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RESOLUTION NO. 5496-N.S.

A RESOLUTION AUTHORIZING THE TREASURER OF THE CITY OF MODESTO TO SIGN DEPOSITARY AGREEMENT BETWEEN THE CITY OF MODESTO AND THE BANK OF AMERICA

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BE IT HEREBY RESOLVED that the Treasurer of the City of Modesto, W. B. Devlin, be authorized to sign the Depositary Agreement between the Treasurer of the City of Modesto and the Bank of America.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 7th day of January, 1942 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

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RESOLUTION NO. 5497-N.S.

A RESOLUTION GRANTING MORATORIUM ON LEASE OF MUNICIPAL AIRPORT TO THE PATHFINDERS FLYING SERVICE LTD.

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BE IT HEREBY RESOLVED that the Pathfinders Flying Service Ltd. be granted a moratorium on their lease on the Modesto Municipal Airport until the present world emergency is over and after the United States Air Corp has left the field and for a period of 30 days thereafter.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 7th day of January, 1942 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

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RESOLUTION NO. 5498-N.S.

A RESOLUTION APPOINTING MEMBERS TO PLANNING COMMISSION OF THE CITY OF MODESTO

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BE IT HEREBY RESOLVED that R. W. Boardman and Nathan McVay be appointed as members of the Planning Commission for a term of four years from January 9, 1942.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 7th day of January, 1942 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

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RESOLUTION NO. 5499-N.S.

A RESOLUTION GRANTING PERMIT TO R. R. HEASTON TO BUILD TWO STORY DWELLING AT 1321-23 ELEVENTH STREET

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WHEREAS, R. R. Heaston has petitioned the Council for permission to build a two story building in the rear of duplex house at 1321-23 Eleventh Street, and

WHEREAS, the Planning Commission have approved petition as provided by Zoning Ordinance No. 655-N.S.

BE IT HEREBY RESOLVED that permission be granted to build two story building at said location as approved by the Planning Commission.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 7th day of January, 1942 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

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RESOLUTION NO. 5500-N.S.

A RESOLUTION GRANTING PERMIT STANDARD OIL COMPANY TO ERECT SERVICE STATION AT EAST CORNER OF NINTH AND B STREETS IN THE CITY OF MODESTO

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WHEREAS, pursuant to request of Standard Oil Company for permit to construct and maintain a service station on the east corner of Ninth and B Streets in the City of Modesto.

BE IT HEREBY RESOLVED that permit be granted as prayed for when all provisions of the city ordinances relative to building permits and the regulations for storage and dispensing of gasoline and zoning have been complied with, as provided by Ordinance No. 344-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 January, 1942 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

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RESOLUTION NO. 5501-N.S.

WHEREAS, the San Joaquin Valley has for many years been in need of greater flood protection than its people were able to provide; and

WHEREAS, such additional protection now seems possible through Federal Aid under the Flood Control Act of 1936, and amendments thereto; and

WHEREAS, the Flood Control Association of the Lower San Joaquin River and its Tributaries, composed of owners of land in the San Joaquin Valley and supported by private and public funds, is urging the early submission to the Congress of the flood control report for the San Joaquin River and tributaries, made by the U.S. Army Engineers, which report, pursuant to executive order, is now being reviewed by the National Resources Planning Board and its subsidiary agencies; and

WHEREAS, it is of vital importance to the people of the San Joaquin Valley that said report be approved and the work thereunder authorized by the Congress of the United States at the earliest possible date and thereby avoid any delays, which would unnecessarily jeopardize the valley to another such flood as occurred in 1938, whose damages were estimated in excess of \$5,000,000;

NOW, THEREFORE, BE IT RESOLVED that we, the Council of the City of Modesto, do hereby petition and urge all federal agencies, having a part in reviewing said flood control report to expedite the submission thereof to the Congress for adoption and authorization; and

RESOLVED, that we hereby assure said Flood Control Association of our approval of its efforts in bringing to the attention of the Federal Government the flood control needs of this valley and we herewith authorize said Association, when appearing in Washington D.C. or elsewhere, before a legislative committee or before a governmental agency, to express our approval of and our accord with its efforts to secure the authorization of the flood control project for the San Joaquin Valley as prepared and recommended by the Corps of Engineers of the United States Army, provided, however, there is preserved to the several irrigation districts, respectively, their present interest and right in existing irrigation and power facilities, including water rights and the right to specify operation for irrigation and power use, and provided, also, there is preserved to the State of California in perpetuity, its present interests and rights in and to the waters of the streams involved,

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 7th day of January, 1942 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. 5502-N.S.

A RESOLUTION APPOINTING CAPTAIN MARY E. SMITH AS SPECIAL OFFICER OF THE POLICE DEPARTMENT FOR A PERIOD OF SIX MONTHS FROM JANUARY 1, 1942

---oOo---

BE IT HEREBY RESOLVED that Captain Mary E. Smith of the Salvation Army, be appointed special officer of the Police Department for a period of six months from January 1, 1942 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 7th day of January, 1942 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

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RESOLUTION NO. 5503-N.S.

A RESOLUTION INSTRUCTING THE CITY ENGINEER TO APPLY TO THE PRIORITY DIVISION OF THE OFFICE OF PRODUCTION MANAGEMENT FOR A PD-1 PRIORITY RATING FOR THE CITY OF MODESTO

---oOo---

WHEREAS, certain materials are needed by the City of Modesto to complete certain projects now under construction

BE IT HEREBY RESOLVED that the City Engineer is instructed to apply to the Priority Division of the office of Production Management for a PD-1 rating for the City of Modesto.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 7th day of January, 1942 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

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RESOLUTION NO. 5504-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 January, 1942 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

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RESOLUTION NO. 5505-N.S.

A RESOLUTION GRANTING THE UNITED STATES GOVERNMENT USE OF CITY OF MODESTO SEWER SERVICE FOR GOVERNMENT HOSPITAL

---oOo---

WHEREAS, the Federal Government proposes to build a government hospital near the City of Modesto, and

WHEREAS the City Council, after investigation, has determined that the building and maintenance of such hospital would be of great benefit to the said city and its citizenry, and

WHEREAS, the agents of the Federal Government have indicated that the said hospital and its patients and employees will need the facilities offered by the sewer system of the said City of Modesto, and

WHEREAS, said Federal agents have indicated that said Federal Government will pay the costs of all lines, connections and booster stations needed to deliver sewage from said hospital to the said City sewer farm, as well as any enlargement of said sewer farm made necessary by connecting said hospital to said sewer farm together with the additional cost of rendering said sewer service to said Government Hospital.

NOW THEREFORE, be it resolved by the City Council of the City of Modesto, in regular session, that permission be granted to said Government Hospital to connect the same with the sewer service of said City on condition that the Federal Government shall pay all connection costs, costs of enlarging said sewer plant, if the same shall be necessary, by reason of connecting said hospital to said plant and any additional cost that results from the operation and maintenance of the connecting pipes, booster stations and that portion of the plant that shall be enlarged by reason of connecting said Hospital to said sewer plant.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto, held on the 14th day of January, 1942 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

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RESOLUTION NO. 5506-N.S.

A RESOLUTION ALLOWING CLAIMS FOR MONTH OF DECEMBER, 1941

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WHEREAS, the claims against the City of Modesto for the month of December 1941 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-----	\$26,818.35
WATER FUND-----	6,803.70
LIBRARY FUND-----	1,841.44
BOND RED. INT. FUND-----	3,062.50

SPECIAL GAS TAX-----\$1048.04

TOTAL-----\$39,574.03

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of January, 1942 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 EIMER J. BLUM, CITY CLERK

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RESOLUTION NO. 5507-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

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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 vehicles so operated by said operator.

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

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

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

The following resolution was introduced at a regular meeting of the Council of the City of Modesto, held on the 14th day of January, 1942 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. 5508-N.S.

A RESOLUTION GRANTING PERMIT TO GERTRUDE KNOWLES TO OPERATE A BEAUTY PARLOR IN THE RESIDENCE DISTRICT AT 1929 DOWNEY AVENUE

---oOo---

WHEREAS, pursuant to the filing of petition with the Council by Gertrude Knowles to operate a beauty parlör at 1929 Downey Avenue, being lots 10 and 11, Block 579 of the City of Modesto and it appearing from affidavits on file that a notice setting forth the time for hearing any and all protests to the granting of the petition as prayed for and this being the time set forth, and

WHEREAS the City Clerk reports that no protests either oral or written have been officially filed and whereas the Planning Commission has filed a report approving request as provided by Ordinance No. 655-N.S.

BE IT HEREBY RESOLVED that permission be granted to said applicant with the understanding that all provisions relative to building permit fees will be complied with.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of January, 1942 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

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RESOLUTION NO. 5509-N.S.

A RESOLUTION DENYING REQUEST OF FOSTER & KLEISER COMPANY TO ERECT OUTDOOR ADVERTISING STRUCTURES

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WHEREAS, pursuant to request of the Foster and Kleiser Company to build and maintain two outdoor advertising signs, 12½' x 25' on the Southern Pacific Company property on the east side of Eighth Street, between H and I Streets.

BE IT HEREBY RESOLVED that request of said Foster and Kleiser Company to construct outdoor advertising signs at above named location be and it is hereby denied.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of January, 1942 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

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~~RESOLUTION NO. 5510-N.S.~~

~~A RESOLUTION REQUESTING CHANGE OF HIGHWAY ROUTE IN THE CITY OF MODESTO~~

---oOo---

RESOLUTION NO. 5510-N.S.

A RESOLUTION REQUESTING CHANGE OF HIGHWAY ROUTE IN THE CITY OF MODESTO

---oOo---

RESOLVED by the City Council of the City of Modesto, that said City requests the Director of Public Works and the California Highway Commission to relinquish, and does hereby agree to resume jurisdiction over the portion of State Highway Route 110 within the City, described as:

Fifth Street from the southeasterly property line of Eye Street to the northwesterly property line of H Street, and H Street from the Southwesterly property line of Fifth Street to the southwesterly property line of Ninth Street

and to approve and designate as a portion of State Highway Route 110 the street described as:

Eye Street from the northeasterly property line of Fifth Street to the southwesterly property line of Ninth Street

that upon the relinquishment of said streets, or any portion thereof to the City of Modesto, in the manner provided by law, the City agrees, and does hereby agree, to resume jurisdiction over said streets or portions thereof, so relinquished.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on January 14, 1942 by Commissioner Bates, who issued 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

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RESOLUTION NO. 5511-N.S.

A RESOLUTION RELINQUISHING EYE STREET AS A STREET OF MAJOR IMPORTANCE

---oOo---

RESOLVED by the City Council of the City of Modesto, that said City request the Director of Public Works and the California Highway Commission to relinquish as a Street of Major Importance the following street between the termini described:

NAME	TERMINI
EYE STREET	FROM FIFTH TO NINTH STREET

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on January 14, 1942 by Commissioner Bates, who issued 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

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RESOLUTION NO. 5512-N.S.

A RESOLUTION DESIGNATING A PORTION OF CERTAIN STREETS AS STREETS OF MAJOR IMPORTANCE

---oOo---

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

<u>NAME</u>	<u>TERMINI</u>
FIFTH STREET	FROM EYE TO H STREET
H STREET	FROM FIFTH TO NINTH STREET

BE IT FURTHER RESOLVED, that the City Council of the City of Modesto does recommend to the Department of Public Works of the State of California that the above listed streets be likewise approved and designated by the Director of said Department as Streets of Major Importance in the City of Modesto.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on January 14, 1942 by Commissioner Bates, who issued 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

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RESOLUTION NO. 5513-N.S.

A RESOLUTION DESIGNATING A PORTION OF LA LOMA AS A STREET OF MAJOR IMPORTANCE

---oOo---

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

<u>NAME</u>	<u>TERMINI</u>
LA LOMA	From H Street easterly to Nineteenth and Burney Streets

BE IT FURTHER RESOLVED, that the City Council of the City of Modesto does recommend to the Department of Public Works of the State of California that the above listed street be likewise approved and designated by the Director of said Department as a Street of Major Importance in the City of Modesto.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on January 14, 1942 by Commissioner Bates, who issued 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

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RESOLUTION NO. 5514-N.S.

A RESOLUTION GRANTING LEAVE TO WILLIAM EDWARD RUSSELL FOR SERVICE IN THE UNITED STATES NAVY

WHEREAS, William Edward Russell, a member of the Police Department of the City of Modesto, has enlisted in the armed forces of the United States of America; and,

WHEREAS, by reason thereof the said William Edward Russell must leave his duties as a member of said Police Department; and,

WHEREAS, the said William Edward Russell has clearly demonstrated that he is a competent policeman 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 William Edward Russell shall be and he is hereby granted leave from said Police Department for the duration of the present war and for ninety (90) days after the severance of service with the armed forces of the United States of America, during any portion of which time the said William Edward Russell may return to his duties as a member of the Police Department 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 January, 1942, 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: Bates, Burge, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: ELMER J. BLUM, CITY CLERK

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RESOLUTION NO. 5515-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 January, 1942, 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

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RESOLUTION NO. 5516-N.S.

A RESOLUTION GRANTING PERMIT TO THE STANDARD MATERIALS COMPANY TO ERECT AND OPERATE A SERVICE STATION IN BLOCK 146 OF THE CITY OF MODESTO

---oOo---

BE IT HEREBY RESOLVED that permit be granted to the Standard Materials Company to erect and maintain a service station in Block 146 at 1411 9th Street, providing all provisions of Ordinance No. 344-N.S., regulating the storage of oil and gasoline and the construction of gasoline service station are complied with.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 21st day of January, 1942 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

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RESOLUTION NO. 5517-N.S.

A RESOLUTION ACCEPTING EASEMENT FROM THE MODESTO IRRIGATION DISTRICT

---oOo---

BE IT RESOLVED that easement be accepted from the Modesto Irrigation District on the construction and maintenance of a 12" vitrified sewer line in the right of way and along the left bank of Lateral No. 4 from Nellie Street to Virginia Avenue and thence across Lateral No. 4 on the east side of Virginia Avenue from the Modesto Irrigation District and the City Clerk is hereby directed to record said document with the Stanislaus County Recorder.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 21st day of January, 1942 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

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RESOLUTION NO. 5518-N.S.

A RESOLUTION DECLARING THAT THE ESTABLISHMENT AND MAINTENANCE OF AN ARMY GENERAL HOSPITAL NEAR THE CITY OF MODESTO WILL BE OF PUBLIC BENEFIT TO THE PEOPLE OF SAID CITY AND TO THE UNITED STATES OF AMERICA, APPROPRIATING \$20,000.00 TO ASSIST IN PURCHASING LAND UPON WHICH SAID HOSPITAL IS TO BE BUILT, AUTHORIZING THE CITY CLERK AND CITY ATTORNEY TO PROCEED WITH ESCROWING SAID SUM OF \$20,000.00 TO PROCURE A PORTION OF THE LAND NEEDED, UPON CERTAIN CONDITIONS, AND AMENDING RESOLUTION NO. 5494-N.S. OF THE CITY OF MODESTO

---oOo---

WHEREAS, the City Council of the City of Modesto deems it desirable and expedient with the co-operation and assistance of the Board of Supervisors of Stanislaus County and the public-spirited citizens of said Stanislaus County and of said City of Modesto to acquire or assist in acquiring a site for an Army General Hospital, consisting of approximately 181 acres of land about one and one-half miles north of the limits of the City of Modesto, in the County of Stanislaus, State of California, and to convey the same to the United States of America for use of the War Department thereof; and,

WHEREAS, the United States of America is now engaged in war with the nations of Germany, Italy and Japan, and any act in furtherance of the war effort of the United States of America reacts to the benefit of the citizens of the City of Modesto as well as to all of the people of the United States of America; and,

WHEREAS, the City Council of the City of Modesto finds that the building and maintenance of an Army General Hospital near the said City of Modesto is desirable, expedient and will react to the public benefit of the people of the City of Modesto as well as to the benefit of the entire nation:

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE City of Modesto

that said Council hereby agrees to and does appropriate and will expend out of the General Fund of the said City of Modesto the sum of \$20,000.00 with which to acquire or assist in acquiring a suitable site for an Army General Hospital and when and if title thereto is vested in the said City of Modesto or some agency or individual designated by said City of Modesto to convey or have the same conveyed to the United States of America for use of the War Department as aforesaid on the terms and conditions hereinafter set forth. The acquisition and conveyance of said property to be pursuant to Act 8820 of Deering's General Laws of the State of California (Statutes 1921, page 682, as amended). Said appropriation is made conditional upon the fact that the Federal Government of the United States of America will build upon said land so acquired an Army General Hospital. In the event that the Federal Government does not build said Hospital then the money so appropriated by this resolution shall not be expended for the purposes herein set forth and this resolution shall be void and of no effect whatsoever.

BE IT FURTHER RESOLVED that the proper fiscal officer of the City of Modesto shall draw a check in the sum of \$20,000.00 against the General Fund of the City of Modesto and shall deposit the same with some designated escrow company under terms and conditions to be set forth in written instructions given to said escrow company by the City Attorney of the City of Modesto.

BE IT FURTHER RESOLVED that Resolution No. 5494-N.S. of the City of Modesto be amended by increasing the amount therein pledged for the purchase of said property from \$15,000.00 to \$20,000.00

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 21st day of January, 1942 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, Bates, Neece, Stanley, Mayor Shannon  
Noes: Councilmen: None  
Absent: Councilmen: None

ATTEST: ELMER J. BLUM, CITY CLERK

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RESOLUTION NO. 5519-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 January, 1942 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

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RESOLUTION NO. 5520-N.S.

A RESOLUTION ACCEPTING OFFER OF THE MODESTO MOTORCYCLE CLUB FOR TAX DEED ON  
BLOCK F IN THE CITY OF MODESTO

---oOo---

WHEREAS, pursuant to offer from the Modesto Motorcycle Club of \$200.00 for a tax deed, free and clear of all liens and encumbrances resulting from the City of Modesto, County of Stanislaus or Modesto Irrigation District taxes for Block F, except 17 feet deeded to the Railroad Company.

BE IT HEREBY RESOLVED that said offer be and it is hereby accepted providing deeds could be obtained from Stanislaus County and the Modesto Irrigation District at a price of \$2.00 for each deed as per contract entered into with the said County and Irrigation District for property now being cleared in the City.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 28th day of January, 1942 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

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RESOLUTION NO. 5521-N.S.

A RESOLUTION GRANTING PERMIT TO BUILD DWELLINGS AND OPERATE BUSINESS IN RESIDENCE ZONE

---oOo---

BE IT HEREBY RESOLVED that permission be granted to the First Baptist Church to establish a church in the residence district at the corner of 12th and M Streets, being lots 14, 15, 16, Block 88, subject to the approving of plans by the Planning Commission, granting permit to Mrs. Ella Casteel to operate a rest home in the residential district, at 310 Kimble Street, being lots 29 and 30 in Block 583, upon the recommendation of the Planning Commission and granting permit to Fritz A. Raube to build an additional house on his property at 3rd and I Streets, being lots 1 and 2 in Block 5, providing the house be set longitudinally on the lot as recommended by the planning Commission and granting permit to Alvin A. McCoy to extend a dwelling group on lots 27, 28 and 29, Block 120 as recommended by the Planning Commission.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 28th day of January, 1942 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

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RESOLUTION NO/5522-N.S.

A RESOLUTION DECLARING THE INTENTION OF THE CITY OF MODESTO TO LEASE ITS AIRPORT TO THE UNITED STATES GOVERNMENT UNDER CERTAIN CONDITIONS

---oOo---

WHEREAS, it appears that the United States Government desires to lease of and from the City of Modesto the Modesto Municipal Airport, not including the present buildings or hangars in or upon or near said airport; and,

WHEREAS, the said City of Modesto is willing to lease said airport to the government of the United States; and,

WHEREAS, the City of Modesto now has a lease with the Pathfinder Flying Service, a corporation, the operation of which lease has been suspended at the request of said corporation until civilian flying may again be renewed in the State of California; and,

WHEREAS, said City of Modesto likewise has leased said airport or a portion thereof to the Hawke Crop Dusting Company, of Modesto, Stanislaus County, California, which lease with said latter company has several more years before it expires; and,

WHEREAS, said Hawke Crop Dusting Company has expressed its intention to continue the work that is ordinarily carried on by said company in the event that said Company can procure permission to fly its planes, the flying of which is an integral part of the business of said Company; and,

WHEREAS, leases on a portion of said airport have heretofore been given to the Shell Oil Company, Standard Oil Company, the Motorcycle Club of Modesto and the Modesto Trap and Skeet Club; and Civil Aeronautics Authority

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Modesto will lease the airport belonging to said City, not including the present buildings or hangars, to the government of the United States or its designated agency for the sum of \$5220.00 per year upon the following conditions; That all of the right belonging to the Pathfinder Flying Service, Hawke Crop Dusting Company, Shell Oil Company, Standard Oil Company, The Motorcycle Club of Modesto and Modesto Trap and Skeet Club, Civil Aeronautics Authority, as set forth in leases heretofore executed by and between the City of Modesto and said lessees, be preserved and upon the further condition that the leasing of said airport to said federal government or its designated agency shall not interfere with certain work heretofore carried on and now being carried on by the Works Progress Administration in conjunction with the City of Modesto for the improvement of said airport, and that said work shall and can continue, either in conjunction with the Works Progress Administration, with some other governmental agency, in the event that the City of Modesto is able to procure co-operation from such governmental agency for a continuation of the improvement of said airport, or upon the initiative of the City of Modesto alone, should said City see fit to continue said work.

BE IT FURTHER RESOLVED that any lease executed by said City of Modesto to said federal government or its designated agency shall terminate at the end of the present emergency as the same has heretofore been declared by the President of the United States.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 28th day of January, 1942, by Councilman Bates, 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, Stanley, Bates, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST ELMER J. BLUM, CITY CLERK

RESOLUTION NO. 5523-N.S.

A RESOLUTION TRANSFERRING \$25,000 FROM THE WATER FUND TO THE GENERAL FUND OF THE CITY OF MODESTO

---oOo---

BE IT HEREBY RESOLVED that the City Auditor be authorized to transfer \$25,000 from the Water Fund to the General Fund of the City of Modesto and he be authorized to make the proper entries on his records.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 28th day of January, 1942 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

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RESOLUTION NO. 5524-N.S.

A RESOLUTION CORRECTING RESOLUTION NO. 5489-N.S. GRANT FREE WATER SERVICE TO THE ASSOCIATED PRE-SCHOOL PLAY CENTER

---oOo---

BE IT HEREBY RESOLVED that Resolution No. 5489-N.S. entitled "A RESOLUTION GRANTING FREE WATER SERVICE TO BUILDING AT 127 1/2 JEFFERSON STREET DURING THE TIME IT IS USED FOR THE ASSOCIATED PRE-SCHOOL PLAY CENTER", adopted at a regular meeting of December 24, 1941 to grant free water service to 127 1/2 Jefferson Street be corrected to grant free water service to 127 1/2 Maple Street.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 28th day of January, 1942 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

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RESOLUTION NO. 5525-N.S.

A RESOLUTION GRANTING LEAVE TO JACK D. HUGHES FOR SERVICE IN THE UNITED STATES NAVY

---oOo---

WHEREAS, Jack D. Hughes, a member of the Police Department of the City of Modesto, has enlisted in the armed forces of the United States of America; and,

WHEREAS, by reason thereof the said Jack D. Hughes must leave his duties as a member of said Police Department; and,

WHEREAS, the said Jack D. Hughes has clearly demonstrated that he is a competent policeman 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 Jack D. Hughes shall be and he is hereby granted leave from said Police Department for the duration of the present war and for ninety (90) days after the severance of service with the armed forces of the United States of America, during any portion of which time the said Jack D. Hughes may return to his duties as a member of the Police Department of the City of Modesto.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 28th day of January, 1942 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: Bates, Burge, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST ELMER J. BLUM, CITY CLERK

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RESOLUTION NO. 5526-N.S.

A RESOLUTION ACCEPTING RESIGNATION OF CHESTER WAYLAND FROM THE FIRE DEPARTMENT OF THE CITY OF MODESTO

---000---

BE IT HEREBY RESOLVED that the resignation of Chester Wayland, driver in the Fire Department of the City of Modesto be and it is hereby accepted as of January 29, 1942, as he is entering private employ.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 28th day of January, 1942 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

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RESOLUTION NO. 5527-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 January, 1942 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

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RESOLUTION NO. 5528-N.S.

A RESOLUTION DENYING CLAIM OF ARTHUR BRINK ON BROKEN AIRPLANE PROPELLER

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WHEREAS, pursuant to referring of claim for damages on airplane

propeller of Arthur Brink to the City Attorney for investigation and recommendation,

BE IT HEREBY RESOLVED that report of the City Attorney be and it is hereby accepted by the Council and the claim of said Arthur Brink be and it is hereby denied, and

BE IT FURTHER PROVIDED that the City Clerk be directed to notify Mr.Brink of the action of the Council.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 4th day of February, 1942 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

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RESOLUTION NO. 5529-N.S.

