
RESOLUTION NO. 4063-N.S.

A RESOLUTION GRANTING PERMIT TO ED. B. OSTHEUS TO OPERATE TAXICAB IN PARKING SPACE AT 10TH & I STREETS ASSIGNED TO THE ACME TAXI COMPANY

---oOo---

WHEREAS, Ed. B. Ostheus has made application to the Council for transfer of parking space on southwest corner of 10th and I Streets assigned to the Acme Taxi Company, as he had purchased the taxicab business of Mr. Pulley, owner of the Acme Taxi Company and

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

BE IT THEREFORE RESOLVED that transfer of parking space be allowed ED. B. OSTHEUS at 10th & I Streets on the southwest corner providing applicant takes out the necessary license to operate a taxicab business in this city.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of January, 1938 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: Bond, Neece, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: Oliver

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4064-N.S.

A RESOLUTION ALLOWING CLAIMS FOR MONTH OF DECEMBER, 1937

---oOo---

WHEREAS, the claims against the City of Modesto for the month of December, 1937, 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-----	\$23,846.94
WATER FUND-----	8,082.74
LIBRARY FUND-----	2,020.01
BOND RED. INT. FUND-----	3,314.77
SPECIAL ST. BOND RED. INT. FUND-----	1,034.05
UNAPPORTIONED FUND-----	.13
GASOLINE TAX FUND-----	1,105.60
SEWER SEPTIC-----	<u>1,169.94</u>
TOTAL-----	\$40,574.18

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of January, 1938, 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: Bond, Neece, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: Oliver

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4065-N.S.

A RESOLUTION ALLOWING CLAIMS FOR REFUND OF DEPOSIT REQUIRED UNDER SECTION 101 OF ORD. NO. 487-N.S. TO GEORGE A. MEIERL, EUROPA HOTEL AND FAIRFAX ROOMS

---oOo---

WHEREAS, there has been filed with the Council claim for refund of \$50.00 deposit required under section 101 of Ordinance No. 487-N.S. heretofore paid to the City License Collector by each of the following:

GEORGE A. MEIERL
EUROPA HOTEL
FAIRFAX ROOMS

BE IT HEREBY RESOLVED that claims be allowed and City Clerk and Auditor be directed to draw warrants in amount of \$50.00 to each claimant.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of January, 1938 by Councilman Neece, who moved its adoption, which motion being duly seconded, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Bond, Neece, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: Oliver

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4066-N.S.

A RESOLUTION GRANTING PERMIT TO THE UNION OIL COMPANY OF CALIFORNIA TO OPERATE AND ERECT A SERVICE STATION AT 9TH & H STREETS IN THE CITY OF MODESTO

---oOo---

WHEREAS, the Union Oil Company of California has made application to the Council for permission to erect and operate a service station on the northeast corner of 9th and H Streets in Block 141.

BE IT HEREBY RESOLVED that permit be granted to applicant providing he take out all necessary licenses and all provisions relative to building permit fees be complied with.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of January, 1938 by Councilman Bond, who moved its adoption, which motion being duly seconded, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Bond, Neece, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: Oliver

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4067-N.S.

A RESOLUTION ACCEPTING THE ADDITION TO THE CLUBHOUSE BUILDING AT THE GOLF COURSE AND AUTHORIZING PAYMENT TO CONTRACTORS OF \$792.75, 75% OF CONTRACT PRICE

---oOo---

WHEREAS, there has been filed with the Council of the City of Modesto certification of the City Engineer that addition to clubhouse at Golf Course has been completed by contractor Jarvis Brothers in accordance with the terms of their contract to the entire satisfaction of the City Engineer and that the same complied with the plans and specifications heretofore adopted and approved by the Council

BE IT THEREFORE RESOLVED that the addition to the Clubhouse at the Golf Course be accepted and the City Clerk and Auditor be authorized to draw warrant to contractor in amount of \$792.75, being 75% of the contract price and according to the contract; and to file notice of completion with the County Recorder of Stanislaus County.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of January, 1938 by Councilman Neece, who moved its adoption, which motion being duly seconded, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Bond, Neece, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: Oliver

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4068-N.S.

A RESOLUTION AUTHORIZING CITY CLERK TO ADVERTISE FOR BIDS ON MILLING MACHINE & POWER LAWN MOWER

---oOo---

BE IT HEREBY RESOLVED that the City Clerk be authorized to advertise for bids on milling machine and power lawn mower, said bids to be opened at the Regular

meeting of the Council to be held on January 26, 1938 at 7:30 P.M.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of January, 1938 by Councilman Bond, who moved its adoption, which motion being duly seconded, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Bond, Neece, Stanley and Mayor King

Nees: Councilmen: None

Absent: Councilmen: Oliver

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4069-N.S.

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MODESTO APPROVING FIRST SUPPLEMENTAL MEMORANDUM OF AGREEMENT FOR EXPENDITURE OF $\frac{1}{4}$ CENT GAS TAX ALLOCATED FOR STATE HIGHWAYS

---eOo---

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 $\frac{1}{4}$ cent gas tax for the 1937-1939 biennium allocated for State highways in the City of Modesto, and

WHEREAS, the City Council has heard read said agreement in full and is familiar with the contents thereof;

THEREFORE, BE IT RESOLVED by the City Council of the City of Modesto that said agreement for expenditure of the $\frac{1}{4}$ cent gas tax allocated for 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 12th day of January, 1938.

J. H. KING MAYOR OF THE CITY OF MODESTO

ATTEST H. E. GRAGG, 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 January 12, 1938

H. E. GRAGG, CLERK OF THE CITY OF MODESTO

RESOLUTION NO. 4070-N.S.

A RESOLUTION APPROVING AND ACCEPTING LEASE BETWEEN CITY OF MODESTO AND STANLEY SANDERS, MANAGER OF THE MODESTO REDS BASEBALL TEAM FOR ROOSEVELT FIELD

---eOo---

WHEREAS, lease for Roosevelt Field for summer season of 1938 between the City of Modesto and Stanley Sanders, Manager of the Modesto Reds Baseball Team has been presented for approval and acceptance

BE IT HEREBY RESOLVED that Stanley Sanders be permitted to lease Roosevelt Field for the Modesto Reds Baseball Team from April 3, 1938 to October 31, 1938 and lease as presented be accepted and Commissioner of Finance and Revenue, George F. Neece and the City Clerk and Auditor be named as signatory officials for this lease.

The foregoing resolution was introduced at a regular Council meeting of the City of Modesto, held on January 12, 1938 by Commissioner Neece who moved

its adoption, which motion being regularly seconded, it was upon roll call adopted by the following vote:

Ayes: Councilmen: Neece, Stanley, Oliver, Bond and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4071-N.S.

A RESOLUTION AUTHORIZING CITY AUDITOR TO WITHDRAW UNEXPENDED FUND OF BASEBALL COMMISSION FROM BANK AND TURN OVER TO THE COMMISSIONER OF FINANCE AND REVENUE TO BE USED FOR BASEBALL PURPOSES

---eOe---

WHEREAS, there is an unexpended balance of \$30.70 in the funds of the Baseball Commission bank account and

WHEREAS the resignation of the Commission for the Spring Training Season of 1937 has been accepted by the Council

BE IT HEREBY RESOLVED that the City Auditor be authorized to turn over the unexpended funds to Commissioner of Finance and Revenue Neece to be used for baseball purposes.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of January, 1938 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: Bond, Neece, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: Oliver

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4072-N.S.

