the streets of said city, and

WHEREAS, said City Council, by ordinance heretofore passed, may by resolution regulate the parking of vehicles in the business district of said city by the erection of proper signs therein, and

WHEREAS, the best interests of the citizens of said city require that the length of time for which a vehicle may be parked in the following described areas shall be for the period of one hour between the hours of 9 o'clock A.M. and 6 o'clock P.M.,

NOW THEREFORE, said City Council by this resolution does hereby decree that vehicles shall not be parked between the hours of 9 o'clock A.M. and 6 o'clock P.M. for a longer period than sixty (60) minutes consecutively in the following described areas:

The Northeast side of Ninth Street between "F" Street and "G" Street in the City of Modesto, County of Stanislaus, State of California.

BE IT FURTHER RESOLVED that said parking restrictions shall not be applicable on Sundays.

BE IT FURTHER RESOLVED that this resolution will cease to be operative six (6) months after receipt by the City Council of written notice of withdrawal of the approval of the Department of Public Works 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, 1952 by Councilman Mellis, who moved its adoption, which motion being duly seconded by Councilman Arata, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent:Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

****

RESOLUTION NO. 9772-N.S.

A RESOLUTION AUTHORIZING PROGRESSIVE PAYMENT TO STANDARD MATERIALS LTD. ON SEWER LINE CAROLYN AVENUE

---oOo---

WHEREAS the Director of Public Works has filed a report on the progress of the construction of sanitary sewer line in Carolyn Avenue between Griswold and

Brady Avenues by the Standard Materials Ltd., recommending that payment of $2,027.19 be made to the contractors for work completed to date,

NOW THEREFORE BE IT HEREBY RESOLVED that payment of $2,027.19 be approved to the Standard Materials Ltd. for the work completed as set forth above and the Director of Finance is authorized to draw warrant in payment.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of March, 1952 by Councilman Mellis, who moved its adoption, which motion being duly seconded by Councilman Arata, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent:Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

****

RESOLUTION NO. 9773-N.S.

A RESOLUTION APPROVING AGREEMENT WITH JOHN QUARESMA AND ROY R. CARLSON ON THE SUBDIVISION OF COLLEGE CENTER TRACT

---oOo---

BE IT HEREBY RESOLVED that an agreement between the City of Modesto and John Quaresma and Roy R. Carlson on the subdivision of College Center Tract be and it is hereby approved and the Mayor and City Clerk are appointed signatory officials.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of March, 1952 by Councilman Mellis who moved its adoption, which motion was duly seconded by Councilman R. Adams, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks

Noes : Councilmen: None

Absent:Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

****

RESOLUTION NO. 9774-N.S.

A RESOLUTION GRANTING REQUEST OF MRS. JENNIE SMITH TO CUT CURB IN BLOCK 87, LOTS 3 and 4.

WHEREAS, Mrs. Jennie Smith has filed a request for a curb cut on property leased by her from Edna J. Armstrong, being Block 87, Lots 3 and 4, so that this property could be used for private parking for employees of the Sears-Roebuck store, and

WHEREAS the City Manager has reported that the Director of Public Works had made an investigation and he informed him that one street parking space would be lost but he recommended that a curb cut, 10 feet in length be granted and located as follows:

Southerly side of 12th Street, with the center line of the curb cut being 78' from the easterly line of M. St.

NOW THEREFORE BE IT RESOLVED that a 10 foot curb cut be granted to Mrs. Jennie Smith as requested under the provisions set forth by the Director of Public Works.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of March, 1952 by Councilman Annan, who moved its adoption, which motion being duly seconded by Councilman M. Adams, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent:Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

****

RESOLUTION NO. 9775-N.S.

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENDORSE CHECK FROM PACIFIC INDEMNITY COMPANY AND TO RELEASE CHECK TO MAE REEVES

---oOo---

WHEREAS, the City Manager has reported that the curb and sidewalk at 712 Scenic Drive had been damaged by a truck, belonging to the Pacific Motor Trucking Company, as well as the fence on the property owned by Mae Reeves at this location on February 20, 1952, and that the Pacific Indemnity Company had issued their warrant in payment of damages which have already been repaired in the amount of $65.00 to Mae Reeves and the City of Modesto jointly and he wished for authorization to endorse this check and release it to Mrs. Mae Reeves,

NOW THEREFORE BE IT RESOLVED that the City Manager be and he is hereby authorized to endorse said warrant from the Pacific Indemnity Company and release same to Mrs. Mae Reeves.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of March, 1952 by Councilman Annan, who moved its adoption, which motion being duly seconded by Councilman Arata, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent:Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

****

RESOLUTION NO. 9776-N.S.

A RESOLUTION GRANTING PERMIT TO LEE R. HERMANSON, HOUSEMOVER TO REMOVE ONE ELM TREE IN FRONT OF BLOCK 506, LOTS 15 and 16

---oOo---

WHEREAS, Lee R. Hermanson, Housemover, has filed a request to remove one tree in front of the small house located in Block 506, Lots 15 and 16 on Needham Avenue, so that this house can be moved to a point outside the city, and

WHEREAS the Director of Public Works has filed a report explaining that the house could be moved without the removal of this tree by trimming the heavy lower branches of both trees but he recommended that the most westerly tree be removed as the heavy trimming, in his opinion, would spoil the looks of the trees.

NOW THEREFORE BE IT RESOLVED that the removal of the most westerly tree at the above described location by Lee R. Hermanson, Housemover at his expense be approved, said removal to be under the supervision of the Director of Public Works 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 19th day of March, 1952 by Councilman R. Adams, who moved its adoption, which motion being duly seconded by Councilman Mellis, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent:Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

****

RESOLUTION NO. 9777-N.S.

A RESOLUTION MEMORIALIZING THE MEMBERS OF THE BOARD OF EQUALIZATION TO RECOMMEND TO THE GOVERNOR OF THE STATE OF CALIFORNIA THAT LOCAL SALES TAX OFFICIALS BE PERMITTED TO EXAMINE STATE SALES AND USE TAX RETURNS PURSUANT TO SECTION 7056 OF THE REVENUE AND TAXATION CODE OF THE STATE OF CALIFORNIA

WHEREAS, the City of Modesto imposes a local sales tax upon retailers for the privilege of engaging in the sale of personal property; and

WHEREAS, the State of California imposes a similar tax upon retailers in the State of California for the privilege of engaging in like business; and

WHEREAS, the State of California, throught the State Board of Equalization, maintains an auditing staff to ascertain whether such retailers are properly complying with the law; and

WHEREAS, the use of State sales tax returns for the purpose of comparison with local sales tax returns would save thousands of dollars of auditing expense to cities imposing a local sales tax; and

WHEREAS, the Governor of the State of California has the power to authorize the examination of state sales and use tax returns by local sales tax officials but, as a matter of policy, does not exercise such power except upon recommendation of the members of the Board of Equalization who are responsible for administering the state sales and use tax; and

WHEREAS, it is in the best interests of the taxpayers of the cities that the state sales and use tax returns be made available to local officials for auditing purposes;

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Modesto that the Board of Equalization of the State of California recommend to the Governor that local sales tax officials be permitted to examine state sales and use tax returns pursuant to section 7056 of the Revenue & Taxation Code of the State of California.

BE IT FURTHER RESOLVED that a copy of this resolution be mailed to the Governor of the State of California, to each member of the State Board of Equalization, and to the League of California Cities.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 19th day of March, 1952 by Councilman Mellis who moved its adoption, which motion being duly seconded by Councilman R. Adams, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

****

RESOLUTION NO. 9778-N.S.

A RESOLUTION APPROVING CLAIMS FOR THE CITY OF MODESTO FOR THE MONTH OF FEBRUARY, 1952.

---oOo---

BE IT HEREBY RESOLVED that claims for the City of Modesto for the month of February, 1952, in the amount of $115,777.46 being check numbers 3010 to 3191 inc., for the City, and check numbers 10825 to 10850 inc., for the McHenry Public Library, be and they are hereby approved and the issuing of warrants in payment by the City Auditor are hereby validated.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 19th day of March, 1952 by Councilman Annan, who

moved its adoption, which motion being duly seconded by Councilman Arata, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

****

RESOLUTION NO. 9779-N.S.

A RESOLUTION AUTHORIZING PAYMENT TO THE KING-KNIGHT COMPANY ON CONVERSION OF PUMP

---oOo---

WHEREAS the Director of Public Works has filed a report that the 35 day lien period required by the contract with King-Knight Company, Contractors for the conversion of an existing electric motor driven turbine pump to a combination gas engine and electric motor driven unit with automatic controls, has expired and no liens have been filed, and

WHEREAS he has recommended that the final payment of $1,973.31 be made to the said King-Knight Company,

NOW THEREFORE BE IT RESOLVED that warrant be drawn to King-Knight Company for $1,973.31 as final payment for conversion of turbine pump.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 19th day of March, 1952 by Councilman M. Adams, who moved its adoption, which motion being duly seconded by Councilman Arata, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

****

RESOLUTION NO. 9780-N.S.

A RESOLUTION GRANTING REQUEST FOR CURB CUT IN BLOCK 597, STANISLAUS COUNTY WELFARE BUILDING PARKING LOT

---oOo---

WHEREAS a request has been filed by Oliver Deatsch, Stanislaus County Surveyor and Road Commissioner, for a 35 foot curb cut on the South side of Scenic Drive in Block 597, to provide an entrance to the new Stanislaus County Welfare building parking lot, and

WHEREAS they have agreed that there will be no change in the existing grade along Scenic Drive and the driveway and parking lots which they propose to construct will be graded so that all water from the property line South will flow away from Scenic Drive, and

WHEREAS it has been the policy of the Council to consider new matters for one week before making any decision, it is their opinion that in the interest of good inter-governmental relations, this request should be considered at once, particularly since this cut is not in the business area and the parking lot created by the County will take care of a great number of cars.

NOW THEREFORE BE IT RESOLVED that permit be granted to said applicant to cut the curb 30 feet at the above described location under the supervision of the Director of Public Works.

The foregoing resolution was introduced at a regular meeting of the Council

of the City of Modesto held on the 19th day of March, 1952 by Councilman Annan, who moved its adoption, which motion being duly seconded by Councilman M. Adams, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis and Mayor Marks, Merrill

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

****

RESOLUTION NO. 9781-N.S.

A RESOLUTION ESTABLISHING PARALLEL PARKING ON THIRTEENTH STREET BETWEEN "H" STREET AND "K" STREET IN THE CITY OF MODESTO

---oOo---

BE IT HEREBY RESOLVED that parallel parking be and is hereby established on both sides of Thirteenth Street, between H Street and K Street in the City of Modesto, and

BE IT FURTHER RESOLVED that the Director of Public Works is hereby directed to mark the street accordingly.

BE IT FURTHER RESOLVED that all resolution or portions of resolutions in conflict herewith are hereby rescinded.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 19th day of March, 1952 by Councilman Arata, who moved its adoption, which motion being duly seconded by Councilman Annan, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9782-N.S.

A RESOLUTION ESTABLISHING STOP SIGNS ON CERTAIN STREETS IN THE CITY OF MODESTO

---oOo---

WHEREAS, under and by virtue of provisions of Ordinance No. 558-N.S. of the City of Modesto; the City Council of said City has the power when and if the general welfare and safety of the citizens of the City of Modesto so require it, to erect boulevard stop signs at or adjacent to any intersection within the City of Modesto, and

WHEREAS, it appears to said City Council that the general welfare of the citizens of Modesto require that boulevard stop signs be erected and maintained at intersections herein designated and that at said intersections all of the provisions of Ordinance No. 558-N.S. of City of Modesto entitled: "AN ORDINANCE AMENDING SECTION 23 of ORDINANCE NO. 345-N.S. of THE CITY OF MODESTO AS HEREAFTER AMENDED," shall be enforced and said stop signs shall be erected prohibiting drivers of vehicles from passing said boulevard stop signs without first stopping vehicles so operated by said operator.

NOW THEREFORE BE IT RESOLVED and ordered by said City Council that at the places hereinafter designated, the City Engineer shall erect or cause to be erected and maintained, boulevard stop signs and that said Ordinance No. 558-N.S. heretofore referred to shall be enforced at said intersections:

Northwest corner of Sunrise Avenue, stopping traffic entering Lucern Avenue

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 19th day of March, 1952 by Councilman Merrill who

moved its adoption, which motion being duly seconded by Councilman Mellis, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent:Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9783-N.S.

A RESOLUTION APPOINTING CITY ATTORNEY ALLEN GRIMES, CITY MANAGER PRO TEMPORE DURING ABSENCE OF THE CITY MANAGER

---oOo---

WHEREAS, City Manager, Ross Miller, has been authorized to attend a meeting to be held by the City Managers of the Bay Area in Oakland, March 26, 1952,

BE IT HEREBY RESOLVED that City Attorney, Allen Grimes be and he is hereby appointed City Manager Pro Tempore, during this absence of the City Manager.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 19th day of March, 1952 by Councilmen: M. Adams, who moved its adoption, which motion being duly seconded by Councilman Annan, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent:Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9784-N.S.

A RESOLUTION APPROVING MINUTES OF COUNCIL MEETINGS OF THE CITY OF MODESTO

---oOo---

BE IT HEREBY RESOLVED that the minutes of the Council meetings of March 12 and 19, 1952, be and they are 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, 1952 by Councilman Annan, who moved its adoption, which motion being duly seconded by Council M. Adams, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Mellis, Mayor Marks

Noes: Councilmen: None

Absent:Councilmen: Arata and Merrill

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9785-N.S.

A RESOLUTION EXTENDING HEARING ON TAXICAB OPERATIONS TO WEDNESDAY, APRIL 9, 1952 at 7:30 P.M.

---oOo---

WHEREAS, this being the time set for a public hearing on the taxicab operations in the City, and

WHEREAS the City Attorney has requested the Council to continue the hearing for a period of two weeks, until 7:30 P.M. on Wednesday, April 9, 1952, as more time was necessary in order to clear the matter for consideration by the Council.

BE IT HEREBY RESOLVED that the date of Wednesday, April 9, 1952 at 7:30 P.M. be set as the date for the public hearing on the operations of taxicabs in the City, said meeting to be held 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 26th day of March, 1952 by Councilman Mellis, who moved its adoption, which motion being duly seconded by Councilman R. Adams, it was upon roll call carried and the resolution adopted by the following vote:

Ayes : Councilmen: M. Adams, R. Adams, Annan, Mellis, Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: Merrill and Arata

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9786-N.S.

A RESOLUTION REFERRING PROTESTS TO PROPOSED PARKING LOT ON DOUGLAS AVENUE BY THE ELKS LODGE TO THE MODESTO CITY PLANNING COMMISSION

---oOo---

WHEREAS, E. W. Andrews, residing at 918 Magnolia Avenue has filed a written protest with the City Manager and also appeared before the Council orally protesting to the proposed operation of a parking lot by the Elks Club on land to be purchased by them on Douglas Avenue, in the rear of their club at McHenry and Fairmont Avenues, and

WHEREAS, Mr. Andrews has stated that he understood that the contemplated use was in violation of the City Zoning Ordinance and that some people in the neighborhood objected to the establishment of this parking lot and they expected the matter to be handled strictly under the law and they did not want anything established in this neighborhood that would be detrimental to their property,

NOW THEREFORE BE IT RESOLVED that the aforesaid protest be referred to the Modesto City Planning Commission for their consideration as to the requirements under all city ordinances in the interest of the people living in this neighborhood.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of March, 1952 by Councilman M. Adams, who moved its adoption, which motion being duly seconded by Councilman Annan, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Mellis, Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: Arata and Merrill

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9787-N.S.

A RESOLUTION REFERRING THE REQUESTS FOR REVISING THE CITY OF MODESTO PLUMBING CODE TO THE CITY MANAGER FOR STUDY

---oOo---

WHEREAS communications have been filed with the Council by the Local Union No. 427 of the United Association of Journeymen and Apprentices of the Plumbing and Pipe Fitting Industry of the United States and Canada and the State Department of Industrial Relations, Division of Apprenticeship Standards, recommending that certain regulations concerning "Apprentices" be considered and adopted as part of the new plumbing code which will be available shortly,

NOW THEREFORE BE IT RESOLVED that this matter be referred to the City Manager for study and report to the Council before the recommendations are incorporated in the revised Plumbing 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, 1952 by Councilman Annan, who moved its adoption, which motion being duly seconded by Councilman M. Adams, it was upon roll call carried and the resolution adopted by the followimg vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Mellis, Mayor Marks

Noes : Councilmen: None

Absent:Councilmen: Merrill and Arata

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 9789-N.S.

A RESOLUTION GRANTING PERMIT TO ANHAUSER-BUSCH, INC. TO EXHIBIT TEAM AND WAGON IN THE CITY OF MODESTO

---oOo---

WHEREAS, Peter T. Gishos of the Giahos Distributing Company, 1531 9th Street has filed a request with the Council of the City of Modesto on behalf of Anhauser-Busch, Inc. to display an eight horse team and wagon in the City during the period April 26th through April 29, 1952,

NOW THEREFORE BE IT RESOLVED that permission be granted to Anhauser-Busch, Inc. to exhibit this team and wagon on the aforesaid days on the condition that the City Attorney was of the opinion that the exhibition was not unlawful and upon the further condition that the proposed routes through the City be approved by the Chief of Police and the City Manager.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of March, 1952 by Councilman Annan, who moved its adoption, which motion being duly seconded by Councilman Mellis, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Mellis, Mayor Marks

Noes : Councilmen: None

Absent:Councilmen: Arata and Merrill

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 9790-N.S.

A RESOLUTION APPROVING MINUTES OF THE COUNCIL OF MARCH 26, 1952

---oOo---

BE IT HEREBY RESOLVED that the minutes of the regular meeting of the Council of the City of Modesto held on March 26, 1952 be and they are hereby approved.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 2nd day of April, 1952 by Councilman Mellis, who moved its adoption, which motion being duly seconded by Councilman M. Adams, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis and Mayor Marks

Noes: Councilmen: None

Absent:Councilmen: Merrill

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 9791-N.S.

A RESOLUTION REQUESTING THE BOARD OF DIRECTORS OF THE MODESTO IRRIGATION DISTRICT TO WITHHOLD ACTION ON ITS POLICY ON POWER LINE INSTALLATION IN SUBDIVISIONS

---oOo---

WHEREAS, the Modesto Irrigation District has filed a communication with the Council regarding power line installations in subdivisions, and

WHEREAS the Modesto Irrigation District has stated in this communication that its policy of extending electric power service to conventional layouts at no cost would not change but a new policy would be effective immediately in cases where subdivisions have curved streets or alleys or irregular design features to provide for the subdivider to pay to the District the estimated cost over and above the expenditures that would be required for a normal layout, and this sum shall be paid to the District before certification of electric service availability is granted and construction commenced.

NOW THEREFORE BE IT RESOLVED that the Council of the City of Modesto

does hereby request the Board of Directors of the Modesto Irrigation District to withhold action on their policy on power line installations in subdivisions until the Modesto City Planning Commission, County Planning Commission and the Board of Directors of the Modesto Irrigation District could meet and give further study to the matter and the Council could be further advised.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 2nd day of April, 1952, by Councilman Mellis who moved its adoption, which motion being duly seconded by Councilman R. Adams, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis and Mayor Marks

Noes: Councilmen: None

Absent:Councilmen: Merrill

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9792-N.S.

A RESOLUTION SETTING FORTH THE POSITION OF THE COUNCIL ON A VETERANS MEMORIAL AUDITORIUM

---oOo---

BE IT HEREBY RESOLVED that the Council of the City of Modesto has done its utmost to obtain the old Roosevelt School location as a site for an auditorium, and

BE IT FURTHER RESOLVED that it is the position of the Modesto City Council that the acquisition of a suitable site for and the construction of a Veterans Memorial Auditorium is a high priority community project to be sponsored following the successful completion of the unification program.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 2nd day of April, 1952 by Councilman R. Adams, who moved its adoption, which motion being duly seconded by Councilman Arata, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis and Mayor Marks

Noes: Councilmen: None

Absent:Councilmen: Merrill

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9793-N.S.

A RESOLUTION AUTHORIZING THE CITY CLERK TO CALL FOR BIDS ON PAVING MATERIAL

---oOo---

BE IT HEREBY RESOLVED that the City Clerk be authorized to call for bids for "furnishing and delivering, or for furnishing, delivering and placing paving materials in accordance with the specifications on file in the office of the Director of Public Works". All bids to be received not later than 2:00 P.M. on Monday, April 14, 1952. All bids received will be opened and read at the above specified time in the Council Chambers. Any award made or contract entered into, shall be by action of the Council, meeting in regular session at a subsequent 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, 1952 by Councilman M. Adams, who moved its adoption, which motion being duly seconded by Councilman Arata,

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

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: Merrill

ATTEST: REX E. GAILFUS, CITY CLERK

****

RESOLUTION NO. 9794-N.S.

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND THE PACIFIC GAS & ELECTRIC COMPANY

---oOo---

BE IT HEREBY RESOLVED that an agreement between the City of Modesto and the Pacific Gas & Electric Company, granting permission to the Pacific Gas & Electric Company to construct and maintain a pipe line across Beard Brook Park be and it is hereby approved, and

BE IT FURTHER RESOLVED that the City Manager and the City Clerk be and they are hereby appointed signatory officials.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 2nd day of April, 1952 by Councilman Arata, who moved its adoption, which motion being duly seconded by Councilman Annan, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: Merrill

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9795-N.S.

A RESOLUTION ACCEPTING EASEMENT FROM THE MODESTO IRRIGATION DISTRICT

---oOo---

BE IT HEREBY RESOLVED that an easement from the Modesto Irrigation District, granting permit to the City of Modesto to construct and maintain one 10 inch and one 12 inch concrete pipe storm drain, over, along and across their Lateral No. 4, be and it is hereby accepted, and

BE IT FURTHER RESOLVED that the City Clerk be directed to record said easement 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 2nd day of April, 1952 by Councilman Annan, who moved its adoption which motion being duly seconded by Councilman M. Adams, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: Merrill

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9796-N.S.

A RESOLUTION COMMENDING THE PUBLIC UTILITIES COMMISSION AND THE STAFF OF THE LEAGUE OF CALIFORNIA CITIES FOR ACTION TAKEN TO ASSURE BETTER REPRESENTATION OF THE PUBLIC IN RATE PROCEEDINGS BEFORE THE PUBLIC UTILITIES COMMISSION.

---oOo---

WHEREAS, by Resolution No. 9701-N.S., adopted on the 9th day of January, 1952, the Council of the City of Modesto requested the League of California Cities to

consider ways and means to assure better representation of the public in rate proceedings before the Public Utilities Commission; and

WHEREAS, the Central Valley Division of the League of California Cities officially approved such a proposal at its meeting on January 17, 1952; and

WHEREAS, the Board of Directors of the League of California Cities, through its staff, has met with representatives of the Public Utilities Commission and discussed the need for vigorous and persistent presentation of the consumer's interest; and

WHEREAS, as a result of these actions, the Commission has directed its department representatives and staff attorneys to make it their duty to see that a comprehensive record is developed for the interest of the consuming public and fully presented in an inquisitive, critical and objective manner;

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Modesto expresses its appreciation to the Public Utilities Commission and the staff of the League of California Cities for the action taken toward assuring more adequate representation on behalf of the consuming public in rate proceedings before the Commission.

BE IT FURTHER RESOLVED that a progress report be made on the results which are obtained as the result of action taken after the method has been in use for a reasonable length of time.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto on the 2nd day of April, 1952, by Councilman Arata, who moved its adoption, which motion being duly seconded by Councilman Mellis, was upon roll call carried by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: Merrill

ATTEST: REX E. GAILFUS, CITY CLERK

****

RESOLUTION NO. 9797-N.S.

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND THE SALVATION ARMY (MODESTO CORPS)

---oOo---

BE IT HEREBY RESOLVED that an agreement between the City of Modesto and the Salvation Army (Modesto Corps) for the furnishing and payment of services and facilities for indigent aid be and it is hereby approved and the City Manager and the City Clerk are hereby appointed signatory officials.

The foregoing res olution was introduced at a regular meeting of the Council of the City of Modesto held on the 2nd day of April, 1952 by Councilman Mellis, who moved its adoption, which motion being duly seconded by Councilman R. Adams, it was upon roll call carried and the resolution was adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: Merrill

ATTEST: REX E. GAILFUS, CITY CLERK

****

RESOLUTION NO. 9798-N.S.

A RESOLUTION ACCEPTING DEED FROM LEO C. HAMMETT ON BEHALF OF THE MODESTO YOUTH ORGANIZATION

---oOo---

BE IT HEREBY RESOLVED that a deed from Leo C. Hammett on behalf of the Modesto Youth Organization on Lots 21-24 inc. in Block 22 of the City of Modesto be and it is hereby accepted, and

BE IT FURTHER RESOLVED that the City Clerk be authorized 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 2nd day of April, 1952 by Councilman M. Adams, who moved its adoption, which motion being duly seconded by Councilman Annan, it was upon roll call carried and the resolution was adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis and Mayor Marks

Noes: Councilmen: None

Absent:Councilmen: Merrill

ATTEST: REX E. GAILFUS, CITY CLERK

****

RESOLUTION NO. 9799-N.S.

A RESOLUTION ESTABLISHING TWO HOUR PARKING ON L STREET BETWEEN NINTH AND TENTH STREETS AND BETWEEN ELEVENTH AND TWELFTH STREET

---oOo---

WHEREAS, the City Council of the City of Modesto by Ordinance heretofore passed, is empowered by resolution to increase and/or diminish parking time limits for vehicles on the streets of said City; and,

WHEREAS, by Ordinance heretofore passed by said City Council by the erection of proper signs in the business district of said City and by resolution may enforce the provisions of all ordinances relating to the parking of vehicles in said City, and

WHEREAS, the best interest of the citizens of said City require that the length of time for which a vehicle may be parked in the following described areas shall be for the period of two hours between the hours of nine o'clock A.M. and six o'clock P.M.

NOW THEREFORE, said City Council by this resolution does hereby decree that vehicles shall not be parked between the hours of nine o'clock A.M. and six o'clock P.M. for a period longer than one hundred twenty minutes consecutively in the following described areas:

Both sides of L Street between Ninth and Tenth Streets

Both sides of L Street between Eleventh and Twelfth Street

BE IT FURTHER RESOLVED that said parking restrictions shall not be applicable on Sunday.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 2nd day of April, 1952 by Councilman Arata, who moved its adoption, which motion being duly seconded by Councilman Mellis, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis and Mayor Marks

Noes: Councilmen: None

Absent:Councilmen: Merrill

ATTEST: REX E. GAILFUS, CITY CLERK

****

RESOLUTION NO. 9800-N.S.

A RESOLUTION ADOPTING SUPPLEMENTARY PERSONNEL REGULATION NO. 52-1

---oOo---

WHEREAS the City Manager has recommended to the Council, that due to the nature of the work on the Municipal Golf Course, Groundsmen and Unclassified Laborers employed there by the City, be allowed to work overtime during the period beginning April 3, 1952 through November 1, 1952 at a rate of wages as set forth in Supplementary Personnel Regulation No. 52-1.

NOW, THEREFORE BE IT RESOLVED that Supplementary Personnel Regulation No. 52-1, entitled: "Authorization for overtime work at Municipal Golf Course and payment therefor" be and it is hereby adopted.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 2nd day of April, 1952 by Councilman Arata, who moved its adoption, which motion being duly seconded by Councilman R. Adams, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis and Mayor Marks

Noes: Councilmen: None

Absent:Councilmen: Merrill

ATTEST: REX E. GAILFUS, CITY CLERK

****

RESOLUTION NO. 9801-N.S.

A RESOLUTION URGING THE CONGRESS OF THE UNITED STATES TO ADOPT LEGISLATION CLARIFYING THE INTENTION OF CONGRESS TO EXEMPT RATES AND CHARGES FOR MUNICIPAL SERVICES FROM CONTROL UNDER THE DEFENSE PRODUCTION ACT OF 1950.

WHEREAS, the Defense Production Act of 1950, as amended, exempts from regulation "Rates Charged by any Common Carrier or Public Utility"; and

WHEREAS, the Office of Price Stabilization of the Federal Government has refused to recognize that Congress thereby exempted from Federal regulation rates charged for public utility services rendered by cities, and has insisted that the exemption, although unqualified in the statute, does not apply to rates charged by any publicly owned public utility unless such charges are subject to regulation by administrative agencies other than those charged with the duty of operating such public utilities; and

WHEREAS, the Office of Price Stabilization has attempted to exercise said alleged jurisdiction to prevent cities from equalizing their rates with charges for identical services rendered by private operators; and

WHEREAS, said Office of Price Stabilization has attempted to exercise said alleged jurisdiction to prevent cities from adjusting rates and charges for municipal services, even though their existing rates may cause operating losses; and

WHEREAS, cities should not be put to the expense and delay of litigating with the Office of Price Stabilization the interpretation of the unqualified language of Congress; and

WHEREAS, the express purpose of Congress in enacting said legislation was to prevent undue strain from dislocations upon wages, prices and production or distribution of materials for civilian use, which said purpose is also the deep concern of city officers to whom is entrusted the duty of establishing fair and reasonable charges for municipal services rendered by them; and

WHEREAS, said municipal services are not customarily rendered for a profit; and

WHEREAS, the administration of the Defense Production Act of 1950, as interpreted by the Office of Price Stabilization, results in the control of one governmental jurisdiction by another, which leads to conflict and confusion and invades the sphere of jurisdiction rightfully reserved to the cities:

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Modesto that this Council urges upon the Congress of the United States the adoption of a clarifying amendment to Section 402 (e) (v) of the Defense Production Act of 1950, as amended, as embodied in Senate Bill 2722 so as to exempt rates and charges for municipal utility services from control.

BE IT FURTHER RESOLVED that the City Attorney shall send a copy of this resolution to the Honorable Representative Oakley Hunter, the Honorable Senator William F. Knowland, the Honorable Senator Richard M. Nixon, the National Institute of Municipal Law Officers, Washington, D.C. and the League of California Cities.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 2nd day of April, 1952 by Councilman Mellis, who moved its adoption and passage which motion being duly seconded by Councilman Annan, was upon roll call carried by the following vote:

Ayes: Councilmen; M. Adams, R. Adams, Annan, Arata, Mellis and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: Merrill

ATTEST: REX E. GAILFUS, CITY CLERK

****

RESOLUTION NO. 9802-N.S.

A RESOLUTION AUTHORIZING THE PURCHASE OF A BURROUGHS M-806 ACCOUNTING MACHINE

BE IT HEREBY RESOLVED that the purchase of a Burroughs M-806 Accounting Machine be authorized at a cost of $3,562.47, as appropriated in the 1951-52 budget.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 2nd day of April, 1952 by Councilman Annan, who moved its adoption, which motion being duly seconded by Councilman Arata, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: Merrill

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9803-N.S.

A RESOLUTION APPOINTING ROBERT H. SHELTON AS CITY MANAGER PRO TEMPORE DURING ANY ABSENCE OF THE CITY MANAGER

---oOo---

BE IT HEREBY RESOLVED that Robert H. Shelton, Administrative Assistant to the City Manager, be and he is hereby appointed City Manager Pro Tempore, during any absence of the City Manager.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 2nd day of April, 1952, by Councilman R. Adams, who moved its adoption, which motion being duly seconded by Councilman M. Adams, it was upon roll call carried and the resolution was adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: Merrill

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9804-N. S.

A RESOLUTION ALLOWING CLAIMS FOR THE MONTH OF MARCH, 1952

---oOo---

BE IT HEREBY RESOLVED that the claims for the City of Modesto for the month of March, 1952 in the amount of $135,375.43, being check numbers 3192 to 3390 inc. and check numbers 10851 to 10876 inc. for the McHenry Public Library be approved and the Auditor is hereby authorized to issue warrants in payment.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of April, 1952 by Councilman M. Adams, who moved its adoption, which motion being duly seconded by Councilman Arata, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: Merrill

ATTEST: REX E. GAILFUS, CITY CLERK

****

RESOLUTION NO. 9805-N.S.

A RESOLUTION AWARDING BID TO EDWARD R. BACON COMPANY ON INDUSTRIAL TRACTOR

---oOo---

BE IT HEREBY RESOLVED that the bid of Edward R. Bacon Company for one model RT-1 Minneapolis-Moline Industrial Type Tractor for the net amount of $1960.20 be and it is hereby accepted as this bid was the lowest and best bid received and met the requirements of the specifications, and

BE IT FURTHER RESOLVED that the City Clerk be authorized to return the bidding checks to the unsuccessful bidders and to draw warrant upon receipt of equipment and approval by the Director of Public Works.

The foregoing resoltuion was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of April, 1952 by Councilman Annan, who moved its adoption, which motion being duly seconded by Councilman M. Adams, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: Merrill

ATTEST: REX E. GAILFUS, CITY CLERK

****

RESOLUTION NO. 9806-N.S.

A RESOLUTION GRANTING CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY FOR THE OPERATION OF TAXICAB BUSINESSES WITHIN THE CITY OF MODESTO PURSUANT TO ORDINANCE NO. 753-N.S.

WHEREAS, Joe Sequera, doing business as "Joe's Taxis", John French, doing business as "Veterans Cab Company", E.M. Lester, doing business as "Modesto Cab Company", Hershel Lawrence, doing business as "Smitty's Taxi", and Sam Secreto, doing business as the "Yellow Cab Company", "Acme Cab Company", and "Hart Cab Company",

have filed applications with the Council of the City of Modesto requesting the granting of Certificates of Public Convenience and Necessity for the operation of taxicab businesses within the city; and

WHEREAS, said applications have been investigated by the Chief of Police, who has reported his findings in connection therewith, in writing, and has recommended the granting of the requested Certificates of Public Convenience and Necessity, in accordance with the terms and conditions specified herein; and

WHEREAS, the Council declares that the public convenience and necessity require the granting of the requested Certificates of Public Convenience and Necessity for the rendition of taxicab service within the city;

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Modesto that Certificates of Public Convenience and Necessity for the operation of taxicab businesses within the city be granted to the following persons in accordance with the provisions of Ordinance No. 753-N.S., for the number of cabs indicated, and pursuant to the regulations and conditions herein specified:

Applicant	Business Name	No. of Cabs	Cab Stands
Joe Sequera	Joe's Taxi	8	10th & G Sts. 10th & H Sts.
John French	Veteran's Cab Co.	1	11th & I Sts. * 11th & J Sts. *
E.M. Lester	Modesto Cab Co.	3	11th & I Sts. * 11th & J Sts. *
Hershel Lawrence	Smitty's Taxi Co.	2	11th & I Sts. * 11th & J Sts. *
Sam Secreto	Yellow Cab Co. Acme Cab Co. Hart Cab Co.	3 1 2	10th & I Sts. 10th & J Sts.

* Indicates joint use of stands

BE IT FURTHER RESOLVED that each certificated business shall utilize only such color scheme for its cabs as is approved by the Chief of Police.

BE IT FURTHER RESOLVED that the City Clerk be and he is hereby directed to issue Certificates of Public Convenience and Necessity to the above described applicants in accordance with the terms of this resolution.

BE IT FURTHER RESOLVED that each Certificate of Public Convenience and Necessity granted by the terms of this provision shall be subject to revocation by the City Council if the certificated party shall fail to comply with all of the provisions of Ordinance No. 753-N. S., as amended, and all other laws and regulations of the city regulating the operation of taxi-cabs.

BE IT FURTHER RESOLVED that the registration fees provided in Ordinance No. 761-N. S. shall not be applicable or payable by reason of the issuance of the Certificates of Public Convenience and Necessity granted by this resolution.

BE IT FURTHER RESOLVED that all of the Certificates of Public Convenience and Necessity for the operation of taxicab businesses within the City heretofore granted be, and the same are hereby rescinded and revoked.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of April, 1952 by Councilman Arata, who moved its adoption and passage which motion being duly seconded by Councilman R. Adams, was upon roll call carried by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: Merrill

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9807-N.S.

A RESOLUTION APPROVING AGREEMENT WITH THE MODESTO BOARD OF EDUCATION FOR USE OF THE WILSON SCHOOL SEWER LINE

---oOo---

BE IT HEREBY RESOLVED that the City of Modesto enter into an agreement with the Board of Education for use of the Wilson School sewer line in order that people living adjacent to this line could use the line for domestic sewer service, and

BE IT FURTHER RESOLVED that the City Manager and the City Clerk be appointed signatory officials.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of April, 1952, by Councilman M. Adams, who moved its adoption, which motion being duly seconded by Councilman Annan, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata and Mayor Marks

Noes: Councilmen: Mellis

Absent: Councilmen: Merrill

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9808-N. S.

A RESOLUTION APPROVING BUDGET APPROPRIATION TRANSFER

---oOo---

BE IT HEREBY RESOLVED that the budget appropriation transfer from the City Attorney and Police Court to the City Attorney in the sum of $3,477.00 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 9th day of April, 1952 by Councilman Annan, who moved its adoption, which motion being duly seconded by Councilman M. Adams, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: Merrill

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9809-N. S.

A RESOLUTION APPROVING BUDGET APPROPRIATION TRANSFER

---oOo---

BE IT HEREBY RESOLVED that the budget appropriation transfer from the General Reserve of $1,816.00 be approved as follows:

To the Recreation Department of $880.00

To the Public Works, City Parks Department, for $936.00

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of April, 1952 by Councilman R. Adams, who moved its adoption, which motion being duly seconded by Councilman Mellis, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: Merrill

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9810-N. S.

A RESOLUTION DESIGNATING CERTAIN STREETS, OR A PORTION THEREOF, AS MAJOR CITY STREETS IN THE CITY OF MODESTO, STANISLAUS COUNTY.

---oOo---

RESOLVED that the following streets within the corporate city limits of the City of Modesto, Stanislaus County, between the termini indicated herein, be selected, approved, and designated by the City Council of said City, as "Major City Streets"

NAME	TERMINI
B Street	Seventh Street to Tenth Street
Brook Way	Morton Boulevard to Morton Boulevard
Burney Street	Downey Avenue to Grand Street
California Avenue	Franklin Street to Washington Street
Carver Road	No. 99 Highway to Orangeburg Avenue
Coldwell Avenue	No. 99 Highway to Sycamore Avenue
College Avenue	Needham Street to Granger Avenue
Crows Landing Road	Sierra Drive to South City Limits
Downey Avenue	McHenry Avenue to Scenic Drive
Eighth Street	H Street to Kansas Avenue
Fifth Street	Washington Street to Sierra Drive
First Street	Washington Street to Sierra Drive
Fourteenth Street	Needham Street to D Street
H Street	Washington Street to Downey Avenue
Harriett Street	Downey Street to Morton Boulevard
I Street	Fifth Street to Downey Avenue
Kansas Avenue	No. 99 Highway to Franklin Street
L Street	Ninth Street to Needham Street
LaLoma	H Street to East City Limits
Laurel Street	Franklin Street to Washington Street
Morris Avenue	College Avenue to East City Limits
Morton Boulevard	LaLoma to Tenth Street
Needham Street	Ninth Street to McHenry Avenue
Nineteenth Street	Downey Avenue to Burney Street
Orangeburg Avenue	Carver Road to Bronson Avenue
Paradise Avenue	Washington Street to West City Limits
Roseburg Avenue	Carver Road to Virginia Avenue
Scenic Drive	Downey Avenue to East City Limits
Seventh Street	Washington Street to Sierra Drive
Sierra Drive	First Street to Crows Landing Road
Stoddard Avenue	Tully Avenue to McHenry Avenue
Sunrise Avenue-extended	Northly City limits to Downey Avenue
Sycamore Avenue	Needham Street to Griswold Avenue
Tenth Street	Needham Street to Morton Boulevard
Tully Avenue	No. 99 Highway to Orangeburg Avenue
Tuolumne Boulevard	Paradise Avenue to Crows Landing Road
Twelfth Street	Needham Street to H Street
Virginia Avenue	Needham Street to Griswold Avenue
Washington Street	Eighth Street to H Street

BE IT FURTHER RESOLVED, that said City Council does recommend to the Department of Public Works of the State of California that the above selected streets

be approved and designated by the Director of said Department as "Major City Streets" in said city and that said streets within the limits above given, be considered the system of Major City Streets in said city within the meaning of such system as defined in Sections 2050 to 2055, inclusive, of the Street and Highways Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of April, 1952 by Councilman Arata, who moved its adoption, which motion being duly seconded by Councilman M. Adams, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis and Mayor Marks

Noes: Councilmen: None

Absent:Councilmen: Merrill

ATTEST: REX E. GAILFUS, CITY CLERK

****

RESOLUTION NO. 9811-N. S.

A RESOLUTION APPROVING THE MINUTES OF THE COUNCIL MEETING OF April 2, 1952

BE IT HEREBY RESOLVED that the minutes of the regular Council meeting of April 2, 1952 be and they are hereby approved

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 16th day of April, 1952 by Councilman Annan, who moved its adoption, which motion being duly seconded by Councilman Arata, it was upon roll call carried and the resolution was adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: Merrill

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9812-N. S.

A RESOLUTION ACCEPTING THE BID OF M. J. RUDDY & SON ON PAVING MATERIAL

---oOo---

WHEREAS, the City Manager has reported two bids had been received on paving material in accordance with the specifications on file in the office of the Director of Public Works, and

WHEREAS these bids had been opened at 2:00 P.M. on Monday, April 14th in the presence of the Director of Public Works, the City Clerk and L. M. McFarland, and

WHEREAS the Director of Public Works recommended that the bid be awarded to M. J. Ruddy & Son as their bid was the lowest bid received

NOW THEREFORE BE IT RESOLVED that the bid of M. J. Ruddy & Son be accepted for paving material and the Mayor and City Clerk are appointed as signatory officials on the contract for the furnishing, delivery and placing of paving material for the calendar year ending December 31, 1952.

The foregoing resolution was introduced at a regular meeting of the Council by Councilman Arata, held on the 16th day of April, 1952 who moved its adoption, which motion being duly seconded by Councilman R. Adams, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis and Mayor Marks

Noes: Councilmen: None

Absent:Councilmen: Merrill

ATTEST: REX E. GAILFUS, CITY CLERK

****

RESOLUTION NO. 9813-N.S.

A RESOLUTION RELATING TO THE COMPLETION OF THE YOUTH CENTER BUILDING

---oOo---

WHEREAS, the present building known as the Maddux Youth Center has long remained uncompleted; and

WHEREAS, the City of Modesto, through funds on hand for this purpose and the sale of lots recently donated, can raise the sum of approximately $17,000 for further work on the building;

NOW THEREFORE BE IT RESOLVED that the City, after assuring that the title of the building is vested in the city, proceed immediately to complete as much as possible of the building with funds available for that purpose, and, after completion of the same, accept responsibility for its operation, upkeep, and maintenance, thus making it available primarily for use by the youth of the city and for such other use as may be desirable.

BE IT FURTHER RESOLVED that consideration be given to naming the building the Modesto Youth Center, provided consent can be obtained from the principal donors.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 16th day of April, 1952 by Councilman Annan, who moved its adoption, which motion being duly seconded by Councilman Arata it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: Merrill

ATTEST: REX E. GAILFUS, CITY CLERK

****

RESOLUTION NO. 9814-N.S.