A RESOLUTION AUTHORIZING PAYMENT OF SALARIES TO CIVIL SERVICE APPOINTEES

---oOo---

BE IT HEREBY RESOLVED that the Auditor of the City of Modesto be and he is hereby authorized to pay salaries to the following employees who have been appointed under Civil Service:

<u>NAME</u>	<u>DATE OF APPOINTMENT</u>	<u>SALARY</u>
Joe Woods	January 13, 1942	\$130.00
J. W. Smith	January 13, 1942	130.00
Durwood Taylor	January 26, 1942	130.00
Delbert M. Hodges	January 19,1942	130.00

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 4th day of February, 1942 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

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RESOLUTION NO. 5530-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 held on the 4th day of February, 1942 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. 5531-N.S.

A RESOLUTION ALLOWING CLAIMS FOR THE MONTH OF JANUARY, 1942

---oOo---

WHEREAS, the claims against the City of Modesto for the month of January, 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-----	\$44,966.03
WATER FUND-----	5,488.61
LIBRARY FUND-----	1,586.09
BOND RED. INT. FUND-----	21,793.75
ST. BOND RED. INT. FUND-----	170.27
PAYROLL FUND-----	200.00
	<u>\$73,804.75</u>

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of February, 1942, 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

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RESOLUTION NO. 5532-N.S.

A RESOLUTION ACCEPTING RESIGNATION OF JESS AYERS FROM THE POLICE

DEPARTMENT OF THE CITY OF MODESTO

---oOo---

BE IT HEREBY RESOLVED that resignation of Jess Ayers from the Police Department of the City of Modesto be and it is hereby accepted, said resignation to be effective immediately upon the appointment of a successor.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of February, 1942 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

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RESOLUTION NO. 5533-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 11th day of February, 1942 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

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RESOLUTION NO. 5534-N.S.

A RESOLUTION PROVIDING FOR THE ERECTION OF TWO 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 HEREAFTER AMENDED," shall be enforced and said stop signs shall be erected prohibiting drivers of vehicles from passing said 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 southwest corner of Fifth Street at H Street stopping traffic entering H Street.
- 2-At the northwest side of H Street at Fifth Street, stopping traffic entering intersection at Fifth St.

The following resolution was introduced at a regular meeting of the Council of the City of Modesto, held on the 18th day of February, 1942 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

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RESOLUTION NO. 5535-N.S.

A RESOLUTION APPOINTING WALTER H. FIELD ON PERSONNEL BOARD OF THE CITY OF MODESTO

---oOo---

BE IT HEREBY RESOLVED that Walter H. Field be and he is hereby appointed a member of the Personnel Board of the City of Modesto for the unexpired term of E. T. Taylor from January 15, 1941 to January 14, 1947, inclusive

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 18th day of February, 1942 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

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RESOLUTION NO. 5536-N.S.

A RESOLUTION INCREASING THE PERSONNEL OF THE FIRE DEPARTMENT OF THE CITY OF MODESTO

---oOo---

WHEREAS, the Council of the City of Modesto deem it best for the citizens of the said city to increase the personnel of the Fire Department,

BE IT HEREBY RESOLVED that the Chief of the Fire Department be and he is hereby empowered to employ two additional men from the Civil Service eligible list.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 18th day of February, 1942 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

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RESOLUTION NO. 5537-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 February, 1942 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

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RESOLUTION NO. 5538-N.S.

ADJOURNMENT

BE IT HEREBY RESOLVED that this Council meeting now in session adjourn, until 4:00 P.M. February 26, 1942

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 25th day of February, 1942 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

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RESOLUTION NO. 5539-N.S.

A RESOLUTION AUTHORIZING THE INCREASE OF SALARY OF CLERK IN THE POLICE DEPARTMENT

---oOo---

BE IT HEREBY RESOLVED that the increase of salary of Betty Jane Long, Clerk in the Police Department from \$85.00 to \$100.00 be and it is hereby authorized, as of March 1, 1942

The foregoing resolution was introduced at an adjourned meeting of the Council of the City of Modesto held on the 26th day of February, 1942 by Commissioner Stanley, 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

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RESOLUTION NO. 5540-N.S.

A RESOLUTION GRANTING REQUEST OF G. GRIFFITH FOR USE OF SECOND STORY IN CITY BUILDING LOCATED IN BLOCK 54 FOR THE CALIFORNIA STATE GUARD

---oOo---

WHEREAS, G. Griffith appeared before the Council informing them that a unit of the California State Guard would soon be formed in Modesto, and

WHEREAS, said unit of California State Guard would need a location to keep their equipment and material, and

WHEREAS, said G. Griffith requested the use of the rear of the second story of the city owned building located in Block 54, lots 8 and 9,

BE IT HEREBY RESOLVED that they be granted permission to use said premises as headquarters of the local unit of the California State Guard, as of March 1, 1942.

The foregoing resolution was introduced at an adjourned meeting of the Council of the City of Modesto held on the 26th day of February, 1942 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. 5541-N.S.

A RESOLUTION ACCEPTING RESOLUTION FROM THE CALIFORNIA HIGHWAY COMMISSION ON CHANGE OF HIGHWAY NUMBER 110-N.S.

---oOo---

WHEREAS, the following copy of Resolution adopted by the California Highway Commission has been filed with the City Clerk:

"Whereas, the California Highway Commission has heretofore designated certain streets in the City of Modesto as State Highway Route 110; and

WHEREAS, the City has requested as set forth in resolution No. 5510-N.S. that a portion of State Highway Route 110 be rerouted and has agreed to resume jurisdiction over the portion of State Highway Route 110 within the City described as follows:

FIFTH STREET, FROM EYE STREET TO H STREET

H STREET, from FIFTH STREET TO NINTH STREET:

Therefore, it is voted, that the California Highway Commission does hereby relinquish as a State highway the streets described above and pursuant to the provisions of Section 111 of the Streets and Highways Code, does hereby designate and determine as a portion of State Highway Route 110 the following described street within the City:

EYE STREET, from FIFTH STREET TO NINTH STREET

The purpose of this resolution is to adopt as a State Highway route the above described street within the City of Modesto and to revert in the City as city streets the portion of the State Highway Route here relinquished".

BE IT HEREBY RESOLVED that resolution be accepted as presented and the City Clerk be authorized to acknowledge receipt of same.

The foregoing resolution was introduced at an adjourned meeting of the Council of the City of Modesto held on the 26th day of February, 1942 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

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RESOLUTION NO. 5542-N.S.

RESOLUTION OF INTENTION TO GRANT FRANCHISE

---oOo---

WHEREAS Pacific Gas and Electric Company, a California 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 ordinance contained in the notice hereinafter set forth; and

WHEREAS said application was accompanied by a certified check of said Pacific Gas and Electric Company in the sum of five hundred dollars (\$500) made payable to the City of Modesto, which check was deposited with the City Clerk as a guarantee of good faith of the applicant and as a fund out of which to pay all expenses connected with said application and the granting of said franchise, subject to refund as in the Charter of the City of Modesto provided: 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 sealed bids therefor will be received by said Council at its office

at 717 10th Street in the City of Modesto up to the hour of 4 P.M. on the 8th day of April, 1942; that said bids shall set forth the highest percentage of the gross annual receipts received from the use, operation or possession of the franchise which the bidder agrees to pay to the city during the life of the franchise; that all bids received for said franchise shall be opened and read before the meeting of said Council to be held on the day and at the hour last hereinbefore mentioned at the office of said Council; that said franchise will thereupon be struck off, sold and awarded to the person, firm or corporation offering the highest percentage of the gross annual receipts arising from the use, operation or possession of said franchise provided that if in the judgment of the Council no adequate or responsible bid has been made the Council may withdraw such franchise from sale or advertise for new bids; that the successful bidder for said franchise shall file with said Council a bond running to the City to be approved by the Council in the penal sum of one thousand dollars (\$1,000) in substance and form as provided by law; that notice of the filing of said application and of the time and place herein fixed for receiving bids shall be given as required by law and the clerk of said city is hereby directed to publish in ten (10) successive issues of The Modesto Bee, the official newspaper of the City of Modesto a notice in the following form:

**"NOTICE OF SALE OF 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 to it a franchise in the form and for the purposes and upon the conditions more fully set forth in the following form of ordinance, to wit:

**'ORDINANCE NO \_\_\_\_\_**

ORDINANCE GRANTING TO (GRANTEE'S NAME TO BE INSERTED), ITS SUCCESSORS AND ASSIGNS, THE FRANCHISE 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 ARE NOW OR MAY HEREAFTER BE LAWFULLY PLACED IN THE PUBLIC STREETS, WAYS AND PLACES WITHIN SAID CITY, AND TO LAY AND USE IN SAID PUBLIC STREETS, WAYS AND PLACES ALL PIPES AND APPURTENANCES NECESSARY OR PROPER FOR SAID PURPOSES.

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

Section 1. Whenever in this ordinance the words or phrases hereinafter in this section defined are used, they shall have the respective meanings assigned to them in the following definitions (unless, in the given instance the context wherein they are used shall clearly import a different meaning):

(a) The word "grantee" shall mean (name of grantee to be inserted), its lawful successors or assigns:

(b) The word "City" shall mean the City of Modesto, a municipal corporation of the State of California, in its present incorporated form or in any later reorganized, consolidated, enlarged or re-incorporated form:

(c) The word "streets" shall mean the public streets, ways, alleys and places as the same now or may hereafter exist within said city;

(d) The word "gas" shall mean natural or artificial gas, or a mixture of natural and artificial gas:

(e) The phrase "pipes and appurtenances" shall mean pipes, pipe-

lines, mains, services, traps, vents, vaults, manholes, meters gauges, regulators, valves, conduits, appliances, attachments, appurtenances and any other property located or to be located in, upon, along, across, under or over the streets of the city, and used or useful in the transmitting and/or distributing of gas;

(f) The phrase "lay and use" shall mean to lay, construct, erect, install, operate, maintain, use, repair or replace.

(g) The phrase "constitutional franchise" shall mean the right acquired through acceptance by said grantee or its predecessor in estate of the offer contained in the provisions 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.

Section 2. 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 said constitutional franchise, 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, is hereby granted to (name of grantee to be inserted), its successors and assigns, for the term of five (5) years.

Section 3. The grantee shall during the term of the franchise granted hereby pay to the city not less than two per cent (2%) of its gross annual receipts received from the use, operation or possession thereof, provided however that such payment shall in no event be less than (amount to be inserted) Said payment shall be made annually at the time of filing the annual report herein next provided for. Failure to pay such percentage shall work a forfeiture of said franchise.

Section 4. Grantee shall file annually with the City Auditor on or before the first day of May of each year a report for the preceding calendar year or fraction thereof. Such report shall be in writing verified by the affidavit of the grantee and shall contain a detailed statement of all the gross receipts arising from all the business done by grantee from the sale of gas within the City of Modesto for the calendar year preceding such report. Such report shall contain such details and statements as may be required by the City Auditor of Modesto concerning the character and amount of business done by grantee and the amount of receipts and expenses connected therewith and the amount expended for new construction, repairs and betterments during said preceding calendar year insofar as connected with grantee's business of distributing gas in the City of Modesto under said franchise.

Section 5. Acceptance by the grantee of the franchise granted hereby shall not be deemed a waiver of any right that the grantee may now have under said constitutional franchise or of any defense of estoppel that the grantee may now have against the city in respect to the scope of said constitutional franchise, nor shall it be deemed a practical construction of said constitutional franchise as limiting the use of gas mains installed in the streets of the city thereunder to the transmission of gas which shall be used by consumers only for lighting purposes, and in the event of the expiration or other termination of this franchise grantee shall not

be estopped to then claim any right or defense that it may now have entitling it to continue to use under said constitutional franchise the gas mains and facilities installed thereunder for transmitting and distributing gas capable of use, and that may be used, by consumers for purposes other than lighting, without procurement of any further franchise therefor, to the same extent as grantee could have asserted said right or defense prior to the adoption of this ordinance or to the filing of grantee's application therefor.

Section 6. In the event that the Charter of the City of Modesto shall be amended prior to the expiration or other termination of the franchise granted hereby so as to permit the granting of gas and electric franchises thereunder pursuant to the Franchise Act of 1937 and the grantee shall thereupon make application for an indeterminate gas franchise under said Franchise Act of 1937, the grantee shall, upon being granted said gas franchise, pay as consideration therefor the sum of five thousand dollars (\$5000) whereupon the city shall waive any claim it may therefore have made or had against the grantee for the past use of the streets of Modesto for the distribution of gas in the city, and shall thereupon dismiss with prejudice any pending action it may have for such use against the grantee.

Section 7. At the expiration of the franchise hereby granted, or at any time before such expiration and after four years subsequent to the date when this franchise shall become effective, the city at its election and upon the payment of a fair valuation therefor to be made in the manner provided by the law of eminent domain, may purchase and take over to itself the gas property and plant of grantee in its entirety within the limits of the City of Modesto but in no case shall the value of the franchise of the grantee be considered or taken into account in fixing such valuation.

Section 8. Upon the payment by city of a fair valuation, as hereinabove provided, for the gas plant and property of grantee within the City of Modesto, said plant and property shall become the property of city by virtue of the grant in payment hereunder and without the execution of any instrument or conveyance.

Section 9. The franchise granted hereunder shall not be leased, assigned or otherwise alienated without the express consent of the city, providing that nothing herein shall be construed to prevent grantee from including the franchise granted hereby in any mortgage or trust deed executed by grantee for the purpose of obtaining money for corporate objects.

Section 10. The franchise granted hereby shall be terminated and forfeited for any breach or failure of grantee to comply with any of the terms, limitations or conditions herein provided and in all such cases the Council of city shall have power to declare the termination and forfeiture of any such franchise or privilege.

Section 11. Said franchise is hereby granted under and in accordance with the provisions of the Charter of the City of Modesto.

Section 12. The grantee shall, in addition to its bid to make the annual percentage payments as hereinbefore provided, pay to the city the

sum of two thousand dollars (\$2000) as the purchase price of the franchise hereby granted. If at any time after the payment of said sum it shall be adjudged that said franchise did not become effective or was or is invalid, or if the grantee shall at any time be prevented by the city or by any judgment from exercising the same for any reason other than non-compliance with its terms by the grantee, or if a certificate of convenience and necessity to exercise the same be refused by the Railroad Commission of California, then said sum of \$2000 shall be forthwith repaid by the city to the grantee.

SECTION 13. The franchise granted hereby shall not become effective until the same shall have been approved by a majority of the electors voting thereon at a general or special election to be held not less than fifteen (15) nor more than thirty (30) days from and after the final passage hereof, as in said Charter of the City of Modesto provided.

First read at a regular meeting of the City Council of said city held on the \_\_\_ day of \_\_\_\_\_ 1942, published once in full in the official newspaper of the City of Modesto on the \_\_\_ day of \_\_\_\_\_ 1942, and finally adopted at a regular meeting of said Council held on the \_\_\_ day of \_\_\_\_\_ 1942 by the following vote:

AYES: Councilmen  
Noes: Councilmen:  
Absent: Councilmen:

MAYOR OF THE CITY OF MODESTO

ATTEST:

CITY CLERK OF THE CITY OF MODESTO.'

and

NOTE: (Date of passage and vote taken to be hereinafter inserted)

NOTICE IS HEREBY FURTHER GIVEN that it is proposed by said Council to grant said franchise upon the terms and conditions set forth in said form of ordinance; that sealed bids for said franchise will be received by said Council at its office in the City of Modesto up to the hour of 4 P.M. on Wednesday the 8th day of April, 1942; that the Council will meet in open session on the day and at the hour last hereinbefore mentioned and will then and there open and read such bids and said franchise will be awarded to the bidder offering to pay to the city during the life of the franchise the highest percentage of the gross annual receipts received from the use, operation or possession of the franchise provided that such percentage shall not be less than two per cent (2%) of said gross annual receipts during the first five years of the term of said franchise; and, provided that at the time of opening the sealed bids, any responsible person, firm or corporation, present in person, or represented, may bid for such franchise not less than one-fourth of one per cent of the gross annual receipts above the highest sealed bid therefor, and such bid so made may be raised not less than one-fourth of one per cent of the gross annual receipts, by any other responsible bidder, and such bidding may continue until finally such franchise shall be struck off, sold and awarded by the council to the person, firm or corporation offering the highest percentage of the gross annual receipts arising from the use, operation or possession of such franchise; provided, that if, in the judgment of the council, no adequate or responsible bid has been made, the Council may withdraw such franchise from sale or advertise for new bids; and provided further that every such competitive bidder for said franchise shall accompany his bid by a

cash deposit of five hundred dollars (\$500), or a certified check therefor, as a guarantee of good faith of the bidder and as a fund out of which to pay all expenses connected with such application and the granting of such franchise; and

NOTICE IS HEREBY FURTHER GIVEN that the successful bidder for said franchise shall within five (5) days after such franchise is awarded to said bidder file with the Council a bond running to the City of Modesto to be approved by the Council in the penal sum of one thousand dollars (\$1000) conditioned that such bidder shall well and truly observe and faithfully perform each and every term and condition of such franchise and that in case of any breach of condition of such bond 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 surety upon such bond and in case such bond shall not be filed the award of such franchise shall be set aside and any money deposited in connection with the franchise shall be forfeited and the franchise shall in the discretion of the Council be readvertised and again offered for sale by the Council in the same manner and under the same restrictions as hereinbefore provided.

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 by said Council on the 26th day of February, 1942 under and pursuant to which and to the provisions of the Charter of the City of Modesto this notice is given and all proceedings relating to the grant of said franchise will be had.

DATED: FEBRUARY 26, 1942.

By order of the Council of the City of Modesto

ELMER J. BLUM  
Clerk of the City of Modesto."

ADOPTED by the Council of the City of Modesto this 26th day of February, 1942 by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

CARL W. SHANNON, MAYOR OF THE  
CITY OF MODESTO

ATTEST ELMER J. BLUM, CLERK OF  
THE CITY OF MODESTO

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RESOLUTION NO. 5543-N.S.

ADJOURNMENT

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

The foregoing resolution was introduced at an adjourned meeting of the Council of the City of Modesto held on the 26th day of February, 1942 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

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RESOLUTION NO. 5544-N.S.

A RESOLUTION AMENDING RESOLUTION NO. 5518-N.S. ENTITLED " A RESOLUTION DECLARING THAT THE ESTABLISHMENT AND MAINTENANCE OF AN ARMY GENERAL HOSPITAL NEAR THE CITY OF MODESTO WILL BE OF PUBLIC BENEFIT TO THE PEOPLE OF SAID CITY AND TO THE UNITED STATES OF AMERICA, APPROPRIATING \$20,000.00 TO ASSIST IN PURCHASING LAND UPON WHICH SAID HOSPITAL IS TO BE BUILT, AUTHORIZING THE CITY CLERK AND CITY ATTORNEY TO PROCEED WITH ESCROWING SAID SUM OF \$20,000.00 TO PROCURE A PORTION OF THE LAND NEEDED, UPON CERTAIN CONDITIONS AND AMENDING RESOLUTION NO. 5494-N.S. OF THE CITY OF MODESTO".

---oOo---

WHEREAS, the City Council of the City of Modesto deems it desirable and expedient with the co-operation and assistance of the Board of Supervisors of Stanislaus County and the public spirited citizens of said Stanislaus County and of said City of Modesto to acquire or assist in acquiring a site for an Army General Hospital, consisting of approximately 181 acres of land about one and one-half miles north of the limits of the City of Modesto, in the County of Stanislaus, State of California, and to convey the same to the United States of America for use of the War Department thereof; and,

WHEREAS, the United States of America is now engaged in war with the nations of Germany, Italy and Japan, and any act in furtherance of the war effort of the United States of America reacts to the benefit of the citizens of the City of Modesto as well as to all of the people of the United States of America; and,

WHEREAS, the City Council of the City of Modesto finds that the building and maintenance of an Army General Hospital near the said City of Modesto is desirable, expedient and will react to the public benefit of the people of the City of Modesto as well as to the benefit of the entire Nation:

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE City of Modesto that said Council hereby agrees to and does appropriate and will expend out of the General Fund of the said City of Modesto the sum of \$20,000.00 with which to acquire or assist in acquiring a suitable site for an Army General Hospital and when and if title thereto is vested in the said City of Modesto or some agency or individual designated by said City of Modesto to convey or have the same conveyed to the United States of America for use of the War Department as aforesaid on the terms and conditions hereinbefore set forth. The acquisition and conveyance of said property to be pursuant to Act 8820 of Deering's General Laws of the State of California ( Statutes 1921, page 682, as amended).

BE IT FURTHER RESOLVED that the building or the promise of the government of the government of the United States to construct an Army General Hospital on said premises shall not be considered a requisite to the vesting of title to said land in said government of the United States.

BE IT FURTHER RESOLVED that the proper fiscal officer of the City of Modesto shall draw a check in the sum of \$20,000.00 against the General Fund of the City of Modesto and shall deposit the same with some designated escrow company under terms and conditions to be set forth in written instructions given to said escrow company by the City Attorney of the City of Modesto.

BE IT FURTHER RESOLVED that Resolution No. 5494-N.S. of the City of Modesto be amended by increasing the amount therein pledged for the purchase of said property from \$15,000.00 to \$20,000.00

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 2nd day of March, 1942 by Councilman Bates, 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, Bates, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST EIMER J. BLUM, CITY CLERK

RESOLUTION NO. 5545-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 2nd day of March, 1942 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

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RESOLUTION NO. 5546-N.S.

A RESOLUTION ALLOWING CLAIMS FOR MONTH OF FEBRUARY, 1942

---oOo---

WHEREAS, the claims against the City of Modesto for the month of February, 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 addifed 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-----	\$23,257.73
WATER FUND-----	5,143.27
LIBRARY FUND-----	1,556.65
BOND RED. INT. FUND-----	56.25
SPECIAL GAS TAX FUND-----	<u>6.88</u>
TOTAL	\$30,020.78

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of March, 1942, 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. 5547-N.S.

A RESOLUTION ALLOWING CLAIM OF \$400.00 FROM CHAMBER OF COMMERCE

---oOo---

BE IT HEREBY RESOLVED that claim of \$400.00 from the Retail Bureau of the Chamber of Commerce be and it is hereby allowed, as provided by Ordinance No. 665-N.S.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of March, 1942 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

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RESOLUTION NO. 5548-N.S.

A RESOLUTION AUTHORIZING THE RENEWAL OF LEASE WITH THE MODESTO TRAP AND SKEET CLUB FOR A PERIOD OF ONE YEAR AT THE AIRPORT

---oOo---

BE IT HEREBY RESOLVED that the lease with the Modesto Trap and Skeet Club for a portion of the airport be and it is hereby renewed for a term of one year on the same basis as previous leases have been authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of March, 1942 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

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RESOLUTION NO. 5549-N.S.

A RESOLUTION GRANTING PERMISSION TO J. M. ADAMS TO OPERATE AND ERECT AN APARTMENT HOUSE IN RESIDENTIAL DISTRICT

---oOo---

WHEREAS, pursuant to referring of petition of J. M. Adams to construct and operate an apartment house on lots 21 and 22, Block 510 to the Planning Commission for recommendation and investigation, and

WHEREAS at this time a report has been filed with the Council from the said Planning Commission approving application.

BE IT HEREBY RESOLVED that permit be granted and that J. M. Adams be permitted to construct and operate an apartment house at above location.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of March, 1942 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

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RESOLUTION NO. 5550-N.S.

A RESOLUTION APPROVING, RATIFYING AND CONFIRMING A CERTAIN COMMITMENT HERETOFORE MADE BY THE MAYOR OF THE CITY OF MODESTO TO THE UNITED STATES GOVERNMENT

---oOo---

WHEREAS, it appears that on the 27th day of February, 1942, Carl W. Shannon, the duly elected and acting Mayor of the City of Modesto signed a commitment and/or document entitled, "CONSENT TO USE AND OCCUPANCY OF LAND BY THE UNITED STATES OF AMERICA," which document is addressed to the District Engineer, U.S. Engineer Office, Sacramento, California; and,

WHEREAS, it appears to the Council of the said City of Modesto that said commitment as executed by said Mayor is a proper one for the said Mayor on behalf of the City Council and the citizens of Modesto to make:

NOW, THEREFORE, said City Council does by this resolution ratify, confirm and approve the commitment heretofore executed by said Mayor, which commitment and/or document reads as follows, to-wit:

"CONSENT TO USE AND OCCUPANCY OF LAND BY THE UNITED STATES OF AMERICA  
District Engineer,  
U.S. Engineer Office,  
Sacramento, California

Whereas, the United States of America is desirous of leasing, purchasing, or otherwise acquiring certain land, described below, from the undersigned owner for use by the Air Corps of the United States Army during the present existing National emergency, and the undersigned owner is willing to co-operate with the Government of the United States to the fullest extent, and to lease, sell or otherwise make available to the United States the said land for such use or uses:

Now, therefore, the undersigned, in view of the existing National emergency, hereby authorizes the United States of America to take immediate possession of said land and to prepare the same in any manner necessary for the purposes, it being understood that negotiations for a formal lease or purchase of the said land shall be continued until a mutually satisfactory arrangement is concluded.