A RESOLUTION CANVASSING RETURNS OF SPECIAL ELECTION HELD DECEMBER 21, 1937, FOR THE ANNEXATION OF THE SOUTHERN CAMPUS TRACT TO THE CITY OF MODESTO

---eOe---

WHEREAS, this being the time provided for the first regular meeting of the Council next after the expiration of three days from and after the date of an election held in the territory proposed to be annexed to the City of Modesto, known as Southern Campus Tract, and described particularly as the following described territory lying and being in the County of Stanislaus, State of California, and contiguous to the City of Modesto, and particularly described as follows, to-wit:

Beginning at College Avenue and Coldwell Avenue where a 1" iron pipe marks the Southwest corner of the Southeast quarter of the Southwest quarter of Section 20 T.3S R. 9E., M.D.B & M.; thence Easterly along the line common to Sections 20 and 29, said line being the North corporate limits of the City of Modesto a distance of 660.33 feet; thence at an angle to the left of 92° -12' in a Northerly direction a distance of 833.69 feet; thence at an angle to the left 110° -0' in a Southwesterly direction a distance of 361.93 feet; thence at an angle to the right 20° -0' in a Westerly direction a distance of 319.74 feet; thence at an angle to the left 90° -0' in a Southerly direction a distance of 684.92 feet to the point of beginning;

and it appearing that said election was held within the territory proposed to be annexed on the 21st day of December, 1937, in accordance with the resolution of this Council heretofore passed and adopted, and that after the holding of said election the election officers thereof delivered to and deposited with the Clerk of this Council, the ballots, tally sheets and returns of said election, and it appearing and the Council so finding that the proposition submitted at said election was whether or not such new territory, in said resolution and hereinabove described, shall be annexed to, incorporated in and made a part of the municipal corporation of the City of Modesto, and the property therein be not, after such annexation, subject to taxation equally with the property within such municipal corporation, to pay the bonded indebtedness of such municipal corporation outstanding at the time of the filing of the petition asking that such election be called or theretofore authorized;

THEREFORE, BE IT RESOLVED that the Council of the City of Modesto after having proceeded to canvass the said returns, finds that the whole number of votes cast in said territory proposed to be annexed was four, that the number of votes cast therein in favor of annexation was four, and that the number of votes cast therein against annexation was none.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of January, 1938 by Councilman Bond, who moved its adoption, which motion being duly seconded, it was upon roll call adopted by the following vote:

Ayes: Councilmen: Neece, Stanley, Bond and Mayor King

Noes: Councilmen: None

Absent: Councilmen: Oliver

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4073-N.S.

A RESOLUTION GRANTING SCOTT COMPANY, A CORPORATION, PERMISSION TO LAY SEWER PIPES

---e0c---

WHEREAS, Scott Company, Inc., a corporation, with offices at 243 Minna Street, San Francisco, California, has been awarded a contract to lay sewer pipes from the United States Post Office in Modesto, California, through and under the surface of the alley belonging to the City of Modesto and situate between Eleventh and Twelfth Streets and connecting I and J Streets in said City; and.

WHEREAS, said Corporation has asked permission of the City of Modesto to lay said pipes in said alley:

NOW THEREFORE, BE IT RESOLVED that permission is by this resolution granted to the said Scott Company, Inc., a corporation, by the City Council of the City of Modesto to lay said sewer pipes in said alley under the following conditions:

1. That said Scott Company, Inc., a corporation, will use all reasonable and proper measures to safeguard the public and persons in and upon said alley, and where said alley intersects I and J Streets, from any and all personal injury, and any and all other kind of injury.

2. That said Scott Company, Inc., a corporation, will replace all torn and chopped pavement and/or all macadam, and at the conclusion of said work will leave said alley in as good condition as the same now is.

3. That said Scott Company, Inc., a corporation, will maintain said alley for a period of one year after the completion of said work.

4. That said sewer pipes will be laid and installed in accordance with the rules and regulations of the Department of Public Works of the City of Modesto.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of January, 1938 by Councilman Bond, who moved its adoption, which motion being duly seconded, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Neece, Stanley, Bond and Mayor King

Noes: Councilmen: None

Absent: Councilmen: Oliver

ATTEST H. E. GRAGG, CITY CLERK

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RESOLUTION NO. 4074-N.S.

A RESOLUTION ENDORSING THE RESOLUTION OF THE AMERICAN MUNICIPAL ASSOCIATION IN THE MATTER OF AIRPORT DEVELOPMENT

---CO*---

WHEREAS, the League of California Municipalities received a Resolution adopted by the American Municipal Association on October 15, 1937, urging Congress to enact legislation and provide funds to the Department of Commerce to effectuate an airport development program, and

WHEREAS, the Board of Directors of the League of California Municipalities wishes to have the governing bodies of municipalities express their attitude toward the policy set forth in said Resolution and

WHEREAS, the City of Modesto has heretofore provided the major portion of the funds to construct, maintain, and operate its airport, and

WHEREAS, the expense is far in excess of the revenue, which causes an unreasonable burden on the local taxpayers, and

WHEREAS, it is the opinion of the City Council that Federal aid should be made available to municipalities,

THEREFORE, BE IT RESOLVED, that the City Council of the City of Modesto endorse the Resolution as drafted and adopted by the American Municipal Association.

The foregoing Resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of January, 1938 by Councilman Bond, who moved its adoption, which motion being duly seconded, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Bond, Neece, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: Oliver

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4075-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 January, 1938 by Councilman Neece, who moved its adoption, which motion being duly seconded was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Bond, Neece, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: Oliver

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4076-N.S.

A RESOLUTION RECOMMENDING TO THE STATE HIGHWAY DEPARTMENT THAT S.M. MCGAW BE AWARDED THE CONTRACT FOR THE PAVING OF H STREET BETWEEN 3rd AND 5th STREETS AND I STREET BETWEEN 5th AND 8th STREETS, AS SPECIFIED IN THE NOTICE TO BIDDERS UNDER ITEM 1

---oOo---

WHEREAS, the award of contract for the paving of H Street between 3rd and 5th Streets, and I Street between 5th and 8th Streets, was deferred for study, and

WHEREAS, the City Engineer has recommended to the City Council that the contract for the paving of H Street between 3rd and 5th Streets, and I Street between 5th and 8th Streets, be awarded to S. M. McGaw at the unit price shown as Item 1 in the tabulation of bids, and

WHEREAS, the cost of said work is in excess of the amount allotted in the Project Statement, and

WHEREAS, the City of Modesto will assume the added expense,

THEREFORE, BE IT RESOLVED, that the City Council of the City of Modesto recommend that the State Highway Department grant the City Council the authority to award the contract to S. M. McGaw

The foregoing Resolution was introduced at a special meeting of the Council of the City of Modesto held on the 19th day of January, 1938 by Commissioner Bond, who moved its adoption and the Resolution was duly seconded and upon roll call carried by the following vote:

Ayes: Councilmen: Neece, Stanley, Oliver, Bond and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4077-N.S.

