
RESOLUTION NO. 5778-N.S.

A RESOLUTION PROVIDING FOR COLLECTION OF VICTORY TAX FROM EMPLOYEES OF THE CITY OF
MODESTO, AND THE DISPOSITION THEREOF

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WHEREAS, the Revenue Act of 1942 imposes a levy of 5% on the gross income,

defined as the victory tax net income, of every individual, which is required to be collected at the source by employers: and,

WHEREAS, municipal employees are subject to the tax and municipalities are made withholding agents and required to withhold such tax and to return and pay over the proceeds thereof to the Federal Government; and,

WHEREAS, the tax attaches to all wages paid as income after January 1, 1943, regardless of when they are earned; and,

WHEREAS, deductions, at the option of the employer, may be computed on the amount actually paid at any payroll period or upon the basis of wage bracket withholdings set forth in the Act Section 466 (c) (1) for any payroll period:

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MODESTO DOES HEREBY RESOLVE as follows:

That, beginning with the first payroll after January 1, 1943, the City Auditor is hereby authorized and directed to deduct and withhold from the wages or salary paid to each officer or employee of the City the Victory Tax in such an amount as is required by the Revenue Act of 1942 based on the wage bracket withholding authorized under Section 466 (c) (1) of that Act, (or 5% of the amount actually paid at any payroll period) on every payroll.

The City Auditor, at the time of making up the payroll or immediately thereafter, shall transfer the monies deducted therefrom under the provisions of this resolution to the City Treasurer for deposit in a separate account in the Anglo California National Bank of Modesto, California, where they shall be deposited and designated as a "Victory Tax Account, held for the benefit of the Collector of Internal Revenue." The monies accumulated from such withholdings during each quarter of the calendar year shall be paid by the City Treasurer to the United States Collector of Internal Revenue for the District in which this City is located on or before the last day of the month following the close of any such quarter.

On or before January 31st of each year subsequent to 1943, or when the last payment of wages is made, if employment is terminated before the close of the calendar year, the Auditor shall furnish to each employee with respect to his employment during the calendar year, a written statement showing the wages for the period covered and the amount of the tax withheld and paid in respect to such wages. A copy of this statement for every employee shall be included with the final return for the calendar year to the Collector of Internal Revenue. The aforesaid officer shall keep such records and make such reports to the Bureau of Internal Revenue of wages paid and the tax collected and paid with respect thereto as that Bureau may require and prescribe.

The taxes to be withheld and collected under this resolution shall not apply to any taxable year commencing after the date of cessation of hostilities in the present war and the account established for the receiving of the tax funds hereunder shall be closed with the last payment to the Federal Government of the funds withheld. The operation of this resolution shall terminate at that time or sooner if the victory tax is terminated by Federal action prior to that time.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 6th day of January, 1943 by Councilman Neece, who moved its adoption, which motion was duly seconded, upon roll call carried, and the resolution adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST ELMER J. BLUM, CITY CLERK

RESOLUTION NO. 5779-N.S.

A RESOLUTION APPOINTING MAYOR AS SIGNATORY OFFICIAL OF LEASE BETWEEN THE CITY OF MODESTO, CALIFORNIA AND THE UNITED STATES OF AMERICA AND ADDING A RIDER THERETO

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WHEREAS, a lease on the Municipal Airport has been presented to the Council of the City of Modesto for approval and acceptance by the United States of America, and

WHEREAS, section 17 of said lease provides that the lease does not include nor apply to the hangar, 60 feet wide by 100 feet long, located on the demised premises leased to the Hawke Crop Dusting Company, and

WHEREAS, the said Hawke Crop Dusting Company have requested that they be permitted to use the runways of the airport for their planes,

BE IT, AND IT IS HEREBY RESOLVED that a rider be added to section 17 of said lease to read as follows:

" But said lease does include the right heretofore granted and now granted to the Hawke Crop Dusting Company, permitting said Company the right of ingress to and egress from said hangar, with the dusting airplanes of said Company over and upon said Airport as heretofore and now enjoyed by said Company. Said Government may designate such portion of said area to be used for the purposes aforesaid by said Hawke Crop Dusting Company."

BE IT, AND IT IS HEREBY FURTHER RESOLVED that said lease be and it is hereby approved and accepted and the Mayor of said City be and he is hereby authorized, empowered and directed to subscribe and execute said lease between the City of Modesto, California, a Municipal Corporation, incorporated under the laws of the State of California and the United States of America for the Municipal Airport, dated March 25, 1942.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 6th day of January, 1943 by Commissioner Bates, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution was adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST ELMER J. BLUM, CITY CLERK

RESOLUTION NO. 5780-N.S.

A RESOLUTION GRANTING PERMIT TO THE MODESTO JUNIOR COLLEGE TO PLACE BANNER ACROSS I STREET BETWEEN NINTH AND TENTH STREETS IN THE CITY OF MODESTO

---oOo---

BE IT HEREBY RESOLVED that the request of the Modesto Junior College to place banner across I Street, between Ninth and Tenth Streets advertising their activities, be and it is hereby granted.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 6th day of January, 1943 by Commissioner Bates, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution was adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST ELMER J. BLUM, CITY CLERK

RESOLUTION NO. 5781-N.S.

A RESOLUTION APPOINTING HERBERT RAMONT ON PLANNING COMMISSION

---oOo---

BE IT HEREBY RESOLVED that Herbert Ramont be reappointed a member of the Planning Commission for a term of four years from January 10, 1943.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 6th day of January, 1943 by Commissioner Bates, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST ELMER J. BLUM, CITY CLERK

RESOLUTION NO. 5782-N.S.

A RESOLUTION ACCEPTING RESIGNATION OF FRED HAWKINS FROM THE POLICE DEPARTMENT OF THE CITY OF MODESTO.

---oOo---

BE IT HEREBY RESOLVED that the resignation of Fred Hawkins from the Police Department of the City of Modesto, effective January 15, 1943, be and it is hereby accepted.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 6th day of January, 1943 by Commissioner Stanley, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution was adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST ELMER J. BLUM, CITY CLERK

RESOLUTION NO. 5784-N.S.

A RESOLUTION SETTING RATE OF PAY FOR VOLUNTEER FIREMEN IN THE CITY OF MODESTO

---oOo---

WHEREAS, it appears that the Modesto Fire Department does employ volunteer firemen, and

WHEREAS each of said voluntary firemen are paid the following compensation for said services, to-wit:

\$1.00 for attending fires at night time where the total loss is less than \$100.00, and

\$2.50 for attending any fire where the total loss equals or exceeds \$100.00, and

WHEREAS, it is deemed that said compensation is not adequate

NOW, THEREFORE, BE IT, AND IT IS HEREBY RESOLVED that from and after this date each volunteer fireman shall be paid by said City of Modesto, the following compensation for such services to-wit:

\$2.50 for attending fires at night time where the total loss is less than \$100 00, and

\$5.00 for attending any fire where the total loss equals or exceeds \$100.00

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 6th day of January, 1943 by Commissioner Stanley, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST ELMER J. BLUM, CITY CLERK

RESOLUTION NO. 5783-N.S.

A RESOLUTION PROVIDING FOR THE LOCATION OF LOADING ZONES ON F STREET, NEAR NINTH STREET IN THE CITY OF MODESTO

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WHEREAS traffic conditions at and near the place hereinafter designated on F Street near Ninth Street, in the City of Modesto are becoming hazardous, due to increased automobile travel at and in the region of said described area:

NOW, THEREFORE, IT IS HEREBY RESOLVED and there is hereby created loading zones as follows:

Beginning at a point on the southeasterly curb of F Street at a distance of 4.7 feet Northeasterly from the Northeasterly property line of Ninth Street; thence Northeasterly along said Southeasterly curb of F Street, a distance of 15 feet to the end of said parking space.

Beginning at a point on the Southeasterly curb of F Street, at a distance of 60 feet Northeasterly from the Northeasterly property line of 9th Street; thence Northeasterly along said Southeasterly curb of F Street, a distance of 34 feet to the end of said parking space.

In said designated area trucks and other vehicles discharging or picking up baggage, goods, wares and merchandise shall stop for a period of time no longer than twenty (20) consecutive minutes

BE IT FURTHER RESOLVED that 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 trucks and other vehicles.

This resolution shall be effective as soon as the spaces herein designated are properly marked and designated by said City Engineer of the City of Modesto.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 6th day of January, 1943 by Councilman Burge, who moved its adoption, which motion being duly seconded, it was upon roll call

carried and the resolution adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST ELMER J. BLUM, CITY CLERK

RESOLUTION NO. 5785-N.S.

A RESOLUTION MOVING TAXI STAND OF JOE'S TAXICAB COMPANY TO G STREET FROM TENTH STREET IN THE CITY OF MODESTO

---oOo---

BE IT HEREBY RESOLVED that the taxi stand now located on Tenth Street at G Street, being operated by Joe Sequira be moved to the north side of G Street at Tenth Street and that the three spaces on the west side of Tenth Street, at the intersection of G Street, in front of the Pacific Greyhound Company be made ten minute loading zones and the City Engineer was instructed to erect the necessary signs.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 6th day of January, 1943 by Commissioner Stanley, who moved its adoption which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST ELMER J. BLUM, CITY CLERK

RESOLUTION NO. 5786-N.S.

ADJOURNMENT

BE IT HEREBY RESOLVED that this Council meeting now in session adjourn.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 6th day of January, 1943 by Commissioner Burge, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST ELMER J. BLUM, CITY CLERK

RESOLUTION NO. 5787-N.S.

A RESOLUTION GRANTING REQUEST OF JOE SEQUEIRA TO RETURN TAXI STAND TO TENTH STREET NEAR G STREET

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WHEREAS, pursuant to request of Joe Sequira, operator of the Joe's Taxi Service at Tenth and G Streets that his taxi stand be returned to the former location on Tenth Street near G Street

BE IT HEREBY RESOLVED that Resolution No. 5785-N.S. adopted at the special meeting of the Council on January 6, 1943 be rescinded and the City Engineer

be directed to remark the first space on the west side of Tenth Street at G Street for the use of Joe's Taxi Service.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of January, 1943 by Commissioner Stanley, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST ELMER J. BLUM, CITY CLERK

RESOLUTION NO. 5788-N.S.

A RESOLUTION ESTABLISHING TEN MINUTE PARKING ZONES ON TENTH STREET NEAR G STREET AND ON G STREETS NEAR TENTH STREET

---oOoo---

WHEREAS, it appears to the City Council of the City of Modesto that the general welfare and safety of the citizens of said City of Modesto require that the time for parking vehicles in the hereinafter designated space be set at ten (10) minutes; and

WHEREAS, under and by virtue of the provisions of Ordinance No. 544-N.S. duly and regularly adopted by the City Council of the City of Modesto, said City Council has the power when and if the general welfare and safety of the citizens of the City of Modesto so require it, to increase or diminish the time for which vehicles may be parked on the public streets of the business district of the City of Modesto;

7 NOW, THEREFORE, BE IT RESOLVED AND ORDERED by said City Council that in the spaces hereinafter set forth, the parking time of all vehicles parked in said spaces shall be no longer than ten (10) consecutive minutes at any time during the day or night. Said ten (10) minute parking spaces hereby created shall be located and established as follows, to-wit:

Beginning at a point on the Southwesterly curb of 10th Street, at a distance of 16.4 feet Northwesterly from the Northwesterly property line of G Street; thence Northwesterly along said Southwesterly curb of Tenth Street, a distance of 20.6 feet to the end of said parking space.

Beginning at a point on the Southwesterly curb of Tenth Street, at a distance of 37 feet Northwesterly from the Northwesterly property line of G Street, thence Northwesterly along said Southwesterly curb of Tenth Street, a distance of 16 feet to the end of said parking space.

Beginning at a point on the Northwesterly curb of G Street, at a distance of 20 feet Southwesterly from the Southwesterly property line of Tenth Street, thence Southwesterly along said Northwesterly curb of G Street, a distance of 20.3 feet to the end of said parking space.

Beginning at a point on the Northwesterly curb of G Street, at a distance of 2.4 feet Southwesterly from the Southwesterly property line of 10th Street; thence Southwesterly along said Northwesterly curb of G Street, a distance of 17.6 feet to the end of said parking space.

BE IT FURTHER RESOLVED that 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 spaces herein designated shall be used by the operators of vehicles for the period herein set forth.

This resolution shall be effective as soon as the parking spaces herein designated are properly marked and designated by the said City Engineer 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 January, 1943 by Commissioner Stanley, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST ELMER J. BLUM, CITY CLERK

RESOLUTION NO. 5789-N.S.

A RESOLUTION ALLOWING CLAIMS FOR MONTH OF DECEMBER, 1942

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WHEREAS, the claims against the City of Modesto for the month of December, 1942, for the various sums in the aggregate hereinafter stated having been audited by the Council and found to be correct;

NOW THEREFORE, BE IT RESOLVED that all of said claims so audited and approved be and they are hereby ordered allowed, with reference being made to the Auditor's Cash Records for further details relative to amounts of withdrawals from the various funds as follows:

GENERAL FUND-----	\$24,374.33
WATER FUND-----	2,948.76
LIBRARY FUND-----	1,286.37
BOND RED. INT. FUND-----	3,000.00
TOTAL-----	\$21,609.46

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of January, 1943 by Commissioner Neece, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST ELMER J. BLUM, CITY CLERK

RESOLUTION NO. 5790-N.S.

A RESOLUTION REAPPOINTING JOE PEARSON ON PERSONNEL BOARD OF THE CITY OF MODESTO FOR A SIX YEAR TERM

---oOo---

BE IT HEREBY RESOLVED that Joe Pearson be reappointed a member of the Personnel Board of the City of Modesto for a term of six years from January 15, 1943, as provided by section 2 of Ordinance No. 602-N.S.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of January, 1943 by Commissioner Stanley, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

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

ATTEST ELMER J. BLUM, CITY CLERK

RESOLUTION NO. 5792-N.S.

ADJOURNMENT

BE IT HEREBY RESOLVED that this Council meeting now in session adjourn.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of January, 1943 by Commissioner Neece, who moved its adoption which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

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

ATTEST ELMER J. BLUM, CITY CLERK

RESOLUTION NO. 5791-N.S.

A RESOLUTION AMENDING RESOLUTION NO. 4295-N.S. AND RESCINDING RESOLUTION NO. 5368-N.S. DETERMINING PREVAILING RATE OF PER DIEM WAGES FOR CERTAIN CLASSIFICATIONS ON PUBLIC WORKS PERFORMED UNDER CONTRACT IN THE CITY OF MODESTO

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BE IT RESOLVED THAT, RESOLUTION NO. 4295-N.S. of the Council of the City of Modesto is hereby amended for the classifications as shown herein:

Classification	Rate per Diem	Rate per hour
Asphalt Plant Operators	\$12.00	\$1.50
Asphalt Feeders	8.00	1.00
Asphalt Rakers	8.00	1.00
Asphalt Scale Men	6.00	.75
Carpenters	10.00	1.25
Cement Finishers	10.00	1.25
Cement Workers	7 00	.875
Common Laborers	8.00	1.00
Operators, Rollers and Tractors	12.00	1.50
Operators, Motor Graders and Power Shovels	13.00	1.62½
Firemen, Asphalt Plant	8.00	1.00
Grader men, Pull Type	8.00	1.00
Jack Hammer Men	8.00	1.00

Truck Drivers, Dump Truck 4 yd.	8.50	1.06½
Watchmen	6.00	.75

The foregoing Resolution was introduced at the regular meeting of the Council of the City of Modesto held on the 13th day of January, 1943, by Commissioner Bates, who moved its adoption, which motion was duly seconded, and, upon roll call, adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST ELMER J. BLUM, CITY CLERK

RESOLUTION NO. 5793-N.S.

A RESOLUTION GRANTING PERMIT TO VALENTINE COLE TO OPERATE A BUSINESS IN A RESIDENCE DISTRICT AT 216 HACKBERRY AVENUE

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WHEREAS, pursuant to requesting Mrs. Valentine Cole to appear before the Council and explain the nature of proposed business, and

WHEREAS there have been no protests to the operation of this type of business in the residential district and the Planning Commission have recommended the granting of permit,

BE IT HEREBY RESOLVED that permit be granted to Valentine Cole to operate a body culture studio at 216 Hackberry Avenue,

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 20th day of January, 1943 by Commissioner Neece, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution was adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: Bates

ATTEST ELMER J. BLUM, CITY CLERK

RESOLUTION NO. 5794-N.S.

A RESOLUTION OF INTENTION TO SUBMIT TO THE QUALIFIED ELECTORS AN ORDINANCE PROVIDING FOR PARTICIPATION IN STATE EMPLOYEES' RETIREMENT SYSTEM: PROVIDING MEANS FOR FINANCING PLAN AND PROVIDING FOR EMPLOYEES' ELECTION

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WHEREAS, the City Council of the City of Modesto has heretofore received from the Board of Administration of the State employees' Retirement System a quotation of the approximate contribution required of said City of Modesto in order to participate in said retirement system; and,

WHEREAS, it is the intention of said City Council to submit to the qualified electors of said City an ordinance of said City authorizing and empowering said City Council on behalf of said City to enter into a contract with said Board of Administration of the State Employees' Retirement System for the purpose of placing all employees of said City under said State Employees' Retirement System, with the

exception of the members of the Modesto Police Department and the members of the Modesto Fire Department and City Library Employees, and providing a means for financing said plan; and,

WHEREAS, it is provided that said contract shall not be approved unless and until an election has been held to permit the said employees to be included in said retirement system to express by secret ballot their approval or disapproval of said retirement proposal; and,

WHEREAS, the following is a summary of the major provisions of the proposed retirement system:

- 1-The system is administered by a board of eight members, composed of three members of the system, an official of a bank, an official of an insurance company, the Director of Finance, a member of the State Personnel Board, and an official of the University of California.
- 2-Retirement for service is optional upon attainment of an age which shall not be less than 55 or more than 60, as provided in said contract, by city firemen and city policemen, and age 60 by other employees, and completion of twenty years of service for the municipal corporation, and is compulsory at age 65 for city firemen and city policemen, and at age 70 for other employees.
- 3-The monthly retirement allowance payable upon retirement for service is dependent upon such factors as age, sex, salary and years of service. For city firemen and city policemen, retiring at the optional age in paragraph 2, or at a higher age with twenty years of service, the monthly allowance is approximately one-half the average monthly salary during the five years immediately preceding retirement. For other city employees, the monthly allowance, upon retirement at age 65, is approximately 1/70th of the average monthly salary during the five years immediately preceding retirement, for each year of service after the effective date of participation, plus approximately 1/70th, or less as may be provided in said contract by the municipal corporation for its employees of the average monthly salary during the three years immediately preceding the effective date of participation, for each year of service prior to that date.
- 4- Retirement for disability, except in the case of city firemen and city Policemen disabled from injury arising out of and in the course of employment, is permitted only after ten years of service and upon proof of incapacity for the performance of duty.
- 5-The monthly retirement allowance payable upon disability retirement, described in preceding item 4 is dependent upon such factors as age, salary and years of service, but generally is equal to 90% of 1/70th of the average monthly salary during the five years immediately preceding retirement, for each year of service, with a guarantee of 25% of said salary, subject to certain restrictions and modifications.
- 6-Disability retirement of city firemen and city policemen, in the event of disability arising out of and in the course of employment, is permitted regardless of age and service, the monthly retirement allowance being one-half the average monthly salary during the five years immediately preceding retirement.
- 7-The benefit payable at death, except in the case of city firemen and city

policemen dying from injury arising out of and in the course of employment, consists of the contributions of the member plus interest, and plus 1/12th of the member's annual salary during the year immediately preceding death, for each year, not exceeding six years, of service as a member of the system.

8-The monthly allowance payable to the widow and children, at the death of city fireman and city policemen arising out of and in the course of employment, is one-half the average monthly salary during the five years immediately preceding death.

9-The benefit upon separation from service by other cause than death or retirement, is the refund of the member's contributions, with interest.

10-Contributions required of city firemen and city policemen, without credit for prior service, depend upon salary and upon age of entry into the retirement system, the contributions per \$100 of salary varying from \$4.69 at entry age 21, to \$8.42 at entry age 35, for example. Contributions of firemen and policemen having credit for prior service, depend on salary, entry age and amount of prior service, the amount of contribution per \$100 being \$13.28, for example at entry age 59, with 19 years of prior service.

11-For other city employees, the contributions depend upon sex, salary and age of entry into the service, the contributions, varying from \$3.77 at age 20, to \$6.82 at age 64, for men, and from \$4.59 at age 20, to \$7.60 at age 64 for women.

12-The city is required to contribute the balance of the funds necessary to meet the cost of the benefits provided under the retirement system for the city's employees, The city also is required to pay its proportionate share of the administrative costs of the system.

13-Ability of the Retirement System to pay benefits is safeguarded by a provision authorizing the Board of Administration to revise contributions of both employees and the city, in the light of experience under the system.

NOW, THEREFORE, BE IT, AND IT IS HEREBY RESOLVED, that an election be held to permit said employees of said City to be included in said retirement system to express by secret ballot their approval or disapproval of said retirement proposal;

AND BE IT FURTHER RESOLVED, that said election be, and the same shall be held on the 26th day of January, 1943, at the City Hall between the hours of 8:00 o'clock A.M. and 5:00 o'clock P.M., for the purpose of permitting said employees to vote by secret ballot their approval or disapproval of said retirement proposal.

AND BE IT FURTHER RESOLVED that notices, in writing, of said election be posted four days before the day fixed for said election at the following places within said City, to-wit:

One notice at the office of the Department of Public Works;

One notice at the office of the City Clerk of said City:

One notice at the City Yards on Tenth Street, between C and D Streets in said city;

One notice at Pump Station No. 4;

One notice at the Municipal Corporation Yard on Eighth Street between K and L Streets in said City; and

One notice at the City Work Shop on the Municipal Golf Course in said City.

BE IT FURTHER RESOLVED, that the Board of Election officers conducting said election shall consist of three members, one Inspector, One judge and one Clerk and the following named officers, to-wit, the City Clerk and City Engineer, are hereby appointed by this Council a committee of two, with full power and authority to select and appoint said election officers for the purpose of conducting said election.

BE IT FURTHER RESOLVED, that when said Committee shall have selected and appointed said officers of election, said officers shall hold and conduct said election at the place and time herein set forth, and as soon as the polls are closed said officers shall immediately canvass the votes cast. Said canvass shall be continued without adjournment until completed and the result of said election is declared.

BE IT FURTHER RESOLVED, that before said Board of Election adjourns it shall transmit in a sealed envelope to the City Clerk of said City a statement of the total votes cast at said election and the result thereof, together with all ballots cast at said election.

BE IT FURTHER RESOLVED, that the City Council of said City at its regular meeting on Wednesday, January 27, 1943, shall canvass said returns and declare the result of said election.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 20th day of January, 1943, by Councilman Burge, who moved its adoption, which motion was duly seconded, upon roll call carried, and the resolution adopted by the following vote:

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

Nees: Councilmen: None

Absent: Councilmen: Bates

ATTEST ELMER J. BLUM, CITY CLERK

RESOLUTION NO. 5795-N.S.

A RESOLUTION AUTHORIZING THE SALE OF MCCABE LATHE OF THE CITY OF MODESTO TO THE PACIFIC SAFE COMPANY OF REDWOOD CITY

---oOo---

BE IT HEREBY RESOLVED that the City of Modesto enter into a contract with the Pacific Safe Company of Redwood City for the sale of the McCabe Lathe, with option to repurchase after the completion of their contract with the Federal government, at a purchase price of \$1500.00 and that this fund be set aside to replace the machine when the war is over.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 20th day of January, 1943 by Commissioner Burge, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

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

Nees: Councilmen: None

Absent: Councilmen: Bates

ATTEST ELMER J. BLUM, CITY CLERK

RESOLUTION NO. 5796-N.S.

A RESOLUTION AUTHORIZING PAYMENT OF \$400.00 TO STANISLAUS COUNTY BOY'S BAND

BE IT HEREBY RESOLVED that the City Clerk and Auditor be authorized to draw warrant in amount \$400.00, as provided by Ordinance No. 665-N.S. to the Stanislaus County Boys' Band.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 20th day of January, 1943 by Commissioner Neece, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: Bates

ATTEST ELMER J. BLUM, CITY CLERK

RESOLUTION NO. 5797-N.S.

A RESOLUTION REVOKING TAXICAB DRIVER'S LICENSES OF BEN O BROUSE AND WALTER DESHANE

---oOo---

WHEREAS, pursuant to section 3 of Ordinance No. 522-N.S. Ben O. Brouse and Walter DeShane were given citations to show cause why their taxicab driver's licenses should not be revoked, and

WHEREAS, after hearing evidence, the Council have recommended that the taxicab driver's license of said Ben O. Brouse and Walter De Shane be cancelled as of this date,

BE IT HEREBY RESOLVED that the Treasurer and Tax Collector cancel said driver's licenses and mark the records accordingly

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 20th day of January, 1943 by Commissioner Stanley, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: Bates

ATTEST ELMER J. BLUM, CITY CLERK

RESOLUTION NO. 5798-N.S.

A RESOLUTION APPROVING RENTAL AGREEMENT FOR FLOOD LIGHTS BELONGING TO THE CITY OF MODESTO AT THE SOFT BALL FIELD TO THE ARMY BASE OF THE UNITED STATES WAR DEPARTMENT AT STOCKTON

---oOo---

BE IT HEREBY RESOLVED that the City Attorney and the City Engineer prepare an agreement for the renting of flood lights belonging to the City of Modesto at the Soft Ball Field to the Army Base of the United States War Department at Stockton.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 20th day of January, 1943 by Commissioner Neece, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

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

Noes: Councilmen: None

ABSENT: Councilmen: Bates

ATTEST ELMER J. BLUM, CITY CLERK

RESOLUTION NO. 5799-N.S.

ADJOURNMENT

BE IT HEREBY RESOLVED that this Council meeting now in session adjourn.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 20th day of January, 1943 by Commissioner Neece, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: Bates

ATTEST ELMER J. BLUM, CITY CLERK

RESOLUTION NO. 5800-N.S.

A RESOLUTION DETERMINING THE RESULT OF AN ELECTION OF THE EMPLOYEES OF THE CITY OF MODESTO

---oOo---

WHEREAS, an election of the Employees of the City of Modesto was held on the 26th day of January, 1943 at the City Hall pursuant to Resolution No. 5794-N.S. adopted at the special Council meeting held on January 20, 1943, and

WHEREAS, at the said election a certain proposition was proposed to the qualified employees of the City of Modesto, and

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

NOW, THEREFORE, BE IT RESOLVED, CERTIFIED AND DECLARED by the Council of the City of Modesto that the said election in and for the employees of the City of Modesto was regularly called, held and conducted and that the proper and complete returns thereof have been made and received by said Council and that the same have been properly canvassed and the said City Council, sitting as such canvassing board, as aforesaid, finds and declares that at said employees election the following proposition, to-wit:

Shall the City Employees of the City of Modesto be included in the State Employees' Retirement System?

received 81 votes, 53 for the proposition and 28 were cast against the proposition.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of January, 1943 by Councilman Burge, who moved its adoption, which motion being duly seconded, was upon roll call carried, and the resolution adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST ELMER J. BLUM, CITY CLERK

RESOLUTION NO. 5801-N.S.

ADJOURNMENT

BE IT HEREBY RESOLVED that this Council meeting now in session adjourn.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of January, 1943 by Commissioner Stanley, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST EIMER J. BLUM, CITY CLERK

RESOLUTION NO. 5802-N.S.

A RESOLUTION CALLING FOR THE PLACING OF CERTAIN MEASURES ON THE BALLOT FOR THE NEXT REGULAR MUNICIPAL ELECTION, THE PURPOSE OF WHICH MEASURES IS TO AMEND THE PROVISIONS OF SUBDIVISION 25 OF SECTION 6 OF ARTICLE IV: SECTION 67 OF ARTICLE XI OF THE CHARTER OF THE CITY OF MODESTO: AND BY ADDING A NEW SECTION TO SAID CHARTER TO BE NUMBERED 87½

---oOo---

WHEREAS, it appears to the City Council of the City of Modesto that it would be to the advantage, benefit and best interest of the citizens of said City of Modesto that the provisions of Subdivision 25 of Section 6 of Article IV of the Charter of the City of Modesto in relation to general election regulations be amended; and,

WHEREAS, it further appears to said City Council that under and by virtue of the provisions of Ordinance No. 676-N.S. of said City of Modesto, Section 67 of Article XI of the Charter of the City of Modesto, in relation to the granting of franchises by said City, should be amended; and,

WHEREAS, it further appears to said City Council that under and by virtue of the provisions of said Ordinance 676-N.S. the Charter of said City of Modesto should be amended by adding a new section thereto to be numbered 87½, to immediately follow Section 87 of said Article XI of said Charter:

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

That at the next regular municipal election in and for the City of Modesto, to be held on April 13, 1943, there be presented to the people of the City of Modesto for their approval or disapproval, as they may see fit, three proposed amendments to the Charter of the City of Modesto, to read as follows, to-wit:

PROPOSED CHARTER AMENDMENT NO. 1 Amend Subdivision 25 of Section 6 of Article IV of the Charter of the City of Modesto to read as follows: Subdivision 25. The provisions of the State law relating to the qualifications of electors, the manner of voting, the duties of election officers, the canvassing of returns, and all other particulars in respect to the management of elections, so far as they may be applicable, shall govern all municipal elections, provided that the Council shall meet as a canvassing board and duly canvass the election returns within eight days after any municipal election, except as otherwise in this Charter provided.

PROPOSED CHARTER AMENDMENT NO. 2. Amend Section 67 of Article XI of said Charter of the City of Modesto to read as follows:

Section 67. Every franchise or privilege for the use of any streets,

ways, alleys, or other public places in the City of Modesto, for any purpose other than transmission of gas and/or electricity, shall be granted upon the conditions set forth in sections 68 to 87, inclusive of this Article and not otherwise, and every franchise for the transmission and distribution of gas and/or electricity shall be granted exclusively pursuant to the provisions of Section 87½ of this Article.

PROPOSED CHARTER AMENDMENT NO. 3 Amend Article XI of said Charter of the City of Modesto by adding thereto and incorporating therein a new section to be numbered 87½ immediately following Section 87 of said Article XI and to read as follows, to-wit:

Section 87½. Every franchise to use, or to construct and use, poles, wires, conduits and appurtenances for transmitting and distributing electricity for any and all purposes, or to use, or to lay and use, pipes and appurtenances for transmitting and distributing gas for any and all purposes, under, along, ~~across~~ or upon any streets, ways, alleys or other public places, as the same now or may hereafter exist within the City of Modesto, shall be granted under and pursuant to the "Franchise Act of 1937" as approved by the Governor of the State of California on June 29, 1937, and any amendments thereto, and the life of any such franchise may, as provided in said Act, be indeterminate.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 3rd day of February, 1943, by Councilman Burge, who moved its adoption, which motion being duly seconded, was upon roll call carried, and the resolution adopted by the following vote:

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

ATTEST EIMER J. BLUM, CITY CLERK

RESOLUTION NO. 5803-N.S.

A RESOLUTION DENYING PETITION OF C. M. ALDRICH TO OPERATE A BUSINESS IN A RESIDENTIAL DISTRICT

---oOo---

WHEREAS a report has been filed by the Planning Commission on the petition of C. M. Aldrich to operate a horse radish business at 619 Virginia Avenue recommending that petition be denied.

BE IT HEREBY RESOLVED that petition of C. M. Aldrich be denied to operate a business at 619 Virginia Avenue as requested due to the fact that the property is situated in potentially one of the best residential districts in the city limits and that the subdivision is adjacent to a subdivision which has restrictions providing for a single family residential use only and specifically prohibits business and industrial use.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 3rd day of February, 1943 by Commissioner Bates, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST ELMER J. BLUM, CITY CLERK

RESOLUTION NO. 5804-N.S.

A RESOLUTION AUTHORIZING THE CITY ENGINEER TO HIRE THE FLEXIBLE SEWER ROD EQUIPMENT COMPANY TO CLEAN OUT WATER MAINS AND TO PURCHASE NECESSARY CLOROBEN TO CONTROL ODORS AT SEWER FARM

---oOo---

WHEREAS, the City Engineer reported that an estimate for cleaning approximately 12,000 feet of water main in the City of Modesto of 10¢ per foot had been given by the Flexible Sewer Rod Equipment Company, and

WHEREAS, he also reported that it would be necessary to purchase Cloroben for the purpose of controlling the odors at the sewage treatment plant

BE IT HEREBY RESOLVED that the City Engineer be authorized to hire the Flexible Sewer Rod Equipment Company to clean out approximately 12,000 feet of water main and that he be authorized to purchase the necessary Cloroben to control the odors at the sewage treatment plant.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 3rd day of February, 1943 by Commissioner Bates, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST ELMER J. BLUM, CITY CLERK

RESOLUTION NO. 5805-N.S.

A RESOLUTION GRANTING PERMIT TO KEEP RABBITS AT 223 ROSELAWN AVENUE TO MRS. H. COOPER

---oOo---

BE IT HEREBY RESOLVED that permit be granted to Mrs. H. Cooper to keep rabbits at 223 Roselawn Avenue, as provided by Ordinance No. 416-N.S.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 3rd day of February, 1943 by Commissioner Neece, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution was adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST ELMER J. BLUM, CITY CLERK

RESOLUTION NO. 5806-N.S.

A RESOLUTION AUTHORIZING THE FIRE CHIEF TO ATTEND THE SOUTHERN FIRE CHIEF'S CONVENTION TO BE HELD IN LOS ANGELES WITH EXPENSES PAID

BE IT HEREBY RESOLVED that the Fire Chief be authorized to attend the Southern Fire Chief's Convention to be held in Los Angeles with expenses paid by the City of Modesto, to be held on February 10th and 11th, 1943.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 3rd day of February, 1943 by Commissioner Stanley, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST ELMER J. BLUM, CITY CLERK

RESOLUTION NO. 5807-N.S.

ADJOURNMENT

BE IT HEREBY RESOLVED that this Council meeting now in session adjourn.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 3rd day of February, 1943 by Commissioner Neece who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST ELMER J. BLUM, CITY CLERK

RESOLUTION NO. 5808-N.S.

A RESOLUTION REINSTATING TAXICAB DRIVER'S LICENSE OF E. M. LESTER

---oOo---

WHEREAS, pursuant to Eugene M. Lester appearing before the Council and informing them that W. E. Brockett of the Brockett Taxicab Company had refused to write a letter to the Chief of Police asking for his reinstatement as a taxicab driver as ordered by the Council at their special meeting of January 6, 1943.

BE IT HEREBY RESOLVED that the taxicab driver's license of said Eugene M. Lester be reinstated and that he be required to obey all traffic regulations.

The foregoing resolution was introduced by Commissioner Stanley at the regular meeting of the Council held on the 10th day of February, 1943, which resolution being duly seconded, it was adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST ELMER J. BLUM, CITY CLERK

RESOLUTION NO. 5809-N.S.

A RESOLUTION ALLOWING CLAIMS FOR MONTH OF JANUARY, 1943

---oOo---

WHEREAS, the claims against the City of Modesto for the month of January, 1943 for the various sums in the aggregate hereinafter stated having been audited by the Council and found to be correct:

NOW, THEREFORE, BE IT RESOLVED that all of said claims so audited and approved be and they are hereby ordered allowed, with reference being made to the Auditor's Cash Records for further details relative to amounts of withdrawals from the various funds as follows:

GENERAL FUND-----	\$26,716.04
WATER FUND-----	3,346.15
LIBRARY FUND-----	1,313.37
BOND RED. INT. FUND-----	21,925.00
ST. BOND RED. INT. FUND-----	68.90
TOTAL-----	\$53,369.46

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of February, 1943, by Commissioner Neece, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

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

ATTEST ELMER J. BLUM, CITY CLERK

RESOLUTION NO. 5810-N.S.

A RESOLUTION GRANTING PERMIT TO APPLICANTS TO KEEP RABBITS IN THE CITY OF MODESTO

---oOo---

BE IT HEREBY RESOLVED that permit be granted to the following to keep rabbits in the City of Modesto as provided by Ordinance No. 416-N.S.:

V. W. FERNOW, 602 Virginia	M. Silva, 438 Rosedale
Max R. Stowers, 219 High Street	Charles Costley, 413 Colorado
F. L. Thomas, 619 Virginia	Thomas Reed, 514 5th Street
Frank Leo, 602 4th St.	A. Ruiz, 501 6th Street
John Panetto, 505 6th Street	

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of February, 1943 by Commissioner Burge, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

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

ATTEST ELMER J. BLUM, CITY CLERK

RESOLUTION NO. 5811-N.S.

A RESOLUTION GRANTING FREE WATER SERVICE TO SERVICE MEN'S CLUB AT 904 I Street

---oOo---

BE IT HEREBY RESOLVED that free water service be granted to the Service Men's Club at 904 I Street, 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 10th day of February, 1943 by Commissioner Bates, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

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

ATTEST ELMER J. BLUM, CITY CLERK

RESOLUTION NO. 5812-N.S.

A RESOLUTION AUTHORIZING THE ENGINEER OF THE CITY OF MODESTO TO APPROVE ENCROACHMENT PERMIT

---oOo---

BE IT HEREBY RESOLVED that the Engineer of the City of Modesto be authorized to approve encroachment permit from the State Highway Department, granting permit to the Tidewater Southern Railway Company and the Modesto and Empire Traction Company to cross D Street with a spur track.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of February, 1943 by Commissioner Bates, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution was adopted by the following vote:

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

ATTEST ELMER J. BLUM, CITY CLERK

RESOLUTION NO. 5813-N.S.