A RESOLUTION ADOPTING SUPPLEMENTARY PERSONNEL REGULATION NO. 52-2 AUTHORIZING THE PAYMENT OF EXTRA COMPENSATION TO POLICE OFFICERS WHO WORK AT BASEBALL GAMES SPONSORED BY THE MODESTO COMMUNITY ATHLETIC ASSOCIATION HELD IN THE MODESTO MUNICIPAL BALL PARK

---oOo---

WHEREAS, the Modesto Community Athletic Association desires to have the city furnish special police protection at the ball park for the baseball games played in Modesto; and

WHEREAS, the Athletic Association has agreed to reimburse the city for the cost of furnishing such special police protection; and

WHEREAS, numerour Police Officers of the city have indicated their desire to serve in this capacity in consideration of the receipt of extra compensation; and

WHEREAS, the furnishing of such special police protection at the Modesto Municipal Ball Park by the City Police Department is in the best interests of the city,

NOW THEREFORE BE IT RESOLVED that Supplementary Personnel Regulation No. 52-2 entitled, "Authorization for Overtime Work by City Police Officers at the Modesto Municipal Ball Park and Payment therefore" be and it is hereby adopted.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 16th day of April, 1952 by Councilman R. Adams, who moved its adoption, which motion being duly seconded by Councilman Annan, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis and Mayor Marks

Noes: Councilmen: None

Absent:Councilmen: Merrill

ATTEST: REX E. GAILFUS, CITY CLERK

****

RESOLUTION NO. 9815-N.S.

A RESOLUTION AMENDING RESOLUTION NO. 9621-N.S. TO INCLUDE ADDITIONAL CLASSIFICATION IN THE PLANNING DEPARTMENT

---oOo---

BE IT HEREBY RESOLVED that Resolution No. 9621-N.S. entitled "A RESOLUTION ESTABLISHING CLASSES AND SALARIES FOR THE EMPLOYEES OF THE CITY OF MODESTO", be amended to include the following additional classification:

PLANNING DEPARTMENT

POSITION	MAXIMUM MONTHLY SALARY
Planning Assistant	$375.00

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 16th day of April, 1952 by Councilman M. Adams, who moved its adoption, which motion being duly seconded by Councilman Arata, it was upon roll call carried and the resolution was adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis and Mayor Marks

Noes: Councilmen: None

Absent:Councilmen: Merrill

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9816-N.S.

A RESOLUTION AMENDING RESOLUTION NO. 9621-N.S. TO INCLUDE ADDITIONAL CLASSIFICATION AND TO CHANGE CERTAIN POSITIONS IN THE LIBRARY DEPARTMENT

---oOo---

BE IT HEREBY RESOLVED that Resolution No. 9621-N.S. entitled "A RESOLUTION ESTABLISHING CLASSES AND SALARIES FOR THE EMPLOYEES OF THE CITY OF MODESTO", be amended to include the following additional classification:

LIBRARY DEPARTMENT

POSITION	MAXIMUM MONTHLY SALARY
Librarian I	$255.00

and the following changes in positions be made

LIBRARY DEPARTMENT

POSITION	CHANGED TO
Cataloguer	Librarian I
Children's Librarian	Librarian I
Reference Librarian	Librarian I

and the abolition of the classifications of Reference Assistant and Circulation Assistant.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 16th day of April, 1952 by Councilman Annan, who moved its adoption, which motion being duly seconded by Councilman M. Adams, it was upon roll call carried and the resolution was adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: Merrill

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9817-N.S.

A RESOLUTION APPROVING AGREEMENT WITH C. E. HARDIN FOR IMPROVEMENT OF HARDIN TRACT

---oOo---

BE IT HEREBY RESOLVED that the agreement between the City of Modesto and C. E. Hardin, Subdivider on the Hardin Tract be approved and the City Manager and City Clerk be and they are hereby appointed signatory officials.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 16th day of April, 1952 by Councilman Arata, who moved its adoption, which motion being duly seconded by Councilman Annan, it was upon roll call carried and the resolution was adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: Merrill

ATTEST: REX E. GAILFUS, CITY CLERK

****

RESOLUTION NO. 9818-N.S.

A RESOLUTION RELATING TO THE USE OF TAX FUNDS FOR THE REPAYMENT OF A CONTEMPLATED LOAN BY THE INDUSTRIAL FIRE DISTRICT FROM THE BOARD OF SUPERVISORS OF STANISLAUS COUNTY IN THE EVENT THAT A PORTION OF THE DISTRICT IS ANNEXED TO THE CITY OF MODESTO

---oOo---

WHEREAS, the Board of Fire Commissioners of the Industrial Fire District has indicated its intention to request a loan from the Board of Supervisors of Stanislaus County to finance its operation and to pledge its anticipated revenues to secure the repayment of said loan in accordance with law; and

WHEREAS, a portion of the territory of said fire district is presently included in territory under annexation proceedings for the purpose of annexing to the City of Modesto; and

WHEREAS, by operation of law, if said annexation proceedings are approved by the electors of said territory, that portion of the district included within said proceedings will become a part of the city and the city will thereby become entitled to all taxes collected by the district on the property withdrawn from the district after the date of the withdrawal of same, which event may occur during the ensuing fiscal year; and

WHEREAS, the Board of Supervisors has raised the question as to whether, by reason thereof, the tax funds of the district will be sufficient to repay said loan;

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that if a portion of the Industrial Fire Fistrict is annexed to the City of Modesto during the ensuing fiscal year prior to the time that the aforesaid contemplated loan is repaid, the city will utilize all or so much of the tax revenues it will receive from the district by reason of the provisions of Section 14258.6 of the Health and Safety Code as are necessary for the purpose of repaying that portion of the unpaid balance of said loan which is attributable pro rata on the basis of assessed valuation to that portion of the territory of the district which is withdrawn from the district and annexed to the city.

The foregoing resolution was introduced at a regular meeting of the

Council of the City of Modesto held on the 23rd day of April, 1952 by Councilman Mellis, who moved its adoption and passage which motion being duly seconded by Councilman R. Adams, was upon roll call carried by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent:Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

****

RESOLUTION NO. 9819-N.S.

A RESOLUTION APPROVING MINUTES OF COUNCIL MEETINGS

---oOo---

BE IT HEREBY RESOLVED that the minutes of the regular Council meetings held on April 9, 16 and 23, 1952 be and they are hereby approved.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of May, 1952 by Councilman M. Adams, who moved its adoption, which motion being duly seconded by Councilman Arata, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent:Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

****

RESOLUTION NO. 9820-N.S.

A RESOLUTION APPROVING THE GRANTING BY THE MODESTO CITY PLANNING COMMISSION OF A VARIANCE TO ELVAN OVERHOLTZER TO CONSTRUCT AND OPERATE A CABINET SHOP ON LOT 8, BLOCK 910 OF EVERGREEN ACRES TRACT

WHEREAS, the Modesto City Planning Commission has granted a variance to Elvan Overholtzer, 1450 Overholtzer Avenue, for the construction and operation of a cabinet shop on his property, being lot 8, Block 910 of the Evergreen Acre Tract, and

WHEREAS, the Commission has granted the variance on the understanding that this property would be zoned in the CM- Commercial Manufacturer District, excepting the easterly 60 feet which would be zoned in the Multiple Family District as would be the properties fronting on Leonard Avenue, and the necessary land would be dedicated to provide for a full 60 ft. right of way for Kearney Avenue and a 50 ft. strip of land in order to provide for the continuation of Leonard Avenue to Kearney Avenue, and

WHEREAS, the Commission has recommended that when that portion of Leonard Avenue is dedicated to the City that it will be graded and oiled by the City but that the installation of curbs and gutters will be the responsibility of the property owner(s) and that Mr. Overholtzer will install curbs and gutters and grade his portion of Kearney Avenue but the City will provide for the oil.

NOW THEREFORE BE IT RESOLVED that the granting by the Modesto Planning Commission of the variance to Elvan Overholtzer to construct and operate a cabinet shop on lot 8, Block 910 of Evergreen Acres Tract be approved subject to the terms and conditions outlined above.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of May by Councilman Mellis, who moved its adoption, which motion being duly seconded by Councilman M. Adams, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent:Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

****

RESOLUTION NO. 9821-N.S.

A RESOLUTION APPROVING LEASE AGREEMENT BETWEEN THE CITY OF MODESTO AND W. G. DUNLOP FOR THE RENTAL OF A HANGAR AT THE MUNICIPAL AIRPORT

---oOo---

BE IT HEREBY RESOLVED that the lease agreement between the City of Modesto and W. G. Dunlop for the rental of a hangar at the Municipal Airport be approved for the term of one year commencing on May 1, 1952 at a rental fee of $100 00 per month and the City Manager and the City Clerk are appointed signatory officials.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of May, 1952 by Councilman R. Adams, who moved its adoption, which motion being duly seconded by Councilman Mellis, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent:Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

****

RESOLUTION NO. 9822-N.S.

A RESOLUTION AUTHORIZING THE CANCELLATION OF CITY OF MODESTO TAXES AND REQUEST THE BOARD OF SUPERVISORS OF STANISLAUS COUNTY AND MODESTO IRRIGATION DISTRICT TO CANCEL SECOND INSTALLMENT OF 1951-52 TAXES ON LOTS 21-24 inc. IN BLOCK 22

---oOo---

WHEREAS, the Modesto Youth Organization has deeded lots 21-24 inc. in Block 22 to the City of Modesto

NOW THEREFORE BE IT RESOLVED that the City Auditor be authorized to cancel the second installment of 1951-52 city taxes (Tax Bill No. 1726) in amount $6.97, and

BE IT FURTHER RESOLVED that the Board of Supervisors of the County of Stanislaus is hereby requested to cancel the second installment of 1951-52 taxes on the above described property, and

BE IT FURTHER RESOLVED that the Board of Directors of the Modesto Irrigation District is hereby requested to cancel the second installment of 1951-52 taxes on the above described property.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of May, 1952 by Councilman R. Adams, who moved its adoption, which motion being duly seconded by Councilman Mellis, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 9823-N.S.

A RESOLUTION AUTHORIZING THE AUDITOR TO CANCEL TAXES ON PROPERTY PURCHASED BY THE MODESTO CITY SCHOOLS

---oOo---

WHEREAS, the Modesto City Schools has filed a request with the City of Modesto to cancel the 1951-52 city taxes (tax bill No. 5656) on

Block 805, W 347.18'

being property purchased from Mary A. Sanders on July 11, 1951

NOW THEREFORE BE IT RESOLVED that the Auditor of The City of Modesto be directed to cancel the 1951-52 taxes on above described property.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of May, 1952 by Councilman Arata, who moved its adoption, which motion being duly seconded by Councilman Mellis, it was upon roll call carried and the res olution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent:Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

****

RESOLUTION NO. 9824-N.S.

A RESOLUTION APPROVING BUDGET APPROPRIATION TRANSFER OF $1,731 00 FROM THE GENERAL RESERVE OF THE LIBRARY FUND

---oOo---

BE IT HEREBY RESOLVED that the budget appropriation transfer of $1,731 00 be approved from the General Reserve of the Library Fund as follows:

Operating Expense (Telephone, heat & light, postage-supplies, General and Janitor)	$946 00
Capital Outlay (2 brass coupling, 2-50 ft. hose 1 Class B Extinguisher and 2 shutoff)	135 00
Capital Outlay-Books	650 00
	$1731 00

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of May, 1952 by Councilman Mellis, who moved its adoption, which motion being duly seconded by Councilman M. Adams, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent:Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

****

RESOLUTION NO. 9825-N.S.

A RESOLUTION AUTHORIZING THE REFUND OF TAXES TO THE FORMER ST. MARY'S HOSPITAL

WHEREAS, the former St. Mary's Hospital has brought suit against the City of Modesto for a refund of the 1946-47 property taxes in the amount of $221.31 under a ruling decided by the Superior Court of California, and

WHEREAS, the City Attorney has advised the Council that a refund to the St. Mary's Hospital is in order and that the tax payer had agreed to accept

$196.51 in full settlement of all claims, the difference of $24 80 having been the tax paid on several v acant lots which were not entitled to exemption under the law.

NOW THEREFORE BE IT RESOLVED that the Auditor of the City of Modesto is authorized to refund the sum of $196 51 to the St. Mary's Hospital.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of May, 1952 by Councilman Mellis, who moved its adoption, which motion being duly seconded by Councilman Arata, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill, and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GATIFUS, CITY CLERK

****

RESOLUTION NO. 9826-N.S.

A RESOLUTION COMMENDING MRS. MYRTIE McHENRY LANGDON FOR HER YEARS OF SERVICE FOR THE CITY OF MODESTO AND APPOINTING HER AS HONORARY PRESIDENT OF THE BOARD OF LIBRARY TRUSTEES OF THE CITY OF MODESTO FOR LIFE

---oOo---

WHEREAS, Mrs. Myrtie McHenry Langdon has served for more than forty years as President of the Board of Library Trustees of the City of Modesto, earning thereby the lasting gratitude of her fellow-citizens for the competent administration of the affairs of the McHenry Public Library, which was made possible by the generous bequest of her late distinguished husband, Oramel McHenry, and

WHEREAS, Mrs. Langdon is no longer a resident of Modesto and is unable to attend the meetings of the Board of Library Trustees, and

WHEREAS it is wholly fitting and proper that Mrs. Langdon should be honored for her outstanding service in some manner that will maintain her connection with the McHenry Library, and

WHEREAS the Board of Library Trustees has recommended to the City Council that Mrs. Myrtie McHenry Langdon be appointed Honorary President of the Board of Library Trustees of the City of Modesto for life, now therefore

~~BE IT~~ RESOLVED, that the City Council of the City of ~~Modesto does~~ hereby commend Mrs. Myrtie ~~McHenry~~ Langdon ~~for her~~ years of service for the City of Modesto and ~~appoint~~ her as Honorary ~~President~~ of the Board of Library ~~Trustees~~ of the City of Modesto for life, now ~~therefore~~

FURTHER

BE IT RESOLVED, that the City Council of the City of Modesto does hereby commend Mrs. Myrtie McHenry Langdon for her years of service for the City of Modesto and appoint her as Honorary President of the Board of Library Trustees of the City of Modesto for life; and be it further resolved that the Mayor be hereby authorized to send a certified copy of this resolution to Mrs. Myrtie McHenry Langdon, together with the personal thanks of the members of the City Council for her services.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of May, 1952 by Councilman Annan, who moved its adoption, which motion being duly seconded by Councilman M. Adams, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

****

RESOLUTION NO. 9827-N.S.

A RESOLUTION APPROVING THE BUDGET APPROPRIATION TRANSFER OF $120 00 FROM THE GENERAL RESERVE TO MUSIC & PROMOTION

---oOo---

BE IT HEREBY RESOLVED THAT the budget appropriation transfer of $120 00 be approved from the General Reserve to Music and Promotion to be used for the purchase of street flags to be used jointly by the California Relays and the Fourth of July Celebration Committee.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of May, 1952 by Councilman M. Adams, who moved its adoption, which motion being duly seconded by Councilman Arata, it was upon roll call regularly adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

****

RESOLUTION NO. 9828-N.S.

A RESOLUTION AUTHORIZING THE INSTALLATION OF TRAFFIC SIGNALS AT TENTH AND L STREETS

---oOo---

WHEREAS the City Manager has reported that the first phase of the study of traffic signal needs had been completed and the State has recommended installation of fully traffic-actuated signals at McHenry and Morris Avenues at an estimated cost of $11,500 00 and of "fixed time traffic signals" at Eleventh and D Streets at a cost of approximately $7.500 00, and

WHEREAS the city's share of the cost of these two signals would be 50% and

WHEREAS, the City Manager and the Inter-departmental Committee have agreed on the basis of the studies made that the signals which we already have should be placed at Tenth and L Streets

NOW THEREFORE BE IT RESOLVED that the installation of traffic signals be authorized at Tenth and L Streets.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of May, 1952 by Councilman Annan, who moved its adoption, which motion being duly seconded by Councilman M. Adams, it was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: M. Adams, R. Adams, Arata, Mellis, Merrill, and Mayor Marks

NOES: Councilmen: None

Absent: Countilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 9829-N.S.

A RESOLUTION ACCEPTING THE CONTRACT FOR THE CONSTRUCTION OF SANITARY SEWER IN ROBERTSON AND MORRIS AVENUES FROM THE LENTZ CONSTRUCTION CO. AS COMPLETED

----oOo----

WHEREAS, the Director of Public Works has filed a report on the construction of a sanitary sewer in Robertson Road between Sutter Avenue and Hammond Avenue and a sanitary sewer in Morris Avenue between Coffee Road and Block 1007 by the Lentz Construction Company stating that the work had been done in accordance with the plans and specifications and to his satisfaction and

WHEREAS, the Director of Public Works has recommended that the job be accepted and a notice of completion be filed with the County Recorder and that payment of $6,787.87 be authorized, being 75 % of the contract price.

NOW THEREFORE BE IT RESOLVED that the contract as completed by the Lentz Construction Company be accepted and payment be authorized of $6,787.87, being 75% of the contract price and the City Clerk is directed to record Notice of Completion with the County Recorder 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, 1952 by Councilman H. Adams, who moved its adoption, which motion being duly seconded by Councilman Arata, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill, and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

****

RESOLUTION NO. 9830-N.S.

A RESOLUTION APPROVING PROPOSED PROCEDURE AND TRANSFER OF $20,000 00 FROM THE GENERAL RESERVE TO THE STREET DEPARTMENT TO PROVIDE FOR THE MAINTENANCE OF STATE HIGHWAY ROUTE #4

---oOo---

WHEREAS, the City Manager has informed the Council that the Director of Public Works reports that the State Division of Highways has authorized expenditure of state funds for resurfacing of State Highway, Route 4, Ninth Street, between L Street and South 99 Highway Bridge, and

WHEREAS, the work is estimated to cost $20,000 00 and must be done by force account by the City of Modesto with full reimbursement being made by the State of California and all work must be completed and statements rendered to the Division of Highways office prior to June 30, 1952

NOW THEREFORE BE IT RESOLVED that the proposed procedure be approved and a transfer of $20,000 00 from the General Reserve to the Street Department to provide for the maintenance of State Highway Route #4 be approved.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of May, 1952 by Councilman Arata, who moved its adoption, which motion being duly seconded by Councilman Annan, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill, and Mayor Marks

Noes: Councilmen: None

Absent:Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 9831-N.S.

A RESOLUTION PROVIDING THAT THE CITY OF MODESTO BECOME A PART OF THE STANISLAUS COUNTY CIVIL DEFENSE OPERATIONAL AREA, AUTHORIZING THE APPOINTMENT OF A COORDINATING DIRECTOR, STAFF, AND CITY REPRESENTATIVE, AND PROVIDING TERMS AND CONDITIONS UPON WHICH THE CITY OF MODESTO SHALL PARTICIPATE IN THE ACTIVITIES OF THE STANISLAUS COUNTY CIVIL DEFENSE OPERATIONAL AREA

WHEREAS, the State Office of Civil Defense is desirous that the area within the boundaries of Stanislaus County be established as a Civil Defense Operational Area; and

WHEREAS, it is the opinion of the City Council of the City of Modesto that in order for the Stanislaus Operational Area to function prior to and during major disasters a necessary staff and coordinating director is required;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the City of Modesto become a component of the Stanislaus Operation Area, and

BE IT FURTHER RESOLVED that Kenneth C. Ables be appointed Stanislaus Operational Area Coordinator-Director, and E. W. Hane be appointed Deputy Stanislaus Operational Area Director and,

BE IT FURTHER RESOLVED that the City Manager be authorized to appoint a representative to serve on the staff of the Operational Area Coordinator as the Civil Defense representative of the City of Modesto, and

BE IT FURTHER RESOLVED that the Stanislaus Operational Area Coordinator-Director be authorized to appoint the necessary staff, provided that members appointed to the staff who are Civil Defense officials of the City of Modesto shall serve only with the consent of the City, and

BE IT FURTHER RESOLVED that in becoming part of an operational area and confirming the appointment of a Coordinator-Director and an operational area staff, the City of Modesto incurs no financial responsibility thereby.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of May, 1952 by Councilman M. Adams, who moved its adoption and passage which motion being duly seconded by Councilman Merrill, was upon roll call carried by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merris and Mayor Marks

Noes: Councilmen: None

Absent:Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

****

RESOLUTION NO. 9832-N.S.

A RESOLUTION ALLOWING CLAIMS FOR THE MONTH OF APRIL, 1952

---oOo---

BE IT HEREBY RESOLVED that the claims for the City of Modesto for the month of April, 1952 in the amount of $112,291 10 being check numbers 3391 to 3630 inc. for the city and check numbers 10877 to 10904 inc. for the McHenry Public Library be approved and the issuing of warrants by the Auditor is hereby validated.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of May, 1952 by Councilman M. Adams, who moved its adoption, which motion being duly seconded by Councilman Arata, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent:Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

****

RESOLUTION NO. 9833-N.S.

A RESOLUTION AUTHORIZING THE RENEWAL OF LEASE WITH THE UNITED STATES OF AMERICA (NAVAL DISTRICT)

---oOo---

BE IT HEREBY RESOLVED that the lease be renewed with the United States of America(NAVAL DISTRICT) on premises at the Municipal Airport (quonset huts) for a period of one year from July 1, 1952 with an option to lessee to renew annually until the 30th day of June, 1957, being their lease NOy(R), and appointing the Mayor and the City Clerk as signatory officials.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of May, 1952 by Councilman Mellis, who moved its adoption, which motion being duly seconded by Councilman R. Adams, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent:Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

****

RESOLUTION NO. 9834-N.S.

A RESOLUTION APPROVING THE SPECIFICATIONS AND ACCEPTING THE INFORMAL BID OF M. J. RUDDY & SON FOR PLANT MIX AND RENTAL OF EQUIPMENT FOR THE RESURFACING OF NINTH ST.

---oOo---

WHEREAS, the Director of Public Works has reported that M. J. Ruddy & Son filed the lowest informal bid for furnishing 3000 tons of plant mix surfacing and for the rental of equipment for the resurfacing of Ninth Street from L Street to the South 99 Highway Bridge and has recommended that this bid be accepted.

NOW THEREFORE BE IT RESOLVED that the specification be approved and the informal bid of M. J. Ruddy & Son be accepted for plant mix and for the rental of equipment.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of May, 1952 by Councilman R. Adams, who moved its adoption, which motion being duly seconded by Councilman M. Adams, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill, and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen:None

ATTEST: REX E. GAILFUS, CITY CLERK

****

RESOLUTION NO. 9835-N.S.

A RESOLUTION COMMENDING THE COUNTY PLANNING COMMISSION ON ITS STAND IN REGARD TO PARKS

---oOo---

WHEREAS, it has come to the attention of the Modesto City Council that the Stanislaus County Planning Commission is giving consideration to requiring developers of new subdivisions to participate in the provision of land for neighborhood park purposes and

WHEREAS, it is the opinion of the Modesto City Council that there is a great need for neighborhood parks in this community and that every reasonable means should be taken to assure that such parks are provided as the demand is created by subdivision and residential development, and

WHEREAS, the Modesto City Council realized that if neighborhood park areas are not provided for at this time the land will be built upon and the opportunity will be lost to acquire and develop for such purposes.

NOW THEREFORE BE IT RESOLVED that the Modesto City Council commends the County Planning Commission on its stand in regard to enouraging and requiring the setting aside of appropriate neighborhood park sites, and

BE IT FURTHUR RESOLVED that the City Council endorse in principle the position of the County Planning Commission in this regard, and

BE IT FURTHER RESOLVED that copies of this resolution be forwarded to the County Planning Commission, County Board of Supervisors and the City Planning Commission.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of May, 1952 by Councilman Annan, who moved its adoption, which motion being duly seconded by Councilman Mellis, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

****

RESOLUTION NO. 9836-N.S.

A RESOLUTION APPOINTING MEMBERS OF THE CITY-COUNTY RELATIONS COMMITTEE

BE IT HEREBY RESOLVED that the Mayor of the City of Modesto be and he is hereby appointed as the representative of the City and the Vice Mayor as alternate representative of the City-County Relations Committee to meet with the county officials in regard to City-County matters.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of May, 1952 by Councilman Mellis, who moved its adoption, which motion being duly seconded by Councilman Arata, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

****

RESOLUTION NO. 9837-N.S.

A RESOLUTION APPROVING MINUTES OF THE COUNCIL MEETING OF MAY 7, 1952

---oOo---

BE IT HEREBY RESOLVED that the minutes of the regular meeting of the Council of the City of Modesto held on May 7, 1952 be and they are hereby approved.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 21st day of May, 1952 by Councilman Merrill who moved its adoption, which motion being duly seconded by Councilman Annan, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Merrill and Mayor Marks

Noes: Councilmen: None

Absent:Councilmen: Mellis and Arata

ATTEST: REX E. GAILFUS, CITY CLERK

****

RESOLUTION NO. 9838-N.S.

A RESOLUTION AUTHORIZING THE CITY MANAGER AND THE DIRECTOR OF PUBLIC WORKS TO PROCEED WITH THE INSTALLATION OF THE SEWER LINE EXTENSION BETWEEN DOUGLAS AND MAGNOLIA AVENUES

---oOo---

WHEREAS, the City Manager has reported on the proposed sewer line extension between Douglas Avenue and Magnolia Avenue, explaining a new proposed plan for extending this line where the cost would be approximately $1500 00, and

WHEREAS, because of the urgent need for sewers in the area, the City Manager has requested that he be authorized to do the work on an emergency basis primarily with city forces and that he be authorized to contract for such part of the work as was necessary, possibly including the ditch digging.

NOW THEREFORE BE IT RESOLVED that the City Manager and the Director of Public Works be authorized to proceed with the installation of this line on the basis he has recommended.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 21st day of May, 1952 by Councilman M. Adams, who moved its adoption, which motion being duly seconded by Councilman Annan, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Merrill and Mayor Marks

Noes: Councilmen: None

Absent:Councilmen: Mellis

ATTEST: REX E. GAILFUS, CITY CLERK

****

RESOLUTION NO. 9839-N.S.

A RESOLUTION APPROVING MINUTES OF COUNCIL MEETING

---oOo---

BE IT HEREBY RESOLVED that the minutes of the Council meeting held on May 14, 1952 be and they are hereby approved.

The foregoing resolution was introduced at a regular ~~meeting~~ of the Council of the City of Modesto ~~meeting~~ held on ~~May~~ 28 day of May 1952 by Councilman M. Adams, who moved its adoption, which

motion being duly seconded by Councilman Arata, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent:Councilmen: R. Adams

ATTEST: REX E. GAILFUS, CITY CLERK

****

RESOLUTION NO. 9840-N.S.

A RESOLUTION ACCEPTING BOND AND CASH DEPOSIT FROM JOHN QUARESMA AND ROY R. CARLSON, SUBDIVIDERS OF THE COLLEGE CENTER SUBDIVISION

---oOo---

WHEREAS, John Quaresma and Roy R. Carlson, subdividers of the College Center subdivision have posted a $25,000 bond, as required by agreement entered into with the city, to guarantee the completion of improvement and furnishing of materials required by a provision of Ordinance No. 962-N.S. as it read prior to its amendment by Ordinance No. 1019-N.S., and

WHEREAS, the estimated cost of work in the College Center Subdivision (Unit #1) uncompleted as of this date is $7,500 00

BE IT HEREBY RESOLVED that the bond of $25,000 00 and cash deposit of $7,500 00 be accepted with the understanding that portions of the deposit of $7,500 00 be returned upon application by the subdividers as proportionate quantities of the work are done in amounts approved by the Director of Public Works.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto heldoon the 28th day of May, 1952 by Councilman Merrill who moved its adoption, which motion being duly seconded by Councilman Arata, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent:Councilmen: R. Adams

ATTEST: REX E. GAILFUS, CITY CLERK

****

RESOLUTION NO. 9841-N.S.

A RESOLUTION APPROVING THE COLLEGE CENTER SUBDIVISION MAP

---oOo---

BE IT HEREBY RESOLVED that the College Center Subdivision map be approved and accepted on behalf of the public for public use, streets, alleys and easements as shown on this map within the boundaries of the subdivision, and

BE IT FURTHER RESOLVED that the City Clerk be appointed as signatory official.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 28th day of May, 1952 by Councilman Merrill who moved its adoption, which motion being duly seconded by Councilman Arata, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent:R. Adams

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 9842-N.S.

A RESOLUTION APPROVING THE EXECUTION OF AGREEMENT WITH HARRY N. JENKS, CONSULTING SANITARY ENGINEER

---oOo---

WHEREAS, Harry N. Jenks, Consulting Sanitary Engineer, working under an existing contract with the City of Modesto, has completed work plans and specifications requiring payment of $7,500 00, of which $5,000 00 has already been paid, and

WHEREAS, the City Manager has suggested that the City of Modesto enter into a new contract with Mr. Jenks

NOW THEREFORE BE IT RESOLVED that the execution of a new agreement with Harry N. Jenks, Consulting Sanitary Engineer, be approved under the terms and conditions set forth in the agreement and the City Manager and City Clerk are appointed signatory officials.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 28th day of May, 1952 by Councilman M. Adams, who moved its adoption, which motion being duly seconded by Councilman Merrill, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent:Councilmen: R. Adams.

ATTEST: REX E. GAILFUS, CITY CLERK

****

RESOLUTION NO. 9843-N.S.

A RESOLUTION AUTHORIZING THE STARTING OF THE AUTOMATIC TRAFFIC SIGNAL AT TENTH AND L STREETS

---oOo---

BE IT HEREBY RESOLVED THAT the Director of Public Works be and he is hereby authorized to start the automatic traffic signal at Tenth and L Streets as of May 29, 1952.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 28th day of May, 1952 by Councilman Annan, who moved its adoption, which motion being duly seconded by Councilman M. Adams, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent:Councilmen: R. Adams

ATTEST: REX E. GAILFUS, CITY CLERK

****

RESOLUTION NO. 9844-N.S.

A RESOLUTION SETTING THE DATE OF JULY 1, 1952 AS THE DATE ON WHICH THE PROPOSED 1952-53 BUDGET SHOULD BE PRESENTED TO THE COUNCIL

---oOo---

WHEREAS, the Council having heretofore set the date for the submission of the 1952-53 budget for its consideration as not later than June 1, 1952, and

WHEREAS, the City Manager has reported that although the budget is practically complete, the Citizen's Advisory Committee on Capital Improvement is still working on proposed improvements for the year 1952-53 and the salary survey is completed and he has suggested that the Council set the date of July1, 1952 for submission of the budget.

NOW THEREFORE BE IT RESOLVED that the date of July 1, 1952 be set as the date on which the proposed 1952-53 budget should be presented to the Council for consideration.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 28th day of May, 1952 by Councilman Mellis, who moved its adoption, which motion being duly s econded by Councilman M. Adams, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent:Councilmen: R. Adams

ATTEST: REX E. GAILFUS, CITY CLERK

****

RESOLUTION NO. 9845-N.S.

A RESOLUTION APPROVING MINUTES OF COUNCIL MEETING OF MAY 21, 1952

---oOo---

BE IT HEREBY RESOLVED the minutes of the Council meeting of May 21, 1952 be and they are hereby approved.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 4th day of June, 1952 by Councilman M. Adams, who moved its adoption, which motion being duly seconded by Councilman Annan, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mayor Pro Tempore Merrill

Noes: Councilmen: None

Absent:Councilmen: Mellis and Mayor Marks

ATTEST: REX E. GAILFUS, CITY CLERK

****

RESOLUTION NO. 9846-N.S.

A RESOLUTION APPROVING PLANS & SPECIFICATIONS AND AUTHORIZING THE CALLING FOR BIDS ON SANITARY SEWER TRUNK LINE ON KEARNEY, ROSEBURG AND COLDWELL AVENUES

---oOo---

WHEREAS, the Director of Public Works has presented plans and specifications to the Council for the construction of a sanitary sewer trunk line on Kearney, Roseburg and Coldwell Avenues and has requested that the Council approve the plans and specifications and authorize the City Clerk to call for bids

NOW THEREFORE BE IT RESOLVED that the plans and specifications be approved and the City Clerk be authorized to call for bids to be received not later than 2:00 P. M. on Monday, June 30, 1952. All bids received will be opened and read at the above specified time in the Council Chambers 717 Tenth Street and any award made or contract entered into shall be by action of the Council, meeting in regular session at a subsequent 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, 1952 by Councilman M. Adams, who moved its adoption, which motion being duly seconded by Councilman Arata, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mayor Pro Tempore Merrill

Noes: Councilmen: None

Absent: Councilmen: Mellis and Mayor Marks

ATTEST: REX E. GAILFUS, CITY CLERK

****

RESOLUTION NO. 9847-N.S.

A RESOLUTION PROVIDING FOR THE CHANGING OF THE BASIS FOR ALLOCATING STREET NUMBERS IN THE 900 BLOCK ON TENTH STREET IN THE CITY OF MODESTO

---oOo---

WHEREAS, there exists today in the 900 block on Tenth Street in the City of Modesto duplicated property numbers and half numbers dued to the use of property in small parcels; and

WHEREAS, the City Planning Commission, after consultation with interested parties, has recommended that the allocation of street numbers in the 900 block on Tenth Street in the City of Modesto be made on a basis of one number for each 12½ feet of frontage; and

WHEREAS, the Council declares that said recommendation is in the interests of public convenience and necessity; and

WHEREAS, Section 2 (d) of Ordinance No. 934-N.S. of the City of Modesto, as amended, authorizes the City Council, by resolution, to designate blocks in which a separate number shall be assigned for each 12½ feet of frontage;

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Modesto that the allocation of street numbers in the 900 block on Tenth Steeet between "I" Street and "J" Street in the City of Modesto be changed so as to provide for the allocation of numbers on the basis of one number for each 12½feet of frontage; and

BE IT FURTHER RESOLVED, that the City Clerk be and he is hereby directed to notify each property owner and occupant in said block of the new number or numbers assigned to his property in accordance with Ordinance No. 934-N.S., as amended.

BE IT FURTHER RESOLVED, that the effective date of such number change shall be January 1, 1953.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto on the 4th day of June, 1952, by Councilman Arata, who moved its adoption and passage, which motion being duly seconded by Councilman Annan, was upon roll call carried by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mayor Pro Tempore

Noes: Councilmen: None

Absent: Councilmen: Mellis and Mayor Marks

ATTEST: REX E. GAILFUS, CITY CLERK

****

RESOLUTION NO. 9848-N.S.

A RESOLUTION AUTHORIZING THE ENTERING INTO AN AGREEMENT WITH R. S. GADA DBA RAY'S RADIO SHOP FOR THE REPAIR AND MAINTENANCE OF TWO WAY RADIO EQUIPMENT FOR THE CITY OF MODESTO

---oOo---

WHEREAS the City Manager has recommended that the City of Modesto enter into an agreement with R. S. Gada, d.b.a. Ray's Radio Shop for furnishing of all materials and labor necessary to maintain all of the two way radio equipment for

the City of Modesto.

BE IT HEREBY RESOLVED that the entering into an agreement as set forth above be authorized and the City Manager and City Clerk be appointed signatory officials.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 4th day of June, 1952 by Councilman M. Adams, who moved its adoption, which motion being duly seconded by Councilman Arata, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mayor Pro Tempore Merrill

Noes: Councilmen: None

Absent:Councilmen: Mellis and Mayor Marks

ATTEST: REX E. GAILFUS, CITY CLERK

****

RESOLUTION NO. 9849-N.S.

A RESOLUTION AUTHORIZING THE CITY CLERK TO CALL FOR BIDS FOR THE PUBLICATION OF OFFICIAL ADVERTISING OF THE CITY OF MODESTO FOR THE FISCAL YEAR ENDING JUNE 30, 1953

BE IT HEREBY RESOLVED that the City Clerk be authorized to call for bids for the publication of the official advertising of the City of Modesto for the fiscal year ending June 30, 1953. All bids are to be filed not later than 7:00 p. m. Wednesday, June 18, 1952 with the City Clerk.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 4th day of June 1952, by Councilman Arata, who moved its adoption, which motion being duly seconded by Councilman R. Adams, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mayor Pro Tempore Merrill

Noes: Councilmen: None

Absent:Councilmen: Mellis and Mayor Marks

ATTEST: REX E. GAILFUS, CITY CLERK

****

RESOLUTION NO. 9850 N.S.

A RESOLUTION APPROVING THE MINUTES OF THE COUNCIL MEETING OF MAY 28th and JUNE 4th, 1952

---oOo---

BE IT HEREBY RESOLVED that the minutes of the regular meetings of the Council of May 28th and June 4th be and they are hereby approved.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of June, 1952 by Councilman R. Adams, who moved its adoption, which motion being duly seconded by Councilman Annan, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Mellis and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: Merrill and Arata

ATTEST: REX E. GAILFUS, CITY CLERK

****

RESOLUTION NO. 9851-N.S.

A RESOLUTION GRANTING VARIANCE FROM STREET GRADE AT CAMPUS WAY AND MADONIA AVENUE TO THE GRANGE COMPANY

---oOo---

WHEREAS, the Grange Company has filed a request with the Council for the granting of a variance from street grade at Campus Way and Madonia Avenue in order to provide a

workable approach to the truck scale platform at this location, which is necessary due to an error in the location of the scale, and

WHEREAS, the Grange Company has advised that it would cost approximately $50,000.00 to move the scale to a new location further from the street, and

WHEREAS, the Director of Public Works has reported that due to the limited amount of traffic on Campus Way he recommends that the Grange Company be issued a revokable permit to do the work as outlined in their request, and

WHEREAS, the Director of Public Works has recommended that the permit be revokable to allow for any future development of the area which might make it necessary to return the street to its original cross section.

NOW THEREFORE BE IT RESOLVED that The Grange Company be granted permit to construct this approach on a revokable basis as recommended by the Director of Public Works due to the location of the street and its short length and the limited amount of traffic.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of June, 1952 by Councilman R. Adams, who moved its adoption which motion being duly seconded by Councilman Mellis, it was upon roll call carried and the resolution was adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: Arata

ATTEST: REX E. GAILFUS, CITY CLERK

****

RESOLUTION NO. 9852N.S.

A RESOLUTION ALLOWING CLAIMS FOR THE MONTH OF MAY, 1952

---oOo---

BE IT HEREBY RESOLVED that the claims for the City of Modesto for the month of May, 1952 in the amount of $116,580.91, being check numbers 3631 to 3826--inc., excluding 3814 to 3823, which will appear in June's claims, for the city and check numbers 10905 to 10929 inc. for the McHenry Public Library be approved and the issuing of warrants by the Auditor is hereby validated.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of June, 1952 by Councilman Annan, who moved its adoption, which motion being duly seconded by Councilman M. Adams, it was upon roll call carried and the resolution was adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

****

RESOLUTION NO. 9853-N.S.

A RESOLUTION AUTHORIZING THE PURCHASE OF A LULL SHOVELOADER

---oOo---

BE IT HEREBY RESOLVED that the purchase of a Lull Shoveloader at a purchase price of $1,494.94 f.o.b. Modesto from the Contractors Equipment & Supply

Company be authorized as recommended by the Director of Public Works.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of June, 1952 by Councilman M. Adams, who moved its adoption, which motion being duly seconded by Councilman Mellis, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill, and Mayor Marks

Noes: Councilmen: None.

Absent:Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

****

RESOLUTION NO. 9854-N.S.

A RESOLUTION AUTHORIZING FINAL PAYMENT OF $2,262.63 TO THE LENTZ CONSTRUCTION COMPANY

---oOo---

WHEREAS, the Director of Public Works has filed a report that the 35 day lien period required by the contract with the Lentz Construction Company for the construction of a sanitary sewer line in Robertson Road between Sutter Avenue and Hammond Avenue and a sanitary sewer extension in Morris Avenue between Coffee Road and Block 1007 has expired and no claims have been filed against the contractor, and

WHEREAS, he has recommended that the remaining 25% of the contract price, being $2,262.63 be paid

NOW THEREFORE BE ITRESOLVED that payment of $2,262.63 be authorized to the Lentz Construction Company as recommended by the Director of Public Works.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto by Councilman R. Adams who moved its adoption, which motion being duly seconded by Councilman Arata, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent:Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

****

RESOLUTION NO. 9855-N.S.

A RESOLUTION APPROVING AGREEMENT WITH THE MODESTO HIGH SCHOOL DISTRICT FOR THE USE OF THE SWIMMING POOL DURING THE SUMMER VACATION MONTHS

---oOo---

BE IT HEREBY RESOLVED that an agreement between the Modesto High School District of Stanislaus County and the City of Modesto for the use of the swimming pool located on the Modesto High School grounds during the summer vacation months of each year be and it is hereby approved and the City Manager and the City Clerk are appointed signatory officials.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of June, 1952 by Councilman Arata, who moved its adoption, which motion being duly seconded by Councilman Annan, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent:Councilmen: None

ATTEST:: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 9856-N.S.

A RESOLUTION APPROVING AGREEMENT WITH THE CHAMBER OF COMMERCE

---oOo---

BE IT HEREBY RESOLVED that the agreement between the City of Modesto and the Chamber of Commerce relating to the furnishing of publicity and promotion activities to the City of Modesto and the City Manager and the City Clerk are hereby appointed signatory officials and payment of $1500.00 is hereby authorized to the Chamber of Commerce.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of June, 1952 by Councilman Merrill, who moved its adoption, which motion being duly seconded by Councilman Annan, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent:Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

****

RESOLUTION NO. 9857-N.S.

A RESOLUTION GRANTING PERMIT TO THE PACIFIC GRAPE PRODUCTS COMPANY TO USE PORTION OF GROVELAND STREET

---oOo---

WHEREAS, the Pacific Grape Products Company has filed a request to use a portion of Groveland Street for a loading and storage platform, and

WHEREAS, the Director of Public Works has recommended that if permission is granted that the Company construct a concrete slab 140' in length and 30' in width, beginning at the south curb line of Grand Street and it should be 7" in thickness and should be constricted to lines and grades established by the City

NOW THEREFORE BE IT RESOLVED that due to the location and length of the street, the limited use thereof and the temporary basis for its use and due to the fact that it would relieve the traffic on Grand Street considerably that the request be granted on the following conditions:

1. That we have a written statement from the neighboring businesses that they have no objections to the use as requested.
2. That the permit be on a revokable basis.
3. That all liability be assumed by the Pacific Grape Products Company.
4. That the concrete slab be located and constructed under the supervision of the Director of Public Works.

and it being understood that use of the street be limited to the fruit processing period of each year for two years only or less and it be used for storage only.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of June, 1952 by Councilman Annan, who moved its adoption, which motion being duly seconded by Councilman Merrill, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill, and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 9858-N.S.

A RESOLUTION REQUESTING THE CANCELLATION OF TAXES ON LOT 17 of THE WEIL COLONY

---oO---

WHEREAS, the City of Modesto has acquired title to Lot 17 of Weil Colony

NOW THEREFORE BE IT RESOLVED that the City of Modesto does hereby request the Board of Supervisors of Stanislaus County and the Board of Directors of the Modesto Irrigation District to cancel the taxes now due and payable on this property.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Moesto held on the 18th day of June, 1952 by Councilman Mellis, who moved its adoption, which motion being duly seconded by Councilman M. Adam, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent:Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

****

RESOLUTION NO. 9859-N.S.

A RESOLUTION CANCELLING THE DELINQUENT TAX ON LOT 6, BLOCK 1006 OWNED BY J. M. GAUB

---oOo---

WHEREAS, the buildings on lot 6, Block 1006, owned by J. M. Gaub, et ux, were assessed on the 1951-52 tax roll in error as they were started and completed after the first Monday in March, 1951

NOW THEREFORE BE IT RESOLVED that the delinquent tax of $24,65, (tax bill no. 5510) assessed against this property for the year 1951-52 be and they are hereby cancelled.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 18th day of June, 1952 by Councilman Arata, who moved its adoption, which motion being duly seconded by Councilman Mellis, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent:Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

****

RESOLUTION NO. 9860-N.S.