A RESOLUTION AWARDED BID TO VALLEY TRACTOR & EQUIPMENT COMPANY ON INDUSTRIAL TRACTOR AND AUTHORIZING THE CITY CLERK AND AUDITOR TO RETURN CERTIFIED CHECKS TO UNSUCCESSFUL BIDDERS

---oOo---

FURSUANT to advertising for Industrial Tractor and bids being referred to the Commissioner of Public Works and City Engineer for tabulation and recommendation as to the lowest and best bid and

WHEREAS, they have reported that the bid of Valley Tractor &

Equipment Company on John Deere Industrial Tractor is the lowest and best bid

BE IT HEREBY RESOLVED that the bid on one #126 Model BI John Deere Industrial Tractor equipped with double drum rear wheel brakes, singly controlled for steering purposes with 5.50 x 16 front and 1125 x 24 rear tires and tubes and one John Deere Highway Power Mower, equipped with five foot sickle bar and pneumatic wheel, complete including 3% sales tax f.e.b. Modesto, California --\$1063.56, less 2% cash discount, ten days be accepted.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 19th day of January, 1938, by Commissioner Oliver, who moved its adoption and the resolution was duly seconded and upon roll call carried by the following vote:

Ayes: Councilmen: Neece, Stanley, Oliver, Bond and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

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RESOLUTION NO. 4078-N.S.

ADJOURNMENT

BE IT HEREBY RESOLVED that this 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 January, 1938 by Commissioner Neece, who moved its adoption and the resolution was duly seconded and upon roll call carried by the following vote:

Ayes: Councilmen: Neece, Stanley, Oliver, Bond and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4079-N.S.

A RESOLUTION ALLOWING CLAIMS FOR REFUND OF REGISTRATION FEE OF J. S. CRISWELL TRUCK LICENSE OF S. J. LONGO DEPOSITS REQUIRED BY ORDINANCE NO. 487-N.S. BY VALLEY GLASS COMPANY AND CHARLES K. PASMA

---oOe---

WHEREAS claims for refund of registration fee of J. S. Criswell for \$5.00, S. J. Longo for \$5.00 for truck license for quarter ending December 31, 1937, refund of deposit of \$50.00 required by Ordinance No. 487-N.S. by the Valley Glass Company and Charles K. Pasma having been filed with the City License Collector.

BE IT HEREBY RESOLVED that claims as presented be allowed and the City Clerk and Auditor be directed to draw warrants in payment.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on January 26, 1938 by Commissioner Neece who moved its adoption, which motion being duly seconded was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Neece, Stanley, Oliver, Bond and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4080-N.S.

A RESOLUTION ALLOWING REQUEST OF STANISLAUS COUNTY BOYS BAND FOR BALANCE OF \$400.00 BUDGETED FOR THE YEAR 1937-38

---oOo---

WHEREAS, the budget of the City of Modesto provided for a donation of \$800.00 to the Stanislaus County Boys Band for the fiscal year 1937, 38 and

WHEREAS a donation of \$400.00 of the amount budgeted has been already given them and

WHEREAS they now request the balance due them of \$400.00

BE IT HEREBY RESOLVED that claim be allowed and the City Clerk and Auditor be directed to draw warrant in the amount of \$400.00

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on January 26, 1938 by Commissioner Neece who moved its adoption, which motion being duly seconded was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Neece, Stanley, Oliver, Bond and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4081-N.S.

A RESOLUTION ALLOWING CLAIM OF MODESTO TERMINAL COMPANY FOR REFUND OF WATER BILL IN THE AMOUNT OF \$33.00

---oOo---

CLAIM for refund on water bill for round house from November 12, 1936 to October 12, 1937, 11 months @ \$3.00 per month, \$33.00 having been made by the Modesto Terminal Company because water had been turned off and charge had been made for the minimum erroneously.

BE IT THEREFORE RESOLVED that claim be allowed and City Clerk and Auditor be directed to write a check in payment of claim.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on January 26, 1938 by Commissioner Neece who moved its adoption, which motion being duly seconded was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Neece, Stanley, Oliver, Bond and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4082-N.S.

A RESOLUTION AWARDED BID ON MILLING MACHINE TO MOORE MACHINERY CO. REFERRING BIDS ON MOWER TO COMMITTEE

---oOo---

WHEREAS specifications having heretofore been filed by the City Engineer with the Council and approved by them for the purchase of Milling machine and mower and money for purchase of this equipment having been duly appropriated and being now available and notice to bidders having heretofore been given and

published as required by law and bids in accordance with said notice having been received not later than 7:30 P.M. on Wednesday, January 26, 1938 and having been then and there opened by the Council in open meeting, City Clerk reported 3 bids received and

WHEREAS bid on the milling machine by Moore Machinery Company is the only bid and they are a responsible bidder

BE IT HEREBY RESOLVED THAT bid be awarded Moore Machinery Company for milling machine at a price of \$850.00 f.o.b. San Francisco, plus state tax and bid on mower of Jenison Machinery Company be referred to committee composed of City Engineer Rossi, Commissioners Neece and Bond for recommendation as to best and lowest bid and bid of Chas. Berg Co. be disqualified as it was not accompanied by check or bidding bond and

BE IT FURTHER RESOLVED that City Clerk and Auditor be authorized to draw warrant in payment of milling machine upon delivery and acceptance by the City Engineer.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on January 26, 1938 by Commissioner Bond who moved its adoption, which motion being duly seconded was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Neece, Stanley, Oliver, Bond and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4083-N.S.

A RESOLUTION AUTHORIZING CITY CLERK TO ADVERTISE FOR BIDS ON GASOLINE, LUBRICATING OILS, GREASE, KEROSENE, ROAD OIL, AND DIESEL OIL FUEL

---e0e---

BE IT HEREBY RESOLVED that the City Clerk be authorized to advertise for bids on the following:

- 1-Approximately 30,000 gallons of gasoline
- 2-Approximately 10 drums of lubricating oils
- 3-Approximately 6 drums of grease
- 4-Approximately 1000 gallons of kerosene
- 5-Approximately 300 tons of road Oil
- 6-Approximately 2000 gallons of Diesel Oil Fuel

Bids to be opened at the City Hall, 717 Tenth Street at 7:30 P.M. on Wednesday, February 9, 1938.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on January 26, 1938 by Commissioner Bond who moved its adoption, which motion being duly seconded was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Neece, Stanley, Oliver, Bond and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4084-N.S.

A RESOLUTION AUTHORIZING CITY CLERK AND AUDITOR TO DRAW WARRANT IN PAYMENT OF INDUSTRIAL TRACTOR IMMEDIATELY UPON DELIVERY FROM VALLEY TRACTOR AND EQUIPMENT COMPANY

---e0e---

BE IT HEREBY RESOLVED that City Clerk and Auditor be authorized to draw warrant in payment immediately upon delivery of industrial Tractor from Valley Tractor and Equipment Company, which was awarded under Resolution No. 4077-N.S.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of January, 1938 by Commissioner Bond who moved its adoption, which motion being duly seconded was upon roll call carried and the resolution adopted by the following votes:

Ayes: Councilmen: Neece, Stanley, Oliver, Bond and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4085-N.S.