A RESOLUTION AUTHORIZING THE CITY CLERK TO ADVERTISE FOR SALE OF USELESS PERSONAL PROPERTY OF THE CITY OF MODESTO

---oOo---

BE IT HEREBY RESOLVED that the City Clerk be authorized to advertise for sale of useless personal property of the City of Modesto, said sale to be held on March 15, 1943, at the office of the City Engineer.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of February, 1943 by Commissioner Bates, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

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

ATTEST ELMER J. BLUM, CITY CLERK

RESOLUTION NO. 5814-N.S.

A RESOLUTION SETTING PRICE TO BE PAID FOR MAP OF THE CITY OF MODESTO AND RESCINDING RESOLUTION NO. 1789-N.S., ENTITLED "A RESOLUTION FIXING THE PRICE OF MAP OF THE CITY OF MODESTO"

---oOo---

BE IT HEREBY RESOLVED that a price of \$12.00 be set for a 200 scale map with cloth backing, of the City of Modesto, and

BE IT FURTHER RESOLVED that Resolution No. 1789-N.S. adopted January 22, 1930, entitled "A RESOLUTION FIXING THE PRICE OF MAP OF 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 10th day of February, 1943 by Commissioner Bates, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST ELMER J. BLUM, CITY CLERK

RESOLUTION NO. 5815-N.S.

A RESOLUTION CALLING FOR THE PLACING OF A CERTAIN INITIATIVE ORDINANCE NO. 696- N.S. ON THE BALLOT FOR THE NEXT REGULAR MUNICIPAL ELECTION, THE PURPOSE OF WHICH INITIATIVE ORDINANCE IS THE AUTHORIZATION OF A CONTRACT BETWEEN THE CITY OF MODESTO AND THE BOARD OF ADMINISTRATION, CALIFORNIA STATE EMPLOYEES' RETIREMENT SYSTEM, PROVIDING FOR THE PARTICIPATION OF SAID CITY OF MODESTO IN SAID STATE EMPLOYEES' RETIREMENT SYSTEM, MAKING THE EMPLOYEES OF SAID CITY OF MODESTO, WITH CERTAIN EXCEPTIONS, MEMBERS OF SAID SYSTEM, AND PROVIDING A MEANS OF FINANCING PARTICIPATION IN SAID SYSTEM.

----oOo----

WHEREAS, it appears to the City Council of the City of Modesto that it would be to the advantage, benefit and best interests of the citizens of said city that said Council of said City be authorized and empowered to enter into a contract with the Board of Administration of the "State Employees' Retirement System", for the purpose of placing the employees of said City, with the exception of members of the Modesto Police Department, the members of the Modesto Fire Department, and the Library Employees of said City of Modesto under the "State Employees' Retirement System" of the State of California; said contract to be subject to and in accordance with the provisions of the "State Employees' Retirement Act" of said State of California; and,

WHEREAS, it further appears to said City Council that the Mayor and City Auditor of said City should be authorized and directed for and on behalf of said City, and as its corporate act and deed and under its corporate name and seal, to make execute and deliver an agreement, in writing, to said Board of Administration, California State Employees' Retirement System, said contract to be subject to and in conformity with said "State Employees' Retirement Act;" and,

WHEREAS, in order to finance the participation of said employees in said Retirement System, it is necessary that a special tax be levied upon the taxable real and personal property within the said City of Modesto; and,

WHEREAS, under and by virtue of the provision of Subdivision 17 of Section 4, Article III of the Charter of the City of Modesto, in order to authorize such special tax it is necessary that the provision of Section 89 of Article XIII of said Charter relating to the initiative shall be followed and the levy of such tax must be approved by at least two-thirds of the qualified electors who vote thereon:

NOW, THEREFORE, IT IS HEREBY ORDERED and the City Clerk of the City of Modesto is hereby required to place upon the ballot at the forthcoming municipal election for April 13, 1943, the following initiative ordinance:

"INITIATIVE ORDINANCE NO. 696-N.S.

AN ORDINANCE AUTHORIZING A CONTRACT BETWEEN THE CITY OF MODESTO AND THE BOARD OF ADMINISTRATION, CALIFORNIA STATE EMPLOYEES' RETIREMENT SYSTEM, PROVIDING FOR THE PARTICIPATION OF SAID CITY OF MODESTO IN SAID STATE EMPLOYEES' RETIREMENT SYSTEM, MAKING THE EMPLOYEES OF SAID CITY OF MODESTO, WITH CERTAIN EXCEPTIONS, MEMBERS OF SAID SYSTEM AND PROVIDING A MEANS FOR FINANCING PARTICIPATION IN SAID SYSTEM

---o0o---

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

SECTION 1. The Council of the City of Modesto on behalf of said City is hereby authorized and empowered to enter into a contract with the Board of Administration of the "State Employees' Retirement System" for the purpose of placing the employees of said City, with the exception of the employees mentioned and set forth in Section 2 of this Ordinance, under the "State Employees' Retirement System" of the State of California. Said contract shall be subject to and in accordance with the provisions of the "State Employees' Retirement Act" of the State of California.

SECTION 2. There are hereby expressly excepted from the operation of the provisions of this Ordinance the members of the Modesto Police Department, the members of the Modesto Fire Department, and the Library Employees of said City of Modesto.

SECTION 3. The Mayor and City Auditor are hereby authorized and directed for and on behalf of the City of Modesto and as its corporate act and deed, and under its corporate name and seal, to make, execute and deliver an agreement, in writing to said Board of Administration, California State Employees' Retirement System, which agreement shall be subject to and in conformity with the provisions of said "State Employees' Retirement Act."

SECTION 4. For the purpose of financing the participation of said employees of the City of Modesto in said Retirement System there shall be and is hereby levied upon all of the taxable real and personal property within the City of Modesto a special tax, pursuant to Subdivision 17 of Section 4, Article III of the Charter of the City of Modesto, said special tax to be collected in the same manner and at the same time as the other taxes of the said City of Modesto are collected, pursuant to said Charter and the ordinances of the City of Modesto relating to the levy and collection of taxes.

SECTION 5. This ordinance shall take effect when it has been approved by at least two-thirds of the qualified electors who vote thereon."

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of February, 1943, by Councilman Neece, who moved its adoption, which said motion being duly seconded, was, upon roll call carried, and the resolution adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST ELMER J. BLUM, CITY CLERK

RESOLUTION NO. 5816-N.S.

ADJOURNMENT

BE IT HEREBY RESOLVED that this Council meeting now in session adjourn.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of February, 1943 by Commissioner Neece, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

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

ATTEST ELMER J. BLUM, CITY CLERK

RESOLUTION NO. 5817-N.S

A RESOLUTION GRANTING PERMIT FOR CHANGE IN SCHEDULE FOR AIRPORT TRANSIT BUS

---oOo---

BE IT HEREBY RESOLVED that request for change of schedule filed by the Airport Transit Bus Company be granted.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 17th day of February, 1943 by Commissioner Bates, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

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

ATTEST ELMER J. BLUM, CITY CLERK

RESOLUTION NO. 5818-N.S.

A RESOLUTION CALLING FOR SECOND PUBLIC HEARING ON PROPOSED ZONING ORDINANCE AND REFERRING IT BACK TO THE PLANNING COMMISSION FOR VARIOUS SUGGESTED CHANGES

---oOo---

BE IT HEREBY RESOLVED that the proposed zoning ordinance be referred back to the Planning Commission to make various suggested changes and another public hearing be set for March 10, 1943 at 8:00 P.M. in the Council Chambers and the Clerk is hereby directed to advertise in the official newspaper the date of such public hearing.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 17th day of February, 1943 by Commissioner Bates, who moved its adoption which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

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

ATTEST ELMER J. BLUM, CITY CLERK

RESOLUTION NO. 5819-N.S.

A RESOLUTION GRANTING PERMIT TO RAY BURGE TO OPERATE TAXICAB IN PARKING SPACE AT
11th & I STREETS ASSIGNED TO SLIM'S TAXICAB

---oOo---

WHEREAS, Ray Burge has made application to the Council for transfer of parking space on northwest corner of 11th and I Streets, assigned to Slim's Taxicab, as he had purchased the taxitab business of Clarence Worden dba Slim's Taxicab, and

WHEREAS Resolution No. 3529-N.S. prohibits transferring of parking spaces assigned to taxicab companies without permit of the Council

BE IT HEREBY RESOLVED that transfer of parking space be allowed Ray Burge at 11th and I Streets on the northwest corner providing applicant takes out the necessary license to operate a taxicab business in this city.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 17th day of February, 1943 by Commissioner Bates, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

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

Noes: Councilmen: None

Absent: Mayor Shannon

ATTEST ELMER J. BLUM, CITY CLERK

RESOLUTION NO. 5820-N.S.

A RESOLUTION AUTHORIZING THE OPERATION OF THE SERVICE MEN'S CLUB BY THE MODESTO
RECREATION COMMISSION

---oOo---

BE IT HEREBY RESOLVED that the operation of the Service Men's Club by the Modesto Recreation Commission be authorized by the Council of the City of Modesto.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 17th day of February, 1943 by Commissioner Neece, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

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

Noes: Councilmen: None

Absent: Mayor Shannon

ATTEST ELMER J. BLUM, CITY CLERK

RESOLUTION NO. 5821-N.S.

A RESOLUTION RESCINDING RESOLUTION NO. 5820-N.S. AUTHORIZING THE OPERATION OF THE
SERVICE MEN'S CLUB BY THE MODESTO RECREATION COMMISSION

---oOo---

BE IT HEREBY RESOLVED that Resolution No. 5820-N.S. entitled "A RESOLUTION AUTHORIZING THE OPERATION OF THE SERVICE MEN'S CLUB BY THE MODESTO RECREATION COMMISSION" be and it is hereby rescinded.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 17th day of February, 1943 by Commissioner

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

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

Noes: Councilmen: None

Absent: Mayor Shannon

ATTEST ELMER J. BLUM, CITY CLERK

RESOLUTION NO. 5823-N.S.

A RESOLUTION GRANTING APPLICATION TO KEEP RABBITS, R. E. REED

---oOo---

BE IT HEREBY RESOLVED that application of R. E. Reed to keep rabbits in the City of Modesto at 331 Franklin Street, as provided by Ordinance No. 416-N.S. be granted

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 17th day of February, 1943 by Commissioner Bates, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

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

Noes: Councilmen: None

Absent: Mayor Shannon

ATTEST ELMER J. BLUM, CITY CLERK

RESOLUTION NO. 5824-N.S.

A RESOLUTION GRANTING LEAVE OF ABSENCE TO JOE WOODS FOR SERVICE IN THE UNITED STATES ARMED FORCES

---oOo---

WHEREAS, Joe Woods, a member of the Police Department of the City of Modesto, has been drafted into the armed forces of the United States of America; and,

WHEREAS, by reason thereof, the said Joe Woods must leave his duties as a member of said Police Department; and

WHEREAS, the said Joe Woods has clearly demonstrated that he is a competent police officer who should not suffer loss of his position in said Department by reason of his offer to serve in the armed forces of the United States of America:

NOW, THEREFORE, IT IS HEREBY RESOLVED by the City Council of the City of Modesto that the said Joe Woods, shall be and he is hereby granted leave from said Police Department for the duration of the present war and for sixty (60) days after his discharge from said United States armed forces.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 17th day of February, 1943 by Commissioner Bates, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

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

Noes: Councilmen: None

Absent: Mayor Shannon

ATTEST ELMER J. BLUM, CITY CLERK

RESOLUTION NO. 5825-N.S.

ADJOURNMENT

BE IT HEREBY RESOLVED that this Council meeting now in session adjourn.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 17th day of February, 1943 by Commissioner Neece, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

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

Noes: Councilmen: None

Absent: Mayor Shannon

ATTEST ELMER J. BLUM, CITY CLERK

RESOLUTION NO. 5826-N.S.

A RESOLUTION GRANTING PERMIT TO KEEP RABBITS IN THE CITY OF MODESTO TO CERTAIN INDIVIDUALS

---oOo---

BE IT HEREBY RESOLVED that permit be granted to keep rabbits in the City of Modesto as provided by Ordinance No. 416-N.S. to the following:

Mrs. P. T. Beilke 331 Franklin Street

J. M. Groves 1111 Coldwell Avenue

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of February, 1943 by Commissioner Burge, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST ELMER J. BLUM, CITY CLERK

RESOLUTION NO. 5827-N.S.

A RESOLUTION DIRECTING THE CITY ATTORNEY OF THE CITY OF MODESTO TO COMMUNICATE WITH THE FEDERAL BUREAU OF INVESTIGATION, UNITED STATES DEPARTMENT OF JUSTICE, SAN FRANCISCO CALIFORNIA IN RELATION TO TRANSFER BY SAID CITY OF MCCABE LATHE TO PACIFIC SAFE MANUFACTURING COMPANY

---oOo---

WHEREAS, the City Attorney of the City of Modesto did heretofore and on February 19, 1943, in accordance with the order of the Council of said City of Modesto, write to the Navy Department at San Francisco, California regarding transaction had between said City and Joe Fontes of "Fontes Machinery Company", San Francisco, California, to-wit, the sale of McCabe Lathe and equipment for the purpose of using said personal property for filling and completing Navy contracts with the United States Government, with a view to completing said transaction in accordance with contract heretofore prepared by the City Attorney and forwarded by the City Clerk of said City of Modesto to Pacific Safe Manufacturing Company, of Redwood City, California; and

WHEREAS, it appears to said Council of the City of Modesto that no satisfactory adjustment has been made or is being made in regard to this matter:

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED, that said City Attorney, R. R. Fowler, be and he is hereby requested and directed to write to N.J.L.Pieper, Special Agent in Charge, Federal Bureau of Investigation, United States Department of Justice, Suite 1729, 111 Sutter Street, San Francisco, California, for the purpose of placing before said Special Agent the facts, as said City Attorney understands them to exist, regarding said transaction, with a view to securing the assistance of said Federal Bureau of Investigation in reaching a proper adjustment, and for the purpose of taking such steps against or in relation to said Joe Fontes as said Federal Bureau of Investigation shall deem proper in the premises.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of February, 1943 by Councilman Stanley, who moved its adoption, which motion was duly seconded, upon roll call carried, and the resolution adopted by the following vote:

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

ATTEST ELMER J. BLUM, CITY CLERK

RESOLUTION NO. 5828-n.s.

ADJOURNMENT

BE IT HEREBY RESOLVED that this Council meeting now in session adjourn.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of February, 1943 by Commissioner Neece, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

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

ATTEST ELMER J. BLUM, CITY CLERK

RESOLUTION NO. 5829-N.S.

A RESOLUTION OF THE COUNCIL OF THE CITY OF MODESTO TO DELETE CERTAIN REAL PROPERTY FROM CONTRACT HERETOFORE ENTERED INTO BETWEEN COUNTY OF STANISLAUS AND SAID CITY OF MODESTO COVERING PURCHASE BY SAID CITY OF CERTAIN LOTS OR PARCELS OF LAND SOLD FOR DELINQUENT TAXES

---oOo---

WHEREAS, on the 11th day of August, 1942, the County of Stanislaus, a political subdivision of the State of California, acting by and through its Board of Supervisors and the Chairman thereof, did enter into an agreement, in writing, with the City of Modesto, a municipal corporation of said County, State aforesaid; said parties to said agreement acting under the authority of Chapter VIII, Part 6, Subdivision 1 of the Revenue and Taxation Code of the State of California; and,

WHEREAS, it was agreed between said parties, subject to the approval of the State Controller and subject to the other requirements of said Revenue and Taxation Code that said County of Stanislaus would sell to said City of Modesto certain real property situate in the said City of Modesto deeded to the State of California

by said County for delinquent taxes and assessments; and,

WHEREAS, said contract is now in the hands of said State Controller of the State of California for his approval, said contract being hereby referred to for further particulars and made part hereof by such reference; and,

WHEREAS, it is desired by the Council of the said City of Modesto for and on behalf of said City that there be deleted, expunged and removed from the list of the lots or parcels of land set forth in said agreement, those certain lots or parcels of land situate in said City of Modesto and described as follows, to-wit:

Lots 10 and 11 in Block 558, according to the Official Map of the City of Modesto filed in the office of the County Recorder of Stanislaus County, California on July 15, 1938 in Volume 13 of Maps:

Said lots or parcels of land being assessed to Mary C. Harrington, 1725 Maynell Avenue, sold under Tax Sale #13977, Deed No. 399 and having been deeded to the State of California June 29, 1939:

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED that said Lots 10 and 11 of Block 558 of the City of Modesto, according to the Official Map thereof filed as aforesaid in the office of the County Recorder of Stanislaus County, California on July 15, 1938 in Volume 13 of Maps, be, and the same are deleted, expunged and removed from the list of the lots and parcels of land set forth in the agreement above referred to and so entered into by and between said County of Stanislaus and the City of Modesto, a municipal corporation of said County, State of California.

IT IS FURTHER RESOLVED that a certified copy of this resolution be delivered to C. C. Eastin, County Clerk and ex-officio Clerk of the Board of Supervisors of the County of Stanislaus, State of California.

IT IS FURTHER RESOLVED that four certified copies of this resolution be forwarded to the Controller of the State of California, and that upon receipt thereof by said Controller he disapprove the sale of said last mentioned lots and thereupon issue his authorization and direct the Tax Collector of the County of Stanislaus to give notice of the sale of the lots or parcels of land remaining in said agreement.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 3rd day of March, 1943 by Councilman Neece who moved its adoption, which motion was duly seconded, upon roll call carried, and the resolution adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST ELMER J. BLUM, CITY CLERK

RESOLUTION NO. 5830-N.S.

A RESOLUTION GRANTING PERMIT TO KEEP RABBITS IN ACCORDANCE WITH ORDINANCE NO 416-N.S.

BE IT HEREBY RESOLVED that permit be granted to Harold A. Bain, 543 Orange Avenue and Mrs. Rosie Migliore, 1129 7th Street, to keep rabbits in the City of Modesto in accordance with Ordinance No. 416-N.S.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 3rd day of March, 1943 by Commissioner Stanley, who moved its adoption, which motion being duly seconded, it was upon roll

call carried and the resolution adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST ELMER J. BLUM, CITY CLERK

RESOLUTION NO. 5831-N.S.

A RESOLUTION ACCEPTING RESIGNATION OF W. F. WOOLEY FROM THE POLICE DEPARTMENT OF THE CITY OF MODESTO AS OF FEBRUARY 15, 1943

---oOo---

BE IT HEREBY RESOLVED that the resignation of W. F. Wooley from the Police Department of the City of Modesto be accepted as of February 15, 1943.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 3rd day of March, 1943 by Commissioner Stanley, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST ELMER J. BLUM, CITY CLERK

RESOLUTION NO. 5832-N.S.

A RESOLUTION SETTING FORTH THE RULES AND REGULATIONS GOVERNING THE USE OF WATER AND WATER CHARGES FOR USE ON NON COMMERCIAL VICTORY GARDENS WITH THE CITY LIMITS AND AREAS SERVED OUTSIDE OF THE CITY LIMITS OF THE CITY OF MODESTO

---oOo---

BE IT HEREBY RESOLVED that the following rules and regulations governing the use of water and water charges on non-commercial Victory Gardens within the city limits be adopted

- (1) any person or persons planting a Victory Garden on the premises where a portion of the premises is inhabited and are now paying a flat rate for water on said premises no additional fee will be required.
- (2) Where a Victory Garden is planted on a vacant lot the charge will be .9856 dollars for each 100 square feet of land area planted provided, however, the area is not over 14,000 square feet.
- (3) When a lot that is to be planted with a Victory Garden is adjacent to a metered service and not planted by the person or persons on the metered service, arrangements shall be made with the nearest property owner having a flat rate for permission to use water through his service. Then the rate will be the same as in Item 2
- (4) When a Victory Garden is planted on a lot where the water is metered, the rate shall be established by taking the average of the total of the amount paid for water over a period of one year within the same month. This will be the rate for metered service. For the water used in addition to this charge a fee shall be paid at the rate of .0856 dollars for each 100 square feet of garden planted

provided, however, the area is not over 14,000 square feet.

BE IT FURTHER RESOLVED the following rules and regulations governing the use of water and water charges on non-commercial Victory Gardens in areas served outside of the City Limits be adopted:

(1) The rate for water used on Victory Gardens shall be as follows: Take an average of one year's meter bill for the same period of use, and set as a flat rate for the period of water used, then an additional fee for the season shall be paid at the rate of .17 dollars for each 100 square feet of area planted provided, however, the area is not over 14,000 square feet.

BE IF FURTHER RESOLVED that none of the products grown are to be sold; however, if said grower intends to sell said products, the Victory Garden shall be metered and the regular rates prescribed by Ordinance No. 432-N.S. shall be paid to the City. No new water taps can be made for Victory Garden use. The rate for all areas in excess of 14,000 square feet shall be double the rates herein shown. Payments for water used shall be paid in advance. The rate as shown herein is for the season.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 3rd day of March, 1943 by Commissioner Bates, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST ELMER J. BLUM, CITY CLERK

RESOLUTION NO. 5833-N.S.

ADJOURNMENT

BE IT HEREBY RESOLVED that this Council meeting now in session adjourn.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 3rd day of March, 1943 by Commissioner Neece, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST ELMER J. BLUM, CITY CLERK

RESOLUTION NO. 5834-N.S.

A RESOLUTION ALLOWING CLAIMS FOR THE MONTH OF FEBRUARY, 1943

---oOo---

WHEREAS, the claims against the City of Modesto for the month of February, 1943, for the various sums in the aggregate hereinafter stated having been audited by the Council and found to be correct:

NOW, THEREFORE, BE IT RESOLVED that all of said claims so audited and approved be and they are hereby ordered allowed, with reference being made to the Auditor's Cash Records for further details relative to amounts of withdrawals from the various funds as follows:

GENERAL FUND-----	\$23,983.23
WATER FUND-----	3,696.81
LIBRARY FUND-----	1,220.81
BOND RED. INT. FUND-----	18.75
ST. BOND RED. INT. FUND-----	30.90
TOTAL-----	\$28,950.50

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of March, 1943 by Commissioner Neece, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: ELMER J. BLUM, CITY CLERK

RESOLUTION NO. 5835-N.S.

A RESOLUTION GRANTING PERMIT TO A. L. BURRIS AND LEO SUDO TO KEEP RABBIT IN THE CITY OF MODESTO

---oOo---

BE IT HEREBY RESOLVED that permit be granted to A. L. Burris, 1901 H Street and Leo Sudo, 112 Vine Street to keep rabbits in the City of Modesto as provided by Ordinance No. 416-N.S.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of March, 1943 by Commissioner Stanley, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST ELMER J. BLUM, CITY CLERK

RESOLUTION NO. 5836-N.S.

A RESOLUTION OF THE COUNCIL OF THE CITY OF MODESTO PROVIDING FOR A GENERAL MUNICIPAL ELECTION IN AND FOR THE CITY OF MODESTO AND A GENERAL ELECTION IN AND FOR THE MODESTO CITY SCHOOL DISTRICT

---oOo---

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

That under and pursuant to the Charter of the City of Modesto, a general municipal election in and for the City of Modesto be and the same is hereby called to be held on Tuesday, the 13th day of April, 1943, which said general municipal election is for the purpose of electing three officers for the City of Modesto, to-wit, two councilmen and a Mayor, each of said officers to be elected for the full term of four years. There shall also be presented at said election for the vote of the people of said City of Modesto the question whether Ordinance No. 696-N.S. INITIATIVE ORDINANCE, entitled "AN ORDINANCE AUTHORIZING A CONTRACT BETWEEN THE CITY OF MODESTO AND THE BOARD OF ADMINISTRATION, CALIFORNIA STATE EMPLOYEES' RETIREMENT SYSTEM, PROVIDING FOR THE PARTICIPATION OF SAID CITY OF MODESTO IN SAID STATE EMPLOYEES' RETIREMENT SYSTEM, MAKING THE EMPLOYEES OF SAID CITY OF MODESTO, WITH CERTAIN EXCEPTIONS, MEMBERS OF SAID SYSTEM, AND PROVIDING A MEANS FOR FINANCING PARTICIPATION IN SAID SYSTEM," shall be adopted, which reads as follows:

"INITIATIVE ORDINANCE NO. 696-N.S.

AN ORDINANCE AUTHORIZING A CONTRACT BETWEEN THE CITY OF MODESTO AND THE BOARD OF ADMINISTRATION, CALIFORNIA STATE EMPLOYEES' RETIREMENT SYSTEM, PROVIDING FOR THE PARTICIPATION OF SAID CITY OF MODESTO IN SAID STATE EMPLOYEES' RETIREMENT SYSTEM, MAKING THE EMPLOYEES OF SAID CITY OF MODESTO, WITH CERTAIN EXCEPTIONS, MEMBERS OF SAID SYSTEM, AND PROVIDING A MEANS FOR FINANCING PARTICIPATION IN SAID SYSTEM.

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

SECTION 1. The Council of the City of Modesto on behalf of said City is hereby authorized and empowered to enter into a contract with the Board of Administration of the "State Employees' Retirement System" for the purpose of placing the employees of said City, with the exception of the employees mentioned and set forth in section 2 of this Ordinance, under the "State Employees' Retirement System" of the State of California. Said contract shall be subject to and in accordance with the provisions of the "State Employees' Retirement Act" of the State of California.

SECTION 2. There are hereby expressly excepted from the operation of the provisions of this Ordinance the members of the Modesto Police Department, the members of the Modesto Fire Department, and the Library Employees of said City of Modesto.

SECTION 3. The Mayor and City Auditor are hereby authorized and directed for and on behalf of the City of Modesto and as its corporate act and deed, and under its corporate name and seal, to make, execute and deliver an agreement, in writing, to said Board of Administration, California State Employees' Retirement System, which agreement shall be subject to and in conformity with the provisions of said "State Employees' Retirement Act."

SECTION 4. For the purpose of financing the participation of said employees of the City of Modesto in said Retirement System, there shall be and is hereby levied upon all of the taxable real and personal property within the City of Modesto a special tax, pursuant to Subdivision 17 of Section 4, Article III of the Charter of the City of Modesto, said special tax to be collected in the same manner and at the same time as the other taxes of the said City of Modesto are collected, pursuant to said Charter and the ordinances of the City of Modesto relating to the levy and collection of taxes.

SECTION 5. This ordinance shall take effect when it has been approved by at least two-thirds of the qualified electors who vote thereon."

For the further purpose of voting upon three proposed Charter Amendments; ~~said proposed Charter amendments~~; said proposed Charter amendments to be sub-

mitted at said election are as follows:

"PROPOSED CHARTER AMENDMENT NO. 1. Amend Subdivision 25 of Section 6 of Article IV of the Charter of the City of Modesto to read as follows:

Subdivision 25. The provisions of the State law relating to the qualifications of electors, the manner of voting, the duties of election officers, the canvassing of returns, and all other particulars in respect to the management of elections, so far as they may be applicable, shall govern all municipal elections, provided that the Council shall meet as a canvassing board and duly canvass the election returns within eight days after any municipal election, except as otherwise in this Charter provided.

"PROPOSED CHARTER AMENDMENT NO. 2. Amend Section 67 of Article XI of said Charter of the City of Modesto to read as follows:

Section 67. Every franchise or privilege for the use of any streets, ways, alleys, or other public places in the City of Modesto, for any purpose other than transmission of gas and/or electricity, shall be granted upon the conditions set forth in sections 68 to 87 inclusive, of this Article and not otherwise and every franchise for the transmission and distribution of gas and/or electricity shall be granted exclusively pursuant to the provisions of Section 87½ of this Article.

"PROPOSED CHARTER AMENDMENT NO. 3. Amend Article XI of said Charter of the City of Modesto by adding thereto and incorporating therein a new section to be numbered 87½, immediately following Section 87 of said Article XI and to read as follows, to-wit:

Section 87½. Every franchise to use, or to construct and use, poles, wires, conduits and appurtenances for transmitting and distributing electricity for any and all purposes, or to use, or to lay and use, pipes and appurtenances for transmitting and distributing gas for any and all purposes, under, along, across or upon any streets, ways, alleys or other public places, as the same now or may hereafter exist within the City of Modesto, shall be granted under and pursuant to the "Franchise Act of 1937" as approved by the Governor of the State of California on June 29, 1937, and any amendments thereto, and the life of any such franchise may, as provided in said Act, be indeterminate."

A general election in and for the Modesto City School District is likewise called to be held on the same date, to-wit, Tuesday, the 13th day of April, ¹⁹⁴³ for electing certain officers for the said Modesto City School District, to-wit, three members of the Board of Education of the said Modesto City School District, for full terms.

For the purpose of holding said election the said City of Modesto and that portion of the Modesto City School District lying within the corporate limits of the City of Modesto shall be and the same is hereby precincted and established into ten election precincts to be known and designated as follows:

- Special Consolidated Election Precinct No. 1
- Special Consolidated Election Precinct No. 2
- Special Consolidated Election Precinct No. 3
- Special Consolidated Election Precinct No. 4
- Special Consolidated Election Precinct No. 5
- Special Consolidated Election Precinct No. 6
- Special Consolidated Election Precinct No. 7
- Special Consolidated Election Precinct No. 8
- Special Consolidated Election Precinct No. 9
- Special Consolidated Election Precinct No. 10

Said consolidated election precincts have been established by consolidating

the general election precincts within the City of Modesto, except as hereinafter noted, as established by the orders or resolutions of the Board of Supervisors of Stanislaus County, California, now in force for general election purposes within the City, which said orders or resolutions now on file and of record in the office of the Clerk of the Board of Supervisors of Stanislaus County, California, are hereby referred to and by such reference made a part hereof for greater certainty and a more particular description of the boundaries thereof in the following manner (said precincts so established by said Board of Supervisors being herein referred to as "special consolidated election precincts"):

Said general election precincts so designated by the said Board of Supervisors as Modesto No. 1, 2 and 33, have been consolidated and established as Special Consolidated Election Precinct No. 1.

Said general election precincts so designated by the said Board of Supervisors as Modesto No. 3, 4, 5 and 24, have been consolidated and established into Special Consolidated Election Precinct No. 2.

Said general election precincts so designated by the said Board of Supervisors as Modesto No. 6, 7, and 8, have been consolidated and established into Special Consolidated Election Precinct No. 3.

Said general election precincts so designated by the said Board of Supervisors as Modesto No. 9, 10 and 11 have been consolidated and established into Special Consolidated Election Precinct No. 4.

Said general election precincts so designated by the said Board of Supervisors as Modesto No. 12, 13 and 15, have been consolidated and established into Special Consolidated Election Precinct No. 5.

Said general election precincts so designated by the said Board of Supervisors as Modesto No. 14, 17 and 18, have been consolidated and established into Special Consolidated Election Precinct No. 6.

Said general election precincts so designated by the said Board of Supervisors as Modesto No. 16, 19, 20 and 21, have been consolidated and established into Special Consolidated Election Precinct No. 7.

Said general election precincts so designated by the said Board of Supervisors as Modesto No. 22, 23, and 24, have been consolidated and established into Special Consolidated Election Precinct No. 8.

Said general election precincts so designated by the said Board of Supervisors as Modesto No. 25, 26, 27 and 32, have been consolidated and established into Special Consolidated Election Precinct No. 9.

Said general election precincts so designated by the said Board of Supervisors as Modesto No. 28, 29, 30 and 31 have been consolidated and established into Special Consolidated Election Precinct No. 10.

For the purpose of holding said election (insofar as the election of members of the Board of Education of the Modesto City School District is concerned) the boundaries of the Modesto City School District are as follows, to-wit:

The boundaries of the Modesto City School District shall embrace all of the territory included and embraced within the exterior boundaries of the following elementary school districts of Stanislaus County, California, as established by the orders of the Board of Supervisors of Stanislaus County, and as the same appear upon the minutes of said Board of Supervisors, to-wit: Jackson, Salica, Stoddard, Stanislaus, McHenry, Prescott, Bellpassi, Cole, Hart, Ransom, Garner, New Hope, Shiloh, Paradise and Fairview, as well as all the territory heretofore embraced within the

exterior boundaries of the Modesto Grammar School District and the Modesto High School District.

The territory included within said Modesto City School District, but outside of the corporate limits of the City of Modesto, has been for the purpose of said election divided and established into seven special Consolidated Election Precincts, the designation and boundaries of which and the territory within each of which have been established and defined as follows:

Special Consolidated Election Precinct No. 11, which comprises all of the territory within the said Modesto City School District heretofore described outside of the corporate limits of the City of Modesto which is embraced within the exterior boundaries of Paradise School District and of Shiloh School District and of the Modesto Grammar or Elementary School District outside of said City lying north of the Tuolumne River and west of the Central Pacific Railroad.

Special Consolidated Election Precinct No. 12, which comprises all of the territory within the Modesto City School District hereinbefore described and embraced within the exterior boundaries of the following elementary school district, to-wit, Hart and Ransom.

Special Consolidated Election Precinct No. 13, which comprises all of the Territory within said Modesto City School District hereinbefore described and embraced within the exterior boundaries of the following elementary school districts, to-wit, Jackson and Salida.

Special consolidated Election Precinct No. 14, which comprises all of the territory within said Modesto City School District hereinbefore described and embraced within the exterior boundaries of the following elementary school districts, to-wit, Stoddard, Stanislaus, McHenry, Prescott and Bellpassi, as well as all of the territory within the boundaries of the Modesto Grammar or Elementary School District outside of the corporate limits of the City of Modesto which lies north of Dry Creek and east of the Central Pacific Railroad.

Special Consolidated Election Precinct No. 15, which comprises all of the territory within the said Modesto City School District hereinbefore described and embraced within the exterior boundary line of the following elementary school districts, to-wit, Cole, Garner and New Hope.

Special Consolidated Election Precinct No. 16, which comprises all of the territory within the Modesto Grammar School District and outside of the corporate limits of the City of Modesto, which lies south of Dry Creek and north of the Tuolumne River.

Special Consolidated Election Precinct No. 17, which comprises all of the territory within said Modesto City School District hereinbefore described and embraced within the exterior boundaries of Fairview Elementary School District and also that portion of the Modesto Elementary or Grammar School District lying south of the Tuolumne River.

The following places have been by said City Council fixed and designated as and for the places of holding said election within the said City of Modesto and the following named persons have been designated and appointed to act as officers of election for said election, both for said City of Modesto and said Modesto City School District and will conduct the same, to-wit:

SPECIAL ELECTION OR CONSOLIDATED PRECINCT NO. 1

Polling Place: Utterback Garage, 102 Olive Avenue

Inspector: Verna M. Menzies, 221 Poplar Avenue

Judges: Marguerita C. Coughlin, 121 Orange Avenue
Clerks: Ludora E. Wilbur, 112 Hackberry Ave.,
Ada Dallas Carroll, 130 College Ave.