A RESOLUTION ESTABLISHING POLICY OF THE COUNCIL OF THE CITY OF MODESTO ON THE PROPOSED TIDEWATER SOUTHERN RAILWAY COMPANY INDUSTRIAL SITE

---oOo---

WHEREAS, the Tidewater Southern Railway Company has obtained options on approximately 200 acres of land adjacent to its right of way south of the City of Modesto, for the purpose of industrial development; and

WHEREAS, adequate industrial and sanitary sewage disposal and adequate water supply for industrial use and for fire protection purposes are essential to the proposd development; and

WHEREAS, the City Council believes it to be in the best interests of the community to promote such development;

NOW THEREFORE BE IT RESOLVED that it is the position of the City Council that if the Tidewater Southern Railway Company will acquire and develop the area for industrial

sites as indicated the City will at its expense, furnish the following:

1. A sewer line to the corner of the property which is nearest the city's disposal plant, of sufficient size to handle the industrial and domestic wastes from such an area with typical industrial development, and

2. Water supply to the area sufficient for normal industrial use and for fire protection purposes.

BE IT FURTHER RESOLVED that it is the position of the City Council that the City will furnish these utilities as they are required for the proper development of the area and not later than March 1, 1955, provided the Company has by that date developed facilities in at least half of the aforementioned area for industrial purposes; and

BE IT FURTHER RESOLVED that the City Council takes this position on the basis that the Tidewater Southern Railway Company agrees to cause the property to be annexed to the city at the earliest feasible time, but not later than March 1, 1955, if this is legally possible, and on the basis that any sales of land or other transfers of interest by the Company in the aforementioned area will be made subject to this condition. In the event that the area is not annexed to the City by March 1, 1955, the City reserves the right to charge higher rates for sewer and water services than charged for those services furnished within the City.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 18th day of June, 1952 by Councilman M. Adams, who moved its adoption, which motion being duly seconded by Councilman Merrill, it was upon roll call carried and the resolution adopted by the following vote:

Ayes; Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks
Noes: Councilmen: None
Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

****

RESOLUTION NO. 9861-N.S.

A RESOLUTION AUTHORIZING THE TRANSFER OF FUNDS FROM THE WATER FUND TO THE GENERAL FUND OF THE CITY OF MODESTO

---oOo---

WHEREAS, a request has been filed by the Finance Department of the City of Modesto for the transfer of $125,000.00 from the Water Fund to the General Fund,

NOW THEREFORE BE IT RESOLVED that the Auditor is hereby authorized to make the necessary entries on his records to transfer the funds as requested by the Finance Department.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 18th day of June, 1952 by Councilman Annan, who moved its adoption, which motion being duly seconded by Councilman Arata, it was upon roll call carried and the resolution was adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks
Noes: Councilmen: None
Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 9862-N.S.

A RESOLUTION APPROVING AGREEMENT WITH WILLIAM F. BECKETT, SR. AND WILLIAM F. BECKETT JR. FOR CITY SERVICES TO THE CLOVERFIELD TRACT

---oOo---

WHEREAS, William F. Beckett, Sr. and William F. Beckett Jr. owners of the Cloverfield Tract have filed a request for city sewer and water service to this tract prior to annexation.

NOW THEREFORE BE IT RESOLVED that the City of Modesto enter into an agreement with said applicants, said agreement to be effective upon the effective date of the proposed amendments to the ordinances providing for water and sewer service charges, and the City Manager and the City Clerk are hereby appointed signatory officials.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 18th day of June, 1952 by Councilman Annan, who moved its adoption, which motion being duly seconded by Councilman M. Adams, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent:Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

****

RESOLUTION NO. 9863-N.S.

A RESOLUTION ACCEPTING THE BID OF THE MODESTO JOURNAL & VALLEY CITIZEN FOR THE OFFICIAL PRINTING FOR THE YEAR ENDING JUNE 30, 1953

---oOo---

BE IT HEREBY RESOLVED that the bid of the Modesto Journal and Valley Citizen be accepted for the official advertising for the year ending June 30, 1953, as their bid was the lowest responsible bid and the City Attorney is hereby directed to prepare a contract covering the official advertising for submission to the Council.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 25th day of June, 1952 by Councilman Annan, who moved its adoption, which motion being duly seconded by Councilman R. Adams, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Mayor Marks

Noes: Councilmen: Arata, Merrill and Mellis

Absent:Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

****

RESOLUTION NO. 9864-N.S.

A RESOLUTION ACCEPTING THE INFORMAL BID OF MONTAGUE & HARRIS COMPANY FOR A CARROLL-JAMIESON LATHE

---oOo---

WHEREAS, the Director of Public Works reported that he had received four informal bids on a machine lathe and that from the study made of these bids by Councilman M. Adams and the Public Works Department he recommends that the bid of Montague & Harris Company on a Carroll-Jamieson Lathe of $3,771.93, less $223.92 for a 10 inch three jaw chuck used with the old lathe which could be retained, be accepted

NOW THEREFORE BE IT RESOLVED that the bid of $3,548.01 be accepted from Montague & Harris Company, as their bid was the lowest and best bid received and the Director of

Public Works was authorized to purchase this lathe.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 25th day of June, 1952 by Councilman Adams, who moved its adoption, which motion being duly seconded by Councilman Arata, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Amman, Arata, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent:Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

****

RESOLUTION NO. 9865-N.S.

A RESOLUTION AUTHORIZING THE PURCHASE OF A SAND TRAP FOR WELL#14

---oOo---

WHEREAS, the Director of Public Works has reported that Well #14 on Virginia Avenue, was badly in need of a sand trap and he recommended that the Public Works Department be authorized to purchase this sand trap at an expenditure not to exeeed $1450.00.

NOW THEREFORE BE IT RESOLVED That the Director of Public Works be authorized to purchase a sand trap for the Well #14 located on Virginia Avenue not to exceed $1,450.00 in cost from the Water Bond Fund.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 25th day of June, 1952 by Councilman Merrill, who moved its adoption, which motion being duly seconded by Councilman Mellis, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Amman, Arata, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent:Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

****

RESOLUTION NO. 9866-N.S.

A RESOLUTION ACCEPTING CONTRACT FOR SEWER LINES IN CAROLYN AVENUE FROM THE STANDARD MATERIAL INC.

---oOo---

WHEREAS, the Director of Public Works has filed a report on the completion of the construction of a sanitary sewer line in Carolyn Avenue between Griswold and Brady Avenues by the Standard Materials Inc. in accordance with the contract and has recommended progressive payment of $300.32 be made and Notice of Completion ~~filed and progressive payment of $300.32 be authorized.~~ be recorded 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 25th day of June, 1952 by Councilman M. Adams, who moved its adoption, which motion being duly seconded by Councilman Arata, it was upon roll call carried and the resolution adopted by the following vote:

**NOW THEREFORE BE IT RESOLVED that the contract be completed by the Standard Materials Inc. be accepted and Notice of Completion filed and progressive payment of $300 32 be authorized.

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent:Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

****

RESOLUTION NO. 9867-N.S.

A RESOLUTION APPROVING AGREEMENT WITH CHESTER D. NATTINGER, C. P. A. FOR AUDIT OF RECORDS FOR YEAR ENDING JUNE 30, 1952

---oOo---

BE IT HEREBY RESOLVED that the agreement with Chester D. Nattinger, Certified Public Accountant, for the auditing of the records of the City of Modesto for the fiscal year edning June 30, 1952 be approved and the City Manager and the City Clerk be appointed signatory officials.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto, held on the 25th day of June, 1952 by Councilman Mellis, who moved its adoption, which motion being duly seconded by Councilman Annan, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent:Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

****

RESOLUTION NO. 9868-N.S.

A RESOLUTION ACCEPTING DEED OF EASEMENT FROM WILLIAM FALGER AND MARY LOUISE FALGER

---oOo---

BE IT HEREBY RESOLVED that the deed of easement be accepted from William Falger and Mary Louise Falger, his wife, on the easterly 7.50 feet of the southerly 77.00 feet of lot 20 of the first addition to the Bonnie Brae Tract and the City Clerk is hereby directed to record 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 25th day of June, 1952 by Councilman Arata, who moved its adoption, which motion being duly seconded by Councilman M. Adams, it was upon roll call carried and the resolution adopted b y the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent:Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

****

RESOLUTION NO. 9869-N.S.

A RESOLUTION SETTING THE DATE FOR SUBMISSION OF THE BUDGET TO THE COUNCIL AS JULY 15, 1952

---oOo---

WHEREAS, the City Manager has requested that the date for presentation of the budget for 1952-53 to the Council be reset for July 15, 1952 as he stated that complete salary survey for recommendations to the Council had not been completed and that the Citizen's Advisory Committee on proposed capital improvements had agreed to give further consideration to financing captial improvements before the budget is finally approved

NOW THEREFORE BE IT RESOLVED that the date of July 15, 1952 be set as the date for presentation of the proposed 1952-53 budget to the Council for their consideration.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 25th day of June, 1952 by Councilman Mellis, who moved its adoption, which motion being duly seconded by Councilman Merrill, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

****

RESOLUTION NO. 9870-N.S.

A RESOLUTION AMENDING RESOLUTION NO. 9862-N.S. TO PROVIDE FOR THE EFFECTIVE DATE OF THE AGREEMENT WITH WILLIAM F. BECKETT SR. AND WILLIAM F. BECKETT JR. TO BE UPON THE EXECUTION OF THE AGREEMENT

WHEREAS, the City Attorney has reported that his investigations reveal that it is not necessary to amend the sewer and water service charge ordiances in order to make the agreement with William F. Beckett Sr. and William F. Beckett Jr. on the Cloverfield Tract effective and

WHEREAS, the City Attorney has recommended that Resolution No. 9862-N.S., providing that agreement should be effective upon the effective date of the proposed amendments to the ordinances providing for water and sewer service charges, be amended to provide that the agreement become effective immediately upon the execution of the agreement

NOW THEREFORE BE IT RESOLVED that Resolution No. 9862-N.S. adopted by the Council on June 18, 1952 be amended to provide for the agreement with William F. Beckett Sr. and William F. Beckett Jr. to become effective immediately upon the execution of the agreement.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 25th day of June, 1952 by Councilman M. Adams, who moved its adoption, which motion was duly seconded by Councilman Arata, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

****

RESOLUTION NO. 9871-N.S.

A RESOLUTION AUTHORIZING THE APPROPRIATION AND ENCUMBERING OF $70,000.00 FROM THE DOMESTIC SEWER FUND

---oOo---

BE IT HEREBY RESOLVED that the appropriation and encumbering of $70,000.00 from the Domestic Sewer Fund to the General Fund for the proposed construction of trunk lines and sewer extensions be 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, 1952 by Councilman Annan, who moved its adoption, which motion being duly seconded by Councilman Merrill, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent:Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

****

RESOLUTION NO. 9872-N.S.

A RESOLUTION AUTHORIZING THE APPROPRIATION TRANSFER OF $20,336.00 TO ADJUST APPROPRIATIONS FOR SALARIES AND WAGES

---oOo---

BE IT HEREBY RESOLVED that the appropriation transfer of $20,446.00 be authorized to adjust appropriations for salaries and wages required for the year ending June 30, 1952 to cover salary increases, utility crew distribution and supplemental help requirements.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 25th day of June, 1952 by Councilman M. Adams, who moved its adoption, which motion being duly seconded by Councilman Arata, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent:Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

****

RESOLUTION NO. 9873-N.S.

A RESOLUTION AUTHORIZING THE APPROPRIATION TRANSFER OF $16,297.00 FROM UNANTICIPATED REVENUE TO THE SEWER DEPARTMENT

---oOo---

BE IT HEREBY RESOLVED that the appropriation transfer of $16,297.00 be authorized from Unanticipated Revenue (Federal Housing Authority) to the Sewer Department for expenditures made for sewer extensions in excess of those allowed in the 1951-52 budget from funds provided for by revenue not anticipated in the current budget.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 25th day of June, 1952 by Councilman Annan, who moved its adoption, which motion being duly seconded by Councilman Merrill, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent:Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

****

RESOLUTION NO. 9874-N.S.

A RESOLUTION AUTHORIZING THE APPROPRIATION TRANSFER OF $1,554.00 TO THE MUNICIPAL AIRPORT DEPARTMENT

---oOo---

BE IT HEREBY RESOLVED that the appropriation transfer of $1,554.00 be approved from the Unappropriated Surplus (Municipal Airport Gas Tax Funds) to the Municipal Airport Department for Capital outlay.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 25th day of June, 1952 by Councilman R. Adams, who moved its adoption, which motion being duly seconded by Councilman Annan, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent:Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

****

RESOLUTION NO. 9875-N.S.

A RESOLUTION AUTHORIZING THE APPROPRIATION TRANSFER FROM THE GENERAL RESERVE OF THE LIBRARY DEPARTMENT TO THE LIBRARY DEPARTMENT

---oOo---

BE IT HEREBY RESOLVED that the appropriation transfer of $1,001.00 be authorized from the General Reserve of the Library Department to the Library Department for operating expenses, salaries and wages and captial outlay.

The foregoing resolution was introduced at a regular meeting of the Council of the City of the City of Modesto held on the 25th day of June, 1952 by Councilman Arata, who moved its adoption, which motion being duly seconded by Councilman Merrill, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent:Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

****

RESOLUTION NO. 9876-N.S.

A RESOLUTION AUTHORIZING THE APPROPRIATION TRANSFER FROM THE ESTIMATED REVENUE (PROPERTY TAXES) TO THE LIBRARY DEPARTMENT

---oOo---

BE IT HEREBY RESOLVED that the appropriation transfer of $900.00 be authorized from the Estimated Revenue (Property Taxes) to the Library Department for salaries and wages in the amount of $900.00.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 25th day of June, 1952 by Councilman Arata, who moved its adoption, which motion being duly seconded by Councilman Merrill, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merril and Mayor Marks

Noes: Councilmen: None

Absent:Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 9877-N.S.

A RESOLUTION ESTABLISHING DIAGONAL PARKING ON BOTH SIDES OF 17th STREET BETWEEN G AND H STREETS

---oOo---

WHEREAS, the Inter-departmental Traffic Committee has recommended that diagonal parking be established on both sides of 17th Street between G and H Streets

NOW THEREFORE BE IT RESOLVED that 30° angle parking be established on both sides of 17th Street between G and H Streets and the Director of Public Works is hereby directed to install the necessary striping on the street to provide for parking spaces at the appropriate angle.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 25th day of June, 1952 by Councilman Merrill, who moved its adoption, which motion being duly seconded by Councilman M. Adams, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent:Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

****

RESOLUTION NO. 9878-N.S.

A RESOLUTION ESTABLISHING PARKING METER ZONE ON NORTH SIDE OF H STREET, BETWEEN 8th and 9th STREET

---oOo---

WHEREAS, the Inter-departmental Traffic Committee has recommended that the north side of H Street between 8th and 9th Streets be designated as a parking meter zone, and

WHEREAS, Section 1 of Ordinance No. 1021-N.S. provides that from time to time the Council by resolution may establish and designate such other streets and avenues as parking meter zones as traffic conditions require

NOW THEREFORE BE IT HEREBY RESOLVED that the north side of H Street between 8th and 9th Streets be designated as a parking meter zone.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 25th day of June, 1952 by Councilman Arata, who moved its adoption, which motion being duly seconded by Councilman Annan, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent:Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

****

RESOLUTION NO. 9879-N.S.

A RESOLUTION ESTABLISHING DIAGONAL PARKING ON SOUTH SIDE OF 18th STREET BETWEEN G AND H STREETS

---oOo---

WHEREAS, the Inter-departmental Traffic Committee has recommended that the south side of 18th Street between G and H Street be marked for diagonal parking

NOW THEREFORE BE IT RESOLVED that 30° diagonal parking be established on the south side of 18th street between G and H Streets and the Director of Public Works is hereby directed to install and maintain the proper marking on the oiled street to establish the parking spaces at the appropriate angle.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 25th day of June, 1952 by Councilman Annan, who moved its adoption, which motion being duly seconded by Councilman Arata, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent:Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

****

RESOLUTION NO. 9880-N.S.

A RESOLUTION AUTHORIZING PAYMENT OF THE CLAIM OF THE ZURICH INSURANCE COMPANY

---oOo---

BE IT HEREBY RESOLVED that the claim of the Zurich Insurance Company for $1,573.12 for the annual audit of exposures on the comprehensive, liability, and property damage insurance for the period ending June 27, 1951, be allowed.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 2nd day of July, 1952 by Councilman Annan, who moved its adoption, which motion being duly seconded by Councilman Arata, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis,Merrill and Mayor Marks

Noes: Councilmen: None

Absent:Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

****

RESOLUTION NO. 9881-N.S.

A RESOLUTION ACCEPTING THE BID OF THE STOCKTON CONSTRUCTION COMPANY FOR CONSTRUCTION OF SEWER TRUNK LINE ON KEARNEY, ROSEBURG AND COLDWELL AVENUES

---oOo---

BE IT HEREBY RESOLVED that the bid of $63,975.00 of the Stockton Construction Company for the construction of a sewer trunk line on Kearney, Roseburg and Coldwell Avenues, be accepted as it was the lowest and most responsible bid.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 2nd day of July, 1952, by Councilman Mellis, who moved its adoption, which motion being duly seconded by Councilman M. Adams, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent:Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

****

RESOLUTION NO. 9882-N.S.

A RESOLUTION AUTHORIZING SIGNATORY OFFICIALS, AND INSTRUCTING THE CITY ATTORNEY TO PREPARE A CONTRACT WITH THE STOCKTON CONSTRUCTION COMPANY

---oOo---

BE IT RESOLVED THAT the City Manager and the City Clerk are hereby authorized as signatory officials on the contract with the Stockton Construction Company for the sewer trunk line on Kearney, Roseburg and Coldwell Avenues, and the City Attorney is hereby instructed to prepare a contract.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 2nd day of July, 1952 by Councilman M. Adams, who moved its adoption, which motion being duly seconded by Councilman Arata, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent:Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

****

RESOLUTION NO. 9883-N.S.

A RESOLUTION SETTING FORTH THE BASIS UPON WHICH SEWAGE DISPOSAL FACILITIES WILL BE MADE AVAILABLE TO THE PROPERTY OWNERS BY THE CITY IN THAT AREA KNOWN AS THE CROWS LANDING ROAD INDUSTRIAL DISTRICT.

---oOo---

WHEREAS, on September 15, 1951 a petition was filed with the City by certain property owners therein for the annexation of certain uninhabited territory known as the Crows Landing Road Industrial District, as described therein, and

WHEREAS, the City Council by resolution adopted October 10, 1951 set said petition for hearing for the hour of 7:30 o'clock P. M. on November 14, 1951 in the Council Chambers of the City Hall of the City, and

WHEREAS, at said time and place no objectors appeared to oppose said petition, and

WHEREAS, the annexation of said area appears in order, and

WHEREAS, the property owners in said area desire that industrial sewage disposal facilities be made available to them in the future, and

WHEREAS, the City desires to make such facilities available in the future provided a method of financing the construction of said facilities which is satisfactory to the City can be arranged, and

WHEREAS, in view of current annexation proceedings relating to the Greater Modesto Area, it is not feasible of possible at the present time to determine the best and most economical method of serving both the Crows Landing Road Industrial District and the larger related areas,

NOW, THEREFORE, IT IS HEREBY RESOLVED that the following terms and conditions constitue the basis upon which the City is willing to construct said facilities and upon which said property owners are willing to agree to advance certain funds to help finance said facilities:

(1) The City will determine the relative size and capacity of the sewer facilities required to serve the property owners in said area as compared to the requirements for furnishing such services to the general areas involved as a part of an overall sewer system.

(2) The property owners in said area will advance to the City prior to the construction or installation of said facilities the amount of money which would be required to install and connect to the existing City sewer system the size of the sewer needed to furnish service solely to said owners. Any added cost due to the construction of a larger line to service a greater area shall not be the responsibility of the property owners of said Crows Landing Road Industrial District Area.

(3) The amount of funds advanced by each of said property owners shall be proportional to the amount of the annual sewer rental charges which are required to be paid by the ordinances of the City at the time the construction of such sewer is approved. Said advances may be made on a progressive schedule to be arrived at by mutual agreement between the City and said property owners so long as the funds are available to the City in time to meet the City's obligation to the contractor constructing said sewer facilities.

(4) Until such time as the full amount of each of said advances has been fully amortized, the City will credit to each property owner the amount of his annual sewer rental charge. After the advance has been amortized in full, each property owner will then be required to pay the annual sewer rental charge then required by City ordinance. It is understood that such sewer rental charges may increase or decrease depending upon changing conditions and that the City makes no commitment that the charges will continue to be the same as those imposed by the present ordinance.

(5) The City shall be responsible for providing the main trunk sewer line. Said property owners shall be responsible entirely at their own expense for providing the required lateral facilities.

(6) Said property owners agree, at their own expense, to grant to City upon its request any and all easements and rights of way necessary to construct and maintain said facilities, and/or extend laterals across the property of said property owners to serve other areas. Said easements or rights of way shall, insofar as practicable, follow property lines and avoid interference with plant facilities.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 2nd day of July, 1952 by Councilman Merrill who moved its adoption, which motion being duly seconded by Councilman M. Adams, it was upon roll call carried and the Resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 9884-N.S.

A RESOLUTION SETTING THE DATE FOR THE HEARING ON THE PROPOSED BUDGET FOR THE CITY OF MODESTO FOR THE FISCAL YEAR 1952-53

---oOo---

WHEREAS, City Manager Miller has submitted to the Council for their consideration a tentative City budget setting forth estimated revenue and proposed expenditures for the fiscal year 1952-53 which included a budget message which was summarized and explained by him

NOW THEREFORE BE IT RESOLVED that the date of July 23, 1952 at 7:30 P. M. at the City Hall be set as the time and place for the hearing on the proposed budget.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 2nd day of July, 1952 by Councilman Merrill, who moved its adoption, which motion being duly seconded by Councilman Annan, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILEUS, CITY CLERK

****

RESOLUTION NO. 9885-N.S.

A RESOLUTION APPOINTING SIGNATORY OFFICIALS AND APPROVING THE AGREEMENT WITH THE MODESTO JOURNAL AND VALLEY CITIZEN FOR OFFICIAL ADVERTISING FOR THE FISCAL YEAR 1952-53

---oOo---

BE IT HEREBY RESOLVED that the agreement between the Modesto Journal and Valley Citizen, and the City of Modesto for official advertising during the fiscal year 1952-53 be approved, and the City Manager and the City Clerk be appointed as signatory officials on this agreement.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 2nd day of July, 1952 by Councilman Mellis, who moved its adoption, which motion being duly seconded by Councilman M. Adams, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILEUS, CITY CLERK

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RESOLUTION NO. 9886-N.S.

A RESOLUTION APPROVING FINAL MAP OF THE HARDIN TRACT SUBDIVISION

---oOo---

WHEREAS, on June 3, 1952, the Planning Commission of the City of Modesto approved the final map of the Hardin Tract Subdivision in the City of Modesto, and

WHEREAS, on July 2, 1952, the City Engineer of the City of Modesto certified that the final map of said Hardin Tract Subdivision meets all the provisions of the California Subdivision Map Act, and that the map is technically correct,

NOW THEREFORE BE IT RESOLVED, that said final map of the Hardin Tract Subdivision be approved and the streets and alleys and easements as shown the thereon within the boundaries of said subdivision be accepted on behalf of the public for public use.

BE IT FURTHER RESOLVED that the City Clerk be and he is hereby authorized to certify the map of said subdivision on behalf of the City of Modesto.

BE IT FURTHER RESOLVED that the bond in the sum of $4,200.00 furnished in connection with improvements required in said ordinance be approved.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 2nd day of July, 1952, by Councilman M. Adams, who moved its adoption, which motion being duly seconded by Councilman Annan, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill, and Mayor Marks

Noes: Councilmen: None

Absent:Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9887-N.S.

A RESOLUTION AUTHORIZING THE EXTENSION OF THE CLOSING HOURS OF THE MODESTO BOWL TO 3: A. M. DURING THE MODESTO PEACH BOWLING TOURNAMENT

---oOo---

WHEREAS, ordinance No. 1015-N.S. regulating bowling alleys in the City of Modesto allows for an extension of closing hours to 3: A. M. when tournaments are being held,

NOW THEREFORE BE IT HEREBY RESOLVED that the Modesto Bowl, 1120 13th Street, Modesto, be allowed to remain open until 3:00 A. M. during the period of the Modesto Peach Tournament from July1, 1952 to August 10, 1952.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 2nd day of July, 1952, by Councilman Annan, who moved its adoption, which motion being duly seconded by Councilman Merrill, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent:Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

****

RESOLUTION NO. 9888-N.S.

A RESOLUTION APPROVING CLAIMS FOR THE CITY OF MODESTO FOR THE MONTH OF JUNE 1952

---oOo---

BE IT HEREBY RESOLVED that the claims be approved for the City of Modesto for the month of June, 1952, in the amount of $147,910.38, being check numbers 3814 to 3821, and 3827 to 4018, (3822 to 3826 appeared in the month of May vouchers), and check numbers 10930 to 10947 for the McHenry Public Library totaling $470.16, and authorizing issuance of these checks by the auditor.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of July, 1952, by Councilman Annan, who moved its adoption, which motion being duly seconded by Councilman Arata, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent:Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

********** **********

RESOLUTION NO. 9889-N.S.

A RESOLUTION ACCEPTING DEEDS OF EASEMENT FROM CERTAIN PROPERTY OWNERS OF LAND TO BE USED FOR UTILITIES

---oOo---

BE IT HEREBY RESOLVED that deeds of easement are, and they are hereby accepted from the following named persons:

William Poulos and Mary L. Poulos, husband and wife,
J. H. League and L. L. League, husband and wife,
Anna J. Kjer, a widow,
Oscar P. Miller,
Rose Vosti,
David L. Martini, and Mary J. Martini, husband and wife,
David M. Martini, a single man
Harry Goularte and Frances Goularte, husband and wife,
Henry T. Tyler, a widower,
Edward Hellwig and Edith D. Hellwig, husband and wife,
Addie L. Pingree,
Henry S. Bowers, and Frances Rose Bowers, husband and wife,

on portions of lots 22 and 23 of the Maze Ranch Subdivision, to be used for the installation of uitility facilities by the City of Modesto, and set aside by grantors to the public at large for alley purposes, and authorizing the City Clerk to record the above named deeds, and the partial reconveyance obtained in connection therewith 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 9th Day of July, 1952, by Councilman R. Adams, who moved its adoption, which motion being duly seconded by Commissioner Mellis, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent:Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

****

RESOLUTION NO. 9890-N.S.

A RESOLUTION ACCEPTING DEED FROM THE CONGREGATIONAL CHURCH FOR ALLEY WIDENING PURPOSES

---oOo---

BE IT HEREBY RESOLVED that the deed from the Northern California Congregational Conference on the following described property be accepted: All that portion of the East half of the Southwest quarter of the Northwest quarter of Section 20, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, to be used for alley purposes,

BE IT FURTHER RESOLVED that the City Clerk is hereby directed to record the 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 9th day of July, 1952, by Councilman R. Adams, who moved its adoption, which motion being duly seconded by Councilman Mellis, it was upon roll call adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent:Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

****

RESOLUTION NO. 9891-N.S.

A RESOLUTION URGING THE BOARD OF SUPERVISORS OF STANISLAUS COUNTY TO GIVE FAVORABLE CONSIDERATION TO THE REQUEST OF THE TIDEWATER SOUTHERN RAILWAY COMPANY TO ZONE THE PROPOSED INDUSTRIAL SITE OF SAID COMPANY AND LAND ADJACENT THERETO FOR HEAVY INDUSTRIAL PURPOSES.

---oOo---

WHEREAS, the Tidewater Southern Railway Company has indicated its intention to purchase approximately 200 acres of land adjacent to its right of way south of the City of Modesto for the purpose of industrial development, and

WHEREAS, the Tidewater Southern Railway Company has indicated that it is essential that the proposed industrial site and some 700 acres of land adjacent thereto be zoned for heavy industry before the proposed industrial development can b e undertaken, and

WHEREAS, the City Council of the City of Modesto believes it to be in the best interests of the community that the proposed industrial site be developed,

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of Stanislaus County be urged to give favorable consideration to the request of the Tidewater Southern Railroad Company that the proposed industrial site and the land adjacent thereto be zoned for heavy industrial purposes, and

BE IT FURTHER RESOLVED that the City Clerk be and he is hereby directed to transmit a copy of this resolution to the Board of Supervisors of Stanislaus County and the Tidewater Southern Railroad Company.

The foregoing resolution was introduced at a regular meeting of the City Council of the City of Modesto held on the 9th day of July, 1952, by Councilman Annan, who moved its adoption, which motion being duly seconded by Councilman M. Adams, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent:Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9892-N.S.

A RESOLUTION CALLING SPECIAL COUNCIL MEETING ON AUGUST 6, 1952

---oOo---

BE IT HEREBY RESOLVED that the Mayor be authorized to call a special meeting of the Council of the City of Modesto at 2:00 P. M. on August 6, 1952, for the purpose of meeting with Joseph S. Gorlinski, Executive Officer of the Regional Water Pollution Control Board.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 16th day of July, 1952 by Councilman

Mellis, who moved its adoption, which motion being duly seconded by Councilman Merrill, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent:Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

****

RESOLUTION NO. 9893-N. S.

A RESOLUTION ESTABLISHING THE BASIS OFPAYMENT OF FEES REQUIRED BY THE PROVISIONS OF ORDINANCE NO. 306-N. S. OF THE CITY OF MODESTO REGULATING THE OPERATION OF MOTOR BUSES OPERATING UPON FIXED SCHEDULES AND OVER ESTABLISHED ROUTES WITHIN THE CITY.

WHEREAS, the operation of motor buses operating on a fixed schedule and over an established route within the City of Modesto is governed by the provisions of Ordinance No. 306-N. S., and

WHEREAS, pursuant to applications made under the terms and provisions of said ordinance the Modesto Transit Company and the Modesto Motor Bus Service Company were heretofore granted permits to operate bus lines within the city for a term expiring December 13, 1959, and

WHEREAS, said ordinance provides that any licensee thereunder shall pay to the city an amount equal to two (2%) percent of the gross revenue derived from the operation of any and all motor buses by said licensee under the authority of such permit and license, and

WHEREAS, a difference has arisen between the aforesaid licensees and the city with respect to the interpretation of said provision relating to payment, and

WHEREAS, a Notice of the hearing on the matter in the Council Chambers of the City Hall at 4:30 P. M. on Wednesday, July 16, 1952, was duly given to all parties concerned, and

WHEREAS, the matter came on regularly for hearing as scheduled before the Council, the Modesto Transit Company, appearing by its attorney, Frank Damrell, Esq., and the Modesto Motor Bus Company, appearing by its attorney, Edward Lacy, Esq., and the hearing having been completed and all interested parties given an opportunity to present their case,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the basis for payment of fees to the city by a licensee operating under authority of a permit granted pursuant to the provisions of Ordinance No. 306-N. S. shall be as follows:

> Licensee shall pay to the city two (2%) percent of the gross receipts derived from the transportation of passengers entirely within the city, plus a percentage of the gross receipts derived from the transportation of passengers into and out of the city based on the proportion of route miles of said licensee.

BE IT FURTHER RESOLVED that the aforesaid basis of payment shall be effective from and after the date of the last payment of fees pursuant to said ordinance by each of said companies, respectively.

BE IT FURTHER RESOLVED that for the purpose of calculating said payments, until otherwise provided, 58.9% of the gross receipts of the Modesto Motor Bus Company and 1% of the gross receipts of the Modesto Transit Company shall be considered as being within the city.

BE IT FURTHER RESOLVED that for the purpose of calculating said payments, until otherwise provided, 50% of the route miles of the Modesto Motor Bus Company and 35% of the route miles of the Modesto Transit Company shall be considered as being within the City.

BE IT FURTHER RESOLVED that the City Attorney be and he is hereby directed to prepare and submit to the Council an ordinance amending Ordinance No. 306-N. S. of the City of Modesto, as amended, to carry out the intent of this resolution.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 16th day of July, 1952, by Councilman Mellis, who moved its adoption, which motion being duly seconded by Councilman Arata, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill, and Mayor Marks

NOES: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS CITY CLERK

****

RESOLUTION NO. 9894-N. S.

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS FOR THE IMPROVEMENT OF CERTAIN STREETS

WHEREAS, the Director of Public Works has presented plans and specifications for the proposed improvement of Virginia Avenue from Morris Avenue to Griswold Avenue and 8th Street from Washington Street to Kansas Avenue, which must be submitted to the State Department of Public Works, Division of Highways for their approval.

NOW THEREFORE BE IT RESOLVED that the plans and specifications be approved for the improvement of the above named streets and the Director of Public Works be authorized to forward said plans and specifications to the State Department of Public Works, Division of Highways for approval.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 16th day of July, 1952, by Councilman Merrill, who moved its adoption, which motion being duly seconded by Councilman Arata, it was upon roll call carried and the resolution was adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

****

RESOLUTION NO. 9895-N. S.

A RESOLUTION REQUESTING THE STATE OF CALIFORNIA, DEPARTMENT OF PUBLIC WORKS, DIVISION OF HIGHWAYS TO PROVIDE FUNDS FOR INSTALLATION OF TRAFFIC SIGNALS AT McHENRY AVENUE AND MORRIS AVENUE AND TO DELAY ACTION ON INSTALLTION OF TRAFFIC SIGNALS AT ELEVENTH AND D STREETS AND TO INVESTIGATE CHANNELIZATION OF TRAFFIC AT INTERSECTION OF FOURTEENTH AND D STREETS

---oOo---

BE IT HEREBY RESOLVED THAT the City of Modesto does hereby request the State of California, Department of Public Works, Division of Highways, to provide 50% of the funds for installation of traffic signals and lighting at McHenry Avenue and Morris Avenue, to be constructed in accordance with plans and specifications prepared by the Division of Highways and approved by the City of Modesto, and

BE IT FURTHER RESOLVED that the City of Modesto does hereby request the State to defer action on the installation of the traffic signals and lighting at Eleventh and D Streets until further studies can be made, if this can be deferred without prejudice, and

BE IT FURTHER RESOLVED that the City does hereby request the State to investigate the matter of channelization of traffic at Fourteenth and D Streets 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 16th day of July, 1952, by Councilman Annan, who moved it s adoption, which motion being duly seconded by Councilman Merrill, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

****

RESOLUTION NO. 9896-N. S.

A RESOLUTION ESTABLISHING A PARKING METER ZONE ON BOTH SIDES OF "G" STREET BETWEEN TENTH STREET AND TWELFTH STREET AND ESTABLISHING PARALLEL PARKING ON BOTH SIDES OF "G" STREET BETWEEN ELEVENTH STREET AND TWELFTH STREET IN THE CITY OF MODESTO.

---oOo---

WHEREAS, ORDINANCE NO. 1021-N. S. of the City of Modesto authorizes the Council, by resolution, to establish and designate streets and avenues in the City as parking meter zones as traffic conditions require, and

WHEREAS, a traffic study indicated that traffic conditions require the installation of parking meters on "G" Street between Tenth Street and Twelfth Street,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the following portions of streets within the City be and they are hereby established as parking meter zones:

Both sides of "G" Street between Tenth Street and Twelfth Street in the City of Modesto.

BE IT FURTHER RESOLVED that parallel parking be and it is hereby established at the following locations:

Both sides of "G" Street between Eleventh Street and Twelfth Street in the City of Modesto.

BE IT FURTHER RESOLVED that the City Engineer is hereby directed to mark the street accordingly.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 16th day of July, 1952, by Councilman Merrill, who moved its adoption, which motion being duly seconded by Councilman Mellis, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

****

RESOLUTION NO. 9897-N.S.

A RESOLUTION AUTHORIZING THE TRANSFER OF $14,000 FROM THE GENERAL FUND OF THE CITY OF MODESTO TO THE LIBRARY FUND AND PROVIDING FOR REPAYMENT THEREOF.

---oOo---

WHEREAS, the Library Fund is without sufficient funds to meet the usual current expenses of operating the McHenry Public Library,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the sum of $14,000 be and it is hereby transferred on a loan basis from the General Fund of the City of Modesto to the Library Fumd to be used for the usual current expenses of operating the Library.

BE IT FURTHER RESOLVED that said sum of $14,000 shall be repaid from the Library Fund to the General Fund out of Library Fund property tax revenue for the 1952-53 fiscal year as they accrue.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 16th day of July, 1952 by Councilman Annan, who moved its adoption, which motion being duly seconded by Councilman Arata, it was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTESTLE REX E, GAILFUSH CITY CLERK

****

RESOLUTION NO. 9898 N. S.

RESOLUTION PRESCRIBING STEPS NECESSARY FOR CONDUCT OF A PUBLIC HEARING AND NOTICE THEREOF ON THE PUBLIC CONVENIENCE AND NECESSITY WHERE SPECIAL ASSESSMENT PROCEEDINGS ARE PROPOSED TO BE TAKEN FOR THE ACQUISITION AND/OR IMPROVEMENT OF PROPERTY WITHOUT COMPLIANCE WITH THE SPECIAL ASSESSMENT INVESTIGATION, LIMITATION AND MAJORITY PROTEST ACT OF 1931.

---oOo---

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

FIRST: Prior to the adoption of any ordinance or resolution by the City Council of the City of Modesto, ordering the construction of any public improvement or the acquisition of any property for public use, or both, where the cost of such construction or acquisition is to be paid in whole or in part by special assessments or through special assessment taxes upon lands, and it appears that the public convenience and necessity require such undertaking or improvement and that proceedings should be taken therefore without complying with the provisions of the Special Assessment Investigation Limitation and Majority Protest Act of 1931, a public hearing shall be held on said questionof public

convenience and necessity and notice of said hearing shall be given in the time and manner provided in this Resolution.

SECOND: Prior to the adoption of any ordinance or resolution ordering the construction of any public improvement or acquisition of any property for public use, pursuant to any act providing for the levy of special assessments upon property, a resolution of preliminary determination shall be passed and adopted describing the proposed improvement and the boundary lines of the district proposed to be assessed to pay therefore, and setting a time and place where and when any person interested, owning, or having an interest in the real property within the proposed assessment district, may file written objections and may appear and show cause, if any they have, why the City Council should not find and determine that the public convenience and necessity require the proposed improvement or acquisition without compliance with the Special Assessment Investigation, Limitation and Majority Protest Act of 1931.

THIRD: Notice of the hearing above provided for shall be given to the owners of the property within the boundary lines of the district to be assessed to pay for the costs of said acquisition or improvement as follows:

A. A notice setting forth the time and place of the hearing on the public convenience and necessity of said improvement shall be published once in the newspaper designated in said notice, and at least five (5) days prior to the date fixed for said hearing. The City Clerk shall give said notice.

B. Notice of the hearing above proposed shall be posted for five(5) days on or or near the door of the Council Chamber of the Council of the City of Modesto, California, the posting of which shall be completed at least (5) days prior to the date fixed for said hearing. Both the Notice provided for in Subdivision A, hereinabove set forth, and that provided for in this Subdivision B shall briefly describe the proposed improvement. The City Clerk shall post said Notice.

FOURTH: Any person interested, owning, or having an interest in real property within the district proposed to be assessed to pay for said acquisition or improvement may, on or before the time fixed for said hearing, file with the City Clerk written objections to undertaking said proceedings without first complying with the provisions of the Special Assessment Investigation, Limitation and Majority Protest Act of 1931. Said objections shall bear the description of his property, and a statement of the nature of his objection.

FIFTH: If no objections are filed as provided for herein, or when said objections shall have been heard and overruled, the City Council may adopt a resolution finding and determining that public convenience and necessity require the proposed acquisition or improvement, or both, and that the Special Assessment Investigation, Limitation and Majority Protest Act of 1931 shall not apply.

I HEREBY CERTIFY that the foregoing Resolution was regularly and duly adopted by the City Council of the City of Modesto, Stanislaus County, California, at a regular meeting thereof, held on the 23rd day of July, 1952, by the following vote, to wit:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellism Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

REX E. GAILFUS, CITY CLERK OF THE CITY OF MODESTO, STANISLAUS COUNTY, CALIFORNIA

(SEAL)

RESOLUTION NO. 9899 N. S.

RESOLUTION APPROVING EXTERIOR BOUNDARIES OF PROPERTY TO BE ASSESSED IN IMPROVEMENT DISTRICT NO. 1, CITY OF MODESTO, COUNTY OF STANISLAUS, STATE OF CALIFORNIA.

---oOo---

WHEREAS, FRED E. LANGE, City Engineer of the City of Modesto for Improvement District No. 1, City of Modesto, has heretofore been directed by the City Council of the City of Modesto, Stanislaus County, California, to prepare plans and specifications for the improvements to be made in Improvement District No. 1, City of Modesto, County of Stanislaus, State of California; and

WHEREAS, the said FRED E. LANGE has this day presented to and filed with the City Clerk of the City of Modesto a map showing the exterior boundaries of the property proposed to be assessed for the improvements to be done in said Improvement District No. 1, City of Modesto, County of Stanislaus, State of California, and said map appearing to be in all respects correct and proper;

NOW, THEREFORE, IT IS HEREBY RESOLVED by the City Council of the City of Modesto, Stanislaus County, California, that the said map designated as "Diagram of Proposed Assessment District Showing Exterior Boundaries of District Proposed to be Assessed for the Construction of Sanitary Sewer Laterals and for Pendent Street Lighting Standards and Appurtenances, all in the City of Modesto, California", be and the same is hereby approved as the map showing the exterior boundaries of the district proposed to be assessed to pay for said proposed work and improvement.

I HEREBY CERTIFY that the foregoing Resolution was regularly and duly adopted by the City Council of the City of Modesto, Stanislaus County, California, at a regular meeting thereof held on the 23rd day of July, 1952, by the following vote, to wit:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

(SEAL)

REX E. GAILFUS, CITY CLERK OF
THE CITY OF MODESTO, CALIFORNIA

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RESOLUTION NO. 9900 N. S.

RESOLUTION OF PRELIMINARY DETERMINATION THAT PUBLIC CONVENIENCE AND NECESSITY REQUIRE THE CONSTRUCTION OF SANITARY SEWER LATERALS AND FURNISHING OF STREET LIGHTING MATERIALS, SUPPLIES, APPLIANCES AND APPURTENANCES IN IMPROVEMENT DISTRICT NO. 1, CITY OF MODESTO, STANISLAUS COUNTY, CALIFORNIA, DESCRIBING SAID PROPOSED IMPROVEMENT AND SETTING A TIME AND PLACE OF HEARING THEREON.