The land referred to is described as follows:

All that certain real property situate lying and being in the County of Stanislaus, State of California, described as follows, to-wit: a portion of the SW 1/4 of Section 34, Township 3 S., Range 9E., M.D.B & M.

The SE 1/4 of Section 34, Township 3 S., Range 9 E., M.D.B & M., and the W 1/2 of the SW 1/4 of Section 35, Township 3 S. Range 9 E., M.D.B & M.; also that portion of Sections 2 and 3, Township 4 S., Range 9E., M.D.B & M., which lies N of the Tuolumne River, containing 219.73 acres, more or less.

Subject to existing conditions of Title.

Dated this 27th day of February, 1942.

CITY OF MODESTO  
Carl W. Shannon  
Mayor

Address: City Hall(Street) Modesto (City) California (State)"

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11 day of March, 1942 by Councilman Bates, 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

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RESOLUTION NO. 5551-N.S.

A RESOLUTION AUTHORIZING PROGRESSIVE PAYMENT ON PAVING D STREET TO STANDARD MATERIALS COMPANY OF \$1350.00

---oOo---

BE IT HEREBY RESOLVED that progressive payment on contract of paving D Street from 9th Street to 14th Street be and it is hereby authorized in amount \$1350.00 to contractors, Standard Materials Company, and

BE IT FURTHER RESOLVED that the Clerk and Auditor be 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 11th day of March, 1942 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

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RESOLUTION NO. 5552-N.S.

A RESOLUTION DESIGNATING L. L. BROOKS AS EXPLOSIVE FOREMAN FOR THE CITY OF MODESTO, AND AUTHORIZING HIM TO SECURE A PERMIT TO HANDLE THE SAME

---oOo---

WHEREAS, the Department of Public Works in the City of Modesto uses as a part of its regular equipment in municipal work dynamite, dynamite caps, fuses and other volatile explosives; and,

WHEREAS, by reason of certain new rules and regulations laid down by the government of the United States, special permits must be procured before said articles as herein set forth may be secured and used by any person, including municipalities; and,

WHEREAS, L. L. Brooks of the Department of Public Works in the said City of Modesto is competent to procure, store, use and direct the use of explosives; and

WHEREAS, a permit must be secured from the local Explosive Licensing Agent for Stanislaus County to enable the said City of Modesto to secure said explosives and to store and use the same:

NOW, THEREFORE, BE IT RESOLVED by the City Council of said City of Modesto that the said L. L. Brooks shall be and he is hereby appointed as Explosive Foreman of the said City of Modesto, and he is by this resolution empowered to apply to the said local Explosive Licensing Agent for Stanislaus County for a permit and/or license to procure explosives, including dynamite, dynamite caps and fuses, and he is further empowered to secure from said agency a permit and/or license to use said explosives

in the City of Modesto in carrying on municipal work and to store the same in a safe place.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of March, 1942 by Councilman Bates, 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

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RESOLUTION NO. 5553-N.S.

A RESOLUTION AUTHORIZING THE CITY ATTORNEY TO PROCEED TO ABATE PUBLIC NUISANCE AND CONDEMN THE BUILDING LOCATED IN BLOCK 70, LOTS 1 to 4 INC. W. 40 FEET OWNED BY HENRY WINDT

---oOo---

BE IT HEREBY RESOLVED that building located in Block 70, lots 1 to 4 inc. W 40 feet owned by Henry Windt be and it is hereby condemned and the City Attorney be authorized to proceed to abate said nuisance.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of March, 1942 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

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RESOLUTION NO. 5554-N.S.

A RESOLUTION AUTHORIZING THE AUDITOR TO PAY SALARIES TO CIVIL SERVICE APPOINTEES, BENNO LEROY HEUNE AND BARLOW MCCLEARY

---oOo---

BE IT HEREBY RESOLVED that the City Auditor and Clerk be and he is hereby authorized to pay salaries to civil service appointees of the City of Modesto, Benno Leroy Heune and Barlow McCleary who were employed on March 1, 1942 at a salary of \$130.00 per month in the Fire Department.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of March, 1942 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

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RESOLUTION NO. 5555-N.S.

A RESOLUTION RESCINDING RESOLUTION NO. 5342-N.S. ENTITLED " A RESOLUTION RECOMMENDING THAT ALL CITY EMPLOYEES, EXCEPT THOSE NOW LIVING OUTSIDE OF THE CITY LIMITS, BE REQUIRED TO LIVE WITHIN THE CITY LIMITS"

---oOo---

BE IT HEREBY RESOLVED that Resolution No. 5342-N.S. entitled " A RESOLUTION RECOMMENDING THAT ALL CITY EMPLOYEES, EXCEPT THOSE NOW LIVING OUTSIDE OF THE CITY LIMITS, BE REQUIRED TO LIVE WITHIN THE CITY LIMITS" 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 11th day of March, 1942 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

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RESOLUTION NO. 5556-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 11th day of March, 1942 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

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RESOLUTION NO. 5557-N.S.

A RESOLUTION REQUIRING CITY EMPLOYEES TO RESIDE IN THE CITY OF MODESTO, WITH CERTAIN EXCEPTIONS

---oOo---

BE IT HEREBY RESOLVED, that all employees of the City of Modesto be, and they are hereby required to live within the corporate limits of said City, provided that this resolution shall not apply to City employees living outside said City at the time of the adoption on July 23, 1941 of a resolution entitled, "A RESOLUTION RECOMMENDING THAT ALL CITY EMPLOYEES EXCEPT THOSE NOW LIVING OUTSIDE OF THE CITY LIMITS BE REQUIRED TO LIVE WITHIN THE CITY LIMITS," and which resolution was rescinded by the City Council of the City of Modesto on March 11, 1942.

BE IT FURTHER PROVIDED that during the probationary period of employment of those who fall within the provisions of the Civil Service Ordinance of the City of Modesto, said probationary employee may live outside the said City of Modesto, in the discretion of the head of his department.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 18th day of March, 1942 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

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RESOLUTION NO. 5558-N.S.

A RESOLUTION RATIFYING THE RETENTION OF J. A. JOHNSTON TO SECURE OPTIONS ON PROPERTY ADJACENT TO BEARD BROOK ON JENNIE STREET TO BUILD BRIDGE ACROSS BEARD BROOK

---oOo---

WHEREAS, pursuant to report by Commissioner Bates that J. A. Johnston had been retained to secure options on property adjacent to Beard Brook on Jennie Street, to build bridge across Beard Brook, and

WHEREAS, said J. A. Johnston has secured options to remain in effect until July, 1942.

BE IT HEREBY RESOLVED that the retention of said J. A. Johnston to secure said options be and it is hereby ratified by the Council and the City Clerk and Auditor is hereby authorized to draw warrant in amount \$50.00 as payment for services rendered.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 18th day of March, 1942 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 EIMER J. BLUM, CITY CLERK

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RESOLUTION NO. 5559-N.S.

A RESOLUTION GRANTING LEAVE TO WM. J. COULSON FOR SERVICE IN THE UNITED STATES MARINES

---oOo---

WHEREAS, Wm. J. Coulson, a member of the Police Department of the City of Modesto, has enlisted in the armed forces of the United States of America; and,

WHEREAS, by reason thereof the said Wm. J. Colson must leave his duties as a member of said Police Department; and,

WHEREAS, the said Wm. J. Coulson has clearly demonstrated that he is a competent policeman 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 Wm. J. Coulson shall be and he is hereby granted leave from said Police Department for the duration of the present war and for ninety (90) days after the severance of service with the armed forces of the United States of America, during any portion of which time the said Wm. J. Coulson may return to his duties as a member of the Police Department 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 18th day of March, 1942 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

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RESOLUTION NO. 5560-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 March, 1942 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

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RESOLUTION NO. 5561-N.S.

A RESOLUTION ALLOWING CLAIM OF \$400.00 TO THE STANISLAUS COUNTY BOYS' BAND

---oOo---

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

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 25th day of March, 1942 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: Bates, Burge, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST ELMER J. BLUM, CITY CLERK

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RESOLUTION NO. 5562-N.S.

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

---oOo---

BE IT HEREBY RESOLVED that the City Clerk be authorized to advertise for the sale of useless property (personal) of the City of Modesto, said sale to be held on Thursday, April 16, 1942 in 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 25th day of March, 1942 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

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RESOLUTION NO. 5563-N.S.

A RESOLUTION AUTHORIZING THE MAYOR OF CITY OF MODESTO TO EXECUTE AND DELIVER A CERTAIN

---oOo---

BE IT RESOLVED that the Mayor of the City of Modesto be and he is hereby authorized and directed on behalf of the City of Modesto, situate in Stanislaus County, California, to execute and deliver to the Government of the United States that certain lease dated the 25th day of March, 1942, which lease is hereto attached, together with a certain document issued by Stanislaus County Title Company at Modesto, Stanislaus County, California, setting forth the fact that as of March 18, 1942 said property and the title thereto was vested in the City of Modesto, a municipal corporation, in Stanislaus County, California, and which said lease and all of the terms thereof, together with a description of the property set forth therein are hereby made a part hereof.

It was moved by Councilman Bates and seconded by Councilman Neece that the foregoing resolution be adopted, whereupon a vote was had with the following result:

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

Noes: Councilmen: None

Absent: Councilmen: None

WHEREUPON the Mayor, to-wit, Carl W. Shannon, declared the resolution duly passed and adopted.

STATE OF CALIFORNIA, )  
                          ) SS.  
COUNTY OF STANISLAUS )

I, ELMER J. BLUM, City Clerk of the City of Modesto, hereby certify that the foregoing resolution is a true and correct copy of the resolution passed and adopted by the City Council of the City of Modesto, Stanislaus County, California, at a meeting of the City Council of the said City of Modesto, Stanislaus County, California, held on the 25th day of March, 1942, with all members present as the same appears of record in the minutes of said City Council, and that such resolution was passed and adopted by a unanimous vote of said City Council.

WITNESS my hand and the official seal of the City of Modesto this 25th day of March, A.D. 1942.

ELMER J. BLUM, CITY CLERK OF THE CITY OF  
MODESTO, COUNTY OF STANISLAUS, STATE OF  
CALIFORNIA

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RESOLUTION NO. 5564-N.S.

A RESOLUTION ALLOWING CLAIM OF ROBERT B. FOWLER OF \$9.15 EXPENSES ATTENDING MEETING OF LEAGUE OF CALIFORNIA CITIES

---oOo---

BE IT HEREBY RESOLVED that claim of \$9.15 of Robert B. Fowler, City Attorney for trip to San Francisco to attend League of California Cities meeting to discuss the matter of franchise with the Pacific Telephone & Telegraph Company be and it is hereby allowed.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 25th day of March, 1942 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. 5565-N.S.

A RESOLUTION AMENDING RESOLUTION NO. 5197-ENTITLED "A RESOLUTION ADOPTING RULES AND REGULATIONS FOR THE USE OF THE MODESTO MUNICIPAL GOLF COURSE."

---oOo---

WHEREAS, it appears to the City Council of the City of Modesto that by reason of increased costs in maintenance of the Modesto Municipal Golf Course and the further fact that said Golf Course is now being operated at a deficit, that the rate for players using said course should be increased:

BE IT HEREBY RESOLVED as follows, to-wit: That the rates for players upon said Modesto Municipal Golf Course shall be as follows:

For one monthly family ticket, \$5.00 per month;

For one individual ticket per month, \$4.00;

For one student ticket per month, \$2.25;

Per 9 holes of play for persons not holding monthly tickets, 40 cents;

For playing all day on said course for those not holding monthly tickets, 80 cents;

This resolution is hereby intended to and does amend Resolution No. 5197 of the City of Modesto, which in turn rescinded Resolution No. 4967, and particularly amends Rule 3 of Resolution No. 4044 entitled, "A RESOLUTION ADOPTING RULES AND REGULATIONS FOR THE USE OF THE MODESTO MUNICIPAL GOLF COURSE."

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 25th day of March, 1942 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, Bates, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST ELMER J. BLUM, CITY CLERK

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RESOLUTION NO. 5566-N.S.

A RESOLUTION AMENDING RESOLUTION NO. 2335-N.S. ENTITLED "A RESOLUTION CONSOLIDATING THE CITY HEALTH OFFICE WITH THAT OF THE COUNTY OF STANISLAUS"

---oOo---

WHEREAS, pursuant to the resignation of Dr. E. F. Reamer, ex-officio Health Officer of the City of Modesto as of April 1, 1942, and

WHEREAS Resolution No. 2335-N.S. adopted by the Council on the 24th day of February, 1932, names Dr. E. F. Reamer County Health Officer, ex-officio Health Officer of the City of Modesto, and

WHEREAS, Dr. J. Lyle Spelmann has been appointed Stanislaus County Health Officer, as of April 1, 1942.

BE IT HEREBY RESOLVED that said Resolution No. 2335-N.S. be and it is hereby amended to name said Dr. J. Lyle Spelmann as ex-officio Health Officer 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 25th day of March, 1942 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. 5567-N.S.

A RESOLUTION PROVIDING ADDITIONAL SALARY TO HERBERT HALL AND CHARLES VISS, CITY EMPLOYEES

---oOo---

WHEREAS, on the 19th day of March, 1942, city employee M. E. Bowen, temporarily employed by said City as an electrician was injured and incapacitated and forced to suspend his employment with and by said City of Modesto; and,

WHEREAS, city employee Charles Viss, a lineman, and city employee Herbert Hall, fire alarm technician, are willing to and are doing the work attached to the position heretofore occupied by the said M. E. Bowen:

NOW, THEREFORE, BE IT RESOLVED that the said Charles Viss and Herbert Hall, and each of them, shall be paid by the said City of Modesto in addition to the salary already received by them the sum of Ten (\$10.00) Dollars per month, starting on the day of the passage of this resolution and to continue until the said M. E. Bowen is again able to carry on the functions of the position of electrician in the said City of Modesto; or until some other person is appointed to said position.

BE IT FURTHER RESOLVED, that the said sums allowed to be paid to the said Charles Viss and Herbert Hall, and each of them, shall not be considered as overtime and the City Council by the passage and adoption of this resolution is not hereby declaring its intention to pay overtime wages and/or salary to any of the employees 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 25th day of March, 1942 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

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RESOLUTION NO. 5568-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 March, 1942 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

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RESOLUTION NO. 5569-N.S.

A RESOLUTION AUTHORIZING THE CITY CLERK TO ADVERTISE FOR BIDS ON AUTOMOBILE FOR THE POLICE DEPARTMENT

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BE IT HEREBY RESOLVED that the City Clerk be authorized to call for bids on an automobile for the Police Department, said bids to be opened at the City Council Chambers on April 8, 1942.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 1st day of April, 1942 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

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RESOLUTION NO. 5570-N.S.

A RESOLUTION ACCEPTING RESIGNATION OF E. H. STOCKWELL AND C. Y. GREEN FROM THE MODESTO FIRE DEPARTMENT

---oOo---

BE IT HEREBY RESOLVED that the resignations of E. H. Stockwell and C. Y. Green from the Modesto Fire Department be and they are hereby accepted, said resignation of E. H. Stockwell to be effective as of March 1, 1942 and of C. Y. Green as of March 31, 1942.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 1st day of April, 1942 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

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RESOLUTION NO. 5571-N.S.

A RESOLUTION AUTHORIZING PAYMENT OF SALARIES TO CIVIL SERVICE APPOINTEES

---oOo---

BE IT HEREBY RESOLVED that the Auditor be authorized to pay salaries to the following Civil Service appointees of the City of Modesto

<u>NAME</u>	<u>EFFECTIVE DATE</u>	<u>SALARY</u>
Robert W. Jamison	April 1, 1942	\$130.00
Albert E. Oliveria	April 1, 1942	130.00
David A. Wilson	February 9, 1942	115.00
Kenneth A. Bauman	February 9, 1942	115.00
Albert R. Hawkins	March 30, 1942	115.00

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 1st day of April, 1942 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

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RESOLUTION NO. 5572-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 April, 1942 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

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RESOLUTION NO. 5573-N.S.

RESOLUTION STRIKING OFF, SELLING AND AWARDED TO PACIFIC GAS AND ELECTRIC COMPANY, ITS SUCCESSORS AND ASSIGNS, 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 ARE NOW 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, AS SET FORTH IN A RESOLUTION ADOPTED BY THE CITY COUNCIL OF SAID CITY OF MODESTO ON THE 26th DAY OF FEBRUARY, 1942.

WHEREAS Pacific Gas and Electric Company, a California utility corporation filed in the office of this Council on the 16th day of January, 1942, its application for the franchise above mentioned and referred to; and

WHEREAS this Council on the 26th day of February 1942, adopted a resolution declaring its intention of granting said franchise upon the terms and conditions in said resolution set forth; and

WHEREAS due notice of the sale of said franchise has been published in the manner and for the time prescribed by law and by the aforesaid resolution; and

WHEREAS this Council, at the time specified in said resolution and in said notice, viz: at the hour of 4 P.M. on Wednesday, the 8th day of April, 1942, met in open session for the purpose of opening and acting upon any bids that might be filed pursuant to said notice; and

WHEREAS said Pacific Gas and Electric Company, before the time appointed for the opening of said bids, had filed herein its sealed bid for said franchise whereby it offered for said franchise to pay to said City of Modesto (a) two per cent (2%) of the gross annual receipts received from the use, operation or possession of said franchise for the first five years of the term of said franchise or during said portion of said five years as said franchise shall remain in full force and effect, provided, however, that such payment shall in no event be less than a sum which shall be equivalent to one per cent (1%) of the gross annual receipts derived by the grantee

of said franchise, its successors or assigns, from the sale of gas within the limits of the City of Modesto under said franchise and said constitutional franchise, and (b) the sum of two thousand dollars (\$2000) in lawful money of the United States of America, and setting forth the understanding and conditions upon which said bid was tendered, and said sealed bid was accompanied by the certified check of said company made payable to the Treasurer of the City of Modesto in said sum of \$2000; and

WHEREAS no other or higher bid was filed or made for said franchise;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Modesto, that the aforesaid franchise be and the same is hereby struck off, sold and awarded to said Pacific Gas & Electric Company, its successors and assigns, in consideration of said bid and upon the terms and conditions set forth therein and in said notice and said resolution to all of which reference is hereby made for a more particular statement of said terms and conditions; and

BE IT FURTHER RESOLVED by said City Council that in the event the ordinance granting said franchise shall not become effective or certificate of convenience and necessity of the Railroad Commission of the State of California to exercise said franchise be not issued, or if at any time after the passage of said ordinance it shall be adjudged that said franchise did not become effective or was or is invalid, or if the grantee thereof shall at any time be prevented by the City or by any judgment from exercising the same for any reason other than non-compliance with its terms by the grantee, then said sum of \$2,000 shall be refunded to Pacific Gas and Electric Company.

ADOPTED by the City Council of the City of Modesto on the 8th day of April, 1942, by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

CARL W. SHANNON, MAYOR OF THE CITY OF MODESTO

ATTEST ELMER J. BLUM, CLERK OF THE CITY OF MODESTO.

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RESOLUTION NO. 5574-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 TO TRANSMIT AND DISTRIBUTE 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.

WHEREAS on the 8th day of April, 1942, the City Council of the City of Modesto struck off, sold and awarded to Pacific Gas and Electric Company, a California corporation, the franchise to use the public streets, ways and places of said city to transmit and distribute 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 that certain resolution passed by said City Council on February 26, 1942; and

WHEREAS said Pacific Gas and Electric Company, pursuant to the law and the provisions of the resolution which was adopted by said City Council on the 26th day of February 1942, has duly executed and filed with this Council a bond in the penal sum of one thousand dollars (\$1,000) bearing date the 8th day of April 1942, and conditioned as prescribed by law and by the last mentioned resolution; and

WHEREAS upon due investigation and consideration, it appears to the satisfaction of this Council that said bond is in proper form and 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 8th day of April 1942, by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST ELMER J. BLUM, CLERK

CARL W. SHANNON, MAYOR OF THE CITY OF MODESTO

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RESOLUTION NO. 5575-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 8th day of April, 1942 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

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RESOLUTION NO. 5576-N.S.

A RESOLUTION ALLOWING CLAIMS FOR MONTH OF MARCH, 1942

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WHEREAS, the claims against the City of Modesto for the month of March, 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-----	\$27,020 10
WATER FUND-----	5,218 12
LIBRARY ***-----	1,791.15
BOND RED. INT. FUND-----	18.75
ST. BOND RED. INT. FUND-----	18.35
SPECIAL GAS TAX-----	<u>38.46</u>
TOTAL	\$34,104.93

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of April, 1942 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. 5577-N.S.

A RESOLUTION AUTHORIZING THE CITY ENGINEER TO CONSTRUCT SEWER LINE ON TWELFTH STREET BETWEEN B AND D STREETS, AS REQUESTED BY THE MODESTO TERMINAL COMPANY

---oOo---

WHEREAS, pursuant to petition of the Modesto Terminal Company for installation of an adequate sewer line on Twelfth Street, between B and D Streets, for the disposition of industrial sewage from the Modesto Preserving Company, located in Block Q, lots 22 to 32 inc., and

WHEREAS, the City Engineer reports that the cost to the City of Modesto to install an adequate sewer line for industrial waste would be approximately \$3057.00

BE IT HEREBY RESOLVED that the City Engineer be authorized to make the necessary installation of sewer line to comply with the request of the Modesto Terminal Company.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of April, 1942 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

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RESOLUTION NO. 5578-N.S.

A RESOLUTION GRANTING REQUEST OF THE MILK PRODUCERS ASSOCIATION TO EXCAVATE UNDER E STREET IN THE CITY OF MODESTO

---oOo---

WHEREAS, pursuant to the appointment of the City Engineer and City Attorney to investigate the request of the Milk Producers Association of Central California for permission to build a tunnel under E Street to convey the milk from the north side of E Street to the South side of E Street, and

WHEREAS at this time City Engineer Rossi reported that the structure of the street had been checked and found to be satisfactory and the City Attorney reported that it would not be necessary for them to secure a franchise

BE IT HEREBY RESOLVED that the said Milk Producers Association of Central California be granted permission to excavate under E street providing they pay all expenses of excavation and of changing the city sewer line and that they secure a liability policy protecting the City of Modesto during the construction of the tunnel.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of April, 1942 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

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RESOLUTION NO. 5579-N.S.

A RESOLUTION GRANTING PERMIT TO THE MODESTO MOTOR BUS SERVICE TO CHANGE BUS ROUTE

---oOo---

BE IT HEREBY RESOLVED that W. Kleinenbroich, operator of the Modesto Motor Bus Service, be given permission to change the bus route as per route on file with the City Clerk,

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of April, 1942 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

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RESOLUTION NO. 5580-N.S.

A RESOLUTION AUTHORIZING PROGRESSIVE PAYMENT ON PAVING OF D STREET

---oOo---

BE IT HEREBY RESOLVED that progressive payment on paving of D Street from 9th Street to 14th Street be authorized to the contractor, Standard Materials Company in amount \$6694.50 and the Auditor and City Clerk are directed 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 April 1942 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

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RESOLUTION NO. 5581-N.S.

A RESOLUTION ACCEPTING DEED FROM A FIORI ET UX ON PORTION OF LOTS 43 and 44 OF THE BROUGHTON COLONY TRACT

---oOo---

BE IT HEREBY RESOLVED that the deed from Antonio Fiori and Katherine Fiori, his wife on portions of lots 43 and 44 of the Broughton Colony Tract be and it is hereby accepted and the Clerk is directed to record said deed with the Stanislaus County Recorder.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of April, 1942 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

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RESOLUTION NO. 5582-N.S.

A RESOLUTION GRANTING LEAVE TO JACK RAMEY FOR SERVICE IN THE UNITED STATES NAVY

---oOo---

WHEREAS, Jack Ramey, Deputy License Collector of the City of Modesto, has enlisted in the armed forces of the United States of America; and,

WHEREAS, by reason thereof the said Jack Ramey must leave his duties as Deputy License Collector; and

WHEREAS, the said Jack Ramey has clearly demonstrated that he is competent and 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 Jack Ramey shall be and he is hereby granted leave for the duration of the present war and for ninety (90) days after the severance of service with the armed forces of the United States of America, during any portion of which time the said Jack Ramey may return to his duties as Deputy License Collector 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 8th day of April, 1942 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

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RESOLUTION NO. 5583-N.S.