SPECIAL ELECTION OR CONSOLIDATED PRECINCT NO. 2

Polling Place: Field Garage, 102 Sycamore Avenue
Inspector: W. G. Proper, 115 Park Avenue
Judges: Ida Blacknell, 1501 Morris Avenue
Clerks: Ada Pickett, 1303 Wright Street
Edith C. Kephart, 218 Magnolia Avenue

SPECIAL ELECTION OR CONSOLIDATED PRECINCT NO. 3

Polling Place: Broughton Garage, 1715 Downey Avenue
Inspector: Ora R. Bates, 1705 Downey Avenue
Judges: Katherine C. Aiken, 1710 Jones Street
Clerks: Bly Willis, 1724 Modesto Avenue
Nancy Ivy, 1748 Maynell Avenue

SPECIAL ELECTION OR CONSOLIDATED PRECINCT NO. 4

Polling Place: Wachsberger Garage, 233 High Street
Inspector: Marie H. Weisner, 315 Melrose Avenue
Judges: Edith M. Rogers, 120 Redwood Street
Clerks: Margaret A. Nelson, 231 Melrose Street
Maud Test, 333 Melrose Street

SPECIAL ELECTION OR CONSOLIDATED PRECINCT NO. 5

Polling Place: Singleton Garage, 1104 14th Street
Inspector: S. W. Elliott, 1217 12th St.
Judges: Ann Osborne, 1207 14th Street,
Clerks: Ina Ayres, 1116 K Street
William H. Durham, 1309 11th Street

SPECIAL ELECTION OR CONSOLIDATED PRECINCT NO. 6

Polling Place: Fire Station #3, 2016 Downey Avenue
Inspector: Gertrude W. Meader, 701 18th Street
Judges: Fern Van Over, 630 16th Street
Clerks: Mathia M. Glover, 726 14th Street
Martha E. Nichols, 629 16th Street

SPECIAL ELECTION OR CONSOLIDATED PRECINCT NO. 7

Polling Place: City Hall, 717 10th Street
Inspector: Elsie E. Ring, 712 12th Street
Judges: Lottie Savercool, 714 13th Street
Clerks: Caroline A. Utterback, 632 12th Street
Violet E. Plummer, 526½ 14th Street

SPECIAL ELECTION OR CONSOLIDATED PRECINCT NO. 8

Polling Place: Harrington Store, 228 Maze Blvd.,
Inspector: Alice Handley, 214 Laurel Street
Judges: Irma Karker, 126 Maple Street
Clerks: Maude Costley, 319 Linden Street
Gertrude Boundey, 202 Laurel Street

SPECIAL ELECTION OR CONSOLIDATED PRECINCT NO. 9

Polling Place: Damrell Residence, 822 Sixth Street
Inspector: Minna H. Damrell, 822 6th Street
Judges: Gertrude J. Epperson, 702 4th Street

Clerks: Bessie C. Buntain, 815 7th Street,
Emma S. Putman, 105 Pine Street

SPECIAL ELECTION OR CONSOLIDATED PRECINCT NO. 10

Polling Place: Fire Station #2, 629 Second Street
Inspector: Mary J. Blaine, 253, Sierra Drive
Judges: Olive Rasmussen, 115 Fresno Street
Clerks: Mary O. Paxton, 234 Leon Street
Maggie A. Cooper, 223 Roselawn Avenue

The following places have been by said City Council fixed and designated as and for the holding of said general school election in that portion of the Modesto City School District, which lies outside of the corporate limits of the City of Modesto, and the following named persons have been so designated to act as officers of election for said election within said territory, to-wit:

SPECIAL ELECTION OR CONSOLIDATED PRECINCT NO. 11

Polling Place: Paradise Schoolhouse
Inspector: O. H. Deforest, Rt 3 Box 849
Judges: Sue H. Robbins, Rt 3 Box 820
Clerks: Willis D. Sharp, Rt 3 Box 851
Dorothy Kidd, Rt 3 Box 824

SPECIAL ELECTION OR CONSOLIDATED PRECINCT NO. 12

Polling Place: Ransom School
Inspector: Alma Montgomery, Rt 5 Box 693
Judges: Lulu Vlach, Rt 2 Box 1362
Clerks: Ella Van Buren, Rt 3 Box 756
Beulah Bowman, Rt 3 Box 628B

SPECIAL ELECTION OR CONSOLIDATED PRECINCT NO. 13

Polling Place: Maple Hall
Inspector: Marie C. Brown, Box 224 Salida
Judges: Ella Wellington, Box 89, Salida
Clerks: Madelyn Knight, Box 133, Salida
Lois Simms, Salida

SPECIAL ELECTION OR CONSOLIDATED PRECINCT NO. 14

Polling Place: Sylvan Clubhouse
Inspector: Omer C. Glass, Rt 2 Box 839
Judges: Alma G. Drake, Rt 1 Box 1207
Clerks: Edith M. Holden, Rt 2 Box 848
Clementine E. Ursini, Rt 1 Box 1217

SPECIAL ELECTION OR CONSOLIDATED PRECINCT NO. 15

Polling Place: Empire School
Inspector: H. W. Little, Rt 1 Box 740, Empire
Judges: Maude Hollingsworth, Rt 1 Box 662
Clerks: Anna Larrick, Rt 1 Box 464
Winifred Lindsay, Box 36, Empire

SPECIAL ELECTION OR CONSOLIDATED PRECINCT NO. 16

Polling Place: C. L. Merrit Garage, 102 Santa Rosa Ave.,
Inspector: Florence Fields, 131 Santa Rita Ave.,
Judges: Ethel F. Wilhite, 153 Santa Ana Ave
Clerks: Bernice Boner, 136 Waterford Road
Anne E. Stout, 254 Santa Rita Avenue

SPECIAL ELECTION OR CONSOLIDATED PRECINCT NO. 17

Polling Place: Fairview School

Inspector: Verla O. Stalker, Rt 4 Box 2416

Judges: Nora A. Hamer, Rt 4 Box 2442

Clerks: Adelia P. Hopkins, Rt 4 Box 2430

Rilla K. Hoatson, Rt 4 Box 2200

The duties of said officers in the conduct of said election shall be the same as the duties prescribed by the Political Code of the State of California for officers of general elections. If the officers appointed hereby do not attend at the opening of the polls on the morning of the election, the electors of the precinct who are present at this time may appoint a Board of Election or supply the place of any absent member thereof. Said election shall be held in all respects in conformity with the general election laws of the state of California so far as the same may be applicable to and in conformity with the Charter of the City of Modesto. On the day the election is held, the polls shall be opened at 6 o'clock A.M. ~~and must be kept open until 7 o'clock A.M.~~ and must be kept open until 7 o'clock in the afternoon of said day, when the polls shall be closed.

The City Clerk is hereby ordered to publish an election proclamation as required by law, containing a certified list of names and the offices to be filled, designating whether for a full term or unexpired term (which said certified list of names of candidates and the offices to be filled has heretofore been certified to this council by the City Clerk as being the list of candidates nominated as required by the Charter of the City of Modesto) said publication of said election proclamation to be for the time and in the manner required by law.

The foregoing resolution was introduced and ordered adopted by the Council of the City of Modesto at a regular meeting thereof duly convened and held on the 10th day of March, 1943, by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST ELMER J. BLUM, CITY CLERK

RESOLUTION NO. 5837-N.S.

A RESOLUTION PROVIDING FOR THE ERECTION OF FOUR BOULEVARD STOP SIGNS AND ENFORCEMENT OF ORDINANCE NO. 558-N.S. AT INTERSECTIONS HEREIN DESIGNATED

---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 the City of Modesto entitled: "AN ORDINANCE AMENDING

SECTION 23 of ORDINANCE NO. 345-N.S., OF THE CITY OF MODESTO AS FEREAFTER AMENDED,"

shall be enforced and said stop signs shall be erected prohibiting drivers of vehicles from passing said boulevard stop signs without first stopping vehicle 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:

Said Boulevard stop signs shall be installed at the following places designated:

- 1-At the northeast corner of Stoddard and Virginia Avenues stopping traffic entering Virginia Avenue
- 2-At the southwest corner of Stoddard and Virginia Avenues stopping traffic entering Virginia Avenue
- 3-At the northwest corner of Virginia and Stoddard Avenues stopping traffic entering Stoddard Avenues
- 4-At the southeast corner of Virginia and Stoddard Avenues stopping traffic entering Stoddard Avenue

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto, held on the 10th day of March, 1943 by Commissioner Stanley, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

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

ATTEST ELMER J. BLUM, CITY CLERK

RESOLUTION NO. 5838-N.S.

A RESOLUTION AUTHORIZING THE CITY CLERK TO ADVERTISE FOR BIDS FOR PAVING PORTION OF LALOMA STREET

---oOo---

BE IT HEREBY RESOLVED that the City Clerk be authorized to advertise for bids for paving portion of LaLoma Street, said bids to be opened at 7:30 o'clock P.M. on March 24, 1943,

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of March, 1943 by Commissioner Bates, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

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

ATTEST ELMER J. BLUM, CITY CLERK

RESOLUTION NO. 5839-N.S.

A RESOLUTION AUTHORIZING THE CONTINUANCE OF CLEANING OUT OF WATER PIPES BY THE FLEXIBLE SEWER ROD EQUIPMENT COMPANY

---oOo---

BE IT HEREBY RESOLVED that the City Engineer be authorized to continue hiring the Flexible Sewer Rod Equipment Company to clean out the water pipes, as they had had such success with the 12,000 feet already cleaned.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of March, 1943 by Commissioner Bates, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST ELMER J. BLUM, CITY CLERK

RESOLUTION NO. 5840-N.S.

ADJOURNMENT

BE IT HEREBY RESOLVED that this Council meeting now in session adjourn.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of March, 1943 by Commissioner Neece, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST ELMER J. BLUM, CITY CLERK

RESOLUTION NO. 5841-N.S.

A RESOLUTION RESCINDING RESOLUTION NO. 5795-N.S. OF THE CITY OF MODESTO, AND PASSING RESOLUTION AUTHORIZING THE SAID CITY OF MODESTO TO ENTER INTO CONTRACT, SUBJECT TO THE APPROVAL OF THE NAVY DEPARTMENT, OFFICE OF INSPECTOR OF NAVY MATERIAL, FOR SALE OF MCCABE LATHE, ETC., TO THE SMITH MANUFACTURING COMPANY, OF SAN JOSE, SANTA CLARA COUNTY, CALIFORNIA

---oOo---

WHEREAS, the City Council of the City of Modesto did, on the 20th day of January, 1943, pass a resolution that a contract be entered into between said City and the Pacific Safe Manufacturing Company of Redwood City, San Mateo County, California, for the sale of certain personal property belonging to said City, to-wit, 1 McCabe Lathe, Serial No. 345, made by New York American Ordnance Company, together with equipment described as follows, to-wit:

- 1 7½ H.P. electric motor
- 1 48 inch swing chuck
- 1 24 inch chuck
- 1 Star boring bar

for the sum of \$1500.00, cash, lawful money of the United States of America, with the right and option of said City, when said Pacific Safe Manufacturing Company had no further use for said personal property for the purpose of filling and completing Navy contracts with the United States Government, to repurchase said personal property from said Pacific Safe Manufacturing Company, for the sum of \$1500.00, cash, less depreciation thereon at the rate of 10 per cent per annum until the date of said repurchase, and also deducting from said repurchase price the reasonable rental

value of said personal property; that said contract was prepared accordingly and executed by said City and forwarded to said Pacific Safe Manufacturing Company at Redwood City, California; and that said Pacific Safe Manufacturing Company refused and ever since has refused to sign or execute said agreement; and,

WHEREAS, the Smith Manufacturing Company, 106 Stockton Avenue, San Jose, California, has indicated its desire to purchase said personal property from said City of Modesto for the sum of \$1500.00, cash, with the right of said City to repurchase said personal property for said sum of \$1500.00, less depreciation at the rate of 10 per cent per annum from date of contract of sale to said Smith Manufacturing Company until date of re-purchase, and also less the reasonable rental value of said personal property during the period of time that said Smith Manufacturing Company has the use thereof; subject also to the condition that the right or option of said City to repurchase said personal property, if exercised by said City, must be done within six months after the duration of the war or within six months after said Smith Manufacturing Company ceases to use said lathe, depending on which first occurs:

NOW, THEREFORE, BE IT, AND IT IS HEREBY RESOLVED that Resolution No. 5795-N.S. of the City of Modesto, passed by this Council on said 20th day of January, 1943, be and the same is hereby revoked, rescinded, annulled and set aside.

BE IT FURTHER RESOLVED that the offer of said Smith Manufacturing Company in respect to the purchase of said lathe upon the terms hereinabove set forth be, and the same is hereby accepted, subject to the approval of the Navy Department, Office of Inspector of Naval Material, and subject also to the surrender and return to the City of Modesto of the form of contract by said Pacific Safe Manufacturing Company, of Redwood City, California.

BE IT FURTHER RESOLVED that the City Attorney of the City of Modesto communicate with said Pacific Safe Manufacturing Company for the purpose of securing the surrender and return of said form of contract forwarded to said company, and that said City Attorney of said City upon the return and surrender of said proposed contract, prepare and forward to the Navy Department, Office of Inspector of Naval Material, for its approval, the form of contract, duly executed by said City of Modesto, through its proper officers, proposed to be entered into by and between said City of Modesto and said Smith Manufacturing Company, together with a certified copy of this resolution; and that upon the approval of said contract by said Navy Department, the same be forwarded to the American Trust Company, at San Jose, California, to be delivered, together with four counterparts thereof, to Smith Manufacturing Company, subject to compliance with the following conditions:

That said contracts of sale in due and proper form shall be signed and executed by said Smith Manufacturing Company and there shall be paid to said American Trust Company by said Smith Manufacturing Company for the said City of Modesto said sum of \$1500.00, and that with said sum of \$1500.00, three counterparts of said contract so signed and executed by said Smith Manufacturing Company shall be forwarded by said American Trust Company to the said City of Modesto. That upon compliance with the foregoing conditions, one counterpart of said contract shall be delivered to and left with said Smith Manufacturing Company.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 17th day of March, 1943, by Councilman Bates, who moved its adoption, which motion was duly seconded, upon roll call carried, and the resolution adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST ELMER J. BLUM, CITY CLERK

RESOLUTION NO. 5842-N.S.

A RESOLUTION THAT CITY OF MODESTO ACCEPT FROM MODESTO INTERURBAN RAILWAY THE SUM OF \$5,791.58, INCLUSIVE OF INTEREST, IN FULL PAYMENT OF DELINQUENT TAX SALES OF LOTS 17, 18, AND 19 IN BLOCK 79 AND LOTS 17 TO 32 INCLUSIVE, IN SAID BLOCK 79, AND LOTS 17 TO 32, INCLUSIVE, IN BLOCK 80 OF SAID CITY AND THAT UPON PAYMENT OF SAID SUM THE CITY TAX COLLECTOR MAKE AND DELIVER TO SAID MODESTO INTERURBAN RAILWAY A QUITCLAIM DEED TO SAID REAL PROPERTY

---oOo---

WHEREAS, certain street improvements, consisting of the paving of D Street in the City of Modesto, adjoining^{ing} the southerly end of the depot property owned by the Modesto Interurban Railway, and known as "Street Improvement Proceeding No. 50", was done and performed in the year 1918, and the district upon which liens were imposed to secure payment for said work of improvement included lots 17, 18 and 19 in Block 79 of the said City of Modesto, belonging to the said Modesto Interurban Railway; and,

WHEREAS, during the year 1922, provision was made in Street Improvement Proceeding No. 91 for paving Eleventh Street in said City, lying and being along the entire westerly boundary of said depot property, and the improvement district therefor included lots 17 to 32 inclusive, in said Block 79 and Lots 17 to 32 inclusive, in Block 80 of said City; and,

WHEREAS, said improvements were made and had under and in accordance with the provisions of the improvement Act of 1911, cited also as "Act No. 8199", Deering's General Laws; and,

WHEREAS, bonds were issued for the payment of the cost of said improvement under Improvement Bond Act of 1915; and,

WHEREAS, said Modesto Interurban Railway failed to pay the annual assessments levied upon the property within said districts for the years 1921, 1922, 1923, and 1924; and said real property has been sold to said City of Modesto for non-payment of said tax assessments under sale numbers 1565, 1718, 1720, 1917 and 2146, and,

WHEREAS, said Modesto Interurban Railway is desirous of paying and has offered to pay to said City said defaulted payments which at this time amount in the aggregate to the sum of \$5,791.58, which sum includes interest computed at the rate of 6 per cent per annum upon the defaulted payments, respectively from date of default to this date; and,

WHEREAS, in the judgment of the City Council the circumstances in this particular instance are such that settlement should be made in conformity with said offer of said Modesto Interurban Railway:

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED that said offer be and the same is hereby accepted by said City of Modesto in satisfaction of and for said above mentioned and numbered tax sales, and that upon payment to said City of said sum of \$5,791.58 by said Modesto Interurban Railway all and every claim and demand, legal or equitable, existing in favor of said City against said Modesto Interurban Railway on account of said delinquent tax sales be satisfied, cancelled and discharged.

AND BE IT FURTHER RESOLVED that upon payment of said sum of \$5,791.58 the City Tax Collector on behalf of said City make, issue and deliver to said Modesto Interurban Railway a quitclaim deed to said real property.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 17th day of March, 1943, by Councilman Neece, who moved its adoption, which motion was duly seconded, upon roll call carried, and the resolution adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: ELMER J. BLUM, CITY CLERK

RESOLUTION NO. 5843-N.S.

A RESOLUTION APPOINTING CAPTAIN SMITH SPECIAL OFFICER OF THE POLICE DEPARTMENT FOR A PERIOD OF FOUR MONTHS AT \$50.00 PER MONTH

-----oOo----

BE IT HEREBY RESOLVED that Captain Mary Smith of the Salvation Army be appointed as special officer of the Police Department as of March 1, 1943 for a period of four months at a salary of \$50.00 per month.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 17th day of March, 1943 by Commissioner Stanley, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST ELMER J. BLUM, CITY CLERK

RESOLUTION NO. 5844-N.S.

ADJOURNMENT

BE IT HEREBY RESOLVED that this Council meeting now in session adjourn.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 17th day of March, 1943 by Commissioner Neece, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST ELMER J. BLUM, CITY CLERK

RESOLUTION NO. 5845-N.S.

A RESOLUTION GRANTING PERMIT TO KEEP RABBITS IN THE CITY OF MODESTO

-----oOo----

BE IT HEREBY RESOLVED that the following be granted permit to keep rabbits in the City of Modesto:

B. L. WOODMANSEE, 819 Second Street

J. W. ADAMS, 321 Sixth Street

J. D. GINOTTI, 629 5th Street

in accordance with provisions of Ordinance No. 416-N.S.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of March, 1943 by Commissioner Bates, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

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

Noes: Councilmen: None

Absent: Mayor Shannon

ATTEST ELMER J. BLUM, CITY CLERK

RESOLUTION NO. 5846-N.S.

A RESOLUTION AWARDING BID TO STANDARD MATERIAL COMPANY FOR IMPROVING LA LOMA STREET

---oOo---

WHEREAS, pursuant to advertising for bid on improving La Loma Street from Eighteenth Street to Rue De Yoe and from alley in Block 235 to Bonita, and

WHEREAS there was received only one bid and whereas said bidder, Standard Material Company, are a responsible bidder

BE IT HEREBY RESOLVED that the bid of \$5606.40 of the said Standard Material Company for the proposed improvements be accepted and the Mayor and Auditor be appointed as signatory officials for contract.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on March 24, 1943 by Commissioner Bates, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: Mayor Shannon

ATTEST ELMER J. BLUM, CITY CLERK

RESOLUTION NO. 5847-N.S.

A RESOLUTION ACCEPTING CERTIFICATION OF NAMES AND BALLOT MEASURES FOR THE APRIL THIRTEENTH MUNICIPAL ELECTION

---oOo---

WHEREAS, the City Clerk of the City of Modesto has certified to the City Council that the following individuals have properly qualified to be placed on the ballot at the forthcoming April 13th municipal election for the year 1943, for the offices of Mayor and Councilman and for members of the Board of Education; and

WHEREAS, the said City Clerk has certified to said Council that the following Charter Amendments and one initiative ordinance are qualified to be placed upon said ballot;

NOW, THEREFORE, BE IT RESOLVED that at the election to be held in Modesto and in the Modesto City School District on April 13, 1943, there shall appear upon the ballot as candidate for the office of Mayor in the City of Modesto the following person:

CARL W. SHANNON

and for the office of Councilman in the City of Modesto the following persons:

ALFRED E. CARLSON

S. GEORGE DARBY

FRANK B. LATTIMER

L. M. MORRIS

CARL J. STANLEY

and for the office of member of the Board of Education of the Modesto City School District the following persons:

D. POWER BOOTHE

CATHERINE EVERETT

DUKE V. LAYTON

JACK E. WHERRY

BE IT FURTHER RESOLVED that the following proposed Charter amendments be placed on the ballot and submitted to the voters at said election:

"Shall an amendment to Subd. 25, Section 6, Article IV of the Charter to Provide for canvassing election returns by Council within eight days after election be adopted?

"Shall an amendment to Section 67, Article XI of the Charter to provide that any Franchise granted for use of Streets, alleys or other public places for any purpose other than transmission of gas and/or electricity shall be granted upon conditions set forth in sections 68 to 87 inc. be adopted?

Shall an amendment to Article XI of the Charter by adding new section numbered 87½ to provide any franchise granted for use of streets, alleys or other public places for transmission of gas and electricity be granted under the "Franchise Act" of 1937 be adopted?

SHALL AN ORDINANCE ENTITLED "An ordinance authorizing a contract between the City of Modesto, and the Board of Administration, California State Employees' Retirement System, providing for the participation of said City of Modesto in said State Employees' Retirement System making the employees of said City of Modesto, with certain exceptions, members of said system, and providing a means for financing participation in said system." be adopted.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of March, 1943 by Councilman Neece, who moved its adoption which motion being duly seconded was upon roll call carried, and the resolution adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: Mayor Shannon

ATTEST ELMER J. BLUM, CITY CLERK

RESOLUTION NO. 5848-N.S.

A RESOLUTION AUTHORIZING THE MAYOR OF THE CITY OF MODESTO TO ISSUE A PROCLAMATION OF ELECTION

---oOo---

WHEREAS, there is to be held a municipal election on April 13, 1943 in the City of Modesto and a Modesto City School District election on the same date in said City and said Modesto City School District; and,

WHEREAS, the names of the candidates for the office of Mayor and Councilman of the City of Modesto, and for the members of the Board of Education of the Modesto City School District, together with certain proposed Charter amendments and an initiative ordinance have qualified for the ballot at said election; and,

WHEREAS, said candidates for the respective offices and said ballot measures are

set forth in Resolution No. 5847-N.S. which resolution is referred to hereby for further particulars; and,

WHEREAS, it becomes the duty of the Mayor of the City of Modesto to issue a proclamation of election;

NOW, THEREFORE, BE IT HEREBY RESOLVED, that said Mayor of the City of Modesto in accordance with the Charter of said City shall issue a proclamation of election and that said proclamation shall be printed in the The Modesto Bee newspaper for a period of ten (10) successive days prior to said election.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of March, 1941, by Councilman Burge, who moved its adoption, which motion being duly seconded was upon roll call carried, and the resolution adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: Mayor Shannon

ATTEST ELMER J. BLUM, CITY CLERK

RESOLUTION NO. 5849-N.S.

ADJOURNMENT

BE IT HEREBY RESOLVED that this Council meeting now in session adjourn.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of March, 1943 by Commissioner Bates, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

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

Noes: Councilmen: None

Absent: Mayor Shannon

ATTEST ELMER J. BLUM, CITY CLERK

RESOLUTION NO. 5850-N.S.

A RESOLUTION ACCEPTING THE OFFER OF THE UNITED STATES OF AMERICA FOR MAINTENANCE AND OPERATION

---oOo---

WHEREAS, there has been filed with the Federal Works Agency for and in behalf of the City of Modesto, California (herein called the "Owner"), an application for an allotment of Federal funds for maintenance and operation under the Defense Public Works program, and the United States of America, acting by and through the Federal Works Administrator, has transmitted to the Owner an offer for maintenance and Operation in connection with the public works referred to in said application and described in said offer; and,

WHEREAS, said offer has been duly read in open meeting and has been fully considered in every respect in accordance with the pertinent rules of procedure and legal requirements; and,

WHEREAS, said offer has been made a part of the public records of the owner; and,

WHEREAS, it is deemed advisable and in the public interest that said offer be accepted:

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

said offer of the United States of America for maintenance and operation, a true and correct copy of which is hereto attached, be and the same hereby is accepted without reservation or qualification.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 30th day of March, 1943 by Councilman Neece, who moved its adoption, which motion was duly seconded, upon roll call carried, and the resolution adopted and passed by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST ELMER J. BLUM, CITY CLERK

ATTORNEY'S CERTIFICATE

I, R. R. Fowler, do hereby certify as follows:

1. That I am the duly qualified and acting attorney for the City of Modesto, County of Stanislaus, State of California, (herein called the owner):

2. That I have examined a complete record of the proceedings of the owner relating to the consideration and acceptance of the offer of the United States of America described in the "Resolution Accepting the Offer of the United States of America for Maintenance and Operation" constituting a part of such record:

3. That such record shows, in my opinion, that all requirements of law pertaining to the legal and proper acceptance of said offer for maintenance and operation, including requirements as to the calling, convening and holding of the required meeting of the Council of the City of Modesto, the place of such meeting, the number of members of the Council of said City present, the submission of and the voting upon the various propositions at such meeting or meetings, legal notices, publications, and all other matters affecting the acceptance of such offer, have been properly and legally fulfilled and otherwise carried out.

4. That in my opinion said offer of the United States of America for Maintenance and Operation has been legally and properly accepted by said City of Modesto, and there is now in full force and effect a binding agreement resulting from such acceptance between the United States of America and said City of Modesto effective as of the 30th day of March, 1943,

WITNESS my hand this 30th day of March, 1943

R. R. FOWLER, City Attorney, City of Modesto
Stanislaus County, California

R. R. Fowler,
Central Bldg., 910 11th Street,
Modesto, California

CERTIFICATE OF RECORDING OFFICER

I, Elmer J. Blum, the duly qualified and acting City Clerk of the City of Modesto, County of Stanislaus, State of California, (herein called the "Owner"), and the keeper of the records of the Owner including the journal of proceedings of the Council of the City of Modesto, do hereby certify as follows:

1. That the attached "Resolution Accepting the Offer of the United States of America for Maintenance and Operation" has been compared by me with, and is a true and correct copy of, the whole of such Resolution as finally adopted at a special meeting of the Council of the City of Modesto held on the 30th day of March, 1943, and as duly

deposited and filed in my office and recorded on said date;

2. That the offer for maintenance and operation attached to said resolution is a true and correct copy of the offer of the United States of America, the original of which is on file in my office, which offer is referred to in said Resolution and has been duly accepted by the owner:

3. That said meeting was duly convened and held in all respects in accordance with law, and to the extent required by law due and proper notice of such meeting was given thereof, a legal quorum was present throughout the entire meeting, a legally sufficient number of the members of the Council of said City of Modesto voted in the proper manner for the adoption or passage of said Resolution, and all other requirements and proceedings under the law incident to the proper adoption or passage of said Resolution have been duly fulfilled, carried out and otherwise observed.

4. Publication of said Resolution is not required by law.

IN WITNESS WHEREOF, I hereunto set my hand and affix the official of said City of Modesto this 30th day of March, 1943

ATTEST ELMER J. BLUM, CITY CLERK

ELMER J. BLUM

RESOLUTION NO. 5851-N.S.

A RESOLUTION RESCINDING RESOLUTION NO. 5665-N.S. ENTITLED "A RESOLUTION AUTHORIZING THE RECREATION COMMISSION TO HANDLE DEFENSE RECREATION" AND APPOINTMENT OF MEMBERS OF THE DEFENSE RECREATION COMMITTEE OF MODESTO

---oOo---

WHEREAS, it is necessary to have defense recreation in the City of Modesto due to national defense activities in this community, and

WHEREAS the federal government has set aside for such purposes under the provision of the Lanham Act certain monies, and

WHEREAS, the City of Modesto has accepted the offer of monies under the Lanham Act from the Federal Government

NOW, THEREFORE, BE IT RESOLVED, that the following persons be and they hereby constitute the Defense Recreation Committee of Modesto with powers and duties to supervise and direct defense recreation projects within said city

ELIZABETH BENKENDORF, who shall act as Chairman

JACK E. WHERRY

H. J. WELLMAN

BESSIE SINGLETON

LEO C. HAMMETT

BE IT FURTHER RESOLVED that the Council of the City of Modesto may add such other members to the Defense Recreation Committee of Modesto as they deem advisable, and

BE IT FURTHER RESOLVED that Resolution No. 5665-N.S. entitled " A RESOLUTION AUTHORIZING THE RECREATION COMMISSION TO HANDLE DEFENSE RECREATION" adopted under date of August 12, 1942 be and it is hereby rescinded.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 30th day of March, 1943 by Commissioner Neece, who moved its adoption, which motion being duly seconded, it was upon

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

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST : ELMER J. BLUM, CITY CLERK

RESOLUTION NO. 5852-N.S.

ADJOURNMENT

BE IT HEREBY RESOLVED that this Council meeting now in session adjourn.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 30th day of March, 1943 by Councilman Bates who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST ELMER J. BLUM, CITY CLERK

RESOLUTION NO. 5853-N.S.

A RESOLUTION RECOMMENDING THAT THE COUNCIL OF THE CITY OF MODESTO GO ON RECORD AS BEING IN FAVOR OF CONTINUING THE MEETINGS OF THE CENTRAL VALLEY DIVISION OF THE LEAGUE OF CALIFORNIA CITIES DURING THE WAR

---oOo---

BE IT HEREBY RECOMMENDED that the Council of the City of Modesto go on record as approving the continuance of the meetings of the Central Valley Division of the League of California Cities during the war due to the fact that the regular meeting of Mayors and Councilmen have been discontinued during this period and they have suggested that special effort be made to give complete reports at regional division meetings following the legislative session.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 7th day of April, 1943 by Commissioner Burge, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST ELMER J. BLUM, CITY CLERK

RESOLUTION NO. 5854-N.S.

A RESOLUTION ALLOWING CLAIM OF MODESTO CHAMBER OF COMMERCE

---oOo---

BE IT HEREBY RESOLVED that the City Clerk and Auditor be authorized to draw warrant in amount \$600.00 payable to the Modesto Chamber of Commerce, as provided

by Ordinance No. 689-N.S.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 7th day of April, 1943 by Commissioner Neece, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

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

ATTEST ELMER J. BLUM, CITY CLERK

RESOLUTION NO. 5855-N.S.

A RESOLUTION PLACING LAWRENCE SESMA, TAXI DRIVER ON PROBATION FOR THIRTY DAYS

---oOo---

WHEREAS, pursuant to citation having been served on Lawrence Sesma, driver for Joe's Taxi Company, to appear before the Council to show cause why his taxicab driver's license should not be revoked as provided by Ordinance No. 522-N.S. due to the fact he had been arrested for speeding, and

WHEREAS this was his first offense, and whereas a letter was filed by said Lawrence Sesma from the Willinger's Automotive Clinic stating that they had examined the speedometer of Joe's Taxi Company which had been driven by said Lawrence Sesma and that it was between six and seven miles slow at low speeds,

BE IT HEREBY RECOMMENDED that said Lawrence Sesma be placed on 30 days probation from this date.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 7th day of April, 1943 by Commissioner Stanley, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

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

ATTEST ELMER J. BLUM, CITY CLERK

RESOLUTION NO. 5856-N.S.

A RESOLUTION AUTHORIZING THE ENTERING INTO CONTRACT WITH THE WAR DEPARTMENT OF THE UNITED STATES OF AMERICA

---oOo---

BE IT HEREBY RESOLVED that the City of Modesto be authorized to enter into a contract for procurement of water at 724 Tenth Street with the War Department of the United States of America, and

BE IT FURTHER RESOLVED that W. B. Devlin, Treasurer and Collector of the City of Modesto be appointed signatory official.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 7th day of April, 1943 by Commissioner Neece, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

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

Absent: Councilmen: None

ATTEST ELMER J. BLUM, CITY CLERK

RESOLUTION NO. 5857-N.S.

A RESOLUTION GRANTING PERMIT TO H. E. BURGE TO OPERATE A TAXICAB BUSINESS AT TENTH AND I STREETS IN THE CITY OF MODESTO

---oOo---

WHEREAS, pursuant to the fact that the Acme Taxicab business has been purchased by H. E. Burge, and

WHEREAS, he has obtained permit from E. B. Osthues to operate a taxicab business at Tenth and I Streets

BE IT HEREBY RESOLVED that permit be granted to H. E. Burge to operate a taxicab business at this location after he had taken out the necessary license and met all the provisions regulating this type of business.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 7th day of April, 1943 by Commissioner Stanley, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST ELMER J. BLUM, CITY CLERK

RESOLUTION NO. 5858-N.S.

A RESOLUTION GRANTING PERMITS TO KEEP RABBITS TO CERTAIN PERSONS

---oOo---

BE IT HEREBY RESOLVED that the following persons be permitted to keep rabbits in the City of Modesto as provided by Ordinance No. 416-N.S.

MAC R. MESSENGER, 1732 Maynell

C. W. OLSON, 314 Bodem Street

CODY BOWMAN, 446 Roselawn Avenue

SAM MERCURY, 1005 8th Street

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 7th day of April, 1943 by Commissioner Bates, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution was adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST ELMER J. BLUM, CITY CLERK

RESOLUTION NO. 5859A-N.S.

ADJOURNMENT

BE IT HEREBY RESOLVED that this Council meeting now in session adjourn.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 7th day of April, 1943 by Commissioner Neece, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST ELMER J. BLUM, CITY CLERK

RESOLUTION NO. 5859-N.S.

A RESOLUTION AUTHORIZING THE CITY ATTORNEY AND TREASURER TO PURCHASE \$50,000 OF UNITED STATES WAR SAVINGS BONDS

---oOo---

BE IT HEREBY RESOLVED that the City Attorney and Treasurer be authorized to purchase \$ 50,000 of 91 day series United States of America War Savings Bonds for the City of Modesto.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of April, 1943 by Commissioner Neece, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST ELMER J. BLUM, CITY CLERK

RESOLUTION NO. 5860-N.S.

A RESOLUTION ALLOWING CLAIMS FOR MONTH OF MARCH, 1943

---oOo---

WHEREAS, the claims against the City of Modesto for the month of March, 1943, for the various sums in the aggregate hereinafter stated having been audited by the Council and found to be correct;

NOW, THEREFORE, BE IT RESOLVED that all of said claims so audited and approved be and they are hereby ordered allowed, with reference being made to the Auditor's Cash Records for further details relative to amounts of withdrawals from the various funds as follows:

GENERAL FUND-----	\$26,494.23
WATER FUND -----	3,634.02
LIBRARY FUND-----	1,268.70
UNAPPORTIONED FUND-----	3.74
SPECIAL GAS TAX-----	<u>108.52</u>
	\$31,509 21

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of April, 1943 by Commissioner Neece, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST ELMER J. BLUM, CITY CLERK

RESOLUTION NO. 5861-N.S.

A RESOLUTION GRANTING PERMIT TO KEEP RABBITS IN THE CITY OF MODESTO TO CERTAIN INDIVIDUALS

---oOo---

BE IT HEREBY RESOLVED that permit be granted to keep rabbits in the City of Modesto as provided by Ordinance No. 416-N.S.

HERMAN CARROLL, 127 Madera

TED KAPHAN JR. 405 Oak Street

EARL TINGLE, 314 Virginia

HARRY E. CUMMINGS, 1716 Maynell

CHARLES S. DUNCAN, 307 California

The following resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of April, 1943 by Commissioner Neece, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST ELMER J. BLUM, CITY CLERK

RESOLUTION NO. 5862-N.S.

A RESOLUTION SETTING RATE FOR OVERTIME LABOR IN POLICE DEPARTMENT

---oOo---

BE IT HEREBY RESOLVED that the Policemen be paid for work, over regular eight hour period, at the rate of straight time retroactive to March 26, 1943 and that any change made later would also be retroactive to March 26, 1943 and that the matter of rate of pay for emergency work be referred to Department heads.

The following resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of April, 1943 by Commissioner Neece, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST ELMER J. BLUM, CITY CLERK

RESOLUTION NO. 5863-N.S.

A RESOLUTION CERTIFYING THAT THE RETURNS OF THE ELECTION TO VOTE UPON CERTAIN AMENDMENTS TO THE CHARTER OF THE CITY OF MODESTO, TOGETHER WITH AN INITIATIVE ORDINANCE, HAVE BEEN CANVASSED, AND DECLARING THE RESULTS OF SAID ELECTION

---oOo---

WHEREAS, the Council of the City of Modesto did by Resolution No. 5836-N.S.

adopted on the 10th day of March, 1943, call a general election to be held on the 13th day of April, 1943 for the purpose of voting upon the question of certain proposed amendments to the Charter of the City of Modesto, together with a certain initiative ordinance, which proposed charter amendments were placed upon the ballot at said election by the City Council upon its own motion, and which initiative ordinance was also placed upon said ballot by said City Council in accordance with the provisions of said Charter of the City of Modesto; and,

WHEREAS, the provisions of law requisite to the calling of elections have been duly complied with and a notice of said election has been duly given, all as required by law, and the said election was held on the 13th day of April, 1943, and was conducted and held in all respects in conformity with the laws of the State of California, and the ordinances of the City of Modesto; and,

WHEREAS, the proper officers of said election have returned to and filed with the City Clerk of said City the returns of said election, which said returns have on this date been duly opened and canvassed by the Council of the City of Modesto and the results of said election found, determined and declared in the manner hereinafter stated; and,

WHEREAS, it appears from the canvass of the returns of said election that a total of 2707 votes were cast during said election at the regular polling places provided therefor; and,

WHEREAS, there were likewise cast at said general municipal election certain absentee ballots; and,

WHEREAS, on the date hereof there has been deposited with the City Clerk of the City of Modesto all absentee ballots issued by said Clerk; and,

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

NOW, THEREFORE, the SAID CITY COUNCIL OF THE CITY OF MODESTO sitting as a canvassing board to canvass the returns of said election does hereby declare and find the results of said election as follows:

Total number of votes cast at the regular polling places 2707

Total number of absentee votes cast 13

On the proposed charter amendment number 1, amending Subdivision 25 of Section 6 of Article IV of the Charter of the City of Modesto, reading as follows, to-wit:

The provisions of the State law relating to the qualifications of electors, the manner of voting, the duties of election officers, the canvassing of returns, and all other particulars in respect to the management of elections, so far as they may be applicable, shall govern all municipal elections provided that the Council shall meet as a canvassing board and duly canvass the election returns within eight days after any municipal election, except as otherwise in this Charter provided.

As set forth in the resolution calling the election 1245 votes were cast for the amendment at the regular polling places and 4 absentee votes were cast for said amendment; that 540 votes were cast against said amendment.

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

On the proposed charter amendment number 2 amending Section 67 of Article XI of said Charter of the City of Modesto reading as follows, to-wit:

Every franchise or privilege for the use of any streets, ways, alleys, or other public places in the City of Modesto, for any purpose other than transmission of gas and/or electricity, shall be granted upon the conditions set forth in Sections 68 to 87, inclusive, of this Article and not otherwise, and every franchise for the transmission and distribution of gas and/or electricity shall be granted exclusively pursuant to the provisions of Section 87½ of this Article.

As set forth in the resolution calling the election 1332 votes were cast for the amendment at the regular polling places and 4 absentee votes were cast for said amendment; that 478 votes were cast against the amendment at the regular polling places and 2 absentee votes were cast against said amendment.

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

On the proposed charter amendment number 3, amending Article XI of said Charter of the City of Modesto by adding thereto and incorporating therein a new section to be numbered 87½ immediately following Section 87 of said Article XI, reading as follows, to-wit:

Every franchise to use, or to construct and use, poles, wires, conduits and appurtenances for transmitting and distributing electricity for any and all purposes, or to use, or to lay and use, pipes and appurtenances for transmitting and distributing gas for any and all purposes, under, along, across or upon any streets, ways alleys or other public places, as the same now or may hereafter exist within the City of Modesto, shall be granted under and pursuant to the "Franchise Act of 1937" as approved by the Governor of the State of California on June 29, 1937, and any amendments thereto, and the life of any such franchise may, as provided in said Act, be indeterminate.