---oOo---

BE IT RESOLVED by the City Council of the City of Modesto, Stanislaus County, California, as follows:

That preliminary determination is hereby made that public convenience and necessity require the following improvements to be made and paid for by special assessments levied upon the property benefited, and that necessary proceedings should be taken therefore without compliance with the provisions of the Special Assessment Investigation, Limitation and Majority Protest Act of 1931, to wit:

The construction of sanitary sewer laterals and appurtenances to be installed in the following streets, courts, alleys, lanes, public ways or public places in the City of Modesto, County of Stanislaus, State of California, to wit:

Alley in Blocks 931, 933 and 935, between Del Vale Avenue and Tully Road.
Alley in Blocks 932, 934 and 936, between Del Vale Avenue and easterly terminus of alley in Block 936.
Alley in Blocks 920, 918 and 916, between Del Vale Avenue and Cecil Way.
Cecil Way, from Block 916 to Tully Road.
Alley in Blocks 919, 917, and 915, between Del Vale Avenue and Tully Road.
Alley in Block 6011, between Ulrich Avenue and Roseburg Avenue.
Alley in Block 6010, between Ulrich Avenue and Roseburg Avenue

Alley in Block 832 between Roseburg Avenue and Carla Avenue.
Alley in Block 833, between Ulrich Avenue and Carla Avenue.
College Avenue, between Carla Avenue and Stanford Avenue.
Wellesley Avenue, between College Avenue and Wellesley Way.
Maze Boulevard, between Spencer Avenue and Maze Court.
Maze Court, between Maze Boulevard and Locust Street.
Locust Street, between Maze Court and Sherman Avenue.
Alley in Block 4164, between Maze Court and Sherman Avenue.

The furnishing of street lighting materials, supplies, appliances and appurtenances to be installed by the City of Modesto on the following streets, courts, alleys, lanes, public ways or public places in said City of Modesto, to wit:

Roseburg Avenue, between Del Vale Avenue and Tully Road.
Del Monte Avenue between Kearney Avenue and Del Rey Avenue.
Del Vista Avenue, between Del Vale Avenue and Kearney Avenue.
Del Vista Avenue, between Del Rey Avenue and Cecil Way.
Del Vale Avenue, between Roseburg Avenue and Del Vista Avenue.
Kearney Avenue, between Roseburg Avenue and Del Vista Avenue.
Del Rey Avenue, between Del Monte Avenue and Del Vista Avenue.
Cecil Way, between Block 916 and Tully road.
Tully Road, between Cecil Way and Roseburg Avenue.
Ulrich Avenue, between College Avenue and Mills Avenue.
Roseburg Avenue, between College Avenue and Mills Avenue.
Alley in Blocks 6011 and 832, between Ulrich Avenue and Carla Avenue.
Carla Avenue between College Avenue and Mills Avenue
College Avenue, between Carla Avenue and Wellesley Avenue.
Wellesley Avenue, between College Avenue and Wellesley Way.
Wellesley Avenue, between Carla Avenue and Wellesley Way.
Mills Avenue, between Roseburg Avenue and Melinda Lane.
Columbia Way, between Helms Lane and Stanford Avenue.
Helms Lane, between Mills Avenue and Columbia Way.
Melinda Lane, between Mills Avenue and Columbia Way.
Maze Court, between Maze Boulevard and Locust Street.
Sherman Avenue, between Maze Boulevard and Locust Street.
Alley in Blocks 4164 and 4166, between Maze Court and Franklin Street.
Roseburg Avenue between Como Park Way and Alley in Block 6029.

and,

BE IT FURTHER RESOLVED that said improvements shall be designated, and is hereby designated as the improvements to be constructed in "Improvement District No. 1, City of Modesto, California";

BE IT FURTHER RESOLVED that Wednesday, the 13th day of August, 1952, at 7:00 P. M., is hereby fixed as the day and hour, and the meeting place of the City Council, located in the City Hall, Modesto, California, as the place when and where any and all persons interested who have filed a written objection may appear and show cause why the City Council should not find and determine that the public convenience and necessity require the said proposed public improvements in Improvement District No. 1, City of Modesto, without compliance with the Special Assessment Investigation, Limitation and Majority Protest Act of 1931.

The City Clerk is hereby directed to give notice of the time and place of said hearing in conformity with the requirements of Resolution No. 9898 N. S.

I HEREBY CERTIFY that the foregoing Resolution was regularly and duly adopted by the City Council of the City of Modesto, Stanislaus County, California, at a regular meeting thereof, held on the 23rd day of July, 1952, by the following vote, to wit:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

(SEAL)

REX E. GAILFUS, CITY CLERK OF THE CITY OF MODESTO, STANISLAUS COUNTY, CALIFORNIA.

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RESOLUTION NO. 9901 N. S.

RESOLUTION DIRECTING PREPARATION OF PLANS AND SPECIFICATIONS

---oOo---

BE IT RESOLVED by the City Council of the City of Modesto, County of Stanislaus, State of California, that Fred E. Lange, City Engineer, be and he is hereby directed to prepare plans and specifications for the construction of sani-

tary sewer laterals and for furnishing street lighting materials, supplies, appliances and appurtenances in Improvement District No. 1, City of Modesto, California, together with careful estimates of costs thereof;

BE IT FURTHER RESOLVED that the work and improvement hereinabove described shall be hereinafter designated and described as "Improvement District No. 1, City of Modesto, County of Stanislaus, State of California."

I HEREBY CERTIFY that the foregoing Resolution was regularly and duly adopted by the City Council of the City of Modesto, County of Stanislaus, State of California, at a regular meeting thereof, held on the 23rd day of July, 1952, by the following vote, to wit:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

(SEAL)

REX E. GAILFUS, CITY CLERK OF THE CITY OF MODESTO, STANISLAUS COUNTY, CALIFORNIA.

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RESOLUTION NO. 9902-N. S.

RESOLUTION ADOPTING PLANS AND SPECIFICATIONS

---oOo---

BE IT RESOLVED that the plans and specifications submitted this 23rd day of July, 1952, by FRED E. LANGE, City Engineer, for the improvements to be made in Improvement District No. 1, City of Modesto, Stanislaus County, California, and which said plans and specifications, together with estimates of costs, are on file in the office of the City Clerk of the City of Modesto, be and the same are hereby approved and adopted as the plans and specifications for the work and improvement to be done in said Improvement District No. 1.

I HEREBY CERTIFY that the foregoing Resolution was regularly and duly adopted by the City Council of the City of Modesto, Stanislaus County, California, at a regular meeting thereof, held on the 23rd day of July, 1952, by the following vote, to wit:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

(SEAL)

REX E. GAILFUS, CITY CLERK OF THE CITY OF MODESTO, STANISLAUS COUNTY, CALIFORNIA

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RESOLUTION OF INTENTION NO. 9903 N. S.

RESOLUTION OF INTENTION IN THE MATTER OF THE CONSTRUCTION OF SANITARY SEWER LATERALS AND FURNISHING OF STREET LIGHTING MATERIALS, SUPPLIES, APPLIANCES AND APPURTENANCES IN IMPROVEMENT DISTRICT NO. 1, CITY OF MODESTO, STANISLAUS COUNTY, CALIFORNIA.

---oOo---

BE IT RESOLVED by the City Council of the City of Modesto, County of Stanislaus, State of California, that it is the intention of the said City Council to order the following work to be done and improvements to be made in the City of Modesto, Stanislaus County, California, to wit:

The construction of sanitary sewer laterals and appurtenances to be installed in the following streets, courts, alleys, lanes, public ways or public places in the City of Modesto, County of Stanislaus, State of California, to wit:

Alley in Blocks 931, 933 and 935, between Del Vale Avenue and Tully Road.
Alley in Blocks 932, 934 and 936, between Del Vale Avenue and easterly terminus of alley in Block 936.
Alley in Blocks 920, 918 and 916, between Del Vale Avenue and Cecil Way.
Cecil Way from Block 916 to Tully Road.
Alley in Blocks 919, 917, and 915, between Del Vale Avenue and Tully Road.
Alley in Block 6011, between Ulrich Avenue and Roseburg Avenue.
Alley in Block 6010, between Ulrich Avenue and Roseburg Avenue
Alley in Block 832, between Roseburg Avenue and Carla Avenue
Alley in Block 833, between Ulrich Avenue and Carla Avenue.

College Avenue, between Carla Avenue and Stanford Avenue.
Wellesley Avenue, between College Avenue and Wellesley Way.
Maze Boulevard, between Spencer Avenue and Maze Court.
Maze Court, between Maze Boulevard and Locust Street.
Locust, Street, between Maze Court and Sherman Avenue.
Alley in Block 4164, between Maze Court and Sherman Avenue.

The furnishing of street lighting materials, supplies, appliances and appurtenances to be installed on the following streets, courts, alleys, lanes, public ways or public places in the City of Modesto, to wit:

Roseburg Avenue, between Del Vale Avenue and Tully Road.
Del Monte Avenue, between Kearney Avenue and Del Rey Avenue.
Del Vista Avenue, between Del Vale Avenue and Kearney Avenue.
Del Vista Avenue, between Roseburg Avenue and Del Vista Avenue.
Del Vista Avenue, between Del Rey Avenue and Cecil Way.
Kearney Avenue, between Roseburg Avenue and Del Vista Avenue.
Del Rey Avenue, between Del Monte Avenue and Del Vista Avenue.
Cecil Way, between Block 916 and Tully Road.
Tully Road, between Cecil Way and Roseburg Avenue
Ulrich Avenue, between College Avenue and Mills Avenue.
Roseburg, Avenue, between College Avenue and Mills Avenue.
Alley in Blocks 6011 and 832, between Ulrich Avenue and Carla Avenue.
Carla Avenue between College Avenue and Mills Avenue.
College Avenue, between Carla Avenue and Wellesley Avenue.
Wellesley Avenue, between College Avenue and Wellesley Way.
Wellesley Avenue, between Carla Avenue and Wellesley Way.
Mills Avenue, between Roseburg Avenue and Melinda Lane.
Columbia Way, between Helms Lane and Stanford Avenue.
Helms Lane, between Mills Avenue and Columbia Way.
Melinda Lane, between Mills Avenue and Columbia Way.
Maze Court, between Maze Boulevard and Locust Street.
Sherman Avenue, between Maze Boulevard and Locust Street.
Alley in Blocks 4164 and 4166, between Maze Court and Franklin Street.
Roseburg Avenue between Como Park Way and Alley in Block 6029.

Said installation and construction of said sanitary sewers shall consist o of the construction of new sanitary sewers with the necessary appurtenances, connections, manholes, lamp holes and "y" branches.

NOTICE IS HEREBY GIVEN that street lighting materials provided for in the specifications will be installed and constructed by the City of Modesto at its own proper charge and expense. The work to be done by the constractor in connection with said street lighting materials shall consist of the furnishing all of the materials provided for in the plans and specifications necessary for the construction of said street lighting standards and appurtenances. In addition thereto, said work to be done by the contractor shall consist of the payment to the City of Modesto of the sum of Six Hundred Eighty-Six Dollars ($686 00) lawful money of the United States, payable at the time of the confirmation of the assessment and diagram and delivery of the warrant to the contractor for the purphase of materials and appurtenances for street lighting standards which cannot be purchased until subsequent to the completion of installation of the sanitary sewers herein provided for.

NOTICE IS FURTHER GIVEN that the City Modesto intends to and will contribute the sum of One Thousand Nine Hundred and Twenty-Five Dollars ($1,925 00) toward the cost of the purchase of said street lighting materials. The work of thecontractor under this Resolution of Intention shall consist of the installation and construction of the sanitary sewers provided for herein and as described in the plans and specifications heretofore adopted.

All of the above mentioned work is more particularly and specifically set forth and described in the plans, profiles and specifications for said work heretofore adopted by the City Council by its Resolution No. 9902-N. S., which plans, profiles and specifications are hereby referred to for all particulars in connection therewith. The public streets and rights-of-wayshereinabove referred to are shown and delineated in detail and specifically located on the plans hereinabove referred to, and reference is hereby specifically made to said plans, and notice is hereby given to all parties that specific locations thereof are contained in said plans; and

BE IT FURTHER RESOLVED that the improvements hereinabove described be constructed in said streets, avenues, roads, lanes, courts, alleys, places and/or public ways hereinabove described, of the dimesions, materials, and in the particular locations set forth and shown on the plans and specifications and detailed drawings hereinabove and hereafter referredto; together with the construction of all appurtenances thereto, including necessary fittings, trenchings, grading and regrading, excavation and fill, removal of obstructions, connections to existing services, back filling, reconstruction of existing ground surface as required to conditions existing prior to commencement of construction, all in the manner, of the materials and to the dimesions and to the grades, and in the particular locations as the same are more fully shown on theplans and specifications and detailed drawings hereinabove and hereafter referred to;

That the structures and work and improvements herein described shall be constructed to the grades, subgrades and elevations severally shown upon the plans and profiles and detailed drawings thereof in the respective locations thereof, to which plans and profiles reference is hereby expressly made for a description of the grades to which all of the work and improvements under this Resolution of Intention shall be done, which said grades are hereby adopted and established as the official grades therefore for all purposes in connection with proceedings pursuant to this Resolution of Intention; notice is hereby further given that said grades are or may be, in part, new and different from those heretofore established or existing, or may be, and in some cases are, different from existing ground levels;

All of said work and improvements shall be done to the lines and grades as shown on the plans and profiles and in accordance with the plans and specifications heretofore adopted on the 23rd day of July, 1952, by the City Council of the City of Modesto by Resolution No. 9902 N. S., for the doing of said work and improvements, and which are now on file in the office of the City Clerk of the City of Modesto. Said plans and specifications, said profiles and detailed drawings and diagrams accompanying the same are hereby expressly referred to for full and detailed description and location of said proposed work and improvements, the public streets and rights-of-way involved, and of the grades of the public streets involved, and of the grades to which said improvements are to be constructed.

Excepting from all of the herein described work all of said work that has already been done to the lines and grades shown on said plans and profiles, and in accordance with said plans and specifications;

All of said work shall include, without duplication, any and all streets, intersections, terminations and opposite terminations occurring within the limitations of said work.

The attention of all persons is directed to the fact that all of said classes of work above described may not be constructed upon all of the streets and/or public ways above described in their entirety, but only upon the particular locations as shown on the plans and specifications, to which the attention of all persons is directed for a description of the work, location of the several classes of work a description of the classes of work to be done upon each of the several public streets or rights-of-way named, a description of the streets and rights-of-way, and for all other infommation contained in the said plans and specifications pertinent to the doing and completion of the work and improvements herein proposed; and

WHEREAS, said contemplated work and improvements, in the opinion of this City Council, is of more than local or ordinary benefit, said City Council of the City of Modesto hereby makes the expenses and costs of said work and improvements chargeable upon a district, which said district said City Council hereby declares to be the district benefited by the work and improvements herein described; said district shall include that territory in the

City of Modesto, County of Stanislaus, State of California, which is shown on that certain plat or map on file in the office of the City Clerk of the City of Modesto, andnwhich map or plat is entitled and described "Diagram of Proposed Assessment District Showing Exterior Boundaries of District Proposed to be Assessed for the Construction of Sanitary Sewer Laterals and for Pendent Street Lighting Standards and Appurtenances, all in the City of Modesto, California", and which said map or plat indicates, by a boundary line, the extent of the territory included in the proposed district and covers all details as to the extent of the area to be assessed; said map or plat is, by this reference, incorporated herein and made a part hereof;

Excepting from the area shown and delineated on said map or plat, hereinabove referred to, the area of all public streets, avenues, lanes, roads, drives, courts, places, public parks and all easements and rights-of-way therein contained belonging to the public, and also all property belonging to the United States of America, the State of California, or the County of Stanislaus.

NOTICE IS HEREBY GIVEN that serial bonds shall be issued in themanner and form provided in Part 5, Division 7 of the Streets and Highways Code of the State of California (Improvement Act of 1911) to represent unpaid assessments of Twenty-Five Dollars ($25 00) or over, which said bonds shall bear interest at the rate of not to exceed six (6) per cent annum and the last installment of which Bonds shall mature nine (9) years from the 2nd day of January next succeeding the next October 15th following their date. Said bonds shall be payable to bearer, and may be redeemed as provided in the Improvement Act of 1911, and there shall be added to the redemption clause in said Bonds the following words:

".....together with a premium of 5 per cent of said unpaid principal."

NOTICE IS HEREBY GIVEN that on Wednesday, the 13th day of August, 1952, at the hour of 7:00 o'clock P. M. of said day, at the meeting place of the City Council of the City of Modesto, County of Stanislaus, State of California, any and all persons having any objections to the proposed work or improvements or any objections to the grades to which said work is proposed to be done or to the boundaries of the district proposed to be assessed to pay the cost and expenses of said work, may appear before said City Council of the City of Modesto and show cause why said improvements should not be carried out in accordance with this Resolution of Intention, and may present written protest, not later than the hour hereinabove set for hearing, against the doing of said work, the grades to which said work is to be done, or the extent of the territory to be assessed to pay the cost and expenses thereof.

The City Clerk of the City of Modesto shall cause this Resolution of Intention to be published twice in the MODESTO JOURNAL AND VALLEY CITIZEN, a weekly newspaper of general circulation published and circulated in the City of Modesto, which said newspaper has heretofore been designated by said City Council as the newspaper in which shall be printed and published all notices, resolutions, orders and other matters required to be published in the proceedings taken pursuant to this Resolution and under the provisions of the said "Improvement Act of 1911" and amendments thereto; the first publication of said notice shall be not less than ten (10) days prior to the date herein fixed for hearing on this Resolution of Intention.

The City Engineer shall cause to be conspicuously posted along the line of said contemplated work and improvement, and on all the open streets within the assessment district, notice of the passage of this Resolution of Intention in the time, form and manner required by law.

The City Clerk of the City of Modesto is hereby directed to mail notices of the adoption of this Resolution of Intention, postage prepaid, to all persons owning real property proposed to be assessed, whose names and addresses appear on the last equalized assessment roll for taxes, or as known to said City Clerk, said mailing to be at least fifteen (15) days prior to the day herein fixed for the hearing on this Resolution of Intention, all in the time, form and manner prescribed in said "Improvement Act of 1911" as amended.

I HEREBY CERTIFY that the foregoing Resolution was regularly and duly adopted by the City Council of the City of Modesto, Stanislaus County, California, at a regular meeting thereof, held on the 23rd day of July, 1952, by the following vote; to wit:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

REX E. GAILFUS, CITY CLERK OF THE CITY OF MODESTO, STANISLAUS COUNTY, CALIFORNIA

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RESOLUTION NO. 9904-N. S.

A RESOLUTION COMMENDING THE PERSONNEL COMMISSION AND THOSE WHO HAVE ASSISTED IN THE PREPARATION OF A COMPREHENSIVE SALARY PLAN FOR THE CITY OF MODESTO.

---oOo---

WHEREAS, Section 1200 of the Charter of the City of Modesto provides that appointments and promotions of the Classified Service of the City shall be made according to merit and fitness, and

WHEREAS, the establishment of equitable rates of compensation for comparable positions is essential to provide and obtain efficient personnel services; and to promote the morale of the administrative service, and

WHEREAS, fairness and equity to the employees and the taxpayers alike is necessary and desirable, and

WHEREAS, fair and equitable rates of pay should be provided with due consideration, both of the employees and the taxpayers and with the observance of the principle of like pay for like work and suitable difference in pay for differences in kinds of work, and

WHEREAS, the establishment and maintenance of proper conditions of employment makes the city service attractive as a career and encourages each employee to render his best service to the city, and

WHEREAS, the Personnel Commission, with the assistance of various officers and employees of the city and representatives of employee organizations, by diligent and earnest effort has prepared and proposed to the Council a comprehensive salary plan based upon the foregoing objectives and principles, and

WHEREAS, the City Council is duly appreciative of these efforts which promote the welfare of the city and its inhabitants,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the Personnel Commission and those who worked with it in preparing a said comprehensive salary plan are hereby especially commended for the outstanding service they have performed in preparing said plan and generally assisting in the development of a sound personnel system.

BE IT FURTHER RESOLVED that copy of this resolution be transmitted by the City Clerk to each member of the Personnel Commission, and that all other persons assisting in

the accomplishing of this work be publicly advised of the Council's appreciation for their efforts.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of July, 1952, by Councilman Merrill, who moved its adoption, which motion being duly seconded by Councilman Arata, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

****

RESOLUTION NO. 9905-N. S.

A RESOLUTION AUTHORIZING THE SENDING OF CONGRATULATIONS TO CY YOUNG FOR WINNING FIRST PLACE IN THE JAVELIN THROW IN THE OLYMPIC GAMES AND APPOINTING COMMITTEE TO PREPARE PLANS FOR A "HOMECOMING" CELEBRATION

---oOo---

WHEREAS, Cy Young of the City of Modesto has won first place in the Javelin Throw in the Olympic Games being held at Helsinki, Finland,

NOW THEREFORE BE IT RESOLVED that the Council send congratulations to Mr. Young and the following committee be appointed to plan a reception and celebration upon his return to the City:

Tom Mellis, Chairman

Floyd E. Benson

James H. Corson

Trevor J. Griffith

Thomas H. Moore

Lewis E. Franklin

David L. Arata

The foregoing resolution was introduced at a regularmeeting of the Council of the City of Modesto held on the 23rd day of July, 1952, by Councilman Mellis, who moved its adoption, which motion being duly seconded by Councilman R. Adams, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

****

RESOLUTION NO. 9906-N. S.

A RESOLUTION ESTABLISHING SALARY SCHEDULES, CLASSES OF POSITIONS, AND FIXING THE THE COMPENSATION OF OFFICERS AND EMPLOYEES IN THE CITY SERVICE

----oOo----

BE IT RESOLVED by the City 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, "Schedule of Salary Ranges in the City Service", which is attached hereto and hereby made a part hereof, are hereby established.

Section 2. Classes and Salaries. The classes of positions and salary ranges and rates therefore, as set forth in "Exhibit B" entitled, "Salary Ranges and Rates of Positions in the City Service", which is attached hereto and hereby made a part hereof, are hereby established.

Section 3. 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 4. Salary Period. The salaries hereby established are on a monthly basis, except where otherwise designated.

Section 5. Positions. The City Council in establishing the foregoing classes of positions authorizes and directs the City Manager to appoint employees in such number in each department as may be necessary properly to operate the department under the Charter, ordinances and resolutions adopted by the City Council.

Section 6. Appointments and Salaries. The City Manager is hereby empowered to appoint, in accordance with the Personnel Ordinance and Rules and Regulations adopted thereunder, any person to a position in a class for which he is the appointing authority and for which the salary is hereby provided, to designate the definite salary rate or salary steip at which such person is appointed, and the salary so designed is hereby fixed as the salary of such employee for the position; provided further, that the City Manager from time to time may increase or decrease the salaries of persons so appointed, provided that the salary is fixed within the range established for that class.

Section 7. Effect of Certain Personnel Actions on Salaries. Any employee occupying a position which is hereby or hereafter reallocated to a class, the maximum salary for which is less than the incumbent's present salary, or occupying a positin 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 established.

Section 8. Part Time Employment. Employees appointed to any of the positions referred to herein and employed or working on a part time basis shall be paid in proportion to the time worked.

Section 9. Title of Resolution. This resolution shall be known as the "The Position and Salary Resolution" and shall be referred to as such.

Section 10. Effective Date. The classes of positions, the schedules of salary rates and ranges, and the compensation fixed by this resolution shall be effective for the current month.

Section 11. Repeal. Resolution No. 9621-N. S., as amended of the City of Modesto is hereby repealed.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of July, 1952, by Councilman Mellis, who moved its adoption, which motion being duly seconded by Councilman R. Adams, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

CITY OF MODESTO

SCHEDULE OF SALARY RANGES IN THE CITY SERVICE

RANGE NO.	STEP A	STEP B	STEP C	STEP D	STEP E
1	$160	$170	$180	$190	$200
1-A	165	175	185	195	205
2	170	180	190	200	210
2-A	175	185	195	205	215
3	180	190	200	210	220
3-A	185	195	205	215	225

RANGE NO.	STEP A	STEP B	STEP C	STEP D	STEP E
4	$190	$200	$210	$220	$231
4-A	195	205	215	225	237
5	200	210	220	231	243
5-A	205	215	225	237	249
6	210	220	231	243	255
6-A	215	225	237	249	261
7	220	231	243	255	268
7-A	225	237	249	261	274
8	231	243	255	268	281
8-A	237	249	261	274	288
9	243	255	268	281	295
9-A	249	261	274	288	302
10	255	268	281	295	310
10-A	261	274	288	302	317
11	268	281	295	310	325
11-A	274	288	302	317	333
12	281	295	310	325	341
12-A	288	302	317	333	349
13	295	310	325	341	358
13-A	302	317	333	349	368
14	310	325	341	358	376
14-A	317	333	349	368	386
15	325	341	358	376	395
15-A	333	349	368	386	405
16	341	358	376	395	415
16-A	349	368	386	405	425
17	358	376	395	415	436
17-A	368	386	405	425	447
18	376	395	415	436	458
18-A	386	405	425	447	469
19	395	415	436	458	481
19-A	405	425	447	469	493
20	415	436	458	481	505
20-A	425	447	469	493	517
21	436	458	481	505	530
21-A	447	469	493	517	543
22	458	481	505	530	556
22-A	469	493	517	543	570
23	481	505	530	556	584
23-A	493	517	543	570	598
24	505	530	556	584	613
24-A	517	543	570	598	628
25	530	556	584	613	644
25-A	543	570	598	628	660
26	556	584	613	644	676
26-A	570	598	628	660	693
27	584	613	644	676	710
27-A	598	628	660	693	727
28	613	644	676	710	745
28-A	628	660	693	727	763
29	644	676	710	745	782
29-A	660	693	727	763	801
30	676	710	745	782	821

CITY OF MODESTO

SALARY RANGES AND RATES OF POSITIONS IN THE CITY SERVICE
As approved by City Council July 23, 1952

I. CLASSIFIED SERVICE

POSITION	RANGE NO.	A	B	C	D	E
Accountant	14-A	317	333	349	368	386
Account Clerk	5	200	210	220	231	243
Administrative Asst. Public Wks.	16	341	358	376	395	415
Airport Manager	11	268	281	295	310	325
Alarm Operator	13	295	310	325	341	358
Assessment Clerk	7	220	231	243	255	268
Asst, Chief Pump Operator	8-A	237	249	261	274	288
Assistant City Clerk	8-A	237	249	261	274	288
Asst. Director of Public Works	25	530	556	584	613	644
Assistant to City Manager	20	415	436	458	481	505
Associate Engineer	20	415	436	458	481	505
Auto Mechanic I	9	243	255	268	281	295
Auto Mechanic II	10-A	261	274	288	302	317
Building Inspector	17	358	376	395	415	436
Cashier	7-A	225	237	249	261	274
Cashier Clerk	4	190	200	210	220	231
Chief Draftsman	16-A	349	368	386	405	425
Chief Electrician	15-A	333	349	368	386	405
Chief Pump Operator	13-A	302	317	333	349	368
Chief Sewage Plant Operator	10-A	261	274	288	302	317
Circulation Librarian	7	220	231	243	255	268
Clerk	2	170	180	190	200	210
Collector	6-A	215	225	237	249	261
Construction Foreman	11-A	274	288	302	317	333

POSITION	RANGE NO.	A	B	C	D	E
Draftsman	11-A	274	288	302	317	333
Driver--Fire Department	12	281	295	310	325	341
Electrician I	10	255	268	281	295	310
Electrician II	13	295	310	325	341	358
Engineering Aide	12-A	288	302	317	333	349
Equipment Operator I	7-A	225	237	249	261	274
Equipment Operator II	8-A	237	249	261	274	288
Fireman	11	268	281	295	310	325
First Assistant Fire Chief	18	376	395	415	436	458
Greenskeeper	6-A	215	225	237	249	261
Groundsman	6	210	220	231	243	255
Head Greenskeeper	12	281	295	310	325	341
Janitor	4-A	195	205	215	225	237
Junior Draftsman	9	243	255	268	281	295
Junior Engineering Aide	10	255	268	281	295	310
Junior Public Health Nurse	10	255	268	281	295	310
Librarian I	8	231	243	255	268	281
Library Clerk	3	180	190	200	210	220
Machinist	12-A	288	302	317	333	349
Nurseryman	8	231	243	255	268	281
Park Attendant	7	220	231	243	255	268
Patrolman	12	281	295	310	325	341
Planning Technician	16	341	358	376	395	415
Plumbing Inspector	11	268	281	295	310	325
Police Captain	18	376	395	415	436	458
Police Lieutenant	16	341	358	376	395	415
Poundmaster	7-A	225	237	249	261	274
Public Health Nurse	12	281	295	310	325	341
Public Health Technician	7	220	231	243	255	268
Public Works Leaderman	9	243	255	268	281	295
*Pump Operator	5-A	205	215	225	237	249
Purchasing Clerk	10-A	261	274	288	302	317
Recreation Supervisor I	9	243	255	268	281	295
Sanitarian	12-A	288	302	317	333	349
Second Asst. Fire Chief	16	341	358	376	395	415
Secretary	7	220	231	243	255	268
Senior Engineering Aide	15	325	341	358	376	395
Sergeant	14	310	325	341	358	376
Sewage Plant Maintenance Man	8-A	237	249	261	274	288
Sewage Plant Operator	7-A	225	237	249	261	274
Shop Serviceman	8	231	243	255	268	281
Shop Superintendent	14	310	325	341	358	376
Skilled Laborer	7	220	231	243	255	268
Stenographer Clerk	4-A	195	205	215	225	237
Street Foreman	11-A	274	288	302	317	333
Superintendent of Construction	15-A	333	349	368	386	405
Superintendent of Parks	15-A	333	349	368	386	405
Superintendent of Sewage Plant	15-A	333	349	368	386	405
Telephone Operator & Receptionist	4	190	200	210	220	231
Traffic Painter	9	243	255	268	281	295
Tree Trimmer	8-A	237	249	261	274	288
Typist-Clerk	4	190	200	210	220	231
Under Engineering Aide	7	220	231	243	255	268
Water Service Foreman	10-A	261	274	288	302	317
Water Serviceman	7-A	225	237	249	261	274

*Salaries of persons in this classification will be increased by one full step in those cases in which repair of parking meters constitutes a part of the employee's regular duties.

II. UNCLASSIFIED SERVICE

POSITION	RANGE NO.	A	B	C	D	E
Department Heads:						
Chief of Police	21-A	447	469	493	517	543
Director of Finance	26	556	584	613	644	676
Director of Planning	24	505	530	556	584	613
Director of Public Works	29-A	660	693	727	763	801
Director of Recreation	17	358	376	395	415	436
Fire Chief	21-A	447	469	493	517	543
Health Officer	20	415	436	458	481	505
Unclassified Laborer	5	200	210	220	231	243
Part Time:						
Assessment Clerk	$8/day					
Library Page	75¢/hour					
Recreation Specialist I	$1.00	1.10	1.20 per hour			
Recreation Specialist II	$1.30	1.40	1.50 per hour			
Recreation Specialist III	$1.60	1.70	1.80 per hour			
Staff Nurse						
(a) School Term	9	243	255	268	281	295
(b) Part Time	$140/month					
Voulunteer Fireman						
(a) Over $100 damage	$5/fire					
(b) Under $100 damager	$2.50/fire					
Contractual:						
Head Librarian	$100/month					
Golf Course Manager	$210/month					

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RESOLUTION NO. 9907-N.S.

A RESOLUTION REAPPOINTING OFFICERS OF THE CITY OF MODESTO WHO ARE SUBJECT TO APPOINTMENT BY THE CITY COUNCIL, AND FIXING THEIR COMPENSATION.

WHEREAS, Section 900 of the Charter of the City of Modesto provides that the City Manager, City Attorney, City Clerk and City Auditor shall be appointed by the Council and all other officers and department heads of the city shall be appointed by the City Manager, and

WHEREAS, it is necessary and desirable that the appointment of the chief officials of the City of Modesto be clarified to conform with the provisions of said Charter, and

WHEREAS, it is necessary and desirable that the compensation of said officers be fixed,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the following named officers be reappointed as follows and that the compensation for their respective positions be fixed as specified:

Title	Appointee	Compensation
City Manager	Ross Miller	$15,000.00 per annum
City Attorney	Allen Grimes	$ 8,700.00 per annum
City Clerk and Auditor	Rex E. Gailfus	$ 6,360.00 per annum

BE IT FURTHER RESOLVED that the respective amounts of compensation fixed by this resolution shall be effective for the current month.

BE IT FURTHER RESOLVED that all resolutions in conflict with this resolution are hereby appealed.

The foregoing resolution was intrdduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of July, 1952 by Councilman Mellis, who moved its adoption, which motion being duly seconded by Councilman R. Adams, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: REX E. GAILFUS, City Clerk

****

RESOLUTION NO. 9908-N. S.

A RESOLUTION URGING ACTION BY STATE AND FEDERAL GOVERNMENT OFFICIALS TO MAKE THE NECESSARY TIN PLATE AVAILABLE FOR THE PRODUCTION OF CANS TO BE USED IN CANNING OF FRUIT.

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WHEREAS a group have appeared before the Council in regard to the serious effect the steel strike is having on the production of tin plate, and

WHEREAS they have expressed the opinion that if something wasn't done immediately to make tin plate available for the manufacturing of cans that there would be a tremendous loss to the farmers in the local area and the people generally as the canneries would have to curtail their operations, and

WHEREAS they have requested that the City Council use every means possible to draw attention to this serious situation and have requested that the City of Modesto join with other cities in this community to get whatever action is necessary to make tin plate available.

NOW THEREFORE BE IT RESOLVED that the City of Modesto solicit the cooperation of other cities in this area in using every effort possible by contacting various state and federal government officials to get whatever action is necessary to make the necessary tin plate available immediately.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of July, 1952 by Councilman Arata, who moved its adoption, which motion being duly seconded by Councilman Merrill, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Merrill, Mellil and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9909-N. S.

A RESOLUTION DIRECTING THE MAYOR AND CITY MANAGER TO ARRANGE A MEETING WITH THE COMMISSIONERS OF THE INDUSTRIAL FIRE DISTRICT

---OoO---

BE IT HEREBY RESOLVED that the Mayor and City Manager be authorized to arrange a meeting with the Commissioners of the Industrial Fire District to ask their cooperation in the eventual annexation of the proposed industrial area south of Modesto along the Tidewater Railroad right of way in which the City has committed itself to supply sewers and water on the basis it would be annexed to the City.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of July, 1952 by Councilman R.Adams, who moved its adoption, which motion being duly seconded by Councilman M. Adams, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R, Adams, Annan, Arata, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9910- N. S.

A RESOLUTION APPROVING LEASE FOR THE RENTAL OF OFFICE SPACE FOR THE CITY ATTORNEY IN THE CARLTON BUILDING

---oOo---

BE IT HEREBY RESOLVED that the lease between the City of Modesto and Carl W. Shannon and Dora Shannon, owners of the Carlton Building, 925 12th Street for the rental of office space for the City Attorney, for a term of one year from September 1, 1952 at a rental of $65 00 per month be approved and the City Manager and City Clerk be appointed signatory officials.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of July, 1952, byCouncilman Arata, who moved its adoption, which motion being duly seconded by Councilman M. Adams, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

****

RESOLUTION NO. 9911-N. S.

A RESOLUTION ESTABLISHING TWO HOUR PARKING ON BOTH SIDES OF G STREET BETWEEN TENTH STREET AND ELEVENTH STREET IN THE CITY OF MODESTO

---oOo---

WHEREAS, the City Council of the City of Modesto by ordinance heretofore passed, is empowered by resolution to increase and/or diminish parking time limits for vehicles on the streets of said City; and,

WHEREAS, by ordinance heretofore passed by said City Council by the erection of proper signs in the business district of said City and by resolution may enforce the provisions of all ordinances relating to the parking of vehicles in said City; and

WHEREAS, the best interest of the citizens of said City require that the length of time for which a vehicle may be parked in the following described areas shall be for the period of two hours between the hours of nine o'clock A. M. and six o'clock P. M.

NOW THEREFORE, said City Council by this resolution does hereby decreee that vehicles shall not be parked between the hours of nine o'clock A. M. and six o'clock for a period longer than 120 consecutive minutes in the following described areas:

Both sides of G Street between 10th and 11th Streets in the City of Modesto

BE IT FURTHER RESOLVED that said parking restrictions shall not be applicable on Sunday.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 23rd day of July, 1952, by Councilman Mellis, who moved its adoption, which motion being duly seconded by Councilman R. Adams, it was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

****

RESOLUTION NO. 9912-N. S.

BE IT HEREBY RESOLVED that grant deeds be accepted for the widening of Ramona Avenue from the following: (Page 303)

Benjamin H. Robinson and Pauline Robinson

Levoy Wright and Margaret A. Wright

Arthur C. Hiatt and Josephine C. Hiatt

P. H. Gratz and Ella G. Gratz

Howard Douglas Seablom and Thelma F. Seablom

Eric H. Seablom and Martha L. Seablom

BE IT FURTHER RESOLVED that these deeds be recorded 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 23rd day of July, 1952, by Councilman Annan, who moved its adoption, which motion being duly seconded by Councilman Merrill, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

****

RESOLUTION NO. 9913-N. S.

A RESOLUTION APPOINTING A TEMPORARY COMMITTEE OF THE COUNCIL TO WORK WITH THE CITY MANAGER ON CONTAMINATION IN WATER WELLS

---oOo---

WHEREAS, the City Manager has reported that consideration should be given to the possibility that the contamination in Well #9 is due to the great number of septic tanks surrounding the City and the problem should be presented to the Regional Water Pollution Control Board, and

WHEREAS, this may become a problem not only to the city but to all wels in this vicinity and the only solution to the problem would be the success of the unification program.

NOW THEREFORE BE IT RESOLVED that a temporary committee of the Council to work with the City Manager on this problem, composed of Councilmen R. Adams, M. Adams and Dan Mellis be and they are hereby appointed, and the City Manager is hereby authorized to bring it to the attention of the Regional Water Pollution Board and request that it be discussed at the meeting of August 6, 1952.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of July, 1952, by Councilman M. Adams, who moved its adoption, which motion being duly seconded by Councilman Arata, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: R. Adams, M. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

****

RESOLUTION NO. 9914-N. S.

A RESOLUTION GRANTING PERMIT TO MAYOR HARRY MARKS TO BE ABSENT FROM THE STATE AND TO BE EXCUSED FROM ATTENDING THE MEETINGS OF THE COUNCIL

---oOo---

BE IT HEREBY RESOLVED that permit be granted to Mayor Harry Marks to be absent from the State and to be excused from attending the meetings of the Council, as provided by Section 502 of the Charter, for a period not to exceed ninety days.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of July, 1952, by Councilman Annan, who moved its adoption, which motion being duly seconded by Councilman R. Adams, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

****

RESOLUTION NO. 9915 N. S.

A RESOLUTION AUTHORIZING THE REFUND OF $5,000 00 TO MARY A. SANDERS

BE IT HEREBY RESOLVED that the refunding of $5,000 00 of the $10,425 00 cash deposit deposited by Mary A. Sanders to cover the installation of improvements in the Campus Tract No. 2 be authorized as a portion of the work has been completed to the satisfaction of the City Engineer.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of July, 1952, by Councilman R. Adams, who moved its adoption, which motion being duly seconded by Councilman Annan, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

****

RESOLUTION NO. 9916-N. S.

A RESOLUTION COMMENDING FRED E. LANGE FOR SERVICE RENDERED TO THE CITY OF MODESTO IN THE CAPACITY OF ASSISTANT DIRECTOR OF PUBLIC WORKS

---oOo---

WHEREAS, Fred E. Lange was appointed as Assistant Director of Public Works of the City of Modesto on the 17th day of December, 1951, and

WHEREAS, Mr. Lange has submitted his resignation to the City by reason of his selection to a position of high responsibility and advancement with another public agency, and

WHEREAS, Mr. Langer has rendered outstanding services to the City of Modesto during the time that he has been in its employ, above and beyond the normal requirements of his office,

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Modesto that Mr. Lange be commended for themanner in which he has served by the City of Modesto and

BE IT FURTHER RESOLVED that a certificate, suitably inscribed, be presented to Mr. Lange in recognition of his service.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of July, 1952, by Councilman M. Adams, who moved its adoption, which motion being duly seconded by Councilman Annan, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 9917-N. S.

A RESOLUTION FILING PROTEST WITH THE STATE WATER POLLUTION CONTROL BOARD AND THE PUBLIC HEALTH SERVICE, FEDERAL SECURITY AGENCY BY THE COUNCIL OF THE CITY OF MODESTO, STATE OF CALIFORNIA

---oOo---

WHEREAS, it has been brought to the attention of the Council that a preliminary draft of a proposed report which is to be considered by the State Water Pollution Control Board, at its meeting to be held in Los Angeles, on August 7, 1952, and which is being presented under the name of California State and Regional Water Pollution Control Boards in cooperation with the Public Health Service, Federal Security Agency, contains many untrue and misleading statements which are unfair to cities in northern part of the state, and

WHEREAS, the Central Valley Region State Water Pollution Control Board has adopted a resolution objecting to the use of its name on this report as this report had not been seen or considered by its Board

NOW THEREFORE BE IT RESOLVED that the Council of the City of Modesto does hereby go on record as protesting to the preliminary draft of the proposed report to be considered by the State Water Pollution Control Board, and

BE IT FURTHER RESOLVED that the protest of the Council be brought to the attention of the State Water Pollution Control Board and to the Public Health Service, Federal Security Agency.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of August, 1952 by Councilman Mellis, who moved its adoption, which motion being duly seconded by Councilman Annan, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, and Mayor Pro Tempore Merrill

Noes: Councilmen: None

Absent: Mayor Marks

ATTEST: REX E. GAILFUS, CITY CLERK

********** **********

RESOLUTION NO. 9918-N. S.

A RESOLUTION AUTHORIZING THE CITY CLERK TO CALL FOR BIDS ON 5 TO 8 TON GASOLINE POWERED TANDEM ROLLER

---oOo---

BE IT HEREBY RESOLVED that the City Clerk be authorized to call for bids for one new 5 to 8 ton gasoline powered tandem roller, bids to be received not later than 2:00 P. M. on Tuesday, August 19, 1952. Any award made or contract entered into shall be by action of the Council, meeting in regular session at a subsequent meeting.

The foregoing resolution was introduced at arregular meeting of the Council of the City of Modesto held on the 6th day of August, 1952, by Councilman M. Adams, who moved its adoption, which motion being duly seconded by Councilman Mellis, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, and Mayor Pro Tempore Merrill

Noes: Councilmen: None

Absent: Mayor Marks

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9919-N. S.

A RESOLUTION AUTHORIZING THE CITY CLERK TO CALL FOR BIDS ON PIPE VALVES AND FITTINGS

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BE IT HEREBY RESOLVED that the City Clerk be authorized to call for bids for the furnishing of pipe, valves and fittings in accordance with specifications on file in the office of the Director of Public Works, said bids to be received not later than 2:00 P. M.

Monday, August 18. Any award made or contract entered into shall be by action of the Council, meeting in regular session at a subsequent 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, 1952, by Councilman M. Adams, who moved its adoption, whichmotion being duly seconded by Councilman Mellis, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis and Mayor Marks

Noes: Councilmen: None

Absent: Mayor Marks

ATTEST: REX E. GAILFUS, CITY CLERK

****

RESOLUTION NO. 9920-N. S.

A RESOLUTION CHANGING THE STREET NAME OF PORTIONS OF WELLESLEY AVENUE AND WELLESLEY WAY IN THE CITY OF MODESTO.