A RESOLUTION GRANTING PERMIT TO CHAS. AND PAUL WINDHAM TO OPERATE PLUMBING BUSINESS IN RESIDENCE DISTRICT UNDER CERTAIN CONDITIONS

---oOo---

WHEREAS, pursuant to referring of request of Chas. and Paul Windham for permit to operate and maintain a plumbing business on property known as 113 Elm Street, being lots 7 and 8 in Block 430 of the Planning Commission for investigation and recommendation, and

WHEREAS the Planning Commission has filed their report with the Council recommending that permit be granted to said applicant with the understanding that no tools or supplies be kept on the property.

BE IT HEREBY RESOLVED that permit be granted to Chas. and Paul Windham as requested as per recommendation of the Planning Commission.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of April, 1942 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

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RESOLUTION NO. 5584-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 April, 1942 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

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RESOLUTION NO. 5585-N.S.

A RESOLUTION ACCEPTING DEED FROM MANOOG A BEDOIAN AND VERONICA BEDOIAN ON PORTION OF BLOCK 802 OF THE CITY OF MODESTO

---oOo---

BE IT HEREBY RESOLVED that deed from Manoog A. Bedoian and Veronica Bedoian, his wife on portion of Block 802 in the City of Modesto in the Campus Tract be and it is hereby accepted and the City Clerk is directed to record deed with the Stanislaus County Recorder.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 15th day of April, 1942 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

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RESOLUTION NO. 5586-N.S.

A RESOLUTION CANCELLING LEASE WITH THE MODESTO TRAP & SKEET CLUB FOR PORTION OF AIRPORT DATED MARCH 1, 1937

---oOo---

WHEREAS, heretofore, to-wit on or about the 1st day of March 1937, City of Modesto, a municipal corporation, and Modesto Trap and Skeet Club, an association, entered into a written agreement by the terms of which said City of Modesto leased unto the said Modesto Trap & Skeet Club the following described real property;

Beginning at a point which bears S 0° 44' E a distance of 150.00 feet from the Northeast corner of Lot 4, La Rio Park Tract; thence S 0° 44' E a distance of 1000.00 feet; thence N 89° 45' E 410.00 feet; thence N 0° 44' W 1000.00 feet; thence S 89° 45' W to the point of beginning, all of the property described herein is within the S½ of the S½ of Section 34 T. 3S., R 9 E., M.D.B & M.; and

WHEREAS, by the terms of said lease the same could be renewed by said Modesto Trap and Skeet Club at the expiration of each year of said lease for a total period of five (5) years, and

WHEREAS, said described property is a part of the Modesto Municipal

Airport, which has been leased to the United States Government and they have requested that said lease be cancelled.

BE IT HEREBY RESOLVED that lease be cancelled as of this date and they be notified to remove all equipment belonging to them from the premises.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 15th day of April, 1942 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

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RESOLUTION NO. 5587-N.S.

A RESOLUTION ORDERING THE CITY ENGINEER TO DISMANTLE TRAPS AT THE AIRPORT GROUNDS OF THE CITY OF MODESTO

\*\*\*\*\*oOo\*\*\*\*\*

BE IT HEREBY RESOLVED that the City Engineer be authorized to dismantle the traps out at the Modesto Trap and Skeet Club located at the Modesto Municipal Airport and to salvage the material for the city use.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 15th day of April, 1942 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

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RESOLUTION NO. 5588-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 April, 1942 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

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RESOLUTION NO. 5589-N.S.

A RESOLUTION APPROVING CHANGE OF ROUTE FOR THE AIRPORT TRANSIT BUS

---oOo---

BE IT HEREBY RESOLVED that the change of route for the Airport Transit Bus be and it is hereby approved, as placed on file in the office 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 22nd day of April, 1942 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

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RESOLUTION NO. 5590-N.S.

A RESOLUTION AWARDED BID ON AUTO FOR THE POLICE DEPARTMENT TO GILBERT HILDEBRAND

---oOo---

BE IT HEREBY RESOLVED that the bid on auto for the Police Department be and it is hereby awarded to Gilbert Hildebrand as being the lowest and best bid, at a total cost to the City of \$596.38 and the City Clerk and Auditor are authorized to draw warrant in payment upon delivery of equipment.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of April, 1942 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 EIMER J. BLUM, CITY CLERK

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RESOLUTION NO. 5591-N.S.

A RESOLUTION PROVIDING FOR A SPECIAL MUNICIPAL ELECTION TO VOTE ON THE QUESTION OF GRANTING A FRANCHISE TO THE PACIFIC GAS & ELECTRIC COMPANY

---oOo---

WHEREAS, on April 22, 1942, at a regular meeting of the Council of the City of Modesto, the said Council finally passed an ordinance, being Ordinance No. 676-N.S. granting to the Pacific Gas & Electric Company, its successors and assigns, the right to use for transmitting and distributing gas within the City of Modesto, all gas pipes and appurtenances which now are or may hereafter be lawfully placed in the streets within said City, and to lay and use in said streets all pipes and appurtenances necessary or proper for said purposes, and to exercise the privilege of operating a gas and gas distributing business within said City of Modesto, County of Stanislaus, State of California; and,

WHEREAS, the Charter provides that no such grant or franchise or renewal

or extension thereof shall be of any validity until the same shall have been approved by a majority of the electors voting thereon at a general or special election held not less than 15 nor more than 30 days from and after the final passage of the ordinance:

NOW, THEREFORE, IT IS HEREBY RESOLVED AND ORDERED that a special municipal election in and for said City of Modesto be and the same is hereby called to be held on Tuesday, the 19th day of May, 1942, for the purpose of voting upon the granting of such franchise.

For the purpose of holding said election, the City of Modesto shall be and the same is hereby precincted and established into three special consolidated 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

Said special consolidated election precincts are established by consolidating the general election precincts within the City of Modesto as established by the orders or resolutions of the Board of Supervisors of Stanislaus County 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 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 general election precincts).

Said general election precincts so designated by said Board of Supervisors as Modesto Precincts No. 1, 2, 3, 4, 5, 12, 13, 15, 33, and 34 are hereby consolidated and established into Special Consolidated Election Precinct No. 1.

Said general election precincts so designated by said Board of Supervisors as Modesto Precincts No. 6, 7, 8, 9, 10, 11, 14, 16, 17, 18, 19, 20 and 21 are hereby consolidated and established into Special Consolidated Election Precinct No. 2.

Said general election precincts so designated by said Board of Supervisors as Modesto Precincts No. 22, 23, 24, 25, 26, 27, 28, 29, 30, 31 and 32 are hereby consolidated and established into Special Consolidated Election Precinct No. 3.

The following places are hereby fixed as and for the places for holding said election within said City of Modesto (polling places) and the following named persons are hereby designated and appointed to act as officers of election for said election and also to conduct the same, to-wit:

SPECIAL CONSOLIDATED ELECTION PRECINCT NO. 1

Polling Place: J. W. Utterback garage, 102 Olive Avenue

Inspector: William G. Proper

Judge: Nellie Oviatt

Clerks: Ludora E. Wilbur and Edith C. Kephart

SPECIAL CONSOLIDATED ELECTION PRECINCT NO. 2

Polling Place: Fire Station No. 3, 2016 Downey Avenue

Inspector: Elsie Ring

Judge: Violet E. Plummer

Clerks: Bly Willis and Nancy Ivy

SPECIAL CONSOLIDATED ELECTION PRECINCT NO. 3

Polling Place: Fire Station No. 2, 629 Second Street

Inspector: Minna H. Damrell

Judge: Gertrude J. Epperson

Clerks: Mary J. Blaine and Alice F. Handley

The duties of said officers and the conduct of said election shall be the same as the duties prescribed by the laws of the State of California applicable to officers of general elections. 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.

The City Clerk is hereby ordered to publish an election notice as required by the Charter and to provide the necessary supplies for the holding of said election.

The foregoing resolution was introduced and ordered adopted by the Council of the City of Modesto at a regular meeting thereof duly called and held on the 22nd day of April, 1942, by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST ELMER J. BLUM, CITY CLERK

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RESOLUTION NO. 5592-N.S.

A RESOLUTION REAPPOINTING MRS. ELIZABETH BENKENDORF ON THE PARK COMMISSION OF THE CITY OF MODESTO

---oOo---

BE IT HEREBY RESOLVED that Mrs. Elizabeth Benkenorf be and she is hereby reappointed to the Park Commission for a term of three years from May 10, 1942.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of April, 1942 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

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RESOLUTION NO. 5593-N.S.

A RESOLUTION EMPOWERING THE CITY ENGINEER TO ENTER INTO A RENTAL-PURCHASE AGREEMENT FOR A USED RUBBER TIRED TRACTOR

---oOo---

BE IT HEREBY RESOLVED that the City Engineer be and he is hereby authorized to enter into a rental-purchase agreement for a used rubber tired tractor for the Public Works Department.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of April, 1942 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

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RESOLUTION NO. 5594-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 April, 1942 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

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RESOLUTION NO. 5595-N.S.

A RESOLUTION RENEWING LEASE ON HANGAR AT THE MODESTO MUNICIPAL AIRPORT TO THE HAWKE CROP DUSTING COMPANY OF MODESTO FOR A TERM OF ONE YEAR BEGINNING JUNE 2, 1942

---oOo---

BE IT HEREBY RESOLVED that lease be and the same is hereby renewed for the term of one year from June 2, 1942 to the E. R. Hawke Estate, doing business as the Hawke Crop Dusting Company on 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.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 6th day of May, 1942 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

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RESOLUTION NO. 5596-N.S.

A RESOLUTION APPROVING LEASE PURCHASE AGREEMENT FOR TRACTOR

---oOo---

BE IT HEREBY RESOLVED that lease purchase agreement between the Stanislaus Implement and Hardware Company and the City of Modesto for the used model D John Deere rubber tired tractor, together with a turning bar for a disc harrow be and it is hereby approved and the Mayor and Auditor be appointed 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 May, 1942 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

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RESOLUTION NO. 5597-N.S.

A RESOLUTION AUTHORIZING THE CITY ATTORNEY TO PROCEED WITH CONDEMNATION PROCEEDINGS ON CERTAIN PROPERTY IN THE CITY OF MODESTO

---oOo---

BE IT HEREBY RESOLVED that the City Attorney be authorized to take the necessary steps to declare the following buildings a public nuisance and to condemn and abate same:

<u>No. buildings</u>	<u>Owned by</u>	<u>Description</u>
1	Rubert A Peter	Block 31, lots 15 and 16, 601 Seventh Street
2	John Calaberesi	Block 9, lots 1 to 4 inc. 831 Fourth Street
1	I. H. Redding	Block 506, lots 33 and 34, 131 College Avenue

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 6th day of May, 1942 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

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RESOLUTION NO. 5598-N.S.

A RESOLUTION AUTHORIZING THE INCREASE OF SALARY OF V. H. HANNER

---oOo---

BE IT HEREBY RESOLVED that the salary of V. H. Hanner, Equipment Operator #1, be increased as of May 1, 1942, in the amount of \$15.00 because of the fact he is being transferred to the Street Sweeper.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 6th day of May, 1942 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

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RESOLUTION NO. 5599-N.S.

A RESOLUTION ALLOWING CLAIM OF F. J. ROSSI FOR \$12.69

---oOo---

BE IT HEREBY RESOLVED that the claim of \$12.69 of F. J. Rossi for money paid out by him on meeting of the Central Valley Division of the League of California Cities be allowed and the 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 6th day of May, 1942 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. 5600-N.S.

A RESOLUTION EMPLOYING DON DAVIS ON A PART TIME BASIS IN THE DEPARTMENT OF PUBLIC WORKS

---oOo---

WHEREAS, by reason of the absence of John Mason, Assistant City Engineer of the City of Modesto, now in the armed forces of the United States, it becomes necessary that assistance be given to the City Engineer of the City of Modesto; and,

WHEREAS, examinations have been held under the Civil Service Ordinance of said City to secure an assistant City Engineer; and,

WHEREAS, those persons taking said examination have failed to pass the same, and said position in the absence of the said John Mason remains unfilled; and,

WHEREAS, one Don Davis has the necessary qualifications to do the work of an assistant City Engineer in the said City of Modesto; and,

WHEREAS, the services of the said Don Davis on at least a part time basis are necessary to aid in the proper administration of the Department of Public Works:

NOW, THEREFORE, BE IT HEREBY RESOLVED, that the said Don Davis is hereby temporarily appointed to the position of Assistant City Engineer of the City of Modesto at a rate of pay equal to the sum of \$1.44 per hour on a part time basis.

BE IT FURTHER RESOLVED, that the said Don Davis shall be empowered and given the right to sign requisitions for the purchase of materials for the City of Modesto to the same extent that said materials could be purchased by the City Engineer of said City.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 6th day of May, 1942, 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

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RESOLUTION NO. 5601-N.S.

A RESOLUTION LEASING SOFTBALL FIELD TO THE MODESTO SOFTBALL ASSOCIATION

---oOo---

WHEREAS, pursuant to agreement with the 20-30 Club, dated March 28, 1939 for the rental of the softball field and whereas the said club have signified their intention of transferring and assigning to the City of Modesto all equipment owned by the 20-30 Club situated at the said Modesto Soft Ball Park, which equipment includes lights, bleachers and any other equipment and improvements which have been installed at the Soft Ball Park by the 20-30 Club, and

WHEREAS they have also signified their intention by letter to withdraw from the management of the softball Park and have suggested that the management be transferred to the Modesto Softball Association and

WHEREAS the said Association has filed a letter with the Council requesting that they be permitted to lease the Softball Field for the period of one year beginning May 1, 1942 and ending April 30, 1943,

BE IT HEREBY RESOLVED that the equipment installed by the 20-30 Club at the Modesto Municipal Baseball Field be and it is hereby accepted from them

and

BE IT FURTHER RESOLVED that the City of Modesto enter into a lease with the said Modesto Softball Association for the term of one year from May 1, 1942 for the use of the Softball Field.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 6th day of May, 1942 by Commissioner Neece, who moved its adoption, which motion being duly seconded, it was carried by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST ELMER J. BLUM, CITY CLERK

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RESOLUTION NO. 5602-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 May, 1942 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 EIMER J. BLUM, CITY CLERK

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RESOLUTION NO. 5603-N.S.

A RESOLUTION PROVIDING FOR THE EXPENDITURE OF \$100.00 PER MONTH BY CITY OF MODESTO FOR PROTECTION OF THE CITIZENS OF SAID CITY

---oOo---

WHEREAS, there is at present a national emergency created by the fact that the United States of America is at war with Japan, Germany and Italy and their allies; and,

WHEREAS, there is some danger of bomb attacks by our enemies upon the residences and citizens of the City of Modesto; and

WHEREAS, there is danger of sabotage and other acts of our enemies directed to the destruction of public water works, municipal buildings, gas mains and other public utilities; and,

WHEREAS, the Stanislaus County Defense Council has created a control center in the Courthouse in the City of Modesto, in said County, State of California, for the purpose of combating destruction of property by enemies of the United States, and to take care of evacuees that might be sent to the City of Modesto in the event of bombings and enemy attacks upon coastal cities in California; and,

WHEREAS, the maintenance and operation of said control center is necessary in carrying on the work of combating the activities of our enemies in the manner herein stated; and,

WHEREAS, the maintenance and operation of said control center will therefore be of benefit to the citizens of the City of Modesto and help to preserve public peace, property, life and guard the general welfare of citizens of said City:

NOW, THEREFORE, the City Council of the City of Modesto in regular session this 13th day of May, 1942, does hereby resolve that the citizens of said City should contribute to the cost and maintenance of said control center, and said Council does by this resolution hereby resolve to pay to said Stanislaus County Defense Committee the sum of \$100.00 per month, commencing on the 1st day of June, 1942, and thereafter to be paid monthly for the cost of maintenance of said control center.

BE IT FURTHER RESOLVED that nothing herein contained shall be construed to prevent the City Council of said City of Modesto from rescinding this resolution when and if said Council feels that <sup>it</sup> is proper to so do.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of May, 1942, 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: Bates, Burge, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST ELMER J. BLUM, CITY CLERK

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RESOLUTION NO. 5604-N.S.

A RESOLUTION ALLOWING CLAIMS FOR MONTH OF APRIL, 1942

---oOo---

WHEREAS, the claims against the City of Modesto for the month of April, 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-----	\$40,314.73
WATER FUND-----	4,278.93
LIBRARY FUND-----	1,689.41
SPECIAL GAS TAX FUND-----	<u>102.05</u>
	\$46,385.12

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of May, 1942 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

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RESOLUTION NO. 5605-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 May, 1942 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

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RESOLUTION NO. 5606-N.S.

NOT USED

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RESOLUTION NO. 5607-N.S.

A RESOLUTION DECLARING THE RESULT OF A SPECIAL MUNICIPAL ELECTION IN AND FOR THE CITY OF MODESTO, HELD ON THE 19th DAY OF MAY, 1942, ON THE QUESTION OF GRANTING A FRANCHISE TO THE PACIFIC GAS AND ELECTRIC COMPANY

---oOo---

WHEREAS, the City Council of the City of Modesto by Resolution No. 5591-N.S. called a special municipal election to be held on the 19th day of May, 1942 to submit to the qualified electors of the City of Modesto the proposition of granting a franchise to the Pacific Gas and Electric Company and in accordance with Ordinance No. 676-N.S. of the City of Modesto; and,

WHEREAS, notice of said election was given as provided by the Charter of the City of Modesto and the laws of the State of California in respect thereto, and all the provisions of the law and of the Charter relative to calling and holding and giving notice of said special election were complied with and the Council now so finds; and,

WHEREAS, said special municipal election was on the 19th day of May, 1942 duly held in all respects in conformity with the laws of the State of California, the Charter of the City of Modesto, the ordinances of said City and the resolution calling said special municipal election; and,

WHEREAS, the proper officers of said election returned to and filed with the City Clerk of said City of Modesto returns of said election, which said returns were duly opened and canvassed by the City Council of said City and the results were ascertained this 26th day of May, 1942;

NOW, THEREFORE, IT IS HEREBY DECLARED AND FOUND by the said City Council that all of the acts and things required by law and the ordinances of the said City relative to the calling, conducting and holding of said election to be done and performed have been done and performed; that the proper notice of said election was duly given; that the said special municipal election was in every respect held and conducted as required by law; that the returns thereof were fully and regularly made and filed with the City Clerk and were duly opened and canvassed by the City Council as required by law; that the results of said special municipal election and the

votes cast thereat for the proposition submitted were as follows:

FOR THE FRANCHISE--Yes--527

FOR THE FRANCHISE--No --63

That the total number of valid votes cast at said special municipal election was 590, and that the affirmative of the proposition voted upon received 527 votes, which is more than one half of all the votes cast by the voters voting at said special municipal election, and that the franchise proposed to be granted to said Pacific Gas and Electric Company by Ordinance No. 676-N.S. of the City of Modesto was granted.

BE IT FURTHER RESOLVED that said Ordinance No. 676-N.S. is now in full force and effect.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 26th day of May, 1942 by Councilman Burge, who moved its adoption, which motion being duly seconded was carried by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: ELMER J. BLUM, CITY CLERK

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RESOLUTION NO. 5608-N.S.

A RESOLUTION AUTHORIZING PAYMENT TO ELECTION OFFICIALS AND RENTAL OF POLLING PLACES FOR ELECTION HELD MAY 19, 1942

---oOo---

BE IT HEREBY RESOLVED that the Auditor be and he is hereby authorized to pay election officials who served at the Franchise election held on May 19, 1942 the sum of \$5.00 each and for rental of polling place at 102 Olive Avenue the sum of \$5.00

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 26th day of May, 1942 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

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RESOLUTION NO. 5609-N.S.

A RESOLUTION APPROVING APPLICATION OF J. J. MEHEGAN FOR PIN BALL MACHINE LICENSE

---oOo---

WHEREAS, pursuant to provisions of Ordinance No. 678-N.S. at this time application for license to operate pin ball machines was made by J. J. Mehegan, and WHEREAS, said application has been approved by the Commissioner of Public Health and Safety.

BE IT HEREBY RESOLVED that application be approved and the City License Collector be authorized to issue license to said J. J. Mehegan to operate Pin Ball Machines in the City of Modesto as provided by Ordinance No. 678-N.S.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 26th day of May, 1942 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

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RESOLUTION NO. 5610-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 26th day of May, 1942, 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

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RESOLUTION NO. 5611-N.S.

A RESOLUTION DENYING CLAIM OF ROBERT J. R. CAGLE FOR PERSONAL INJURIES

---oOo---

WHEREAS, the father of Robert J. R. Cagle, a minor child, has filed claim against the City of Modesto for injuries sustained by his son on the 18th day of January, 1942 at an excavation located between Canal Street and the City Airport.

BE IT HEREBY RESOLVED that claim as presented be denied.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of May, 1942 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

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RESOLUTION NO. 5612-N.S.

A RESOLUTION AUTHORIZING RENEWAL OF LEASES WITH THE DEPARTMENT OF COMMERCE, CIVIL AERONAUTICS ADMINISTRATION AT THE MODESTO MUNICIPAL AIRPORT

---oOo---

BE IT HEREBY RESOLVED that the lease agreements with the Civil Aeronautics Administration, Department of Commerce and the City of Modesto at the Municipal Airport on the right to set six poles and to install and maintain lights thereon at the Airways Radio Range Station and the remote control quarters site in Modesto be and they are hereby renewed for the 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 27th day of May, 1942 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

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RESOLUTION NO. 5613-N.S.

A RESOLUTION ADOPTING THE BUDGET, AS SET FORTH IN PROJECT STATEMENT OF MAY 27, 1942, FOR EXPENDITURES UPON THE STREETS OF MAJOR IMPORTANCE AS PROVIDED IN THE HIGHWAY CODE.

---oOo---

WHEREAS, there has been presented to this Council for adoption and signature a project statement relative to the expenditure, by the State Department of Public Works, of money obtained from the apportionment of the one-quarter cent gasoline tax; and also sets forth the obligations of the City of Modesto in connection therewith;

THEREFORE, BE IT RESOLVED that the Council of the City of Modesto does hereby adopt this statement as its Budget for the expenditure of 1/4 cent funds upon the Streets of Major Importance for the fiscal year ending June 30, 1943, and does herewith designate Mayor Carl W. Shannon, and City Engineer F. J. Rossi, to affix their signature thereto in behalf of the City of Modesto.

BE IT FURTHER RESOLVED; that the said project statement and certified copies of this Resolution in duplicate, be and the same are hereby ordered forwarded to P.O. Harding, Engineer of Division X of the Highways of California State Department of Public Works.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of May, 1942, 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

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RESOLUTION NO. 5614-N.S.

A RESOLUTION GRANTING EXTENSION OF THIRTY DAYS FOR COMPLETION OF CONTRACT TO STANDARD MATERIALS COMPANY ON IMPROVING OF D STREET IN THE CITY OF MODESTO

---oOo---

BE IT HEREBY RESOLVED that completion be extended 30 days on contract with the Standard Materials Company for the improving of D 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 27th day of May, 1942 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. 5615-N.S.

A RESOLUTION APPROVING AGREEMENT WITH THE UNITED STATES GOVERNMENT ON FIRE PROTECTION FOR THE GOVERNMENT HOSPITAL LOCATED NEAR THE CITY OF MODESTO

---oOo---

BE IT HEREBY RESOLVED that agreement be and it is hereby approved as prepared by the City Attorney for the City of Modesto to furnish fire protection to the hospital now being constructed by the United States Government near the City limits.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of May, 1942 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

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RESOLUTION NO. 5616-N.S.

ADJOURNMENT

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

The foregoing resolution was introduced at the regular meeting of the Council of the City of Modesto held on the 27th day of May, 1942 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

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RESOLUTION NO. 5617-N.S.

A RESOLUTION PROVIDING FOR ONE TEN MINUTE PARKING SPACE ON G STREET BETWEEN TENTH AND ELEVENTH STREETS

---oOo---

WHEREAS, congested traffic conditions on G Street between Tenth and Eleventh Streets make it appear to the Council of the City of Modesto that the parking of automobiles on said portion of said G Street should be restricted:

NOW, THEREFORE, BE IT RESOLVED that vehicles shall park for no longer than ten (10) consecutive minutes in the following area:

On the northwesterly side of G Street, beginning at a point

61 feet northeasterly from the northeasterly property line

of Tenth Street and extending northeasterly along the curb 23 feet,

Said parking regulations shall be in effect on each day except Sunday from the hour of 9 o'clock A.M. to the hour of 6 o'clock P.M.

The City Engineer is authorized and ordered to properly mark said area conveying the information of restricted parking.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 3rd day of June, 1942 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: Bates, Burge, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST ELMER J. BLUM, CITY CLERK

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RESOLUTION NO. 5618-N.S.