As set forth in the resolution calling the election 1284 votes were cast for the amendment at the regular polling places and 2 absentee votes were cast for said amendment; that 523 votes were cast against the amendment at the regular polling places and 2 absentee votes were cast against said amendment.

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

On the proposed initiative ordinance No. 696-N.S. providing for the participation of the City of Modesto in the "State Employees' Retirement System, making the employees of said City of Modesto, with the exception of the members of the Modesto Fire Department, Modesto Police Department, and Library employees members of said System, and providing a means for the financing of participation in said System, reading as follows, to-wit:

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

Section 1. The Council of the City of Modesto on behalf of said City is hereby authorized and empowered to enter into a contract with the Board of Administration of the "State Employees' Retirement System" for the purpose of placing the employees of said City, with the exception of the employees mentioned and set forth in Section 2 of this Ordinance, under the "State Employees' Retirement System" of the State of California. Said Contract shall be subject to and in accordance with the provisions of the "State Employees' Retirement Act" of the State of California.

Section 2. There are hereby expressly excepted from the operation of the provisions of this Ordinance the members of the Modesto Police Department, the members of the Modesto Fire Department, and the Library Employees of said City of Modesto.

SECTION 3. The Mayor and City Auditor are hereby authorized and directed for and on behalf of the City of Modesto and as its corporate act and deed, and under its corporate name and seal, to make, execute and deliver an agreement, in writing, to said Board of Administration, California State Employees' Retirement System, which agreement shall be subject to and in conformity with the provisions of said "State Employees' Retirement Act."

SECTION 4. For the purpose of financing the participation of said employees of the City of Modesto in said Retirement System there shall be and is hereby levied upon all of the taxable real and personal property within the City of Modesto, a special tax, pursuant to Subdivision 17 of Section 4, Article III of the Charter of the City of Modesto, said special tax to be collected in the same manner and at the same time as the other taxes of the said City of Modesto are collected, pursuant to said Charter and the ordinance of the City of Modesto relating to the levy and collection of taxes.

SECTION 5. This ordinance shall take effect when it has been approved by at least two-thirds of the qualified electors who vote thereon.

As set forth in the resolution calling the election 1074 votes were cast for the initiative ordinance at the regular polling places and 9 absentee votes were cast for said initiative ordinance; that said 1307 votes were cast against the initiative ordinance at the regular polling places and 3 absentee votes were cast against said initiative ordinance.

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

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

1. Proposed Charter Amendment No. 1: For the adoption thereof 1249 total votes, including absentee votes.
Against the adoption thereof: 542 total votes including absentee votes
2. Proposed Charter Amendment No. 2: for the Adoption thereof 1336 total votes, including absentee votes.
Against the adoption thereof; 480 total votes including absentee votes.
3. Proposed Charter Amendment No. 3: For the adoption thereof 1286 total votes, including absentee votes.
Against the adoption thereof; 525 total votes, including absentee votes
- 4- Initiative Ordinance No. 696-N.S. For the adoption thereof 1083 total votes, including absentee votes;
Against the adoption thereof: 1310 total votes including absentee votes.

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

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of April, 1943 by Councilman Neece, who

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

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST ELMER J. BLUM, CITY CLERK

RESOLUTION NO. 5864-N.S.

A RESOLUTION DETERMINING THE RESULT OF A GENERAL MUNICIPAL ELECTION IN THE CITY OF MODESTO, AND A GENERAL ELECTION IN THE MODESTO CITY SCHOOL DISTRICT AND DECLARING CERTAIN PERSONS ELECTED

---oOo---

WHEREAS, a general municipal election in the City of Modesto, together with a general school election in and for the Modesto City School District, was held on the 13th day of April, 1943; and,

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

NOW, THEREFORE, BE IT RESOLVED, CERTIFIED AND DECLARED BY the Council of the City of Modesto that the said general municipal election in and for the City of Modesto and the general election in and for the Modesto City School District were regularly called, held and conducted as required by law. That the proper and complete returns thereof have been made and received by said Council; that the same have been properly canvassed; that from the returns so canvassed, as aforesaid, it appears, and the said Council so finds that at said general municipal election in and for the City of Modesto the total number of votes cast at the regular polling places designated was and is 2707; that the total number of absentee votes was and is 13; that the number of votes received by the respective candidates for the office of Mayor of the City of Modesto was and is as follows:

CARL W. SHANNON (incumbent)-----	2091
ROY HALVERSON-----	1
W. B. OSHEA-----	1
GEO. COVELL-----	1
CARL STANLEY-----	1
SHORTY GILBERT-----	1
C. R. CROW-----	1
NATHAN MCVAY-----	2
SAM DARBY-----	1
FRANCES O. HOOVER-----	2
JOHN DOE-----	1
W. J. MOORE-----	1
F. M. MOORE-----	1
CHARLES BLAINE-----	1
W. H. WESTMORELAND-----	23
G. W. FURNOW-----	1
JOHN ROCK-----	1

GEO. SOVERN-----1
FRANK DAMRELL-----2
L. M. MORRIS-----1
WALTER THOMPSON-----5
EDWARD ARPS-----5
JOSEPH SMITH-----1
MORE (UNDERTAKER)-----2
W. J. BROWN-----1

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

CARL W. SHANNON-----10
(incumbent)

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

Carl W. Shannon (incumbent)-----2101, total votes, including absentee ballots

Roy Halverson-----1 total votes, including absentee ballots
W. B. O'Shea-----1 total votes including absentee ballots
Geo. Covell-----1 total votes including absentee ballots
Carl Stanley-----1 total votes including absentee ballots
Shorty Gilbert-----1 total votes including absentee ballots
C. R. Crow-----1 total votes including absentee ballots
Nathan McVay-----2 total votes including absentee ballots
Sam Darby-----1 total votes including absentee ballots
Frances O. Hoover-----2 total votes including absentee ballots
John Doe-----1 total votes including absentee ballots
W. J. Moore-----1 total votes including absentee ballots
F. M. Moore-----1 total votes including absentee ballots
Charles Blaine-----1 total votes including absentee ballots
W. H. Westmoreland-----23 total votes including absentee ballots
G. W. Furnow----- 1 total votes including absentee ballots
John Rock----- 1 total votes including absentee ballots
Geo. Sovern----- 1 total votes including absentee ballots
Frank Damrell----- 2 total votes including absentee ballots
L. M. Morris----- 1 total votes including absentee ballots
Walter Thompson----- 5 total votes including absentee ballots
Edward Arps----- 5 total votes including absentee ballots
Joseph Smith----- 1 total votes including absentee ballots
More (Undertaker)----- 2 total votes including absentee ballots
W. J. Brown----- 1 total votes including absentee ballots

That the total number of votes received by Carl W. Shannon (incumbent) is greater than one-half of the ballots cast at said election, and that the said Carl W. Shannon was elected to the office of Mayor of the City of Modesto for the period of four (4) years, and that a certificate of election be issued to him under the hand and seal of the City Clerk of the City of Modesto.

The City Council of the City of Modesto sitting as such canvassing board as aforesaid, further finds and declares that said general municipal

election in and for the City of Modesto the number of votes received by the respective candidates for the office of Councilmen in the City of Modesto was and is as follows:

Alfred E. Carlson-----	778
S. GEORGE DARBY-----	221
FRANK B. LATTIMER-----	653
L. M. MORRIS-----	1697
CARL J. STANLEY (INCUMBENT)-----	1681
JOSEPH F. SMITH-----	1

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

ALFRED E. CARLSON-----	3
S. GEORGE DARBY-----	2
FRANK B. LATTIMER-----	1
L. M. MORRIS-----	4
CARL J. STANLEY (INCUMBENT)-----	9
JOSEPH F. SMITH-----	0

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

ALFRED E. CARLSON-----	781 total votes including absentee ballots
S. GEORGE DARBY-----	223 total votes including absentee ballots
Frank B. Lattimer-----	654 total votes including absentee ballots
L. M. Morris-----	1701 total votes including absentee ballots
Carl J. Stanley (incumbent)-----	1690 total votes including absentee ballots
Joseph F. Smith-----	1 total votes including absentee ballots

That the total number of votes received by L. M. Morris and Carl J. Stanley (incumbent) is greater than one-half of the ballots cast at said election, and that the said L.M.Morris and Carl J. Stanley (Incumbent) were elected to the office of member of the City Council of the City of Modesto for the period of four (4) years, and that a Certificate of Election be issued to them under the hand and seal of the City Clerk of the City of Modesto

The City Council of the City of Modesto sitting as such canvassing board as aforesaid, further finds and declares that at said general election in and for the Modesto City School District the total number of votes cast at the regular polling places designated was and is 3162; that the number of votes received by each of the candidates for the office of member of the Board of Education of said Modesto City School District at the regular polling places designated was and is as follows:

D. POWER BOOTHE (INCUMBENT)-----	1966 votes
CATHERINE EVERETT-----	1925 votes
DUKE V. LAYTON-----	1772 votes
JACK E. WHERRY (Incumbent)-----	2342 votes
MRS. E.A. CRAIG-----	1 vote
GROVER WRIGHT-----	1 vote

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

D. POWER BOOTHE (incumbent)-----	9
CATHERINE EVERETT-----	2
DUKE V. LAYTON-----	6

JACK E. WHERRY (Incumbent)-----10
 MRS. E. A. CRAIG-----0
 GROVER WRIGHT-----0

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

D. Power Boothe (Incumbent)-----1975 total votes including absentee ballots
 Catherine Everett-----1927 total votes including absentee ballots
 Duke V. Layton-----1778 total votes including absentee ballots
 Jack E. Wherry (incumbent)-----2352 total votes including absentee ballots
 Mrs. E. A. Craig----- 1 total votes including absentee ballots
 Grover Wright----- 1 total votes including absentee ballots

That the total number of votes received by D. Power Boothe, (Incumbent) Catherine Everett and Jack E. Wherry (Incumbent) is greater than one-half of the ballots cast at said election, and that the said D. Power Boothe, Catherine Everett and Jack E Wherry were elected to the office of member of the Board of Education of the Modesto City School District for the period of four (4) years, and that a Certificate of Election be issued to them under the hand and seal of the City Clerk of the City of Modesto.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of April, 1943 by Councilman Neece, who moved its adoption, which motion was duly seconded, upon roll call carried, and the resolution adopted by the following vote:

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

ATTEST ELMER J. BLUM, CITY CLERK

RESOLUTION NO. 5865-N.S.

A RESOLUTION AUTHORIZING THE CITY CLERK TO SEND CERTIFIED COPY OF RESOLUTION NO. 5857-N.S. TO THE STATE LEGISLATURE, TOGETHER WITH CERTIFICATE OF ELECTION

---oOo---

BE IT HEREBY RESOLVED, that the City Clerk be authorized to send a certified copy of Resolution No. 5857-N.S. entitled: "A RESOLUTION CERTIFYING THAT THE RETURNS OF THE ELECTION TO VOTE UPON CERTAIN AMENDMENTS TO THE CHARTER OF THE CITY OF MODESTO TOGETHER WITH AN INITIATIVE ORDINANCE HAVE BEEN CANVASSED AND DECLARING THE RESULTS OF SAID ELECTION" to the State Legislature for approval.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of April, 1943 by Commissioner Neece, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

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

ATTEST ELMER J. BLUM, CITY CLERK

RESOLUTION NO. 5866-N.S.

A RESOLUTION AUTHORIZING THE CLERK TO PAY ELECTION OFFICERS AND RENTAL OF POLLING PLACES

---oOo---

BE IT HEREBY RESOLVED that the City Clerk and Auditor be authorized to pay election officers and for rental of polling places for the general Municipal Election held on April 13, 1943, as follows:

- \$5.00 for election officials within the City
- \$3.00 for election officials outside the City
- \$1.00 for installing booths
- \$5.00 for rental of polling places

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of April, 1943 by Commissioner Neece, who moved its adoption, which resolution was regularly adopted by the following vote:

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

ATTEST ELMER J. BLUM, CITY CLERK

RESOLUTION NO. 5867-N.S.

A RESOLUTION GRANTING REQUEST OF GALLO WINERY FOR EASEMENT UNDER 99 HIGHWAY BRIDGE

---oOo---

WHEREAS the Gallo Winery have requested permit for easement to lay a pipe line under the 99 Highway Bridge over the right of way of the City of Modesto,

BE IT HEREBY RESOLVED that request be granted providing the Gallo Winery hold the city harmless in case of damage to dam and maintain said easement and providing they secure permit for encroachment from the Highway Department of the State of California and

BE IT FURTHER RESOLVED that the City Attorney and Engineer be authorized to draw up agreement for easement when the encroachment permit has been given by the State of California Highway Department.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of April, 1943 by Commissioner Bates, who moved its adoption, which resolution was regularly adopted by the following vote:

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

ATTEST ELMER J. BLUM, CITY CLERK

RESOLUTION NO. 5868-N.S.

ADJOURNMENT

BE IT HEREBY RESOLVED that this Council meeting now in session adjourn.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of April, 1943 by Commissioner Neece, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote;

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST EIMER J. BLUM, CITY CLERK

RESOLUTION NO. 5869-N.S.

A RESOLUTION APPOINTING CITY ENGINEER ROSSI AND POLICE CHIEF ARINGTON AS A COMMITTEE TO CONTACT NAVAL INTELLIGENCE DEPARTMENT IN REGARDS TO THE SALE OF THE LATHE

---oOo---

WHEREAS, the City of Modesto has received a letter from the Twelfth Naval District, Office of Public Relations of San Francisco, cancelling the appointment of Joseph Fontes as a representative of the Navy Department for the purpose of inspecting machine tools,

BE IT HEREBY RESOLVED that the City Engineer, Frank J. Rossi and Police Chief Arington be appointed as a committee to contact Naval Intelligence Department in regards to the sale of the lathe and to see just what could be done.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 21st day of April, 1943 by Commissioner Stanley who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST ELMER J. BLUM, CITY CLERK

RESOLUTION NO. 5870-N.S.

A RESOLUTION RECOMMENDING THAT THE CITY OF MODESTO GO ON RECORD AS OPPOSING CERTAIN PROPOSED LEGISLATION

---oOo---

BE IT HEREBY RESOLVED that the Council of the City of Modesto go on record as opposing the following proposed State legislation:

AB 1090, AB 161, SB 459, SB 327, SB 734, AB 272, AB 1361, AB 1547, AB 1546, AB1763

AB 1739, AB 398 AB 418, SB 408, AB 511, AB 317, SB 321, SB 409 SB 326, AB 1777

BE IT FURTHER RESOLVED that the City Clerk send certified copy of this resolution to Senator Hugh P. Donnelly and Assemblyman Ralph M. Brown.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 21st day of April, 1943 by Commissioner Stanley, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution was adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST ELMER J. BLUM, CITY CLERK

RESOLUTION NO. 5871-N.S.

A RESOLUTION RECOMMENDING THAT THE CITY OF MODESTO GO ON RECORD AS APPROVING CERTAIN PROPOSED LEGISLATION

---oOo---

BE IT HEREBY RESOLVED that the Council of the City of Modesto go on record

as approving the following proposed State legislation:

AB 1672, SB 796, SB 780 SB 546, AB 224, AB 177, SB 118, SB 469, AB 718, AB 1279

BE IT FURTHER RESOLVED that the City Clerk send certified copy of this resolution to Senator Hugh P. Donnelly and Assemblyman Ralph M. Brown.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 21st day of April, 1943 by Commissioner Stanley, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution was adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST ELMER J. BLUM, CITY CLERK

RESOLUTION NO. 5872-N.S.

A RESOLUTION APPOINTING MAYOR CARL W. SHANNON AS SIGNATORY OFFICIAL ON ENCROACHMENT PERMIT OF THE STATE OF CALIFORNIA TO THE E & J GALLO WINERY TO INSTALL A TWELVE INCH DIAMETER CONCRETE PIPE LINE ACROSS STATE HIGHWAY UNDER THE TUOLUMNE RIVER BRIDGE

---oOo---

BE IT HEREBY RESOLVED the Mayor Carl W. Shannon be appointed as signatory official on encroachment permit of the State of California, Department of Public Works, Division of Highways to E & J Gallo Winery to install a 12 inch diameter concrete pipe line across State Highway right of way under the Tuolumne River Bridge.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 21st day of April, 1943 by Commissioner Bates, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST ELMER J. BLUM, CITY CLERK

RESOLUTION NO. 5873-N.S.

A RESOLUTION APPOINTING SIGNATORY OFFICIAL ON AGREEMENT FOR EASEMENT WITH E AND J. GALLO WINERY TO INSTALL 12 INCH DIAMETER CONCRETE PIPE LINE

---oOo---

BE IT HEREBY RESOLVED the Mayor, Carl W. Shannon and City Auditor, Elmer J. Blum, be appointed as signatory officials on the agreement for easement with E & J Gallo winery to install a 12 inch diameter concrete pipe line across the State Highway right of way under the Tuolumne River Bridge.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 21st day of April, 1943 by Commissioner Bates, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST ELMER J. BLUM, CITY CLERK

RESOLUTION NO. 5874-N.S.

A RESOLUTION ALLOWING CLAIM OF STANISLAUS COUNTY BOYS BAND

---oOo---

BE IT HEREBY RESOLVED that claim of \$400.00 be allowed to the Stanislaus County Boys' Band as provided by Ordinance No. 689-N.S.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 21st day of April, 1943 by Commissioner Stanley, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

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

Noes: Councilmen: None

Absent:Councilmen: None

ATTEST ELMER J. BLUM, CITY CLERK

RESOLUTION NO. 5875-N.S.

A RESOLUTION RESCINDING RESOLUTION NO. 5853-N.S. AND AUTHORIZING THE CITY TREASURER TO PURCHASE \$50,000 OF SERIES "B" ONE YEAR, UNITED STATES WAR SAVINGS BONDS

---oOo---

BE IT HEREBY RESOLVED that Resolution No. 5853-N.S. entitled: "A RESOLUTION AUTHORIZING THE CITY ATTORNEY AND TREASURER TO PURCHASE \$50,000 OF UNITED STATES WAR SAVINGS BONDS" and

BE IT FURTHER RESOLVED that the City Treasurer be authorized to purchase \$50,000 of Series "B" one year United States War Savings Bonds.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 21st day of April, 1943 by Commissioner Neece, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

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

Noes: Councilmen: None

Absent:Councilmen: None

ATTEST ELMER J. BLUM, CITY CLERK

RESOLUTION NO. 5876-N.S.

ADJOURNMENT

BE IT HEREBY RESOLVED that this Council meeting now in session adjourn.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 21st day of April, 1943 by Commissioner Neece, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution was adopted by the following vote:

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

Noes: Councilmen: None

Absent:Councilmen: None

ATTEST ELMER J. BLUM, CITY CLERK

-----*****-----

RESOLUTION NO. 5877-N.S.

A RESOLUTION GRANTING REQUEST OF THE AMERICAN RED CROSS FOR RESERVED PARKING SPACE AT 1416 J STREET

---oOo---

BE IT HEREBY RESOLVED that request of the American Red Cross for reserved parking space in front of their headquarters at 1416 J Street be granted and the City Engineer is hereby directed to mark the parking space accordingly.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 28th day of April, 1943 by Commissioner Stanley, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST ELMER J. BLUM, CITY CLERK

RESOLUTION NO. 5878-N.S.

A RESOLUTION AUTHORIZING THE CITY CLERK TO ADVERTISE FOR BIDS ON AUTOMOBILE TO BE USED BY THE POLICE DEPARTMENT OF THE CITY OF MODESTO

---oOo---

BE IT HEREBY RESOLVED that the City Clerk be authorized to advertise for bids on automobile to be used by the Police Department, said bids to be opened at 7:30 P.M. at the Council Chambers on May 12, 1943.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 28th day of April, 1943 by Commissioner Stanley, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST ELMER J. BLUM, CITY CLERK

RESOLUTION NO. 5879-N.S.

A RESOLUTION APPOINTING W. B. DEVLIN, TREASURER AND COLLECTOR AS SIGNATORY OFFICIAL ON AGREEMENT WITH THE HAMMOND GENERAL HOSPITAL FOR DUMPING RUBBISH

---oOo---

BE IT HEREBY RESOLVED that W. B. Devlin, Treasurer and Collector be appointed as signatory official on agreement with the Hammond General Hospital for dumping rubbish,

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 28th day of April, 1943 by Commissioner Bates, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST ELMER J. BLUM, CITY CLERK

RESOLUTION NO. 5880-N.S.

A RESOLUTION APPOINTING MAYOR CARL W. SHANNON AS SIGNATORY OFFICIAL ON REQUISITION

---oOo---

BE IT HEREBY RESOLVED that Mayor Carl W. Shannon be appointed as signatory official on requisition for Lanham Act Funds in amount \$4393.00 to cover period ending June 30, 1943.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 28th day of April, 1943 by Commissioner Neece, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

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

ATTEST ELMER J. BLUM, CITY CLERK

RESOLUTION NO. 5881-N.S.

A RESOLUTION MAKING CHANGES IN PROPOSED ZONING ORDINANCES AND DECLARING THAT PUBLIC HEARINGS ON ZONING ORDINANCE NOW BE DECLARED CLOSED

---oOo---

BE IT HEREBY RESOLVED that a change be made in the proposed zoning ordinance providing that a majority vote of full membership of the Council to override the Planning Commission be changed to provide that a majority of the membership of the Council present at meeting could override the Planning Commission, and

BE IT FURTHER RESOLVED that public hearings on the ordinance now be declared closed.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 28th day of April, 1943 by Commissioner Bates, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

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

ATTEST ELMER J. BLUM, CITY CLERK

RESOLUTION NO. 5882-N.S.

A RESOLUTION AUTHORIZING THE PURCHASE OF A TROPHY FOR THE MODESTO RELAYS BEING SPONSORED BY THE JUNIOR CHAMBER OF COMMERCE ON MAY 15, 1943

---oOo---

WHEREAS, Jack Wherry and James Wilson, representing the Junior Chamber of Commerce have requested that the City of Modesto donate \$25.00 for the purchase of a trophy to be given at the Modesto Relays to be held on May 15, 1943, and being sponsored by the Junior Chamber of Commerce.

BE IT HEREBY RESOLVED that the City Clerk and Auditor be authorized to draw warrant in payment of statement presented by the Junior Chamber of Commerce of the purchase of a trophy not to exceed \$25.00

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 28th day of April, 1943 by Commissioner Neece, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST ELMER J. BLUM, CITY CLERK

RESOLUTION NO. 5883-N.S.

A RESOLUTION AUTHORIZING THE CITY ENGINEER TO MAKE APPLICATION TO THE WAR PRODUCTION BOARD FOR THEIR APPROVAL TO INSTALL LARGER SEWER FACILITIES IN THE SOUTHERN INDUSTRIAL DISTRICT OF THE CITY OF MODESTO AND AUTHORIZING THE CITY ENGINEER TO PROCEED WITH THE WORK

---oOo---

WHEREAS, pursuant to referring of request of certain business concerns for larger sewer facilities in the southern industrial district to the City Engineer for investigation and recommendations, and

WHEREAS, City Engineer Rossi reported that the approximate cost to install the necessary sewer facilities to take care of the Boothe Dehydrator Company, Modesto Dry Yards, Pacific Grape Products and Stanislaus Canning Company would be \$3226.00

BE IT HEREBY RESOLVED that the City Engineer be authorized to make application to the War Production Board for their approval and to proceed with the work.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 28th day of April, 1943 by Commissioner Bates, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST ELMER J. BLUM, CITY CLERK

RESOLUTION NO. 5884-N.S.

A RESOLUTION ACCEPTING RESIGNATION OF NORMAN STURM FROM FIRE DEPARTMENT OF THE CITY OF
MODESTO

---oO---

BE IT HEREBY RESOLVED that resignation of Norman Sturm be accepted from the Fire Department of the City of Modesto, effective May 5, 1943.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 28th day of April, 1943 by Commissioner Stanley, who moved its adoption which resolution being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST EIMER J. BLUM, CITY CLERK

A RESOLUTION EXPRESSING THE APPRECIATION OF THE CITY COUNCIL OF THE CITY OF MODESTO TO
RONALD E. BATES

---oOo---

WHEREAS, Ronald E. Bates has been a member of the City Council of the City of Modesto for four years last past; and,

WHEREAS, on the date herein set forth, to-wit, May 2, 1943, the said Ronald E. Bates voluntarily retires from the office of City Councilman of said City; and

WHEREAS, the said Ronald E. Bates during his period of membership on said City Council has rendered invaluable service to the citizens of the City of Modesto, and has at all times held himself ready and willing to aid and has aided the other members of said City Council in promoting the interests and welfare of said City:

NOW, THEREFORE, BE IT RESOLVED, that the remaining members of said City Council do by this resolution express their sincere thanks and appreciation, both as individuals and as representatives of the City of Modesto, to the said Ronald E. Bates for the invaluable services heretofore rendered by the said Ronald E. Bates to the City Council of the City of Modesto and its citizens.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 28th day of April, 1943 by Councilman Neece, who moved its adoption, which motion being duly seconded, was upon roll call carried, and the resolution adopted by the following vote:

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

Noes: Councilmen: None
Absent: Councilmen: None
Not. Voting: Councilman: Bates

ATTEST ELMER J. BLUM, CITY CLERK

RESOLUTION NO. 5886-N.S.

ADJOURNMENT

BE IT HEREBY RESOLVED that this Council meeting now in session adjourn.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 28th day of April, 1943 by Commissioner Neece, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST ELMER J. BLUM, CITY CLERK

RESOLUTION NO. 5887-N.S.

A RESOLUTION APPOINTING RICHARD USTICK AND FRED TALBOT TO THE DEFENSE RECREATION COMMITTEE

---oOo---

WHEREAS, pursuant to request from the Defense Recreation Committee recommending appointments of Richard Ustick and Fred Talbot to the Defense Recreation Committee, and

WHEREAS by provisions of Resolution No. 5851-N.S. the Council is authorized to make additional appointments to the Defense Recreation Committee,

BE IT HEREBY RESOLVED that Richard Ustick and Fred Talbot be appointed to the Defense Recreation Committee.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 5th day of May, 1943 by Commissioner Morris, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST ELMER J. BLUM, CITY CLERK

RESOLUTION NO. 5888-N.S.

A RESOLUTION APPOINTING W. B. DEVLIN, TREASURER AND COLLECTOR AS SIGNATORY OFFICIAL ON AGREEMENT FOR FURNISHING WATER AT 609 7th STREET

---oOo---

BE IT HEREBY RESOLVED that W. B. Devlin, Treasurer and Collector of the City of Modesto be appointed as signatory official on agreement for furnishing water at 609 7th Street to the United States Department of Agriculture Forest Service.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 5th day of May, 1943 by Commissioner Morris, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST ELMER J. BLUM, CITY CLERK

RESOLUTION NO. 5889-N.S.

A RESOLUTION GRANTING PERMIT TO KEEP RABBITS IN THE CITY OF MODESTO

---oOo---

BE IT HEREBY RESOLVED that the following persons be granted permit to keep rabbits in the City of Modesto as provided by Ordinance No. 416-N.S.

C. J. Conlee, 443, Colorado, Agnes Trueblood, 1020 Eleventh Street, Jack Selsted 121 Fresno, J. B. Moorehead, 115 Elmwood, Harold Olson, 326 Johnson

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 5th day of May, 1943 by Commissioner Stanley, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST ELMER J. BLUM, CITY CLERK

RESOLUTION NO. 5890-N.S.

A RESOLUTION GRANTING PERMIT ERECT TENT FOR REVIVAL SERVICE TO B. J. ANDERSON OF THE PENTECOSTAL HOLINESS CHURCH INC.

---oOo---

BE IT HEREBY RESOLVED that B. J. Anderson of the Pentecostal Holiness Church Inc. be permitted to erect a tent to hold revival services at 611 7th Street for a period of six weeks from this date.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 5th day of May, 1943 by Commissioner Burge, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST ELMER J. BLUM, CITY CLERK

RESOLUTION NO. 5891-N.S.

ADJOURNMENT

BE IT HEREBY RESOLVED that this Council meeting now in session adjourn.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 5th day of May, 1943 by Commissioner Neece, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST ELMER J. BLUM, CITY CLERK

RESOLUTION NO. 5892-N.S.

A RESOLUTION OF THE CITY OF MODESTO GIVING FURTHER AUTHORITY TO SAID CITY TO SELL TO CHAS. O. SMITH, CONDUCTING BUSINESS UNDER THE FIRM NAME AND STYLE OF "SMITH MANUFACTURING COMPANY", SAN JOSE CALIFORNIA, A MCCABE LATHE, ETC., AND RESCINDING ANY CONFLICTING CONDITIONS SET FORTH IN RESOLUTION NO. 5841-N.S. OF SAID CITY

---oOo---

WHEREAS, on the 17th day of March, 1943, the City Council of the City of Modesto, County of Stanislaus, State of California, did pass Resolution No. 5841-N.S., rescinding Resolution No. 5796-N.S., and did then and there pass a resolution authorizing said City to enter into a contract with Chas. O. Smith, conducting business under the firm name and style of "SMITH MANUFACTURING COMPANY" of San Jose, Santa Clara County, California, for the sale to said Company of the following described personal property;

1 McCabe Lathe, Serial No. 345, made by New York-American Ordnance Company,

together with equipment described as follows, to-wit:

- 1 7½ H.P. electric motor
- 1 48 inch swing chuck
- 1 24 inch chuck
- 1 Star boring bar

NOW, THEREFORE, BE IT AND IT IS FURTHER RESOLVED that the sale of said personal property by the said City of Modesto to the said Smith Manufacturing Company be made forthwith upon the following terms and conditions:

Said personal property shall be sold for the sum of One Thousand Five Hundred (\$1,500.00) Dollars, lawful money of the United States of America, subject to the conditions hereinafter set forth:

That the City of Modesto shall have the right or option to repurchase said personal property from said Smith Manufacturing Company for the sum of One Thousand Five Hundred (\$1,500.00) Dollars, lawful money as aforesaid, less the amount of depreciation thereon from the date of said contract, computed at the rate of ten (10%) per cent per annum until the date of said repurchase; also deducting from said purchase price of said personal property from said Smith Manufacturing Company the reasonable rental value of said personal property during the period of time that said Smith Manufacturing Company shall have and use the same, said rental value to be the sum of ten (10%) per cent per annum during said period; and subject also to the condition that the right or option of said City of Modesto to repurchase said personal property, if exercised by said City, must be done within six (6) months after the duration of the war or within six (6) months after said Smith Manufacturing Company ceases to use said personal property for the purpose of filling and completing Navy contracts with the United States Government, depending on which first occurs.

BE IT FURTHER RESOLVED that in order to complete said sale by said City of Modesto to said Smith Manufacturing Company, and all conditions and stipulations set forth and contained in said resolution No. 5841-N.S. in conflict with the provisions hereof are rescinded, vacated and set aside.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 10th day of May, 1943, by

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

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: ELMER J. BLUM, CITY CLERK

RESOLUTION NO. 5893-N.S.

A RESOLUTION APPOINTING MAYOR AND AUDITOR AS SIGNATORY OFFICIALS ON CONTRACT FOR THE SALE OF THE MCCABE LATHE TO THE SMITH MANUFACTURING COMPANY

---oOo---

BE IT HEREBY RESOLVED that the Mayor and Auditor be appointed as signatory officials on contract for the sale of the McCabe lathe to the Smith Manufacturing Company.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 10th day of May, 1943 by Commissioner Burge, who moved its adoption, which motion being duly seconded, it was upon roll call carried by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: Stanley

ATTEST ELMER J. BLUM, CITY CLERK

RESOLUTION NO. 5894-N.S.

ADJOURNMENT

BE IT HEREBY RESOLVED that this Council meeting now in session adjourn.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 10th day of May, 1943 by Commissioner Burge, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: Stanley

ATTEST ELMER J. BLUM, CITY CLERK

RESOLUTION NO. 5895-N.S.

A RESOLUTION APPOINTING COMMISSIONS TO VARIOUS COUNCILMEN

---oOo---

BE IT HEREBY RESOLVED that the following appointments be made

Commissioner of Public Works	RAY BURGE
Commissioner of Health and Safety	C. J. STANLEY
Commissioner of Finance and Revenue	GEO. F. NEECE
COMMISSIONER OF PUBLIC SUPPLIES	L. M. MORRIS

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of May, 1943 by Commissioner Neece, who moved its adoption, which motion being duly seconded, it failed to carry by the following vote:

Ayes: Councilmen: Neece, Burge
Noes: Councilmen: Stanley, Morris
Absent: Councilmen: None
Not Voting: Mayor Shannon

ATTEST ELMER J. BLUM, CITY CLERK

RESOLUTION NO. 5896-N.S.

A RESOLUTION APPOINTING COMMISSION TO VARIOUS COUNCILMEN

---oOo---

BE IT HEREBY RESOLVED that the following appointment be made

COMMISSIONER OF PUBLIC WORKS	L. M. MORRIS
COMMISSIONER OF HEALTH AND SAFETY	C. J. STANLEY
COMMISSIONER OF FINANCE AND REVENUE	GEORGE F. NEECE
COMMISSIONER OF PUBLIC SUPPLIES	RAY BURGE

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of May, 1943 by Commissioner Stanley, who moved its adoption, which motion being duly seconded, it failed to carry by the following vote:

Ayes: Councilmen: Stanley, Morris
Noes: Councilmen: Burge, Neece
Absent: Councilmen: None
Not Voting: Mayor Shannon

ATTEST ELMER J. BLUM, CITY CLERK

RESOLUTION NO. 5897-N.S.

A RESOLUTION REAPPOINTING VARIOUS DEPARTMENT OFFICIALS FOR THE CITY OF MODESTO

---oOo---

BE IT HEREBY RESOLVED that the following officials of the City of Modesto be reappointed as provided by Section 36 of Article VIII of the Charter:

City Engineer, Superintendent of Sewers, Water, Parks, Corporation Yard, Streets, City Electrician and Building Inspector	Frank J. Rossi
City Clerk, Assessor, Auditor	Elmer J. Blum
Treasurer & Collector	W. B. Devlin
City Attorney	R. R. Fowler
Chief of Fire Department	Geo. E. Wallace
Chief of Police Department	E.E. Arington
Health Officer	Dr. J. Lyle Spelmann
Library Trustees	Mrs. W.H. Langdon

W. H. Murray

A. E. Puccinelli

E. R. Utter

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of May, 1943 by Commissioner Neece, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST ELMER J. BLUM, CITY CLERK

RESOLUTION NO. 5899-N.S.

A RESOLUTION APPOINTING L. M. MORRIS, COMMISSIONER OF PUBLIC WORKS MEMBER OF PLANNING COMMISSION OF THE CITY OF MODESTO

---oOo---

BE IT HEREBY RESOLVED that Commissioner of Public Works, L.M. Morris be appointed a member of the Planning Commission 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 12th day of May, 1943 by Commissioner Stanley, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST : ELMER J. BLUM, CITY CLERK

RESOLUTION NO. 5900-N.S.

A RESOLUTION OF THE CITY COUNCIL GRANTING REQUEST OF AMERICAN LEGION POST NO. 74 OF THE CITY OF MODESTO THAT CERTAIN MONEYS BE DONATED BY SAID CITY FOR PURPOSE OF GIVING PROPER RECOGNITION TO AND HONORING MEMBERS OF ARMY AND NAVY OF THE UNITED STATES OF AMERICA, INDUCTED FROM THE MODESTO AND RIVERBANK DRAFT AREAS.

---oOo---

WHEREAS, a committee from the American Legion Post No. 74 of Modesto, California, composed of Frank Damrell, Chairman, Ed Mitchell and Charles M. Crawford, appeared before the City Council of said City of Modesto; and,

WHEREAS, this committee urged that the City of Modesto establish a fund and take appropriate steps to co-operate with and aid and support the local post of the American Legion in giving proper recognition to and placing on an Honor Roll the names of all persons from this community who are members of the Army or Navy of the United States of America and who have distinguished themselves and received honors from our Federal Government; and that there also be placed on said Honor Roll the names of all men in various branches of the Army and Navy of the United States of America who have been in the combat area; and,

WHEREAS, it appearing to said City Council that said request should be granted, and that it is highly appropriate and fitting that such recognition

be given to the members of our Army and Navy who have become members of said branches of the Military service from the Modesto and Riverbank draft area;

NOW, THEREFORE, BE IT, AND IT IS HEREBY RESOLVED that there be erected in the Courthouse Park in said City of Modesto a display board of proper form and dimensions wherein there shall be displayed in an appropriate and customary manner the name of such members of the military and naval forces of the United States of America as herein referred to:

BE IT FURTHER RESOLVED that this City set aside a fund of \$100.00 at this time to be used in welcoming home and providing appropriate entertainment for said members of our military forces who were inducted from said areas.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of May, 1943 by Councilman Stanley, who moved its adoption, which motion being duly seconded, was upon roll call carried, and the resolution adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST ELMER J. BLUM, CITY CLERK

RESOLUTION NO. 5901-N.S.

A RESOLUTION ALLOWING CLAIMS FOR MONTH OF APRIL, 1943

---oOo---

WHEREAS, the claims against the City of Modesto for the month of April, 1943, for the various sums in the aggregate hereinafter stated having been audited by the Council and found to be correct;

NOW THEREFORE, BE IT RESOLVED that all of said claims so audited and approved be and they are hereby ordered allowed, with reference being made to the Auditor's Cash Records for further details relative to amounts of withdrawals from the various funds as follows:

GENERAL FUND-----	\$25,942.94
WATER FUND-----	5,038.45
LIBRARY FUND-----	1,184.68
SPECIAL GAS TAX-----	<u>3.07</u>
TOTAL	\$32,169.14

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of May, 1943 by Commissioner Neece, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

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

noes: Councilmen: None

Absent: Councilmen: None

ATTEST ELMER J. BLUM, CITY CLERK

RESOLUTION NO. 5902-N.S.