---oOo---

WHEREAS, the existence of Wellesley Avenue in the vicinity of Wellesley Way promotes confusion of street names, and

WHEREAS, the existing method of naming these streets makes it difficult to allocate house numbers in conformance with the house numbering plan officially adopted by the City, and

WHEREAS, a public hearing was held by the Modesto City Planning Commission on July 1, 1952, at which time no one appeared in protest of the proposed street name change, and

WHEREAS, the City Planning Commission has recommended to the City Council that portions of Wellesley Avenue and Wellesley Way be renamed to obviate these objections,

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Modesto that the east-west portion of Wellesley Avenue be renamed Exeter Avenue; and that Wellesley Way, which now runs north from Stanford Avenue for one block to Wellesley Avenue, be renamed Wellesley Avenue.

BE IT FURTHER RESOLVED that the Director of Public Works be and he is hereby authorized to erect street name signs accordingly.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of August, 1952, by Councilman Annan, who moved its adoption, which motion being duly seconded by Councilman Arata, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Mayor Pro Tempore Merrill

Noes: Councilmen: None

Absent: Mayor Marks.

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9921-N. S.

A RESOLUTION ESTABLISHING THE POLICY OF THE CITY WITH RESPECT TO THE FINANCING OF THE COST PERIMETER STREET LIGHTING.

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

SECTION 1. That in any subdivision wherein street lighting is installed or furnished by the subdivider pursuant to the ordinance of the city regulating the subdivision of land, or in any improvement district formed or area cooperating to install of furnish such street lighting, the City of Modesto will share the costs of perimeter lights in the proportions set forth herein:

Whenever any street light so installed is located in a street bordering the subdivision or improvement district or area and adjoining lands not included in the subdivision or district or area are or may be benefited by said street light, the portion of the cost of each such light which would ordinarily, because of such benefit, be borne by the adjoining lands shall be advanced by the city.

Advances of such costs by the city are to be made on the basis that said costs will be recovered by the city from the subdivider or developer of the adjoining land when such land is subdivided or developed, or from any district formed or area cooperating to furnish lighting to such adjoining area.

The foregoing resolution was introduced at a regular meeting of theCouncil of the City of Modesto held on the 6th day of August, 1952, by Councilman Arata, who moved its adoption, which motion being duly seconded by Councilman R. Adams, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Arata, Mellis, Annan, and Mayor Pro Tempore Merrill

Noes: Councilmen: None

Absent: Councilmen: Mayor Marks

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9922-N. S.

A RESOLUTION AUTHORIZING FINAL PAYMENT TO STANDARD MATERIALS INC ON CONSTRUCTION OF SEWER LINE IN CAROLYN AVENUE

---oOo---

WHEREAS, the Director of Public Works has filed a report that the 35 day lien period required by the contract for the construction of the sanitary sewer line in Carolyn Avenue by the Standard Materials, Inc. had expired and no claims have been filed against the contractor and he recommended that the remaining 25% of the contract price $675 73 be paid.

NOW THEREFORE BE IT RESOLVED that payment of $675 73 be authorized to the Standard Materials Inc. as recommended by the Director of Public Works, for the final payment on the construction of the sanitary sewer line in Carolyn Avenue.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of August, 1952, by Councilman Mellis, who moved its adoption, which motion being duly seconded by Councilman Arata, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis and Mayor Pro Tempore Merrill

Noes: Councilmen: None

Absent: Councilmen: Mayor Marks

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9923-N. S.

A RESOLUTION APPOINTING SIGNATORY OFFICIAL ON CLAIMS UNDER CHAPTER 47 STATUTE 1944 OF THE STATE OF CALIFORNIA

---oOo---

WHEREAS, the State of California requires the appointment of a signatory official by the Council on all claims for refunds of expenditures by the City under Chapter 47, Statute 1944

NOW THEREFORE BE IT RESOLVED that the City Manager be and he is hereby appointed signatory official on all documents sent to the State under Chapter 47, Statute 1944.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of August, 1952, by Councilman Annan, who moved its adoption, which motion being duly seconded by Councilman Arata, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis and Mayor Pro Tempore Merrill

Noes: Councilmen: None

Absent: Mayor Marks

ATTEST: REX EL GAILFUS,
CITY CLERK

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RESOLUTION NO. 9924-N. S.

A RESOLUTION ESTABLISHING LOADING ZONE ON BEARD STREET AND NO PARKING AREA ON BEARD STREET AND RESCINDING RESOLUTION NO. 4959. N. S. ESTABLISHING LOADING ZONE ON NINTH STREET

---oOo---

BE IT HEREBY RESOLVED and there is hereby created a loading zone on the Northeasterly side of Beard Street from B Street to D Street and the City Engineer of the City of Modesto shall procure proper markings and/or signs conveying to the public notice of the fact that the area herein designated shall be used only for the purpose of loading and unloading of trucks and other vehicles.

BE IT FURTHER RESOLVED that a "No Parking" area be and it is hereby created on the southwesterly side of Beard Street from B Street to D Street and the City Engineer of the City of Modesto shall procure proper markings and/or signs conveying to the public notice of the fact that the area herein designated shall be known as a "No Parking" area.

BE IT FURTHER RESOLVED that Resolution No. 4959- N. S. entitled: " AD RESOLUTION PROVIDING FOR THE LOCATION OF A LOADING ZONE ON NINTH STREET IN THE CITY OF MODESTO" be and it is hereby rescinded.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of August, 1952, by Councilman M. Adams, who moved its adoption, which motion being duly seconded by Councilman Arata, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis and Mayor Pro Tempore Merrill

Noes: Councilmen: None

Absent: Mayor Marks

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9925 N. S.

A RESOLUTION DEFINING THE POWERS AND DUTIES OF THE OFFICERS OF THE CITY WHO ARE APPOINTED BY THE CITY COUNCIL.

---oOo---

WHEREAS, Section 900 of the Charter of the City of Modesto provides that the City Manager, City Attorney, City Clerk and City Auditor shall be appointed by the Council and all other officers and department heads of the city shall be appointed by the City Manager, and

WHEREAS,, Section 901 of the said Charter authorizes the Council to provide by resolution, not inconsistent with said Charter, for the powers and duties of the officers of the city,

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

SECTION 1. The City Manager shall have the duties, responsibilities, authority and jurisdiction provided by the Charter of the City of Modesto and the ordinances and resolutions adopted by the Council, and the laws of the State of California, wherein they relate to the administration of the city.

SECTION 2. The City Attorney shall perform the following duties:

(a) Represent and advise the Council and all city officers in all matters of law pertaining to their offices;

(b) Represent and appear for the city in any or all actions and proceedings in which the city is concerned or is a party, and represent and appear for any city officer or employee or former city officer or employee in any or all actions and proceedings in which any city officer or employee is concerned or is a party, for any action arising out of his employment or by reason of his official capacity;

(c) Attend meetings of the Council and give his advice or opinion in writing whenever requested to do so by the Council or by any of the boards or officers of the city;

(d) Approve the form of all bonds given to and all contracts made by the city, endorsing his approval thereon in writing;

(e) Prepare such ordinances, resolutions, contracts, or other instruments for the city, endorsing his approval theron in writing;

(e) Prepare such ordinances, resolutions, contracts, or other instruments for the city as shall be requested by the Council;

(f) Prosecute on behalf of the people all criminal cases for violation of the Charter and of city ordinances;

(g) Perform such other duties as may be required of him by theCouncil; and

(h) On vacating the office, surrender to his successor all books, papers, files and documents pertaining to the city's affairs.

SECTION 3. The City Clerk shall perform the following duties:

(a) Attend all meetings of the Council and be responsible for the recording and maintaining of a full and true record of all the proceedings of the Council in books that shall bear appropriate titles and be devoted to such purposes;

(b) Maintain separate books, in which shall be recorded respectively all ordinances and resolutions, with the certificate of the Clerk annexed to each thereof stating the same has been published or posted in accordance with the Charter of the City of Modesto;

(c) Maintain separate books, in which a record shall be made of allwritten contracts and official bonds;

(d) Keep all aforementioned books properly indexed and open to public inspection when not in actual use;

(e) Be the custodian of the seal of the City;

(f) Administer oaths or affirmations, take affidavits and depositions pertaining to the affairs and business of the city and certify copies of the official records;

(g) Have charge of all city elections; and

(h) Perform such other duties as may be required of him by the City Council

SECTION 4. The City Auditor shall perform thefollowing duties:

(a) Verify cash receipts and their distribution to the proper funds

(b) Certify as correct and approve before payment, all bills, invoices pay rolls, demands or charges against the city government and determine the regularity, legality and correctness of such claims, demands or charges;

(c) Countersign all warrants issued by the city except individual salary warrants;

(d) Approve in writing all transactions relating to the deposit, transfer, withdrawal, or investment of city monies; and

(e) Perform such other duties as may be required of him by the Council.

The City Auditor may require any claimant to make oath as to the validity of any claim or demand against the city. He may investigate any such claim or demand and for such purpose may examine witnesses under oath; and if he finds it fraudulent, erroneous or otherwise invalid, he shall refuse to certify the same for payment.

SECTION 4. Resolution No. 8402-N. S., adopted May 11, 1949, be and the same is hereby rescinded.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of August, 1952, by Councilman Mellis, who moved its adoption, which motion being duly seconded by Councilman Annan, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, and Mayor Pro Tempore Merrill

Noes: Councilmen: None

Absent: Mayor Marks

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9926-N. S.

A RESOLUTION PROVIDING FOR THE MANNER OF EXECUTING LEGAL INSTRUMENTS TO WHICH THE C CITY IS A PARTY.

---oOo---

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

SECTION 1. In addition to the authority granted to the City Manager by Section 801 (9) of the City Charter to make and execute contracts on behalf of the city involving budgeted or appropriated expenditures of Fifteen Hundred ($1500 00) Dollars or less, and except as otherwise provided by the Council, the City Manager is hereby authorized to sign in the name of and on behalf of the city any and all legal instruments to which the city is a party, which have been approved by the City Council of the City of Modesto.

SECTION 2. The City Manager shall have power to delegate the authority to department heads, in specific instances when specified by him in writing, to execute contracts on behalf of the city.

SECTION 3. The City Clerk is hereby authorized to attest in the name of and on behalf of the city any and all legal instruments to which the city is a party.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of August, 1952, by Councilman Arata, who moved its adoption, which motion being duly seconded by Councilman Annan, was upon roll call carried by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, and Mayor Pro Tempore Merrill

Noes: Councilmen: None

Absent: Mayor Marks

RESOLUTION NO. 9927-N. S.

RESOLUTION FINDING AND DETERMINING THAT THE PUBLIC CONVENIENCE AND NECESSITY REQUIRE THE CONSTRUCTION OF IMPROVEMENTS IN IMPROVEMENT DISTRICT NO. 1, CITY OF MODESTO, COUNTY OF STANISLAUS STATE OF CALIFORNIA; THAT THE SPECIAL ASSESSMENT INVESTIGATION, LIMITATION AND MAJORITY PROTEST ACT OF 1931 SHALL NOT APPLY; AND DETERMINENG THAT SUCH PROJECT SHALL PROCEED UNDER THE TERMS AND PROVISIONS OF THE IMPROVEMENT ACT OF 1911.

---oOo---

WHEREAS , a public hearing, for which reasonable notice has been given by publication and posting, has been held as to the public convenience and necessity of the construction of improvements in Improvement District No. 1 of the City of Modesto, County of Stanislaus, State of California; and

WHEREAS, this City Council of the City of Modesto has heard and considered all the evidence, both oral and written, relative to the public convenience and necessity of the construction of the aforesaid improvements;

NOW, THEREFORE, BE IT RESOLVED: That this City Council hereby finds and determines that the public convenience and necessity require the construction of sanitary sewer laterals and the furnishing of street lighting materials, supplies, appliances and appurtenances in Improvement District No. 1 of the City of Modesto; and this City Council further determines that the "Special Assessment Investigation, Limitation and Majority Protest Act of 1931" shall not apply; and

BE IT FURTHER RESOLVED: That the project shall proceed in accordance with the terms and provisions of the Improvement Act of 1911.

I HEREBY CERTIFY that the foregoing Resolution was regularly and duly adopted by the City Council of the City of Modesto, Stanislaus County, California, at a regular meeting thereof, held on the 13th day of August, 1952, by the following vote, to wit:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, and Mayor Pro Tempore Merrill

Noes: Councilmen: None

Absent: Mayor Marks

(SEAL)

REX E. GAILFUS, CITY CLERK OF THE CITY OF MODESTO, STANISLAUS COUNTY, CALIFORNIA

****

RESOLUTION NO. 9928-N. S.

RESOLUTION OVERRULING PROTEST

---oOo---

WHEREAS, on the 23rd day of July, 1952, the City Council of the City of Modesto, Stanislaus County, California, passed its Resolution of Intention No. 9903 N. S. to order certain work, to be done and improvements to be made in Improvement District No. 1 of the City of Modesto, under and pursuant to the provisions of the "Improvement Act of 1911", the names of the streets proposed to be improved, a description of the streets and/or public ways and/or easements on which said improvement is to be made, the location and character of said proposed work, and the improvement district being described in said Resolution of Intention, which is hereby expressly referred to for all further particulars; and

WHEREAS, certain owners of property liable to be assessed for said work and improvement made written protest or objections in writing and delivered the same to the City Clerk of the City of Modesto not later than the hour set for hearing such objections; and

WHEREAS, at the time set for hearing the protests and objections the said City Council of the City of Modesto proceeded to hear the same, and all of the protests or objections having been heard and duly considered;

IT IS HEREBY RESOLVED by the City Council of the City of Modesto, County of Stanislaus, State of California, that all of the said protests and objections of every kind or nature be and the same are hereby overruled or denied; and

IT IS HEREBY RESOLVED FURTHER, that said City Council finds that said protests

and objections are made by the owners of less than one-half of the area of the property to be assessed for said improvements.

I HEREBY CERTIFY that ~~that~~ the foregoing Resolution was regulary and duly adopted by the City Council of the City of Modesto, Stanislaus County, California, at a regular meeting thereof, held on the 13th day of August, 1952, by the following vote; to wit:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, and Mayor Pro Tempore Merrill

Noes: Councilmen: None

Absent: Mayor Marks

REX E. GAILFUS, CITY CLERK OF THE CITY OF MODESTO, STANISLAUS COUNTY, CALIFORNIA

(SEAL)

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RESOLUTION NO. 9929-N. S.

RESOLUTION ADOPTING SCALE OF PREVAILING WAGE RATES

---oOo---

WHEREAS, the City Council of the City of Modesto, County of Stanislaus, State of California, did upon the 23rd day of July, 1952, adopt plans and specifications for the construction of improvements in Improvement District No. 1 in the City of Modesto, Stanislaus County, California;

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Modesto, that said City Council has determined and established the general prevailing rate of per diem wages for each type or craft or workmen needed to execute or perform the necessary work or improvement in accordance with the schedule appended hereto and described "Schedule of Per Diem Wage Rates"; and

BE IT FURTHER RESOLVED, that said "Schedule of Per Diem Wage Rates" be embodied in the Notice Inviting Sealed Bids and all contract documents in connection with said work and improvement hereinabove describe.

I HEREY CERTIFY that the foregoing Resolution was regularly and duly adopted by the City Council of the City of Modesto, Stanislaus County, California, at a regular meeting thereof, held on the 13th day of August, 1952, by the following vote, to wit:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, and Mayor Pro Tempore Merrill

Noes: Councilmen: None

Absent: Mayor Marks

ATTEST: REX E. GAILFUS, CITY CLERK
CITY OF MODESTO, STANISLAUS COUNTY, CALIFORNIA (SEAL)

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SCHEDULE OF PER DIEM WAGE RATES

Classification	Rate Per Hour
Compressor	$ 2.28
Compressors (more than one)	2161
Concrete Mixer (up to one yeard)	2.28
Derricks (including Chicago Boom)	2.83
Drilling Machinery Engineers	2.67
Fork Lift or Lumber Stacker	2.56
Handi-Crane	2.72
Heavy Duty Repairman	2.67
Heavy Duty Repairman Helper	2.17
Material Hoist	2.56
Pavement Breakers, Emsco Type	2.72
Power Grader, Power Planer, Motor Patrol or any type Power Blade	2.83
Power Shovel and/or other Excavating Equipment with shovel-type controls, up to and including 1 yard	2.83
Power Shovels and/or other Excavating Equipment with shovel-type controls, over 1 yard	3.00

SCHEDULE OF PER DIEM WAGE RATES

Classification	Rate Per Hour
Dumps	$ 2.28
Rollers	2.67
Ross Carriers (on construction job site)	2.39
Scoopmobile (when used as a hoist)	2.56
Scoopmobile (when used as a loader)	2.72
Tractors	2.67
Tractors, boom	2.83
Tractors, tandem	3.00
Tractor-type shovel loader (scale not to apply when used as blade or bulldozer)	2.83
Trenching Machine	2.72
Truck-type Loader	2.83
Truck Crane	2.83
Dump Trucks:	
Under 4 yds. (water level)	1.89
4yds and under 8 yeds. (water level)	1.99
8 yds. and under 14 yds. (water level)	2.19
14 yds. and under 18 yds. (water level)	2.26
18 yds. and/or over (water level)	2.39
Transit Mix:	
2 yds. (manufacturer's measurement rating)	1.91
3 yds. (manufacturer's measurement rating)	2.00
4 yds. (manufacturer's measurement rating)	2.08
5 yds. (manufacturer's measurement rating)	2.11
Pickups carrying under 1,000 lbs	1.89
Flat racks carrying under 18000 lbs.	1.91
Helpers, Warehousemen and Teamsters	1.89
Teamsters on winch Trucks, including "A" frame	2.05
Water Wagon (Under 2,500 gals.)	2.02
Water Wagon (Over 2,500 gals.)	2.05
Road Oiler-Bootman Combination	2.43
Air Tool Operator (Jack Vib.)	1.95
Asphalt Rakers & Ironers	1.95
Cement Masons	2.57
Carpenter	2.54
Laborers, Building & Concrete	1.85
Shovel, dragline lyd or less	2183
Bricklayers	3.15
Hodcarriers, Plaster	2.65
Hodcarriers, Brick	2.35
Plumber	2.90
Pipe Layers, Caulkers, Banders	2.10

8 hours shall constitute a day's work unless otherwise specified.

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RESOLUTION NO. 9930-N. S.

RESOLUTION ORDERING THE WORK

---oOo---

WHEREAS, the City Council of the City of Modesto, County of Stanislaus, State of of California, did on the 23rd day of July, 1952, adopt its Resolution of Intention No. 9903 N. S. to order the therein described work and improvements to be done and made in Improvement District No. 1, which Resolution of Intention was duly and legally published in the time, form and manner as requred by law, as shown by the Affidavit of Publication of said Resolution of Intention on file in the office of the City Clerk of the City of Modesto; and

WHEREAS, after the adoption thereof, notices of the passage of said Resolution of Intention, headed "Notice of Improvement", were duly and legally posted in the time, form, manner, locations and number as required by law, as appears from the Affidavit of Posting said Notices, on file in the office of the City Clerk of said City of Modesto; and

WHEREAS, after the adoption thereof, notices of the adoption of said Resolution of Intention were duly mailed to all persons owning real property proposed to be assessed for the improvements described in said Resolution of Intention No. 9903 N. S. According to the names and addresses of such owners, as the same appear on the last equalized assessment roll for taxes prior to the day of such mailing, or as known to the City Clerk of the City of Modesto, which said Notices were duly mailed in the time, form and manner as required by law; and

WHEREAS, said City Council of the City of Modesto having duly received and considered evidence, both oral and documentary, concerning the jurisdictional facts in this proceeding and concerning the necessity for the contemplated work and improvement and the benefits to be derived therefrom, and said City Council having now acquired jurisdiction to order the proposed improvement;

IT IS HEREBY RESOLVED, by the City Council of the City of Modesto, Stanislaus County, California, that the public interest and convenience require the improvement herein referred to, and said City Council hereby orders that the work and improvement, as set forth and described in said Resolution of Intention No. 9903 N. S., passed by the City Council on the 23rd day of July, 1952, and in the plans and specifications therein referred to, to be done and made.

RESOLVED FURTHER, that the boundaries of the improvement district, and the grades to which said work and improvements are to be constructed, shall be those as set forth and described in said Resolution of Intention No. 9903 N. S., ~~passed by the City Council on the 23rd day of July, 1952, and the plans and specifications therein referred to, to be done and made.~~ and in the plans and specifications therein referred to, reference to ~~we~~ which is hereby made for all further particulars.

RESOLVED FURTHER, that the time hereby fixed for receiving sealed proposals or bids for the doing of said work and making of said improvements herein ordered is the 2nd day of September, 1952, at the hour of 10:00 o'clock A. M., and the City Clerk of the City of Modesto is hereby ordered to give notice inviting such sealed bids in the time, form and manner provided by law.

I HEREBY CERTIFY that the foregoing Resolution was regularly and duly adopted by the City Council of the City of Modesto, Stanislaus County, California, at a regular meeting thereof, held on the 13th day of August, 1952, by the following vote, to wit:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, and Mayor Pro Tempore Merrill

Noes: Councilmen: None

Absent: Mayor Marks

(SEAL)

REX E. GAILFUS, CITY CLERK OF THE CITY OF MODESTO, STANISLAUS COUNTY CALIFORNIA.

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RESOLUTION NO. 9931-N. S.

A RESOLUTION APPOINTING ANNE M. COLLINS ACTING CITY CLERK AND AUDITOR OF THE CITY OF MODESTO DURING THE ABSENCE OR DISABILITY OF THE CITY CLERK AND AUDITOR

---oOo---

BE IT HEREBY RESOLVED that Anne M. Collins be appointed Acting City Clerk And Auditor during the absence or disability of the City Clerk and Auditor, 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 13th day of August, 1952, by Councilman Mellis, who moved its adoption, which motion being duly seconded by Councilman Arata, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis and Mayor Pro Tempore Merrill

Noes: Councilmen: None

Absent: Mayor Marks

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 9932-N. S.

A RESOLUTION APPROVING CLAIMS OF THE CITY OF MODESTO FOR THE MONTH OF JULY, 1952

---oOo---

BE IT HEREBY RESOLVED the claims of the City of Modesto be approved for the month of July, 1952, in the amount of $174,360 63 being check numbers 4019 to 4222 inc., (excluding check number 4086) and check numbers 10948 to 10967 in the amount of $465 35 of the McHenry Public Library and the issuance of these checks by the Auditor be authorized.

The foregoing resolution was introduced at a reguar meeting of the Council of the City of Modesto held on the 13th day of August, 1952, by Councilman Annan, who moved its adoption, which metion being duly seconded by Councilman M. Adams, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis and Mayor Pro Tempore Merrill

Noes: Councilmen: None

Absent: Mayor Marks

ATTEST: REX E. GAILFUS, CITY CLERK

****

RESOLUTION NO. 9933-N. S.

A RESOLUTION ACCEPTING GRANT DEED, AND DEED OF PARTIAL RE-CONVEYANCE FOR EXTENSION OF LEONARD AVENUE TO KEARNEY AVENUE, AND TO WIDEN KEARNEY AVENUE

---oOo---

BE IT HEREBY RESOLVED that a grant deed, and deed of partial reconveyance which is to be used in the extendion of Leonard Avenue to Kearney Avenue and to widen Kearney Avenue, be accepted from Elvan and Gwendolyn Overholtzer.

BE IT FURTHER RESOLVED that these deeds be recorded 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 13th day of August, 1952, by Councilman Mellis, who moved its adoption, which motion being duly seconded by Councilman Annan, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis and Mayor Pro Tempore Merrill

Noes: Councilmen: None

Absent: Mayor Marks

ATTEST: ANNE M. COLLINS, ACTING CITY CLERK

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RESOLUTION NO. 9934-N. S.

A RESOLUTION AUTHORIZING THE MODESTO JUNIOR CHAMBER OF COMMERCE TO USE THE PARKING LOT ADJACENT TO THE MODESTO MUNICIPAL BASEBALL PARK

---oOo---

WHEREAS, the City of Modesto entered into a lease agreement with the Modesto Community Athletic Association for the use of the Modesto Municipal Baseball Park and adjacent premises, and

WHEREAS, the City has reserved the authority to allow the use of said premises to other organizations at such time as said field is not in use or desired for use by the Athletic Association

NOW THEREFORE BE IT HEREBY RESOLVED that the Council of the City of Modesto does hereby grant permission to the Modesto Junior Chamber of Commerce to use the parking lot adjacent to the Municipal Baseball Park to hold their annual fair from September 24 through the 28 inc. 1952, providing it returns the parking lot to the Modesto Community Athletic Association in the same condition as received, including the filling of all holes, oiling of the surfaces and picking up and removal of all trash, papers, etc. and

BE IT FURTHER RESOLVED that the Modesto Junior Chamber of Commerce will hold the City of Modesto harmless from any damages for injuries to property or persons resulting from the use of said premises for community fair activities.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of August, 1952, by Councilman M. Adams, who moved its adoption, which motion being duly seconded by Councilman R. Adams it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, and Mayor Pro Tempore Merrill

Noes: Councilmen: None

Absent: Mayor Marks

ATTEST: REX E. GAILFUS, CITY CLERK

****

RESOLUTION NO. 9935 N. S.

A RESOLUTION APPROVING AGREEMENT WITH THE STATE PERSONNEL BOARD FOR PERSONNEL SERVICES

---oOo---

BE IT HEREBY RESOLVED that the agreement for personnel services between the City of Modesto and the State Personnel Board dated August 13, 1952, 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 13th day of August, 1952, by Councilman Arata who moved its adoption, which motion being duly seconded by Councilman Annan, it was upon roll call adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Mellis, Arata, Annan and Mayor Pro Tempore Merrill

Noes: Councilmen: None

Absent: Mayor Marks

ATTEST: REX E. GAILFUS, CITY CLERK

****

RESOLUTION NO. 9936-N. S.

A RESOLUTION ESTABLISHING A TRUST FUND FOR THE CITY OF MODESTO

---oOo---

WHEREAS, from time to time the city receives certain monies which at the time of their collection do not belong to the city, and which should be accounted for separately, and

WHEREAS, such funds should be held in trust pending certain conditions to be fulfilled by the depositor, or by the city, at which time they may be either refunded to the depositor, transferred to other city funds or transmitted to other parties,

NOW, THEREFORE, BE IT RESOLVED, that there is hereby established a city trust fund to account for the following types of trust receipts:

(1) Business license deposits;

(2) Bid deposits by contracters;

(3) Deposits of private funds for the city's use in making improvements;

(4) Advance payments of metered water service or other service;

(5) Over-payments and/or duplicate payments of taxes, fees or licenses subject to refund; and

(6) Any other monies received and held by the city pending final disposition.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of August, 1952, by Councilman Arata, who moved its adoption, which motion being duly seconded by Councilman Annan, it was upon roll call carried by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, and Mayor Pro Tempore Merrill

Noes; Councilmen: None

Absent: Mayor Marks

ATTEST: REX E. GAILFUS, CITY CLERK

****

RESOLUTION NO. 9937-N. S.

A RESOLUTION AUTHORIZING THE CITY CLERK TO CALL FOR BIDS FOR LAMPS

---oOo---

BE IT HEREBY RESOLVED that the City Clerk be and he is hereby authorized to call for bids for incandescent, flurescent and mercury vapor lamps for municipal lighting for the period of one year, beginning July 1, 1952, in the amount of approximately $2500 00. Said bids are to be opened at 2:00 P. M. on Tuesday, September 2, 1952, in the office of the City Clerk. Any award made or contract entered into shall be by action of the Council, meeting in regular session at a subsequent meeting.

The foregoing resolution was introduced at regular meeting of the Council of the City of Modesto held on the 20th day of August, 1952, by Councilman M. Adams, who moved its adoption, which motion being duly seconded by Councilman Arata, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Mayor Pro Tempore Merrill

Noes: Councilmen: None

Absent: Mayor Marks

ATTEST: ANNE M. COLLINS, ACTING CITY CLERK

****

RESOLUTION NO. 9938-N. S.

A RESOLUTION ACCEPTING BID OF UNITED STATES PIPE & FOUNDRY COMPANY ON CAST IRON WATER PIPE

---oOo---

BE IT HEREBY RESOLVED that the bid of $56,506 60 of the United States Pipe & Foundry Company on items 1 through 5 of the notice to bidders for cast iron water pipe 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 20th day of August, 1952, by Councilman M. Adams, who moved its adoption, which motion being duly seconded by Councilman Mellis, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Mellis, Arata, and Mayor Pro Tempore Merrill

Noes: Councilmen: None

Absent: Mayor Marks

ATTEST: ANNE M. COLLINS, ACTING CITY CLERK

****

RESOLUTION NO. 9939-N. S.

A RESOLUTION ACCEPTING BID OF WATER WORKS SUPPLY COMPANY ON FITTINGS

---oOo---

BE IT HEREBY RESOLVED that the bid of $2,490 29 of the Water Works Supply Company for cast iron pipe fittings be and it is hereby accepted as it was the lowest and best bid received.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 20th day of August, 1952, by Councilman R. Adams, who moved itssadoption, which motion being duly seconded by Councilman Annan, it was upon roll call

carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis and Mayor Pro Tempore Merrill

Noes: Councilmen: None

Absent: Mayor Marks

ATTEST: ANNE M. COLLINS,
ACTING CITY CLERK.

****

RESOLUTION NO. 9940-N. S.

A RESOLUTION ACCEPTING THE BID OF GRINNELL COMPANY OF FRESNO ON WATER VALVES

---oOo---

BE IT HEREBY RESOLVED that the bid of $4,787 33 of the Grinnell Company of Fresno on water valves be accepted as it was the lowest and best bid received.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 20th day of August, 1952, by Councilman R. Adams, who moved its adoption, which motion being duly seconded by Councilman Annan, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis and Mayor Pro Tempore Merrill

Noes: Councilmen: None

Absent: Mayor Marks

ATTEST: ANNE M. COLLINS, ACTING CITY CLERK

****

RESOLUTION NO. 9941-N. S.

A RESOLUTION ACCEPTING THE BID OF THE CONTRACTORS EQUIPMENT & SUPPLY COMPANY ON A GALION TANDEM ROLLER

---oOo---

BE IT HEREBY RESOLVED that the bid of the Contractors Equipment & Supply Company of $5,860 70 on a Galion 5 to 8 ton Tandem Roller be accepted as it is the best bid for the work contemplated.

The foregoing resolution was introduced at arregular meeting of the Council of the City of Modesto held on the 20th day of August, 1952, by Councilman Arata, who moved its adoption, which motion being duly seconded by Councilman M. Adams, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis and Mayor Pro Tempore Merrill

Noes: Councilmen: None

Absent: Mayor Marks

ATTEST: ANNE M. COLLINS, ACTING CITY CLERK

****

RESOLUTION NO. 9942-N. S.

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MODESTO ADOPTING BUDGET AND APPROVING MEMORANDUM OF AGREEMENT FOR EXPENDITURE OF GAS TAX ALLOCATION ~~FOR EXPENDITURE OF GAS TAX ALLOCATION~~ FOR MAJOR CITY STREETS

---oOo---

WHEREAS, a memorandum of agreement has been presented to be entered into with the State of California in accordance with a project statement submitted by City of Modesto for expenditure of the gas tax allocation to cities for the fiscal year 1953, and

regularly passed by the City Council of the City of Modesto at a regular meeting thereof held August 20, 1952.

WHEREAS, the City Council has heard read said agreement in full and is familiar with the contents thereof;

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, and said agreement be and the same is hereby approved and the Mayor and the City Clerk are directed to sign the same on behalf of said City, said agreement to be binding upon the City upon its execution by the authorized officials of the State

ADOPTED this 20th day of August, 1952

MERRILL

(SIGNED) MAYOR PRO TEMPORE OF THE CITY OF MODESTO

ATTEST: ANNE M. COLLINS, ACTING CITY CLERK OF THE CITY OF MODESTO

**

ACTING CLERK OF THE CITY OF MODESTO

****

RESOLUTION NO. 9943-N. S.

A RESOLUTION AUTHORIZING RELEASE OF SUBDIVISION BOND TO MRS. ELIZABETH ZIMMERMAN

---oOo---

WHEREAS, Mrs. Elizabeth Zimmerman has requested the release of a subdivision bond which she had furnished to cover the estimated costs of improvements, including street lighting in the Ramona Park Addition, and

WHEREAS, the Director of Public Works has reported that all of the work has been completed under this bond with the exception of providing materials for two half lights and that Mrs. Zimmerman has deposited the sum of $300 00 as a cash deposit to cover the costs of the materials required.

NOW THEREFORE BE IT RESOLVED that the release of the subdivision bond be authorized to Mrs. Elizabeth Zimmerman.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 20th day of August, 1952, by Councilman Annan, who moved its adoption, which motion being duly seconded by Councilman M. Adams, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis and Mayor Pro Tempore Merrill

Noes: Councilmen: None

Absent: Mayor Marks

ATTEST: ANNE M. COLLINS, ACTING CITY CLERK

****

RESOLUTION NO. 9944-N. S.

A RESOLUTION APPROVING THE FINAL MAP OF THE CAMPUS TRACT NO. 3 SUBDIVISION.

---oOo---

WHEREAS, on August 5, 1952, the Planning Commission of the City of Modesto approved the final map of the proposed Campus Tract No. 3 subdivision in the City of Modesto, and

WHEREAS, on August 20, 1952, the Acting City Engineer of the City of Modesto certified that the final map of said Campus Tract No. 3 subdivision meets all the provisions of the California Subdivision Map Act and that the map is technically correct,

NOW THEREFORE BE IT RESOLVED that said final map of the Campus Tract No. 3 subdivision be approved and the streets and alleys and easements as shown thereon within the boundaries of said subdivision be accepted on behalf of the public for public use subject to the condition that subdivider furnish to the city a corporate surety bond in

the sum of Thirteen Thousand Five Hundred ($13,500.00) Dollars guaranteeing the construction of the improvements required by the subdivision regulations of the City.

BE IT FURTHER RESOLVED that the City Clerk be and he is hereby authorized to certify the map of said subdivision on behalf of the City of Modesto upon the receipt of said bond.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 20th day of August, 1952, by Councilman Annan, who moved its adoption, which motion being duly seconded by Councilman R. Adams, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis and Mayor Pro Tempore Merrill

Noes: Councilmen: None

Absent: Mayor Marks

ATTEST: ANNE M. COLLINS, ACTING CITY CLERK

****

RESOLUTION NO. 9945-N. S.

A RESOLUTION ESTABLISHING TRAFFIC REGULATIONS IN THE ALLEY IN BLOCK 66

---oOo---

WHEREAS, the Inter-departmental Traffic Committee has recommended that "No Parking at any time" signs be installed on the northeast side of the alley in Block 66, between K and L Streets and Tenth and Eleventh Street, and that leading and/or unloading be limited to the southwest side of the alley

NOW THEREFORE BE IT RESOLVED that the recommendation of the Inter-departmental Traffic Committee be approved and the Director of Public Works be directed to install the necessary signs.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of August, 1952, by Councilman M. Adams, who moved its adoption, which motion being duly seconded by Councilman Arata, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis and Mayor Pro Tempore Merrill

Noes: Councilmen: None

Absent: Mayor Marks

****

RESOLUTION NO. 9946-N. S.

A RESOLUTION AUTHORIZING PAYMENT TO THE STANISLAUS COUNTY BAND

---oOo---

BE IT HEREBY RESOLVED that payment of $600 00 for the 1952 summer concerts be authorized to the Stanislaus County Band.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of August, 1952, by Councilman Mellis who moved its adoption, which motion being duly seconded by Councilman M. Adams, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis and Mayor Pro Tempore Merrill

Noes: Councilmen: None

Absent: Mayor Marks

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 9947-N. S.

A RESOLUTION AUTHORIZING THE CITY CLERK TO CALL FOR BIDS FOR THE IMPROVEMENT OF VIRGINIA AVENUE AND EIGHTH STREET

---oOo---

BE IT HEREBY RESOLVED that the City Clerk be authorized to call for bids for furnishing all labor, equipment and materials for the improvement of Virginia Avenue, between Morris and Griswold Avenues and Eighth Street, between Kansas Avenue and Washington Street. Said bids to be received not later than 2:00 P. M. Monday, September 15, 1952. All bids received will be opened and read and any award made or contract entered into shall be by action of the Council, meeting in regular session at a subsequent meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of August, 1952, by Councilman R. Adams, who moved its adoption, which motion being duly seconded by Councilman Arata, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis and Mayor Pro Tempore Merrill

Noes: Councilmen: None

Absent: Mayor Marks

ATTEST: REX E. GAILFUS, CITY CLERK

****

RESOLUTION NO. 9948-N. S.

A RESOLUTION AUTHORIZING THE APPROPRIATION TRANSFER FROM GENERAL RESERVE AND LIBRARY RESERVE FOR SALARY ADJUSTMENTS

---oOo---

BE IT HEREBY RESOLVED that the appropriation transfer of $33,402 00 from the general reserve and $2,281 00 from the library reserve be authorized for salary adjustments as authorized by the Council upon adoption of the budget.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of August, 1952, by Councilman Mellis, who moved its adoption, which motion being duly seconded by Councilman Annan, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis and Mayor Pro Temproe Merrill

Noes: Councilmen: None

Absent: Mayor Marks

ATTEST: REX E. GAILFUS, CITY CLERK

****

RESOLUTION NO. 9949-N. S.

A RESOLUTION AUTHORIZING THE CANCELLATION OF THE FIRE, THEFT AND COLLISION INSURANCE OF THE CITY OF MODESTO AUTOMOTIVE EQUIPMENT

---oOo---

WHEREAS, the Director of Finance has filed a report with the Council on the cost of the $250 00 deductible collision insurance carried on city automotive equipment and the amount collected from the insurance company for repairs to city equipment involved in collisions over a period of years, and

WHEREAS, he has advised that other governmental agencies in the county do not carry this type of insurance on its equipment and on the basis of the city's cost experience has recommended that the existing policy be cannelled, and

WHEREAS, the Council believes it would be the best policy to cancel fire and theft coverage on automotive equipment as well as collision

BE IT HEREBY RESOLVED that the cancellation of the fire, theft, and collision insurance on the city fleet of automotive equipment be caneelled as of this date.

The foregoing resolution was introduced at a regular meeting of the Council of

the City of Modesto held on the 27th day of August, 1952, by Councilman Mellis, who moved its adoption, which motion being duly seconded by Councilman M. Adams, it was upon roll call carried and the resolution was adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis and Mayor Pro Tempore Merrill

Noes: Councilmen: None

Absent: Mayor Marks

ATTEST: REX E. GAILFUS, CITY CLERK

****

RESOLUTION NO. 9950-N. S.

A RESOLUTION COMMENDING CYRIL MCC. HENDERSON FOR SERVICES RENDERED TO THE CITY OF MODESTO IN THE CAPACITY OF DIRECTOR OF PLANNING.

---oOo---

WHEREAS, Cyril McC. Henderson was appointed Director of Planning of the City of Modesto on the 1st day of November, 1947, and

WHEREAS, Mr. Henderson has submitted his resignation to the City in order to accept a position of unusual opportunity and advancement in his profession in the Province of British Columbia, Dominion of Canada, and

WHEREAS, Mr. Henderson has rendered outstanding services to the City of Modesto during the time that he has been in its employ having been instrumental in the development of an arterial street system and traffic survey, an official property numbering system, modern subdivision regulations, the creation of a Parking Authority and the provision of off-street parking facilities, preparation of a master plan of land use for the urban area, the development of proper zoning regulations for the City and County, the promotion of annexation to the City and the unification of the Greater Modesto Area, including a general study of fringe area problems, and in general, promoting the health, safety and general welfare of the community,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that Cyril McC. Henderson be commended for the outstanding manner in which he has served the City of Modesto, and

BE IT FURTHER RESOLVED that a certificate, suitably inscribed, be presented to Mr. Henderson in recognition of his service.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of August, 1952, by Councilman M. Adams, who moved its adoption, which motion being duly seconded by Councilman Mellis, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis and Mayor Pro Tempore Merrill

Noes: Councilmen: None

Absent: Mayor Marks

ATTEST: ANNE M. COLLINS
ACTING CITY CLERK

****

RESOLUTION NO. 9951-N. S.

A RESOLUTION DENYING REQUEST OF SAM SECRETO FOR THE ESTABLISHMENT OF A LOADING ZONE IN FRONT OF THE GREYHOUND BUS DEPOT

---oOo---

BE IT HEREBY RESOLVED that the request of Sam Secreto for the establishment of a loading and/or unloading zone in front of the Greyhound Bus Depot on Tenth Street near G Street be denied and

BE IT FURTHER RESOLVED that the 10 minute parking spaces on the northwesterly side of G Street at Tenth Street be resigned to read "Parking 10 minutes, day and night", and

BE IT FURTHER RESOLVED that the City Manager be auhtorized to designate and sign the two adjacent one hour parking spaces on the northwesterly side of G Street, between Ninth and Tenth Street, as 10 minute parking spaces if the traffic congestion warrants.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd day of September, 1952, by Councilman Mellis, who moved its adoption, which motion being duly seconded by Councilman Arata, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: R. Adams, Annan, Arata, Mellis and Mayor Pro Tempore Merrill

Noes: Councilmen: None

Absent: CouncilmanM. Adams, and Mayor Marks

ATTEST: REX E. GAILFUS, CITY CLERK

****

RESOLUTION NO. 9952-N. S.

A RESOLUTION APPROVING THE LEASE WITH NATHAN J. PROVINCE

---oOo---

BE IT HEREBY RESOLVED that the lease with Nathan J. Province for the rental of a hangar at the municipal airport for a monthly rate of $100 00, effective July, 1st/1952, for a term of one year be approved.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd day of September, 1952, by Councilman Annan, who moved its adoption, which motion being duly seconded by Councilman R. Adams, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: R. Adams, Annan, Arata, Mellis and Mayor Pro Tempore Merrill

Noes: Councilmen: None

Absent; Councilmen: M. Adams, and Mayor Marks

ATTEST: REX E. GAILFUS, CITY CLERK

****

RESOLUTION NO. 9953-N. S.

RESOLUTION OF AWARD OF CONTRACT

---oOo---

WHEREAS, the City Clerk of the City of Modesto did, on the 2nd day of September, 1952, publicly open, examine and declare all sealed proposals or bids for doing the work and improvement described in Resolution of Intention No. 9903-N. S. for the construction of improvements in IMPROVEMENT DISTRICT NO. 1 in the City of Modesto, adopted on the 23rd day of July, 1952, which Resolution of Intention is hereby expressly referred to for a description of said work and improvement and for all particularly relative to the proceedings under said Resolution of Intention;

NOW, THEREFORE, IT IS HEREBY RESOLVED that the City Council of the City of Modesto hereby rejects all of said proposals or bids except that herein mentioned, and hereby awards the contract for doing said work and making said improvements to the lowest responsible bidder, to-wit:

STANDARD MATERIALS, INCORPORATED

at the prices named in the bid of said bidder on file in the office of the City Clerk of the City of Modesto.

The City Clerk of the City of Modesto is hereby directed to publish notice of said award in the MODESTO JOURNAL AND VALLEY CITIZEN, a newspaper published and circulated in said City of Modesto, and heretofore designated for that purpose by said City Council of the City of Modesto.

I HEREBY CERTIFY that the foregoing Resolution was regularly and duly adopted by the City Council of the City of Modesto, Stanislaus County, California, at a regular meeting thereof, held on the 3rd day of September, 1952, by the following vote; to wit:

Ayes: Councilmen: R. Adams, Annan, Arata, Mellis, and Mayor Pro Temprore Merrill

Noes: Councilmen: None

Absent: Councilmen: M. Adams, and Mayor Marks

REX E. GAILFUS, CITY CLERK OF
THE CITY OF MODESTO, CALIFORNIA
STANISLAUS COUNTY

****

RESOLUTION NO. 9954-N. S.