A RESOLUTION AUTHORIZING CITY CLERK TO SEND CERTIFICATION OF ELECTION FOR THE ANNEXATION OF SOUTHERN CAMPUS TRACT TO SECRETARY OF STATE

---e0e---

BE IT HEREBY RESOLVED that the City Clerk be authorized to send certification of the election for the annexation of Southern Campus Tract together with copy of Ordinance No. 566-N.S. to the Secretary of State.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of January, 1938 by Commissioner Oliver, who moved its adoption which motion being duly seconded was upon roll call carried and the resolution adopted by the following votes:

Ayes: Councilmen: Neece, Stanley, Oliver, Bond and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4086-N.S.

A RESOLUTION AUTHORIZING CITY CLERK TO RECORD DOCUMENTS WITH STANISLAUS COUNTY RECORDER ON ANNEXATION OF SOUTHERN CAMPUS TRACT

---e0e---

BE IT HEREBY RESOLVED that City Clerk be authorized to record with the Stanislaus County Recorder certified copy of Ordinance No. 566- N.S. approving annexation of Southern Campus Tract to the City of Modesto and copy of approval of annexation from Secretary of State.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of January, 1938 by Commissioner Oliver, who moved its adoption, which motion being duly seconded was upon roll call carried and the resolution adopted by the following votes:

Ayes: Councilmen: Neece, Stanley, Oliver, Bond and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4087-N.S.

A RESOLUTION APPOINTING COMMITTEE TO INTERVIEW THE OFFICIALS OF THE MODESTO IRRIGATION DISTRICT REGARDING SWIMMING POOL

---eOeOe---

BE IT HEREBY RESOLVED that Commissioners Bond, Neece, Stanley and City Engineer Rossi be appointed as a committee to interview the officials of the Modesto Irrigation District regarding widening canal in the city for a swimming pool

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of January, 1938 by Commissioner Oliver, who moved its adoption, which motion being duly seconded was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Neece, Stanley, Oliver, Bond and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4088-N.S.

A RESOLUTION APPOINTING A COMMITTEE TO INVESTIGATE AND WORK OUT A PLAN TO RESTORE DELINQUENT TAXES TO THE ROLLS

---cOe---

WHEREAS, there are numerous parcels or pieces of land within the City of Modesto upon which large sums of money are owing to the City of Modesto in the form of taxes and street assessments; and

WHEREAS, the time has elapsed when any of said parcels of land may be redeemed by payment of back taxes and assessments; and

WHEREAS, said property is now yielding no revenue to the City of Modesto, and the restoration of said property to the tax rolls of the City of Modesto will work to the benefit of the citizens of said City:

NOW, THEREFORE, the City Council of the City of Modesto does hereby appoint Carl J. Stanley and B. H. Bond, members of the City Council of said City of Modesto to act as a committee for the purpose of working with the Tax Collector and the City Treasurer and County Treasurer of Stanislaus County in an effort to formulate a plan whereby said property may be returned to the tax rolls of the City of Modesto, and thus yield a revenue for the upkeep of said City.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of January, 1938 by Councilman Neece who moved its adoption, which motion being duly seconded, was upon roll call carried, and the resolution adopted by the following vote:

Ayes: Councilmen: Neece, Bond, Stanley, Oliver and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4089-N.S.

A RESOLUTION APPROVING BOND AND APPLICATION OF FRED BROWN AS PLUMBER

---eOo---

WHEREAS, application and bond of Fred Brown as a plumber in the City of Modesto has been brought before the Council for approval and

WHEREAS, bond and application meet requirements of Ordinance No. 276-O.S.

BE IT HEREBY RESOLVED that bond and application be approved and Fred Brown be permitted to operate as plumber 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 26th day of January, 1938 by Commissioner Bond who moved its adoption, which motion being duly seconded was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Neece, Stanley, Oliver, Bond and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None.

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4090-N.S.

ADJOURNMENT

---eOo---

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 January, 1938 by Commissioner Neece, who moved its adoption which motion being duly seconded was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Neece, Stanley, Oliver, Bond and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4091-N.S.

A resolution accepting proposal of Modesto Garden Club to Plant Shrubbery on the Modesto Irrigation Canal from Sycamore Avenue to McHenry Avenue

---eOo---

WHEREAS, the Modeste Garden Club have offered to plant shrubbery on both sides of the #4 canal of the Modesto Irrigation District from McHenry Avenue to Sycamore providing the City of Modesto take care of the shrubs after they are planted,

BE IT HEREBY RESOLVED that the proposal of the Modeste Garden Club be accepted and the Commissioner of Finance and Revenue confer with the Committee appointed by the Modesto Garden Club to have charge of the planting of the shrubs as to the variety to be planted.

The foregoing resolution was introduced at the regular meeting of the Council of the City of Modesto held on February 9, 1938 by Commissioner Neece, who moved its adoption, which motion being duly seconded was upon roll call carried by the following vote:

Ayes: Councilmen: Neece, Bond, Stanley, Oliver and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4092-N.S.

A RESOLUTION ALLOWING CLAIMS FOR THE MONTH OF JANUARY, 1938

---e0e---

WHEREAS, the Claims against the City of Modesto for the month of January, 1938 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-----	\$25,967.71
WATER FUND-----	3,492.39
LIBRARY FUND-----	1,697.56
BOND RED. INT. FUND-----	24,118.75
ST. BOND RED. INT. FUND-----	5,589.00
SPECIAL GAS TAX FUND-----	876.46
TOTAL-----	61,741.87

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of February, 1938 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: Neece, Stanley, Oliver, Bond and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4093-N.S.

A RESOLUTION ALLOWING REFUND OF WHOLESALE LICENSE TO B. R. DUVALL, DEPOSIT OF \$50.00 TO A. H. CUSHMAN and RUDOLPH BONZI AND TRUCK LICENSE TO TAYLOR MILLING CO.

---e0e---

WHEREAS, B. R. Duvall has made claim for refund of \$10.00 wholesale license paid to the City of Modesto as all sales had been reported under retail license, and

WHEREAS, A. H. Cushman and Rudolph Bonzi have made claim for refund of deposit \$50.00 each required under section 101 of Ordinance No. 487-N.S. and

WHEREAS, Taylor Milling Company have requested refund of truck license of \$5.00 as they have discontinued operation in this vicinity.

BE IT HEREBY RESOLVED that all claims be allowed and the City Clerk and Auditor be authorized to draw warrants in these amounts payable to petitioners.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on February 9, 1938 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: Neece, Stanley, Oliver, Bond and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4094-N.S.

A RESOLUTION REFUSING TO ALLOW CREDIT TO LLOYD V. MOORE ON TAXES FOR FISCAL YEAR 1937-38 BECAUSE OF FAILURE TO SIGN EXEMPTION AFFIDAVIT

---oOo---

WHEREAS, Lloyd V. Moore has communicated with City Attorney Fowler regarding failure of the City Assessor to allow credit on 1937 taxes for soldiers exemption and

WHEREAS, Lloyd V. Moore did not meet requirements of the law by signing an exemption affidavit for the City of Modesto as he had done for the County of Stanislaus

BE IT HEREBY RESOLVED that request be denied as regulations governing the granting of credit had not been complied with and

BE IT FURTHER RESOLVED that the City Attorney communicate with Lleyd V. Meere and explain to him that it would not be possible to grant this credit as regulations would not permit it.

The feregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on February 9, 1938 by Commissioner Bond, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Neece, Stanley, Oliver, Bond and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4095-N.S.