A RESOLUTION GRANTING PERMIT TO KEEP RABBITS IN CITY OF MODESTO

---oOo---

BE IT HEREBY RESOLVED that permit be granted to A. Williford at 608 11th Street to keep rabbits in the City of Modesto as provided by Ordinance No. 416-N.S.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of May, 1943 by Commissioner Stanley, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

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

ATTEST ELMER J. BLUM, CITY CLERK

RESOLUTION NO. 5903-N.S.

A RESOLUTION REAPPOINTING MARGARET BACON TO PARK COMMISSION

---oOo---

BE IT HEREBY RESOLVED that Margaret Bacon be reappointed a member of the Park Commission as of May 10, 1943 for a period of three years.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of May, 1943, by Commissioner Neece, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

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

ATTEST ELMER J. BLUM, CITY CLERK

RESOLUTION NO. 5904-N.S.

A RESOLUTION AUTHORIZING THE AUDITOR OF THE CITY OF MODESTO TO RETURN CHECK TO FONTES MACHINERY COMPANY

---oOo---

BE IT HEREBY RESOLVED that the Auditor of the City of Modesto be authorized to return the \$1500.00 check given by the Fontes Machinery Company for the purchase of the McCabe Lathe belonging to the City of Modesto as this sale had not been consumated.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of May, 1943 by Commissioner Neece, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

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

ATTEST: ELMER J. BLUM, CITY CLERK

RESOLUTION NO. 5905-N.S.

ADJOURNMENT

~~BE IT HEREBY RESOLVED~~ that this Council meeting now in session
adjourn.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of May, 1943 by Commissioner Neece, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

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

ATTEST ELMER J. BLUM, CITY CLERK

RESOLUTION NO. 5906-N.S.

A RESOLUTION APPOINTING W. H. MURRAY AND CLARENCE S. BROWNE AS MEMBERS OF THE LIBRARY BOARD

---oOo---

BE IT HEREBY RESOLVED that W. H. Murray be reappointed as Trustee of the Library Board for a period of four years from February 1, 1943, and

BE IT FURTHER RESOLVED that Clarence S. Browne be appointed to fill the unexpired term of Roy Pack to July 1, 1945.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 19th day of May, 1943 by Commissioner Burge, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

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

ATTEST ELMER J. BLUM, CITY CLERK

RESOLUTION NO. 5907-N.S.

A RESOLUTION AWARDED BID ON AUTOMOBILE FOR POLICE DEPARTMENT TO W. J. SILVA

---oOo---

BE IT HEREBY RESOLVED that bid on automobile for the Police Department be awarded to W. J. Silva for 1942 four door Sedan at a purchase price of \$1300.00, and

BE IT FURTHER PROVIDED that the City Clerk be authorized to return the bidding checks to the unsuccessful bidders.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 19th day of May, 1943, by Commissioner Burge, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

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

ATTEST: ELMER J. BLUM, CITY CLERK

RESOLUTION NO. 5908-N.S.

A RESOLUTION GRANTING PERMIT TO KEEP RABBIT, R. A. WILHELM

----oOo---

BE IT HEREBY RESOLVED that permit be granted to R. A. Wilhelm, 206 Alturas to keep rabbits in the City of Modesto accoring to provisions of Ordinance No. 416-N.S.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 19th day of May, 1943 by Commissioner Burge, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution was adopted by the following vote:

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

Noes: Councilmen: None

Absent:Councilmen: None

ATTEST ELMER J. BLUM, CITY CLERK

RESOLUTION NO. 5909-N.S.

ADJOURNMENT

BE IT HEREBY RESOLVED that this Council meeting now in session adjourn.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 19th day of May, 1943 by Commissioner Burge, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

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

Noes: Councilmen: None

Absent:Councilmen: None

ATTEST ELMER J. BLUM, CITY CLERK

RESOLUTION NO. 5910-N.S.

A RESOLUTION RECITING THAT HON. CARL W. SHANNON, MAYOR OF THE CITY OF MODESTO, HAS RECEIVED FROM FEDERAL WORKS AGENCY DRAFT NUMBERED 7,341, DATED MAY 18, 1943 FOR THE SUM OF \$1098.25, AND CONSTITUTING 25 PER CENT OF ALLOTMENT UNDER LANHAM ACT, AND AUTHORIZING AND DIRECTING DISPOSITION THEREOF FOR MODESTO DEFENSE RECREATION COMMITTEE

-----o00-----

WHEREAS, the Honorable Carl W. Shannon, Mayor of the City of Modesto, has received from Federal Works Agency, through Wright L. Felt, Assistant Regional Director, a draft numbered 7,341, dated May 18, 1943, drawn against Treasury of the United States in favor of the City of Modesto in the sum of \$1,098.25, constituting twenty-five per cent of the allotment of Federal Funds made under the provisions of the Lanham Act for the objects, purposes and things set forth in detail in written application of Defense Recreation Committee of the City of Modesto; and,

WHEREAS, in accordance with a letter accompanying said draft addressed to the Mayor of said City of Modesto it is requested by said Agency that said moneys be deposited promptly upon receipt thereof in a separate account referred to as the "Defense Recreation Committee of Modesto Contribution Account" in a bank or banks in the City of Modesto which are members of the Federal Deposit Insurance Corporation; and,

WHEREAS, the Mayor of said City, for and on behalf of said City, will endorse said draft so that it may be converted into cash in order that it may be deposited in accordance with the instructions of Federal Works Agency:

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED, that said draft be immediately converted into cash for said sum of \$1,098.25 and that said sum be immediately deposited in the Bank of America National Trust & Savings Association, under the name or designation of "Defense Recreation Committee of Modesto Contribution Account".

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of May, 1943 by Councilman Neece, who moved its adoption, which motion being duly seconded, was upon roll call carried, and the resolution adopted by the following vote:

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

ATTEST: ANNE M. COLLINS, ACTING ASSISTANT
CITY CLERK

RESOLUTION NO. 5911-N.S.

A RESOLUTION GRANTING PERMIT TO FRANK B. LATTIMER TO OPERATE A USED CAR LOT AT 1130 TENTH STREET

---oOo---

BE IT HEREBY RESOLVED that bond and application of Frank B. Lattimer to operate a used car lot at 1130 Tenth Street be approved and permit be granted to operate said business

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of May, 1943 by Commissioner Morris, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

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

ATTEST ANNE M. COLLINS, ACTING ASSISTANT
CITY CLERK

RESOLUTION NO. 5912-N.S.

A RESOLUTION AUTHORIZING THE RECORDING OF THE DEED ON TAX DEED LAND PRESENTED BY ED WHITMORE TAX COLLECTOR OF THE CITY OF MODESTO

---oOo---

BE IT HEREBY RESOLVED, that deed on tax deed land presented by Ed Whitmore, Tax Collector of the County of Stanislaus to the City of Modesto be and it is hereby ordered 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 26th day of May, 1943 by Commissioner Neece, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

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

ATTEST ANNE M. COLLINS, ACTING
ASSISTANT CITY CLERK

RESOLUTION NO. 5913-N.S.

A RESOLUTION AUTHORIZING THE RENEWAL OF LEASE WITH THE HAWKE CROP DUSTING COMPANY FOR HANGAR AT MUNICIPAL AIRPORT FOR A TERM OF ONE YEAR FROM JUNE 2, 1943

---oOo---

BE IT HEREBY RESOLVED that renewal of the lease with the Hawke Crop Dusting Company for hangar at airport for a term of one year from June 2, 1943 be and it is hereby authorized on the same terms as expiring lease.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of May, 1943 by Commissioner Morris, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST ANNE M. COLLINS, ACTING ASSISTANT CITY CLERK

RESOLUTION NO. 5914-N.S.

A RESOLUTION REVOKING THE TAXICAB DRIVER'S LICENSE OF LEO HARRELSON

---oOo---

WHEREAS, pursuant to citation being served on Leo Harrelson, taxicab driver, to show cause why his license No. 403 should not be cancelled as provided by section 3 of Ordinance No. 522-N.S., as he had been cited for four infractions, and

WHEREAS, said Leo Harrelson has turned his driver's license over to the Police Department of the City of Modesto and notified them that he would not appear before the Council as required

BE IT HEREBY RESOLVED that taxicab driver's license No. 403 of Leo Harrelson be and it is hereby cancelled.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of May, 1943 by Commissioner Stanley, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: ANNE M. COLLINS, ACTING ASSISTANT CITY CLERK

RESOLUTION NO. 5915-N.S.

A RESOLUTION GRANTING LEAVE OF ABSENCE TO DELBERT M. HODGES FOR SERVICE IN THE UNITED STATES ARMED FORCES

-----oOo-----

WHEREAS, Delbert M. Hodges, a member of the Fire Department of the City of Modesto, has been drafted into the armed forces of the United States of America; and,

WHEREAS, by reason thereof, the said Delbert M. Hodges must leave his duties as a member of said Fire Department, and

WHEREAS, the said Delbert M. Hodges has clearly demonstrated that he is a competent driver who should not suffer loss of his position in said Department by reason of his offer to serve in the armed forces of the United States of America:

NOW, THEREFORE, IT IS HEREBY RESOLVED by the City Council of the City of Modesto that the said Delbert M. Hodges, shall be and he is hereby granted leave from said Fire Department for the duration of the present war and for sixty (60) days after his discharge from said United States armed forces.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of May, 1943 by Commissioner Stanley, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST ANNE M. COLLINS, ACTING ASSISTANT
CITY CLERK

RESOLUTION NO. 5916-N.S.

ADJOURNMENT

BE IT HEREBY RESOLVED that this Council meeting adjourn out of respect for the late Elmer J. Blum, City Clerk, Auditor and Assessor 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 May, 1943 by Commissioner Morris, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: ANNE M. COLLINS, ACTING ASSISTANT
CITY CLERK

RESOLUTION NO. 5917-N.S.

A RESOLUTION APPOINTING REX E. GAILFUS, AS CITY CLERK, AUDITOR AND ASSESSOR OF THE
CITY OF MODESTO

---oOo---

BE IT HEREBY RESOLVED that Rex E. Gailfus be appointed as City Clerk, Auditor and Assessor of the City of Modesto, said appointment to be effective as soon as bonds have been placed on file and oath of office has been taken.

BE IT HEREBY RESOLVED that compensation to be paid to said Rex E. Gailfus shall be \$3720.00 per annum as set forth in section 1 of Ordinance No. 685-N.S. of the City of Modesto.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 28th day of May, 1943 by Commissioner Neece, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: ANNE M. COLLINS, ACTING ASSISTANT CITY CLERK

RESOLUTION NO. 5918-N.S.

A RESOLUTION APPOINTING W. B. DEVLIN AS CLERK OF THE PERSONNEL BOARD OF THE CIVIL SERVICE SYSTEM, TO SUCCEED THE LATE ELMER J. BLUM

---oOo---

BE IT HEREBY RESOLVED that W. B. Devlin be appointed as Clerk of the Personnel Board of the Civil Service System, as provided in Ordinance No. 599-N.S., at a salary of \$25.00 per month, to succeed the late Elmer J. Blum.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 28th day of May, 1943 by Commissioner Neece, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST ANNE M. COLLINS, ACTING ASSISTANT CITY CLERK

RESOLUTION NO. 5919-N.S.

A RESOLUTION RESCINDING RESOLUTION NO. 5890-N.S. ENTITLED "A RESOLUTION GRANTING PERMIT TO ERECT TENT FOR REVIVAL SERVICES TO B. J. ANDERSON OF THE PENTECOSTAL HOLINESS CHURCH INC."

---oOo---

Whereas, the Council of the City of Modesto did on the 5th day of May, 1943 adopt Resolution No. 5890-N.S. entitled; " A RESOLUTION GRANTING PERMIT TO ERECT TENT FOR REVIVAL SERVICES TO B. J. ANDERSON OF THE PENTECOSTAL HOLINESS CHURCH, INC." granting permit to the said B. J. Anderson to erect a tent to hold revival services at 611 7th Street for a period of six weeks from this date, and

WHEREAS, there have filed with the Police Department of the City of Modesto numerous complaints by the residents in the neighborhood adjoining this tent on the noise disturbing the peace and quiet,

BE IT HEREBY RESOLVED that Resolution No. 5890-N.S. granting permit to erect tent and hold revival services at above location be and it is hereby rescinded as of this date and

BE IT HEREBY RESOLVED that the Police Department of the City of Modesto be authorized to notify said B. J. Anderson of the action taken by the Council.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 28th day of May, 1943 by Commissioner Morris, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST ANNE M. COLLINS, ACTING ASSISTANT CITY CLERK

RESOLUTION NO. 5920-N.S.

ADJOURNMENT

BE IT HEREBY RESOLVED that this Council meeting now in session adjourn.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 28th day of May, 1943 by Commissioner Morris, who

moved its adoption, which motion being duly seconded, it was upon roll call carried

and the resolution adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST ANNE M. COLLINS, ACTING ASSISTANT CITY CLERK

RESOLUTION NO. 5921-N.S.

WHEREAS, on the 26th day of May, 1943, Elmer J. Blum, our highly esteemed and honored City Clerk, departed this life after a very brief illness;

His sudden and unexpected passing was a profound, almost stunning, shock to his associates, fellow officers, relatives and friends;

He was only thirty-nine years of age, had been an employee of the City of Modesto since 1925, and City Clerk, Auditor and Assessor since November 28, 1940;

At all times he was a faithful, highly competent and dependable officer. His earnest devotion to the discharge of his official duties was well known and earned for him an enviable reputation throughout the State;

During the years of his employment with this City, he rendered invaluable service, displaying at all times a willingness to aid in its advancement and the welfare of its citizens;

NOW, THEREFORE, THE CITY COUNCIL does by these presents make formal record of the loss to the City of Modesto, its Council and its citizens occasioned by the untimely passing of a splendid officer, and a devoted husband and father.

AND THIS COUNCIL does further extend to his sorrowing wife, Ella M. Blum, and his two little children, James E. Blum and Kathleen Blum, the profound sympathy of its members and that of the citizens of Modesto.

BE IT FURTHER RESOLVED that this resolution be spread upon the minutes of the City Council of the City of Modesto, and that a copy thereof be sent to the family of our late City Clerk, Elmer J. Blum.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto, held on the 2nd day of June, 1943, by Councilman Neece, who moved its adoption, which motion being duly seconded, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burge, Morris, Neece, Acting Mayor Stanley

Noes: Councilmen: None

Absent: Mayor Shannon

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 5922-N.S.

A RESOLUTION GRANTING PERMIT TO G. WILEY TO OPERATE BUSINESS IN RESIDENCE ZONE

---oOo---

WHEREAS, pursuant to referring of petition of G. Wiley to operate a painting business at 311 High Street to the Planning Commission for investigation and recommendation as provided by Ordinance No. 655-N.S. at this time a communication from the Planning Commission was filed granting petition and making certain recommendations as follows:

1-That there be no mixing of paints on the premises

2-That there be no expansion of the business beyond what is now anticipated.

3-That paints, oils, etc., shall not be kept on the premises in such quantities as may increase the fire insurance rates of the property adjacent thereto.

4-That any signs displayed shall be in accordance with the provisions of the newly adopted Zoning Ordinance which will be effective on June 10, 1943

BE IT HEREBY RESOLVED that petition be granted to said G. Wiley upon the conditions set forth above to operate painting business at 311 High Street.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 2nd day of June, 1943 by Commissioner Burge, who moved its adoption, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burge, Morris, Neece, Acting Mayor Stanley

Noes: Councilmen: None

Absent: Mayor Shannon

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 5923-N.S.

A RESOLUTION GRANTING THIRTY DAYS EXTENSION TO THE STANDARD MATERIALS COMPANY FOR COMPLETION OF CONTRACT FOR IMPROVEMENT OF LALOMA STREET

---oOo---

BE IT HEREBY RESOLVED that an extension of 30 days be granted to the Standard Materials Company for the completion of contract for the improvement of La Loma Street from Eighteenth Street to Rue De Yoe and from alley in Block 235 to Bonita Avenue from June 8, 1943

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 2nd day of June, 1943 by Commissioner Morris, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burge, Morris, Neece, Acting Mayor Stanley

Noes: Councilmen: None

Absent: Mayor Shannon

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 5924-N.S.

A RESOLUTION AUTHORIZING RENEWAL OF LEASE WITH UNITED STATES ON MUNICIPAL AIRPORT

---oOo---

BE IT HEREBY RESOLVED that renewal of lease with the United States of America for the Municipal Airport be authorized for a period of one year from June 30, 1943, and

BE IT HEREBY RESOLVED that the Mayor be appointed as signatory official for said document.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 2nd day of June, 1943 by Commissioner Morris, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burge, Morris, Neece, Acting Mayor Stanley

Noes: Councilmen: None

Absent: Mayor Shannon

ATTEST REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 5925-N.S.

A RESOLUTION AUTHORIZING THE RENEWAL OF AGREEMENT FOR WATER SERVICE WITH BUREAU OF RECLAMATION AT 809 13th STREET FOR A PERIOD OF ONE YEAR FROM JULY 1, 1943

---oOo---

BE IT HEREBY AUTHORIZED that renewal of contract be authorized for furnishing water to the Bureau of Reclamation at 809 13th Street for a period of one year from July 1, 1943 and that the Mayor be appointed signatory official.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 2nd day of June, 1943 by Commissioner Morris, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burge, Morris, Neece, Acting Mayor Stanley

Noes: Councilmen: None

Absent: Mayor Shannon

ATTEST REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 5926-N.S.

ADJOURNMENT

BE IT HEREBY RESOLVED that the Council meeting now in session adjourn.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 2nd day of June, 1943 by Commissioner Burge, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burge, Morris, Neece, Acting Mayor Stanley

Noes: Councilmen: None

Absent: Mayor Shannon

ATTEST REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 5927-N.S.

WHEREAS, the City of Modesto a municipal corporation duly organized and existing by virtue of the Municipal Corporation Act of the State of California, is of the opinion that there exists or impends in said City of Modesto an acute shortage of public service necessary to the health, safety or welfare of persons engaged in national defense activities, which would impede national defense activities, and that such public service cannot be provided when needed or could not be provided without the imposition of an increased excessive tax burden or an unusual or excessive increase in the debt limit of the City of Modesto; and

WHEREAS, federal funds have been set apart for such purposes under the provisions of the Lanham Act.

NOW, THEREFORE, BE IT RESOLVED that the City of Modesto does make applica-

for an allotment of federal funds in the amount of \$20,100 00 and for a contribution for the maintenance or operation of recreation facilities in the City of Modesto, and

BE IT FURTHER RESOLVED that the following named persons be, and they are hereby named to constitute a Defense Recreation Committee for the City of Modesto with powers and duties of supervising and directing defense recreational projects and/or activities within the City and outside of the City in areas approved by the Federal Works Agency:

Elizabeth Benkenforf, who shall act as Chairman:

Jack E. Wherry

H. J. Wellman

Bessie Singleton

Leo C. Hammett

Fred Talbot

Richard Ustick

BE IT FURTHER RESOLVED that the City of Modesto shall have the power to receive any federal funds received under the provision of said Lanham Act and deposit said funds to the credit of the "Defense Recreation Committee of Modesto Contribution Account" and said Defense Recreation Committee of Modesto shall have the power and it is hereby given the power, to administer and expend said funds through its duly authorized agents or representatives for the purposes provided for by said Lanham Act, and

BE IT FURTHER RESOLVED that Carl W. Shannon, Mayor of the City of Modesto, and Elizabeth Benkendorf, Chairman of said Defense Recreation Committee, be, and they are hereby authorized and directed to execute any and all applications and documents necessary or required for the procurement of an allotment of federal funds in the amount hereinabove specified, under the provisions of said Lanham Act.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of June, 1943 by Commissioner Neece, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 5928-N.S.

A RESOLUTION ALLOWING CLAIMS FOR MONTH OF MAY, 1943

WHEREAS, the claims against the City of Modesto for the month of May, 1943, for the various sums in the aggregate hereinafter stated having been audited by the Council and found to be correct;

NOW, THEREFORE, BE IT RESOLVED that all of said claims so audited and approved be and they are hereby ordered allowed, with reference being made to the Auditor's Cash Records for further details relative to amounts of withdrawals from the various funds as follows:

GENERAL FUND-----	\$27,721.95
WATER FUND-----	5,367.61
LIBRARY FUND-----	1,182.85
SPECIAL GAS TAX-----	21.53

\$34,293.94

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of June, 1943, by Commissioner Neece, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

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

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 5929-N.S.

A RESOLUTION AUTHORIZING THE CITY CLERK TO ADVERTISE FOR BIDS ON OFFICIAL PRINTING AND ADVERTISING FOR THE FISCAL YEAR ENDING JUNE 30, 1944

---oOo---

BE IT HEREBY RESOLVED, that the City Clerk be authorized to advertise for bids for the official printing and advertising for the fiscal year ending June 30, 1944, said bids to be opened at the City Hall on Wednesday, June 23, 1943.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of June, 1943 by Commissioner Neece, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

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

ATTEST REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 5930-N.S.

A RESOLUTION AUTHORIZING PROGRESSIVE PAYMENT TO STANDARD MATERIALS COMPANY FOR \$2312.64 FOR IMPROVING LA LOMA STREET

---oOo---

WHEREAS, City Engineer, F. J. Rossi has filed a report with the Council of work completed by the Standard Materials Company on the improving of La Loma Street improvement, Project No. 26 of the Memorandum of Agreement for Streets of Major Importance, and

WHEREAS said report shows approximately 55% of the work completed.

BE IT HEREBY RESOLVED that the City Clerk and Auditor be authorized to draw warrant for \$2312.64 as first progressive payment, payable to Standard Materials Company.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of June, 1943 by Commissioner Morris, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

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

ATT ST REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 5931-N.S.

RESOLUTION OF INTENTION TO GRANT GAS FRANCHISE

WHEREAS Pacific Gas and Electric Company, a California utility corporation, has filed with the Council of the City of Modesto an application requesting that a franchise be granted to it of the character and for the purposes mentioned in the form of notice hereinafter set forth; and

WHEREAS in the opinion of said Council the public good requires that said franchise be granted;

NOW, THEREFORE, BE IT RESOLVED that said Council intends to grant said franchise, that hearing of objections to the granting thereof will be held at the time and place specified in the form of notice hereinafter set forth which the Clerk of said City is hereby directed to publish at least once within fifteen days after the passage of this resolution in the The Modesto Bee, a newspaper of general circulation within said City, and that said notice shall be in the following words and figures:

NOTICE OF INTENTION TO GRANT FRANCHISE

NOTICE IS HEREBY GIVEN that Pacific Gas and Electric Company, a California utility corporation, has filed its application with the Council of the City of Modesto requesting said Council to grant it a franchise for an indeterminate period, as provided in the Franchise Act of 1937, (A) to use, for transmitting and distributing gas within said City for any and all purposes other than those authorized under Section 19 of Article XI of the Constitution of the State of California, as said section existed prior to its amendment on October 10, 1911, all gas pipes and appurtenances which now are or may hereafter be lawfully placed in the public streets, ways and places within said city, and (b) to lay and use in said public streets, ways and places all pipes and appurtenances necessary or proper for said purposes.

If said franchise shall be granted to it, said Pacific Gas and Electric Company, its successors and assigns, hereinafter designated grantee, shall during the life thereof pay to said city two per cent of the gross annual receipts of said grantee arising from the use, operation or possession of said franchise; provided, however, that such payment shall in no event be less than a sum which shall be equivalent to one per cent of the gross annual receipts derived by grantee from the sale of gas within the limits of said city under both the franchise to be granted and the franchise now owned by said grantee by virtue of Section 19 of Article XI of the Constitution of the State of California as said section existed prior to its amendment on October 10, 1911. Said percentage will be paid annually from the date of the granting of the franchise applied for and in the event such payment shall not be made said franchise shall be forfeited. Said City Council proposes to grant said franchise for an indeterminate period.

NOTICE IS HEREBY FURTHER GIVEN that any and all persons having any objections to the granting of said franchise may appear before said Council at the City Hall of said city at the hour of 8 p.m. on Wednesday the 14th day of July 1943, and be heard thereon; and

NOTICE IS HEREBY FURTHER GIVEN that at any time not later than the hour so set for hearing objections any person interested may make written

protest stating objections against the granting of said franchise which protest must be signed by the protestant and delivered to the City Clerk of said City, and the Council shall at the time set for hearing said objections proceed to hear and pass upon all protests so made; and

NOTICE IS HEREBY FURTHER GIVEN that the grantee of said franchise must within five days after the date of granting same file with the Council of said City a bond in the penal sum of one thousand dollars (\$1000.00) running to said City with at least two good and sufficient sureties thereto to be approved by said Council conditioned that such grantee shall well and truly observe, fulfill and perform each and every term and condition of said franchise and that in case of any breach of condition of said bond occurring the whole amount of the penal sum therein named shall be taken and deemed to be liquidated damages and shall be recoverable from the principal and sureties upon said bond.

For further particulars reference is hereby made to said application filed as aforesaid in the office of said Council, and also to the resolution adopted on the 9th day of June, 1943, declaring its intention to grant said franchise.

Dated June 9, 1943

By order of the Council of the City of Modesto

REX E. GAILFUS, CLERK OF THE CITY OF MODESTO

The foregoing resolution was duly passed and adopted by the Council of the City of Modesto at a regular meeting of the said Council held on the 9th day of June 1943 by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

CARL W. SHANNON, Mayor of the City of
Modesto

Attest: Rex E. Gailfus, Clerk of the City of Modesto.

RESOLUTION NO. 5932-N.S.

A RESOLUTION AMENDING RESOLUTION NO. 4298-N.S. ENTITLED "A RESOLUTION AUTHORIZING CERTAIN OFFICIALS OF THE CITY OF MODESTO TO SIGN REQUISITION FOR LABOR AND/OR MATERIALS

---oOo---

BE IT HEREBY RESOLVED that the Resolution No. 4298-N.S. entitled "A RESOLUTION AUTHORIZING CERTAIN OFFICIALS OF THE CITY OF MODESTO TO SIGN REQUISITION FOR LABOR AND/OR MATERIALS" be amended to include the Treasurer and Collector.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of June, 1943 by Commissioner Neece, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 5933-N.S.

ADJOURNMENT

BE IT HEREBY RESOLVED that this Council meeting now in session adjourn.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of June, 1943 by Commissioner Burge, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST REX. E. GAILFUS, CITY CLERK

RESOLUTION NO. 5934-N.S.

A RESOLUTION OF THE COUNCIL OF THE CITY OF MODESTO, COUNTY OF STANISLAUS, STATE OF CALIFORNIA, ENDORSING POLICY OF THE AMERICAN LEGION, DEPARTMENT OF CALIFORNIA, IN RELATION TO THE JAPANESE QUESTION

----oOo----

WHEREAS, the American Legion, Department of California, is actively supporting a program for dealing with the Japanese situation as it relates to the Pacific Coast. This program, as we understand it, has for its chief objects at the present time the following:

1. The prevention of the return of any Japanese to the Pacific Coastal area for the duration of the present war.
2. To transfer to and vest complete control of all Japanese in America from civilian authority to the United States Army.
3. Abandon the idea of creating Japanese Combat Units.
4. Under strict Army control, place every able-bodied Japanese male in agriculture, in interior.
5. Release all farm implements, cars, tires and other personal property belonging to or purporting to belong to Japanese, situate on the Pacific Coast, for war time use under "eminent domain" law.
6. Release impounded money, purportedly amounting to nearly \$200,000,000, belonging to the government of Japan, for use in enforcing and carrying out the foregoing plans and projects.
7. Conduct thorough investigation of all Japanese activities in America, before and since the Pearl Harbor incident of December 7, 1941, and establish Congressional Committee for complete study and plan for postwar disposition of Japanese:

NOW, THEREFORE, BE IT, AND IT IS HEREBY, RESOLVED by the Council of the City of Modesto, County of Stanislaus, State of California, that it go on record as approving the stand of the American Legion.

BE IT FURTHER RESOLVED that this Council urge Congress to make a thorough and complete investigation of the Japanese question as it relates to the Pacific Coast, and that all persons in sympathy with the militant and aggressive policy of the Japanese Government be exposed.

BE IT FURTHER RESOLVED that this Council heartily endorses the stand of General DeWitt in dealing with the Japanese question on the Pacific Coast.

BE IT FURTHER RESOLVED that the Clerk of this Council send a copy of this

resolution to Dr. L. A. Hammer, Chairman of the American Legion Committee, 838 South Grand Avenue, Los Angeles, California, and a copy to Congressman John M. Costello, Washington D. C.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 16th day of June, 1943 by Councilman Stanley, who moved its adoption, which motion being duly seconded was upon roll call carried and the resolution adopted by the following vote:

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

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 5935-N.S.

A RESOLUTION APPROVING AGREEMENT FOR RENTAL OF THE SOFT BALL DIAMOND AT THE MUNICIPAL BASEBALL FIELD TO THE SOFT BALL ASSOCIATION

---oOo---

BE IT HEREBY RESOLVED that the City of Modesto lease that portion of the Modesto Municipal Baseball Field, known as the Soft Ball Field to the Modesto Soft Ball Association for the period June 1, 1943 to and including September 30, 1943, for a sum of \$1.00 providing they meet all requirements as set forth in the lease agreement.

BE IT FURTHER RESOLVED that the Mayor and Auditor be appointed as signatory officials.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 16th day of June, 1943 by Commissioner Neece, who moved the adoption, which resolution was regularly adopted by the following vote:

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

ATTEST REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 5936-N.S.

ADJOURNMENT

BE IT HEREBY RESOLVED that this Council meeting now in session adjourn.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 16th day of June, 1943 by Commissioner Burge, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

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

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 5937-N.S.

A RESOLUTION ALLOWING CLAIM OF ATTORNEY R. R. FOWLER OF \$22.18

---oOo---

BE IT HEREBY RESOLVED that the City Clerk and Auditor be authorized to draw warrant in amount \$22.18 to Attorney R. R. Fowler for cash paid out on quieting title to tax deed lands and expenses on trip to San Jose.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of June, 1943 by Commissioner Neece, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

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

ATTEST REX. E. GAILFUS, CITY CLERK

RESOLUTION NO. 5938-N.S.

A RESOLUTION ACCEPTING BID OF THE MODESTO BEE FOR OFFICIAL ADVERTISING AND PRINTING FOR YEAR ENDING JUNE 30, 1944

---oOo---

BE IT HEREBY RESOLVED that bid of the Modesto Bee for official advertising and printing for year ending June 30, 1944 for the City of Modesto be accepted and the Mayor and Auditor be appointed as signatory officials on contract.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of June, 1943 by Commissioner Stanley, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

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

ATTEST REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 5939-N.S.

A RESOLUTION STRIKING OUT PROVISIONS IN CONTRACT WITH MODESTO SOFT BALL ASSOCIATION, IN REGARD TO FURNISHING PUBLIC LIABILITY INSURANCE.

---oOo---

WHEREAS, the City of Modesto, on the 16th day of June, 1943, did enter into a certain agreement, in writing, with the Modesto Soft Ball Association, by the terms of which said City did grant unto said Association the right to occupy and use a portion of Modesto Municipal Base Ball Park, situate south of the corporate limits of said City; and,

WHEREAS, one of the conditions of said agreement was that said Modesto Soft Ball Association would, at its own cost and expense, procure and keep in full force and effect public liability insurance for the purpose of indemnifying all persons on account of any personal injury suffered by them or any of them while attending such soft ball games; and,

WHEREAS, it appears that the said City of Modesto is already fully covered by public liability insurance and that said insurance is ample and fully

adequate to and does afford the necessary protection in such cases, and that to require said Modesto Soft Ball Association under such circumstances to furnish additional public liability insurance would serve no good or useful purpose, and would unduly burden said Association:

NOW, THEREFORE, BE IT, AND IT IS HEREBY RESOLVED that that portion of said agreement requiring said Modesto Soft Ball Association to procure such insurance be, and the same is hereby rescinded, vacated and set aside.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of June, 1943 by Councilman Burge, who moved its adoption, which motion being duly seconded, was upon roll call carried, and the resolution adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 5940-N.S.

A RESOLUTION AUTHORIZING PARTIAL PAYMENT TO STANDARD MATERIALS COMPANY ON IMPROVING
LA LOMA STREET

---oOo---

BE IT HEREBY RESOLVED that progressive partial payment be authorized of \$1681.92 to the Standard Materials Company for improving LaLoma Street and the City Clerk and Auditor is hereby 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 23rd day of June, 1943 by Commissioner Morris, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 5941-N.S.

A RESOLUTION PROVIDING FOR COLLECTION OF A "20% WITHHOLDING TAX" FROM THE EMPLOYEES OF THE CITY OF MODESTO AND DISPOSITION THEREOF

---oOo---

WHEREAS, the Current Tax Payment Act of 1943 imposes a levy of 20% on the gross income of every individual, less certain deductions allowed by the law, in the employ of the City of Modesto, which is required to be collected at the source by employers: and

WHEREAS, municipal employees are subject to the tax and municipalities are made withholding agents and required to withhold such tax and to return and pay over the proceeds thereof to the Federal Government; and,

WHEREAS, deductions, at the option of the employer, may be computed on the amount actually paid at any payroll period or upon the basis of wage bracket withholdings set forth in the section 1622 of the Current Tax Payment Act of 1943, section 2, Chapter 9, Sub-chapter D of the U.S. Internal Revenue Code for any

payroll period;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MODESTO DOES HEREBY
RESOLVE as follows:

That beginning with the first payroll period after July 1, 1943, the City Auditor is hereby authorized and directed to deduct and withhold from the wages or salary paid to each officer or employee of the City of Modesto, said withholding tax in such an amount as it required by said Current Tax Payment Act of 1943.

The City Auditor, at the time of making up the payroll or immediately thereafter, shall transfer the monies deducted there from under the provisions of this resolution to the City Treasurer for deposit in a separate account in the Anglo California National Bank of Modesto, California, where they shall be deposited and designated as a 20% Withholding Tax Account, held for the benefit of the Collector of Internal Revenue." The monies accumulated from such withholdings during each quarter of the calendar year shall be paid by the City Treasurer to the United States Collector of Internal Revenue for the District in which this City is located on or before the last day of the month following the close of any such quarter.

On or before January 31st of each year subsequent to 1943, or when the last payment of wages or salary is made, if employment is terminated before the close of the calendar year, the Auditor shall furnish to each employee with respect to his employment during the calendar year, a written statement showing the wages for the period covered and the amount of the tax withheld and paid in respect to such wages. A copy of this statement for every employee shall be included with the final return for the calendar year to the Collector of Internal Revenue. The aforesaid officer shall keep such records and make such reports to the Bureau of Internal Revenue of wages paid and the tax collected and paid with respect thereto as that Bureau may require and prescribe.

The taxes to be withheld and collected under this resolution shall not apply to any taxable year commencing after the date of cessation of hostilities in the present war and the account established for the receiving of the tax funds hereunder shall be closed with the last payment to the Federal Government of the funds withheld. The operation of this resolution shall terminate at that time or sooner if the "20% Withholding Tax" is terminated by Federal action prior to that time.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto on the 23rd day of June, 1943 by Councilman Neece, who moved its adoption, which motion was duly seconded, upon roll call carried and the resolution adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 5942-N.S.

A RESOLUTION PROVIDING FOR THE ERECTION OF BOULEVARD STOP SIGNS AND CAUTION SIGNS AND ENFORCEMENT OF ORDINANCE NO. 558-N.S. AT INTERSECTIONS HEREIN DESIGNATED

---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 the 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 vehicle 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:

Said Boulevard Stop signs and Caution signs shall be installed at the following places designated:

Stop sign on the northeast corner of Lucern Avenue and High Street, stopping traffic entering High Street

Stop sign on the southwest corner of Lucern Avenue and High Street stopping traffic entering High Street

Stop sign on the northeast corner of Morris & High Streets, stopping traffic entering High Street.

Stop sign on the southeast corner of High Street and Morris Avenue, stopping traffic entering Morris Avenue

Stop sign on the southwest corner of Morris Avenue and High Street, stopping traffic entering High Street.

Stop sign on the northwest corner of High Street and Morris Avenue stopping traffic entering Morris Avenue

"Caution" signs at the northeast, southeast and southwest corners of intersection of Coldwell Avenue and College Avenue

BE IT FURTHER RESOLVED that the City Clerk be authorized to communicate with the Stanislaus County Board of Supervisors and request them to install a stop sign on the northwest corner of College Avenue and Coldwell Avenue stopping traffic entering Coldwell Avenue.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of June, 1943 by Commissioner Stanley, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 5943-N.S.

A RESOLUTION GRANTING REQUEST OF FLOTILL PRODUCTS, INC., TO TEMPORARILY PLACE AND ERECT TENTS ON ITS PROPERTY DURING THE CANNING AND PACKING SEASON OF 1943.

---oOo---

WHEREAS, the City Planning Commission of the City of Modesto in its report filed with the City Council of said City on June 23, 1943, did recommend that the request of Flotill Products, Inc., to temporarily erect and maintain tents on its

cannery property in the said City of Modesto for certain of its employees during the canning and packing season of 1943 be granted; and,

WHEREAS, the City Council of said City after giving said recommendation due consideration and being of the opinion that said request should be granted:

NOW, THEREFORE, BE IT, AND IT IS HEREBY RESOLVED that said request of said Flotill Products, Inc., be, and the same is hereby granted, subject to the condition that said tents be placed, erected and maintained in accordance with the approval and under the supervision of the City Engineer of said City; and that said tents shall be removed from said property of said Flotill Products, Inc., not later than the 30th day of November, 1943.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of June, 1943 by Councilman Morris, who moved its adoption, which motion being duly seconded was upon roll call carried, and the resolution adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 5944-N.S.