A RESOLUTION ACCEPTING THE BID OF THE O. A. SULLIVAN ELECTRIC COMPANY

---oOo---

BE IT HEREBY RESOLVED that the bid of the O. A. Sullivan Electric Company as agent for Westinghouse Electric Company be accepted on electric lamps for the year ending June 30, 1953, since this company was the lowest responsible bidder.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd day of September, 1952, by Councilman Mellis, who moved its adoption, which motion being duly seconded by Councilman Arata, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: R. Adams, Annan, Arata, Mellis, and Mayor Pro Tempore Merrill

Noes: Councilmen: None

Absent: Mayor Marks and M. Adams

ATTEST: REX E. GAILFUS, CITY CLERK

****

RESOLUTION NO. 9955-N. S.

A RESOLUTION AUTHORIZING PROGRESSIVE PAYMENT TO STOCKTON CONSTRUCTION COMPANY FOR SANITARY SEWER TRUNK LINE ON KEARNEY, ROSEBURG AND COLDWELL AVENUES

---oOoOo---

WHEREAS, the Director of Public Works has filed a report on the construction of a sanitary sewer trunk line on Kearney, Roseburg and Coldwell Avenues by the Stockton Construction Company Inc. showing an estimate of work completed to August 29th with a total amountdue of $8,483.74.

NOW THEREFORE BE IT RESOLVED that payment of $8,483.74 be authorized to the said Stockton Construction Company, Inc. and the Director of Finance is authorized to draw warrant in payment.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd day of September, 1952, by Councilman Arata, who moved its adoption, which motion being duly seconded by Councilman Annan, it was upon roll call carried and the resolution was adopted by the following vote:

Ayes: Councilmen: R. Adams, Annan, Arata, Mellis and Mayor Pro Tempore Merrill

Noes: Councilmen: None

Absent: Councilmen: M. Adams and Mayor Marks

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 9956-N. S.

A RESOLUTION APPROVING CLAIMS FOR THE MONTH OF AUGUST, 1952

---oOo---

BE IT HEREBY RESOLVED that the claims of the City of Modesto for the month of August, 1952, in the amount of $165,442.53 being check numbers 4086 and 4224 to 4433 inc. and check numbers 10968 to 10988 inc. in the amount of $1,028.72 for the McHenry Public Library, be approved and the issuance of these checks by the City Auditor be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of September, 1952, by Councilman Annan, who moved its adoption, which motion being duly seconded by Councilman Arata, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: R. Adams, Annan, Arata, Mellis and Mayor Pro Temprore Merrill

Noes: Councilmen: None

Absent: Councilmen: M. Adams and Mayor Marks

ATTEST: REX E. GAILFUS, CITY CLERK

****

RESOLUTION NO. 9957-N. S.

A RESOLUTION APPROVING THE LEASE WITH JAMES C. SORENSEN

---oOo---

BE IT HEREBY RESOLVED that the lease between the City of Modesto and James C. Sorensen for the rental of approximately 17 acres of municipal airport property to be used for farming purposes for a term of one year beginning December 1, 1952, at an annual rental of $850 00 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 10th day of September, 1952, by Councilman Arata, who moved its adoption, which motion being duly seconded by Councilman R. Adams, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: R. Adams, Annan, Arata, Mellis and Mayor Pro Tempore Merrill

Noes: Councilmen: None

Absent: Councilmen: M. Adams and Mayor Marks

ATTEST: REX E. GAILFUS, CITY CLERK

****

RESOLUTION NO. 9958-N. S.

A RESOLUTION AUTHORIZING THE SIGNING OF THE ALLEY IN BLOCK 71

---oOo---

WHEREAS, the Inter-departmental Traffic Committee has recommended that the alley in Block 71, between F and G Streets and Tenth and Eleventh Streets be signed as follows: "No Parking, Loading this side only" on the northeast side "No Parking at any time" on the southwest side

NOW THEREFORE BE IT RESOLVED that the recommendation of the committee be approved and the Director of Public Works be directed to install the necessary signs.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of September, 1952, by Councilman Annan, who moved its adoption, which motion being duly seconded by Councilman Arata, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: R. Adams, Annan, Arata, Mellis, and Mayor Pro Tempore Merrill

Noes: Councilmen: None

Absent: Councilmen: M. Adams, and Mayor Marks

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 9959-N. S.

A RESOLUTION APPROVING THE ISSUANCE OF A DANCE HALL PERMIT TO HAYDEN L AND REBECCA M. LOGAN

---oOo---

WHEREAS, Hayden L. And Rebecca M. Logan have filed a request for a permit to operate a public dance hall in the Europa Hotel at 602 Ninth Street, and

WHEREAS, a public hearing has been held as provided by Ordinance No. 1011-N. S., and

WHEREAS, it has been determined that the applicants are of good moral character

NOW THEREFORE BE IT RESOLVED that the issuance of a dance hall permit to the said applicants be and it is hereby approved subject to compliance with the recommendations of the Fire Chief, Health Officer, and Building Inspector 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 September, 1952, by Councilman Annan, who moved its adoption, which motion being duly seconded by Councilman R. Adams, it was upon roll call carried and the resolution was adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis and Mayor Marks

Noes: Councilmen: Merrill

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

****

RESOLUTION NO. 9960-N. S.

A RESOLUTION APPROVING AGREEMENT WITH THE MODESTO CITY BOARD OF EDUCATION FOR THE OPERATING OF A RECREATION PROGRAM

---oOo---

BE IT HEREBY RESOLVED that an agreement with the Modesto City Board of Education for the operating of a recreation program on the playgrounds of the schools by the City of Modesto on an after-school basis be and it is hereby approved. The term of the agreement is from September 15, 1952, to June 15, 1953, inc. and the Board is to pay $4,500 00.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 17th day of September, 1952, by Councilman Arata, who moved its adoption, which motion being duly seconded by Councilman M. Adams, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, and Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: none

ATTEST: REX E. GAILFUS, CITY CLERK

****

RESOLUTION NO. 9961-N. S.

A RESOLUTION AWARDING BID ON IMPROVEMENT OF VIRGINIA AVENUES AND EIGTH STREET TO THE STANDARD MATERIALS, INC.

---oOo---

WHEREAS, bids for the improvement of Virginia Avenue, between Griswold and Morris Avenues and Eighth Street, between Kansas Avenue and Washington Street, have been opened at 2:00 P. M. September 15, 1952, and

WHEREAS, the bid of the Standard Materials Inc. for $22,909 40 is the lowest responsible bid

NOW THEREFORE BE IT HEREBY RESOLVED that the bid of the Standard Materials Inc. be accepted.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 17th day of September, 1952, by Councilman Merrill, who moved its adoption, which motion being duly seconded by Councilman Arata, it was upon roll call carried and the resolution was adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILEUS, CITY CLERK

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RESOLUTION NO. 9962-N. S.

A RESOLUTION APPROVING THE PLANS AND SPECIFICATIONS AND CALLING FOR BIDS FOR CONSTRUCTION OF HANGAR UNITS AT MUNICIPAL AIRPORT

---oOo---

BE IT HEREBY RESOLVED that the plans and specifications for the construction of hangar units at the Municipal Airport be and they are hereby approved and the City Clerk is hereby authorized to call for bids for furnishing all labor, equipment and materials necessary for the construction. All bids are to be received by the City Clerk not later than 2:00 P. M., October 7, 1952, and to be opened in the Council Chamber at that time. Any award made or contract entered into shall be by action of the Council at a subsequent 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, 1952, by Councilman M. Adams, who moved its adoption, which motion being duly seconded by Councilman Annan, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILEUS, CITY CLERK

****

RESOLUTION NO. 9963-N. S.

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND CALLING FOR BIDS FOR CONSTRUCTION OF A SANITARY SEWER LATERAL ON LEONARD AVENUE FROM TULLY STREET TO KEARNEY AVENUE

---oOo---

BE IT HEREBY RESOLVED that the plans and specifications for alternate #3 for construction of a sanitary sewer lateral on Leonard Avenue from Tully Street to Keamney Avenue be and they are hereby approved, and

BE IT FURTHER RESOLVED that the City Clerk be authorized to call for bids. All bids are to be received by the City Clerk not later than 3:00 P. M. September 30, 1952, and to be opened in the Council Chamber at that time. Any award made or contract entered into shall be by action of the Council at a subsequent 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 ,1952, by Councilman Mellis, who moved its adoption, which motion being duly seconded by Councilman Merrill, it was upon roll call carried and the resolution was adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

****

RESOLUTION NO. 9964-N. S.

A RESOLUTION AUTHORIZING THE CITY CLERK TO CALL FOR BIDS ON TRUCKS AND RASSENGER VEHICLES

---oOo---

BE IT HEREBY RESOLVED that the City Clerk be and he is hereby authorized to call for bids for various types of trucks and passenger type vehicles. All bids are to be received by the City Clerk not later than 10:00 A. M., October 7, 1952 and to be opened in the Council Chamber at that time. Any award made or contract entered into shall be by action of the Council at a subsequent 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, 1952, by Councilman Annan, who moved its adoption, which motion being duly seconded by Councilman Arata, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill, and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

****

RESOLUTION NO. 9965-N. S.

A RESOLUTION AUTHORIZING THE RELEASE OF SUBDIVISION PERFORMANCE BOND TO HERBERT M. BROCKETT

---oOo---

WHEREAS, the Director of Public Works has determined that the work required under the Subdivision Performance Bond furnished by Herbert M. Brockett for the improvement of the W½ of the N½ of Lot 7, Rice Colony, in section 21, has been completed and accepted

NOW THEREFORE BE IT RESOLVED that the release of the Subdivision Performance Bond furnished the city by Herbert M. Brockett to guarantee the necessary improvements to the aforesaid property be authorized as of this date.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 17th day of September, 1952, by Councilman Arata, who moved its adoption, which motion being duly seconded by Councilman Annan, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST:: REX E. GAILFUS, CITY CLERK

****

RESOLUTION NO. 9966-N. S.

A RESOLUTION PROHIBITING PARKING ON THE NORTH SIDE OF COLDWELL AVENUE BETWEEN KEARNEY AVENUE AND TULLY AVENUE

----oOo---

BE IT HEREBY RESOLVED that parking be prohibted on the north side of Coldwell Avenue between Tully and Kearney Avenue.

BE IT FURTHER RESOLVED that the Director of Public Works be and he is hereby directed to install the necessary "No Parking at any time" signs.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of September, 1952, by Councilman Arata, who moved its adoption, ~~which motion being duly seconded by Councilman Arata, who moved its adoption,~~ which motion being duly seconded by Councilman M. Adams, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

****

RESOLUTION NO. 9967-N. S.

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS FOR REMODELING OF THE CITY HALL AND CALLING FOR BIDS

---oOo---

BE IT HEREBY RESOLVED that the plans and specifications for remodeling of the City Hall be and they are hereby approved, and

BE IT FURTHER RESOLVED that the City Clerk be and he is hereby authorized to call for bids for the remodeling of the City Hall, bids to be received by the City Clerk not later than 2:00 P. M., October 10, 1952, and to be opened in the Council Chamber at that time. Any award made or contract entered into shall be by action of the Council at a subsequent 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, 1952, by Councilman Annan, who moved its adoption, which motion being duly seconded by Councilman M. Adams, it was upon roll call carried and the resolution was adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

****

RESOLUTION NO. 9968-N. S.

A RESOLUTION APPROVING AGREEMENT FOR THE INSTALLATION OF FULL TRAFFIC CONTROL SIGNAL SYSTEMS AND HIGHWAY LIGHTING AT THE INTERSECTIONS OF MORRIS AVENUE WITH STATE HIGHWAY ROUTE 109 (McHENRY AVENUE) IN THE CITY OF MODESTO

---oOo---

WHEREAS, an agreement has been presented to be entered into with the State of California for the installation of full traffic control signal systems and highway lighting at the intersections of Morris Avenue with State Highway Route 109 (McHenry Avenue) (X-Sta-109-Mod), all within the City of Modesto;

THEREFORE, BE IT RESOLVED, that said agreement be and it is hereby approved and the City Manager and City Clerk are directed to sign the same on behalf of the said city as provided by Resolution No. 9926ON, S. entitled: "A RESOLUTION PROVIDING FOR THE MANNER OF EXECUTING LEGAL INSTRUMENTS TO WHICH THE CITY IS A PARTY" adopted by the Council of the City of Modesto on August 6, 1952, said agreement to be binding upon the city upon its execution by the authorized officials of the State.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of September, 1952, by Councilman Mellis, who moved its adoption, which motion being duly seconded by Councilman M. Adams, it was upon roll call carried and the resolution was adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

****

RESOLUTION NO. 9969-N. S.

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MODESTO ADOPTING BUDGET AND APPROVING FIRST SUPPLEMENTAL MEMORANDUM OF AGREEMENT FOR EXPENDITURE OF GAS TAX ALLOCATION FOR MAJOR CITY STREETS.

---oOo---

WHEREAS, a first supplemental memorandum of agreement has been presented to be entered into with the State of California in accordance with a project statement submitted by the City of Modesto for expenditure of the gas tax allocation to cities for the fiscal year 1953, and

WHEREAS, the city council has heard read said agreement in full and is familiar with the contents thereof;

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, and said agreement be and the same is hereby approved and the mayor and the city clerk are directed to sign the same on behalf of said City, said agreement to be binding upon the City upon its execution by the authorized officials of the State.

ADOPTED this 24 day of September, 1952.

(SIGNED) HARRY MARKS, MAYOR OF THE CITY OF MODESTO

ATTEST: REX E. GAILFUS, CITY CLERK OF THE CITY OF MODESTO

I HEREBY CERTIFY that the foregoing resolution was duly and regularly passed by the City Council of the City of Modesto at a regular meeting thereof held

REX E. GAILFUS, CITY CLERK OF THE CITY OF MODESTO

****

RESOLUTION NO. 9970-N. S.

A RESOLUTION AUTHORIZING THE CITY CLERK TO ADVERTISE FOR BIDS FOR THE SALE OF CITY PROPERTY IN BLOCK 36, LOTS 21 TO 24 INC.

---oOo---

BE IT HEREBY RESOLVED that the City Clerk be authorized to call for sealed bids for the sale of city owned property in Block 36, Lots 21 to 24 inc. and that said bids be opened at the Council meeting of October 8, 1952, at 7:30 P. M.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of September, 1952, by Councilman Mellis, who moved its adoption, which motion being duly seconded by Councilman M. Adams, it was upon roll call carried and the resolution was adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK.

RESOLUTION NO. 9971-N. S.

A RESOLUTION DENYING APPEAL OF THE PACIFIC GRAPE PRODUCES COMPANY FROM THE RULING OF THE DIRECTOR OF PUBLIC WORKS REQUIRING THE REMOVAL OF A GARBAGE GRINDER USED IN CONNECTION WITH THE DISCHARGE OF INDUSTRIAL WASTE FROM ITS CANNERY

---oOo---

WHEREAS, the Pacific Grape Products Company filed an appeal from the fuling of the Director of Public Works of the City of Modesto requiring the removal of a garbage grinder used in connection with the discharge of industrial waste from its cannery, and

WHEREAS, a hearing has been held this date on the appeal, as provided by Ordinance No. 803-N. S. section 5, and

WHEREAS, it has been determined at this hearing that the operating of this garbage grinder does cause an additional load on the Sewage Treatment Plant and that the removal of this grinder will remedy such condition, and

WHEREAS, the Pacific Grape Products Company have claimed that this grinder was only a part of a new process they were considering to eliminate water in the waste from its cannery and that they were not given a chance to determine if it would work since the entire program had not been completed,

NOW THEREFORE BE IT HEREBY RESOLVED that the Pacific Grape Products Company be requested to submit a summary of the complete process which is being considered, with a sketch layout; the results anticipated; and the reason why they think it would not be harmful to the Sewage Disposal Plant of the City of Modesto, and

BE IT FURTHER RESOLVED that the appeal of the Pacific Grape Products Company from the ruling of the Director of Public Works requiring the removal of a garbage grinder used in connection with the discharge of industrial waste from its cannery, be denied.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of September, 1952, by Councilman M. Adams, who moved its adoption, which motion being duly seconded by Councilman Annan, it was upon roll call carried and the resolution was adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9972-N. S.

A RESOLUTION REVOKING LICENSE NO. 840-N. S. OF THE CITY OF MODESTO ISSUED TO POLICE DOG "BOZO" OWNED BY IRA KINCHEON

---oOo---

WHEREAS, a protest has been filed by Mrs. Minnie Amer on the vicious dog owned by Ira Kincheon, 119 Groveland Street, and

WHEREAS, a public hearing has been held as provided by Section 6 of Ordinance No. 512-N. S. and it has been determined that the Police Dog named "Bozo" licensed by the City under license No. 840--owned by Mr. Kincheon is a vicious dog and constitutes a hazard to the safety of the public,

NOW THEREFORE BE IT RESOLVED that license No. 840 issued to Police Dog "Bozo", owned by Ira Kincheon be and it is hereby revoked and Mr. Kincheon be ordered to dispose of the dog so that the dog will no longer be within the city limits.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of September, 1952, by Councilman Merrill, who moved its adoption, which motion being duly seconded by Councilman Arata, it was upon roll call carried and the resolution was adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

****

RESOLUTION NO. 9973-N. S.

A RESOLUTION APPROVING THE ISSUANCE OF A CERTIFICATE TO OPERATE AN ADDITIONAL TAXICAB TO HERSHEL I. LAWRENCE, DBA SMITTY'S TAXICAB

---oOo---

BE IT HEREBY RESOLVED that the issuance of a certificate to Hershel I. Lawrence, dba. Smitty's Taxicab to operate an additional taxicab be approved, providing John L. French will furnish a written statement to the city Clerk to the effect that he agrees to the cancellation of his certificate of public convenience and necessity to operate a 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 1st day of October, 1952, by Councilman Merrill, who moved its adoption, which motion being duly seconded by Councilman M. Adams, it was upon roll call carried and the resolution was adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: Mellis

ATTEST: REX E. GAILFUS, CITY CLERK

****

RESOLUTION NO. 9974-N. S.

A RESOLUTION AUTHORIZING PROGRESS PAYMENT TO THE STOCKTON CONSTRUCTION COMPANY

---oOo---

WHEREAS, the Director of Public Works has filed estimate No. 2 for completed work by the Stockton Construction Company on the construction of a sewer trunk line on Kearney, Roseburg and Coldwell Avenues in the amount of $17,130 00,

NOW THEREFORE BE IT RESOLVED that progress payment of $17,130 00 be authorized to the Stockton Construction Company.

The foregoing Resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 1st day of October, 1952, by Councilman M. Adams, who moved its adoption, which motion being duly seconded by Councilman Arata, it was upon roll call carried and the resolution was adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Merrill, and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: Mellis

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9975-N. S.

A RESOLUTION APPOINTING REBECCA C. HECKENDORF A MEMBER OF THE BOARD OF TRUSTEES OF THE McHENRY PUBLIC LIBRARY

---oOo---

BE IT HEREBY RESOLVED that Rebecca C. Heckendorf be and she is hereby appointed a member of the Board of Trustees of McHenry Public Library.

BE IT FURTHER RESOLVED that this appointment shall be effective immediately and shall be for a term to expire on February 1, 1956.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 1st day of October, 1952, by Councilman Merrill, who moved its adoption which motion being duly seconded by Councilman R. Adams, it was upon roll call carried and the resolution was adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilman: Mellis

ATTEST: REX E. GAILFUS, CITY CLERK

****

RESOLUTION NO. 9976-N. S.

A RESOLUTION RESCINDING RESOLUTION NO. 9970-N. S. AUTHORIZING THE CITY CLERK TO ADVERTISE FOR SEALED BIDS ON THE SALE OF BLOCK 36, LOTS 21-24 INC.

---oOo---

WHEREAS, The City Attorney has reported that he has determined that the City did not have a clear title report on the City owned property in Block 36, lots 21-24 inc. which had been ordered advertised for sale by Resolution No. 9970-N. S. adopted by the Council on September 24, 1952, and

WHEREAS, since this property had been acquired by the City on tax deed and would probably require a quiet title action since there are three different taxing agencies involved.

NOW THEREFORE BE IT RESOLVED that Resolution No. 9970-N. S. adopted by the Council on September 24th, authorizing the City Clerk to advertise for sealed bids on this property, be 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, 1952, by Councilman Arata, who moved its adoption, which motion being duly seconded by Councilman Merrill, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: Mellis

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9977-N. S. (NOT USED)

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RESOLUTION NO. 9978-N. S.

A RESOLUTION ACCEPTING BIDS ON TRUCKS AND PASSENGER VEHICLES

---oOo---

WHEREAS, the Acting City Manager has reported that bids have been opened on eleven items, including passenger cars for the Police and Fire Departments and trucks for the Public Works Department on October 7th at 10:00 A. M., and

WHEREAS, it is the recommendation of the Director of Public Works that the bids of the Helm Chevrolet Company on items one through eleven of the Proposal to Bidders be accepted, that the trade-in allowance for used cars and trucks listed under items, 1, 2, 3, 4, 7, 8, 9 quoted by the Helm Chevrolet Company be accepted, that the offer of Sam Davidson of Fresno for purchase of used 1947 Studebaker listed under item 6 be accepted in the amount of $585 00 and that the offer of Ceres Pipe and Metal Supply for purchase of 1930 Chevrolet 1½ ton flatbed truck of $51 79 be accepted,

NOW THEREFORE BE IT RESOLVED that the bids be accepted as recommended by the Director of Public Works, since these were the lowest responsible bids and the City Clerk be directed to return the bidding checks to the unsuccessful bidders.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of October, 1952, by Councilman Merrill, who moved its adoption, which motion being duly seconded by Councilman M. Adams, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill, and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

****

RESOLUTION NO. 9979-N. S.

A RESOLUTION AUTHORIZING THECITY CLERK TO READVERTISE FOR BIDS FOR THE CONSTRUCTION OF THE LEONARD AVENUE SEWER EXTENSION

---oOo---

WHEREAS, the Director of Public Works has recommended that the bid of the Stockton Construction Company for construction of the Leonard Avenue sewer extension be rejected and the City Clerk be authorized to readvertise for bids and that the Public Works Department be authorized to revise the specifications for this project to the extent of permitting water jetting for consolidation of the bacfill,

NOW, THEREFORE, BE IT RESOLVED, that the bid submitted on this construction be rejected and the City Clerk be authorized to readvertise for bids as recommended by the Director of Public Works and that the Public Works Department be authorized to revise the specifications for the proposed project.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of October, 1952, by Councilman R. Adams, who moved its adoption, which motion being duly seconded by Councilman Mellis, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS CITY CLERK

****

RESOLUTION NO. 9980-N. S.

A RESOLUTION OPPOSING PROPOSITION NO. 10 ON THE NOVEMBER 4, 1952, GENERAL ELECTION BALLOT

----oOo----

WHEREAS, Proposition No. 10 on the November 4, 1952, General Election Ballot would prohibit the proper and economical use of public funds for obvious public purposes by the joint action of all of the cities and other public agencies of California; and

WHEREAS, Proposition No. 10 does not prohibit the separate expenditure of public funds to urge legislation of interest to the City of Modesto but merely prevents the City of Modesto from joining with sister municipalities in urging the adoption of state and federal legislation of interest to all cities or opposing the enactment of measures which would be immediately harmful to city residents; and

WHEREAS, Proposition No. 10, which in no way relates to pensions, is advanced by pension promoter George McLain to punish those who opposed and defeated a former McLain pension program; and

WHEREAS, Proposition No. 10 does not prohibit private interests from influencing legislation on a collective basis but only prohibits collective

representation of public interests and agencies; and

WHEREAS, Proposition No. 10 permanently destroys or severely damages a countless number of quasi-public agencies whose only purpose is the advancement of good government and the public interest, such as the League of California Cities, the Shoreline Planning, District Attorneys, Irrigation Districts, Fire Chief, Supervisors, School Trustees and School Administrators Associations, and the California Conference of Social Workers; and

WHEREAS, Proposition No. 10 would cause the wasteful and extravagant expenditure of public funds to do individulally what now may be economically achieved jointly by cities and other public agencies of California, including the state and its departments and agencies;

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Modesto that it is opposed to the adoption of Proposition No. 10 because it would cause untold harm to the cities of California and their citizens and urges the electors of the City of Modesto to vote "No" on Proposition No. 10 at the November 4, 1952, election.

The foregoing resolution was introduced ataregular meeting of the Council of the City of Modesto held on the 8th day of October, 1952, by Councilman Mellis, who moved its adoption, which motion being duly seconded by Councilman Merrill, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, and Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

****

RESOLUTION NO. 9981-N. S.

A RESOLUTION OF THE COUNCIL OF THE CITY OF MODESTO ENDORSING A UNIFORM STATEWIDE FOUR PER CENT SALES TAX

----oOo----

WHEREAS, a proposal has been made to establish a four per cent state sales tax with three per cent to go to the state, three-quarters of one per cent of the amount collected within the incorporated cities to go to the cities, one-quarter of one per cent collected within the cities to go to the counties, and one per cent collected within the unincorporated areas to go to the counties, to replace the existing state and city sales tax laws, and

WHEREAS, the present method of sales taxation results in duplicity of taxation, non-uniformity in adminstration between taxing agencies, and created an unfair competitive advantage in favor of businesses located outside of cities,

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Modesto endoreses the foregoing proposal for the following reasons:

1. It will provide a uniform sales tax throughout the state, both in incorporated unincorporated areas, thereby eliminating the differences in amounts and exemptions which exist with respect to the various city sales tax ordinances.

2. It will provide uniformity in administration, efficiency and economy in collection and auditing, and will eliminate the undue hardship presently improsed by present laws upon the retailers who are required to collect the tax.

3. It will provide additonal revenue to cities which do not have a sales tax or have only a one-half of one per cent sales. tax, thus more equitabley spreading the tax burden and relieving the excessive burdenswwhich are imposed upon the property tax payers.

4. It will protect the sales tax as a sound source of City revenue by removing the objections of retailers based on the existing non-uniformity and unfair competive advantage resulting from differing city sales tax ordinances.

BE IT FURTHER RESOLVED that the City Clerk be, and he is hereby instructed to send a copy of this resolution to the League of California Cities and the County Supervisors Association.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of October, 1952, by Councilman Mellis, who moved its adoption, which motion being duly seconded by Councilman R. Adams, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

****

RESOLUTION NO. 9982-N. S.

A RESOLUTION DETERMINING THAT NEW TAXIMETERS ARE NOW OBTAINABLE AND PROVIDING THAT ALL TAXICABS OPERATING IN THE CITY OF MODESTO 45 DAYS FROM THE DATE OF THIS RESOLUTION SHALL BE REQUIRED TO HAVE TAXIMETERS.

---oOo---

WHEREAS, taxicabs are now operating in the City of Modesto without taximeters because new taximeters have not been available heretofore, and

WHEREAS, Section 3A of Ordinance No. 753-N. S. of the City of Modesto, regulating the use and operation of taxicabs upon the streets of the City of Modesto, provides that the City Council shall by resolution determine when new taximeters can be obtained, and requires all taxicabs to be equipped with taximeters 45 days from the date of such resolution, and

WHEREAS, the City Council has been advised that new taximeters can now be obtained upon short notice,

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Modesto that said Council hereby determines that new taximeters can be obtained upon reasonable notice;

BE IT FURTHER RESOLVED that the Chief of Police be and he is hereby delegated authority to determine the type, style and design of the taximeters to be used by taxicabs operating in the city; and

BE IT FURTHER RESOLVED that forty-five (45) days after the date of this resolution all taxicabs operating in the City shall be equipped with taximeters of the type, style, and design approved by the Chief of Police, and

BE IT FURTHER RESOLVED that Sections 3A through 3H of Ordinance No. 753-N. S. will, after 45 days from the date of this resolution, 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 8th day of October, 1952, by Councilman Merrill, who moved its adoption, which motion being duly seconded by Councilman Arata, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, Arata, Merrill, Annan, Mellis, R. Adams, and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

RESOLUTION NO. 9983-N. S.

A RESOLUTION ALLOWING REFUND OF PORTION OF CASH BOND FILED BY ROY R. CARLSON AND JOHN QUARESMA

---oOo---

WHEREAS, the Director of Public Works has filed a report approving the refund of $2,200 00 to Roy R. Carlson and John Quaresma, being a portion of the cash bond filed to insure the construction of improvements in a portion of the College Center Subdivision,

BE IT HEREBY RESOLVED that the refund of $2,200 00 be approved to said Roy R. Carlson and John Quaresma as recommended.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of October, 1952, by Councilman Annan, who moved its adoption, which motion being duly seconded by Councilman M. Adams, it was upon roll call carried and the resolution was adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Merrill, Mellis and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

********** ****

RESOLUTION NO. 9984-N. S.

A RESOLUTION REVOKING THE CONSENT OF THE COUNCIL OF THE CITY OF MODESTO TO COMMENCE PROCEEDINGS FOR THE ANNEXATION OF CERTAIN TERRITORY TO THE CITY, RESCINDING RESOLUTIONS NOS. 9630-N. S., 9677-N. S. AND 9700-N. S. OF THE CITY OF MODESTO AND TERMINATING SAID PROCEEDINGS.

---oOo---

WHEREAS, a letter has been filed wtih the Council of the City of Modesto signed by numerous residents of the Greater Modesto Area, withdrawing their request for permission from the Council to commence proceedings to annex certain territory to the City of Modesto as contained in that certain letter dated November 12, 1952, and requesting the termination of proceedings to annex certain territory to the City of Modesto as contained therein, and

WHEREAS, consent to commence proceedings for the annexation of said territory to the City was granted by the Council to petitioners by Resolution No. 9677-N. S., dated December 22, 1951, and no petition for annexation of said area to the City has been filed to date, and

WHEREAS, a majority of the original petitioners have requested the termination of aforesaid proceedings, and no useful purpose can be served by denying said request, and

WHEREAS, it is in the best interests of the City of Modesto that said proceedings be terminated,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the consent granted by the Council to petitioners by Resolution No. 9677-N. S. to commence proceedings to annex certain territory to the City be, and it is hereby revoked, and

BE IT FURTHER RESOLVED that Resolutions Nos. 9630-N. S., 9677-N. S. ~~and 9700-N. S.~~ and 9700-N. S. of the City of Modesto be, and they are hereby rescinded, and all proceedings taken pursuant thereto are hereby terminated and declared to be of no further force and effect.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 17th day of October, 1952, by Councilman Annan, who moved its adoption, which motion being duly seconded by Councilman Arata, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill, and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 9985-N. S.

A RESOLUTION CONSENTING TO COMMENCEMENT OF PROCEEDINGS TO ANNEX INHABITED TERRITORY TO THE CITY OF MODESTO UNDER THE ANNEXATION ACT OF 1913.

---oOo---

WHEREAS, a Request for Consent to Commence Proceedings to Annex Certain Territory hereinafter described to the City of Modesto was filed with the Council of the City of Modesto on October 8, 1952, and

WHEREAS, said Council did refer said request to the City Planning Commission of Modesto for its report and recommendation on October 10, 1952, and

WHEREAS, on October 17, 1952, the Modesto City Planning Commission filed its report which states that the hereinafter described territory should be a part of the City of Modesto, and

WHEREAS, a description of the said territory proposed to be annexed has been submitted to the Boundry Commission of the County of Stanislaus, and

WHEREAS, said Commission has reported with respect to the definiteness and certainty of the proposed boundaries, and

WHEREAS, the territory proposed to be annexed is contiguous to the City of Modesto and is described in the attached "Exhibit 1", which is hereby referred to and made a part hereof as though set forth in full,

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Modesto does hereby give its consent to the commencement of proceedings to annex the territory described in said request and herein described to the City of Modesto and consents to the publication by the proponents for annexation of Notice of Intention to Circulate Petition.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 17th day of October, 1952, by Councilman M. Adams, who moved its adoption, which motion being duly seconded by Councilman Annan, was upon roll call carried and the resolution defeated by the following vote:

Ayes: Councilmen: M. Adams, Annan, Mayor Marks

Noes: Councilmen: R. Adams, Arata, Mellis, Merrill

Absent: Councilmen: None

For "Exhibit 1" refer to pages 339-A, 339-B and 339-C.

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9986-N. S.

A RESOLUTION WITHHOLDING CONSENT TO THE COMMENCEMENT OF PROCEEDINGS TO ANNEX INHABITED TERRITORY TO THE CITY OF MODESTO UNDER THE ANNEXATION ACT OF 1913

---oOo---

WHEREAS, a Request for Consent to Commence Proceedings to Annex Certain Territory hereinafter described to the City of Modesto by one overall proceedings was filed with the Council of the City of Modesto on October 8, 1952, and

WHEREAS, the territory proposed to be annexed is contiguous to the City of Modesto and is described in the attached "Exhibit 1", which is hereby referred to and made a part hereof as though set forth in full, and

WHEREAS, said Council did refer said request to the City Planning Commission of Modesto for its report and recommendation on October 10, 1952, and

WHEREAS, on October 17, 1952, the Modesto City Planning Commission filed its report, and

WHEREAS, this Council is of the opinion that the best interests of the City and the community will not be served by the institution of said proceedings, and

WHEREAS, the defeat of said proceedings would delay the annexation of any territory to the City for a period of more than one year, and

DESCRIPTION OF TERRITORY PROPOSED TO BE ANNEXED TO THE CITY OF MODESTO

Beginning at a point on the existing City Limits and on the East quarter quarter Section line of Section 28, Township 3 South Range 9 East, Mount Diablo Base and Meridian, said point being in the center-line of Dry Creek; thence in a Northeasterly direction along the center-line of Dry Creek tothe intersection thereof with the West quarter quarter Section line of Section 27, Township 3 SouthRange 9 East; thence South along said line to a point on the South line of the Modesto Irrigation District Lateral No. 2; thence East along the South line of said Lateral No. 2 to the intersection thereof with the center-line of El Vista Avenue; thence North along the center-line of El Vista Avenue to the Northwest corner of the Edgewood Heights Tract, according to the Official Map thereof filed in the office of the Recorder of the County of Stanislaus, State of California, on February 27, 1950, in Volume 16 of Maps, at page 70; thence East along the North line of said Edgewood Heights Tract to the Northeast corner thereof; thence South along the East line of said Edgewood Heights Tract and the East line of the Palo Verde Tract, according to the Official Map thereof filed in the office of the Recorder of the County of Stanislaus, State of California, on May 24, 1951, in Volume 17 of Maps, at page 22, to the Southeast corner thereof; thence continuing Southerly across MID Lateral No. 2, 75 feet more or less, to the Northeast corner of Yosemite Villa, according to the Official Map thereof filed in the office of the Recorder of the County of Stanislaus, State of California, on June 1, 1950, in Volume 17 of Maps, at page 1; thence Southerly along the East line of said Yosemite Villa and its Southerly projection to a point on the South line of Yosemite Boulevard, State Highway Route No. 110 (Sign Route No. 132); thence Westerly along said South line of Yosemite Boulevard to the Easterly Section line of Section 34, Township 3 SouthRange 9 East; thence South along said Easterly Section line to the Northwest corner of a parcel deeded to the City of Modesto by W. Franklin Beard Jr. and Florence M. Beard such deed being recorded on March 29, 1946 in Volume 843 at page 127 of Official Records of Stanislaus County; thence Southeast and South along the Northeast and East line of said parcel to the Southeast corner thereof; thence West along the South line of said parcel to its intersection with the Northerly projection of the West line of a County Road; thence South 1° 42' West along the West line of said County road, as shown on the Stanislaus County Surveyors Records in Volume 10 at page 140, Survey Number 1010, and its Northerly and Southerly projections, to the center-line of the Tuolumne River; thence Westerly along the center-line of the Tuolumne River to the North-South boundary line dividing the Ceres and Modesto School Districts between Herndon and Richland Avenues; thence South along said School District boundary line to the South line of the Richland Tract according to the Official Map thereof filed in the office of the Recorder of the County of Stanislaus, State of California on July 15, 1946 in Volume XIV of Maps at page 65; thence West along said South line to the East Section line of Section 4 Township 4 South Range 9 East, Mount Diablo Base and Meridian; thence South along said East Section line to the Southeast corner of said Section 4; thence West along the South Section line of said Section 4 one mile to the Southwest corner of said Section 4 which corner is common with the Northeast corner of Section 8 Township 4 South Range 9 East; thence South along the East line of said Section 8 to a point on the South line of the Frazier Home Tract projected to the East, according to the Official Map of said Tract filed in the office of the Recorder of the County of Stanislaus, State of California on April 3, 1946 in Volume 14 of Maps at page 46; thence along the Southerly line of said Frazier Home Tract as follows: North 74° 24' West 211 feet; North 89° 14' West 1475.70 feet; South 0° 07' West 200.77 feet; North 89° 14' West 202.56 feet; thence North 89° 20' West 145.5 feet more or less to the most Easterly Northeast corner of the Rutherford Tract according to the Official Map thereof filed in the office of the Recorder of the County of Stanislaus, State of California, on

DESCRIPTION OF TERRITORY PROPOSED TO BE ANNEXED TO THE CITY OF MODESTO

March 19, 1947 in Volume 16 of Maps at page 37; thence South along the most Easterly line of said Rutherford Tract to the Southeast corner thereof; thence North 89° 20' West along the South line of said Rutherford Tract to the East section line of Section 7 Township 4 South Range 9 East; thence North along said East Section line to the Northerly quarter quarter Section line of said Section 7; thence West along said quarter quarter Section line one mile to the West Section line of said Section 7; thence North along said West Section line to the Northeast corner of Riverdale Park according to the Official Map thereof filed in the office of the Recorder of the County of Stanislaus, State of California, on July 1, 1947 in Volume 16 of Maps at page 44; thence Northwesterly along the Northeast line of said Riverdale Park to the East quarter quarter Section line of Section 1 Township 4 SouthRange 8 East, Mount Diablo Base and Meridian; thence North along said East quarter quarter Section line to the intersection thereof with the South line of Lateral No. 5 of the Modesto Irrigation District; thence in a Northeasterly direction and along the Southerly line of said Lateral No. 5 of the Modesto Irrigation District to the intersection thereof with the East line of Panama Avenue extended Southerly; thence Northerly along the Easterly line of said Panama Avenue and its extension Southerly to a point on the East-West quarter Section line of Section 31 Township 3 South Range 9 East, Mount Diablo Base and Meridian; thence West along said East West quarter Section line to the West quarter corner of said Section 31; thence North along the West line of said Section 31 to a point on the South line of State Highway Route No. 110 (Sign Route No. 132) commonly known as Maze Boulevard; thence East along the South line of said Maze Boulevard to its intersection with the North South quarter Section line of Section 30, Township 3 South Range 9 East projected to the South; thence North along said North South quarter Section line and its Southerly projection to the North Section line of said Section 30; thence West along said North Section line to the West line of Lot 1 of Woodland Avenue Park according to the Official Map thereof filed in the office of the Recorder of the County of Stanislaus, State of California, on July 15, 1908 in Volume 3 of Maps at page 46; thence North along the West line of said Lot 1 and the Northerly projection thereof to its intersection with the Southwesterly line of the right of way of State Highway Route No. 4 (U.S. Route #99); thence in a Northwesterly direction along the Southwesterly line of said State Highway to a point of intersection thereof with the Easterly extension of the Southerly line of the property conveyed to the State of California (Modesto State Hospital) by Deed recorded March 25, 1949, in Volume 961 of Official Records at page 465; thence Westerly along said Southerly line to the Southwest corner thereof; thence North along the West line of said premises to the Northwest corner thereof; thence Easterly along the North line of said property and the Easterly extension of said North line to the Southwesterly line of the right of way of said State Highway Route #4; thence Southeasterly along said Southwesterly line of said State Highway to the point of intersection of the North line of Lot 8 projected Westerly of the McDonald Tract, according to the Official Map thereof filed in the office of the Recorder of the County of Stanislaus, State of California, on April 30, 1903, in Volume 1 of Maps, at page 49; thence Easterly along said last mentioned North line to the West line of Ben Don Village, according to the Official Map thereof filed in the office of the Recorder of the County of Stanislaus, State of California on June 28, 1950, in Volume 17 of Maps, at page 6; thence North along said West line to the Northwest corner thereof; thence East along the North line of said Subdivision and the Easterly extension thereof to the center-line of Carver Road; thence Northerly along the center-line of said Carver Road to the Northwest corner of the Wilen Tract, according to the Official Map thereof filed in the office of the Recorder of the County of Stanis-

laus, State of California on April 27, 1945, in Volume 14 of Maps at page 32; thence East along the North line of said Wilen Tract to the intersection thereof with the West line of Kearney Avenue projected to the North; thence South along said West line of Kearney Avenue to its intersection with the North line of Wilen Tract No. 2 projected to the West, said Wilen Tract No. 2 being filed in the office of the Recorder of the County of Stanislaus, State of California, on February 27, 1946, in Volume 14 of Maps, at page 43; thence East along the North line of said Wilen Tract No. 2 and its Easterly extension thereof to a point on the center-line of Tully Road; thence North along the center-line of Tully Road to the South line of Lateral No. 3 of Modesto Irrigation District; thence East along the South line of the said Lateral No. 3 to the East line of the right of way of State Highway Route No. 13, commonly known as McHenry Avenue; thence South along the East line of said McHenry Avenue to the North Section line of Section 21 Township 3 South Range 9 East; thence East along said North Section line to its intersection with the Northerly projection of the most Easterly line of the property conveyed to the Modesto School District of Stanislaus County by Deed recorded on January 16, 1948 in Volume 922 of Official Records at page 114; thence South along said most Easterly line and its projections to the North and to the South to a point on the North quarter quarter Section line of said Section 21; thence East along said North quarter quarter Section line to the East quarter quarter Section line of said Section 21; thence South along said East quarter quarter Section line to the Southeasterly line of Lateral No. 4 of the Modesto Irrigation District; thence Southwesterly along said Southeasterly line to a point on the West line of Sunrise Avenue which point is also on the existing City Limits line; thence following the existing City Limits line in clockwise direction through various courses and distances to the point of beginning.

EXCEPTING THEREFROM all real property lying within the corporate City Limits of the City of Modesto, County of Stanislaus, State of California.

WHEREAS, , this Council is of the opinion that insufficient evidence has been presented to indicate that the people generally in the area proposed to be annexed are in favor of annexation by means of overall proceedings,

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Modesto does hereby withhold its consent to the commencement of proceedings to annex the territory described in the aforementioned request.

The foregoing resolution was introduced at a special meeting of theCouncil of the City of Modesto held on the 17th day of October, 1952, by Councilman R. Adams, who moved its adoption, which motion being duly seconded by Councilman Mellis, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: R. Adams, Arata, Mellis, Merrill

Noes: Councilmen: M. Adams, Annan and Mayor Marks

Absent: Councilmen: None

For "Exhibit 1" refer to pages 339-A, 339-B-339-C.

ATTEST: REX.E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9987-N. S.

A RESOLUTION ALLOWING CLAIMS FOR THE MONTH OF SEPTEMBER, 1952

---oOo---

BE IT HEREBY RESOLVED that the payment of claims against the City of Modesto for the month of September, 1952, in the amount of $204,863 42, being check numbers 4434 to 4700 inc,for the McHenry Public Library, check numbers 10989 to 11005 inc. in the amount of $770 63, be allowed.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto on the 22nd day of October, 1952, by Councilman Annan, who moved its adoption, which motion being duly seconded by Councilman Merrill, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9988-N. S.