A RESOLUTION AUTHORIZING THE CITY ENGINEER TO APPOINT TWO ADDITIONAL PARK DIRECTORS FOR THE COMING SUMMER SEASON, AS OF JUNE 15, 1942

---oOo---

WHEREAS, pursuant to the fact that the W. P. A. will not be hiring Park Directors for the coming summer season, and

WHEREAS, it will be necessary for the City of Modesto to hire two additional Directors

BE IT HEREBY RESOLVED that the City Engineer be authorized to secure the services of two additional Park Directors, starting June 15, 1942.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 3rd day of June, 1942 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

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RESOLUTION NO. 5619-N.S.

A RESOLUTION GRANTING REQUEST OF JEONG LOOK TO REMODEL DWELLING INTO APARTMENT HOUSE AT 602 SIXTH STREET

---oOo---

WHEREAS, pursuant to request of Jeong Look to remodel dwelling at 602 Sixth Street, Block 31, lots 17 to 20 inc. into an apartment house being referred to the Planning Commission for investigation, and

WHEREAS said Planning Commission have filed a letter with the Council recommending that request be granted

BE IT HEREBY RESOLVED that request of said Jeong Look to remodel dwelling into apartment house be granted.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 3rd day of June, 1942 by Councilman Bates 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

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RESOLUTION NO. 5620-N.S.

A RESOLUTION AUTHORIZING THE AUDITOR TO TRANSFER \$25,000 FROM THE WATER FUND TO THE GENERAL FUND OF THE CITY OF MODESTO

---oOo---

BE IT HEREBY RESOLVED that the Auditor of the City of Modesto be and he is hereby authorized to transfer \$25,000 from the Water Fund to the General Fund.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 3rd day of June, 1942 by Councilman Bates, 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

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RESOLUTION NO. 5621-N.S.

A RESOLUTION AMENDING RESOLUTION NO. 5600-N.S. OF THE CITY OF MODESTO, ENTITLED: "A RESOLUTION EMPLOYING DON DAVIS ON A PART TIME BASIS IN THE DEPARTMENT OF PUBLIC WORKS"

---oOo---

WHEREAS, by Resolution No. 5481-N.S., the salaries of City employees in the Department of Public Works, to-wit, A. O. Carley, F. L. Olcott, Marian Zumwalt, and Thelma Erickson, were increased by reason of added duties that said employees had to perform due to the absence of John Mason from his position as Assistant City Engineer of the City of Modesto; and,

WHEREAS, thereafter Don Davis was appointed to fill said position of Assistant City Engineer in a temporary capacity; and,

WHEREAS, it might appear therefrom that the said employees whose salaries were increased by said resolution would no longer be entitled to said salary increases by reason of the appointment of the said Don Davis aforesaid; and,

WHEREAS, it appears to the City Council of the City of Modesto that the said Don Davis is to work only part time in his position as Assistant City Engineer, and that therefore the duties of said employees above named are still heavier than originally contemplated:

NOW, THEREFORE, IT IS HEREBY RESOLVED that the salaries of the said A. O. Carley, F. L. Olcott, Marian Zumwalt and Thelma Erickson, and each of them, as the same were increased by said Resolution No. 5481-N.S., shall remain in full force and effect

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 3rd day of June, 1942, by Councilman Bates, who moved its adoption, which motion was 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

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RESOLUTION NO. 5622-N.S.

A RESOLUTION AUTHORIZING THE CITY AUDITOR TO PAY SALARY TO CIVIL SERVICE APPOINTEE, LEON LIVINGSTON IN THE POLICE DEPARTMENT

---oOo---

BE IT HEREBY RESOLVED that the Auditor of the City of Modesto be authorized to pay salary to civil service appointee, Leon Livingston in the Police Department in the amount of \$130.00 per month as of May 1, 1942.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 3rd day of June, 1942 by Councilman Bates, 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

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RESOLUTION NO. 5623-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 June, 1942 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 EIMER J. BLUM, CITY CLERK

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RESOLUTION NO. 5624-N.S.

A RESOLUTION ALLOWING CLAIMS FOR MONTH OF MAY, 1942

---oOo---

WHEREAS, the claims against the City of Modesto for the month of May, 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-----	\$23,890.14
WATER FUND-----	4,314.70
LIBRARY FUND-----	1,625.34
ST. BOND RED. INT. FUND-----	11.58
UNAPPORTIONED FUND-----	<u>1.32</u>
TOTAL	\$29,843.08

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of June, 1942, 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

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RESOLUTION NO. 5625-N.S.

A RESOLUTION ALLOWING CLAIM OF MODESTO CHAMBER OF COMMERCE FOR \$600.00

---oOo---

BE IT HEREBY RESOLVED that claim of \$600.00 be allowed the Modesto Chamber of Commerce as provided by provisions of Ordinance No. 665-N.S. from the Promotion fund 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 10th day of June, 1942 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

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RESOLUTION NO. 5626-N.S.

A RESOLUTION ACCEPTING CONTRACT FOR IMPROVING OF D STREET AS COMPLETED BY THE STANDARD MATERIALS COMPANY AND AUTHORIZING PROGRESSIVE PAYMENT ON CONTRACT

---oOo---

BE IT HEREBY RESOLVED that contract on improving D Street from Ninth Street to Fourteenth Street as completed by contractor Standard Materials Company be and it is hereby accepted and a progressive payment of \$1927.33 be authorized and the Auditor is directed to draw warrant in payment.

BE IT FURTHER RESOLVED that the City Clerk be directed to file notice of completion with the Recorder of Stanislaus County.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of June, 1942 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

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RESOLUTION NO. 5627-N.S.

A RESOLUTION GRANTING LEAVE TO DARRELL E. WHITE FOR SERVICE IN THE UNITED STATES COAST GUARD

---oOo---

WHEREAS, Darrell E. White, a member of the Police Department of the City

of Modesto, has enlisted in the armed forces of the United States of America; and,

WHEREAS, by reason thereof the said Darrell E. White must leave his duties as a member of the said Police Department; and,

WHEREAS, the said Darrell E. White has clearly demonstrated that he is a competent policeman 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 Darrell E. White shall be and he is hereby granted leave from said Police Department for the duration of the present war and for six months after the severance of service with the armed forces of the United States of America, during any portion of which time the said Darrell E. White may return to his duties as a member of the Police Department 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 10th day of June, 1942 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: Bates, Burge, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST ELMER J. BLUM, CITY CLERK

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RESOLUTION NO. 5628-N.S.

A RESOLUTION AUTHORIZING THE CITY ATTORNEY TO ABATE PUBLIC NUISANCE

---oOo---

WHEREAS, pursuant to complaints of residents near Lots 8 and 9, N 100ft. in Block 319 belonging to Esse Robertson, that sewer was broken, causing a health menace, and

WHEREAS owner of property refuses to repair sewer

BE IT HEREBY RESOLVED that the City Attorney be authorized to take such action as is necessary to abate this public nuisance at once.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of June, 1942 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

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RESOLUTION NO. 5629-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 June, 1942 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 EIMER J. BLUM, CITY CLERK

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RESOLUTION NO. 5630-N.S.

A RESOLUTION AUTHORIZING THE CITY CLERK TO CALL FOR BIDS ON ADVERTISING FOR FISCAL YEAR ENDING JUNE 30, 1943

---oOo---

BE IT HEREBY RESOLVED that the City Clerk be and he is hereby authorized to call for bids on advertising and printing for fiscal year ending June 30, 1943, said bids to be opened at the regular meeting of the Council of June 24, 1942.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 17th day of June, 1942 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 EIMER J. BLUM, CITY CLERK

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RESOLUTION NO. 5631-N.S.

A RESOLUTION AUTHORIZING THE CITY CLERK TO CALL FOR BIDS ON INCANDESCENT LAMPS FOR YEAR ENDING JUNE 30, 1943

---o)O---

BE IT HEREBY RESOLVED that the City Clerk be authorized to call for bids for incandescent lamps for the year ending June 30, 1943 in an amount not to exceed \$1100 00; said bids to be opened at the regular council meeting of June 24, 1942.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 17th day of June, 1942 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 EIMER J. BLUM, CITY CLERK

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RESOLUTION NO. 5632-N.S.

A RESOLUTION GRANTING REQUEST OF NAVY MOTHERS CLUB TO BUILD SHELTERS

---oOo---

WHEREAS, pursuant to the request of the Navy Mother's Club to build shelters in and near the City of Modesto, and

WHEREAS they have obtained permission from the California Highway Commission to build said shelters

BE IT HEREBY RESOLVED that permission be granted to said Navy Mother's

Club to build one shelter at the north entrance to the City on the 99 Highway and one at the south entrance to the City on the 99 Highway.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 17th day of June, 1942 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

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RESOLUTION NO. 5633-N.S.

A RESOLUTION APPOINTING MRS. MARGARET BACON ON PARK COMMISSION TO FILL THE UNEXPIRED TERM OF THE LATE HOWARD KEELEY

---oOo---

BE IT HEREBY RESOLVED that Mrs. Margaret Bacon be appointed a member of the Park Commission of the City of Modesto to fill the unexpired term of the late Howard Keeley; said term to terminate on May 10, 1943.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 17th day of June, 1942 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

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RESOLUTION NO. 5634-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 June, 1942 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

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RESOLUTION NO. 5635-N.S.

A RESOLUTION AWARDED BID ON ADVERTISING AND PUBLICATIONS FOR THE FISCAL YEAR ENDING JUNE 30, 1943

---oOo---

WHEREAS, pursuant to advertising for bids on Advertising and Publications for the fiscal year ending June 30, 1943, and

WHEREAS, one bid was received from the The Modesto Bee, and

WHEREAS, said bidder is a responsible bidder

The

BE IT HEREBY RESOLVED that bid be awarded to the/Modesto Bee at prices set forth in bid.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of June, 1942 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

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RESOLUTION NO. 5636-N.S.

A RESOLUTION AWARING BID FOR INCANDESCENT LAMPS TO THE WILLE ELECTRIC COMPANY

----oOo---

WHEREAS, pursuant to advertising for bids on incandeseent lamps for the City of Modesto for the year ending June 30, 1943, and

WHEREAS, the City Clerk reports one bid having been received, and

WHEREAS said bid was made by a responsible bidder

BE IT HEREBY RESOLVED that the bid of the Wille Electric Company be and it is hereby accepted and the City Clerk and Mayor are hereby appointed signatory officials of agreement.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of June, 1942 by Commissioner Burge, who moved its adotion, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST ELMER J. BLUM, CITY CLERK

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RESOLUTION NO. 5637-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 STREETS OF MAJOR IMPORTANCE

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 fiscal year 1943 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, and desires to approve the same;

THEREFORE, be it resolved by the City Council of the City of Modesto that said agreement for expenditure of 1/4 cent gas tax allocated for streets of major importance other than State Highways be and the same is hereby approved and the Mayor and City Clerk are directed to sign the same on behalf of said City.

ADOPTED this 24th day of June, 1942

CARL W. SHANNON, Mayor of the City of Modesto

Attest: Elmer J. Blum, City Clerk of the City of Modesto

I hereby certify that the foregoing resolution was duly and regularly passed by the City Council of the City of Modesto at a regular meeting thereof held June 24, 1942.

ELMER J. BLUM, CLERK OF THE CITY OF MODESTO

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RESOLUTION NO. 5638-N.S.

A RESOLUTION AUTHORIZING RENEWAL OF CONTRACT WITH THE MODESTO GARBAGE COMPANY

---oOo---

BE IT HEREBY RESOLVED that contract for the care of the Municipal dumping ground be and it is hereby renewed for a period of three years from July 1, 1942 with the Modesto Garbage Company, and

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

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of June, 1942 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

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RESOLUTION NO. 5639-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 June, 1942 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

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RESOLUTION NO. 5640-N.S.

A RESOLUTION AUTHORIZING THE CITY ENGINEER TO COLLECT SCRAP RUBBER OF THE CITY OF MODESTO AND TURN IT OVER TO THE RUBBER SALVAGE COMMITTEE

---oOo---

BE IT HEREBY RESOLVED that the City Engineer be authorized to collect scrap rubber not in use by the City of Modesto and turn it over to the Rubber Salvage Committee.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 1st day of July, 1942 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

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RESOLUTION NO. 5641-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 July, 1942 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

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RESOLUTION NO. 5642-N.S.

A RESOLUTION AUTHORIZING THE CITY CLERK TO SECURE BINDER FOR WAR DAMAGE INSURANCE ON CITY OWNED PROPERTY UNTIL SURVEY CAN BE MADE OF THE COST OF INSURANCE

---oOo---

BE IT HEREBY RESOLVED that the City Clerk be and he is hereby authorized to contact the Modesto Insurance Agent's Association and secure a binder for War Damage Insurance on city property until such time as survey can be made to determine the cost of insurance to the City of Modesto.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of July, 1942 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

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RESOLUTION NO. 5643-N.S.

A RESOLUTION ALLOWING CLAIMS FOR MONTH OF JUNE, 1942

---oOo---

WHEREAS, THE claims against the City of Modesto for the month of June, 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-----	\$28,305.91
WATER FUND-----	5,229.60
LIBRARY FUND-----	1,981.94

BOND RED. INT. FUND----- 500.00

TOTAL \$36,017.45

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of July, 1942, 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

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RESOLUTION NO. 5644-N.S.

A RESOLUTION AUTHORIZING THE CITY ENGINEER TO APPLY TO THE WAR PRICE AND RATIONING BOARD TO PURCHASE AUTOMOBILE FOR THE PUBLIC WORKS DEPARTMENT

---oOo---

BE IT HEREBY RESOLVED that the City Engineer be and he is hereby authorized to apply to the War Price and Rationing Board for permit to purchase a new automobile to be used in the Public Works Department.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of July, 1942 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

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RESOLUTION NO. 5645-N.S.

A RESOLUTION RESCINDING RESOLUTION NO. 2192-N.S. AND RESOLUTION NO. 5347-N.S., AND FIXING THE WAGE SCALE FOR COMMON 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, 1942;

- .575 dollars per hour for the first six months of employment;
- .625 dollars per hour for the ensuing six months of employment;
- .675 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, .625 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 .675 dollars per hour. Said laborers shall receive the raise in hourly pay provided by 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 laborer 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 8th day of July, 1942 by Councilman Bates, 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

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RESOLUTION NO. 5646-N.S.

A RESOLUTION ADOPTING CIVIL SERVICE SALARY SCHEDULE FOR THE CITY OF MODESTO AND RESCINDING RESOLUTION NO. 5346-N.S. ENTITLED: "A RESOLUTION ADOPTING CIVIL SERVICE SALARY SCHEDULE FOR THE CITY OF MODESTO".

---oOo---

BE IT HEREBY RESOLVED that the following wage schedule be adopted for the employees of the City of Modesto under Civil Service:

SALARY RANGE No.	Start-ing Rate	First Adj.	Second Adj.	Third Adj.	Fourth Adj.	Max.	Included in Classification.
1	\$90	\$95	\$100	\$105		\$110	Typist Clerk Stenographer Clerk
2	110	115	120	130		140	Food & Drink Inspector Secretary (Police (Public Works
3	130	135	140	145		150	Assist. Cashier Clerk Groundsman Construction Laborer Storekeeper & Serviceman Pump Operator, Grade 2
4	135	140	145	150		155	Park Supervisor Tree Trimmer Asst. Water Service Foreman Engineering Aid Traffic Line Painter Assistant Sewage Plant Operator Equipment Operator Grade 2 Nurseryman Pipe Fitter
5	140	145	150	155		160	Secretary-Clerk Sewage Plant Operator Street Repair Foreman Cashier Clerk
6	150	155	160	165		170	Auto Mechanic Greenskeeper Pump Operator Grade 1
7	155	160	165	170		175	Asst. Supt. Construction Equipment Operator Grade 1
8	150	160	165	170	175	180	Patrolman Traffic Officer Fire Dept. Driver
9	160	165	170	175		180	Horticulturist Deputy License Collector & Auditor
10-	165	170	175	180		185	Draftsman Senior Engineering Aid Assistant Surveyor
11	170	175	180	185		190	Water Service Foreman Machinist
12	175	180	185	190		190	Fire Dept. Operator Plumbing Inspector
13	170	180	185	190		195	Lineman Electrician
14	180	185	190	195		200	Electric Inspector Fire Alarm Technician
15	185	190	195	200		205	Assistant Superintendent Corp. Yds. Assist. Supt. of Streets Assit. Supt. of Parks Supt. of Construction

16	190	195	200	205	210	Asst. Bldg. Inspector Surveyor Chief Draftsman Police Sergeant 2nd Asst. Fire Chief
17	200	205	210	215	220	Planning Engr. Asst. Supt. Electricity
18	210	215	220	225	230	1st. Asst. Fire Chief Police Captain
19	205	215	225	235	245	Sanitary Inspector
20	275	285	295	305	315	Asst. City Engineer
21	65	70	75	80	85	Limitd. Laborer

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of July, 1942 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

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RESOLUTION NO. 5647-N.S.

A RESOLUTION ADOPTING BUDGET FOR FISCAL YEAR 1942-1943

---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, 1942 and ending June 30, 1943, 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 correct and revised, said revision to be effective as of July 1, 1942, reference being made to the original copies now on file in the City Clerks office for greater detail.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of July, 1942 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

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RESOLUTION NO. 5648-N.S.

A RESOLUTION AUTHORIZING THE CITY CLERK TO WRITE TO THE STATE EMPLOYEE'S RETIREMENT SYSTEM AND OBTAIN COST OF ACTUARIAL SURVEY

---oOo---

BE IT HEREBY RESOLVED that the City Clerk be and he is hereby authorized to write to the State Employee's Retirement System and obtain the cost of the City for an actuarial survey.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of July, 1942 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

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RESOLUTION NO. 5649-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 July, 1942 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

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RESOLUTION NO. 5650-N.S.

A RESOLUTION AUTHORIZING FINAL PAYMENT TO STANDARD MATERIALS COMPANY FOR PAVING OF D STREET IN THE CITY OF MODESTO

---oOo---

WHEREAS, pursuant to report on file with the City Clerk from the City Engineer that 35 days had elapsed since acceptance by the Council of the contract for paving D Street from Ninth Street to Fourteenth Street from the Standard Materials Company and

WHEREAS, no liens have been filed against the said Standard Materials Company

BE IT HEREBY RESOLVED that final payment on contract to the said Standard Materials Company on paving of D Street be and it is hereby authorized and the City Auditor be authorized to draw a warrant in amount \$3423.94 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 July, 1942 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

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RESOLUTION NO. 5651-N.S.

A RESOLUTION AUTHORIZING THE CITY CLERK TO ADVERTISE FOR BIDS ON AUTO FOR PUBLIC WORKS DEPARTMENT

---oOo---

BE IT HEREBY RESOLVED that the City Clerk be and he is hereby authorized to advertise for bids on auto to be used by the Public Works Department of the City of Modesto. Said bids are to be opened at the regular Council Meeting held on Wednesday

July 22, 1942.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 15th day of July, 1942 by Commissioner Bates, 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 ELMER J. BLUM, CITY CLERK

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RESOLUTION NO. 5652-N.S.

A RESOLUTION ESTABLISHING LOADING ZONE

---oOo---

WHEREAS, under and by virtue of the terms of Ordinance No. 544-N.S. of the City of Modesto, the Council of said City is empowered by resolution to enforce the provisions of said ordinance as to parking limits, creating of loading zones, etc., by placing appropriate signs calling to the attention of the public that said ordinance is to be enforced in the area where said signs appear; and,

WHEREAS, it appears to said City Council that a loading zone should be established in the following described area;

- (1) Beginning on the Southwesterly curb of 10th Street at a point 40.5" feet Northwesterly from its intersection with the Southeasterly property line of Block 52, extended and produced; thence Northwesterly along said curb, a distance of 50 feet.
- (2) Beginning on the Northwesterly curb of E Street at a point 4 feet Southwesterly from its intersection with the Northeasterly property line of Block 52 extended and produced; thence Southwesterly along said curb, a distance of 45 feet.

NOW, THEREFORE, BE IT RESOLVED AND DECLARED that the hereinabove described area shall be and it is hereby designated as a loading zone.

BE IT FURTHER RESOLVED, that vehicles may park in said area for a period of twenty (20) consecutive minutes and no longer for the purpose of loading and unloading materials, merchandise, equipment and goods.

This resolution shall not be effective until the City Engineer of the City of Modesto has established proper signs, symbols or markers in said area, calling to the attention of the public the fact that the herinabove described area is a loading zone.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 15th day of July, 1942, by Councilman Stanley, who moved its adoption, which motion being duly seconded, it was upon roll call carried and adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST ELMER J. BLUM, CITY CLERK

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RESOLUTION NO. 5653-N.S.

A RESOLUTION AUTHORIZING THE CITY ENGINEER TO ENDEAVOR TO SECURE LOWER PRICE ON OPTIONS FOR RIGHT OF WAY FOR WIDENING OF JENNIE STREET IN THE CITY OF MODESTO

---oOo---

BE IT HEREBY RESOLVED that the City Engineer be and he is hereby authorized to endeavor to secure a lower price on options for purchase of property for the widening of Jennie Street, in the City of Modesto.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 15th day of July, 1942 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

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RESOLUTION NO. 5654-N.S.

A RESOLUTION GRANTING PERMIT TO THE CALIFORNIA STATE GUARD TO USE THE MODESTO MUNICIPAL BASEBALL FIELD FOR DRILLING

---oOo---

BE IT HEREBY RESOLVED that the California State Guard be permitted to use the Baseball Park, known as the Municipal Baseball Field for drilling one night a week providing it does not conflict with the games held by the Softball Association and also providing that permit will be revoked if any damage is done to the Baseball Field.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 15th day of July, 1942 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

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RESOLUTION NO. 5655-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 July, 1942 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. 5656-N.S.

A RESOLUTION AUTHORIZING THE ENTERING INTO AN AGREEMENT WITH THE STATE PERSONNEL BOARD FOR GIVING OF CIVIL SERVICE EXAMINATIONS FOR THE CITY OF MODESTO

---oOo---

BE IT HEREBY RESOLVED that the agreement with the State Personnel Board for giving of civil service examinations for the City of Modesto be and it is hereby approved and the Mayor be appointed as signatorial officials

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of July, 1942 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

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RESOLUTION NO. 5657-N.S.

A RESOLUTION RESCINDING RESOLUTION NO. 5481-N.S. AND A PORTION OF RESOLUTION NO. 5600-N.S. OF THE CITY OF MODESTO

---oOo---

WHEREAS, by the regular schedule of raises instituted by the City Council of the City of Modesto applicable to practically all employees of the said City of Modesto, the salaries of A. O. Carley, F. L. Olcott, Marian Zumwalt and Thelma Erickson, of the Department of Public Works, have been increased; and,

WHEREAS, some conflict might arise by reason of the fact that said employees had increased wages granted to them by Resolution No. 5481-N.S. referred to thereafter in an amendment to Resolution No. 5600-N.S.

NOW, THEREFORE, to clarify said situation, IT IS HEREBY RESOLVED AS FOLLOWS, TO-WIT:

That said Resolution No. 5481-N.S. and that portion of Resolution No. 5600-N.S. referring to increase in salaries of the said employees are hereby rescinded.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of July, 1942 by Councilman Bates, 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

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RESOLUTION NO. 5658-N.S.

A RESOLUTION ORDERING CITY CLERK TO WITHHOLD A PORTION OF CITY EMPLOYEES' SALARIES AS AUTHORIZED BY SAID EMPLOYEES, ORDERING CITY TREASURER TO OPEN A BANK ACCOUNT WITH SAID FUND SO ACCUMULATED, AND TO PURCHASE UNITED STATES BONDS THEREWITH.

-----oOo---

WHEREAS, the United States Treasury has requested that some method be worked out whereby employees of the City of Modesto will sign authorizations for the

City Clerk of said City to withhold a portion of said City employees' salaries each pay day for the purchase of United States War Bonds: and,

WHEREAS, the Council of the City of Modesto has no power to withhold any portion of the wages or salaries of City employees for said purpose, and/or to order the City Clerk of said City to withhold such moneys, and can do so only when and if said City employees sign a document or statement authorizing the City Clerk of said City to withhold a portion of said City employees' wages or salaries:

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

That when and if the City employees of the City of Modesto sign and leave with the Clerk of the City of Modesto an authorization for said City Clerk to withhold such amount each pay day of the salary or wages owed by the City of Modesto to City employees as set forth in said authorization by said employee, said City Clerk is authorized to withhold from said salary or wages the amount consented to by said City employee. Said City Clerk is instructed and ordered to turn said moneys over to the City Treasurer of the City of Modesto and said City Treasurer is then ordered and authorized to open a bank account in said City depositing therein the moneys withheld by said City Clerk aforesaid, to keep accurate records of the amount deposited on behalf of each of said City employees, and to buy United States War Bonds issued by the United States Government for the prosecution of the present war, and to deliver said bonds to the rightful owner thereof.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of July, 1942 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

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RESOLUTION NO. 5659-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 July, 1942 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

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RESOLUTION NO. 5660-N.S.