A RESOLUTION ACCEPTING RESIGNATION OF BETTIJANE HARCKSEN FROM THE POLICE DEPARTMENT

---oOo---

BE IT HEREBY RESOLVED that the resignation of Bettijane Harcksen as Clerk in the Police Department be and it is hereby accepted as of June 28, 1943.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of June, 1943 by Commissioner Stanley, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST REX. E. GAILFUS, CITY CLERK

RESOLUTION NO. 5945-N.S.

A RESOLUTION ACCEPTING RESIGNATION OF RICHARD USTICK FROM THE DEFENSE RECREATION COMMITTEE AND APPOINTING E. J. MITCHELL TO FILL VACANCY

---oOo---

BE IT HEREBY RESOLVED that resignation of Richard Ustick from the Defense Recreation Committee be and it is hereby accepted and

BE IT FURTHER RESOLVED that E. J. Mitchell be appointed to fill vacancy in said Defense Recreation Committee.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of June, 1943 by Commissioner Stanley, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 5946-N.S.

A RESOLUTION ADOPTING BUDGET FOR FISCAL YEAR 1943-1944

---oOo---

WHEREAS, pursuant to provisions of section 48 of the Charter, budget of estimated expenditures of the various departments of the City of Modesto for the fiscal year beginning July 1, 1943 and ending June 30, 1944, having been submitted to the Council for approval and adoption, and

WHEREAS, the Council has heretofore audited the said proposed budgets and made such corrections and revisions as were deemed advisable,

BE IT HEREBY RESOLVED that budgets of the various departments be adopted as so corrected and revised, said revision to be effective as of July 1, 1943, reference being made to the original copies now on file in the City Clerk's office for greater detail.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of June, 1943 by Commissioner Neece, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote;

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 5947-N.S.

A RESOLUTION RESCINDING RESOLUTION NO. 5645-N.S. AND FIXING THE WAGE SCALE FOR COMMON OR UNCLASSIFIED LABOR TO BE PAID BY THE CITY OF MODESTO

---oOo---

BE IT RESOLVED that the following wage scale be and the same is hereby adopted by the City of Modesto for common or unclassified labor employed, effective July 1, 1943:

- .70 dollars per hour for the first six months of employment;
- .75 dollars per hour for the ensuing six months of employment;
- .80 dollars per hour after one year of employment

BE IT FURTHER RESOLVED, however, that merely because a laborer has worked for said City of Modesto for a period of six months he is not entitled as a matter of right to thereafter receive \$.75 per hour, nor after said laborer has worked for said City for one year is he entitled as a matter of right to receive .80 dollars per hour. Said laborers shall receive the raise in hourly pay provided for herein after working for said City for the requisite lengths of time only when and if the heads of the departments in which they labor conclude that said employee is entitled by reason of effort expended by him to the raise provided for. Upon the adoption of the 1943-1944 budget no wage increase shall be made until January 1, 1944 and no increase shall be given to any employee in violation of the maximum rate herein specified.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of June, 1943 by Councilman Neece, who moved its adoption, which motion being duly seconded was upon roll call carried and the resolution adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 5948-N.S.

ADJOURNMENT

BE IT HEREBY RESOLVED that this Council meeting now in session adjourn.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of June, 1943 by Commissioner Neece, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 5949-N.S.

A RESOLUTION SETTING PRICE TO BE PAID FOR COPY OF ZONING ORDINANCE NO. 700-N.S. OF THE CITY OF MODESTO

---oOo---

BE IT HEREBY RESOLVED that a price of \$1.00 be set for a copy of Zoning Ordinance No. 700-N.S., and

BE IT FURTHER RESOLVED that no charge be made to governmental units when ordinance is to be used for governmental uses.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 7th day of July, 1943 by Commissioner Burge, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burge, Morris, Neece, Acting Mayor Stanley

Noes: Councilmen: None

Absent: Mayor Shannon

ATTEST REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 5950-N.S.

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MODESTO ADOPTING BUDGET AND APPROVING MEMORANDUM OF AGREEMENT FOR EXPENDITURE OF 1/4 CENT GAS TAX ALLOCATED FOR STREETS OF MAJOR IMPORTANCE

---oOo---

WHEREAS, a memorandum of agreement has been presented to be entered into with the State of California in accordance with a project statement for expenditure of the 1/4 cent gas tax for the fiscal year 1944 allocated for streets of major importance other than State highways in the City of Modesto; and

WHEREAS, the City Council has heard read said agreement in full and is familiar with the contents thereof;

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 expendi-

tures of the 1/4 cent gas tax allocated for streets of major importance other than State Highways, and said agreement be and the same is hereby approved and the Mayor and 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 7th day of July, 1943

C. J. STANLEY, ACTING 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 special meeting thereof held July 7, 1943

REX E. GAILFUS, CLERK OF THE CITY OF MODESTO

RESOLUTION NO. 5951-N.S.

A RESOLUTION ACCEPTING IMPROVEMENT OF LaLOMA STREET, AUTHORIZING PROGRESSIVE PAYMENT TO STANDARD MATERIALS COMPANY AND AUTHORIZING THE RECORDING OF "NOTICE OF COMPLETION"

---oOo---

WHEREAS, City Engineer Rossi has filed "Notice of Completion" for work of improving LaLoma, A street of Major Importance, known as Project No. 26 of the Memorandum of Agreement for Streets of Major Importance, by the Standard Materials Company, and

WHEREAS, there is due \$162.55 to the said Standard Materials Company, being progressive payment on work completed,

BE IT HEREBY RESOLVED that the City Clerk and Auditor be authorized to draw warrant in amount \$162.55 in payment of progressive work completed and

BE IT FURTHER RESOLVED that contract, as completed be accepted by the Council of the City of Modesto and the Clerk be authorized to file "Notice of Completion" with the Recorder of Stanislaus County.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 7th day of July, 1943 by Commissioner Morris, who moved its adoption, which resolution was regularly adopted by the following vote:

- Ayes: Councilmen: Burge, Morris, Neece, Acting Mayor Stanley
- Noes: Councilmen: None
- Absent: Mayor Shannon

ATTEST REX E. GAILFUS, CITY CLERK

-----*****-----

RESOLUTION NO. 5952-N.S.

A RESOLUTION GRANTING PERMIT TO JOE SASO TO OPERATE USED CAR LOT AND APPROVING BOND AND APPLICATION

---oOo---

BE IT HEREBY RESOLVED that application and bond to operate a used car lot of Joe Saso at 1121 Tenth Street be and they are hereby approved as provided by Ordinance No. 514-N.S.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 7th day of July, 1943 by Commissioner Burge, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution was adopted by the following vote:

- Ayes: Councilmen: Burge, Morris, Neece, Acting Mayor Stanley
- Noes: Councilmen: None
- Absent: Mayor Shannon

ATTEST REX. E. GAILFUS, CITY CLERK

RESOLUTION NO. 5953-N.S.

A RESOLUTION GRANTING PERMIT TO HOLD SECOND ANNUAL TERRAPIN DERBY TO THE MODESTO JUNIOR CHAMBER OF COMMERCE ON JULY 16 and 17, 1943, AT THE S. E. CORNER OF TWELFTH AND I STREETS

---oOo---

WHEREAS, pursuant to communication from the Modesto Junior Chamber of Commerce and the verbal request of Jim Wilson, President of the Modesto Junior Chamber of Commerce that they be granted permit to hold the Second Annual Terrapin Derby at the southwest corner of Twelfth and Eye Streets on July 16 and 17, 1943

BE IT HEREBY RESOLVED that request of the said Modesto Junior Chamber of Commerce be and it is hereby granted.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 7th day of July, 1943 by Commissioner Morris, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burge, Morris, Neece, Acting Mayor Stanley

Noes: Councilmen: None

Absent: Mayor Shannon

ATTEST REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 5954-N.S.

A RESOLUTION AUTHORIZING THE CITY CLERK TO ADVERTISE FOR BIDS FOR FURNISHING WELL CASING, WELL RINGS

---oOo---

BE IT HEREBY RESOLVED that the City Clerk be authorized to advertise for bids for furnishing at well site, approximately 86 feet of 24 inch and approximately 102 feet of 20 inch number 12 gauge double hard red steel well casing, said casing to be in 24" lengths and furnishing 2 well rings as follows:

One steel well ring, 5" x 3/4" for 20 inch casing, and

One steel well ring 6" x 3/4" for 24 inch well casing

Said bids are to be opened at the City Hall on Wednesday, July 28, 1943

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 7th day of July, 1943 by Commissioner Morris, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution was adopted by the following vote:

Ayes: Councilmen: Burge, Morris, Neece, Acting Mayor Stanley

Noes: Councilmen: None

Absent: Mayor Shannon

ATTEST REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 5955-N.S.

A RESOLUTION AUTHORIZING THE CITY CLERK TO ADVERTISE FOR BIDS FOR DRILLING TWO WATER WELLS, INSTALLING CASING, SAND PUMPING AND DEVELOPING SAID WELLS

---oOo---

BE IT HEREBY RESOLVED that the City Clerk be authorized to advertise for bids for drilling two water wells, installing casing furnished by the City of Modesto and sand pumping and developing said wells in accordance with plans, specifications and special provisions on file in the office of the City Engineer, said bids to be opened at 7:30 P.M. on Wednesday, July 28, 1943 at the City Hall.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 7th day of July, 1943 by Commissioner Morris, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burge, Morris, Neece, Acting Mayor Stanley

Noes: Councilmen; None

Absent: Mayor Shannon

ATTEST REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 5956-N.S.

RESOLVED, that a ration bank account, or accounts, as defined in General Ration Order No. 3, be opened and maintained in the name of this Corporation with the ANGLO CALIFORNIA NATIONAL BANK OR one of its branches, which bank shall act as an agency of and under the direction and supervision of the office of Price Administration and shall be responsible only to the Office of Price Administration; that any one of the following officers or employees of this Corporation, E. E. Arington, Chief of Police, Viola Ramsey, Secretary of Police Department are hereby authorized on behalf of this Corporation and in its name to sign ration checks, as defined in said Order; to indorse ration checks or other ration evidences, owned, or held by this Corporation, for deposit in said account; and

FURTHER RESOLVED, that the City Clerk shall certify to said Bank and the Office of Price Administration the names of such officers and employees at present, and shall from time to time hereafter, as changes in the personnel are made, immediately certify such changes to the bank and the Office of Price Administration; and

FURTHER RESOLVED, that THE ANGLO CALIFORNIA NATIONAL BANK be and it hereby is authorized to receive and honor all ration checks signed in accordance with the foregoing resolution, and such certification by the City Clerk, and

FURTHER RESOLVED, that the foregoing resolution shall remain in full force and effect until written notice of their amendment or rescission shall have been received by said Bank, and

FURTHER RESOLVED, that the foregoing authorization and resolutions shall apply to any and all ration bank accounts which this Corporation now is or may at any future time be required or authorized by the Office of Price Administration to open or maintain, without further authorization from this Council.

FURTHER RESOLVED, that the City Clerk be, and he is hereby authorized and directed to certify to said THE ANGLO CALIFORNIA NATIONAL BANK and to the Office of Price Administration the foregoing resolution and that the provisions thereof are in conformity with the Charter and By-laws of this Corporation.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 7th day of July, 1943 by Commissioner Morris, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burge, Morris, Neece, Acting Mayor Stanley

Noes: Councilmen: None

Absent: Mayor Shannon

ATTEST REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 5957-N.S.

RESOLVED, that a ration bank account, or accounts, as defined in General Ration Order No. 3, be opened and maintained in the name of this Corporation with THE ANGLO CALIFORNIA NATIONAL BANK or one of its branches, which bank shall act as an agency of and under the direction and supervision of the Office of Price Administration and shall be responsible only to the Office of Price Administration; that any one of the following officers or employees of this Corporation, Geo. E. Wallace, Chief of Fire Department, Carl Payne, Assistant (first) Chief of Fire Department are hereby authorized on behalf of this Corporation and in its name to sign ration checks, as defined in said Order; to indorse ration checks or other ration evidences, owned, or held by this Corporation, for deposit in said account; and

FURTHER RESOLVED, that the City Clerk shall certify to said Bank and the Office of Price Administration the names of such officers and employees at present, and shall from time to time hereafter, as changes in the personnel are made, immediately certify such changes to the bank and the Office of Price Administration; and

FURTHER RESOLVED, that THE ANGLO CALIFORNIA NATIONAL BANK be and it hereby is authorized to receive and honor all ration checks signed in accordance with the foregoing resolution, and such certification by the City Clerk, and

FURTHER RESOLVED, that the foregoing resolution shall remain in full force and effect until written notice of their amendment or rescission shall have been received by said Bank, and

FURTHER RESOLVED, that the foregoing authorization and resolutions shall apply to any and all ration bank accounts which this Corporation now is or may at any future time be required or authorized by the Office of Price Administration to open or maintain, without further authorization from this Council.

FURTHER RESOLVED, that the City Clerk be, and he is hereby authorized and directed to certify to said THE ANGLO CALIFORNIA NATIONAL BANK and to the Office of Price Administration, the foregoing resolution and that the provisions thereof are in conformity with the Charter and By-laws of this Corporation.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 7th day of July, 1943 by Commissioner Morris, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burge, Morris, Neece, Acting Mayor Stanley

Noes: Councilmen: None

Absent: Mayor Shannon

ATTEST REX. E. GAILFUS, CITY CLERK

RESOLUTION NO. 5958-N.S.

RESOLVED, that a ration bank account, or accounts, as defined in General Ration Order No. 3, be opened and maintained in the name of this Corporation, with THE ANGLO CALIFORNIA NATIONAL BANK or one of its branches, which bank shall act as an agency of any under the direction and supervision of the Office of Price Administration; that any one of the following officers or employees of this Corporation Frank J. Rossi, Engineer, A. O. Carley, Chief Draftsman are hereby authorized on behalf of this Corporation and in its name to sign ration checks, as defined in said Order; to indorse ration checks or other ration evidences, owned, or held by this Corporation, for deposit in said account; and

FURTHER RESOLVED, that the City Clerk shall certify to said Bank and the Office of Price Administration the names of such officers and employees at present,

and shall from time to time hereafter, as changes in the personnel are made, immediately certify such changes to the bank and the Office of Price Administration; and

FURTHER RESOLVED that THE ANGLO CALIFORNIA NATIONAL BANK be and it hereby is authorized to receive and honor all ration checks signed in accordance with the foregoing resolution, and such certification by the City Clerk, and

FURTHER RESOLVED, that the foregoing resolution shall remain in full force and effect until written notice of their amendment or rescission shall have been received by said Bank, and

FURTHER RESOLVED, that the foregoing authorization and resolutions shall apply to any and all ration bank accounts which this Corporation now is or may at any future time be required or authorized by the Office of Price Administration to open or maintain, without further authorization from this Council.

FURTHER RESOLVED, that the City Clerk be, and he is hereby authorized and directed to certify to said THE ANGLO CALIFORNIA NATIONAL BANK and to the office of Price Administration the foregoing resolution and that the provisions thereof are in conformity with the Charter and By-laws of this Corporation.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 7th day of July, 1943 by Commissioner Morris, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burge, Morris, Neece, Acting mayor Stanley

Noes: Councilmen: None

Absent: Mayor Shannon

ATTEST REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 5959-N.S.

A RESOLUTION DIRECTING THE CITY ATTORNEY TO PREPARE NEW AGREEMENT FOR MANAGING THE MUNICIPAL GOLF COURSE WITH IAN MACDONALD AT A MONTHLY SALARY OF \$150.00 AS OF AUGUST 12, 1943

---oOo---

BE IT HEREBY RESOLVED that the City Attorney be directed to prepare new agreement for managing the Municipal Golf Course with Ian Macdonald at a monthly salary of \$150.00 as of August 12, 1943.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 7th day of July, 1943 by Commissioner Neece, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution was adopted by the following vote:

Ayes: Councilmen: Burge, Morris, Neece, Acting Mayor Stanley

Noes: Councilmen: None

Absent: Mayor Shannon

ATTEST REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 5960-N.S.

A RESOLUTION GRANTING PERMIT TO KEEP RABBITS TO ROBERT L. HAWN AT 230 MAPLE STREET

---oOo---

BE IT HEREBY RESOLVED that permit be granted to Robert L. Hawn to keep rabbits at 230 Maple Street as provided by Ordinance No. 416-N.S.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 7th day of July, 1943 by Commissioner Burge, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution was adopted by the following vote:

Ayes: Councilmen: Burge, Morris, Neece, Acting Mayor Stanley

Noes: Councilmen: None

Absent: Mayor Shannon

ATTEST REX. E. GAILFUS, CITY CLERK

RESOLUTION NO. 5961-N.S.

ADJOURNMENT

BE IT HEREBY RESOLVED that this Council meeting now in session adjourn.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 7th day of July, 1943 by Commissioner Burge, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burge, Morris, Neece, Acting Mayor Stanley

Noes: Councilmen: None

Absent: Mayor Shannon

ATTEST REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 5962-N.S.

A RESOLUTION RESCINDING RESOLUTION NO. 5959-N.S. AND AUTHORIZING THE CITY ATTORNEY TO DRAW UP NEW AGREEMENT WITH IAN MACDONALD FOR MANAGING THE MODESTO MUNICIPAL GOLF COURSE

---oOo---

BE IT HEREBY RESOLVED that Resolution No. 5959-N.S. adopted July 7, 1943, entitled "A RESOLUTION DIRECTING THE CITY ATTORNEY TO PREPARE NEW AGREEMENT FOR MANAGING THE MUNICIPAL GOLF COURSE WITH IAN MACDONALD AT A SALARY OF \$150.00 AS OF AUGUST 12, 1943" be rescinded, and

BE IT FURTHER RESOLVED that the City Attorney be directed to draw new agreement at a salary of \$175.00 per month beginning August 1, 1943.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of July, 1943 by Commissioner Neece, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 5963-N.S.

A RESOLUTION ALLOWING CLAIMS FOR MONTH OF JUNE, 1943

---oOo---

WHEREAS, the claims against the City of Modesto for the month of June, 1943, for the various sums in the aggregate hereinafter stated having been audited by the Council and found to be correct;

NOW THEREFORE, BE IT RESOLVED that all of said claims so audited and approved be and they are hereby ordered allowed, with reference being made to the Auditor's Cash

RECORDS for further details relative to amounts of withdrawals from the various funds as follows:

GENERAL FUND-----	\$25,986.07
WATER FUND-----	6,802.19
LIBRARY FUND-----	1,324.64
BOND RED. INT. FUND-----	437.50
UNAPPORTIONED FUND-----	11.00
SPECIAL GAS TAX FUND-----	<u>4,292.38</u>
	\$38,853.78

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of July, 1943, by Commissioner Neece, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

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

ATTEST REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 5964-N.S.

A RESOLUTION ORDERING THE CITY LICENSE COLLECTOR TO REFUSE TO ISSUE LICENSE TO GEORGE SAGRES FOR OPERATING OF DANCE HALL

---oOo---

BE IT HEREBY RESOLVED that the City Clerk be directed to notify, by mail, George Sagres, operator of the Green Front Restaurant and Bar at 1714 9th Street, that his license to operate a dance hall at the above location would not be renewed and he would be compelled to discontinue dancing at his restaurant and bar.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of July, 1943 by Commissioner Stanley, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

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

ATTEST REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 5965-N.S.

A RESOLUTION AUTHORIZING PAYMENT OF SALARY TO EMILIE MCKNIGHT

---oOo---

BE IT HEREBY RESOLVED that monthly salary of \$50.00 be hereby authorized to Emilie McKnight, employed in the Sheriff's office beginning July 1, 1943

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of July, 1943 by Commissioner Stanley, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

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

ATTEST REX E. GAILFUS, CITY CLERK

***** **

RESOLUTION NO. 5966-N.S.

A RESOLUTION GRANTING PERMIT TO W. T. SPEAR TO KEEP RABBITS

---oOo---

BE IT HEREBY RESOLVED that permit be granted to W. T. Spear to keep rabbits at 407 Colorado Avenue, as provided by Ordinance No. 416-N.S.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of July, 1943 by Commissioner Burge, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 5967-N.S.

ADJOURNMENT

BE IT HEREBY RESOLVED that this Council meeting now in session adjourn.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of July, 1943 by Councilman Neece, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 5968-N.S.

A RESOLUTION PROVIDING FOR VICTOR M. BROWN TO USE LOTS FOR VICTORY GARDEN

---oOo---

BE IT HEREBY RESOLVED that request of Victor M. Brown to use lots 38,39,40,41 Block 213, upon which the City of Modesto hold tax deed, for Victory Garden be granted providing he pays all water bills and leaves the lot in a good clean condition when he is finished using same and abides by all regulations governing Victory Gardens.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 21st day of July, 1943 by Commissioner Morris, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

RESOLUTION NO. 5969-N.S.

ADJOURNMENT

BE IT HEREBY RESOLVED that this Council meeting now in session adjourn.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 21st day of July, 1943 by Commissioner Neece, who moved its adoption, which motion being duly seconded, it was upon roll call carried

and the resolution adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 5970-N.S.

A RESOLUTION ALLOWING CLAIM OF \$16.94 FOR EXPENSES TO MEETING OF LEAGUE OF CALIFORNIA CITIES, CENTRAL VALLEY DIVISION AT MERCED

---oOo---

BE IT HEREBY RESOLVED that claim of \$16.94 as expenses of 11 officials of the City of Modesto to meeting of the League of California Cities, Central Valley Division at Merced, Tuesday, July 27, 1943, be allowed and the City Clerk and Auditor is directed to draw warrant to W. B. Devlin, Treasurer and Collector.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 28th day of July, 1943 by Commissioner Neece, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 5971-N.S.

A RESOLUTION APPOINTING K. KNUDSEN AS PROPERTY OFFICER OF THE STANISLAUS COUNTY DEFENSE COUNCIL

---oOo---

WHEREAS, pursuant to communication from W. W. Hopkins, property Officer of the Stanislaus County Defense Council, requesting that he be replaced by K. Knudsen as property officer, due to the fact he had accepted a position outside the City of Modesto

BE IT HEREBY RESOLVED that K. Knudsen be appointed Property Officer of the Stanislaus County Defense Council to replace W. W. Hopkins

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 28th day of July, 1943 by Commissioner Stanley, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 5972-N.S.

A RESOLUTION GRANTING PERMIT TO JOSEPH FORD JR. TO KEEP RABBITS AT 427 LEON STREET

---oOo---

BE IT HEREBY RESOLVED that permit be granted to Joseph Ford Jr. to keep rabbits at 427 Leon Street, as provided by Ordinance No. 416-N.S.

The foregoing resolution was introduced at a regular meeting of the

Council of the City of Modesto held on the 28th day of July, 1943 by Commissioner Stanley, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 5973-N.S.

A RESOLUTION FIXING THE WAGE SCALE FOR COMMON OR UNCLASSIFIED LABOR FOR NIGHT WORK

---oOo---

WHEREAS, at certain times it is necessary to water lawns and shrubbery in the City parks and Golf Course during the hours from 6:00 P.M. to 4:00 A.M., and

WHEREAS, persons performing this type of work are working under difficult and wet conditions, and

WHEREAS, it is difficult to hire persons to do this type of work during the night hours at the present wage scale adopted by Resolution No. 5947-N.S.,

NOW, THEREFORE, BE IT RESOLVED that the following wage scale for persons working between the hours of 6:00 P.M. and 4:00 A.M. be and the same is hereby adopted by the City of Modesto for common or unclassified labor employed effective July 26, 1943;

.80 dollars per hour for the first six months of employment;

.90 dollars per hour for the ensuing six months of employment

1.00 dollars per hour after one year of employment

BE IT FURTHER RESOLVED, however, that merely because a laborer has worked for said City of Modesto for a period of six months he is not entitled as a matter of right to thereafter receive .90 dollars per hour, nor after said laborer has worked for said City for one year is he entitled as a matter of right to receive 1.00 dollars per hour. Said laborers shall receive the raise in hourly pay provided for herein after working for said City for the requisite lengths of time only when and if the heads of the departments in which they labor conclude that said employee is entitled by reason of effort expended by him to the raise provided for.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 28th day of July, 1943, by Councilman Neece, who moved its adoption, which motion being duly seconded was upon roll call carried and the resolution adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 5974-N.S.

A RESOLUTION ACCEPTING THE OFFER OF THE UNITED STATES OF AMERICA FOR MAINTENANCE AND OPERATION

---oOo---

WHEREAS, there has been filed with the Federal Works Agency for and in behalf of the City of Modesto, California, (herein called the "Owner"), an application for an allotment of Federal funds for maintenance and operation under the Defense Public Works Program, and the United States of America, acting by and through the Federal Works Administrator, has transmitted to the Owner an Offer for Maintenance and Operation in connection with the public works referred to in said application and described in said offer; and,

WHEREAS, said offer has been duly read in open meeting and has been fully considered in every respect in accordance with the pertinent rules of procedure and legal requirements; and,

WHEREAS, said offer has been made a part of the public records of the Owner; and,

WHEREAS, it is deemed advisable and in the public interest that said offer be accepted:

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Modesto that the said Offer of the United States of America for Maintenance and Operation, a true and correct copy of which is hereto attached, be and the same hereby is accepted without reservation or qualification.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 28th day of July, 1943, by Councilman Neece, who moved its adoption, which motion was duly seconded, upon roll call carried, and the resolution adopted and passed by the following vote:

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

ATTEST REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 5975-N.S.

A RESOLUTION ALLOWING CLAIM OF AD-ART SIGN COMPANY FOR \$60.00

---oOo---

WHEREAS the Council did on May 12, 1943, adopt Resolution No. 5900-N.S. setting aside a fund of \$100.00 to be used by the American Legion Recognition Committee for the purpose of erecting honor roll at Court House Park to honor the heroes in this World War in this community, and

WHEREAS at this time a bill has been presented by Frank Damrell, member of the said American Legion Recognition Committee in amount \$60.00 for painting and lettering honor roll.

BE IT HEREBY RESOLVED that claim be allowed and the City Clerk and Auditor be directed to draw warrant in amount \$60.00 payable to Ad-Art Sign Co.,

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 28th day of July, 1943 by Commissioner Neece, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 5976-N.S.

ADJOURNMENT

BE IT HEREBY RESOLVED that this Council meeting now in session adjourn.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 28th day of July, 1943 by Commissioner Neece, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 5977-N.S.

A RESOLUTION AWARDDING BID ON MATERIAL FOR TWO WELLS

---oOo---

WHEREAS, pursuant to referring of bids on materials to be used for two wells to the City Engineer for investigation and recommendation, and

WHEREAS, he has recommended that the bid of Frank J. Hudson is the lowest and best bid,

BE IT HEREBY RESOLVED that bid of said Frank J. Hudson for 24 inch well casing, 20 inch well casing, one 20" diameter x 5" x 3/4" ring and one 24" diameter x 6" x 3/4" ring be and it is hereby accepted.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 4th day of August, 1943 by Commissioner Burge, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 5978-N.S.

A RESOLUTION AWARDDING BID ON DRILLING TWO WELLS TO OSTERBERG BROS.

---oOo---

WHEREAS, pursuant to referring bid on drilling two wells and sand pumping developing said wells to the City Engineer for investigation and recommendation, and

WHEREAS, he has reported at this time that bid of Osterberg Bros. is a reliable bid,

BE IT HEREBY RESOLVED that bid of said Osterberg Bros. be and it is hereby accepted and the Mayor and City Auditor be appointed signatory officials on contract to be entered into with said Osterberg Bros.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 4th day of August, 1943 by Commissioner Morris, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 5979-N.S.

A RESOLUTION TRANSFERRING \$50,000 FROM THE WATER FUND TO THE GENERAL FUND OF THE CITY OF MODESTO

---oOo---

BE IT HEREBY RESOLVED that \$50,000 be transferred from the Water Fund of the City of Modesto to the General Fund and the City Clerk and Auditor be instructed to made the necessary entries on his records.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 4th day of August, 1943 by Councilman Neece, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST REX. E. GAILFUS, CITY CLERK

RESOLUTION NO. 5980-N.S.

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MODESTO APPROVING MEMORANDUM OF AGREEMENT FOR EXPENDITURE OF 1/4 CENT GAS TAX ALLOCATED FOR STATE HIGHWAYS

---oOo---

WHEREAS, the State of California, through its Department of Public Works Division of Highways, has presented a memorandum of agreement in accordance with a project statement submitted by the City for expenditure of the 1/4 cent gas tax for the 1942-45 biennium allocated for State highways in the City of Modesto; and

WHEREAS, the City Council has heard read said agreement in full and is familiar with the contents thereof;

THEREFORE, be it resolved by the city council of the City of Modesto that said agreement for expenditure of the 1/4 cent gas tax allocated for State highways 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.

ADOPTED this 4th day of August 1943

CARL W. SHANNON, 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 special meeting thereof held August 4,

REX E. GAILFUS, CLERK OF THE CITY OF MODESTO

RESOLUTION NO. 5981-N.S.

RESOLUTION ACCEPTING SUM TENDERED BY PACIFIC GAS AND ELECTRIC COMPANY IN PAYMENT FOR GAS FRANCHISE APPLIED FOR BY IT

---o0o---

WHEREAS Pacific Gas and Electric Company, a California utility corporation filed in the office of this Council on the 9th day of June, 1943, its application for the franchise (a) to use, for transmitting and distributing gas within the City of Modesto for any and all purposes other than those authorized under Section 19 of Article XI of the Constitution of the State of California as said section existed prior to its amendment on October 10, 1911, all gas pipes and appurtenances which now are or may hereafter be lawfully placed in the streets within said city, and (b) to lay and use in said streets all pipes and appurtenances necessary or proper for said purposes; and

WHEREAS this Council on the 9th day of June 1943 adopted a resolution declaring its intention of granting said franchise upon the terms and conditions in said resolution set forth, and fixing the date for hearing objections to the granting thereof, and on said date, to wit: July 14 1943 at 8 P.M., met in open session for the purpose of hearing objections to the granting of said franchise, and no protests or objections thereto being then made the proposed ordinance granting said franchise was introduced, received its first reading, and was passed to print; and

WHEREAS, after publication of said proposed ordinance as provided by law, this Council on the 28th day of July 1943 met in open session and read and finally passed Ordinance No. 703-N.S. granting said franchise; and

WHEREAS this Council again met in open session on August 4, 1943, at which time this Council received from Pacific Gas and Electric Company a certified check payable to the Treasurer of the City of Modesto in the sum of five thousand dollars (\$5,000) in lawful money of the United States of America tendered pursuant to Section 6 of Ordinance 676-N.S. of said city, and this Council deems said sum constitutes a reasonable payment for said franchise and the acceptance of said franchise constitutes a fair consideration for a discharge of said company from any and all obligations to the City of Modesto for past use of its streets for the purposes for which said franchise was granted;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it does hereby accept said sum of \$5,000 in lawful money of the United States of America, in payment as aforesaid, conditional, however, upon the understanding that if for any reason said ordinance granting said franchise shall be prevented from becoming effective within one year from date hereof, then said sum shall be refunded to Pacific Gas and Electric Company; and

BE IT FURTHER RESOLVED that in consideration of the foregoing payment and pursuant to the provisions of said Section 6 set forth in said Ordinance 676-N.S. of the City of Modesto, the City Attorney of said city is hereby authorized to enter a dismissal with prejudice of that certain suit heretofore commenced by said city in the Superior Court of the State of California in and for the County of Stanislaus, No. 16570 entitled The City of Modesto vs. Modesto Gas Company; and

~~BE IT FURTHER RESOLVED that in further consideration of the acceptance by Pacific Gas and Electric Company, and~~

BE IT FURTHER RESOLVED that in further consideration of the acceptance by Pacific Gas and Electric Company of said franchise and its operation thereunder the City of Modesto does hereby declare discharged all obligations of the said company for past use of the streets of the City of Modesto for the purposes set forth in the form of franchise applied for.

ADOPTED by the City Council of the City of Modesto on the 4th day of

August 1943 by the following vote:

AYES: Councilmen: Burge, Morris, Neece, Stanley, Mayor Shannon

NOES: Councilmen: None

ABSENT: Councilmen: None

CARL W. SHANNON, MAYOR OF THE CITY OF MODESTO

ATTEST: REX E. GAILFUS, CITY CLERK OF THE CITY OF MODESTO.

RESOLUTION NO. 5982-N.S.

RESOLUTION APPROVING BOND OF PACIFIC GAS AND ELECTRIC COMPANY EXECUTED IN CONSIDERATION OF THE GRANT BY THE CITY OF MODESTO OF THE FRANCHISE TO USE THE STREETS OF SAID CITY FOR THE TRANSMISSION AND DISTRIBUTION OF GAS FOR ALL PURPOSES OTHER THAN THOSE AUTHORIZED UNDER SECTION 19 OF ARTICLE XI OF THE CONSTITUTION OF THE STATE OF CALIFORNIA AS SAID SECTION EXISTED PRIOR TO ITS AMENDMENT ON OCTOBER 10, 1911.

---oOo---

WHEREAS on the 28th day of July, 1943, the City Council of the City of Modesto passed its ordinance granting to Pacific Gas and Electric Company, a California corporation, the franchise to use the public streets, ways and places of said city for the transmission and distribution of gas for all purposes other than those authorized under Section 19 of Article XI of the Constitution of the State of California as said section existed prior to its amendment on October 10, 1911, upon the terms and conditions as set forth in said ordinance; and

WHEREAS said Pacific Gas and Electric Company pursuant to the Franchise Act of 1937 has duly executed and filed with this Council a bond in the penal sum of one thousand dollars (\$1,000.00), bearing date the 30th day of July, 1943, and conditioned as prescribed by law; and

WHEREAS upon due investigation and consideration, it appears to the satisfaction of this Council that said bond is in proper form and that said bond has been duly executed by said Pacific Gas and Electric Company and by two good and sufficient sureties;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Modesto that said bond be, and it is hereby accepted and approved.

PASSED on the 4th day of August, 1943, by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CLERK CARL W. SHANNON, MAYOR

RESOLUTION NO. 5983-N.S.

A RESOLUTION ALLOWING \$150.00 PER MONTH TO THE IDENTIFICATION DEPARTMENT OF STANISLAUS COUNTY AND DIRECTING THE CITY CLERK AND AUDITOR TO DRAW WARRANT EACH MONTH; AND CANCELLING RESOLUTION NO. 5965-N.S. ADOPTED ON JULY 14, 1943, ENTITLED: "A RESOLUTION AUTHORIZING PAYMENT OF SALARY TO EMILIE MCKNIGHT"

---oOo---

WHEREAS, Sheriff Hogin of Stanislaus County appeared before the Council and requested that the City of Modesto donate \$100.00 to the salary of new employee of the Stanislaus County Identification Department, in addition to \$50.00 now being paid Emilie McKnight as provided by Resolution No. 5965-N.S. adopted on July 14, 1943, entitled "A RESOLUTION AUTHORIZING PAYMENT OF SALARY TO EMILIE MCKNIGHT"

BE IT HEREBY RESOLVED that Resolution No. 5965-N.S. be cancelled and the Auditor and City Clerk be authorized to draw warrant each month in amount \$150.00, beginning as of August 1, 1943, payable to the Treasurer of the County of Stanislaus for the Identification Department of said County, first check being drawn in September for month of August.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 4th day of August, 1943 by Commissioner Stanley, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 5984-N.S.

ADJOURNMENT

BE IT HEREBY RESOLVED that this Council meeting now in session adjourn.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 4th day of August, 1943 by Commissioner Neece, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 5985-N.S.

A RESOLUTION ALLOWING CLAIMS FOR THE MONTH OF JULY, 1943

---oOo---

WHEREAS, the claims against the City of Modesto for the month of July, 1943 for the various sums in the aggregate herein after stated having been audited by the Council and found to be correct;

NOW, THEREFORE, BE IT RESOLVED, that all of said claims so audited and approved be and they are hereby ordered allowed, with reference being made to the Auditor's Cash Records for further details relative to amounts of withdrawal from the various funds as follows:

GENERAL FUND-----	\$ 34,323.63
WATER FUND-----	\$ 7,603.56
LIBRARY FUND-----	\$ 1,423.08
BOND RED. INT. FUND-----	\$ 3,693.75
ST. BOND RED. INT. FUND-----	\$ 1,707.82
UNAPPORTIONED FUND-----	\$

TOTAL-----\$48,830.41

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of August, 1943 by Commissioner Neece, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

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

Noes: Councilmen: None

Absent:Councilmen: None

ATTEST REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 5986-N.S.

A RESOLUTION APPOINTING DELEGATES TO VARIOUS CONVENTIONS

---oOo---

BE IT HEREBY RESOLVED that the attendance of Fire Chief, George Wallace to the convention of the Pacific Coast Association of Fire Chiefs to be held on August 24, 25, 26, 1943 at Reno, Nevada with all expenses paid be authorized

BE IT FURTHER RESOLVED that the attendance of Clarence Baker, Assistant Building Inspector to the convention of the Pacific Coast Building Officials to be held October 5 and 6, 1943 at San Francisco with expenses paid be hereby authorized.

BE IT FURTHER RESOLVED that the attendance of Harry Moore, Assistant Electrical Inspector to convention of Electrical Inspectors Association to be held in Los Angeles on August 30, 31, September 1, 1943 with expenses paid be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of August, 1943 by Commissioner Stanley, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

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

Noes: Councilmen: None

Absent:Councilmen: None

ATTEST REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 5987-N.S.