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MODESTO APPROVING AGREEMENT FOR MAINTENANCE OF STATE HIGHWAY IN THE CITY OF MODESTO

---oOo---

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 as of July 1, 1952, and to remain in effect until amended or terminated.

WHEREAS, the City Council has heard, read said agreement in full and is familiar with the contents thereof;

THEREFORE, be it resolved by the City Council of the City of Modesto that said Agreement for Maintenance of the State Highway in the City is hereby approved and the Mayor and the City Clerk are directed to sign the same on behalf of said City.

Adopted this 22nd day of October, 1952

(SIGNED)
Mayor of the City of Modesto

ATTEST:
City Clerk of the City of Modesto

I hereby certify that the foregoing resolution was duly and regularly passed by the City Council of the City of Modesto at a regular meeting thereof held October 22, 1952.

Clerk of the City of Modesto

RESOLUTION NO. 9989-N. S.

A RESOLUTION APPROVING AGREEMENT WITH THE STATE OF CALIFORNIA DEPARTMENT OF PUBLIC HEALTH

---1010---

WHEREAS, the State of California, through its Department of Public Health has presented an agreement for approval by the City of Modesto, providing for the reimbursement to the City of 4.75 per cent of the actual expenditures for salaries and personal services of the Health Department of the City of Modesto, and not to exceed a total of $1,576 00, for the fiscal year July 1, 1952, and including June 30, 1953, and

WHEREAS, the City Council has heard read said agreement in full and is familiar with the contents thereof;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Modesto that said agreement be and it is hereby approved and the City Manager and the City Clerk are directed to sign the same on behalf of said City.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of October, 1952, by Councilman Annan, who moved its adoption, which motion being duly seconded by Councilman Arata, it was upon roll call carried and the resolution was adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9990-N. S.

A RESOLUTION REJECTING THE BIDS ON THE REMODELING OF THE CITY HALL AND DIRECTING THE CITY MANAGER TO PRESENT A REPORT ON COST OF REARRANGING THE CITY HALL BUILDING

---oOo---

BE IT HEREBY RESOLVED that the bid received on the remodeling of the City Hall Building be rejected and the City Manager be directed to present a report on the cost of the proposed rearrangement of the building to provide additional office space, to the Council.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of October, 1952, by Councilman Merrill, who moved its adoption, which motion being duly seconded by Councilman Arata, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9991-N. S.

A RESOLUTION ACCEPTING DEEDS FROM EARL C. AND BERTHA G. MELROSE AND FRANK A. MARY S. VORMAN

---oOo---

BE IT HEREBY RESOLVED that grant deed from Earl C. and Bertha G. Melrose on a portion of the east half of lot 7 of Rice Colony, to be used for street purposes (Ramona Avenue) be and it is hereby accepted and the City Clerk is directed to record same with the Recorder of Stanislaus County, and

BE IT HEREBY RESOLVED that grant deed from Frank A. and Mary S. Vorman on a portion of the east half of Lot 7 of Rice Colony, to be used for street purposes (Ramona Avenue) be and it is hereby accepted and the City Clerk is directed to record same with the Recorder of Stanislaus County.

The foregoing resolution was introduced at an adjourned meeting of the Council of the City of Modesto held on the 27th day of October, 1952, by Councilman Arata, who moved its adoption, which motion being duly seconded by Councilman M. Adams, it was upon roll call carried and the resolution was adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: Merrill

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9992-N. S.

RESOLUTION OF INTENTION TO MAKE CHANGES IN THE WORK TO BE DONE AND IN THE LOCATIONS OF THE WORK TO BE DONE IN THE IMPROVEMENT DISTRICT NO. 1 CITY OF MODESTO, COUNTY OF STANISLAUS, STATE OF CALIFORNIA.

---oOo---

BE IT RESOLVED by the City Council of the City of Modesto, County of Stanislaus, State of California, that the public interest and convenience require, and it is the intention of the City Council of the City of Modesto to make, the following changes and additions in the work to be done pursuant to Resolution of Intention No. 9903 N. S. adopted by the City Council of the City of Modesto on the 23rd day of July, 1952, and in the plans and Specifications adopted by the City Council of the City of Modesto under Resolution No. 9902-N. S.

The existing official Plans and Specifications are to be modified by making the following changes, additions and deletions in the work to be done, to-wit:

A. The extenions of the 6" Vitrified Clay Pipe sanitary sewers serving Blocks 6010 and 6011 a distance of ten feet (10') each, to the south of the present termini, as shown on revised sheets #9 and #10 of Plans hereto attached.

The reason that the City Council of the City of Modesto proposes to change the work as hereinabove set forth is that since it is essential that the sewer lateral proposed on Roseburg be removed from the center line thereof in order to permit future extension of the trunk sewer designed for that location, the two sewer lines serving Block 6010 and 6011 must be extended a distance of ten feet each to the south to meet the Roseburg Avenue sewer lateral.

That the estimate cost of the construction of the extension of said sewer lines to serve Blocks 6010 and 6011, based on the unit price for 6" pipe in place, is the sum of Twenty Nine Dollars ($29 00) for each line, or a total of Fifty Eight Dollars($58 00).

B. The extension of the 6" Vitrified Clay Pipe sanitary sewer line, located in the alley of Block 4164, to a point on Sherman Avenue opposite the south line of Lot 7 of Block 4164, a distance of 109 fee, together with the construction of an additional manhole, as shown on revised sheet #13 of Plans hereto attached

The reason that the City Council of the City of Modesto proposes to change the work as hereinabove set forth is that at the request of the property owner of Lot 7 Block 4164 that a more equitable means of providing sewer service, the City Council agreed to the extension of the sewer located in Block 4164 since the original proposed construction required the property owner to extend the sewer connection to a distance greater than 190 feet.

That the estimated cost of the cons truction of the extension of said sewer line a distance of 109 feet and one additional manhole is the total sum of Six Hundred Dollars and Ten Cents ($606 10).

C. The extension and construction of a 6" Vitrified Clay Pipe sanitary sewer serving Block 915, a distance of 144.4 feet to the north, together with one lamphole, from Station 17+55.1 as shown on revised sheet #5 of Plans hereto attached.

The reason that the City Council of the City of Modesto proposes to change the work as hereinabove set forth is that at the requests filed at the time of the hearing, the City Council has agreed to extend the sewer serving the south side of Block 915 in the College Gardens Teact in orer to more equitably serve the lots lying south of Cecil Way and facing Tully Avenue.

That the estimated cost of construction of 144.4 feet of 6" Vitrified Clay Sewer Pipe and the construction of one lamphole is the total sum of Four Hundred Fifty Dollars and Twenty Six Cents. ($450 26)

D. The extension and construction of a 6" Vitrified Clay Pipe Sanitary Pipe Sanitary Sewer, serving Block 936 of College Gardens Tract, a distance of 343.6 feet, across a proposed ten foot easement from the alley in Block 936 to a point near the south line of Cecil Way, together with one manhole and one lamphole, as shown on revised sheet #3 of Plans hereto attached.

The reason that the City Council of the City of Modesto proposes to change the work as hereinabove set forth is that at the requests filed at the time of the hearing, the City Council has considered a more equitable means of serving lots in Block 936 of the College Gardens Tract and facing on Tully Avenue, by having this sewer line serve the two lots on the south side of Cecil Way in Block 915, thereby permitting some reduction in cost.

That the estimated cost of construction of 343.6 feet of 6" Vitrified Clay Sewer Pipe and the construction of one manhole and one lamphole is the total sum of One Thousand Three Hundred Seventeen Dollars and Ninety Four Cents ($1,317 97).

E. The elimination of 295.7 feet of 6" Vitrified Clay Sewer Pipe and two manholes originally designed to serve Block 916 and the north portion of the east end of Block 915, as shown on revised sheet #4 of Plans hereto attached.

The reason that the City Council of the City of Modesto proposes to change the work as hereinabove set forth is that as a result of the proposed revision described in subparagraph "D" herein it is possible to eliminate the construction of 295.7 feet of sewer line and two manholes at a total saving to the Improvement District of One Thousand Four Hundred Thirty Seven Dollars and Fifty Three Cents ($1,437 53); and

BE IT FURTHER RESOLVED by the City Council of the City of Modesto that the net increase in cost to the Improvement District by the proposed addition and deletion of the work herein described, is the sum of Nine Hundred Ninety Four Dollars and Seventy Seven Cents ($994 77); and that said work shall be done at the unit prices set forth in the bid on file, and shall be added to the contract price for the work to be done in said District; and

BE IT FURTHER RESOLVED that said intention of the City Council of the City of Modesto to make said changes in the work to be done and in the locations of the work to be done in said Improvement District No. 1 shall be done pursuant to the authority granted in Section 5226 of the Streets and Highways Code of the State of California.

NOTICE IS HEREBY GIVEN, that Wednesday, the 12th day of November, 1952, at the hour of 8: P. M. at the Council Chamber of the City Council of the City of Modesto, located in the City Hsll, Modesto, California, shall be the time and place when and where said City Council of the City of Modesto will consider and finally determine whether the said changes, additions and deletion to the work shall be made; and is also fixed as the time and place when and where all persons interested therein may be heard in connection with said changes and modifications.

The City Clerk of the City of Modesto shall cause a copy of this Resolution to be published once in the MODESTO JOURNAL AND VALLEY CITIZEN, the newspaper designated in said Resolution of Intention; said publication to be at least ten (10) days prior to the date herein fixed for hearing.

o o o o o

I HEREBY CERTIFY that the foregoing resolution was regularly and duly adopted by the City Council of the City of Modesto, County of Stanislaus, State of California, at a regular meeting thereof held on the 27th day of October, 1952, by the following vote, to wit:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: Merrill

(SIGNED)
REX E. GAILFUS, CITY CLERK OF THE CITY OF MODESTO, COUNTY OF STANISLAUS, STATE OF CALIFORNIA

(SEAL)

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RESOLUTION NO. 9993-N. S.

A RESOLUTION AWARDING BID ON CONSTRUCTION OF A SANITARY LATERAL SEWER ON LEONARD AVENUE FROM TULLY TO KEARNEY AVENUE TO THE ATLAS PIPE COMPANY

---oOo---

WHEREAS, the City Manager reported that bids for the construction of a sanitary lateral sewer on Leonard Avenue from Tully Avenue to Kearney Avenue had been opened on Monday, October 27, 1952, and that two bids had been received, and

WHEREAS, it is the recommendation of the Director of Public Works that the bid of the Atlas Pipe Company of Walnut Creek of $8,564 28 be accepted,

NOW, THEREFORE, BE IT RESOLVED that the bid of the Atlas Pipe Company be accepted since it is the lowest responsible bid.

The foregoing resolution was introduced at an adjourned regular meeting of the Council of the City of Modesto held on the 27th day of October by Councilman Annan, who moved its adoption, which motion being duly seconded by Councilman M. Adams, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: Merrill

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 9994-N. S.

A RESOLUTION REJECTING THE BIDS RECEIVED ON THE CONSTRUCTION OF HANGAR UNITS AT THE MUNICIPAL AIRPORT

---oOo---

BE IT HEREBY RESOLVED that the bids on the construction of hangar units at the Municipal Airport be and they are hereby rejected and the City Manager is hereby directed to prepare and present additional reports on the building of hangars, to the Council.

The foregoing resolution was introduced at an adjourned regular meeting of the Council of the City of Modesto held on the 27th day of October, 1952, by Councilman Annan, who moved its adoption, which motion being duly seconded by Councilman Arata, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: Merrill

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 9995-N. S.

A RESOLUTION APPROVING AGREEMENT WITH THE COUNTY OF STANISLAUS FOR COMMUNITY RECREATION

---oOo---

WHEREAS, an agreement has been presented to the Council for approval between the City of Modesto and the County of Stanislaus for community recreation, and

WHEREAS, the term of said agreement is for one year, beginning July 1, 1952, and calls for a payment to the City by the county of the sum of $14,304 00,

NOW, THEREOFRE, BE IT RESOLVED that the agreement as presented be and it is hereby approved.

The foregoing resolution was introduced at an adjourned regular meeting of the Council of the City of Modesto held on the 27th day of October, 1952, by Counnilman R. Adams, who moved its adoption, which motion being duly seconded by Councilman Mellis, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: Merrill

ATTEST: REX E. GAILFUS, CITY CLERK

****

RESOLUTION NO. 9996-N. S.

A RESOLUTION AUTHORIZING THE APPROPRIATION TRANSFER OF $10,000 00 FROM THE RESERVE FOR STREET PAVING PROGRAM OF THE PUBLIC WORKS STREET DIVISION TO THE CAPITAL OUTLAY STREET PAVING PROGRAM

---oOo---

BE IT HEREBY RESOLVED that the appropriation transfer of $10,000 00 be approved from the reserve for street paving program of the Public Works street Division to the Capital Outlay Street paving program.

The foregoing resolution was introduced at an adjourned regular meeting of the Council of the City of Modesto held on the 27th day of October, 1952, by Councilman R. Adams, who moved itssadoption, which motion being duly seconded by Councilman M. Adams it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis and Mayor Marks

Noes: Councilmen: None

Absent: councilmen: Merrill

ATTEST: REX E. GAILFUS, CITY CLERK

****

RESOLUTION NO. 9997-N. S.

A RESOLUTION ENDORSING THE RESOLUTION ADOPTED BY THE LEAGUE OF CALIFORNIA CITIES ON INFERIOR COURT REORGANIZATION AND AUTHORIZING ATTENDANCE OF REPRESENTATIVES FROM THE CITY TO THE MEETING OF THE SUB-COMMITTEE ON COURTS OF THE ASSEMBLY INTERIM COMMITTEE ON JUDICIARY

---oOo---

WHEREAS, the League of California Cities adopted a resolution setting forth its policy on Inferior Courtreorganization at the convention held in San Diego on October 13-15, 1952, and

WHEREAS, a meeting will be held in Sacramento on October 31, 1952, with the Sub-committee on Courts of the Assembly Interim Committee on Judiciary and the City of Modesto has been asked to attend,

NOW, THEREFORE, BE IT RESOLVED that the City of Modesto does hereby go on record as endorsing the resolution adopted by the League of California Cities on Inferior Court reorganization and authorizing representatives selected by the City Manager to attend the meeting on October 31 in Sacramento.

The foregoing resolution was introduced at an adjourned regular meeting of the Council held on the 27th day of October, 1952, by Councilman Mellis, who moved its adoption, which motion being duly seconded by Councilman Arata, it was upon roll call carried and the resolution was adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: Merrill

ATTEST: REX E. GAILFUS, CITY CLERK

****

RESOLUTION NO. 9998-N. S.

APPROVE THE PURCHASE OF AIR COMPRESSOR BY PURCHASE ORDER

---oOo---

WHEREAS, the City Manager has reported that the Department of Public Works has investigated the type of compressor which would be suitable for the city needs, and

WHEREAS, he has recommended that the Ingersoll-Rand Gyro-flow unit of 105 cubic foot capacity, is the only unit of its type which would be suitable for the city needs and advertising for bids would not serve any useful purpose, and

WHEREAS, the net cost to the city for this equipment would be $3,100.84, which will be $100.84 over the budgeted amount but other tools could be purchased at lower prices or the Paving Breaker could be eliminated under the capital outlay funds in order to make this purchase.

NOW, THEREFORE, BE IT RESOLVED that the purchase of the Ingersoll-Rand Gyro-flow unit as recommended by the Director of Public Works by purchase order 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, 1952, by Councilman Annan, who moved its adoption, which motion being duly seconded by Councilman M. Adams, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

****

RESOLUTION NO. 9999-N. S.

A RESOLUTION ACCEPTING DEED OF EASEMENT FROM ANNA KJER AND EDA BERG

---oOo---

BE IT HEREBY RESOLVED that the deed of easement from Anna Kjer and Eda Berg, for a 10' strip of land being used for sewer facilities in the Maze Court area, be and it is hereby accepted, and

BE IT FURTHER RESOLVED that the City Clerk be authorized 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 5th day of November, 1952, by Councilman R. Adams, who moved its adoption, which motion being duly seconded by Councilman Arata, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

****

RESOLUTION NO. 10000-N. S.

A RESOLUTION AACCEPTING GRANT DEED FROM C. A. AND GERALDINE BARHAM ON PORTION LOT 3 oF WEIL COLONY

---oOo---

BE IT HEREBY RESOLVED that the grant deed from C. A. Barham and Geraldine Barham for the west 16 feet of lot 3 of Weil Colony to be used for street purposes (Carlton Avenue) be and it is hereby accepted, and

BE IT FURTHER RESOLVED that the City Clerk 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 5th day of November, 1952, by Councilman Arata, who moved its adoption, which motion being duly seconded by Councilman Annan, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

****

RESOLUTION NO. 10,001-N. S.

A RESOLUTION REQUESTING CANCELLATION OF TAXES ON PORTION OF LOTS 21 and 22 IN BLOCK 56 PURCHASED BY THE CITY OF MODESTO THROUGH THE PARKING AUTHORITY

---oOo---

WHEREAS, the City of Modesto, through the Parking Authority has acquired title to Block 56, N 24' of Lot 21, S 15½ of lot 22 from Joseph A. Venturini, et ux and which will be used as a parking lot,

NOW, THEREFORE, BE IT RESOLVED that the City of Modesto does hereby cancel the current city taxes on this property in the amount of $189.12 (tax bill No. 4351), and

BE IT FURTHER RESOLVED that the Stanislaus County Board of Supervisors are hereby requested to cancel the current county taxes on this property in the amount of $591.00 (tax bill #6653,) and

BE IT FURTHER RESOLVED that the Modesto Irrigation District, Board of Directors are hereby requested to cancel the current district taxes on this property in the amount of $43.95 (tax bill No. 3732).

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 5th day of November, 1952, by Councilman Annan, who moved its adoption, which motion being duly seconded by Councilman M. Adams, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 10,002-N. S.

A RESOLUTION APPROVING FIFTH SUPPLEMENTAL AGREEMENT WITH THE SOUTHERN PACIFIC COMPANY TO MAINTAIN AND USE TEMPORARY PRIVATE ROADWAY UNDER THE SOUTHERN PCIFIC COMPANY TRESTLE OVER THE TUOLUMNE RIVER

---oOo---

BE IT HEREBY RESOLVED that the fifth supplemental agreement between the Southern Pacific Company and the City of Modesto for the maintaining and using of temporary private roadway at Modesto, California upon and along the property and beneath a trestle of railroad over the Tuolumne River be approved.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 5th day of November, 1952, by Councilman Arata, who moved its adoption, which motion being duly seconded by Councilman M. Adams, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

****

RESOLUTION NO. 10,003-N. S.

A RESOLUTION APPROVING AGREEMENT WITH STANISLAUS COUNTY FOR THE DISBURSEMENT BY THE CITY OF COUNTY RECREATION FUNDS FOR USE IN THE BRET HARTE AREA

---oOo---

WHEREAS, the City Attorney has presented an agreement for approval with the County Stanislaus, providing for the disbursement by the city of county recreation funds for use in the Bret Harte area for the term of one year, beginning July 1, 1952, which calls for a payment to the city of the sum of $1,231 00.

BE IT HEREBY RESOLVED that the agreement be approved as presented and the City Clerk and City Manager are appointed signatory officials.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 5th day of November, 1952, by Councilman Mellis, who moved its adoption, which motion being duly seconded by Councilman R. Adams, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

****

RESOLUTION NO. 10,004-N. S.

A RESOLUTION AUTHORIZING THE SIGNING OF RELEASE ON CLAIMS FOR DAMAGE TO MOTORCYCLE AND PAYMENT OF WAGES TO FERRELD PARK, PATROLMAN

---oOo---

BE IT HEREBY RESOLVED that the City Manager be authorized to sign a release for the claim of the City of Modesto for damage to motorcycle and payment of wages to Ferrel Parks, Patrolman, while he was off work due to injury in an accident which occurred on Fegruary 28, 1952, in the amount of $133.96, and

BE IT FURTHER RESOLVED that the City Manager be authorized to sign a release for $70.68 to cover the repairs to the city motorcycle which was damaged in an accident in April, 1951, in which Mr. Ferrel Parks was injured and which he had previously negotiated a settlement.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 5th day of November, 1952, by Councilman M. Adams, who moved its adoption, which motion was seconded by Councilman Merrill and it was upon roll carried and the resolution was adopted by the following vote:

Ayes: Councilmen: M. Adams, R. adams, Annan, Arata, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

****

RESOLUTION NO. 10,005-N. S.

A RESOLUTION AMENDING RESOLUTION NO. 9906-N. S. ENTITLED "A RESOLUTION ESTABLISHING SALARY SCHEDULES, CLASSES OF POSITIONS AND FIXING THE COMPENSATION OF OFFICERS AND EMPLOYEES IN THE CITY SERVICE"

---oOo---

BE IT HEREBY RESOLVED that "Exhibit B", established by Section 2 of Resolution No. 9906-N. S. and entitled "Salary Ranges and Rates of Positions in the City Service," shall be and is hereby amended with respect to the position of Chief of Police to read as follows:

POSITION	RANGE NO.	RATE OR RANGE A B C D E
Department Heads		
Chief of Police	25	530-556-584-613-644

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 5th day of November, 1952, by Councilman Arata, who moved its adoption, which motion being duly seconded by Councilman R. Adams it was upon roll call carried and the resolution adopted by the following Vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill, and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

****

RESOLUTION NO. 10,006-N. S.

A RESOLUTION GRANTING PERMIT TO SAUERWEIN & THOMPSON TO CUT THE CURB IN BLOCK 16, LOTS 9-13 INC. OWNED BY THE MODESTO BANK & TRUST COMPANY

---oOo---

WHEREAS, a request was filed by Sauerwein & Thompson, building contractors for a permit to increase an existing 12 ft. curb cut an additional 12 ft. in Block 16, lots 9-13--inc., owned by the Modesto Bank & Trust Company on Fifth Street, between H and I Streets, and

WHEREAS, they have agreed to replace an additional existing curb cut on this property with standard curb and gutter, and

WHEREAS, an inspection of the property has been made by the Director of Public Works and he has recommended that a permit be granted for a total cut of 20 feet, since the existing curb cut was only 10 feet by the city's method of measurement, and

WHEREAS, on-street parking will not be disturbed and no problem of removal of street trees is involved.

NOW, THEREFORE, BE IT RESOLVED that permit be granted to Sauerwein & Thompson to cut the curb an additional 10 feet at the location approved by the Director of Public Works and the one of the existing curb duts on this property be replaced with standard curb and gutter.

The forggoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 5th day of November, Councilman Annan, who moved its adoption, which motion being duly seconded by Councilman Merrill, it was upon roll call carried and the resolution was adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

****

RESOLUTION NO. 10,007-N. S.

A RESOLUTION AUTHORIZING PROGRESS PAYMENT TO STOCKTON CONSTRUCTION COMPANY ON CONSTRUCTION OF SEWER TRUNK LINE ON KEARNEY-ROSEBURG AND COLDWELL AVENUES

---oOo--

WHEREAS, the Director of Public Works has filed Estimate No. 3 for work completed by the Stockton Construction Company up to and including Oct. 31, on the construction of a sewer trunk line on Kearney, Roseburg and Coldwell Avenues and has recommended that a progress payment of $19,783.42 be made to the contractor,

NOW, THEREOFRRE, BE IT RESOLVED that progress payment be authorized as requested by the Director of Public Works to the Stockton Construction Company.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 5th day of November, 1952, by Councilman M. Adams, who moved its adoption, which motion being duly seconded by Councilman Arata, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

****

RESOLUTION NO. 10,008-N. S.

A RESOLUTION AUTHORIZING THE TRANSFER OF $1,000 00 FROM THE GENERAL RESERVE TO THE FINANCE DEPARTMENT FOR PUBLIC LIABILITY ANDPROPERTY DAMAGE INSURANCE ON THE AUTOMOTIVE EQIPMENT OF THE CITY OF MODESTO

---oOo---

BE IT HEREBY RESOLVED that the transfer of $1000.00 from the General Reserve to the Finance Department for public liability and property damage insurance on the automotive equipment of the City of Modesto 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 5th day of November, by Councilman Annan, who moved its adoption, which motion being duly seconded by Councilman M. Adams, it was upon roll call carried and the resolution was adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill , and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 10,009-N. S.

RESOLUTION MAKING CHANGES IN THE WORK TO BE DONE AND IN THE LOCATIONS OF THE WORK TO BE DONE IN IMPROVEMENT DISTRICT NO. 1, CITY OF MODESTO, COUNTY OF STANISLAUS, STATE OF CALIFORNIA

---oOo---

WHEREAS, THE City Council of the City of Modesto, Stanislaus County, California, did on the 27th day of October, 1952, pass and adopt its Resolution No. 9992-N. S. of Intention to make changes, additions and deletions to the work to be done in Improvement District No. 1 under Resolution of Intention No. 9903-N. S. of the City Council of the City of Modesto, adopted July 23, 1952, and the Plans and Specifications for the work and improvement described in said Resolution of Intenion No. 9903-N. S., which said Plans and Specifications were adopted by the City Council by Resolution No. 9902-N. S.; and

WHEREAS, said Resolution No. 9992-N. S. provided that Wednesday, the 12th day of November, 1952, at the hour of 8:00 P. M., was the time fixed as the day and hour hour and the meeting place of the City Council of the City of Modesto as the place when and where any and all persons having any objections to the aforesaid proposal might appear before said City Council and show cause why said proposed changes, additions and deletions to the work to be done should not be adopted; and

WHEREAS, said Resolution No. 9992-N. S. to make changes, additions and deletions in the work to be done under Resolution of Intention No. 9903-N. S. has been published in the time and manner required by law; and

WHEREAS, the hour of 8:00 P. M. of November 12, 1952, having arrived, and the matterhaving been heard by the City Council of the City of Modesto, and the proposed changes described in said Resolution No. 9992-N. S. having been fully considered;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Modesto, Stanislaus County, California, that the Plans and Specifications for the work and improvement described in Resolution of Intention No. 9903-N. S. be, and they are hereby, amended as follows:

The existing Official Plans and Specifications are hereby modified by making the following changes in the work to be done, to-wit:

A. The extension of the 6" vitrified Clay Pipe sanitary sewers serving Blocks 6010 and 6011 a distance of ten feet (10') each, to the south of the present termini, as shown on revised sheets #9 and #10 of Plans.

B. The extension of the 6" Vitrified Clay Pipe sanitary sewer line, located in the alley of Block 4164, to a point on Sherman Avenue opposite the south line of Lot 7 of Block 4164, a distance of 109 feet, together with the construction of an additional manhole, as shown on revised sheet #13 of Plans.

C. The extension and construction of a 6" Vitrified Clay Pipe sanitary sewer serving Block 915, a distance of 144.4 feet to the north, together with one lamphole, from Station 17 55.1 as shown on revised sheet #5 of Plans.

D. The extension and construction of a 6" Vitrified Clay Pipe sanitary sewer, serving Block 936 of College Gardens Tract, a distance of 343.6 feet, across a proposed ten foot easement from the alley in Block 936 to a point near the south line of Cecil Way, together with one manhole and one lamphole, as shown on revised sheet #3 of Plans.

E. The elimination of 295.7 feet of 6" Vitrified Clay sewer pipe and two manholes originally designed to serve Block 916 and the north portion of the east end of Block 915, as shown on revised sheet #4 of Plans.

and

BE IT FURTHER RESOLVED that said work be done at the unit prices set forth in the bid on file in the office of the City Clerk of the City of Modesto, and shall be added to the contract price for the work to be done in said District.

o o o o

I HEREBY CERTIFY that the foregoing Resolution was regularly and duly adopted by the City Council of the City of Modesto, County of Stanislaus, State of California, at a regular meeting thereof, held on the12th day of November, 1952, by the following vote, to-wit:

Ayes: Councilmen: R. Adams, Annan, Mellis, Merrill, and Mayor Marks

Noes: Councilmen: M. Adams

Absent: Councilmen: Arata

ATTEST: REX E. GAILFUS, CITY CLERK OF THE CITY OF MODESTO, COUNTY OF STANISLAUS, STATE OF CALIFORNIA

(SEAL)

RESOLUTION NO. 10,010-N. S.

A RESOLUTION APPROVING PAYMENT OF CLAIMS FOR THE MONTH OF OCTOBER, 1952

---oOo---

BE IT HEREBY RESOLVED that the claims against the City of Modesto for the month of October, 1952, in the amount of $116,389 80, being check numbers 4701 to 4868 inc. and check numbers 11006 to 11036 inc. for the McHenry Public Library in the amount of $917 57.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of November, 1952, by Councilman Mellis, who moved its adoption, which motion being duly seconded by Councilman Annan, it was upon roll call carried and the resolution was adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Mellis, Merrill, and Mayor Marks

Noes: Councilmen: None

Absent: Councilman: Arata

ATTEST: REX E. GAILFUS, CITY CLERK

****

RESOLUTION NO. 10,011-N. S.

A RESOLUTION AMENDING RESOLUTION NO. 9906-N. S. ENTITLED "A RESOLUTION ESTABLISHING SALARY SCHEDULES, CLASSES OF POSITIONS AND FIXING THE COMPENSATION OF OFFICERS AND EMPLOYEES IN THE CITY SERVICE"

---oOo---

BE IT HEREBY RESOLVED that "Exhibit B", established by Section 2 of Resolution No. 9906-N. S. and entitled, "Salary Ranges and Rates of Positions in the City Service", adopted on July 23, 1952, shall be and is hereby amended with respect to the position of Assistant City Clerk to read as follows:

CLASSIFIED SERVICE

POSITION	RANGE NO.	A	B	C	D	E
Assistant City Clerk	12	281	295	310	325	341

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of November, 1952, by Councilman Annan, who moved its adoption, which motion being duly seconded by Councilman M. Adams it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Mellis, Merrill, and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: Arata

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 10,012-N. S.

A RESOLUTION AUTHORIZING APPROPRIATION TRANSFER OF $2500 00 FROM THE GENERAL RESERVE TO THE PUBLIC WORKS ELECTRICAL DIVISION

---oOo---

BE IT HEREBY RESOLVED that the appropriation transfer of $2500 00 be authorized from the General Reserve to the Public Works Electrical Division for trenching equipment rental for the installation of street lighting cable in the College Center, Campus Tracts, No. 2 and 3, Hardin, Cloverfield, Gonzales and Zimmerman and Improvement District No. 1.

The foregoing resolution was introduced at a regular meeting of the Council held on November 12, 1952, of the City of Modesto by Councilman M. Adams, who moved its adoption, which motion was duly seconded by Councilman R. Adams, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: Arata

ATTEST: REX E. GAILFUS, CITY CLERK

****

RESOLUTION NO. 10,013-N. S.

A RESOLUTION GRANTING THE MODESTO JUNIOR COLLEGE PERMISSION TO ERECT POLES AND DISPLAY BANNERS

---oOo---

BE IT RESOLVED by the Council of the City of Modesto that the Modesto Junior College be granted a permit to erect poles so that banners may be displayed across College Avenue just north of Needham Avenue, in the City of Modesto, on the following conditions:

1. The Junior College will erect and maintain the poles and install the banners at its own expense.

2. The place and manner of the erection of the poles shall be approved by the Department of Public Works.

3. The Junior College will notify the Director of Public Works in writing at least seven (7) days prior to the time each banner is to be hung so that each installation may be inspected by the City.

4. Prior to granting of thepermit to construct the poles, the Junior College will furnish to the City, written evidence of its willingness to indemnify and hold the City harmless from and against any and all costs, damages or liabilities arising out of the erection and maintenance of said poles and/or the display of said banners.

BE IT FURTHER RESOLVED that Resolution No. 9669-N. S., adopted on December 12, 1951, is hereby rescidended.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 19th day of November, 1952, by Councilman Annan, who moved its adoption, which motion being duly seconded by Councilman Arata, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 10,014-N.S.

A RESOLUTION AUTHORIZING THE APPROPRIATION TRANSFER OF $1000.00 FROM THE GENERAL RESERVE TO THE FIRE DEPARTMENT FOR THE PURCHASE OF FIRE ALARM CABLE

BE IT HEREBY RESOLVED that the appropriation transfer of $1000.00 from the General Reserve to the Fire Department budget be authorized for the purchase of fire alarm cable to be used for replacement purposes in cases of emergency.

The Foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 19th day of November, 1952 by Councilman R. Adams, who moved its adoption, which motion being duly seconded by Councilman Merrill it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent:Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

****

RESOLUTION NO. 10,015-N.S.

A RESOLUTION AUTHORIZING THE CLERK TO CALL FOR BIDS FOR FURNISHING RUBBER-TIRED TRACTOR LOADER

--ooOoo--

BE IT HEREBY RESOLVED that the City Clerk be authorized to call for bids for the furnishing of one new rubber-tired tractor loader, bids to be opened at 3:00 P.M. on Monday, December 8, 1952 and any award made or contract entered into shall be by action of the Council meeting in regular session at a subsequent 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, 1952 by Councilman Mellis, who moved its adoption, which motion being duly seconded by Councilman Annan, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent:Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

****

RESOLUTION NO. 10,016-N.S.

A RESOLUTION AUTHORIZING THE CITY CLERK TO CALL FOR BIDS FOR FURNISHING ALL LABOR, EQUIPMENT AND MATERIALS NECESSARY FOR CONSTRUCTING TRAFFIC SIGNALS AND STREET LIGHTING AT McHENRY AND MORRIS AVENUES

---oOo---

BE IT HEREBY RESOLVED that the City Clerk be authorized to call for bids for furnishing all labor, equipment and materials necessary for "constructing traffic signals and street lighting at McHenry and Morris Avenues, said bids to be opened at 2:00 P.M. on Monday, December 8th, 1952 and any award or contract entered into shall be by action of the Council, meeting in regular session at a subsequent 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, 1952 by Councilman Mellis, who moved its adoption, which motion being duly seconded by Councilman R. Adams, it was upon roll call carried and the resolution was adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent:Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 10,017-N.S.

RESOLUTION AUTHORIZING APPROPRIATION TRANSFER OF $3000.00 FOR PURCHASE OF PARKING METERS

---oOo---

BE IT HEREBY RESOLVED that the appropriation transfer of $3000.00 be authorized from the General Reserve to the Public Works Parking Meter division for capital outlay for parking meters to be installed on G Street between 10th and 12th streets and to provide for replacement meters as may from time to time be necessary.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 19th dayof November, 1952 by Councilman Arata, who moved its adoption, which motion being duly seconded by Councilman M. Adams, it was upon roll call carried and the resolution was adopted by the following vote:

Ayes: Councilmen: M.Adams, R. Adams, Annan. Arata, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent:Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

****

RESOLUTION NO. 10,018-N.S.

A RESOLUTION GRANTING PERMISSION TO THE STANISLAUS COUNTY CHAPTER FOR INFANTILE PARALYSIS FOR THE PLACING OF WISHING WELLS IN THE BUSINESS DISTRICT

---oOo---

WHEREAS, the Stanislaus County Chapter for Infantile Paralysis has filed a request for permission to place wishing wells during the period beginning January 1, 1953 and ending February 1, 1953, in connection with the March of Dimes Campaign, at the following locations:

2 at 10th and I Streets

1 at 11th and J Streets

1 at 10th and K Streets

1 at Post Office on I Street

NOW THEREFORE BE IT RESOLVED that permit be granted to the said applicant to install wishing wells at above described locations providing that prior to theplacing of these wishing wells the Stanislaus County Chapter for Infantile Paralysis, will furnish to the city written evidence of its willingness to indemnify and hold the city harmless from and against any and all costs, damages and liability arising out of the erection and maintenance of said wishing wells.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of November, 1952 by Councilman Merrill, who moved its adoption, which motion being duly seconded by Councilman Arata, it was upon roll call carried and the resolution was adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Arata, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent:Councilmen: Annan

ATTEST: REX E. GAILFUS, CITY CLERK

****

RESOLUTION NO. 10,019-N.S.

A RESOLUTION REFERRING TO THE MODESTO CITY PLANNING COMMISSION A REQUEST FOR CONSENT TO ANNEX CERTAIN INHABITED TERRITORY TO THE CITY OF MODESTO.

---oOo---

WHEREAS, a request has been filed by certain persons residing therein, stating that they desire to commence proceedings to annex certain inhabited territory to the City of Modesto, which territory is more specifically described hereinafter, and

WHEREAS, it appears that said territory is subdivided and contiguous to the City of Modesto, and

WHEREAS, the Council of the City of Modesto cannot consent to the commencement of proceedings to annex subdivided territory to the city until it has received a report or recommendation from the Modesto City Planning Commission,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that said request for consent to commence proceedings to annex the following described inhabited territory be referred to the Modesto City Planning Commission for its report or recommendation. The territory referred to is situated in the County of Stanislaus, State of California, and more particularly described as follows:

Beginning at the Northeasterly corner of the existing limits of the City of Modesto at the intersection of the South line of Fairmont Avenue with the West line of McHenry Avenue, said point being 25 feet West of the East line of Section 20, Township 3 South, Range 9 East, Mount Diablo Base and Meridian; thence along said West line of McHenry Avenue, 25 feet Westerly and parallel to said East line of Section 20, North 2310 feet, more or less, to the intersection thereof with the South line of Orangeburg Avenue as said McHenry and Orangeburg Avenues are shwon on map of Mensinger Tract No. 4 recorded in Volume 14 of Maps at Page 68, records of Stanislaus County; thence along the Southerly boundary of said Orangeburg Avenue Westerly 635.19 feet to the Easterly boundary of Mensinger Tract No. 2 according to the map thereof filed in Volume 11 of Maps at page 30, Records of Stanislaus County; thence along the Easterly boundary of said Mensinger Tract No. 2, Southerly 10 feet to the Southerly line of Orangeburg Avenue as shown on said Map of Mensinger Tract No. 2; thence along said Southerly line of Orangeburg Avenue Westerly 659.59 feet to the Westerly boundary of said Mensinger Tract No. 2 and the Easterly boundary of Monaco Tract as said Monaco Tract is shown on the map thereof filed in Volume 11 of Maps at page 67, Records of Stanislaus County; thence continuing along the Southerly line of Orangeburg Avenue as shown on said map of Monaco Tract Westerly 660.00 feet to the intersection thereof with the centerline of Enslen Avenue, said centerline of Enslen Avenue being the Westerly line of said Monaco Tract and the Easterly line of the James Tract as said James Tract is shown on the map thereof filed in Volume 11 of Maps at page 68, Records of Stanislaus County; thence continuing along the Southerly line of Orangeburg Avenue as shown on said map of James Tract Westerly 660.00 feet to the intersection thereof with the Westerly line of said James Tract said Westerly line being also the Easterly line of the right of way of the Tidewater Southern Railroad and the North-South 1/4 section line North 10 feet to a point 20 feet South of the centerline of Orangeburg Avenue said centerline being the Northerly East-West 1/4 1/4 section line of said Section 20; thence Westerly at a distance 20 feet Southerly and parallel with said centerline of Orangeburg Avenue to a point on the Westerly line of said right of way of the Tidewater Southern Railroad said point also being the Northeast corner of Block 6050 of the City of Modesto; thence along the existing limits of the City of Modesto as follows: Southerly to the South line of Griswold Avenue, Easterly to the East line of Magnolia Avenue, Northerly to the South line of Fairmont Avenue, and Easterly 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 26th day of November, 1952 by Councilman Mellis, who moved its adoption, which motion being duly seconded by Councilman M. Adams, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent:Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

****

RESOLUTION NO. 10,020-N.S.

A RESOLUTION AUTHORIZING THE CITY CLERK TO CALL FOR BIDS FOR RUBBER TIRED TRACTOR

---oOo---

BE IT HEREBY RESOLVED that the City Clerk be authorized to call for bids for furnishing one new rubber-tired tractor. Bids are to be opened at 10:00 A.M. on Monday, December 15, 1952. Any award made or contract entered into, shall be by action of the City Council meeting in regular session at a subsequent 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, 1952 by Councilman Adams (M), who moved its adoption, which motion being duly seconded by Councilman Adams (R) and it was upon roll call carried and the resolution was adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Arata, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent:Councilmen: Annan

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 10,021-N.S.

A RESOLUTION AUTHORIZING THE CITY CLERK TO CALL FOR BIDS FOR FURNISHING LABOR, EQUIPMENT AND MATERIAL NECESSARY FOR THE REMODELING OF THE CITY HALL

---oOo---

BE IT HEREBY RESOLVED that the City Clerk be authorized to call for bids for furnishing all labor, equipment and material necessary for the remodeling of the City Hall, said bids to be opened at 2:00 P.M. on Tuesday, December 16, 1952. Any award made or contract entered into shall be by action of the Council meeting in regular session at a subsequent 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, 1952 by Councilman Arata, who moved its adoption, which motion being duly seconded by Councilman Mellis, it was upon roll call carried and the resolution was adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Arata, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent:Councilmen: Annan

ATTEST: REX E. GAILFUS, CITY CLERK

****

RESOLUTION NO. 10,022-N.S.

A RESOLUTION AMENDING RESOLUTION NO.9893-N.S. OF THE CITY OF MODESTO

---oOo---

BE IT RESOLVED by the Council of the City of Modesto that the following paragraph contained in Resolution No. 9893-N.S. of the City of Modesto be deleted:

> "BE IT FURTHER RESOLVED that the aforesaid basis of payment shall be effective from and after the date of the last payment of fees pursuant to said ordinance by each of said companies, respectively",

and that the following paragraph be substituted therefor:

> "BE IT FURTHER RESOLVED that the aforesaid basis of payment shall be effective from and after August 1, 1952."

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of November, 1952 by Councilman Mellis, who moved its adoption, which motion being duly seconded by Councilman Arata, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Arata, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent:Councilmen: Annan

ATTEST: REX E. GAILFUS, CITY CLERK

****

RESOLUTION NO. 10,023-N.S.

A RESOLUTION ESTABLISHING TWO HOUR PARKING ON BOTH SIDES OF FOURTEENTH STREET BETWEEN J AND L STREETS IN THE CITY OF MODESTO

---oOo---

WHEREAS, the City Council of the City of Modesto by ordinance heretofore passed, is empowered by resolution to increase and/or diminish parking time limits for vehicles on the streets of said City; and,

WHEREAS, by ordinance heretofore passed by said City Council by the erection of proper signs in the business district of said City and by resolution may enforce the provisions of all ordinances relating to the parking of vehicles in said City; and

WHEREAS, the best interest of the citizens of said City require that the length of time for which a vehicle may be parked in the following described areas shall be for the period of two hours between the hours of nine o'clock A.M. and six o'clock P.M.

NOW THEREFORE, said City Council by this resolution does hereby decree that vehicles shall not be parked between the hours of nine o'clock A.M. and six o'clock for a period longer than 120 consecutive minutes in the following described areas:

Both sides of Fourteenth Street, between J and L Streets in the City of Modesto

BE IT FURTHER RESOLVED that said parking restrictions shall not be applicable on Sunday.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of November, 1952 by Councilman Mellis, who moved its adoption, which motion being duly seconded by Councilman R. Adams, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Arata, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: Annan

ATTEST: REX E. GAILFUS, CITY CLERK

****

RESOLUTION NO. 10,024-N.S.