A RESOLUTION CANCELLING SECOND INSTALLMENT OF TAXES ON LOTS 18 AND 19 BLOCK 467, CLIFFORD A. MARTIN FOR YEAR 1938 PROPERTY BEING ACQUIRED BY VETERAN'S WELFARE BOARD

---oOo---

WHEREAS, the Veterans' Welfare Board have made application to the Council for cancellation of second installment of taxes on lots 18 and 19, Block 467, being purchased by Clifford A Martin, having been acquired through the provisions of the Veterans' Farm and Home Purchase Act, under Chapter 519, Statutes of 1921,

BE IT HEREBY RESOLVED that request for cancellation of second installment of 1937-38 taxes be granted to the Veterans' Welfare Board and the City Tax Collector and Assessor make such entries on their records,

The feregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of February, 1938 by Commissioner Neece, who moved its adoption, which motion being duly seconded and upon roll call was adopted by the following vote:

Ayes: Councilmen: Neece, Bond, Stanley, Oliver and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4096-N.S.

A RESOLUTION AWARDDING BID ON RESURFACING STREETS TO S. M. MCGAW

---oOo---

WHEREAS, the awarding of the bid for the resurfacing of H Street between 3rd and 5th Streets and I Street, between 5th and 8th Streets was deferred until such time as the Division of Highways of the State of California grant the City Council the authority and

WHEREAS approval has been received from the Division of Highways, providing the city assume the responsibility of paying the amount in excess of sum allocated in the gasoline tax $\frac{1}{2}$ budget

BE IT THEREFORE RESOLVED that contract be awarded to S. M. McGaw on Item #1 as set forth in bid and in Resolution #4076-N.S. and authorizing the City of Modesto to enter into a contract with S. M. McGaw for the resurfacing of these streets.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of February, 1938 by Commissioner Bond who moved its adoption, which motion being duly seconded and upon roll call was adopted by the following vote:

Ayes: Councilmen: Neece, Bond, Stanley, Oliver and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

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

RESOLUTION NO. 4097-N.S.

A RESOLUTION REJECTING BID ON POWER LAWN MOWER AND AUTHORIZING CITY CLERK TO RETURN BID BOND TO JENISON MACHINERY COMPANY

---s0c---

WHEREAS, Resolution No. 4082-N.S. referred bid on power lawn mower to committee composed of City Engineer Rossi and Commissioner Neece, at this time they reported that bids given by the Jenison Machinery Company were not satisfactory and did not meet the requirements of the bid.

BE IT HEREBY RESOLVED that bid of Jenison Machinery Company be rejected and the City Clerk be directed to return bid bond and notify them of the action of the Council.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of February, 1938 by Commissioner Bond, who moved its adoption and motion being duly seconded was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Neece, Stanley, Oliver, Bond and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4088-N.S.

A RESOLUTION AUTHORIZING CITY CLERK TO CALL FOR NEW BIDS ON POWER LAWN MOWER

---oOo---

WHEREAS bids on power lawn mower did not meet requirements of bids

BE IT HEREBY RESOLVED City Clerk be authorized to call for new bids on 1 power lawn mower to have 3 units which shall make a width of approximately seventy five inches, equipped with rubber covered rolls or rubber tired wheels, less trade in of Stearns power mower, model 24, total cost of equipment to the City including sales tax not to exceed \$625.00, all bids must be received in the City Clerk office at 717 10th Street not later than 7:30 P.M. on Wednesday, February 23, 1938.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of February, 1938 by Commissioner Neece, who moved its adoption, and motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Neece, Stanley, Oliver, Bond and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4099-N.S.

A RESOLUTION AUTHORIZING PAYMENT TO P. E. VAN PELT ON FIRE EQUIPMENT AS PER BID

---oOo---

WHEREAS, delivery has been made of Barton pump and water tank by P. E. Van Pelt for mounting on Reo Chassis in the Fire Department in accordance with bid specifications and

WHEREAS, Chief Wallace of the Fire Department has approved material delivered

BE IT HEREBY RESOLVED that City Clerk and Auditor be authorized to draw warrant in amount of \$751.90 in payment of equipment delivered and to return to bidder certified check which accompanied bid.

The foregoing resolution was adopted at a regular meeting of the Council of the City of Modesto held on the 9th day of February, 1938 by Commissioner 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: Neece, Stanley, Oliver, Bond and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4100-N.S.

RESOLUTION APPROVING RENEWAL OF LEASE TO MODESTO TRAP AND SKEET CLUB OF LAND NEAR
MODESTO MUNICIPAL AIRPORT

---oOo---

WHEREAS lease with the City of Modesto and the Modesto Trap and Skeet Club for rental of land near Modesto Municipal Airport expires on March 1, 1938 and

WHEREAS, a provision has been made in the lease for the renewal of the lease

BE IT HEREBY RESOLVED that the City Attorney be authorized to prepare lease for a term of one year from March 1, 1939 at \$1.00 per year rental and Mayor and City Clerk be appointed as signatory officials.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of February, 1938 by Councilman Bond who moved its adoption, which motion being duly seconded, was upon roll call carried, and the resolution adopted by the following vote:

Ayes: Councilmen: Neece, Stanley, Bond, Oliver and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4101-N.S. was not used

RESOLUTION NO. 4102-N.S.

A RESOLUTION AUTHORIZING FINAL PAYMENT TO JARVIS BROS. ON GOLF COURSE CLUBHOUSE
ADDITION ON FEBRUARY 17, 1938.

---oOo---

WHEREAS, the City Engineer has filed with the City Clerk a report showing the balance due Jarvis Bros. on their original contract for the construction of addition to the Golf Course Clubhouse in amount of \$264.25 and

WHEREAS, under the terms of the contract, thirty five days will have elapsed on February 16, 1938 since acceptance certification has been filed by the City Engineer

BE IT HEREBY RESOLVED that the City Clerk and Auditor be authorized to draw a warrant in amount of \$264.25 on February 17, 1938 in full payment of contract providing no liens are filed against contract of Jarvis Bros.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of February, 1938 by Councilman Neece who moved its adoption, which motion being duly seconded, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Neece, Stanley, Bond, Oliver and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4103-N.S.

WHEREAS, the shippers of the San Joaquin Valley and particularly those of Stanislaus County in which we have a direct interest are entitled to obtain the very best service possible at Stockton, California through the Port of Stockton and

WHEREAS the Port of Stockton is making an effort to bring to it the service of foreign lines for the purpose of shipping merchandise from California to Europe and to the United Kingdom at terminal rates applicable at all other Pacific Coast ports and

WHEREAS the San Francisco Harbor Port has petitioned the United States Maritime Commission for permission to intervene and show cause why European steamships service should not be extended to Stockton at such terminal rates.

BE IT THEREFORE RESOLVED that we do hereby petition the Governor of the State of California to do all in his power to cause the San Francisco Harbor Port to recall its petition to intervene because a failure to obtain the service desired will be to the disadvantage of all the agricultural interests in interior California and

BE IT FURTHER RESOLVED that a copy of this resolution be, by the City Clerk sent to his Excellency, Governor Frank F. Merriam, of the State of California and to the Port of Stockton.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of February, 1938 by Commissioner Oliver who moved its adoption which motion being duly seconded was upon roll call adopted by the following vote:

Ayes: Councilmen: Neece, Stanley, Oliver, Bond and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4104-N.S.