A RESOLUTION AUTHORIZING THE RENEWAL OF LEASE WITH R. M. FRANCE

---oOo---

BE IT HEREBY RESOLVED that lease with R. M. France for rental of dwelling at 1502 I Street be renewed for a period of one year from September 4, 1943 at the same rental of \$35.00 per month.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of August, 1943 by Commissioner Burge, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

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

Noes: Councilmen: None

Absent:Councilmen: None

ATTEST REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 5988-N.S.

A RESOLUTION AUTHORIZING FINAL PAYMENT TO STANDARD MATERIALS COMPANY ON IMPROVING LA LOMA STREET

---oOo---

WHEREAS 35 day period has elapsed since the Notice of Completion of improvement of La Loma Street, project No. 26 of the Memorandum of Agreement for Streets of Major Importance from Contractor S. M. McGaw was accepted, and

WHEREAS, no liens have been filed against said contractor

BE IT HEREBY RESOLVED that final payment of \$1385.70 be authorized to the Standard Materials Company and the Auditor and City Clerk is hereby directed to draw warrant payable to said Standard Materials Company.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of August, 1943 by Commissioner Morris, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 5989-N.S.

ADJOURNMENT

BE IT HEREBY RESOLVED that this meeting now in session adjourn.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of August, 1943 by Commissioner Neece, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 5990-N.S.

A RESOLUTION GRANTING PERMITS TO KEEP RABBITS TO HUGO M. TORNOW AND B. H. HIGH

---oOo---

BE IT HEREBY RESOLVED that permit be granted to Hugo M. Tornow, 210 Sunset Boulevard and B. H. High, 445 Hackberry Avenue, to keep rabbits as provided by Ordinance No. 416-N.S.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 18th day of August, 1943 by Commissioner Burge, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burge, Morris, Neece, Acting Mayor Stanley

Noes: Councilmen: None

Absent: Mayor Shannon

ATTEST REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 5991-N.S.

ADJOURNMENT

BE IT HEREBY RESOLVED, that this Council meeting now in session adjourn.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 18th day of August, 1943 by Commissioner Burge, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burge, Morris, Neece, Acting Mayor Stanley

Noes: Councilmen: None

Absent: Mayor Shannon

ATTEST REX. E. GAILFUS, CITY CLERK

RESOLUTION NO. 5992-N.S.

A RESOLUTION GRANTING PERMIT TO W. A. STAMBAUGH AND M. McCONNEL TO KEEP RABBITS

---oOo---

BE IT HEREBY RESOLVED that permit be granted to W. A. Stambaugh to keep rabbits at 1341 Tuolumne Boulevard and to M. McConnell at 631 17th Street, provided however that permit only be granted until May 1, 1944 to M. McConnel as the adjoining property owner had stipulated that she would only give her permit until that time.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 25th day of August, 1943 by Commissioner Burge, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution was adopted by the following vote;

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 5993-N.S.

A RESOLUTION GRANTING PERMIT TO GERMAIN & KAVANAGH TO USE TAX DEED LAND TO STORE LUMBER BLOCK 413, LOTS 5 and 6

---oOo---

WHEREAS, pursuant to request of Peter W. Germain and D. S. Kavanagh, contractors to use tax deed land located in Block 413, lots 5 and 6 to store lumber while constructing houses in this vicinity

BE IT HEREBY RESOLVED that permit be granted and the City Attorney be authorized to draw up agreement which shall provide the property be left in a good clean condition and rental fee to be agreed on between the contractors and City Engineer Rossi.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 25th day of August, 1943 by Commissioner Morris, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution was adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 5994-N.S.

A RESOLUTION GRANTING LEAVE OF ABSENCE TO ELMER HORAN TO ENTER THE SERVICE OF THE UNITED STATES ARMED FORCES

---oOo---

WHEREAS, Elmer Horan, a member of the Police Department of the City of Modesto, has been drafted into the armed forces of the United States of America; and,

WHEREAS, by reason thereof, the said Elmer Horan, must leave his duties as a member of said Police Department; and

WHEREAS, the said Elmer Horan has clearly demonstrated that he is a competent traffic officer, who should not suffer loss of his position in said Department by reason of his offer to serve in the armed forces of the United States of America;

NOW, THEREFORE, IT IS HEREBY RESOLVED by the City Council of the City of Modesto that the said Elmer Horan, shall be and he is hereby granted leave from said Police Department for the duration of the present war and for sixty (60) days after his discharge from said United States armed forces.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 25th day of August, 1943 by Commissioner Stanley who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 5995-N.S.

A RESOLUTION ACCEPTING THE OFFER OF THE UNITED STATES OF AMERICA FOR MAINTENANCE AND OPERATION

---oOo---

WHEREAS, there has been filed with the Federal Works Agency for and in behalf of the City of Modesto, California, (herein called the "Owner"), an application for an allotment of Federal funds for maintenance and operation under the Defense Public Works program, and the United States of America, acting by and through the Federal Works Administrator, has transmitted to the Owner an Offer for Maintenance and Operation in connection with the public works referred to in said application and described in said Offer; and,

WHEREAS, said offer has been duly read in open meeting and has been fully considered in every respect in accordance with the pertinent rules of procedure and legal requirements; and,

WHEREAS, said Offer has been made a part of the Public records of the owner; and,

WHEREAS, it is deemed advisable and in the public interest that said offer be accepted;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the said offer of the United States of America for Maintenance and Operation, a true and correct copy of which is hereto attached, be and the same hereby is accepted without reservation or qualification.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 25th of August, 1943 by Councilman Neece, who moved its adoption, which motion was duly seconded, upon roll call carried, and the resolution adopted and passed by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST REX E. GAILFUS, CITY CLERK

ATTORNEY'S CERTIFICATE

I, R. R. Fowler, do hereby certify as follows:

1. That I am the duly qualified and acting attorney for the City of Modesto, County of Stanislaus, State of California, (herein called the Owner);

2. That I have examined a complete record of the proceedings of the Owner relating to the consideration and acceptance of the Offer of the United State of America described in the "Resolution Accepting the Offerer of the United States of America for Maintenance and Operation" constituting a part of such record;

3. That such record shows, in my opinion, that all requirements of law pertaining to the legal and proper acceptance of said Offer for Maintenance and Operation, including requirements as to the calling, convening and holding of the required meeting of the Council of the City of Modesto, the place of such meeting, the number of members of the Council of said City present, the submission of and the voting upon the various propositions at such meeting or meetings, legal notices, publications, and all other matters affecting the acceptance of such Offer, have been properly and legally fulfilled and otherwise carried out.

4. That in my opinion said Offer of the United States of America for Maintenance and Operation has been legally and properly accepted by said City of Modesto, and there is now in full force and effect a binding agreement resulting from such acceptance between the United States of America and said City of Modesto effective as of the 25th day of August, 1943.

WITNESS my hand this 25th day of August, 1943

R. R. FOWLER, CITY ATTORNEY, CITY OF MODESTO
Stanislaus County, California

R. R. FOWLER,
Central Bldg., 910 Eleventh Street,
Modesto, California

CERTIFICATE OF RECORDING OFFICER

I, REX E. GAILFUS, the duly qualified and acting City Clerk of the City of Modesto, County of Stanislaus, State of California, (herein called the "Owner"),^{and} the keeper of the records of the Owner including the journal of proceedings of the Council of the City of Modesto, do hereby certify as follows:

1. That the attached "Resolution Accepting the Offer of the United States of America for Maintenance and Operation" has been compared by me with, and is a true and correct copy of, the whole of such Resolution as finally adopted at a regular meeting of the Council of the City of Modesto held on the 25th day of August, 1943,

and as duly deposited and filed in my office and recorded on said date;

2. That the Offer for Maintenance and Operation attached to said Resolution is a true and correct copy of the Offer of the United States of America, the original of which is on file in my office, which Offer is referred to in said Resolution and has been duly accepted by the Owner;

3. That said meeting was duly convened and held in all respects in accordance with law, and to the extent required by law due and proper notice of such meeting was given thereof, a legal quorum was present throughout the entire meeting, a legally sufficient number of the members of the Council of said City of Modesto voted in the proper manner for the adoption or passage of said Resolution, and all other requirements and proceedings under the law incident to the proper adoption or passage of said Resolution have been duly fulfilled, carried out and otherwise observed.

4. Publication of said Resolution is not required by law

IN WITNESS WHEREOF, I hereunto set my hand and affix the official seal of said City of Modesto this 25th day of August, 1943.

REX E. GAILFUS ATTEST:

REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 5996-N.S.

A RESOLUTION RESCINDING RESOLUTION NO. 5983-N.S. ENTITLED: " RESOLUTION ALLOWING \$150.00 PER MONTH TO THE IDENTIFICATION DEPARTMENT OF STANISLAUS COUNTY AND DIRECTING THE CITY CLERK AND AUDITOR TO DRAW WARRANT EACH MONTH: AND CANCELLING RESOLUTION NO. 5965-N.S. ADOPTED ON JULY 14, 1943, ENTITLED: "A RESOLUTION AUTHORIZING PAYMENT OF SALARY TO EMILIE MCKNIGHT"

---oOo---

BE IT HEREBY RESOLVED that RESOLUTION NO. 5983-N.S. adopted by the Council at their regular meeting of August 4, 1943 entitled: "A RESOLUTION ALLOWING \$150.00 PER MONTH TO THE IDENTIFICATION DEPARTMENT OF STANISLAUS COUNTY AND DIRECTING THE CITY CLERK AND AUDITOR TO DRAW WARRANT EACH MONTH: AND CANCELLING RESOLUTION NO. 5965-N. S. ADOPTED ON JULY 14, 1943, ENTITLED: "A RESOLUTION AUTHORIZING PAYMENT OF SALARY TO EMILIE MCKNIGHT" 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 25th day of August, 1943 by Commissioner Neece, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 5997-N.S.

A RESOLUTION AUTHORIZING THE CONTRIBUTION OF \$50.00 TO THE IDENTIFICATION BUREAU OF THE COUNTY OF STANISLAUS

---oOo---

BE IT HEREBY RESOLVED that the City of Modesto contribute \$100.00 to the Identification Bureau of the County of Stanislaus for the month of August, 1943 and \$50.00 per month thereafter; and

BE IT FURTHER RESOLVED that the City Auditor be directed to draw warrant to the Treasurer of Stanislaus County for the Identification Bureau.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 25th day of August, 1943 by Commissioner Neece, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 5998-N.S.

ADJOURNMENT

BE IT HEREBY RESOLVED that this Council meeting now in session adjourn.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 25th day of August, 1943 by Commissioner Burge, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 5999-N.S.

A RESOLUTION ALLOWING CLAIMS FOR MONTH OF AUGUST, 1943

---oOo---

WHEREAS, the claims against the City of Modesto for the month of August, 1943 for the various sums in the aggregate hereinafter stated having been audited by the Council and found to be correct:

NOW, THEREFORE, BE IT RESOLVED that all of said claims so audited and approved be and they are hereby ordered allowed, with reference being made to the Auditor's Cash Records for further details relative to amounts of withdrawals from the various funds as follows:

GENERAL FUND-----	\$30,276.76
WATER FUND-----	5,781.44
LIBRARY FUND-----	1,617.62
SPECIAL GAS TAX-----	<u>1,385.70</u>
	\$39,061.52

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of September, 1943 by Commissioner Neece, who moved its adoption which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

Ayes; Councilmen: Burge, Morris, Neece, Acting Mayor Stanley

Noes: Councilmen: None

Absent: Mayor Shannon

ATTEST REX E. GAILFUS, CITY CLERK

RESOLUTION NO 6000-N.S.

A RESOLUTION ALLOWING CLAIMS FOR EXPENSES TO CONVENTIONS OF GEORGE E. WALLACE AND H. C. MOORE

---oOo---

BE IT HEREBY RESOLVED that claim of George E. Wallace of \$55.00 for expenses to Fire Chief's Convention in Reno and claim of H. C. Moore for \$44.97 for expenses to Electrical Inspector's Convention be allowed and the City Auditor and Clerk be authorized to draw warrants in payment to said claimants.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of September, 1943 by Commissioner Burge, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burge, Morris, Neece, Acting Mayor Stanley

Noes: Councilmen: None

Absent: Mayor Shannon

ATTEST REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 6001-N.S.

A RESOLUTION ALLOWING CLAIM OF STANISLAUS COUNTY TITLE COMPANY FOR \$75.00 FOR TITLE SEARCH OF MUNICIPAL AIRPORT

---oOo---

BE IT HEREBY RESOLVED that claim of \$75.00 of the Stanislaus County Title Company for title search and preliminary report on Modesto Municipal Airport be allowed and the City Clerk and Auditor are 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 8th day of September, 1943 by Commissioner Neece, who moved its adoption which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burge, Morris, Neece, Acting Mayor Stanley

Noes: Councilmen: None

Absent: Mayor Shannon

ATTEST REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 6002-N.S.

A RESOLUTION CANCELLING TAXI-CAB DRIVER'S LICENSE NO. 599 OF J. W. GILMAN

---oOo---

WHEREAS, pursuant to citation being served on Joseph W. Gilman to show cause why his taxicab driver's license should not be cancelled, as provided by Ordinance No. 522-N.S., and

WHEREAS, the Chief of Police has filed correspondence he has received from the Department of Motor Vehicle of the State of California recommending that the taxicab driver's license of said Joseph W. Gilman be cancelled.

BE IT HEREBY RESOLVED that taxicab driver's license No. 599 of Joseph W. Gilman be revoked.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of September, 1943 by Commissioner Morris, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burge, Morris, Neece, Acting Mayor Stanley

Noes: Councilmen: None

Absent: Mayor Shannon

ATTEST REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 6003-N.S.

A RESOLUTION GRANTING PERMIT TO ERECT TENTS TO THE MODESTO DRY YARDS

---oOo---

WHEREAS, Joe Souza appeared before the Council in behalf of the Modesto Dry Yards and requested permit to erect tents on company property located on the north side of Tenth Street near B Street to house fruit workers for a period of 60 days, and

WHEREAS, the City Planning Commission have filed a letter of recommendation with the City Council granting request with certain reservations,

BE IT HEREBY RESOLVED that permit be granted providing they abide by the recommendations of the Planning Commission as follows:

1-Remove tents 60 days after erection

2-All local and state laws regarding sanitation and sanitary facilities would be adhered to

3-No more than 50 persons will be housed

4-No cooking or preparing of meals be carried on in said tents

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of September, 1943 by Commissioner Burge, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burge, Morris, Neece, Acting Mayor Stanley

Noes: Councilmen: None

Absent: Mayor Shannon

ATTEST REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 6004-N.S.

A RESOLUTION APPOINTING DELEGATES TO CONVENTION OF LEAGUE OF CALIFORNIA CITIES

---oOo---

BE IT HEREBY RESOLVED that Ray Burge, Carl W. Shannon, Rex E. Gailfus, W. B. Devlin, George E. Wallace, L. M. Morris, Frank J. Rossi be appointed delegates to the League of California Cities Convention to be held in Sacramento on October 19 to 21st inc, 1943, with all expenses paid

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of September, 1943 by Commissioner Neece, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burge, Morris, Neece, Acting Mayor Stanley

Noes: Councilmen: None

absent: Mayor Shannon

ATTEST REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 6005-N.S.

A RESOLUTION SETTING FORTH AMOUNT OF CONTRIBUTION TO THE STANISLAUS COUNTY IDENTIFICATION BUREAU BY THE CITY OF MODESTO

---oOo---

WHEREAS, Resolution No. 5997-N.S. adopted by the Council on August 25, 1943 authorized the contribution of \$50.00 per month to the Identification Bureau of the County of Stanislaus,

BE IT HEREBY RESOLVED that Resolution No. 5997-N.S. be rescinded and the City of Modesto contribute \$50.00 per month, beginning September 1, 1943 to the Clerk of the said Identification Bureau and \$100.00 per month, beginning September 7, 1943 to the deputy of the Bureau, and

BE IT FURTHER RESOLVED that should said positions become vacant said contributions shall cease.

BE IT FURTHER RESOLVED that the Clerk and Auditor be authorized to draw warrant each month to the Treasurer of the County of Stanislaus, for said \$150.00

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of September, 1943 by Commissioner Neece, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burge, Morris, Neece, Acting Mayor Stanley

Noes: Councilmen: None

Absent: Mayor Shannon

ATTEST REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 6006-N.S.

ADJOURNMENT

BE IT HEREBY RESOLVED that this Council meeting now in session adjourn.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of September, 1943 by Commissioner Neece, who moved its adoption, which motion being duly seconded, it was upon roll call carried, and the resolution adopted by the following vote:

Ayes: Councilmen: Burge, Morris, Neece, Acting Mayor Stanley

Noes: Councilmen: None

Absent: Mayor Shannon

ATTEST REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 6007-N.S.

A RESOLUTION AUTHORIZING THE SALE OF UNITED STATES SERIES "B" WAR SAVINGS BONDS

---oOo---

WHEREAS under date of April 21, 1943 the Council of the City of Modesto did adopt Resolution No. 5875-N.S. authorizing W. B. Devlin, Treasurer of the City of Modesto to purchase \$50,000 Series "B", one year, United States War Savings

Bonds,

BE IT HEREBY RESOLVED that the said W. B. Devlin, Treasurer of the City of Modesto be authorized to sell said bonds.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 10th day of September, 1943 by Commissioner Neece, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 6008-N.S.

A RESOLUTION AUTHORIZING THE PURCHASE OF \$100,000.00 OF UNITED STATES 7/8% CERTIFICATES OF INDEBTEDNESS, SERIES E 1944 BY THE TREASURER OF THE CITY OF MODESTO, W. B. DEVLIN

---oOo---

BE IT HEREBY RESOLVED that W. B. Devlin, Treasurer of the City of Modesto be authorized to purchase \$100,000.00 of United States 7/8% Certificates of Indebtedness, Series E-1944

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 10th day of September, 1943 by Commissioner Neece, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 6009-N.S.

A RESOLUTION AUTHORIZING THE CITY CLERK TO ADVERTISE FOR BIDS ON AUTO FOR POLICE DEPARTMENT

---oOo---

BE IT HEREBY RESOLVED that the City Clerk be authorized to advertise for bids, to be opened at the City Hall at 7:30 P.M., September 22, 1943 on one or two new or used automobiles for the Police Department.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 10th day of September, 1943 by Commissioner Neece, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 6010-N.S.

ADJOURNMENT

BE IT HEREBY RESOLVED that this Council meeting now in session adjourn.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 10th day of September, 1943 by Commissioner Neece, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 6011-N.S.

A RESOLUTION ACCEPTING ANNUAL REPORT OF THE PUBLIC WORKS DEPARTMENT

---oOo---

BE IT HEREBY RESOLVED that the annual report of the Public Works Department be and it is hereby accepted.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 15th day of September, 1943 by Commissioner Morris, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen; None

ATTEST REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 6012-N.S.

A RESOLUTION ALLOWING CLAIM OF \$9.35 OF STANISLAUS COUNTY DEFENSE COUNCIL

---oOo---

BE IT HEREBY RESOLVED that claim of \$9.35 for 11 SAHO Headlight Blackout masks to the Stanislaus County Defense Council be allowed and the Clerk and Auditor is authorized to draw warrant in payment.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 15th day of September, 1943 by Commissioner Burge, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 6013-N.S.

A RESOLUTION AUTHORIZING THE DEDUCTION OF INSURANCE PREMIUM FROM THE SALARIES OF CERTAIN EMPLOYEES OF THE CITY OF MODESTO

---600---

WHEREAS, the California Physicians' Service, through Frank J. Mettler, District Manager thereof, at a special meeting of this Council held on the 15th day of September, 1943 placed before said Council the plan of said California Physicians' Service to furnish surgical and hospital care for industrial groups of five or more, in accordance with the terms, conditions, prices and fees set forth in the written schedule and/or list presented by said Frank J. Mettler, said District Manager; and

WHEREAS, it appearing from the statements and representations of said District Manager of said California Physicians' Service that a number of the employees of the said City of Modesto coming within the designation of "industrial groups of five or more" are desirous of being subject to and covered by said California Physicians' Service and enjoying the benefits and/or privileges of said service; and,

WHEREAS, this Council is desirous of acceding to the wishes of said employees in this behalf;

NOW, THEREFORE, IT IS HEREBY RESOLVED that said employees of said City of Modesto coming within the scope and provisions of said service be, and they are hereby declared to be subject to and shall enjoy the benefits of said Service from and after the 1st day of October, 1943; and the City Auditor is hereby authorized, empowered and directed from and after the 1st day of October, 1943 to withhold and deduct from the monthly salary or compensation of said employees the amount necessary to cover the fee required by said California Physicians' Service for said medical, surgical and hospital service to be enjoyed by said employees and remit said deduction monthly to the said California Physicians' Service.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 15th day of September, 1943 by Councilman Stanley, who moved its adoption, which motion being duly seconded, was upon roll call carried and the resolution adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 6014-N.S.

ADJOURNMENT

BE IT HEREBY RESOLVED that this Council meeting now in session adjourn.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 15th day of September, 1943 by Commissioner Neece, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 6015-N.S.

A RESOLUTION APPOINTING ACTING MAYOR AND CITY CLERK AS SIGNATORY OFFICIALS ON SUPPLEMENTAL AGREEMENT ON LEASE ON MODESTO MUNICIPAL AIRPORT

---oOo---

WHEREAS, pursuant to communication from the War Department, Office of the Division Engineer, Pacific Division requesting that the City of Modesto adopt a resolution appointing signatory officials to supplemental agreement on lease on Modesto Municipal Airport to modify the terms of the lease so that the lease could be renewed automatically from year to year to six months after the termination of the unlimited National Emergency,

BE IT HEREBY RESOLVED that the Acting Mayor, C. J. Stanley and City Clerk, Rex E. Gailfus, be appointed as signatory officials to said four copies of the Supplemental agreement and the Clerk be directed to forward four copies of the resolution authorizing the Acting Mayor to execute the supplemental agreement.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of September, 1943 by Commissioner Morris, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

- Ayes: Councilmen: Burge, Morris, Neece, Acting Mayor Stanley
- Noes: Councilmen: None
- Absent: Mayor Shannon

ATTEST REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 6016-N.S.

A RESOLUTION ACCEPTING BID OF HAROLD S. FRANCE ON AUTOMOBILE FOR POLICE DEPARTMENT

---oOo---

BE IT HEREBY RESOLVED that bid of Harold S. France in amount \$1543.99 on automobile for Police Department be and it is hereby accepted as it is the lowest and best bid received and the City Clerk be authorized to return bidding check to unsuccessful bidder, and

BE IT FURTHER RESOLVED that the City Clerk and Auditor be authorized to draw warrant in payment to Harold S. France upon delivery of automobile and approval by the Police Chief.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of September, 1943 by Commissioner Burge, who moved its adoption which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

- Ayes: Councilmen: Burge, Morris, Neece, Acting Mayor Stanley
- Noes: Councilmen: None
- Absent: Mayor Shannon

ATTEST REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 6017-N.S.

A RESOLUTION AUTHORIZING THE CITY CLERK TO ADVERTISE FOR BIDS ON TRUCK FOR THE PUBLIC WORKS DEPARTMENT

---oOo---

BE IT HEREBY RESOLVED that the City Clerk be authorized to advertise for bids on a dump truck to be used by the Public Works Department, said bids to be

opened at 7:30 P.M. at the Council Chambers on Wednesday, October 13, 1943.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of September, 1943 by Commissioner Morris, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burge, Morris, Neece, Acting Mayor Stanley

Noes: Councilmen: None

Absent: Mayor Shannon

ATTEST REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 6018-N.S.

A RESOLUTION AUTHORIZING THE PURCHASE OF \$35,000 00 OF UNITED STATES 7/8% CERTIFICATES OF INDEBTEDNESS, SERIES E 1944 BY THE TREASURER OF THE CITY OF MODESTO, W. B. DEVLIN

---oOo---

BE IT HEREBY RESOLVED that W. B. Devlin, Treasurer of the City of Modesto be authorized to purchase \$35,000.00 of United States, 7/8% Certificates of Indebtedness Series E-1944.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of September, 1943 by Commissioner Neece, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burge, Morris, Neece, Acting Mayor Stanley

Noes: Councilmen: None

Absent: Mayor Shannon

ATTEST REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 6019-N.S.

A RESOLUTION TRANSFERRING OF PARKING SPACE FOR SLIM'S TAXICAB TO TENTH AND J STREETS FROM ELEVENTH AND I STREETS

---oOo---

WHEREAS, pursuant to request of Ray Burge, operator of Slim's Taxicab business at 11th and I Streets to a transfer of parking space from Eleventh and I Streets to the corner of Tenth and J Streets, near the Hotel Hughson, and

WHEREAS THE said Ray Burge has filed a letter from C. A. Wherry, Manager of Hotel Hughson, granting permit to use parking space adjoining the Hotel,

BE IT HEREBY RESOLVED that permit be granted as requested and the City Engineer be directed to mark the first parking space on the southeast corner of Block 67, as being reserved for the said Slim's Taxi and eliminate the marking on the street at 11th and I Streets.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of September, 1943 by Commissioner Morris, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burge, Morris, Neece, Acting Mayor Stanley

Noes: Councilmen: None

Absent: Mayor Shannon

ATTEST REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 6020-N.S.

ADJOURNMENT

BE IT HEREBY RESOLVED that this Council meeting now in session adjourn.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of September, 1943 by Commissioner Neece, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burge, Morris, Neece, Acting Mayor Stanley

Noes: Councilmen: None

Absent: Mayor Shannon

ATTEST REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 6021-N.S.

A RESOLUTION APPROVING AGREEMENT FOR RENTAL OF CITY PROPERTY TO GERMAIN & KAVANAGH

---oOo---

BE IT HEREBY RESOLVED that agreement for rental of lots 5 and 6 in Block 413 to Germain and Kavanagh be approved and the Mayor and City Auditor be appointed as signatory officials.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 6th day of October, 1943 by Commissioner Morris, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution was adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 6022-N.S.

A RESOLUTION APPROVING APPLICATION OF MODESTO BUS SERVICE FOR CHANGE IN ROUTE

---oOo---

BE IT HEREBY RESOLVED that proposed change in route of the Modesto Motor Bus service be approved, as filed with the City Clerk.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 6th day of October, 1943 by Commissioner Morris, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution was adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 6023-N.S.

A RESOLUTION GRANTING PERMIT TO J. K. RANSOM TO KEEP RABBITS AT 305 MAGNOLIA AVENUE

---oOo---

BE IT HEREBY RESOLVED that the petition of J. K. Ransom to keep rabbits at 305 Magnolia Avenue be granted as provided by Ordinance No. 416-N.S.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 6th day of October, 1943 by Commissioner Burge, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

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

ATTEST REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 6024-N.S.

ADJOURNMENT

BE IT HEREBY RESOLVED that this Council meeting now in session adjourn.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 6th day of October, 1943 by Commissioner Neece, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution was adopted by the following vote:

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

ATTEST REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 6025-N.S.

A RESOLUTION ALLOWING CLAIMS FOR MONTH OF SEPTEMBER, 1943

---oOo---

WHEREAS, the claims against the City of Modesto for the month of September, 1943 for the various sums in the aggregate hereinafter stated having been audited by the Council and found to be correct;

NOW, THEREFORE, BE IT RESOLVED that all of said claims so audited and approved be and they are hereby ordered allowed with reference being made to the Auditor's Cash Records for further details relative to amounts of withdrawals from the various funds as follows:

GENERAL FUND-----	\$32,262.44
WATER FUND -----	5,245.53
LIBRARY FUND -----	1,513.26
TOTAL -----	39,021.23

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of October, 1943 by Commissioner Neece, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote

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

ATTEST REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 6026 -N.S.

A RESOLUTION RESCINDING RESOLUTION NO. 3529-N.S. OF THE CITY OF MODESTO ENTITLED " A RESOLUTION PROVIDING THAT ONLY ONE SPACE BE ALLOWED A TAXI-CAB CONCERN, AND OTHER REGULATIONS RELATING TO TAXI-CAB BUSINESS."

---oOo---

WHEREAS, Resolution No. 3529-N.S. of the City of Modesto entitled "A RESOLUTION PROVIDING THAT ONLY ONE ~~SPACE BE~~ ALLOWED A TAXI-CAB CONCERN, AND OTHER REGULATIONS RELATING TO TAXI-CAB BUSINESS," was heretofore and on the 10th day of June 1936, passed by the City Council of the said City of Modesto; and,

WHEREAS, said City Council has decided that certain provisions of said resolution are objectionable, and for that reason said resolution and the whole thereof should be rescinded, annulled, vacated and set aside:

NOW, THEREFORE BE IT RESOLVED that said Resolution No. 3529-N.S. of the said City of Modesto be, and the same is hereby rescinded, vacated and set aside and declared null and void and of no effect.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 13th day of October, 1943, by Councilman Morris, who moved its adoption, which motion being duly seconded, was upon roll call carried, and the resolution adopted by the following vote:

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

Noes: Councilmen; Stanley

Absent: Councilmen: None

ATTEST REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 6027-N.S.

A RESOLUTION PROVIDING FOR AND ADOPTING CERTAIN REGULATIONS RELATING TO TAXI-CAB BUSINESS IN THE CITY OF MODESTO

---oOo---

WHEREAS, there are in the City of Modesto numerous taxicabs operating upon the public streets of said City; and,

WHEREAS, certain regulations are deemed necessary providing for the maintenance of the taxi-cab business and the operation of taxi-cabs; and,

WHEREAS, the City Council of the City of Modesto deems it necessary and proper for the protection of the citizens of the said City of Modesto that certain rules and regulations be established to govern the operation of the taxi-cab business in said City:

NOW, THEREFORE, the City Council of the City of Modesto does by this resolution make and declare the following rules applicable to taxi-cabs and all vehicles operated in said City for the purpose of transporting passengers, save and except vehicles operating over fixed routes, as follows:

1. That no parking space on the City streets shall be granted to any person, individual, taxi-cab concern, company, corporation or association which is so located that in leaving or departing from its stand said taxi-cab must back over any pedestrian cross-walk.
2. That a permit heretofore issued or hereafter issued to any person, individual, taxi-cab concern, company, corporation or association to park or leave any taxi-cab in any designated location upon any public street in the City of Modesto shall be non-transferrable.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 13th day of October, 1943, by Councilman Neece, who moved its adoption, which motion being duly seconded, was upon roll call carried and the resolution adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 6028-N.S.

ADJOURNMENT

BE IT HEREBY RESOLVED that this Council meeting now in session adjourn.

The foregoing resolution was introduced at a regular session of the Council of the City of Modesto held on the 13th day of October, 1943, by Councilman Neece, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 6029-N.S.

A RESOLUTION ALLOWING CLAIM OF E. E. ARINGTON FOR \$30.25

---oOo---

BE IT HEREBY RESOLVED that claim of E. E. Arington for \$30.25 for expenses attending the convention of the California State Peace Officers' Association in San Francisco, October 11 to 13th inc. 1943 be allowed and the Clerk and Auditor be authorized to draw warrant in payment.

The foregoing resolution was introduced at a special Council meeting of the City of Modesto held on the 20th day of October, 1943 by Commissioner Burge, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burge, Neece, Acting Mayor Stanley

Noes: Councilmen: None

Absent: Councilmen: Morris and Mayor Shannon

ATTEST REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 6030-N.S.

A RESOLUTION RESCINDING RESOLUTION NO. 5914-N.S. CANCELLING TAXICAB LICENSE OF LEO HARRELSON

WHEREAS under date of May 26, 1943, the taxicab driver's license of Leo Harrelson was revoked by the Council by Resolution No. 5914-N.S., and

WHEREAS he has petitioned the Council at this time for the reinstatement of his license

BE IT HEREBY RESOLVED that Resolution No. 5914-N.S. be rescinded and Leo Harrelson be permitted to obtain a taxicab driver's license providing he agrees

to abide by all the traffic laws.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 20th day of October, 1943 by Commissioner Neece, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burge, Neece, Acting Mayor Stanley

Noes: Councilmen: None

Absent: Councilmen: Morris and Mayor Shannon

ATTEST REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 6031-N.S.

A RESOLUTION AWARDDING BID ON TRUCK FOR PUBLIC WORKS DEPARTMENT TO R. B. MACBRIDE

---000---

WHEREAS, pursuant to referring all bids on dump truck for the Public Works Department to the Commissioner of Public Supplies and the City Engineer for investigation and recommendation, and

WHEREAS Commissioner Burge reported that they recommended the acceptance of the bid of R. B. MacBride of \$2195.00 on Dodge truck

BE IT HEREBY RESOLVED that bid of said R. B. MacBride for \$2195.00 be and it is hereby accepted as being the lowest and best bid and the City Clerk is authorized to draw warrant in payment upon delivery of equipment and to return bidding checks to unsuccessful bidders.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 20th day of October, 1943 by Commissioner Neece, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burge, Neece, Acting Mayor Stanley

Noes: Councilmen: None

Absent: Councilmen: Morris and Mayor Shannon

ATTEST REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 6032-N.S.

ADJOURNMENT

BE IT HEREBY RESOLVED that this Council meeting now in session adjourn.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 20th day of October, 1943 by Commissioner Neece, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burge, Neece, Acting Mayor Stanley

Noes: Councilmen: None

Absent: Councilmen: Morris and Mayor Shannon

ATTEST REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 6033-N.S.

A RESOLUTION ALLOWING CLAIMS FOR EXPENSES OF DELEGATES TO CONVENTION OF THE LEAGUE OF CALIFORNIA CITIES

---oOo---

BE IT HEREBY RESOLVED that the claims of W. B. Devlin for \$28.53, George E. Wallace for \$23.15, F. J. Rossi for \$20.70 and Rex E. Gailfus for \$28.75 expenses for attending convention of the League of California Cities at Sacramento October 18 to 21 inclusive, 1943 be and they are hereby allowed and the Clerk and Auditor be authorized to draw warrants in payment.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of October, 1943 by Commissioner Neece, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

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

ATTEST REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 6034-N.S.

A RESOLUTION GRANTING PERMIT TO T. LIPPINS TO KEEP RABBITS AT 114 MAPLE STREET

---oOo---

BE IT HEREBY RESOLVED that permit to keep rabbits at 114 Maple Street be granted Thornton Lippins as provided by Ordinance No. 416-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 October, 1943 by Commissioner Stanley, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

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

ATTEST REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 6035-N.S.

A RESOLUTION OF THE CITY OF MODESTO DIRECTING CITY ATTORNEY TO GIVE 30 DAYS' WRITTEN NOTICE TO COUNTY OF STANISLAUS OF TERMINATION OF CONTRACT ENTERED INTO BETWEEN SAID COUNTY OF STANISLAUS AND CITY OF MODESTO IN RESPECT TO EMPLOYMENT OF COUNTY HEALTH OFFICER

-----oOo-----

WHEREAS, on the 15th day of March, 1932, a certain contract, in writing was entered into by and between the County of Stanislaus and the City of Modesto, providing that the County Health Officer of said County of Stanislaus take over and perform the functions of the Health Department of the City of Modesto, with certain exceptions therein noted; and,

WHEREAS, in accordance with said contract, said County Health Officer did thereupon take over and perform, and ever since has taken over and performed all functions relating to public health within said City of Modesto; and,

WHEREAS, the Attorney General of the State of California has rendered his opinion, in writing, to the effect that said contract, for the reasons stated by him, is in his opinion invalid:

NOW, THEREFORE, IT IS HEREBY RESOLVED, by the City Council of the City of Modesto that the City Attorney of said City be and he is hereby requested to prepare a notice, in writing, on behalf of said City of Modesto, directed to said County of Stanislaus, giving said County, through its Board of Supervisors, thirty (30) days' notice of the termination of said contract in accordance with the provisions thereof, said notice of said termination of said contract to become effective at the expiration of thirty (30) days after such notice is given.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of October, 1943 by Councilman Stanley, who moved its adoption, which motion was duly seconded, upon roll call carried, and the resolution adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: Morris

ATTEST REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 6036-N.S.

A RESOLUTION AUTHORIZING THE CITY ATTORNEY TO PROCEED WITH PLAN AS OUTLINED IN REPORT FOR QUIETING TITLE ON TAX DEEDED LANDS IN THE CITY OF MODESTO

---oOo---

WHEREAS, pursuant to referring of matter of quieting title to tax deed lands in the City of Modesto to the City Attorney for estimate of cost, and

WHEREAS, he has filed the following estimated cost of action to quiet title. Number of lots involved in action to quiet title according to statement made by Robert Boardman, Manager of Stanislaus Abstract and Escrow Company on Wednesday, October 27, 1943 and 197½ approx.

To Ed Taylor and Mrs. Rosen, \$50.00 per month estimated for not less than one year	\$600.00
To James Ryan, Jr. \$1.00 per hour and 5¢ per mile for use of automobile in serving process not to exceed	650.00
Printing summons, estimated on basis of 95 squares and published once each week for 10 consecutive weeks in Modesto Bee, about	460.00
(This estimate made from a summons containing approximately 170 names and 40 squares of property description)	
Modesto Bee, co-operating with Mr. Gray of Commercial Printing Company, his cost for making 500 copies of said summons and 500 copies of complaints, approximately	70.00
Estimated cost of stationery and stamps (by Mr. Taylor)	75.00

Estimated cost of probate, guardianship and other proceedings, including filing fee for party petitioning for appointment as administrator or executor or guardian, etc. cost of publication of notice of probate, notice to creditors and appraiser's fee, each proceeding \$25.00

Other miscellaneous expenses, estimated at \$500 00
To Stanislaus Abstract & Escrow Company for bringing list of
defendants down to date 25.00
\$2,380 00

BE IT HEREBY RESOLVED that the City Attorney be authorized to proceed with the plan as outlined for the quieting of title on tax deeded lands.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of October, 1943 by Commissioner Neece, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

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

ATTEST REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 6037-N.S.