A RESOLUTION AUTHORIZING CONTRACT WITH THE STATE EMPLOYEES' RETIREMENT SYSTEM FOR SERVICES OF A CONSULTING ACTUARY

---oOo---

BE IT HEREBY RESOLVED that the City of Modesto enter into an agreement with the State of California Employees' Retirement System for the services of a consulting actuary at a cost of \$225.00,

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 5th day of August, 1942 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

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RESOLUTION NO. 5661-N.S.

A RESOLUTION CANCELLING CONTRACT FOR ELECTRIC ENERGY AT THE REMOTE CONTROL QUARTERS AT THE MODESTO MUNICIPAL AIRPORT WITH THE DEPARTMENT OF COMMERCE, CIVIL AERONAUTICS ADMINISTRATION

---oOo---

BE IT HEREBY RESOLVED that the contract between the City of Modesto and the Department of Commerce, Civil Aeronautics Administration for electric energy at the Remote Control Quarters at the Modesto Municipal Airport be and it is hereby cancelled as of July 10, 1942, and

BE IT FURTHER RESOLVED that the Acting Mayor be appointed as signatory official for cancellation endorsement of said contract No. CAA6-200

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

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RESOLUTION NO. 5662-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 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, Acting Mayor Stanley

Noes: Councilmen: None

Absent: Mayor Shannon

ATTEST ELMER J. BLUM, CITY CLERK

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RESOLUTION NO. 5663-N.S.

A RESOLUTION ACCEPTING BID OF H. S. FRANCE ON AUTOMOBILE FOR THE PUBLIC WORKS DEPARTMENT OF THE CITY OF MODESTO

---oOo---

WHEREAS, pursuant to referring of bids on automobile for the public Works Department to a committee for tabulation and recommendation, and

WHEREAS, the committee reports that the bid of H. S. France on a 1942 Hudson 6 four door sedan, less trade in on 1936 Hudson Sedan, making a total due of \$1000.00, is the lowest and best bid

BE IT HEREBY RESOLVED that the bid of said H.S. France be and it is hereby accepted and the 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 6th day of August, 1942 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, Acting Mayor Stanley

Noes: Councilmen: None

Absent: Mayor Shannon

ATTEST ELMER J. BLUM, CITY CLERK

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RESOLUTION NO. 5664-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 August, 1942 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

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RESOLUTION NO. 5665-N.S.

A RESOLUTION AUTHORIZING THE RECREATION COMMISSION TO HANDLE DEFENSE RECREATION

---oOo---

WHEREAS, pursuant to communication from the Modesto City Recreation Commission requesting that the Council designate the Recreation Commission as the official agency to handle defense recreation and to appoint sub-committees to carry out the details in the City of Modesto to coordinate the recreational activities for the Army Base Hospital and its personnel.

BE IT HEREBY RESOLVED that the Modesto Recreation Commission be granted this privilege and they are hereby authorized to handle all defense recreation funds and projects 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 12th day of August, 1942 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. 5666-N.S.

A RESOLUTION ALLOWING CLAIMS FOR MONTH OF JULY, 1942

---oOo---

WHEREAS, the claims against the City of Modesto for the month of July, 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-----	\$36,609.20
WATER FUND-----	6,088.93
LIBRARY FUND-----	1,615.78
BOND REDEMPTION INT. FUND-----	4,150.00
ST. BOND RED. INT. FUND-----	3,383.92
SPECIAL GAS TAX FUND-----	<u>245.81</u>
	\$52,093.64

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of August, 1942 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

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RESOLUTION NO. 5667-N.S.

A RESOLUTION GRANTING REQUEST OF SYLVESTER MCGLOTHEN TO BUILD ADDITIONAL BUILDING AT 402 5th STREET IN THE CITY OF MODESTO

---oOo---

WHEREAS, pursuant to communication from the Planning Commission of the City of Modesto advising the Council that Sylvester McGlothen had requested permission to construct an additional building in the rear of 402 5th Street, and

WHEREAS, they have approved request with the provision that the plans, when completed, be approved by the City Engineer's office on behalf of the Commission as to exterior appearance.

BE IT HEREBY RESOLVED that permission be granted to said Sylvester McGlothen under the above provisions, to build an additional building in the rear of 402 5th Street.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of August, 1942 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. 5668-N.S.

A RESOLUTION GRANTING PETITION OF B. SHULMAN TO OPERATE A BUSINESS IN THE RESIDENCE ZONE AT 117 MAZE BOULEVARD

---oOo---

WHEREAS, pursuant to the filing of petition with the Council by B. Shulman to conduct a second hand furniture and tool business at 117 Maze Boulevard, being Block 418, lots 5 and 6 and it appearing from affidavits on file that a notice setting forth a time for hearing any and all protests to the granting of the petition as prayed for, and this being the time set forth, and

WHEREAS the City Clerk reports that no protests either oral or written have been officially filed, and

WHEREAS the Planning Commission have notified the Council they approved of granting this request with the following provisions:

- 1-That any building which may be constructed in the future shall set back from the front property line in accordance with the request of the California State Highway Department, this distance being approximately 21.35 feet.
- 2-That no merchandise be kept, stored or displayed outside of any building
- 3-That no sign or signs be erected or constructed on the lot or placed upon or attached to any building larger than that sign now existing on the front of Mr. Shulman's present place of business at Tenth and E Streets.

NOW, BE IT HEREBY RESOLVED, that request be granted to B. Shulman providing he complied with the provisions as set forth above by the Planning Commission.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th of August, 1942 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

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RESOLUTION NO. 5669-N.S.

WHEREAS, the City Engineer from time to time must sign certain forms required by the government before certain supplies needed by the City of Modesto may be purchased; and

WHEREAS, heretofore said Engineer has been authorized by the City Council of the City of Modesto to sign certain forms designated in said resolution so empowering him; and,

WHEREAS, said forms from time to time are changed to the end that the resolution designating the forms to be signed by said Engineer is no longer effective;

NOW THEREFORE, it is hereby resolved that the said City Engineer is hereby empowered to sign such forms as may be necessary to enable his department or the City as a whole to make such purchases as may be necessary for the welfare of the said 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 12th day of August, 1942, 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

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RESOLUTION NO. 5670-N.S.

A RESOLUTION APPROVING AGREEMENT WITH IAN MACDONALD FOR THE SUPERVISION OF THE MODESTO MUNICIPAL GOLF COURSE

---oOo---

BE IT HEREBY RESOLVED that agreement between the City of Modesto and Ian Macdonald for supervision of the Modesto Municipal Golf Course be and it is hereby approved and the Mayor and Auditor be appointed signatory officials.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of August, 1942 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

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RESOLUTION NO. 5671-N.S.

A RESOLUTION DECLARING BUILDING AT 706-7th STREET OWNED BY LANGDONMERLE COMPANY A PUBLIC NUISANCE AND ORDERING THE CITY ATTORNEY TO INSTITUTE ABATEMENT PROCEEDINGS

---oOo---

BE IT HEREBY RESOLVED that the building owned by the Langdonmerle Company at 706 7th Street, be and it is hereby declared a public nuisance and the City Attorney is hereby ordered to institute abatement proceedings.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of August, 1942, 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

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RESOLUTION NO. 5672-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 August, 1942 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

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RESOLUTION NO. 5673-N.S.

A RESOLUTION CANCELLING CONTRACT FOR WATER AT THE MUNICIPAL AIRPORT WITH THE DEPARTMENT OF COMMERCE, CIVIL AERONAUTICS ADMINISTRATION

---oOo---

WHEREAS, pursuant to communication from the Department of Commerce, Civil Aeronautics Administration asking that contract No. C6ca-273 for water furnished to United States Airways Communication Station at Modesto Municipal Airport be cancelled

BE IT HEREBY AUTHORIZED that contract be and it is hereby cancelled as of July 10, 1942 and the City Clerk is hereby appointed signatory official to cancellation endorsement.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 19th day of August, 1942 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

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RESOLUTION NO. 5674-N.S.

A RESOLUTION AUTHORIZING RENEWAL OF LEASE WITH R. M. FRANCE AND THE CITY OF MODESTO FOR DWELLING AT 1500 I STREET

---oOo---

BE IT HEREBY RESOLVED that lease with R. M. France and the City of Modesto for dwelling located at 1500 I Street be and it is hereby renewed as of September 4, 1942 at a monthly rental of \$35.00.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 19th day of August, 1942 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

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RESOLUTION NO. 5675-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 August, 1942 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

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RESOLUTION NO. 5676-N.S.

A RESOLUTION RESCINDING RESOLUTIONS NO. 792-S.P. AND NO. 229-RESOLUTION OF INTENTION OF THE CITY OF MODESTO

---oOo---

WHEREAS, two resolutions numbered 792-S.P. and No. 229 Resolution of Intention, have heretofore been passed by the City Council of the City of Modesto, Which resolutions pertain to the closing up and vacting of the northwesterly 17.48 feet of the alley in Block 129 of the City of Modesto, and

WHEREAS verbal protests were made to the closing of a portion of said alley, and

WHEREAS the purpose it was intended to be closed for no longer exists

BE IT HEREBY RESOLVED that said resolutions of the City of Modesto, and each of them be, and the same are hereby rescinded and declared null and void and of no effect.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of August, 1942 by Commissioner Bates, ~~who moved 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

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RESOLUTION NO. 5677-N.S.

A RESOLUTION APPOINTING THE CITY CLERK AS SIGNATORY OFFICIAL ON CONTRACT BETWEEN THE CITY OF MODESTO AND THE FIRM OF COATES AND HERFURTH, CONSULTING ACTUARIES

---oOo---

BE IT HEREBY RESOLVED that Elmer J. Blum, City Clerk of the City of Modesto be appointed signatory official on contract between the City of Modesto and the firm of Coates and Herfurth, Consulting Actuaries for determining approximate contribution which would be required of the City of Modesto by its participation in the State Employees' Retirement system

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of August, 1942 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

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RESOLUTION NO. 5678-N.S.

A RESOLUTION COMMENDING TURLOCK CHEMURGIC CORPORATION PLANT FOR ITS EXCELLENT  
WORK IN FURTHERING THE WAR EFFORT

---oOo---

WHEREAS, the Turlock Chemurgic Corporation Plant has been selected to receive the Army-Navy award for its efficiency in producing for the present war effort; and

WHEREAS, production by the Citizenry is essential to a successful prosecution of the present war, and without such production the United States and its Allies cannot win said war; and

WHEREAS, the Turlock Chemurgic Corporation plant has by its loyal cooperation with the United States government, contributed to ultimate victory for the allied Nations; and

WHEREAS, many of the employees of said plant are residents of Modesto, and for that reason and the further reason that the City of Turlock is a sister city of City of Modesto, and the relations between the two are most friendly and cordial;

NOW THEREFORE, be it hereby resolved that the City Council of the City of Modesto, does by this resolution commend the said CHEMURGIC CORPORATION PLANT OF TURLOCK and its loyal employees, and does hereby congratulate said plant and its employees in achieving the high honors to be bestowed upon it by the Army and Navy of the United States.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto, held on the 26th day of August, 1942 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

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RESOLUTION NO. 5679-N.S.

A RESOLUTION APPOINTING DELEGATES TO CONVENTIONS

---oOo---

BE IT HEREBY RESOLVED, that Harry Moore, Assistant Electrical Inspector, be appointed as delegate to convention of the International Electrical Inspectors Convention which is being held in Fresno, September 21, 22, 23, 1942, and

BE IT RESOLVED that the City Clerk and Auditor be authorized to draw warrant payable to said Harry Moore for \$25.00 to be used by him as expenses and

BE IT FURTHER RESOLVED that C. L. Baker be appointed as delegate to the convention of the Pacific Coast Building Officials conference, which is being held in Reno, October 6, 7 and 8th, 1942 and the City Clerk and Auditor be authorized to draw warrant payable to said C. L. Baker in the amount of \$50.00 to be used by him as expenses.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of August, 1942 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 EIMER J. BLUM, CITY CLERK

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RESOLUTION NO. 5680-N.S.

A RESOLUTION ACCEPTING RESIGNATION OF ELMER HORAN FROM THE POLICE DEPARTMENT OF THE CITY OF MODESTO

---oOo---

BE IT HEREBY RESOLVED that the resignation of Elmer Horan from the Police Department of the City of Modesto be and it is hereby accepted as of August 23, 1942.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of August, 1942 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

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RESOLUTION NO. 5681-N.S.

A RESOLUTION APPOINTING DELEGATES TO CONVENTION OF LEAGUE OF CALIFORNIA CITIES

---oOo---

BE IT HEREBY RESOLVED that the City Attorney, Robert B. Fowler, City Engineer, Frank J. Rossi, Sanitary Inspector, Mark Landquist, City Clerk, Elmer J. Blum, Treasurer & Collector, W. B. Devlin and Don Davis, Planning Engineer be appointed as delegates to the League of California Cities convention to be held in Los Angeles on September 21 to 24 inc, 1942, and

BE IT FURTHER RESOLVED that the City Clerk and Auditor be authorized to draw warrants payable to individual listed above for the sum of \$50.00 with the exception of Don Davis, which will be for \$25.00 to be advance on expenses.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of August, 1942 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 EIMER J. BLUM, CITY CLERK

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RESOLUTION NO. 5682-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 26th day of August, 1942 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

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RESOLUTION NO. 5683-N.S.

A RESOLUTION ALLOWING CLAIM OF THE STANISLAUS ABSTRACT AND ESCROW COMPANY FOR \$612.61 FOR TITLE WORK ON TAX DEED LANDS IN THE CITY OF MODESTO

---oOo---

BE IT HEREBY RESOLVED that the claim of the Stanislaus Abstract and Escrow Company for \$612.61 for title work on Tax Deed lands in the City of Modesto be and it is hereby allowed and the Clerk and Auditor is hereby authorized to draw warrant in payment of said claim.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 2nd day of September, 1942 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

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RESOLUTION NO. 5684-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 2nd day of September, 1942 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

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RESOLUTION NO. 5685-N.S.

A RESOLUTION ALLOWING CLAIMS FOR MONTH OF AUGUST, 1942

---oOo---

WHEREAS, the claims against the City of Modesto for the month of August, 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-----	\$26,685.29
WATER FUND-----	5,402.93
LIBRARY FUND-----	1,340.77
BOND RED. & INT. FUND-----	18.75
ST. BOND RED. INT. FUND-----	1,091.86
SPECIAL GAS TAX-----	<u>220.69</u>
TOTAL	\$34,760.29

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of September, 1942 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

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RESOLUTION NO. 5686-N.S.

A RESOLUTION ALLOWING CLAIM OF \$23.52 TO H. M. LOVELESS FOR DAMAGE TO FURNITURE CAUSED BY PLACING OF WATER SPRINKLER BY CITY EMPLOYEE ON GOLF COURSE TOO CLOSE TO PREMISES AT 815 TUOLUMNE BOULEVARD

---oOo---

BE IT HEREBY RESOLVED, that claim of \$23.52 of H. M. Loveless for damage to furniture caused by placing of water sprinkler by city employee on Golf Course too close to premises at 815 Tuolumne Boulevard be and it is hereby allowed and the City Clerk and Auditor be 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 10th day of September, 1942 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

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RESOLUTION NO. 5687-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 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 shall be installed at the following places designated:

- 1-At the northeast corner of Morris and Sycamore Avenues, stopping traffic entering Sycamore Avenue
- 2-At the southeast corner of Sycamore and Morris Avenues, stopping traffic entering Sycamore Avenue
- 3-At the southwest corner of Morris and Sycamore Avenues, stopping traffic entering Sycamore Avenue
- 4-At the northwest corner of Sycamore and Morris Avenues, stopping traffic entering Morris Avenue

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto, held on the 10th day of September, 1942 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

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RESOLUTION NO. 5688-N.S.

A RESOLUTION GRANTING PERMIT TO HOWARD SMITH FOR BUSINESS IN A RESIDENCE ZONE

---oOo---

WHEREAS, pursuant to the filing of petition with the Council by Howard Smith for permit to operate and maintain a drapery and interior decoration business on property known as 440 Hackberry Avenue, being lot 1, Block 523 of the City of Modesto and it appearing from affidavits on file that a notice setting forth a time for hearing any and all protests to the granting of the petition as prayed for, and this being the time set forth, and

WHEREAS the City Clerk reports that no protest either oral or written have been officially filed:

THEREFORE, BE IT RESOLVED that permission be and the same is hereby granted, with the understanding that all provisions of the report of the Planning Commission be complied with as well as all provisions relative to building permit fees and that no signs be erected larger than one foot square, which sign shall be attached to the building.

The foregoing resolution was introduced at a regular meeting of the

Council of the City of Modesto held on the 10th day of September, 1942 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

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RESOLUTION NO. 5689-N.S.

A RESOLUTION ACCEPTING OFFER OF MODESTO MOTORCYCLE CLUB, A CORPORATION OF \$100.00 FOR BLOCK F, LESS 17 FEET STRIP DEEDED IN THE CITY OF MODESTO IN ACCORDANCE WITH SECTION 35 OF ORDINANCE NO. 396-N.S. AS AMENDED BY ORDINANCE NO. 568-N.S.: AUTHORIZING THE TAX COLLECTOR TO PREPARE DEED FOR DELIVERY AND AUTHORIZING CITY AUDITOR TO CANCEL ALL TAXES LEVIED AND ASSESSED PRIOR TO MARCH 7, 1942.

---oOo---

WHEREAS, in accordance with section 35 of Ordinance No. 396-N.S., as amended by Ordinance No. 568-N.S., it appears to the Council of the City of Modesto that it would be for the best interest and welfare of the City that Block F, less 17 feet strip deeded of the City of Modesto acquired by tax deed as provided by Ordinance No. 396-N.S. be sold at private sale, and

WHEREAS, the Modesto Motorcycle Club, A corporation have offered to purchase said property for the sum of \$100.00, same to be free and clear of all city taxes and assessments levied or assessed prior to the first Monday in March, 1942.

BE IT HEREBY RESOLVED that offer of \$100.00 be accepted for said property and the City Tax Collector be authorized to prepare a deed for delivery to aforesaid petitioner.

BE IT FURTHER RESOLVED that the property be and the same is hereby ordered sold, subject only to unpaid County and Irrigation taxes and the city taxes and special assessments on the first Monday in March, 1942 and subsequent thereto. The Mayor and Tax Collector of said City are hereby authorized and empowered to execute deeds and such other instruments conveying said property from the said City of Modesto to Modesto Motorcycle Club, a corporation.

BE IT FURTHER RESOLVED that the City Auditor be authorized to cancel all taxes levied and/or assessed prior to March 2, 1942 against this property.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on September 10, 1942 by Councilman Neece, who moved its adoption, which motion being duly seconded was carried by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST ELMER J. BLUM, CITY CLERK

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RESOLUTION NO. 5690-N.S.

A RESOLUTION GOVERNING DISPOSITION OF MONEY WITHHELD FROM CITY EMPLOYEES' SALARIES FOR PURCHASE OF UNITED STATES WAR BONDS UNDER CERTAIN CIRCUMSTANCES

WHEREAS, heretofore the City Council of the City of Modesto has authorized the City Treasurer of the City of Modesto to withhold a portion of City Employees' salaries with said employees' consent for use in the purchase of United States War Bonds for said employees; and

WHEREAS, on occasion when employees sever their connection with said City, an amount of money has been withheld from said employee's salary that is insufficient for the purchase of a war bond for said employee:

NOW, THEREFORE, BE IT RESOLVED that when and if an employee of said City of Modesto severs his or her connection with said City and moneys withheld by said Treasurer from said salary or salaries are insufficient to purchase a war bond for said employee, said Treasurer shall return such moneys so withheld to said employee quitting the service of the said City of Modesto.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of September, 1942, 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: Bates, Burge, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: EIMER J. BLUM, CITY CLERK

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RESOLUTION NO. 5691-N.S.

A RESOLUTION GRANTING ROBERT B. FOWLER LEAVE OF ABSENCE FROM THE POSITION OF CITY ATTORNEY OF CITY OF MODESTO FOR THE TIME SPECIFIED HEREIN.

----oOo---

WHEREAS, Robert B. Fowler, City Attorney of the City of Modesto, has been commissioned in the United States Naval Reserve; and,

WHEREAS, it is anticipated he will soon be called to duty in the armed forces of the United States of America:

NOW, THEREFORE, BE IT RESOLVED that a leave of absence is hereby granted to the said Robert B. Fowler for the period commencing with his report for duty in the United States Naval Reserve, said leave to continue and be in full force and effect until sixty (60) days after his discharge from said United States Naval Reserve.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of September, 1942, 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

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RESOLUTION NO. 5692-N.S.

A RESOLUTION APPOINTING R. R. FOWLER CITY ATTORNEY TO TAKE EFFECT WHEN ROBERT B. FOWLER REPORTS FOR DUTY IN THE ARMED SERVICE OF THE UNITED STATES OF AMERICA

----oOo---

WHEREAS, Robert B. Fowler, City Attorney of City of Modesto, has by resolution been granted a leave of absence, which leave of absence is to commence when the said Robert B. Fowler reports for duty in the United States Naval Reserve, and which leave is to continue until sixty (60) days after the said Robert B. Fowler is discharged from duty in said United States Naval Reserve; and,

WHEREAS, there must be an appointment made of some qualified attorney to occupy the position of City Attorney of the City of Modesto during the absence of the said Robert B. Fowler:

NOW, THEREFORE, BE IT HEREBY RESOLVED that R. R. Fowler, of the City of Modesto, County of Stanislaus, State of California, be and he is hereby appointed as City Attorney of the City of Modesto, to occupy said position from the time that the said Robert B. Fowler reports for duty in the United States Naval Reserve, which appointment shall continue in no event longer than sixty (60) days after the said Robert B. Fowler is discharged from the United States Naval Reserve.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of September, 1942 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

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RESOLUTION NO. 5693-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 September, 1942 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

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RESOLUTION NO. 5694-N.S.

A RESOLUTION ACCEPTING DEED FROM HAROLD H. HERRON ET UX ON LOT 1 BLOCK 626 OF THE LESLIE HUGH TRACT TO THE CITY OF MODESTO

---oOo---

BE IT HEREBY RESOLVED that deed from Harold H. Herron and Delma G. Herron, his wife be and it is hereby accepted on the following described property:

Lot 1 in Block 626 of the LESLIE HUGH TRACT, according to the "Amended Map of Leslie Hugh Tract" filed for record in the office of the County Recorder of Stanislaus County in Vol. 11 of Maps at page 20, on June 11, 1931.

BE IT FURTHER RESOLVED that the City Clerk is hereby authorized to

record said deed with the Stanislaus County Recorder,

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 16th day of September, 1942 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

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RESOLUTION NO. 5695-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 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

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RESOLUTION NO. 5696-N.S.

A RESOLUTION AUTHORIZING PAYMENT OF \$967.39 TO MODESTO INSURANCE AGENTS' ASSOCIATION FOR FIRE INSURANCE ON CITY PROPERTY

---oOo---

BE IT HEREBY RESOLVED that the claim of \$967.39 of the Modesto Insurance Agents' Association for fire insurance on city buildings be and it is hereby allowed and the City Clerk and Auditor is authorized to draw warrant in payment.

The foregoing resolution was introduced at a regular business meeting of the Council of the City of Modesto held at the 23rd day of September, 1942 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

ELMER J. BLUM, CITY CLERK

ATTEST ANNE M. COLLINS, ACTING ASSISTANT CITY CLERK

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RESOLUTION NO. 5697-N.S.

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

---oOo---

BE IT HEREBY RESOLVED that 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 entire Modesto Municipal Airport, together with improvements thereon, dated March 25th, 1942 be and it is hereby approved, and

BE IT FURTHER RESOLVED that the Mayor of said City of Modesto be and he is hereby appointed signatory official of said lease.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of September, 1942 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

BY ANNE M. COLLINS, ACTING ASSISTANT CITY CLERK

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RESOLUTION NO. 5698-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 September, 1942 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

ELMER J. BLUM, CITY CLERK,

ATTEST ANNE M. COLLINS, ACTING ASSISTANT CITY CLERK

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RESOLUTION NO. 5699-N.S.

A RESOLUTION AUTHORIZING PAYMENT OF WAR RISK INSURANCE PREMIUM

---oOo---

BE IT HEREBY RESOLVED that the City Clerk and Auditor be authorized to draw warrant in amount \$618.75 in payment of premium on War Risk insurance policy on city property to the Modesto Insurance Agents' Association upon approval of coverage by the City Engineer and Commissioner of Public Works.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 7th day of October, 1942 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. 5700-N.S.