A RESOLUTION ACCEPTING REPORT OF COMMITTEE ON TAX SALES

---oOo---

PURSUANT to appointment of committee of C. J. Stanley, B. H. Bond and H. E. Gragg by the Council to work with the County Tax Collector in an effort to formulate a plan whereby certain property may be returned to the tax rolls of the City of Modesto and yield a revenue for the upkeep of said City and

WHEREAS, a report was given by the committee of their findings

BE IT HEREBY RESOLVED that report as given be accepted and the City Clerk be authorized to file a copy of report with the County Tax Collector.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of February, 1938 by Councilman Neece, who moved its adoption, which motion being duly seconded was upon roll call carried, and the resolution adopted by the following vote:

Ayes: Councilmen: Neece, Bond, Stanley, Oliver and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4105-N.S.

IN THE MATTER OF ANNEXATION OF HIGH HOMES TRACT-CITY ENGINEER ROSSI AND CITY ATTORNEY FOWLER TO ASSIST ANNEXATION COMMITTEE

---605---

WHEREAS, a petition has been received from the Secretary of the Annexation Committee of the High Tract, H. Reed Hicken requesting that the City Council provide assistance to their committee for annexation of this tract to the City of Modesto

BE IT HEREBY RESOLVED that City Engineer Rossi and City Attorney Fowler be appointed as a committee to confer with the Annexation Committee of the High Tract and to lend any possible assistance.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of February, 1938 by Councilman Bond, who moved its adoption, which motion being duly seconded was upon roll call carried, and the resolution adopted by the following vote:

Ayes: Councilmen: Neece, Bond, Stanley, Oliver and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4106-N.S.

A RESOLUTION ORDERING CITY ATTORNEY TO APPEAL KEELEY CASE IF DECISION THEREIN IS ADVERSE TO CITY

---oOo---

WHEREAS, there is now pending before the Superior Court of the State of California, in and for the County of Stanislaus, an action entitled "George M. Keeley, Petitioner, vs. City of Modesto, a municipal corporation, et al.; and

WHEREAS, said decision in said case may be rendered between the regular meeting days of the Council of the City of Modesto; and

WHEREAS, said Council desires the City Attorney to take such steps to have said case reheard and/or to appeal the decision thereupon if said decision is adverse to the City of Modesto:

NOW, THEREFORE, BE IT RESOLVED, that in the event said action is determined adversely to the City of Modesto, the City Attorney is ordered and empowered to take such steps as may be deemed necessary to secure a new trial of said action and/or to appeal the same for a hearing by a higher Court.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of February, 1938, by Councilman Bond, who moved its adoption, which motion being duly seconded, was upon roll call carried, and the resolution adopted by the following vote:

Ayes: Councilmen: Neece, Stanley, Oliver, Bond and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4107-N.S.

A RESOLUTION REFUSING TO MAKE ANY CHANGE IN THE CARD TABLE ORDINANCE NO. 457-N.S.

---oOo---

WHEREAS Mr. Henry Crow of the Hotel Modesto has petitioned the Council to make a change in Ordinance No. 457-N.S. governing license on card tables in as much as he claims he does not charge people to play

BE IT HEREBY RESOLVED that request be refused and no change be made in this ordinance at the present time

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of February, 1938 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: Neece, Stanley, Oliver, Bond and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4108-N.S.

ADJOURNMENT

BE IT HEREBY RESOLVED that this Council 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 February, 1938 by Councilman Oliver, who moved its adoption, which motion being duly seconded was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Neece, Stanley, Oliver, Bond and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4109-N.S.

A RESOLUTION AWARDING BIDS ON GASOLINE AND OIL PRODUCTS FOR THE YEAR MARCH 1, 1938 TO FEBRUARY 28, 1938

---oOo---

WHEREAS, bids on gasoline and oil products had been referred to the City Engineer for tabulation and recommendation as to the lowest and best bid.

BE IT HEREBY RESOLVED that the following awards be made as being the lowest and best bids:

TIDEWATER ASSOCIATED OIL COMPANY	Gasoline
THE TEXAS COMPANY	Lubricating Oil
STANDARD OIL COMPANY	Grease
J. S. WEST & CO.	Kerosene
RICHFIELD OIL CORPORATION	Road Oil
SHELL OIL COMPANY	Diesel Fuel Oil

and the City of Modesto enter into a contract for a period of 1 year from March 1, 1938 to February 28, 1939 and that the Mayor and City Clerk be appointed as signatory officials (C.F. Bid file No. BP154)

The foregoing resolution was introduced at the special meeting of the Council of the City of Modesto held on February 18, 1938 by Commissioner Bond, who moved its adoption, which motion being duly seconded, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Neece, Bond, Stanley, Oliver and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4110-N.S.

A RESOLUTION DECLARING THAT BUILDINGS LOCATED AT 522 JAMES STREET CONSTITUTE A NUISANCE AND AUTHORIZING CITY ATTORNEY TO ABATE SAME

---oOo---

WHEREAS there is situate in Block 212 portion lot 4, 522 James Street in the City of Modesto, County of Stanislaus, State of California certain buildings belonging to Vernon A. Gunderson and

WHEREAS said buildings are in an unsanitary condition and in a state of disrepair and delapidation and are a menace to the public health, welfare and safety of the citizens of the City of Modesto,

BE IT HEREBY RESOLVED that buildings be declared a nuisance and this Council does further declare its intention to abate the same or cause the same to be abated and does by this resolution authorize and order the City Attorney of the City of Modesto to proceed forthwith to abate the same under and by virtue of the laws of the state of California.

The foregoing resolution was introduced at the special meeting of the Council of the City of Modesto held on February 18, 1938 by Commissioner 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: Neece, Bond, Stanley, Oliver and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4111-N.S.

A RESOLUTION AUTHORIZING CITY ATTORNEY TO DRAW UP AGREEMENT FOR FIRE PROTECTION FOR SLAUGHTER HOUSES SOUTH OF MODESTO JUST OFF CROWS LANDING ROAD BELONGING TO MODESTO PACKING COMPANY, B. ZEFF AND COMPANY, ARNOPOLE MEAT COMPANY, ANKER MEAT COMPANY, MODESTO TALLOW COMPANY AND GELLER PACKING COMPANY

---oOo---

WHEREAS the Modesto Packing Company, B. Zeff and Company, Arno pole Meat Company, Anker Meat Company, Modesto Tallow Company and Geller Packing Company located south of Modesto just off the Crows Landing Road about one mile from city limits have petitioned the City of Modesto to be furnished fire protection by the City of Modesto and have agreed to enter into a contract for this protection.

and the City of Modesto enter into a contract for a period of 1 year from March 1, 1938 to February 28, 1939 and that the Mayor and City Clerk be appointed as signatory officials (C.F. Bid file No. BP154)

The foregoing resolution was introduced at the special meeting of the Council of the City of Modesto held on February 18, 1938 by Commissioner Bond, who moved its adoption, which motion being duly seconded, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Neece, Bond, Stanley, Oliver and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4110-N.S.