ADJOURNMENT

BE IT HEREBY RESOLVED that this Council meeting now in session adjourn.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of October, 1943 by Commissioner Burge, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

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

ATTEST REX E. GAILFUS, CITY CLERK

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RESOLUTION NO. 6038-N.S.

A RESOLUTION APPOINTING CAPTAIN MARY E. SMITH, SPECIAL OFFICER OF THE POLICE DEPARTMENT
FOR A PERIOD OF SIX MONTHS

---oOo---

BE IT HEREBY RESOLVED that Mary E. Smith, Captain of the Salvation Army be appointed as special officer of the Police Department for a period of six months from the first day of November, 1943 at a salary of \$50.00 per month.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 3rd day of November, 1943 by Commissioner Stanley, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

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

ATTEST REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 6039-N.S.

A RESOLUTION DENYING CLAIM FOR PERSONAL INJURY OF JOSEPH MCDONALD

----oOo----

WHEREAS, claim for \$10,000 of Joseph McDonald for personal injury sustained in accident with motorcycle of the Police Department of the City of Modesto, under date of September 9, 1943 having been filed with the City Council and by order referred to the City Attorney for investigation, and

WHEREAS he has recommended that the City of Modesto deny claim,

BE IT HEREBY RESOLVED that claim of said Joseph McDonald for personal injury for \$10,000 be and it is hereby denied.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 3rd day of November, 1943 by Commissioner Stanley, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 6040-N.S.

A RESOLUTION ACCEPTING PLANS AND SPECIFICATIONS FOR REMODELING CITY HALL

----oOo----

BE IT HEREBY RESOLVED that plans and specifications for remodeling the City Hall Building at 717 Tenth Street be accepted as prepared and presented by the City Engineer.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 3rd day of November, 1943 by Commissioner Morris, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 6041-N.S.

A RESOLUTION AUTHORIZING THE CITY CLERK TO ADVERTISE FOR BIDS ON REMODELING THE CITY HALL BUILDING AT 717 TENTH STREET

----oOo----

BE IT HEREBY RESOLVED that the City Clerk be authorized to advertise for bids on remodeling the City Hall Building at 717 Tenth Street in accordance with plans and specifications on file in the office of the City Engineer, said bids to be opened on November 10, 1943.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 3rd day of November, 1943 by Commissioner Morris, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 6042-N.S.

A RESOLUTION AMENDING RESOLUTIONS NO. 4295-N.S. AND 5368-N.S. AND DETERMINING PREVAILING RATE OF PER DIEM WAGES FOR CERTAIN CLASSIFICATIONS ON PUBLIC WORKS PERFORMED UNDER CONTRACT IN THE CITY OF MODESTO

---oOo---

BE IT RESOLVED that RESOLUTIONS No. 4295-N.S. and 5368-N.S. of the Council of the City of Modesto is hereby amended for the classifications as shown herein:

Classification	Rate per Hour
Brick Layers-----	\$ 1.75
Carpenters-----	1.375
Common Laborers-----	.875
Hod Carriers-----	1.25
Lathers-----	1.75
Plasterers-----	1.50

The foregoing resolution was introduced at the regular meeting of the Council of the City of Modesto held on the 3rd day of November, 1943, by Commissioner Morris, who moved its adoption, which motion was duly seconded, and upon roll call, adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 6043-N.S.

A RESOLUTION ACCEPTING AUDIT FROM C. P. NATTINGER, C.P.A. AND AUTHORIZING PAYMENT

---oOo---

BE IT HEREBY RESOLVED that the annual audit for year ending June 30, 1943 be accepted from C. P. Nattinger, C.P.A. and the Clerk and Auditor be authorized to draw warrant in payment of \$450.00 statement presented by said C. P. Nattinger.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 3rd day of November, 1943 by Commissioner Neece, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 6044-N.S.

A RESOLUTION ACCEPTING RESIGNATION OF MARK LANDQUIST AS SANITARY INSPECTOR

---oOo---

BE IT HEREBY RESOLVED that resignation of Mark Landquist as Sanitary Inspector be and it is hereby accepted.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 3rd day of November, 1943 by Commissioner Stanley, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

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

Noes: Councilmen: None

Absent:Councilmen: None

ATTEST REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 6045-N.S.

A RESOLUTION RESCINDING RESOLUTION NO. 6044-N.S. ENTITLED " A RESOLUTION ACCEPTING RESIGNATION OF MARK LANDQUIST AS SANITARY INSPECTOR"

---oOo---

BE IT HEREBY RESOLVED that Resolution No. 6044-N.S. entitled " A RESOLUTION ACCEPTING RESIGNATION OF MARK LANDQUIST AS SANITARY INSPECTOR" be cancelled.

The resolution was introduced at a special meeting of the Council of the City of Modesto held on the 3rd day of November, 1943 by Commissioner Stanley, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

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

Noes: Councilmen: None

Absent:Councilmen: None

ATTEST REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 6046-N.S.

ADJOURNMENT

BE IT HEREBY RESOLVED that this Council meeting now in session adjourn.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 3rd day of November, 1943 by Commissioner Neece, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

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

Noes: Councilmen: None

Absent:Councilmen: None

ATTEST REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 6047-N.S.

A RESOLUTION AUTHORIZING THE ENTERING INTO LEASE WITH THE DEFENSE RECREATION COMMITTEE OF MODESTO FOR THE RENTAL OF THE SECOND STORY OF THE CITY HALL BUILDING LOCATED AT 717 10th STREET

---oOo---

BE IT HEREBY RESOLVED that the City of Modesto enter into a contract with the Defense Recreation Committee of Modesto for the rental of the second story of the City Hall Building located at 717 10th Street for the duration of the present emergency at a rental of \$1.00 per year, and

BE IT FURTHER RESOLVED that the City Attorney be directed to draw up the necessary lease.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of November, 1943 by Commissioner Morris, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: Burge.

ATTEST REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 6048-N.S.

A RESOLUTION ALLOWING CLAIMS FOR MONTH OF OCTOBER, 1943

---oOo---

WHEREAS, the claims against the City of Modesto for the month of October, 1943, for the various sums in the aggregate hereinafter stated having been audited by the Council and found to be correct;

NOW, THEREFORE, BE IT RESOLVED that all of said claims so audited and approved be and they are hereby ordered allowed, with reference being made to the auditor's Cash Records for further details relative to amounts of withdrawals from the various funds as follows:

GENERAL FUND-----	\$29,002.89
WATER FUND-----	4,224.64
LIBRARY FUND-----	1,640.52
BOND RED. INT. FUND-----	20.06
UNAPPORTIONED FUND-----	55.16
TOTAL -----	\$34,943.27

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of November, 1943 by Commissioner Neece, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: Burge

ATTEST REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 6049-N.S.

A RESOLUTION GRANTING PERMIT TO R. SUTTON TO KEEP RABBITS AT 407 ROSEDALE AVENUE

---oOo---

BE IT HEREBY RESOLVED that permit be granted to R. Sutton to keep rabbits at 407 Rosedale, as provided by Ordinance No. 416-N.S.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of November, 1943 by Commissioner Stanley, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

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

ATTEST REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 6050-N.S.

A RESOLUTION AWARDED BID ON REMODELING CITY HALL BUILDING AT 717 TENTH STREET TO

A. C. CARROLL

---oOo---

WHEREAS, pursuant to the advertising for bids to remodel the City Hall Building at 717 Tenth Street, the City Clerk reported that three bids had been filed, whereupon the Council opened said bids which were as follows:

- GERMAIN AND KAVANAGH-----\$2795.00
- A. C. CARROLL----- 1530.00
- IRA COTNER-----1755.00

BE IT HEREBY RESOLVED that the Council award the bid to A. C. Carroll at a cost of \$1530.00 as being the lowest and best bid and the City Clerk and Mayor were appointed as signatory officials on agreement to be entered into and the City Clerk was directed to return bidding checks to unsuccessful bidders.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of November, 1943 by Commissioner Morris, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

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

ATTEST REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 6051-N.S.

A RESOLUTION REQUIRING POSITION OF GOLF PROFESSIONAL TO BE BONDED FOR \$1000.00

---oOo---

BE IT HEREBY RESOLVED that the position of Golf Professional require a \$1000.00 bond and the City Clerk was notified to contact the Chairman of the Insurance Committee handling the City of Modesto insurance and secure the necessary bond on the present Golf Professional, Ian Macdonald.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of November, 1943 by Commissioner Neece, who moved its adoption, which motion being duly seconded, it

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

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

Noes: Councilmen: None

Absent: Councilmen: Burge

ATTEST REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 6052-N.S.

ADJOURNMENT

BE IT HEREBY RESOLVED that this Council meeting now in session adjourn.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of November, 1943 by Commissioner Neece, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: Burge

ATTEST REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 6053-N.S.

A RESOLUTION DISCONTINUING WAR DAMAGE INSURANCE COVERAGE AND ADDING EXTENDED COVERAGE ENDORSEMENTS TO PRESENT FIRE INSURANCE POLICIES

---oOo---

WHEREAS, W. H. Westmoreland, Chairman of the Modesto Insurance Agent's Association Committee appeared before the Council and suggested that the Council discontinue the coverage of War Damage insurance on the city property and add the extended coverage endorsement to their existing fire insurance policies,

BE IT HEREBY RESOLVED that the War Damage insurance coverage on the City Buildings be discontinued and the Extended Coverage endorsements be added to the present fire insurance policies

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 17th day of November, 1943 by Commissioner Neece, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 6054-N.S.

A RESOLUTION ACCEPTING REPORT OF MODESTO INSURANCE COMMITTEE ON BUILDING VALUES

---oOo---

WHEREAS, W. H. Westmoreland has filed a report with the Council on the present day values of City buildings made by an insurance company appraiser, and

WHEREAS, he has reported that a special reduction in the fire insurance rates will be effective and that increased valuations will necessitate the increasing of the present fire insurance carried but the reduction in rate would offset

the premium cost of the new coverage.

BE IT HEREBY RESOLVED that report be accepted as presented and the increasing of fire insurance to conform with the present day value of the buildings as set forth in the report be authorized.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 17th day of November, 1943 by Commissioner Neece, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

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

ATTEST REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 6055-N.S.

A RESOLUTION GRANTING PERMIT TO HARVEY CALHOUN TO OPERATE A USED CAR LOT AT 1202 H. Street

---oOo---

BE IT HEREBY RESOLVED that bond and application of Harvey Calhoun to operate a used car lot at 1202 H Street be approved and permit be granted after necessary license has been procured.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 17th day of November, 1943 by Commissioner Burge, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

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

ATTEST REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 6056-N.S.

A RESOLUTION AUTHORIZING RENEWAL OF LEASE ON OLD TIMER'S CLUB

---oOo---

BE IT HEREBY RESOLVED that lease be renewed with the Old Timer's Club at a rental of \$10 00 per month from November 18th for a period of one year with the provisions that lease may be terminated on a 24 hours notice.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 17th day of November, 1943 by Commissioner Burge, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

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

ATTEST REX E. GAILFUS, CITY CLERK

----- ***** -----

RESOLUTION NO. 6057-N.S.

A RESOLUTION ALLOWING CLAIM FOR TITLE SEARCH OF \$49.00 TO THE STANISLAUS ABSTRACT AND ESCROW COMPANY

BE IT HEREBY RESOLVED that claim of \$49.00 for litigation report covering 28 lots to the Stanislaus Abstract and Escrow Company to quiet title on tax deed property be allowed and the City Clerk and Auditor be authorized to draw warrant in payment.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 17th day of November, 1943 by Commissioner Neece, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 6058-N.S.

A RESOLUTION EMPLOYING DON C. DAVIS AS ENGINEER OF DESIGN AND CONSTRUCTION

---oOo---

BE IT HEREBY RESOLVED that Don C. Davis be employed by the City of Modesto as Engineer of Design and Construction and to carry on his duties under the direction and supervision of the City Engineer, effective December 1, 1943 at a salary of \$350.00 per month.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 17th day of November, 1943 by Commissioner Morris, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 6059-N.S.

ADJOURNMENT

BE IT HEREBY RESOLVED that this Council Meeting now in session adjourn.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 17th day of November, 1943 by Commissioner Neece, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 6060-N.S.

A RESOLUTION GRANTING PERMIT TO THE LICENSE COLLECTOR TO ISSUE DOG LICENSE WITHOUT CHARGE TO MRS. HELEN BELL CROW

---oOo---

WHEREAS, the Modesto Business Girls Club have requested that the Council permit the issuance of dog license without charge on Seeing Eye Guide Dog purchased for the use of Mrs. Helen Bell Crow at 433 Bodem Street,

BE IT HEREBY RESOLVED that request be granted and the License Collector is authorized to issue a license on the dog without charge.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of November, 1943 by Commissioner Neece, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 6061-N.S.

A RESOLUTION AUTHORIZING THE TREASURER OF THE CITY OF MODESTO TO PLACE UNITED STATES WAR BONDS WITH THE ANGLO CALIFORNIA NATIONAL BANK

---oOo---

BE IT HEREBY RESOLVED THAT THE Treasurer of the City of Modesto, W.B.Devlin be authorized to place the United States War Bonds owned by the City of Modesto with the Anglo California National Bank for safe keeping and to obtain a trust receipt from the said bank and the Auditor be authorized to draw warrant in payment for charge in this transfer.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of November, 1943 by Commissioner Neece, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 6062-N.S.

A RESOLUTION ACCEPTING THE RESIGNATION OF MARK J. LANDQUIST AS SANITARY INSPECTOR

---oOo---

BE IT HEREBY RESOLVED that the resignation of Mark J. Landquist as Sanitary Inspector of the City of Modesto be and it is hereby accepted, effective as of this date.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of November, 1943 by Commissioner Stanley, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 6063-N.S.

A RESOLUTION APPOINTING MARK J. LANDQUIST AS HEALTH OFFICER OF THE CITY OF MODESTO

---oOo---

BE IT HEREBY RESOLVED that Mark J. Landquist be appointed Health Officer of the City of Modesto, effective as of this date.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of November, 1943 by Commissioner Stanley, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 6064-N.S.

A RESOLUTION AUTHORIZING THE EXPENDITURE OF \$201.31 FOR OFFICE FURNITURE FOR THE HEALTH DEPARTMENT

---oOo---

BE IT HEREBY RESOLVED that the expenditure of \$201.31 for office furniture for the Health Department be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of November, 1943 by Commissioner Burge, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

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

Noes; Councilmen: None

Absent: Councilmen: None

ATTEST REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 6065-N.S.

ADJOURNMENT

BE IT HEREBY RESOLVED that the meeting now in session adjourn.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of November, 1943 by Commissioner Neece, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 6066-N.S.

A RESOLUTION APPROVING LEASE WITH DEFENSE RECREATION COMMITTEE

---oOo---

BE IT HEREBY RESOLVED that lease for rental of portion of second story of City Hall Building located at 715 Tenth Street to the Defense Recreation Committee be approved and the Mayor and City Auditor be appointed as signatory officials, and

BE IT FURTHER RESOLVED that the City Attorney be directed to turn the lease over to Kenneth Knudsen, Executive Secretary of the Stanislaus County Defense Council to obtain the necessary signatures of the Defense Recreation Committee members.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 1st day of December, 1943 by Commissioner Morris, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 6067-N.S.

A RESOLUTION INCREASING THE ROBBERY POLICY COVERAGE FOR THE CITY OF MODESTO

---oOo---

BE IT HEREBY RESOLVED that the robbery policy now in force for the City of Modesto be endorsed to increase the "Outside Robbery" coverage to \$5000.00

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 1st day of December, 1943 by Commissioner Neece, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 6068-N.S.

ADJOURNMENT

BE IT HEREBY RESOLVED that this Council meeting now in session adjourn.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 1st day of December, 1943 by Commissioner Burge, who moved its adoption, which motion being duly seconded, it was upon roll call adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 6069-N.S.

A RESOLUTION ALLOWING CLAIMS FOR MONTH OF NOVEMBER, 1943

---oOo---

WHEREAS, the claims against the City of Modesto for the month of November, 1943, for the various sums in the aggregate hereinafter stated having been audited by the Council and found to be correct;

NOW, THEREFORE, BE IT RESOLVED that all of said claims so audited and approved be and they are hereby ordered allowed with reference being made to the Auditor's Cash Records for further details relative to amounts of withdrawals from the various funds as follows:

GENERAL FUND-----	\$29,645.15
WATER FUND-----	4,687.83
LIBRARY FUND-----	1,686.97
BOND RED. INT. FUND-----	.48
 TOTAL-----	 \$36,020.43

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of December, 1943 by Commissioner Neece, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

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

ATTEST REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 6070-N.S.

A RESOLUTION GRANTING PERMIT TO THE MODESTO JUNIOR COLLEGE TO PLACE A BANNER ACROSS STREET ADVERTISING THE BASKETBALL TOURNAMENT

---oOo---

WHEREAS, pursuant to request from Fred Earle Jr. Chairman of the State Junior College Annual Basketball Tournament to place a banner advertising the Basketball Tournament which is to be held here January 6, 7, 8, 1944, across the street,

BE IT HEREBY RESOLVED that this request be granted and the banner be placed under the direction of the City Engineer.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of December, 1943 by Commissioner Morris, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

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

ATTEST REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 6071-N.S.

A RESOLUTION AUTHORIZING THE ENTERING INTO CONTRACT WITH STATE OF CALIFORNIA FOR BACTERIOLOGICAL AND CHEMICAL DETERMINATION ON SAMPLES OF MILK

---oOo---

WHEREAS, pursuant to request by the State of California, Department of Agriculture that the City of Modesto enter into an agreement for bacteriological and chemical determination on samples of market milk at the rate of 65¢ per sample and the rendering of reports to the State of the findings of such analyses.

BE IT HEREBY RESOLVED that the City of Modesto enter this said agreement and that the contract continue for all such determinations until abrogated by either party and the Mayor 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 8th day of December, 1943 by Commissioner Stanley, who moved its adoption, which resolution was regularly adopted by the following vote:

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

ATTEST REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 6072-N.S.

A RESOLUTION AUTHORIZING THE INCREASE OF PERSONNEL OF THE POLICE DEPARTMENT OF THE CITY OF MODESTO

---oOo---

BE IT HEREBY RESOLVED that the personnel of the Police Department of the City of Modesto be increased by two Patrolmen.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of December, 1943 by Commissioner Stanley, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

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

ATTEST REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 6073-N.S.

ADJOURNMENT

BE IT HEREBY RESOLVED that this Council meeting now in session adjourn.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of December, 1943 by Commissioner Neece, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

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

ATTEST REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 6074-N.S.

A RESOLUTION RECOMMENDING THAT A DONATION OF \$300.00 BE ALLOWED UNITED STATES WAR BOND COMMITTEE FOR OFFICE PERSONNEL

---oOo---

WHEREAS, pursuant to E. L. Sherman, Charles C. Simons, W. W. GIDDINGS, representing the United States War Bond Committee appearing before the Council and requesting a donation from the Music and Promotion fund to pay office personnel on the bond drive to be held in January,

BE IT HEREBY RESOLVED that a donation of \$300.00 be allowed this committee and the Auditor and City Clerk be authorized to draw a warrant in amount of \$300.00 payable to E. L. Sherman, Chairman of the United States War Bond Committee.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 15th day of December, 1943 by Commissioner Neece, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 6075-N.S.

A RESOLUTION ACCEPTING REPORTS ON IN LIEU AND ALCOHOLIC BEVERAGE FUNDS EXPENDITURES FOR THE YEAR

---oOo---

BE IT HEREBY RESOLVED that reports of the Police and Public Works Department on expenditures under the In Lieu and Alcoholic Beverage Funds for the year be and they are hereby accepted.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 15th day of December, 1943 by Commissioner Morris, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 6076-N.S.

A RESOLUTION GRANTING PERMIT TO THE NAVAL AID AUXILIARY TO HOLD SHOW IN THE CITY OF MODESTO

---oOo---

WHEREAS, pursuant to request of the Naval Aid Auxiliary to hold an exhibit of a Japanese Zero plane during the period of January 3 to 5 inc. 1944 on J Street between Tenth and the alley west,

BE IT HEREBY RESOLVED that permit be granted as requested

and the Police Department are authorized to block off the designated location for the period as requested.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 15th day of December, 1943 by Commissioner Stanley, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 6077-N.S.

A RESOLUTION AUTHORIZING THE EMPLOYMENT OF TEMPORARY CLERK IN THE HEALTH DEPARTMENT OF THE CITY OF MODESTO

---oOo---

BE IT HEREBY RESOLVED that the employment of a temporary Clerk in the Health Department at a salary of \$125.00 per month in accordance with section 7 of Ordinance No. 602-N.S. be approved.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 15th day of December, 1943 by Commissioner Neece, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 6078-N.S.

A RESOLUTION AMENDING RESOLUTION NO. 5832-N.S. SETTING MINIMUM RATE FOR VICTORY GARDENS FOR THE SEASON

---oOo---

BE IT HEREBY RESOLVED that Resolution No. 5832-N.S. entitled: "A RESOLUTION SETTING FORTH RULES AND REGULATIONS GOVERNING THE USE OF WATER AND WATER CHARGES FOR USE OF NON-COMMERCIAL VICTORY GARDENS WITH THE CITY LIMITS AND AREAS SERVED OUTSIDE OF THE CITY LIMITS OF THE CITY OF MODESTO" be amended to establish a minimum rate of 50¢ per season for Victory Gardens.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 15th day of December, 1943 by Commissioner Neece, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 6079-N.S.

A RESOLUTION GRANTING REQUEST OF THE STANISLAUS COUNTY AGRICULTURAL EXTENSION SERVICE TO

ESTABLISH A DIRECTIONAL SIGN AT 9th & J STREETS

---oOo---

BE IT HEREBY RESOLVED that request of the Stanislaus County Agricultural Extension Service to establish a directional sign at the corner of Ninth and J Streets to direct transient labor to the Farm Labor Office at 1610 J Street be granted and

BE IT HEREBY RESOLVED that said directional sign be erected under the supervision of the City Engineer and the cost of said sign to be assumed by the Stanislaus County Agricultural Extension Service.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 15th day of December, 1943 by Commissioner Neece, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 6080-N.S.

A RESOLUTION AUTHORIZING ATTORNEY TO CHECK ON COST OF UNITED STATES BUREAU OF CENSUS TO MAKE A RECOUNT OF THE CITY POPULATION AND TO PROCEED WITH THE COUNT IF COST IS NOT EXCESSIVE

---oOo---

BE IT HEREBY RESOLVED that the City Attorney be authorized to check on the proposition of the United States Bureau of Census to make a recount of the City population and to determine the probable cost and if the cost would not be too great in the opinion of the City Engineer and Attorney for them to proceed with the count.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 15th day of December, 1943 by Commissioner Morris, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 6081-N.S.

ADJOURNMENT

BE IT HEREBY RESOLVED that this Council meeting now in session adjourn.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 15th day of December, 1943 by Commissioner Neece, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 6082-N.S.

A RESOLUTION GRANTING REQUEST BROADCAST CHRISTMAS CAROLS ON STREETS IN BUSINESS DISTRICT

---oOo---

WHEREAS, pursuant to request of the Retail Merchants Bureau of Modesto Chamber of Commerce to broadcast Christmas carols in the business district during Christmas week,

BE IT HEREBY RESOLVED that request be granted.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of December, 1943 by Commissioner Burge, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST REX E. GAILFUS, CITY CLERK

RESOLUTION NO. 6083-N.S.

A RESOLUTION AMENDING SECTION 5a OF RULE XI "ATTENDANCE AND LEAVES" OF RULES AND REGULATIONS OF THE CIVIL SERVICE OF THE CITY OF MODESTO ENTITLED "HOURS OF WORK"

---oOo---

BE IT HEREBY RESOLVED that section 5a of the City of Modesto Civil Service Rules and Regulations of Rule XI entitled "ATTENDANCE AND LEAVES" be and it is hereby amended to read

"HOURS OF WORK: The office of the City Clerk shall be kept open for business on all days of the year except Sundays and Holidays continuously from until 5:00 P.M. on week days and from 9 A.M. 9:00 A. M. until 12:00 noon on Saturdays. Employees shall be required to work a minimum of 7 hours on week days and 3 hours on Saturdays."

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of December, 1943 by Commissioner Neece, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST REX E GAILFUS, CITY CLERK

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RESOLUTION NO. 6084-N.S.

A RESOLUTION CONSTITUTING AGREEMENT WITH THE UNITED STATES RELATIVE TO OPERATION AND MAINTENANCE OF THE MODESTO MUNICIPAL AIRPORT

---oOo---

WHEREAS, the Administrator of Civil Aeronautics of the United States of Department of Commerce (hereinafter referred to as the "Administrator"), with the approval of a Board composed of the Secretary of War, the Secretary of the Navy, and the Secretary of Commerce, has designated as necessary for national defense a project (herein called the "Project") for development of the Modesto Municipal Airport (herein called the "Airport"), which Project is identified as S-904-4-18; and

WHEREAS, as a condition precedent to release and operation of the Project, the Administrator requires that the City of Modesto (herein called the "City") have certain property interests in the landing area of the Airport and the lands to be improved under the Project and enter into an agreement with the United States (herein called the "Government"), in the manner and form hereof; and

WHEREAS, the City of Modesto is legally, financially, and otherwise able to enter into such an agreement and desires to avail itself of the benefits of prosecution of the Project;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MODESTO:

Section 1. That for and in consideration of development of the Airport by the Government as contemplated by the Project, the City of Modesto does hereby covenant and agree with the Government as follows, this agreement to become effective upon the award of any construction contract for any portion of the Project or the inauguration of any portion of the Project under force account, and to continue in full force and effect during the useful life of the improvements made under the Project;

(a) The Government shall have the right to determine the exact nature of the improvements to be made under the Project, the manner in which the Project is to be conducted, the amount of Federal funds to be expended, and all other matters relating to the Project; The City of Modesto will co-operate with the Government to ensure prosecution of the Project without interference or hindrance, and agrees to permit the agents and employees of the Government, and all persons authorized by the Administrator, to enter upon, use, and occupy the property to be developed, as the Administrator may deem necessary or desirable in connection with the conduct of the Project.

(b) The City of Modesto agrees to indemnify and save harmless the Government against and from any and all claims and damages which may arise from or in connection with the carrying out of the Project, excepting claims for injuries or death to persons resulting from willful or negligent acts or omissions of the Government or any of its officers, employees, agents, or agencies, all other claims sounding in tort, and claims for materials furnished or work performed pursuant to authority given by officers, employees, or agents of the Government.

(c) It is understood and agreed that all improvements made under the Project shall be the sole and absolute property of the City of Modesto except where specifically agreed otherwise, in writing, prior to the undertaking of the improvement or installation in question.

(d) The City of Modesto agrees that, continuously during the term of this agreement, the Airport will be operated as such, and for no other purpose, and that unless utilized exclusively for military purposes, it will at all times be operated for the use and benefit of the public, on reasonable terms and without unjust discrimination, and without grant or exercise of any exclusive right for use of the Airport within the meaning of Section 303 of the Civil Aeronautics Act of 1938.

(e) The City of Modesto agrees that it will at all times during the term of this agreement maintain in good and serviceable condition and repair the entire landing area of the Airport and all improvements, facilities, and equipment which have been or may be made, constructed, or installed with Federal aid, including all improvements made under the Project, other than facilities and equipment owned by the Government; Provided, that during any period the said landing area or airport improvements, facilities, or equipment are leased by or licensed to the Government for

military purposes, the City of Modesto shall be obligated to bear only that proportion of the expense of maintenance of the landing area or airport improvements, facilities, or equipment so leased or licensed, which their non-military use bears to their total use.

(f) Insofar as is within its powers and reasonably possible, the City of Modesto will prevent any use of land either within or outside the boundaries of the Airport, including the construction, erection, alteration, or growth, of any structure or other object thereon, which would be a hazard to the landing, taking-off, or maneuvering of aircraft at the Airport, or otherwise limit its usefulness as an airport.

(g) In order to protect the rights and interests of the Government under this resolution, the City of Modesto agrees that it will not enter into any transaction which would operate to deprive it of any of the rights and powers necessary to perform any or all of the covenants made herein, unless by such transaction the obligation to perform all such covenants is assumed by another public agency. The City of Modesto further agrees that it will not execute any deed, lease, operation or management agreement, or other instrument affecting the airport or any portion or facility thereof or interest therein, even though the other party to the transaction is the Government acting through the War Department or Navy Department, unless thirty days' notice of its intention so to do has been given to the Administrator, or unless the Administrator has waived the right to such notice. A copy of the proposed instrument in question shall be attached to said notice, which shall state the date upon which the same is to be executed.

(h) The City of Modesto agrees that, if requested to do so by the War Department or Navy Department, at any time during a national emergency declared by the President, it will lease the landing area of the Airport to the Government for military or naval use, at a nominal rental, for a term of one year, renewable annually at the option of the Government for such period as the Government may designate; Provided, that the lease shall contain an express stipulation that its term shall not exceed the duration of the national emergency and six months thereafter unless an extension thereof is approved by the Administrator. Such lease shall also contain a covenant on the part of the Government to permit, by instruments in writing, use of the leased premises by commercial, private, and other non-military aircraft to the extent possible without interfering with military operations, and to bear all of the expense of maintaining and keeping in good repair the leased premises and all improvements and facilities thereon, other than that proportion of the cost of such maintenance for which the City of Modesto assumes responsibility under Section 1(e) hereof. The City of Modesto further agrees that, during all times that the landing area of the Airport is not held by the Government under lease, the Government shall have the right to use such area in common with others, without charge, to the extent possible without requiring limitation of non-military operations.

Section 2. In order to satisfy the Government that the City of Modesto is qualified to sponsor the Project under the project eligibility requirements of the Civil Aeronautics Administration and to induce the Government to proceed with the Project in accordance with the offer made by the City of Modesto in Section 1 hereof the City of Modesto does hereby represent and warrant to the Government as follows;

(a) That the City of Modesto has title in fee simple to all lands comprising the landing area of the Airport and to all lands to be improved under the Project, which lands are shown on the sketch attached hereto as part of Exhibit A, and that said lands are held free from any lien, lease, easement, or other encumbrance, other than those described as follows:

1. Permit, in writing, entered into on June 2, 1943, by and between

the City of Modesto, party of the first part, and Robert J. Strief and George Boyd, Jr., doing business under the firm name of "HAWKE CROP DUSTING COMPANY", parties of the second part, for a term of one year commencing on the 2nd day of June, 1943; permitting parties of the second part the use of the following described premises;

That certain hangar 6,000 square feet in area and located in the northwest corner of the southwest quarter of the southeast quarter of Section 34, Township 3 South, Range 9 East, M.D.B & M.,

with the privilege of parties of the second part of renewing said permit upon 90 days' written notice for further period of one year from term hereinabove set forth.

2. Lease, in writing, entered into on December 14, 1940, by and between the City of Modesto, party of the first part, and Shell Oil Company, Inc., party of the second part, for a term of 5 years, commencing December 14, 1940 and ending December 13, 1945. Said lease may be terminated by giving notice in writing of intention to terminate 30 days prior to date of expiration of lease to the other party. Said lease also contains the following condition:

"At the option of Shell and upon written notice thereof being given the City, this lease shall forthwith terminate in the event that it is or shall become unlawful for Shell to maintain or operate an aircraft supply or service unit upon the premises, or in event any portion or portions of the premises shall be condemned or otherwise conveyed for public or quasi-public purposes, or in the event the operation of said airport shall be discontinued."

Premises used by Shell for storing, handling, advertising, dispensing and sale of gasoline.

3. Lease, in writing, entered into between City of Modesto, party of the first part, and Standard Oil Company of California, party of the second part, dated March 26, 1941, for a term of 5 years, commencing March 1, 1941 and ending February 28, 1946, and to continue thereafter from year to year until terminated by either party by giving 30 days' written notice to the other party.

Said premises to be used as site for airplane fueling facilities.

4. Lease, in writing, entered into by and between the City of Modesto, party of the first part, and United States of America, party of the second part, on March 25, 1942, at an annual rental of \$1.00.

(b) That the City of Modesto has the power and authority to adopt this resolution through its City Council, and to perform all of the covenants contained herein:

(c) That the City of Modesto is financially and practically able to perform all of the covenants contained in this resolution;

(d) That there is no pending or threatened litigation or other legal proceeding, and no material and relevant fact, which might adversely affect the prosecution of the Project, the operation of the Airport, or the performance of any of the covenants contained in Section 1 hereof, which has not been brought to the attention of the Administrator;

(e) That the City Council of the City of Modesto is the proper body to adopt this resolution and has complied with all requirements of law in so doing;

(f) That such of the above representations and warranties as involve questions of law are made upon the advice of the City Attorney of the City of Modesto, whose certificate as to such matters has previously been delivered to the City Council and is annexed hereto and made a part hereof, as Exhibit A.

Section 3. That the City Attorney and City Engineer be and they are authorized and directed to furnish the Administrator copies of all documents representing or evidencing the encumbrances described in Section 2 (a) hereof, together with such legal and factual information relative to the Airport, the Project, and this resolution as the Administrator may reasonably request.

Section 4. That two certified copies of this resolution be sent forthwith to the Administrator, through the Regional Manager of the Civil Aeronautics Administration.

Section 5. That this resolution shall be effective immediately.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of December, 1943 by Councilman Morris, who moved its adoption, which motion being duly seconded, was upon roll call carried, and the resolution adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST REX E. GAILFUS, CITY CLERK

I approve of the adoption of the foregoing resolution, Carl W. Shannon, Mayor of the City of Modesto

COPY OF MAP ATTACHED TO RESOLUTION

EXHIBIT A

CERTIFICATE OF THE CITY ATTORNEY OF THE CITY OF MODESTO

I, R. R. FOWLER, the duly appointed and qualified City Attorney of the City of Modesto, having read the proposed resolution heretofore submitted to the City of Modesto by the Administrator of Civil Aeronautics, the adoption of which is required as a condition precedent to the prosecution of a Civil Aeronautics Administration national defense project for the development of the Modesto Municipal Airport, CAA Docket No.S-904-4-18, do hereby certify;

1. That the City of Modesto has title in fee simple to all the lands comprising the landing area of said Airport, and to all the lands to be improved under the above Project, which lands are shown on the attached sketch, and that said lands are held free from any lien, lease, easement, or other encumbrance, other than those described as follows:

a. Permit, in writing, entered into on June 2, 1943, by and between the City of Modesto, party of the first part, and Robert J. Strief and George Boyd, Jr., doing business under the firm name of "HAWKE CROP DUSTING COMPANY", parties of the second part, for a term of one year commencing on the 2nd day of June, 1943; permitting parties of the second part the use of the following described premises:

That certain hangar 6,000 square feet in area and located in the northwest corner of the southwest quarter of the southeast quarter of section 34, township 3 south, Range 9 East, M.D.B & M., with the privilege of parties of the second part of renewing said permit upon 90 days' written notice for further period of one year from term hereinabove set forth.

b. Lease, in writing, entered into on December 14, 1940, by and between the City of Modesto, party of the first part, and Shell Oil Company, Inc., party of the second part, for a term of 5 years, commencing December 14, 1940,

and ending December 13, 1945. Said lease may be terminated by giving notice in writing of intention to terminate 30 days prior to date of expiration of lease to the other party. Said lease also contains the following condition:

"At the option of Shell and upon written notice thereof being given the City, this lease shall forthwith terminate in the event that it is or shall become unlawful for Shell to maintain or operate an aircraft supply or service unit upon the premises, or in event any portion or portions of the premises, shall be condemned or otherwise conveyed for public or quasi-public purposes, or in the event the operation of said airport shall be discontinued."

Premises used by Shell for storing, handling, advertising, dispensing and sale of gasoline.

c. Lease, in writing, entered into between City of Modesto, party of the first part, and Standard Oil Company of California, party of the second part, dated March 26, 1941, for a term of 5 years, commencing March 1, 1941, and ending February 28, 1946, and to continue thereafter from year to year until terminated by either party by giving 30 days' written notice to the other party.

Said premises to be used as site for airplane fueling facilities.

d. Lease, in writing, entered into by and between the City of Modesto, party of the first part, and United States of America, party of the second part, on March 25, 1942, at an annual rental of \$1.00.

2. That the City of Modesto has the power to adopt said resolution through its City Council and to perform all of the covenants and conditions contained therein.

3. That there is no pending or threatened litigation or other legal proceeding which might adversely affect the prosecution of said Project, the operation of said Airport, or the performance of any of the covenants contained in said resolution.

Dated this 22nd day of December, 1943

SEAL

R. R. FOWLER, CITY ATTORNEY OF THE
CITY OF MODESTO.

CERTIFICATE OF CITY CLERK OF CITY OF MODESTO

I, REX E. GAILFUS, the duly appointed, qualified and acting City Clerk of the City of Modesto, do hereby certify that the foregoing resolution was legally adopted at a meeting of the City Council of the City of Modesto duly held on the 22nd day of December, 1943, and that said resolution has been compared by me with the original thereof on file in my office and is a true copy of the whole of said original.

I further certify that there was attached to the said resolution at the time of its adoption an attorney's certificate and sketch of which the certificate and sketch annexed hereto are true copies.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of the City of Modesto, this 22 day of December, 1943.

REX E. GAILFUS, CITY CLERK OF THE
CITY OF MODESTO

RESOLUTION NO. 6085-N.S.

ADJOURNMENT

BE IT HEREBY RESOLVED that this Council meeting now in session adjourn.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of December, 1943 by Commissioner Neece, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST REX E. GAILFUS, CITY CLERK