A RESOLUTION APPROVING AGREEMENT WITH UNITED STATES OF AMERICA FOR FIRE PROTECTION FOR GOVERNMENT HOSPITAL, COMMONLY KNOWN AS "HAMMOND GENERAL HOSPITAL" FOR PERIOD OF ONE YEAR FROM OCTOBER 1, 1942

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BE IT AND IT IS HEREBY RESOLVED that renewing of contract of the City of Modesto with the United States of America for furnishing fire protection for United States Government Hospital, commonly known as "Hammond General Hospital", is hereby approved for a term of one year from October 1, 1942, at an annual fee of One (\$1.00) Dollar.

BE IT, AND IT IS HEREBY FURTHER RESOLVED that the Mayor of said City be and he is hereby authorized, empowered and directed to subscribe and execute said contract on behalf of said City, and the Auditor thereof is hereby authorized and directed to countersign said contract.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 7th day of October, 1942 by Councilman 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

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RESOLUTION NO. 5701-N.S.

A RESOLUTION ABANDONING TAXI STAND AT TENTH AND J STREETS OPERATED BY EDWARD HAWKINS

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BE IT HER BY RESOLVED that taxi stand at Tenth and J Streets, formerly operated by Edward Hawkins be and it is hereby ordered abandoned and the City Engineer is ordered to mark off space to be used for public parking.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 7th day of October, 1942 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

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RESOLUTION NO. 5702-N.S.

A RESOLUTION ACCEPTING RESIGNATION OF MARGARET GETTYS HALL FROM THE MODESTO CITY RECREATION COMMISSION AS OF OCTOBER 1, 1942

---oOo---

BE IT HEREBY RESOLVED that resignation of Margaret Gettys Hall from the Modesto City Recreation Commission as of October 1, 1942 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 7th day of October, 1942 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

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RESOLUTION NO. 5703-N.S.

A RESOLUTION APPOINTING JACK WHERRY MEMBER OF MODESTO CITY RECREATION COMMISSION AS OF OCTOBER 1, 1942 FOR UNEXPIRED TERM OF MARGARET GETTYS HALL

---oOo---

WHEREAS, pursuant to resignation of Margaret Gettys Hall from the Modesto City Recreation Commission as of October 1, 1942.

BE IT HEREBY RESOLVED that Jack Wherry be and he is hereby appointed member of the Modesto City Recreation Commission as of October 1, 1942 to serve until September 1, 1945, the unexpired term of said Margaret Gettys Hall.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 7th day of October, 1942 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

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RESOLUTION NO. 5704-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 October, 1942 by Commissioner Burge, who moved its adoption, which motion was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST ELMER J. BLUM, CITY CLERK

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RESOLUTION NO. 5705-N.S.

A RESOLUTION ALLOWING CLAIMS FOR THE MONTH OF SEPTEMBER, 1942

---oOo---

WHEREAS, the claims against the City of Modesto for the month of September, 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-----	\$25,549.43
WATER FUND-----	5,098.91
LIBRARY FUND-----	1,227.99
ST. BOND RED. INT. FUND-----	<u>108.62</u>
TOTAL	\$31,984.95

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of October, 1942 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

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RESOLUTION NO. 5706-N.S.

A RESOLUTION ALLOWING ADDITIONAL EXPENSE CLAIMS OF DELEGATES TO LEAGUE OF CALIFORNIA CONVENTION

---oOo---

WHEREAS, pursuant to Resolution No. 5681-N.S. allowing \$50.00 advance to each delegate to the League of California Cities convention held in Los Angeles for expenses, and

WHEREAS, reports of expenditures have been filed by Elmer J. Blum of \$53.50, W. B. Devlin, Treasurer of \$53.50, Frank J. Rossi of \$56.25 and Mark Landquist of \$53.36

BE IT HEREBY RESOLVED that the City Clerk and Auditor be authorized to draw warrants to said delegates for the amounts paid out by them over the amount advanced.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of October, 1942 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

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RESOLUTION NO. 5707-N.S.

A RESOLUTION DIRECTING THE CITY OFFICIALS TO ABIDE BY INSTRUCTIONS OF WAR MANPOWER COMMISSION IN EMPLOYING MEN

---oOo---

WHEREAS, pursuant to communication from the War Manpower Commission requesting that the City officials refuse to employ anyone who was employed on or after September 7, 1942 in a critical occupation in an essential

war production activity unless said person has in his possession certificate of separation from the United States Employment service

BE IT HEREBY RESOLVED that city officials be directed to abide by these instructions.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of October, 1942 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

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RESOLUTION NO. 5708-N.S.

A RESOLUTION AUTHORIZING ATTENDANCE OF DELEGATE TO PEACE OFFICERS' ASSOCIATION MEETING TO BE HELD IN LOS ANGELES, OCTOBER 22 to 24th, 1942

---oOo---

BE IT HEREBY RESOLVED that Chief of the Police Department or someone appointed by him be authorized to attend the meeting of the Peace Officers' Association to be held in Los Angeles, October 22nd to 24th, and

BE IT FURTHER RESOLVED that the City Clerk and Auditor be authorized to draw warrant in amount \$50.00, as advance expenses.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of October, 1942 by Commissioner Burge, who moved its adoption, which motion being duly seconded, it was upon roll call so finally adopted.

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

Noes: Councilmen: None

Absent: Mayor Shannon

ATTEST ELMER J. BLUM, CITY CLERK

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RESOLUTION NO. 5709-N.S.

A RESOLUTION ACCEPTING RESTRICTION AGREEMENT ON HAWKINS TRACT AND AUTHORIZING THE RECORDING OF SAME WITH STANISLAUS COUNTY RECORDER

---oOo---

WHEREAS, pursuant to referring of Restriction Agreement on Hawkins Tract to the City Planning Commission for investigation and recommendation, and

WHEREAS' said City Planning Commission have filed report approving agreement as presented and recommended it be accepted

BE IT HEREBY RESOLVED that agreement be accepted and the City Clerk be directed to record said document with the Stanislaus County Recorder.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of October, 1942 by Commissioner Bates, who moved its adoption, which motion being duly seconded, it was upon roll call 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. 5710-N.S.

A RESOLUTION ACCEPTING AUDIT OF ACCOUNTS OF THE CITY OF MODESTO FROM C. D. NATTINGER AND AUTHORIZING PAYMENT OF BILL OF \$350.00

---oOo---

BE IT HEREBY RESOLVED that audit of accounts of the City of Modesto for year ending June 30, 1942 from C. D. Nattinger, Certified Public Accountant be and it is hereby accepted and the City Clerk and Auditor is authorized to draw warrant in amount of \$350.00 in payment.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of October, 1942 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

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RESOLUTION NO. 5711-N.S.

A RESOLUTION RESERVING PARKING SPACE FOR THE U. S. MARINE CORPS AT 1009 I STREET IN THE CITY OF MODESTO

---oOo---

WHEREAS, pursuant to request from the United States Marine Corps for reserved parking space in front of their office at 1009 I Street,

BE IT HEREBY RESOLVED that request be granted and they be permitted to place removable traffic sign at parking space located as follows:

Beginning at a point on the northwesterly curb of I Street, and a distance of 90 feet northwesterly from the northeasterly property line of Tenth Street; northeasterly along said northwesterly curb of I Street, a distance of 9.50 feet

marked "Reserved for United States Marine Corps"

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of October, 1942 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, Acting Mayor Stanley

Noes: Councilmen: None

Absent: Mayor Shannon

ATTEST ELMER J. BLUM, CITY CLERK

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RESOLUTION NO. 5712-N.S.

A RESOLUTION GRANTING LEAVE TO HARRY C. FLEMING FOR SERVICE IN THE UNITED STATES NAVY

---oOo---

WHEREAS, Harry C. Fleming, a member of the Police Department of the City of Modesto, has enlisted in the armed forces of the United States of America; and,

WHEREAS, by reason thereof the said Harry C. Fleming must leave his duties as a member of said Police Department; and

WHEREAS, the said Harry C. Fleming has clearly demonstrated that he is a competent policeman 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 Harry C. Fleming 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 14th day of October, 1942 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, Acting Mayor Stanley

Noes: Councilmen: None

Absent: Mayor Shannon

ATTEST ELMER J. BLUM, CITY CLERK

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RESOLUTION NO. 5713-N.S.

A RESOLUTION ENDORSING COURSE FOR FOOD HANDLERS OFFERED BY THE MODESTO EVENING JUNIOR COLLEGE AND SPONSORED BY THE CITY AND COUNTY HEALTH DEPARTMENTS

---oOo---

WHEREAS, a course announced by the Modesto Junior College and sponsored by the City and County Health Departments on sanitation and subjects related to the control of communicable diseases and the interpretation of public health laws, as these are related to the production, processing, storage and handling of food and food products, is offered to the owners and employees of food establishments; and,

WHEREAS, this Council recognizes the importance of instruction and training in a program presented for the betterment of health:

NOW, THEREFORE, BE IT, AND IT IS HEREBY RESOLVED that the Council of the City of Modesto request and encourage all those engaged in the handling of foods to avail themselves of this offer.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of October, 1942 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, Bates, and Acting Mayor Stanley

Noes: None

Absent: Mayor Shannon

ATTEST ELMER J. BLUM, CITY CLERK

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RESOLUTION NO. 5714-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 on October 14, 1942 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

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RESOLUTION NO. 5715-N.S.

A RESOLUTION AUTHORIZING THE CITY ENGINEER TO ATTEND MEETINGS IN SAN FRANCISCO, CALIFORNIA

BE IT HEREBY RESOLVED that the City Engineer be and he is hereby authorized to attend meeting of the War Production Board in San Francisco, Thursday, October 22, 1942, the meeting of the sub-committee on Water Supply of the California State Council of Defense in San Francisco on October 27, 1942 and the meeting of the Water Works Association in Oakland, beginning October 28, 1942, with all expenses paid by the City of Modesto.

The foregoing resolution was introduced at a special meeting of October 21, 1942 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, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Stanley

ATTEST ELMER J. BLUM, CITY CLERK

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RESOLUTION NO. 5716-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 October, 1942 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, Acting Mayor Stanley

Noes: Councilmen: None

Absent: Mayor Shannon

ATTEST ELMER J. BLUM, CITY CLERK

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RESOLUTION NO. 5717-N.S.

A RESOLUTION GRANTING PERMIT TO SHADDEN & NEWSON TO OPERATE USED CAR LOT AT 911 G STREET IN THE CITY OF MODESTO

---oOo---

BE IT HEREBY RESOLVED that the petition of Shadden & Newson to operate a used car lot at 911 G Street, in the City of Modesto and that bond be approved as provided by Ordinance No. 514-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 October, 1942 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. 5718-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 October, 1942 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. 5719-N.S.

A RESOLUTION AUTHORIZING THE RENEWAL OF LEASE FOR OLD TIMERS CLUB WITH E. W. PARKER FOR TERM OF ONE YEAR

---oOo---

BE IT HEREBY RESOLVED that lease with F. W. Parker for Old Timer's Clubroom at 715½ Tenth Street be and it is hereby ordered renewed for a term of one year from November 18, 1942 at a monthly rental of \$10.00.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 4th day of November, 1942 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. 5720-N.S.

A RESOLUTION GRANTING PERMIT TO ELMER A MOWRY TO OPERATE A GROCERY STORE IN RESIDENCE DISTRICT AT 14th AND F STREETS, MODESTO, CALIFORNIA

---oOo---

WHEREAS, pursuant to referring of request of Elmer A. Mowry to operate a grocery store at 14th and F Streets to the Planning Commission for investigation and recommendation, and

WHEREAS, the Planning Commission has filed report approving the granting of petition to the said Elmer A. Mowry to operate a business in a residence zone

BE IT HEREBY RESOLVED that petition be granted as prayed for

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 4th day of November, 1942 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

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RESOLUTION NO. 5721-N.S.

A RESOLUTION GRANTING PERMIT TO RUTH WEBER TO OPERATE A BUSINESS IN A RESIDENCE DISTRICT

---oOo---

WHEREAS, pursuant to referring of request of Ruth Weber to operate a real estate office at 1115 13th Street in the residence district to the Planning Commission for investigation and recommendation, and

WHEREAS they have filed report approving the granting of petition with the Council

BE IT HEREBY RESOLVED that petition be granted to said Ruth Weber to operate a business in a residence zone.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 4th day of November, 1942 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

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RESOLUTION NO. 5722-N.S.

A RESOLUTION AUTHORIZING CITY ATTORNEY TO CONFER WITH BOARD OF SUPERVISORS OF STANISLAUS COUNTY AND BOARD OF DIRECTORS OF MODESTO IRRIGATION DISTRICT FOR PURPOSE OF HAVING SAID BOARDS, RESPECTIVELY CANCEL CERTAIN TAXES ON PORTION OF REAL PROPERTY KNOWN AS "MODESTO MUNICIPAL AIRPORT".

---oOo---

RESOLVED, that the City Attorney of the City of Modesto be and he is hereby authorized to confer with the Board of Supervisors of the County of Stanislaus and the Board of Directors of the Modesto Irrigation District and their respective attorneys, for the purpose of having said County of Stanislaus and said Modesto Irrigation District cancel and waive all taxes and claim for taxes (except as hereinafter set forth) for the fiscal year 1942-43, and during the time that the United States Government shall have its present leasehold on that certain real property belonging to the City of Modesto, known as the Modesto Municipal Airport.

That said cancellation and waiver of said taxes is sought for the reason that said City has leased said lands to the United States Government (with the exception of one hangar thereon leased to Hawke Crop Dusting Company), for the sum of \$1.00 per annum.

That said request for said cancellation and waiver of said taxes is not intended to apply and shall not apply to taxes levied or assessed against said hangar leased to said Hawke Crop Dusting Company, but as to said last metioned property it is desired that said taxes be apportioned in a just and equitable manner.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 4th day of November, 1942 by Councilman Bates, 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

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RESOLUTION NO. 5723-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 October, 1942 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

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RESOLUTION NO. 5724-N.S.

A RESOLUTION GRANTING PERMIT TO THE CALIFORNIA STATE HIGHWAY PATROL TO ERECT SIGN AT 1431 TENTH STREET, IN THE CITY OF MODESTO

---oOo---

WHEREAS, pursuant to request of Captain A. A. Morrison of the California State Highway Patrol to erect a sign between the sidewalk and curb in front of their office at 1431 Tenth Street,

BE IT HEREBY RESOLVED that permit be granted to the said California State Highway Patrol to install sign as requested.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of November, 1942 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. 5725-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 Lanhan Act,

NOW, THEREFORE, BE IT RESOLVED that the City of Modesto does make application for an allotment of federal funds in the amount of \$19,560.00 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 constituted a Defense Recreation Committee for the City of Modesto with powers and duties of supervising and directing defense recreational projects and/or activities 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 City of Modesto shall have the power to receive and administer and expend any federal funds received under the provision of 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 12th day of November, 1942 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 EIMER J. BLUM, CITY CLERK

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RESOLUTION NO. 5726-N.S.

A RESOLUTION ALLOWING CLAIMS FOR MONTH OF OCTOBER, 1942

---oOo---

WHEREAS, the claims against the City of Modesto for the month of October

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 detail relative to amounts of withdrawals from the various funds as follows:

GENERAL FUND-----	\$24,069.34
WATER FUND-----	3,879.61
LIBRARY FUND-----	1,142.02
BOND RED. INT. FUND-----	.42
ST. BOND RED. INT. FUND SPECIAL----	<u>16.77</u>
 TOTAL	 \$29,108.16

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of November, 1942 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

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RESOLUTION NO. 5727-N.S.

A RESOLUTION REQUESTING THE BOARD OF SUPERVISORS OF STANISLAUS COUNTY TO CANCEL 1942-43 TAXES ON LOT 64 SUNSET ACRES OWNED BY THE CITY OF MODESTO

---oOo---

BE IT HEREBY RESOLVED that the Council of the City of Modesto does hereby request the cancellation of taxes on Lot 64, Sunset Acres which has been annexed to the City of Modesto from the Board of Supervisors of Stanislaus County.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of November, 1942 by Commissioner Neece, who moved its adoption, which motion being duly seconded, it was upon roll call carried by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST ELMER J. BLUM, CITY CLERK

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RESOLUTION NO. 5728-N.S.

A RESOLUTION CANCELLING CITY TAXES ON BLOCK 626 ASSESSED TO HAROLD HERRON AND DEEDED TO THE CITY OF MODESTO FOR PARK PURPOSES

---oOo---

BE IT HEREBY RESOLVED that taxes for the year 1942-43 of the City of Modesto on Block 626, assessed to Harold Herron et ux and deeded to the City of Modesto for park purposes, in amount \$4.75 be and they are hereby ordered cancelled and the City Assessor is hereby ordered to make the necessary entries on his records.

The foregoing resolution was introduced at a regular meeting

of the Council of the City of Modesto held on the 12th day of November 1942 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

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RESOLUTION NO. 5729-N.S.

A RESOLUTION REQUESTING CANCELLATION OF 1942-43 TAXES ON BLOCK 626 FROM THE STANISLAUS COUNTY AND MODESTO IRRIGATION DISTRICT

---oOo---

WHEREAS, the property known as Block 626 has been deeded to the City of Modesto for park purposes by Harold Herron et ux

BE IT HEREBY RESOLVED that request be made to the Board of Supervisors of Stanislaus County and the Board of Directors of the Modesto Irrigation District for the cancellation of 1942-43 taxes on said property.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of November, 1942 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

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RESOLUTION NO. 5730-N.S.

A RESOLUTION ACCEPTING DEED FROM OMER R. REES AND SARA A. REES, HIS WIFE ON PORTION OF LOT 17 BLOCK 800 IN THE CITY OF MODESTO

---oOo---

BE IT HEREBY RESOLVED that deed from Omer R. Rees and Sara A Rees, his wife on the following described property be and it is hereby accepted:

Beginning at the Northwesterly corner of Lot 17, Block 800 as shown by map of Liberty Park Tract on file in the office of the Stanislaus County Recorder on Page 17, Volume 14 of Map Books; thence S  $72^{\circ} 36'$  E along the southerly line of the alley in Block 800, as shown on said map, a distance of forty feet; thence Westerly along a curve whose radius is 127.77 feet through an angle of  $17^{\circ} 23'$  and a distance of 38.76 feet, more or less, to a point on the Westerly line of said Liberty Park Tract; thence N.  $0^{\circ} 01'$  E, 6.11 feet along the said Westerly line of the Liberty Park Tract to the point of beginning.

BE IT FURTHER RESOLVED that said deed be recorded with the recorder of Stanislaus County.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of November, 1942 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

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RESOLUTION NO. 5731-N.S.

A RESOLUTION AUTHORIZING THE CITY ENGINEER TO MARK THE ENTRANCE TO THE MODESTO VETERINARY HOSPITAL AT 1414 9th STREET AS A LOADING ZONE

---oOo---

WHEREAS, pursuant to referring of request of the Modesto Veterinary Hospital for two hour parking on Ninth Street between N and O Streets to the City Engineer and Police Chief for investigation, and

WHEREAS the City Engineer reports that it would not be necessary to establish two hour parking to remedy the difficulty and recommends that the driveway into this place of business be marked as a loading zone to keep it clear

BE IT HEREBY RESOLVED that the City Engineer be directed to mark the entrance to the said Modesto Veterinary Hospital as a loading zone.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of November, 1942 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

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RESOLUTION NO. 5732-N.S.

A RESOLUTION AUTHORIZING THE ENTERING INTO NEGOTIATIONS WITH THE OFFICE OF INSPECTOR OF NAVAL MATERIAL OF THE NAVY DEPARTMENT FOR THE SALE OF LATHE AND PLAIN MILLING MACHINE BELONGING TO THE CITY MACHINE SHOP OF THE CITY OF MODESTO

---oOo---

WHEREAS, pursuant to communication from the Office of Inspector of Naval Material of the Navy Department of the United States requesting permission to take the lathe and plain milling machine belonging to the City of Modesto for the construction of needed war materials

BE IT HEREBY RESOLVED that the City of Modesto enter into negotiations with the United States Navy to sell said lathe and plain milling machine.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of November, 1942 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

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RESOLUTION NO. 5733-N.S.

A RESOLUTION ALLOWING CLAIM OF \$7.45 TO CAPTAIN U. H. PICKERING ADDITIONAL AMOUNT DUE FOR EXPENSES TO PEACE OFFICER'S ASSOCIATION MEETING IN LOS ANGELES

---oOo---

BE IT HEREBY RESOLVED that claim of \$7.45 be allowed to Captain U. H. Pickering, being additional expenses over amount advanced by the Council under resolution No. 5708-N.S. for attending meeting of the Peace Officer's Association in Los Angeles October 22nd to 24th, 1942 and the City Clerk and Auditor are 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 12th day of November, 1942 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

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RESOLUTION NO. 5734-N.S.

A RESOLUTION AUTHORIZING THE ATTENDANCE OF DELEGATES TO "IN SERVICE TRAINING FOR SANITARIANS" MEETING IN SAN JOSE

---oOo---

BE IT HEREBY RESOLVED that Mark Landquist and L. P. Nielsen be authorized to attend the "In Service Training for Sanitarians" meeting to be held in San Jose, November 13th and 14th, 1942 with expenses paid.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of November, 1942 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

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RESOLUTION NO. 5735-N.S.

A RESOLUTION AUTHORIZING THE ATTENDANCE OF FIRE CHIEF WALLACE TO THE NORTHERN FIRE CHIEF CONFERENCE IN SACRAMENTO, NOVEMBER 21 to 22, 1942

---oOo---

BE IT HEREBY RESOLVED that Fire Chief Wallace be authorized to attend the meeting of the Northern Fire Chief Conference being held in Sacramento on November 21st and 22nd, 1942 with all expenses paid.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of November, 1942 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

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RESOLUTION NO. 5736-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 November, 1942 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

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RESOLUTION NO. 5737-N.S.

A RESOLUTION GRANTING LEAVE TO ARTHUR VAN FLEET JR. FOR SERVICE IN THE UNITED STATES ARMY

---oOo---

WHEREAS, Arthur Van Fleet Jr., a member of the Fire Department of the City of Modesto, has enlisted in the armed forces of the United States of America; and,

WHEREAS, by reason thereof the said Arthur Van Fleet Jr. must leave his duties as a member of said Fire Department; and,

WHEREAS, the said Arthur Van Fleet jr. 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 Arthur Van Fleet Jr. 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 special meeting of the Council of the City of Modesto held on the 18th day of November, 1942 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

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RESOLUTION NO. 5738-N.S.

A RESOLUTION CANCELLING TAXICAB OPERATOR'S LICENSE OF EUGENE M. LESTER

---oOo---

WHEREAS, pursuant to serving of citation of Eugene M. Lester, taxicab operator, by the Chief of Police for traffic violation as provided by section 3 of Ordinance No. 522-N.S.

BE IT HEREBY RESOLVED that taxicab Operator's license No. 470 issued to said Eugene M. Lester by the City of Modesto be and it is hereby ordered cancelled.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 18th day of November, 1942 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

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RESOLUTION NO. 5739-N.S.

A RESOLUTION REQUESTING THE BOARD OF SUPERVISORS OF STANISLAUS COUNTY TO CANCEL OUT OF CONTRACT FOR SALE OF TAX DEED LAND WITH THE CITY OF MODESTO CERTAIN PROPERTY

---oOo---

BE IT HEREBY RESOLVED that the City of Modesto does hereby request the Board of Supervisors of Stanislaus County to cancel out of contract for sale of tax deed land, the property belonging to Mrs. Mary C. Harrington, being Block 558, lots 10 and 11.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 18th day of November, 1942 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

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RESOLUTION NO. 5740-N.S.

A RESOLUTION GRANTING PERMIT TO THE JUNIOR CHAMBER OF COMMERCE TO BLOCK I STREET FROM TENTH STREET NORTH TO ALLEY TO EXHIBIT THE JAP TWO MAN SUBMARINE

---oOo---

WHEREAS, pursuant to request of the Junior Chamber of Commerce to block I Street from Tenth Street, north to alley, Monday, November 23rd from 9:00 A.M. to noon, to exhibit the Jap two man submarine for the purpose of selling war stamps and bonds.

BE IT HEREBY RESOLVED that request be granted and the Chief of Police

be directed to take the necessary steps to block off the street on this date.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 18th day of November, 1942 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

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RESOLUTION NO. 5741-N.S.

A RESOLUTION AUTHORIZING FILING OF DEEDS OF OMER R. REES AND MARY A SANDERS ON PORTION OF BLOCK 800 and 802 IN THE CITY OF MODESTO

---oOo---

BE IT HEREBY RESOLVED that the City of Modesto pay recording fee on deed given to Omer R. Rees et ux and Mary A Sanders on portion of Blocks 800 and 802 in the City of Modesto.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 18th day of November, 1942 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

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RESOLUTION NO. 5742-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 November, 1942 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

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RESOLUTION NO. 5743-N.S.