A RESOLUTION DECLARING THAT BUILDINGS LOCATED AT 522 JAMES STREET CONSTITUTE A NUISANCE AND AUTHORIZING CITY ATTORNEY TO ABATE SAME

---oOo---

WHEREAS there is situate in Block 212 portion lot 4, 522 James Street in the City of Modesto, County of Stanislaus, State of California certain buildings belonging to Vernon A. Gunderson and

WHEREAS said buildings are in an unsanitary condition and in a state of disrepair and delapidation and are a menace to the public health, welfare and safety of the citizens of the City of Modesto,

BE IT HEREBY RESOLVED that buildings be declared a nuisance and this Council does further declare its intention to abate the same or cause the same to be abated and does by this resolution authorize and order the City Attorney of the City of Modesto to proceed forthwith to abate the same under and by virtue of the laws of the state of California.

The foregoing resolution was introduced at the special meeting of the Council of the City of Modesto held on February 18, 1938 by Commissioner 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: Neece, Bond, Stanley, Oliver and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4111-N.S.

A RESOLUTION AUTHORIZING CITY ATTORNEY TO DRAW UP AGREEMENT FOR FIRE PROTECTION FOR SLAUGHTER HOUSES SOUTH OF MODESTO JUST OFF CROWS LANDING ROAD BELONGING TO MODESTO PACKING COMPANY, B. ZEFF AND COMPANY, ARNOPOLE MEAT COMPANY, ANKER MEAT COMPANY, MODESTO TALLOW COMPANY AND GELLER PACKING COMPANY

---oOo---

WHEREAS the Modesto Packing Company, B. Zeff and Company, Arno pole Meat Company, Anker Meat Company, Modesto Tallow Company and Geller Packing Company located south of Modesto just off the Crows Landing Road about one mile from city limits have petitioned the City of Modesto to be furnished fire protection by the City of Modesto and have agreed to enter into a contract for this protection.

BE IT HEREBY RESOLVED that the City Attorney be authorized to prepare an agreement to be executed by the Mayor and City Clerk and the Modesto Packing Company, B. Zeff and Company, Arnopole Meat Company, Anker Meat Company, Modesto Tallow Company and Geller Packing Company.

The foregoing resolution was introduced at the special meeting of the Council of the City of Modesto held on February 18, 1938 by Commissioner 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: Neece, Stanley, Bond, Oliver and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4112-N.S.

ADJOURNMENT

There being no further business to come before the meeting.

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

The foregoing resolution was introduced at the special meeting of the Council of the City of Modesto held on February 18, 1938 by Commissioner Neece, who moved its adoption, which motion being duly seconded was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Neece, Stanley, Bond, Oliver and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4113-N.S.

A RESOLUTION ALLOWING CLAIM OF \$259.56 TO UNITED LUMBER COMPANY AND \$32.50 FOR HOIST AND TRUCK SERVICE TO AMERINE BROS.

---oOo---

WHEREAS the United Lumber Company have presented claim for \$259.56 for 400 sacks of Calaveras Cement and Amerine Bros. have presented claim for \$32.50 for hoist and truck service

BE IT HEREBY RESOLVED that claims be allowed as presented and the City Clerk and Auditor be authorized to draw warrants in amounts as shown above to claimants.

The foregoing resolution was introduced at the regular meeting of the Council of the City of Modesto held on February 23, 1938 by Commissioner Oliver who moved its adoption, which motion being duly seconded was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Neece, Stanley, Oliver and Mayor King

Noes: Councilmen: None

Absent: Councilmen: Bond

ATTEST: H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4114-N.S.

A RESOLUTION ALLOWING REFUND OF DEPOSITS TO VALLEY PAINT COMPANY AND C. M. MCNALLEN
REQUIRED BY ORDINANCE NO. 487-N.S.

---oOo---

WHEREAS, the Valley Paint Company have filed claim with the City Auditor for refund of deposit of \$50.00 required by Ordinance No. 487-N.S. as they have moved to new location at 1215 J Street and have a five year lease and

Whereas, C. M. McNallen has made claim for refund of deposit of \$50.00 required by Ord. No. 487-N. S. because his business has been discontinued.

BE IT HEREBY RESOLVED that claims be allowed and the City Clerk and Auditor be authorized to draw warrants in payment of claims.

The foregoing resolution was introduced at the regular meeting of the Council of the City of Modesto held on February 23, 1938 by Commissioner Neece who moved its adoption, which motion being duly seconded was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Neece, Stanley, Oliver and Mayor King

Noes: Councilmen: None

Absent: Councilmen: Bond

ATTEST: H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4115-N.S.

A RESOLUTION APPROVING AGREEMENTS AS PREPARED BY CITY ATTORNEY FOR FIRE PROTECTION TO BE FURNISHED SLAUGHTER HOUSES SOUTH OF MODESTO JUST OFF CROWS LANDING ROAD

---oOo---

WHEREAS Resolution No. 4111-N.S. provides that the City Attorney be authorized to draw up agreement with the Modesto Packing Company, B. Zeff & Co., Arno-pole Meat Co., Anker Meat Company, Modesto Tallow Company and Geller Packing Company for fire protection on their slaughter houses, south of Modesto, just off Crows Land-ing Road and

WHEREAS Agreements have been presented to the Council for approval by the City Attorney

BE IT HEREBY RESOLVED that agreements be approved as presented and execution be authorized by the Mayor and City Clerk and agreement to be effective and fire protection granted immediately upon execution.

The foregoing resolution was introduced at the regular meeting of the Council of the City of Modesto held on February 23, 1938 by Commissioner 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: Neece, Stanley, Oliver and Mayor King

Noes: Councilmen: None

Absent: Councilmen: Bond

ATTEST: H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4116-N.S.

A RESOLUTION APPROVING CONTRACT AS PREPARED BY CITY ATTORNEY FOR EXECUTION WITH S. M. MCGAW FOR RESURFACING PORTION OF H AND I STREETS

---oOo---

WHEREAS, City Attorney has presented contract to be executed by the City of Modesto and S. M. McGaw for approval for the resurfacing portion of H and I Streets.

BE IT HEREBY RESOLVED that contract as presented be approved and to be effective upon execution by the City of Modesto and S. M. McGaw, providing bonds can be furnished as set forth in contract by S. M. McGaw.

The foregoing resolution was introduced at the regular meeting of the Council of the City of Modesto held on February 23rd 1938 by Commissioner Oliver, who moved its adoption, which motion being duly seconded was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Neece, Stanley, Oliver and Mayor King

Noes: Councilmen: None

Absent: Councilmen: Bond

ATTEST: H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4117-N.S.

A RESOLUTION AUTHORIZING THE TRANSFER OF \$50,000 FROM THE WATER FUND TO THE GENERAL FUND

---oOo---

WHEREAS, it is deemed advisable at this time to transfer the sum of \$50,000 from the Water Fund to the General Fund

BE IT HEREBY RESOLVED that the City Auditor and Treasurer make such entries in his books as may be necessary to effect transfer of the sum of \$50,000 from the Water Fund to the General Fund.

The foregoing resolution was introduced at the regular meeting of the Council of the City of Modesto held on February 23rd, 1938 by Commissioner Neece, who moved its adoption, which motion being duly seconded was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Neece, Stanley, Oliver and Mayor King

Noes: Councilmen: None

Absent: Councilmen: Bond

ATTEST: H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4118-N.S.

A RESOLUTION REFUSING REQUEST FOR WATER SERVICE TO P. E. OLSON AND GEORGE L. OLSON ON ROSELAWN AND SOUTH AVENUE

---oOo---

WHEREAS, P. E. Olson and George L. Olson have requested water service on property just outside the city limits on Roselawn and South Avenue.