A RESOLUTION APPOINTING HENRY G. ANDERSON AND H. D. BUXTON AS MEMBERS OF THE PERSONNEL COMMISSION

--oOo--

WHEREAS, Ordinance No. 1031-N.S. provides for five members on the Personnel Commission and

WHEREAS the Personnel Commission, at the present time, consists of only three members

NOW THEREFORE BE IT RESOLVED that the following named persons be appointed to the Personnel Commission with terms to expire as follows:

Henry G. Anderson	Jan. 1, 1956
H. D. Buxton	Jan. 1, 1954

The foregoing resolution was introduced at a regular meeting of theCouncil of the City of Modesto held on the 26th day of November, 1952 by Councilman Mellis, who moved its adoption, which motion being duly seconded by Councilman Arata, it was upon roll call carried and the resolution was adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Arata, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: Annan

ATTEST: REX E. GAILFUS, CITY CLERK

****

RESOLUTION NO. 10,025-N.S.

A RESOLUTION AUTHORIZING THE CITY CLERK TO ADVERTISE FOR BIDS FOR MATERIAL FOR CONSTRUCTION OF HANGAR

---oOo---

BE IT HEREBY RESOLVED that the City Clerk be authorized to call for bids for furnishing, delivering and unloading at the Modesto Municipal Airport, all prefabricated material necessary for the construction of a ten-unit medium T hangar, said bids to be opened at 2:00 P.M. on Monday, December 22, 1952. Any award made or contract entered into shall be by action of the Council meeting in regular session at a subsequent 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, 1952 by Councilman M. Adams, who moved its adoption, which motion being duly seconded by Councilman Arata, it was upon roll call carried and the resolution was adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Arata, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent:Councilmen: Annan

ATTEST: REX E. GAILFUS, CITY CLERK

****

RESOLUTION NO. 10,026-N.S.

A RESOLUTION AUTHORIZING PROGRESS PAYMENT TO ATLAS PIPE COMPANY ON CONSTRUCTION OF SANITARY LATERAL SEWER ON LEONARD AVENUE

---oOo---

WHEREAS the Director of Public Works has filed an estimate of work completed by the Atlas Pipe Company up to and including Nov. 28, 1952 on the construction of sanitary lateral sewer on Leonard Avenue, showing a total amount due to contractor of $4,888.12,

NOW THEREFORE BE IT RESOLVED that progress payment in said amount be authorized to the said contractor.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd day of December, 1952 by Councilman Mellis, who moved its adoption, which motion being duly seconded by Councilman Merrill, it was upon roll call carried and the resolution was adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Arata, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent:Councilmen: Annan

ATTEST: REX E. GAILFUS, CITY CLERK

****

RESOLUTION NO. 10,027-N.S.

A RESOLUTION AUTHORIZING PROGRESS PAYMENT TO THE STANDARD MATERIALS INC. ON IMPROVEMENT OF VIRGINIA AVENUE AND EIGHTH STREET

---oOo---

WHEREAS the Director of Public Works has filed an estimate of the work completed by the Standard Materials Inc. up to and including Nov.28, 1952 on the improvement of Virginia Avenue and Eighth Street in the amount of $13,015.50

NOW THEREFORE BE IT RESOLVED that progress payment in said amount be authorized to said contractor.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd day of December, 1952 by Councilman Arata, who moved its adoption, which motion being duly seconded by Councilman M. Adams, it was upon roll call carried and the resolution was adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Arata, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: Annan

ATTEST: REX E. GAILFUS, CITY CLERK

****

RESOLUTION NO. 10,028-N.S.

A RESOLUTION ACCEPTING CONTRACT FROM STOCKTON CONSTRUCTION COMPANY ON SANITARY SEWER TRUNK LINE ON KEARNEY, ROSEBURG AND COLDWELL AVENUES AND AUTHORIZE PROGRESS PAYMENT

WHEREAS the Director of Public Works has filed estimate No. 4 and final report for the construction of a sanitary sewer trunk line on Kearney, Roseburg, and Coldwell Avenues by the Stockton Construction Company and has recommended that the project be accepted as completed and that payment of $2,420.93 be authorized

NOW THEREFORE BE IT HEREBY RESOLVED that the contract as completed by the Stockton Construction Company be accepted and progress payment of $2,420.93 be authorized and the City Clerk is directed to record "Notice of Completion" 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, 1952 by Councilman R. Adams, who moved its adoption, which motion being duly seconded by Councilman M. Adams, it was upon roll call carried and the resolution was adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Arata, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: Annan

ATTEST: REX E.GAILFUS, CITY CLERK

****

RESOLUTION NO. 10,029-N.S.

A RESOLUTION ESTABLISHING TWO HOUR PARKING ON K STREET BETWEEN THIRTEENTH AND FOURTEENTH STREETS IN THE CITY OF MODESTO

---oOo---

WHEREAS, the City Council of the City of Modesto by ordinance heretofore passed, is empowered by resolution to increase and/or diminish parking time limits for vehicles on the streets of said city; and,

WHEREAS, by ordinance heretofore passed by said city Council by the erection of proper signs in the business district of said city and by resolution may enforce the provisions of all ordinances relating to the parking of vehicles in said city; and

WHEREAS, the best interest of the citizens of said city require that the length of time for which a vehicle may be parked in the following described areas shall be for the period of two hours between the hours of nine o'clock A.M. and six o'clock P.M.

NOW THEREFORE, said City Council by the Resolution does hereby decree that vehicles shall not be parked between the hours of nine o'clock A.M. and six o'clock for a period longer than 120 consecutive minutes in the following described areas:

Both sides of K Street, between Thirteenth and Fourteenth Streets in the City of Modesto

BE IT FURTHER RESOLVED that said parking restrictions shall not be applicable on Sunday.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd day of December, 1952 by Councilman M. Adams, who moved its adoption, which motion being duly seconded by Councilman Arata, it was upon roll call carried and the resolution was adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Arata, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: Annan

ATTEST: REX E. GAILFUS, CITY CLERK

****

RESOLUTION NO. 10,030-N.S.

A RESOLUTION URGING THE STANISLAUS COUNTY CIVIL DEFENSE OPERATIONAL AREA TO SECURE PROPER QUARTERS FOR THE LOCAL POST OF THE GROUND OBSERVATION CORPS

---oOo---

BE IT HEREBY RESOLVED that the Stanislaus County Civil Defense Operational Area be urged to take whatever action is necessary to secure proper quarters for the local post of the Ground Observation Corps so that this essential operation can be continued in this community, and

BE IT FURTHER RESOLVED that the local people of the community be urged to participate in "Operation Skywatch."

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of December, 1952 by Councilman Arata, who moved its adoption, which motion being duly seconded by Councilman M. Adams, it was upon roll call carried and the resolution was adopted by the following vote:

Ayes: Councilmen: M. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: R. Adams

ATTEST: REX E. GAILFUS, CITY CLERK

****

RESOLUTION NO. 10,031-N.S.

A RESOLUTION AUTHORIZING THE EXECUTION OF A CONTRACT FOR THE PURCHASE OF PIPE FOR USE IN CONSTRUCTING A SANITARY TRUNK SEWER LINE ON EMERALD AVENUE AND MAZE BOULEVARD WITHOUT ADVERTISING FOR BIDS

---oOo---

WHEREAS, the completion of the construction of the sanitary trunk sewer line on Emerald Avenue and Maze Boulevard is urgently necessary for the preservation of life, health and property, and

WHEREAS, approximately 688 feet of 36" reinforced concrete culvert pipe is needed for the completion of the construction of said project, and

WHEREAS, the acquisition of said materials under the normal procedure of advertising for bids will require an additional period of at least two weeks to complete the job, and

WHEREAS, Section 1307 of the Charter of the City of Modesto authorizes the purchase of materials necessary for public works projects without advertising for bids if such work is deemed by the City Council to be of urgent necessity for the preservation of life, health or property and authorized by resolution passed by at least five affirmative votes of the Council,

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Modesto hereby declares that the purchase of said materials is urgently necessary for the preservation of life, health or property, and

BE IT FURTHER RESOLVED that the City Manager be and he is hereby authorized to enter into a contract on behalf of the City to purchase said materials at once at the best available price without advertising for bids.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of December, 1952 by Councilman Annan, who moved its adoption, which motion being duly seconded by Councilman Mellis, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: R. Adams

ATTEST: REX E. GAILFUS, CITY CLERK

****

RESOLUTION NO. 10,032-N.S.

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND CALLING FOR BIDS FOR THE CONSTRUCTION OF A SANITARY SEWER TRUNK LINE ON EMERALD AVENUE AND MAZE BOULEVARD

---oOo---

BE IT HEREBY RESOLVED that the plans and specifications for the construction of a sanitary sewer trunk line on Emerald Avenue and Maze Boulevard be approved, and

BE IT FURTHER RESOLVED that the City Clerk be authorized to call for bids for the installation of 36" reinforced concrete culvert pipe furnished by the city and for the furnishing and installing of 8" vitrified clay sewer pipe, 4" steel pipe and construction of manholes. Said bids for this project are to be opened at 2:00 P.M. on Tuesday, December 23, 1952 and any award made or contract entered into shall be by action of the Council, meeting in regular session at a subsequent 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, 1952 by Councilman M. Adams, who moved its adoption, which motion being duly seconded by Councilman Arata, it was upon roll call carried and the resolution was adopted by the following vote:

Ayes: Councilmen: M. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: R. Adams

ATTEST: REX E. GAILFUS, CITY CLERK

****

RESOLUTION NO. 10,033-N.S.

A RESOLUTION SETTING FORTH THE POLICY OF THE CITY COUNCIL WITH RESPECT TO ITS CONTINUING INTEREST IN THE EQUALIZATION OF PROPERTY TAXES IN THE CITY OF MODESTO

---oOo---

WHEREAS, the City Council is contemplating the transfer of property assessment and tax collection functions from the City to Stanislaus County, as provided in the Government Code, State of California; and

WHEREAS, the Council wishes to maintain a continuing interest in the proper assessment and equalization of property taxes in the City,

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Modesto hereby declares its intention to fix a time and place each year for the hearing of the comments and protests of property owners within the City of Modesto regarding the assessment of their property; and

BE IT FURTHER RESOLVED that the Council will receive and fully consider all such comments and protests presented to it and bring its conclusions and recommendations to the attention of the responsible County officials.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of December, 1952 by Councilman Mellis , who moved its adoption, which motion being duly seconded by Councilman Arata, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 10,034-N.S.

A RESOLUTION AUTHORIZING THE NECESSARY LEGAL PROCEDURE TO PURCHASE LAND FROM LEM AND NORA CROOK FOR PARK PURPOSES

---oOo---

WHEREAS Lem and Nora Crook have offered to sell five acres of land, being lot 18 of the Weil Colony, for the sum of $15,000.00

NOW THEREFORE BE IT RESOLVED that the City Attorney be authorized to proceed with the necessary legal procedure to provide for the purchasing of the five acres of land from said Lem and Nora Crook for $15,000 as outlined in their offer to the city.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of December, 1952 by Councilman Merrill, who moved its adoption, which motion being duly seconded by Councilman M. Adams, it was upon roll call carried and the resolution was adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Arata, Annan, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

****

RESOLUTION NO. 10,035-N.S.

A RESOLUTION AUTHORIZING THE CITY ATTORNEY TO PREPARE RESOLUTION ESTABLISHING POLICY OF COUNCIL FOR FUTURE ACQUISITION OF LAND TO BE USED FOR PARKS FOR NEW AREAS ANNEXING TO THE CITY

---oOo---

BE IT HEREBY RESOLVED that the City Attorney be and he is hereby directed to prepare a resolution establishing the policy of the Council for the future acquisition of land to be used for parks for new areas annexing to the city.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of December, 1952 by Councilman Arata, who moved its adoption, which motion being duly seconded by Councilman Merrill, it was upon roll call carried and the resolution was adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

****

RESOLUTION NO. 10,036-N.S.

A RESOLUTION REFERRING TO THE MODESTO CITY PLANNING COMMISSION A REQUEST FOR CONSENT TO ANNEX CERTAIN INHABITED TERRITORY TO THE CITY OF MODESTO

---oOo---

WHEREAS, a request has been filed by certain persons residing therein, stating that they desire to commence proceedings to annex certain inhabited territory to the City of Modesto, which territory is more specifically described herein after, and

WHEREAS, it appears that said territory is subdivided and contiguous to the City of Modesto, and

WHEREAS, the Council of the City of Modesto cannot consent to the commencement of proceedings to annex subdivided territory to the City until it has received a report or recommendation from the Modesto City Planning Commission,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that said request for consent to commence proceedings to annex the following described inhabited territory be referred to the Modesto City Planning Commission for its report or recommendation. The territory referred to is situated in the County of Stanislaus, State of California, and more particularly described as follows:

> All that certain real property and territory located in the Southeast one-quarter of Section 20, and the Southwest one-quarter of Section 21, Township 3 South, Range 9 East, M. D. B. & M., in the County of Stanislaus, State of California, and particularly bounded and described as follows, to-wit:
>
> Beginning on the existing City Limits at the Northeast corner of Lot 3 of Block 706 of the City of Modesto; thence Northerly 30 feet to a point on the center line of Griswold Avenue; thence Easterly 5 feet to a point on the west line of McHenry Avenue and 25 feet west of Southeast corner of Lot 2 as said McHenry Avenue and Lot 2 are shown on the map of Mission Grove Tract in Volume 8 of Maps at Page 50, Stanislaus County Records; thence along the west line of McHenry Avenue and 25 feet Westerly from and parallel to the Section line common to said Sections 20 and 21 Northerly to the Southerly line of Roseburg Avenue, said Southerly line of Roseburg Avenue being 20 feet Southerly from the East-West one-quarter Section line of Said Section 20; thence Easterly along said Southerly line at Roseburg Avenue, 20 feet South of and parallel to the East-West one-quarter Section line of said Section 20 and 21 to the Westerly line of Sunrise Avenue, said Westerly line of Sunrise Avenue being 20 feet Westerly at the North-South one-quarter Section line of said Section 21; thence Southerly along the Westerly line of Sunrise Avenue, 20 feet West of and parallel to the said North-South one-quarter Section line of said Section 21 to the Southerly right of way line of the Modesto Irrigation District Lateral #4 and the Northerly limits of the City of Modesto; thence Westerly along the Northerly City Limits line of the City of Modesto 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 10th day of December, 1952 by Councilman Merrill, who moved its adoption, which motion being duly seconded by Councilman R. Adams was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

****

RESOLUTION NO. 10,037-N.S.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MODESTO RELATING TO THE PROVISION OF A SUITABLE SITE FOR THE DISPOSAL OF REFUSE FROM THE CITY AND THE SURROUNDING AREA.

WHEREAS the people of Modesto are served by the Modesto Garbage Company for the purpose of disposing of their refuse, and

WHEREAS the present site which is being used by this company on Tuolumne River on Hatch Road is rapidly being exhausted, and

WHEREAS the Company has indicated that if another site is not obtained in the immediate future it may be necessary to burn the garbage at the site in order to dispose of it, and

WHEREAS the City Council, in view of the development of residential areas adjacent to this site, believes that this is not a suitable site for the disposal of refuse,

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Modesto does express its appreciation to the County Planning Commission and its staff for their cooperation and earnest efforts to make available an alternate site for the disposal of such refuse, and

BE IT FURTHER RESOLVED that the City Council of the City of Modesto does hereby urge the Board of Supervisors to make available an alternate site where such refuse may be placed, and

BE IT FURTHER RESOLVED that a committee of the Council, composed of Lyndall Merrill, Merrill Adams, and Clifford Annan, be directed to confer with the County Supervisors to stress the urgency of the provision of an alternate site and to offer their cooperation.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of December, 1952, by Councilman Merrill, who moved its adoption, which motion being duly seconded by Councilman Arata it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

****

RESOLUTION NO. 10,038-N.C.

A RESOLUTION ACCEPTING THE BID OF THE MIXERMOBILE SALES & SERVICE ON RUBBER TIRED TRACTOR LOADER

---oOo---

WHEREAS, the City Manager reported that bids on a rubber tired tractor loader had been opened at 3:00 P.M. Monday, Dec. 8, 1952 and that the Director of Public Works had recommended that the bid of the Mixermobile Sales & Service of $5,446.13, less $450.00 for trade-in allowance for city's 1947 Dodge Scoopmobile, making a net cost to the city of $4,996.13, be accepted as it was the lowest and best bid.

NOW THEREFORE BE IT HEREBY RESOLVED that the bid of the said Mixermobile Sales & Service of $4,996.13 for a rubber tired tractor loader be accepted as it is the lowest and best bid.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of December, 1952 by Councilman Arata, who moved its adoption, which motion being duly seconded by Councilman Annan, it was upon roll call carried and the resolution was adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

****

RESOLUTION NO. 10,039-N.S.

A RESOLUTION AWARDING BID ON TRAFFIC SIGNALS AND STREET LIGHTING AT McHENRY AND MORRIS AVENUES IN THE CITY OF MODESTO TO THE INDUSTRIAL ELECTRICAL COMPANY

---oOo---

WHEREAS, the City Manager has reported that bids for the constructing of traffic signals and street lighting at McHenry and Morris Avenue had been opened on Monday, Dec. 8, 1952 at 2:00 PM. and

WHEREAS the Director of Public Works has tabulated the bids and has recommended that the bid of $8,666.00 of the Industrial Electrical Company be accepted as it was the lowest bid

NOW THEREFORE BE IT RESOLVED that the bid of the Industrial Electrical Company be accepted for $8,666.00 as it was the lowest and best bid received.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of December, 1952 by Councilman Arata, who moved its adoption, which motion being duly seconded by Councilman M. Adams, it was upon roll call carried and the resolution was adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

****

RESOLUTION NO. 10,040-N.S.

A RESOLUTION AUTHORIZING THE CITY CLERK TO CALL FOR BIDS ON GASOLINE

---oOo---

BE IT HEREBY RESOLVED that the City Clerk be authorized to call for bids on approximately 25,000 gallons of first grade gasoline (Ethyl) and approximately 40,000 gallons of second grade gasoline (regular) during the period from Jan. 16, 1953 to Jan. 15, 1954, said bids to be opened on Monday, Jan. 5, 1954.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of December, 1952 by Councilman M. Adams, who moved its adoption, which motion being duly seconded by Councilman Mellis, it was upon roll call carried and the resolution was adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

****

RESOLUTION NO. 10,041-N.S.

A RESOLUTION CONSENTING TO COMMENCEMENT OF PROCEEDINGS TO ANNEX INHABITED TERRITORY TO THE CITY OF MODESTO UNDER THE ANNEXATION ACT OF 1913

WHEREAS, a Request for Consent to Commence Proceedings to Annex Certain Territory hereinafter described to the City of Modesto was filed with the Council of the City of Modesto on November 26, 1952, and

WHEREAS, said Council did refer said request to the City Planning Commission of Modesto for its report and recommendation on November 26, 1952, and

~~WHEREAS, said Council did refer said request to the City Planning Commission of Modesto for its report and recommendation on November 26, 1952, and~~

WHEREAS, on December 3, 1952 the Modesto City Planning Commission filed its report which states that the hereinafter described territory should be a part of the City of Modesto, and

WHEREAS, a description of the said territory proposed to be annexed has been submitted to the Boundary Commission of the County of Stanislaus, and

WHEREAS, said Commission has reported with respect to the definiteness and certainty of the proposed boundaries, and

WHEREAS, the territory proposed to be annexed is contiguous to theCity of Modesto, and is described as follows, to-wit:

> All that certain real property situated in the County of Stanislaus, State of California, described as follows:
>
> Beginning at the Northeasterly corner of the existing limits of the City of Modesto at the intersection of the South line of Fairmont Avenue with the West line of McHenry Avenue, said point being 25 feet West of the East line of Section 20, Township 3 South, Range 9 East, Mount Diablo

Base and Meridian; thence along said West line of McHenry Avenue, 25 feet Westerly and parallel to said East line of Section 20, North 2310 feet, more or less, to the intersection thereof with the South line of Orangeburg Avenue as said McHenry and Orangeburg Avenues are shown on map of Mensinger Tract No. 4 recorded in Volume 14 of Maps at Page 68, records of Stanislaus County; thence along the Southerly boundary of said Orangeburg Avenue Westerly 635.19 feet to the Easterly boundary of Mensinger Tract No. 2 according to the map thereof filed in Volume 11 of Maps at page 30, Records of Stanislaus County; thence along the Easterly boundary of said Mensinger Tract No. 2, Southerly 10 feet to the Southerly line of Orangeburg Avenue as shown on said Map of Mensinger Tract No. 2; thence along said Southerly line of Orangeburg Avenue Westerly 659.59 feet to the Westerly boundary of said Mensinger Tract No. 2 and the Easterly boundary of Monaco Tract as said Monaco Tract is shown on the map thereof filed in Volume 11 of Maps at page 67, Records of Stanislaus County; thence continuing along the Southerly line of Orangeburg Avenue as shown on said map of Monaco Tract Westerly 660.00 feet to the intersection thereof with the centerline of Enslen Avenue, said centerline of Enslen Avenue being the Westerly line of said Monaco Tract and the Easterly line of the James Tract as said James Tract is shown on the map thereof filed in Volume 11 of Maps at page 68, Records of Stanislaus County; thence continuing along the Southerly line of Orangeburg Avenue as shown on said map of James Tract Westerly 660.00 feet to the intersection thereof with the Westerly line of said James Tract said Westerly line being also the Easterly line of the right of way of the Tidewater Southern Railroad and the North-South 1/4 section line of said Section 20; thence along said 1/4 section line North 10 feet to a point 20 feet South of the centerline of Orangeburg Avenue said centerline being the Northerly East-West 1/4 1/4 section line of said Section 20; thence Westerly at a distance 20 feet Southerly and parallel with said centerline of Orangeburg Avenue to a point on the Westerly line of said right of way of the Tidewater Southern Railroad said point also being the Northeast corner of Block 6050 of the City of Modesto; thence along the existing limits of the City of Modesto as follows: Southerly to the South line of Griswold Avenue, Easterly to the East line of Magnolia Avenue, Northerly to the South line of Fairmont Avenue, and Easterly to the point of beginning.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Modesto does hereby give its consent to the commencement of proceedings to annex the territory described in said request and herein described to the City of Modesto and consents to the publication by the proponents for annexation of Notice of Intention to Circulate Petition.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of December, 1952, by Councilman Merrill, who moved its adoption, which motion being duly seconded by Councilman R. Adams, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

****

RESOLUTION NO. 10,042-N.S.

A RESOLUTION AUTHORIZING THE RENEWAL OF LEASE WITH ELVIN YORK ON PERCOLATION BEDS AT THE SEWER PLANT OF THE CITY OF MODESTO

---oOo---

BE IT HEREBY RESOLVED that the renewal of the lease with Elvin York on the percolation beds at the sewer plant of the City of Modesto be approved for the 1953 planting season.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of December, 1952 by Councilman Mellis, who moved its adoption, which motion being duly seconded by Councilman R. Adams, it was upon roll call carried and the resolution was adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 10,043-N.S.

A RESOLUTION REAPPOINTING MEMBERS OF THE PERSONNEL COMMISSION OF THE CITY OF MODESTO

---oOo---

WHEREAS, Section 1102 of the Charter of the City of Modesto provides that members of boards of commissions be appointed to serve for a term of four years, said terms to expire on January 1st, under a plan for staggered terms, and

WHEREAS, it is necessary and desirable that the appointment of members of the Personnel Commission of the City of Modesto be clarified to conform with the provisions of said Charter,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the following named persons be reappointed to the Personnel Commission as follows and that the term of office for their respective appointments be terminated as herein specified:

Name	Expiration Date
Ray W. Jones	January 1, 1953
Fred D. Condit	January 1, 1955
Frank C. Damrell	January 1, 1956

BE IT FURTHER RESOLVED that all resolutions in conflict with this resolution are hereby repealed.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of December, 1952 by Councilman Merrill, who moved its adoption, which motion being duly seconded by Councilman R. Adams, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

****

RESOLUTION NO. 10,044-N.S.

A RESOLUTION ESTABLISHING A SPECIAL PARKING ZONE IN FRONT OF THE WASHINGTON SCHOOL ON WASHINGTON STREET IN THE CITY OF MODESTO

---oOo---

WHEREAS, treatments for the care of physically handicapped children are rendered in the premisses known as the Washington School, located on Washington Street in the City of Modesto, and

WHEREAS, it is necessary that these children be taken to and removed from the Washington School in order to obtain such treatments, and

WHEREAS, the parking facilities to accommodate the transportation of these children to and from the school are inadequate,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that a special parking zone, consiting of four(4) angle parking spaces, be established in front of the Washington School on Washington Street, to be located as follows:

Commencing fifty-seven (57') feet north of the alley in Block 400 and ending one hundred eleven (111') feet north of said alley.

BE IT FURTHER RESOLVED that the use of said special parking zone between 9:00 A.M. and 5:00 P.M., five days a week, shall be limited to the parking of those vehicles which transport such children to and from said school for treatments.

BE IT FURTHER RESOLVED that no vehicle shall be parked in said special parking zone for a period longer than one hour.

BE IT FURTHER RESOLVED that the Chief of Police cause said special parking zone to be properly marked and signed in accordance with 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 10th day of December, 1952 by Councilman Mellis, who moved its adoption, which motion being duly seconded by Councilman R. Adams, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

****

RESOLUTION NO. 10,045-N.S.

A RESOLUTION APPROVING CLAIM OF CHAMBER OF COMMERCE AND RETAIL MERCHANTS BUREAU

---oOo---

WHEREAS the Chamber of Commerce has filed a report of activities for the quarter ending Sept. 30, 1952 in accordance with the provisions of the contract, and

WHEREAS a claim of $4,750.00 has been filed at this time by the Chamber of Commerce

NOW THEREFORE BE IT RESOLVED that the report filed by the Chamber of Commerce be approved and payment of the above claim be 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, 1952 by Councilman Mellis, who moved its adoption, which motion being duly seconded by Councilman Arata, it was upon roll call carried and the resolution was adopted by the following vote:

Ayes: Councilmen: M. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent;Councilmen: R. Adams

ATTEST: REX E. GAILFUS, CITY CLERK

****

RESOLUTION NO. 10,046-N.A.

A RESOLUTION AWARDING BID ON RUBBER-TIRED TRACTOR TO COMBER & MINDACH FARM MACHINERY COMPANY, INC.

---oOo---

WHEREAS, the City Manager has reported that bids for a new rubber-tired tractor had been opened at 10:00 A.M. December 15, 1952, and

WHEREAS the Director of Public Works has recommended that the bid of Comber & Mindach Farm Machinery Company, Inc., of $2,884.00, less trade-in on 1938 model BI John Deere Tractor of $225.00, making a net cost to the city of $2,659.00, be accepted as the equipment bid on met the requirements of the call for bids and it was the lowest bid

NOW THEREFORE BE IT RESOLVED that the bid of said company be accepted as it is the lowest and best bid received.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 17th day of December, 1952 by Councilman Mellis, who moved its adoption, which motion being duly seconded by Councilman Annan, it was upon roll call carried and the resolution was adopted by the following

vote:

Ayes: Councilmen: M. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: R. Adams

ATTEST: REX E. GAILFUS, CITY CLERK

****

RESOLUTION NO. 10,047-N.S.

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF $15,000 FOR ACQUISITION OF PARK SITE IN THE WEIL COLONY

---oOo---

BE IT HEREBY RESOLVED that the appropriation transfer be authorized of $15,000 00 from the General Reserve to the Capital Outlay, Park budget, for the acquisition of a park site in the Weil Colony from Lem and Nora Crook.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 17th day of December, 1952 by Councilman Arata, who moved its adoption, which motion being duly seconded by Councilman R. Adams, it was upon roll call carried and the resolution was adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

****

RESOLUTION NO. 10,048-N.S.

A RESOLUTION ACCEPTING ANNUAL AUDIT FROM C. D. NATTINGER, C.P.A. AND AUTHORIZE PAYMENT OF CLAIM FOR AUDIT

---oOo---

BE IT HEREBY RESOLVED that the audit of the accounts of the City of Modesto for the fiscal year ending June 30, 1952 completed by C. D. Nattinger, C.P.A. be accepted and payment for auditing services of $750.00 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, 1952 by Councilman Arata, who moved its adoption, which motion being duly seconded by Councilman R. Adams, it was upon roll call carried, and the resolution was adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

****

RESOLUTION NO. 10,049

A RESOLUTION SETTING FORTH THE POLICY OF THE COUNCIL OF THE CITY OF MODESTO RELATING TO THE PURCHASE OF PARK SITES IN AREAS ANNEXING TO THE CITY

---oOo---

WHEREAS, the City Council of the City of Modesto believes that parks are a necessary facility for a first-class community, and

WHEREAS, adequate provision has not been made for parks in much of the area outside of the City, and

WHEREAS, the City Council has publicly emphasized to all concerned the importance of acquiring land for parks in all of these areas while vacant land is still available,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it is the intention of the City Council to purchase the land necessary for parks in those areas which chose to become a part of the city, and

BE IT FURTHER RESOLVED that the Council accepts this responsibility for the provision of land in such areas coming into the City, provided that suitable sites are available at a reasonable price and the areas joining the city are of sufficient size to warrant the purchase of a park.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 17th day of December, 1952, by Councilman Arata, who moved its adoption, which motion being duly seconded by Councilman M. Adams, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

****

RESOLUTION NO. 10,050-N.S.

A RESOLUTION AUTHORIZING THE DIRECTOR OF PUBLIC WORKS TO CANCEL ERRONEOUS ASSESSMENTS OF PERSONAL PROPERTY ON UNSECURED ROLL OF 1952-53 FOR THE CITY OF MODESTO

---oOo---

BE IT HEREBY RESOLVED that the Director of Finance be and he is hereby authorized to cancel erroneous assessments of personal property on the 1952-53 unsecured roll for the City of Modesto, as shown on the list attached, in accordance with the policy of assessment of agricultural products in temporary storage at the site where they are grown.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 17th day of December, 1952 by Councilman Merrill, who moved its adoption, which motion being duly seconded by Councilman Annan, it was upon roll call carried and the resolution was adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

****

RESOLUTION NO. 10,051-N.S.

A RESOLUTION AUTHORIZING THE CANCELLATION OF CERTAIN ASSESSMENTS ON THE 1952-53 SECURED TAX ROLL WHICH HAD BEEN MADE IN ERROR

---oOo---

BE IT HEREBY RESOLVED that the cancellation of certain assessments on the 1952-53 secured tax roll be authorized, which had been made in error as listed on the attached statement from the Director of Finance and City Auditor.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 17th day of December, 1952 by Councilman Merrill, who moved its adoption, which motion being duly seconded by Councilman Annan, it was upon roll call carried and the resolution was adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 10,052-N.S.

A RESOLUTION ESTABLISHING THE POLICY OF THE CITY OF MODESTO WITH RESPECT TO PARTICIPATION IN THE COST OF PAVING ALLEYS IN THE CITY

---oOo---

WHEREAS, it is desirable that alleys in the City be paved, and

WHEREAS, such paving is of benefit to the entire City, the Council of the City of Modesto believes that the City should encourage such paving by sharing the cost of such improvements in order to provide an incentive,

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Modesto hereby declares the policy of the City to share the cost of improving alleys in the City to the extent of providing the grading for alley construction, provided, however, that the abutting property owners agree to complete the improvement at their own expense.

The foregoing resolution was introduced at an adjourned meeting of the Council of the City of Modesto held on the 23rd day of December, 1952, by Councilman M. Adams, who moved its adoption, which motion being duly seconded by Councilman Arata, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Arata, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: Annan and Mellis

ATTEST: REX E. GAILFUS, CITY CLERK

****

RESOLUTION NO. 10,053-N.S.

A RESOLUTION AUTHORIZING THE EXECUTION OF CONTRACTS FOR THE PURCHASE OF SUPPLIES AND MATERIALS AND THE DOING OF THE WORK NECESSARY TO COMPLETE THE CONSTRUCTION OF THE MADDUX YOUTH CENTER WITHOUT ADVERTISING FOR BIDS

---oOo---

WHEREAS, the completion of the Maddux Youth Center building located on City property in the West Side Park is urgently necessary for the preservation of life, health and property, and

WHEREAS, certain materials and labor required for the completion of this contract will be, for the most part, donated by local suppliers and labor organizations, and

WHEREAS, the building, when completed, will be devoted to recreational uses as a community enterprise, and

WHEREAS, it will be necessary for the City to furnish some materials and supplies and to have some work done to complete the project, if such materials, supplies and work are not furnished or donated by others, and

WHEREAS, Section 1307 of the Charter of the City of Modesto authorizes the purchase of materials necessary for public works projects without advertising for bids if such work is deemed by the Council to be of urgent necessity for the preservation of life, health or property and authorized by resolution passed by at least five affirmative votes of the Council,

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Modesto hereby declares that the furnishing of such materials, supplies and work by the City, as are required to complete the building, is urgently necessary for the preservation of life, health or property, and

BE IT FURTHER RESOLVED that the City Manager be, and he is hereby authorized to enter into contracts on behalf of the City to purchase such materials, supplies and to have such work done, at the best available prices, to complete the construction of said building, without advertising for bids.

The foregoing resolution was introduced at an adjourned meeting of the Council of the City of Modesto held on the 23rd day of December, 1952, by Councilman Arata, who moved its adoption, which motion being duly seconded by Councilman R. Adams, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

****

RESOLUTION NO. 10,054-N.S.

A RESOLUTION GRANTING REQUEST OF JAMES P. LUCIDO TO OPERATE A USED CAR LOT AT 1018 NEEDHAM AVENUE, IN THE CITY OF MODESTO

---oOo---

BE IT HEREBY RESOLVED that the application of James P. Lucido to operate a used car lot at 1018 Needham Avenue, in the City of Modesto be approved providing all provisions of ordinances relating to the operation of used car lots be complied with.

The foregoing resolution was introduced at an adjourned meeting of the Council of the City of Modesto held on the 23rd day of December, 1952 by Councilman Merrill, who moved its adoption, which motion being duly seconded by Councilman Annan, it was upon roll call carried and the resolution was adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

****

RESOLUTION NO. 10,055-N.S.

A RESOLUTION ACKNOWLEDGING RECEIPT OF A COPY OF NOTICE OF INTENTION TO CIRCULATE PETITIONS TO ANNEX TERRITORY TO THE CITY OF MODESTO AND APPROVING THE CIRCULATION OF PETITION,

---oOo---

WHEREAS, on December 18, 1952 Robert R. Moon, Harold G. Parkhurst, Paul H. Seely, R. J. Giddings, W. W. Giddings, Jr., G. P. Stone, Wm. Eaking, Ralph M. Brown, R. A. Johnson, Robert C. Barker, Mildred N. Frerichmann and R. F. Stultz published in the Modesto Journal and Valley Citizen, the official newspaper of the City of Modesto, a notice of intention to circulate a petition within said territory hereinafter described for the purpose of securing sufficient signatures to request the Council of the City of Modesto to call an election to determine whether the electors residing within said territory do or do not desire said territory to be annexed to the City of Modesto, and

WHEREAS, said territory is inhabited, and

WHEREAS, said notice contained the names of the proponents intending to circulate the petition and the specific boundaries of the territory proposed to be annexed and was accompanied by printed statement not exceeding 500 words in length containing reasons for the petition, and

WHEREAS, on December 22, 1952, and within ten days after publication of said notice, there was filed in the office of the City Clerk of the City of Modesto a copy of the notice and statement and an affidavit of the publication of said notice,

NOW, THERE, BE IT RESOLVED by the Council of the City of Modesto that the Council acknowledges receipt of the copy of the notice and accompanying statement and receipt of the affidavit of publication and said Council hereby approves the circulation of the petition for annexation within the territory described in said notice and hereinafter described, with the express understanding that in the event the territory herein described is annexed to and incorporated in and made a part of the City of Modesto, the said territory shall be subject to taxation for bonded indebtedness now owed by said municipal corporation or owing by said municipal corporation up to and including the day of the election, to determine whether or not the residents in the hereinafter described territory desire said property to be annexed to said City;

Said territory is described as follows:

All that certain real property situate in the County of Stanislaus, State of California, described as follows:

> Beginning at the Northeasterly corner of the existing limits of the City of Modesto at the intersection of the South line of Fairmont Avenue with the West line of McHenry Avenue, said point being 25 feet West of the East line of Section 20, Township 3 South, Range 9 East, Mount Diablo Base and Meridian; thence along said West line of McHenry Avenue, 25 feet Westerly and parallel to said East line of Section 20, North 2310 feet, more or less, to the intersection thereof with the South line of Orangeburg Avenue as said McHenry and Orangeburg Avenues are shown on map of Mensinger Tract No. 4 recorded in Volume 14 of Maps at Page 68, records of Stanislaus County; thence along the Southerly boundary of said Orangeburg Avenue Westerly 635.19 feet to the Easterly boundary of Mensinger Tract No. 2 according to the map thereof filed in Volume 11 of Maps at page 30, Records of Stanislaus County; thence along the Easterly boundary of said Mensinger Tract No. 2, Southerly 10 feet to the Southerly line of Orangeburg Avenue as shwon on said Map of Mensinger Tract No. 2.; thence along said Southerly line of Orangeburg Avenue Westerly 659.59 feet to the Westerly boundary of said Mensinger Tract No. 2 and the Easterly boundary of Monaco Tract as said Monaco Tract is shown on the map thereof filed in Volume 11 of Maps at page 67, Records of Stanislaus County; thence continuing along the Southerly line of Orangeburg Avenue as shown on said map of Monaco Tract Westerly 660.00 feet to the intersection thereof with the centerline of Enslen Avenue, said centerline of Enslen Avenue being the Westerly line of said Monaco Tract and the Easterly line of the James Tract as said James Tract is shown on the map thereof filed in Volume 11 of Maps at page 68, Records of Stanislaus County; thence continuing along the Southerly line of Orangeburg Avenue as shown on said map of James Tract Westerly 660.00 feet to the intersection thereof with the Westerly line of said James Tract said Westerly line being also the Easterly line of the right of way of the Tidewater Southern Railroad and the North-South 1/4 section line of said Section 20; thence along said 1/4 section line North 10 feet to a point 20 feet South of the centerline of Orangeburg Avenue said centerline being the Northerly East-West 1/4 1/4 section line of said Section 20; thence Westerly at a distance 20 feet Southerly and parallel with said centerline of Orangeburg Avenue to a point on the Westerly line of said right of way of the Tidewater Southern Railroad said point also being the Northeast corner of Block 6050 of the City of Modesto; thence along the existing limits of the City of Modesto as follows: Southerly to the South line of Griswold Avenue, Easterly to the East line of Magnolia Avenue, Northerly to the South line of Fairmont Avenue, and Easterly to the point of beginning.

The foregoing resolution was introduced at an adjourned meeting of the Council of the City of Modesto held on the 23rd day of December, 1952, by Councilman Arata, who moved its adoption, which motion being duly seconded by Councilman Merrill, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

****

RESOLUTION NO. 10,056-N.S.

A RESOLUTION CONSENTING TO COMMENCEMENT OF PROCEEDINGS TO ANNEX INHABITED TERRITORY TO THE CITY OF MODESTO UNDER THE ANNEXATION ACT OF 1913

---oOo---

WHEREAS, a Request for Consent to Commence Proceedings to Annex Certain Territory hereinafter described to the City of Modesto was filed with the Council of the City of Modesto on December 10, 1952, and

WHEREAS, said Council did refer said request to the City Planning Commission of Modesto for its report and recommendation on December 10, 1952, and

WHEREAS, on December 23, 1952 the Modesto City Planning Commission filed its report and recommended that consent be granted for the initiation of proceedings to annex the hereinafter described territory and has further recommended the annexation of said territory to the City of Modesto, and

WHEREAS, a description of the said territory proposed to be annexed has been submitted to the Boundary Commission of the County of Stanislaus, and

WHEREAS, said Commission has reported with respect to the definiteness and certainty of the proposed boundaries, and

WHEREAS, the territory proposed to be annexed is contiguous to the City of Modesto, and is described as follows, to-wit:

> All that certain real property and territory located in the Southeast one-quarter of Section 20, and the Southwest one-quarter of Section 21, Township 3 South, Range 9 East, M. D. B. & M., in the County of Stanislaus, State of California, and particularly bounded and described as follows, to-wit:
>
> Beginning on the existing City Limits at the Northeast corner of Lot 3 of Block 706 of the City of Modesto; thence Northerly 30 feet to a point on the center line of Griswold Avenue; thence Easterly 5 feet to a point on the west line of McHenry Avenue and 25 feet west of Southeast corner of Lot 2 as said Avenue and Lot 2 are shown on the map of Mission Grove Tract in Volume 8 of Maps at Page 50, Stanislaus County Records; thence along the west line of McHenry Avenue and 25 feet Westerly from and parallel to the Section line common to said Sections 20 and 21 Northerly to the Southerly line of Roseburg Avenue, said Southerly line of Roseburg Avenue being 20 feet Southerly from the East West one-quarter Section line of said Section 20; thence Easterly along said Southerly line at Roseburg Avenue, 20 feet South of and parallel to the East-West one-quarter Section line of said Section 20 and 21 to the Westerly line of Sunrise Avenue, said Westerly line of Sunrise Avenue being 20 feet Westerly at the North-South one-quarter Section line of said Section 21; thence Southerly along the Westerly line of Sunrise Avenue, 20 feet West of and parallel to the said North-South one-quarter Section line of said Section 21 to the Southerly right of way line of the Modesto Irrigation District Lateral #4 and the Northerly limits of the City of Modesto; thence Westerly along the Northerly City Limit line of the City of Modesto to the point of beginning.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Modesto does hereby give its consent to the commencement of proceedings to annex the territory described in said request and herein described to the City of Modesto and consents to the publication by the proponents for annexation of Notice of Intention to Circulate Petition.

The foregoing resolution was introduced at an adjourned meeting of the Council of the City of Modesto held on the 23rd day of December, 1952, by Councilman Annan, who moved its adoption, which motion being duly seconded by Councilman M. Adams, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 10,057-N.S.

A RESOLUTION AWARDING BID ON MATERIAL FOR HANGARS TO DRESSER-STACEY COMPANY

---oOo---

BE IT HEREBY RESOLVED that the bid of $18,540.00 of the Dresser-Stacey Company, Ideco Division, for materials to be used in the construction of a 10 unit portable steel T. Hangar at the Modesto Municipal Airport and which is to be delivered to and unloaded at the airport, be accepted as the bidder is a responsible bidder.

The foregoing resolution was introduced at an adjourned meeting of the Council of the City of Modesto held on the 23rd day of December, 1952 by Councilman R. Adams, who moved its adoption, which motion being duly seconded by Councilman Merrill, it was upon roll call carried and the resolution was adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: Mellis

ATTEST: REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 10,058-N.S.

A RESOLUTION AWARDING BID ON CONSTRUCTION OF A SANITARY SEWER TRUNK LINE ON EMERALD AVENUE AND MAZE BOULEVARD TO THE ATLAS PIPE COMPANY

---oOo---

BE IT HEREBY RESOLVED that the bid of $8,089.85 of the Atlas Pipe Company of Walnut Creek for the construction of sanitary sewer trunk line on Emerald Avenue and Maze Boulevard be and it is hereby accepted since this bid was the lowest and best bid received.

The foregoing resolution was introduced at an adjourned meeting of the Council of the City of Modesto held on the 23rd day of December, 1952 by Councilman Merrill, who moved its adoption, which motion being duly seconded by Councilman M. Adams, it was upon roll call carried and the resolution was adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Arata, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: Mellis

ATTEST: REX E. GAILFUS, CITY CLERK

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