A RESOLUTION CANCELLING RESOLUTION NO. 5739-N.S. ENTITLED: A RESOLUTION REQUESTING THE BOARD OF SUPERVISORS OF STANISLAUS COUNTY TO CANCEL OUT OF CONTRACT FOR SALE OF TAX DEED LAND WITH THE CITY OF MODESTO, CERTAIN PROPERTY

---oOo---

BE IT HEREBY RESOLVED that Resolution No. 5739-N.S. adopted at a special meeting dated November 18, 1942, entitled "A RESOLUTION REQUESTING THE BOARD OF SUPERVISORS OF STANISLAUS COUNTY TO CANCEL OUT OF CONTRACT FOR SALE OF TAX DEED LAND WITH THE CITY OF MODESTO CERTAIN PROPERTY" be cancelled.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 25th day of November, 1942 by Commissioner Neece, who moved its adoption, which motion being duly seconded, it was upon roll call carried by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST ELMER J. BLUM, CITY CLERK

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RESOLUTION NO. 5744-N.S.

WHEREAS, pursuant to and in accordance with Section 3658a of the Political Code of the State of California, the City Engineer of the City of Modesto has made and compiled an official map of the said city of Modesto, giving to each block on such Map a number or letter, and to each lot or subdivision in such block a separate number or letter and giving names to such streets, avenues, lanes, courts, ways, commons, or parks as may be delineated on such Official Map, which said Map so made and compiled by said City Engineer has this day been exhibited and presented for final approval to the City Council; and

WHEREAS, the City Council of the City of Modesto finds and so declares the fact to be that said Map so made and compiled by said City Engineer is true and correct in every particular; that the laws of the State of California and the ordinances of the City of Modesto have been fully complied with in making and compiling said Map:

NOW THEREFORE, be it resolved by the City Council of the City of Modesto that said Map so made and compiled by said City Engineer as aforesaid be, and the same is hereby adopted as the Official Map of the said City of Modesto this 25th day of November, 1942.

Witness our signature the Mayor and members of the Council of the City of Modesto, and the Clerk of said City with official seal of said City here affixed this 25th day of November, 1942

Commissioner Revenue & Finance

Geor. F. Neece

Commissioner Public Supplies

Ray Burge

Commissioner Public Health & Safety

Carl J. Stanley

Commissioner Public Works

Ronald E. Bates

Mayor Carl W. Shannon

Attest Elmer J. Blum, City Clerk

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RESOLUTION NO. 5745-N.S.

A RESOLUTION AUTHORIZING THE CITY CLERK TO OFFICIALLY RECORD THE NEW CITY MAP IN BLOCK BOOK FORM

---oOo---

WHEREAS, the City Engineer reports that the new City map in block book form is now ready to be recorded and filed.

THEREFORE, BE IT RESOLVED that the City Clerk be and he is hereby directed to record said map in the County Recorder's Office in block book form.

BE IT FURTHER RESOLVED that the said map be and the same is hereby declared the official map of the City of Modesto in block book form.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 25th day of November, 1942 by Councilman Neece, who moved its adoption, which motion being duly seconded, it was 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

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RESOLUTION NO. 5746-N.S.

A RESOLUTION ALLOWING CLAIM OF \$600 TO RETAIL MERCHANTS BUREAU OF MODESTO CHAMBER OF COMMERCE

---oOo---

BE IT HEREBY RESOLVED that claim of \$600.00 of the Retail Merchants Bureau of the Modesto Chamber of Commerce be/instructed to draw warrant in payment. ~~allowed as provided by Ordinance No. 689-N.S. and the Clerk and Auditor~~

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 25th day of November, 1942 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, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Neece

ATTEST ELMER J. BLUM, CITY CLERK

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RESOLUTION NO. 5747-N.S.

A RESOLUTION ALLOWING CLAIM OF COATES AND HERFURTH FOR \$225.00

---oOo---

BE IT HEREBY RESOLVED that claim of \$225.00 for actuarial survey be allowed Coates and Herfurth, as provided by Resolution No. 5677-N.S. Council of

The foregoing resolution was introduced at a regular meeting of the City of Modesto held on the 25th day of November, 1942 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, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Neece

ATTEST ELMER J. BLUM, CITY CLERK

RESOLUTION NO. 5748-N.S.

A RESOLUTION ACCEPTING DEED FROM CARL L. ROHLWING ET UX ON PORTION LOT 58 OF COLDWELL-OLIVEWOOD TRACT

---oOo---

BE IT HEREBY RESOLVED that deed from Carl. L. Rohlwing et ux on the east 5 feet of the south 180 feet of lot 58 of Coldwell-Olivewood Tract be accepted and the City Clerk and Auditor be directed to draw warrant payable to said Carl. L. Rohlwing for \$127.73 and the City Clerk is ordered to record deed with the Recorder of Stanislaus County.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 25th day of November, 1942 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, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Neece

ATTEST ELMER J. BLUM, CITY CLERK

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RESOLUTION NO. 5749-N.S.

A RESOLUTION EXTENDING PERMIT TO OPERATE A BUS IN THE CITY OF MODESTO TO WILLIS M. KLEINENBROICH

---oOo---

WHEREAS, pursuant to petition of Willis M. Kleinenbroich for extension of bus permit as granted by Resolution No. 5118-N.S. as adopted on the 27th day of December, 1940.

BE IT HEREBY RESOLVED that permit be extended for a period of two years from the original expiration date of former permit, namely December 27, 1943 to December 23, 1945.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 25th day of November, 1942 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, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Neece

ATTEST ELMER J. BLUM, CITY CLERK

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RESOLUTION NO. 5750-N.S.

A RESOLUTION GRANTING THE TIDEWATER SOUTHERN RAILWAY COMPANY AND THE MODESTO AND EMPIRE TRACTION COMPANY A PERMIT TO LAY DOWN A SPUR TRACK IN BLOCK 51 OF THE CITY OF MODESTO

---oOo---

WHEREAS, pursuant to the Tidewater Southern Railway Company and the Modesto and Empire Traction Company, both corporations, having filed with the City Council of the City of Modesto on November 25, 1942 their application, in writing, for a permit to construct a spur track and run cars thereon for the purpose of connecting

with the Milk Producers Association of Central California across D Street between Ninth and Tenth Streets and adjacent to the alley running northerly and southerly through Block 51, bounded by Ninth, Tenth, D and E Streets and further described as follows:

Beginning at a point in the southeasterly line of "D" Street, approximately 8.0 feet northeasterly thereon from the northeasterly line of the alley in Block No. 50; thence northwesterly through a No. 7 turnout to the right, a distance of 118.0 feet to a point; thence on a curve to the right, having a radius of 286.57 feet, an arc distance of 56.0 feet to a point, said point being 3.6 feet southwesterly measured at a right angle from the southwesterly line of the alley running northwesterly and southeasterly through Block No. 51; thence northwesterly parallel to and 3.6 feet southwesterly of said southerly line of alley 310.00 feet to a point near the southeasterly line of "E" Street and the point of ending of said spur track.

as shown on the map attached to the petition of said companies; and said petition coming on regularly to be heard on the 25th day of November, 1942 at a regular meeting of said City Council and there being no objections or opposition to the granting of said petition and it appearing that the facts stated in said petition are true,

THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that a permit be and the same is hereby granted to said Tidewater Southern Railway Company and Modesto and Empire Traction Company, both corporations, to lay down said spur track and to run cars thereon as specified in said petition.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 25th day of November, 1942 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, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Neece

ATTEST ELMER J. BLUM, CITY CLERK

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RESOLUTION NO. 5751-N.S.

A RESOLUTION DIRECTING THE CITY CLERK TO WRITE TO BOARD OF ADMINISTRATION STATE EMPLOYEES RETIREMENT SYSTEM FOR CERTAIN FORMS

---oOo---

WHEREAS, pursuant to report being filed by the firm of Coates & Herfurth on the actuarial survey, and

WHEREAS they have suggested that the City of Modesto write to the Board of Administration of the State Employees Retirement system for certain forms pertaining to retirement system for city employees.

BE IT HEREBY RESOLVED that the City Clerk be directed to send to the said state office for forms as set forth in the report furnished the City of Modesto by said Coates and Herfurth.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 25th day of November, 1942 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, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Neece

ATTEST ELMER J. BLUM, CITY CLERK

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RESOLUTION NO. 5752-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 November, 1942 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, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Neece

ATTEST ELMER J. BLUM, CITY CLERK

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RESOLUTION NO. 5753-N.S.

A RESOLUTION CANCELLING TAXES ON BLOCK 31, LOTS 21 and 22 PURCHASED BY SALVATION ARMY AND TO BE USED FOR RELIGIOUS SERVICES

---oOo---

WHEREAS, pursuant to request of the Salvation Army to cancel taxes on Block 31, lots 21 and 22, as they had purchased this property and were using it for religious services,

BE IT HEREBY RESOLVED that request be granted and the Assessor make 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 December 2nd, 1942 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: Bates and Mayor Shannon

ATTEST ELMER J. BLUM, CITY CLERK

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RESOLUTION NO. 5754-N.S.

A RESOLUTION GRANTING PERMIT TO E. B. OSTHUES TO OPERATE BUS ROUTE

---oOo---

WHEREAS, pursuant to petition being filed by E. B. Osthues to operate a bus route to Hammond General Hospital, to be known as the Acme Cab & Bus Company

BE IT HEREBY RESOLVED that permit be granted for bus route, shown as Route #1 on map filed with the Council, as provided by Ordinance No. 306-N.S.

The foregoing resolution was introduced at a special meeting of the

Council of the City of Modesto held on the 2nd day of December, 1942 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, Neece, Acting Mayor Stanley

Noes: Councilmen: None

Absent: Councilmen: Bates and Mayor Shannon

ATTEST ELMER J. BLUM, CITY CLERK

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RESOLUTION NO. 5755-N.S.

A RESOLUTION ALLOWING REFUND OF WHOLESALE PRODUCE LICENSE TO JOE GARIBALDI

---oOo---

WHEREAS, pursuant to claim of Joe Garibaldi for refund of wholesale produce license, as he had been drafted into the armed forces of the United States of America and his license does not expire until June 6, 1942.

BE IT HEREBY RESOLVED that claim be allowed and the City Clerk and Auditor be authorized to draw warrant in payment of unexpired license in amount \$37.50 to said Joe Garibaldi, being six month's license.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 2nd day of December, 1942 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, Acting Mayor Stanley

Noes: Councilmen: None

Absent: Councilmen: Bates and Mayor Shannon

ATTEST ELMER J. BLUM, CITY CLERK

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RESOLUTION NO. 5756-N.S.

A RESOLUTION GRANTING PERMIT TO THE JUNIOR CHAMBER OF COMMERCE TO BLOCK I STREET FROM TENTH STREET NORTH TO ALLEY FOR WAR BOND RALLY

---oOo---

WHEREAS, the Junior Chamber of Commerce have requested permit to block I Street from Tenth Street, north to alley on December 11, 1942, between the hours of 11:30 A.M. to 9:00 P. M. to hold a rally for the sale of war bonds.

BE IT HEREBY RESOLVED that permit be granted and the Chief of Police be instructed to take care of this matter.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 2nd day of December, 1942 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: Bates and Mayor Shannon

ATTEST ELMER J. BLUM, CITY CLERK

RESOLUTION NO. 5757-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 2nd day of December, 1942 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: Bates and Mayor Shannon

ATTEST EIMER J. BLUM, CITY CLERK

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RESOLUTION NO. 5758-N.S.

A RESOLUTION DONATING \$500.00 TO THE SERVICE MEN'S CLUB OF THE MODESTO RECREATION COMMISSION

---oOo---

BE IT HEREBY RESOLVED that the City of Modesto donate \$500.00 to the Service Men's Club of the Modesto Recreation Commission for the establishment of a clubroom at 904 I Street, and the City Clerk and Auditor be authorized to draw warrant for this amount payable to the Service Men's Club.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of December, 1942 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, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Stanley

ATTEST ELMER J. BLUM, CITY CLERK

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RESOLUTION NO. 5759-N.S.

A RESOLUTION ALLOWING CLAIMS FOR MONTH OF NOVEMBER, 1942

---oOo---

WHEREAS, the claims against the City of Modesto for the month of November, 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-----	\$28,053.39
WATER FUND-----	3,498.97
LIBRARY FUND-----	1,358.39
BOND RED. INT. FUND-----	562.50
TOTAL	\$33,473.25

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of December, 1942 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, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Stanley

ATTEST ELMER J. BLUM, CITY CLERK

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RESOLUTION NO. 5760-N.S.

A RESOLUTION ALLOWING REFUND OF LICENSE TO POSTAL-TELEGRAPH CABLE COMPANY OF \$10.00

---oOo---

WHEREAS, the Postal Telegraph Cable Company have been ordered by the Board of War Communications to discontinue their messenger delivery service, effective December 15th and they have filed a petition for refund of unearned portion of license

BE IT HEREBY RESOLVED that the unearned portion of license in amount \$10.00 be refunded to the said Postal Telegraph Cable Company and the City Clerk and Auditor be directed to draw warrant.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of December, 1942 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, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Stanley

ATTEST ELMER J. BLUM, CITY CLERK

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RESOLUTION NO. 5761-N.S.

A RESOLUTION AUTHORIZING THE CANCELLATION OF TAXES ON LOT 1 BLOCK 447 IN THE CITY OF MODESTO FOR THE MODESTO CITY SCHOOL DISTRICT

---oOo---

WHEREAS, pursuant to referring of request of Modesto Public School for cancellation of taxes on lot 1 Block 447 in the City of Modesto to the City Attorney for investigation, and

WHEREAS he reported that School Districts in the State of California were exempt from the payment of city taxes

BE IT HEREBY RESOLVED that taxes on said lot 1 of Block 447 in the City of Modesto be cancelled for the Modesto Public School and the Tax Collector be authorized to make the necessary entries on his records.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of December, 1942 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, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Stanley

ATTEST ELMER J. BLUM, CITY CLERK

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RESOLUTION NO. 5762-N.S.

A RESOLUTION GRANTING PERMIT TO GEORGE ZMUTT TO OPERATE A BUSINESS IN A RESIDENTIAL DISTRICT AT 103 CALAVERAS AVENUE

---oOo---

WHEREAS, pursuant to referring of petition of George Zmutt to operate a beauty parlor at 103 Calaveras Avenue to the City Attorney for investigation, and

WHEREAS he reported that according to restrictions on file they were limited to single family dwellings in this subdivision but there was no forfeiture clause that the property would revert to the original owner for violation of restriction

BE IT HEREBY RESOLVED that petition be granted to said George Zmutt to operate a business at 103 Calaveras Avenue.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of December, 1942 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, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Stanley

ATTEST ELMER J. BLUM, CITY CLERK

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RESOLUTION NO. 5763-N.S.

A RESOLUTION RECOMMENDING THE CITY OF MODESTO ENTER INTO CONTRACT WITH THE KINNEAR MANUFACTURING COMPANY FOR THE SALE OF THE MILLING MACHINE

---oOo---

WHEREAS, pursuant to communication from the Navy Department regarding the sale of the Cincinnati Milling Machine #3 owned by the City of Modesto to the Kinnear Manufacturing Company,

BE IT HEREBY RESOLVED that the City of Modesto enter into a contract with the Kinnear Manufacturing Company for the sale of the milling machine with option to repurchase after the completion of their contract with the Federal government at a purchase price of \$1750.00 and that this fund be set aside to replace the machine when the war is over.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of December, 1942 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, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Stanley

ATTEST ELMER J. BLUM, CITY CLERK

RESOLUTION NO. 5764-N.S.

A RESOLUTION CANCELLING RESOLUTION NO. 5754-N.S. AND GRANTING PERMIT TO THE ACME CAB & BUS COMPANY TO OPERATE A BUS SERVICE FOR A PERIOD OF FIVE YEARS

---oOo---

BE IT HEREBY RESOLVED that Resolution No. 5754-N.S. entitled "A RESOLUTION GRANTING PERMIT TO E. B. OSTHUES TO OPERATE BUS ROUTE" adopted by the Council in special session December 2, 1942 be and it is hereby cancelled.

BE IT FURTHER RESOLVED that permit to operate a bus service as set forth in application on file in the City Clerk's office be and it is hereby granted to E. B. Osthues and Mary S Maritzen, doing business as Acme Cab and Bus Company as of this date for a period of five years and in conformance with regulations of Ordinance No. 306-N.S.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of December, 1942 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, Mayor Shannon  
Noes: Councilmen: None  
Absent: Councilmen: Stanley

ATTEST ELMER J. BLUM, CITY CLERK

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RESOLUTION NO. 5765-N.S.

A RESOLUTION GRANTING LEAVE OF ABSENCE TO CERTAIN EMPLOYEES OF THE CITY OF MODESTO WHO ARE SERVING IN THE ARMED FORCES OF THE UNITED STATES

---oOo---

BE IT HEREBY RESOLVED that leave of absence be granted V. Manning as of May 26, 1942, R. Pifferini, as of February 27, 1941 and A. J. Scott, as of December 7, 1942 from the employ of the City of Modesto to enter the armed forces of the United States for the duration of the war and 60 days thereafter.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of December, 1942 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, Mayor Shannon  
noes: Councilmen: None  
Absent: Councilmen: Stanley

ATTEST: ELMER J. BLUM, CITY CLERK

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RESOLUTION NO. 5766-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 December, 1942 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, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Stanley

ATTEST ELMER J. BLUM, CITY CLERK

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RESOLUTION NO. 5767-N.S.

A RESOLUTION ACCEPTING ANNUAL REPORTS FROM THE POLICE AND PUBLIC WORKS DEPARTMENTS ON EXPENDITURES UNDER THE IN LIEU TAX FUND AND ALCOHOLIC BEVERAGE FUND

---oOo---

BE IT HEREBY RESOLVED that the annual reports covering period July 1, 1942 to June 30, 1943 from the Police and Public Works Departments on expenditures under the In Lieu Tax Fund and the Alcoholic Beverage Fund 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 16th day of December, 1942 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

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RESOLUTION NO. 5768-N.S.

A RESOLUTION GRANTING REQUEST OF THE AIRPORT TRANSIT BUS COMPANY FOR ADDITIONAL PARKING SPACE ON ELEVENTH STREET NEAR I STREET IN THE CITY OF MODESTO

---oOo---

BE IT HEREBY RESOLVED that request of the Airport Transit Bus Company for an additional parking space on Eleventh Street, near I Street be and it is hereby allowed, and the City Engineer is hereby instructed to make the necessary arrangements.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 16th day of December, 1942 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

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RESOLUTION NO. 5769-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 December, 1942 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

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RESOLUTION NO. 5770-N.S.

A RESOLUTION AUTHORIZING THE CITY CLERK AND AUDITOR TO DRAW WARRANT IN AMOUNT \$392.15 TO COVER PAYMENT OF FUNDS DUE FROM THE CITY OF MODESTO TO THE MODESTO FIRE & POLICE DEPARTMENT PENSION FUND

---oOo---

BE IT HEREBY RESOLVED that the City Clerk and Auditor be authorized to draw warrant in amount \$392.15 to cover payment of funds due from the City of Modesto to the Modesto Fire & Police Department Pension Fund account of Emil Schmit and Elmer Horan, pursuant to section 17 of Ordinance No. 559-N.S.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of December, 1942 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, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Burge

ATTEST ELMER J. BLUM, CITY CLERK

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RESOLUTION NO. 5771-N.S.

A RESOLUTION APPROVING BOND AND APPLICATION OF SASO AND CLARK FOR USED CAR LOT AT 601 TENTH STREET

---oOo---

BE IT HEREBY RESOLVED that bond and application of Joseph Saso and Harry Clark to operate a used car lot at 601 Tenth Street be and they are hereby approved.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of December, 1942 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

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RESOLUTION NO. 5772-N.S.

A RESOLUTION DECLARING PRESENT SALARIES PAID TO CERTAIN EMPLOYEES OF THE CITY OF MODESTO INADEQUATE AND INSUFFICIENT TO MEET THE INCREASED COSTS OF LIVING BECAUSE OF EMERGENCY CREATED BY NATIONAL MILITARY OPERATIONS AND AUTHORIZING THE PAYMENT OF CERTAIN ADDITIONAL SUMS TO SAID EMPLOYEES

---oOo---

WHEREAS, on account of certain conditions now existing as a result of the national military operations the City Council of the City of Modesto declares that an emergency has developed and now exists in respect to the salaries now received by certain employees of said City being inadequate and insufficient to meet the increased costs of living:

NOW, THEREFORE, BE IT, AND IT IS HEREBY RESOLVED that the salaries now paid all employees of said City, except the following, to-wit, City Clerk, City Assessor and City Auditor, City Treasurer and City Collector, City Attorney, City Engineer, City Health Officer, all City Library employees, Chief of Police, Fire Chief, and Police Judge, are inadequate and insufficient to meet the increased cost of living.

IT IS HEREBY FURTHER RESOLVED that commencing January 1, 1943 and ending June 30, 1943, in addition to the salaries now being paid by said City to said employees not hereinabove excepted (fixed by Resolution No. 5647-N.S., adopting budget for fiscal year 1942-43), they shall, respectively, receive the amount set forth in the following schedule, to-wit:

Employees receiving salaries ranging from \$1.00 to \$140.00, inclusive per month, shall receive an additional amount of \$12.00 per month.

Employees receiving salaries ranging from \$141.00 to \$170.00, inclusive per month, shall receive an additional amount of \$8.00 per month.

Employees receiving over \$171.00 per month shall receive an additional amount of \$4.00 per month.

All city employees on a per diem salary shall be paid in addition to their present salaries the sum of \$ .0628 per hour.

AND BE IT FURTHER RESOLVED that Resolution No. 5645-N.S. and RESOLUTION NO. 5646-N.S., passed by said City Council on July 8, 1942, establishing minimum and maximum salaries for various City positions and employees are, for the reasons above set forth, temporarily modified to conform herewith until June 30, 1943.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of December 1942, by Councilman Neece, who moved its adoption, which 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

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RESOLUTION NO. 5773-N.S.

A RESOLUTION SETTING DATE OF PUBLIC HEARING ON ZONING ORDINANCE

---oOo---

BE IT HEREBY RESOLVED that the date of January 27, 1943 at 8:00 P.M. in the Council Chambers be set for the public hearing on the zoning ordinance to be adopted by the Council.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of December, 1942 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

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RESOLUTION NO. 5774-N.S.

A RESOLUTION AUTHORIZING THE EXPENDITURE OF FUNDS FOR A SPEAKER FROM THE STATE RETIREMENT SYSTEM

---oOo---

BE IT HEREBY RESOLVED that the City of Modesto employ a member of the State Retirement System to speak before the Council and City employees to explain the State Retirement system and that all expenses incurred be paid by the City of Modesto.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of December, 1942 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

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RESOLUTION NO. 5775-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 December, 1942 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

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RESOLUTION NO. 5776-N.S.

A RESOLUTION RESCINDING RESOLUTIONS NO. 2654-N.S. AND NO. 4833-N.S. OF THE CITY OF MODESTO AND CHANGING DATE OF PAYMENT BY SAID CITY TO ITS EMPLOYEES FOR SERVICES RENDERED

---oOo---

WHEREAS, heretofore employees of the City of Modesto have been paid for services rendered on the 5th and 20th of each month, and

WHEREAS, the City employees are paid for services rendered semi-monthly to-wit:

The first day of each month to and including the 15th day, and

The sixteenth day of each month to and including the last day thereof

WHEREAS the income tax period commences on the first day of January of each calendar year

NOW THEREFORE BE IT AND IT IS HEREBY RESOLVED that commencing on the first day of January, 1943, the employees of said City of Modesto shall be paid on the 20th and 5th day of each and every month while employed by said city, except as hereinafter provided, and

BE IT AND IT IS HEREBY FURTHER RESOLVED that all salaries due and to become due city employees on December 31st of each calendar year shall be paid to such employees on that date, and

BE IT FURTHER RESOLVED that in the event either the 20th or the 5th day of any month shall fall upon a holiday or Sunday, said employees shall be paid the day prior thereto, and

BE IT FURTHER RESOLVED that Resolutions No. 2654-N.S. and NO. 4833-N.S. of the City of Modesto be and they are hereby rescinded.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 31st day of December, 1942 by Councilman Bates, 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, Stanley, Mayor Shannon

Nees: Councilmen: None

Absent: Councilmen: Burge and Neece

ATTEST ELMER J. BLUM, CITY CLERK

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RESOLUTION NO. 5777-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 31st day of December, 1942 by Commissioner Stanley, who moved its adoption, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Bates, Stanley and Mayor Shannon

Nees: Councilmen: None

Absent: Councilmen: Burge and Neece

ATTEST ELMER J. BLUM, CITY CLERK