BE IT HEREBY RESOLVED that request be refused as it is the policy of the Council not to grant water service outside the city limits (C.F. Res. No. 3480-N.S.)

The foregoing resolution was introduced at the regular meeting of the Council of the City of Modesto held on February 23rd, 1938 by Commissioner Oliver, who moved its adoption, which motion being duly seconded was upon roll call carried and

the resolution adopted by the following vote:

Ayes: Councilmen: Neece, Stanley, Oliver and Mayor King

Noes: Councilmen: None

Absent: Councilmen: Bond

ATTEST: H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4119-N.S.

A RESOLUTION APPROVING APPLICATION AND BOND OF B. M. DUANE FOR PLUMBER'S LICENSE

---oOo---

WHEREAS, Buckley M. Duane has presented application and bond for plumbing license

BE IT HEREBY RESOLVED that bond and application be approved providing applicant secure business license as required by ordinance of the City of Modesto.

The foregoing resolution was introduced at the regular meeting of the Council of the City of Modesto held on February 23rd 1938 by Commissioner Oliver, who moved its adoption, which motion being duly seconded was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Neece, Stanley, Oliver and Mayor King

Noes: Councilmen: None

Absent: Councilmen: Bone

ATTEST: H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4120-N.S.

A RESOLUTION LEASING PORTION OF MUNICIPAL AIRPORT OF THE CITY OF MODESTO TO THE UNITED STATES DEPARTMENT OF COMMERCE, BUREAU OF AIR COMMERCE FOR THE PURPOSE OF CONDUCTING RADIO RANGE FOR THE GUIDANCE AND OPERATION OF AIRCRAFT AND GRANTING LICENSE TO SET UP NECESSARY EQUIPMENT FOR THE OPERATION THEREOF

---500---

WHEREAS, a lease has been presented to the Council of the City of Modesto for approval between the United States Department of Commerce, Bureau of Air Commerce and the City of Modesto for the renting of a portion of the Municipal Airport owned by the City of Modesto, County of Stanislaus, State of California for the purpose of establishing and maintaining beacon lights and other lighting equipment, radio and other facilities for communication and signaling purposes and other facilities and equipment for the guidance and operation of aircraft for a term beginning March 1, 1938 and ending June 30, 1938 at a rental of \$1.00 per year with option to renew lease from year to year at same rental and

WHEREAS, a license to set six poles on the property covered by the lease and install and maintain lights on said poles was also presented for approval.

BE IT HEREBY RESOLVED that lease and license be approved as presented and the Mayor and City Clerk be appointed as signatory officials.

The foregoing resolution was introduced at the regular meeting of the Council of the City of Modesto held on February 23, 1938 by Commissioner 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: Neece, Stanley, Oliver and Mayor King

Noes: Councilmen: None

Absent: Councilmen: Bond

ATTEST: H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4121-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 February 23rd, 1938 by Commissioner Oliver, who moved its adoption, which motion being duly seconded was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Neece, Stanley, Oliver and Mayor King

Noes: Councilmen: None

Absent: Councilmen: Bond

ATTEST: H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4122-N.S.

A RESOLUTION ALLOWING CLAIMS FOR MONTH OF FEBRUARY, 1938

--oOo--

WHEREAS, the claims against the City of Modesto for the month of February, 1938, 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-----	\$23,573.38
WATER FUND-----	3,174.14
LIBRARY FUND-----	1,701.73
BOND RED. INT. FUND-----	25.00
ST. BOND RED. INT. FUND-----	15.68
GASOLINE TAX FUND SPECIAL-----	213.70
TOTAL-----	\$28,703.63

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of March, 1938 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: Neece, Bond, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: Oliver

ATTEST: H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4123-NS

A RESOLUTION ALLOWING REFUND OF \$2.25 TO CHAS. MYERS AND REFUND OF \$15.00
TO S. M. MCGAW

---000---

WHEREAS, claim has been filed with the City Auditor by S.M. McGaw for refund of \$15.00, being water tap fee for 1st tap (receipt No. 4667, issued 2-8-38) as old tap was already installed and

WHEREAS, Chas. Myers has filed claim for refund on water bill for month of February, 1938 at 922 5th Street, as he had paid for month of February on January 28th, 1938 then ordered water off on February 9, 1938.

BE IT HEREBY RESOLVED, that claims be allowed as presented and the City Clerk and Auditor be authorized to draw warrants in payment.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of March, 1938 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: Neece, Bond, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: Oliver

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4124-N.S.

A RESOLUTION GRANTING PERMIT TO CERTAIN APPLICANT FOR BUSINESS BUILDING IN A RES-
IDENCE ZONE

---oOo---

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

MADONNA & ZECCA

To conduct service station at 5th & I Streets,
being lots 17, 18, 19 & 5' of 20, Block 22

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:

THEREFORE, BE IT RESOLVED that permission be and the same is hereby granted, with the understanding that all provisions relative to building permit fees will be complied with and subject to approval of plans and specifications by the City Engineer

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of March, 1938, by Commissioner Bond, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Neece, Bond, Stanley and Mayor King
Noes: Councilmen: None
Absent: Councilmen: Oliver

ATTEST: H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4125-N.S.

A RESOLUTION AWARDING BID ON POWER LAWN MOWER TO CHARLES BERG CO.

---oOo---

Whereas all bids on power lawn mower were referred to City Engineer for tabulation and recommendation as to the lowest and best bid

BE IT HEREBY RESOLVED that bid be awarded Charles Berg Company at a total cost of \$625.00, including sales tax and credit for trade in on 24" Stearns power lawn mower as being the lowest and best bid and

BE IT FURTHER RESOLVED that City Clerk and Auditor be authorized to return checks and bid bonds to unsuccessful bidders and

BE IT FURTHER RESOLVED that the City Clerk and Auditor be authorized to draw warrant in payment to Chas. Berg Company upon delivery of mower and approval by the City Engineer.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of March, 1938 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: Neece, Bond, Stanley and Mayor King
Noes: Councilmen: None
Absent: Councilmen: Oliver

ATTEST: H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4126-N.S.

A RESOLUTION RESCINDING RESOLUTION NO. 4091-N.S. PROVIDING FOR THE CITY OF MODESTO TAKING CARE OF SHRUBS AFTER THEY ARE PLANTED BY PRIVATE PROPERTY OWNERS ON BANKS OF MODESTO IRRIGATION DISTRICT LATERAL #4 FROM MCHENRY AVENUE TO SYCAMORE AVENUE

---oOo---

WHEREAS, Resolution No. 4091-N.S. provides that the City of Modesto take care of shrubs after they are planted on the Modesto Irrigation District lateral #4 canal banks from McHenry Avenue to Sycamore Avenue by private property owners and

WHEREAS, City Attorney Fowler has rendered an opinion that this cannot legally be done as a portion of this property is not within the city limits

THEREFORE BE IT RESOLVED that Resolution No. 4091-N.S. be rescinded and the City Clerk be instructed to write to Mrs. R. Stewart Hiatt, applicant, and notify her of the decision of the Council.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on March 9, 1938 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: Bond, Neece, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: Oliver

ATTEST: H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4127-N.S.

A RESOLUTION PROVIDING FOR TWO HOUR PARKING LIMIT ON I STREET FROM 13TH & EYE STREETS TO ALLEY ON SOUTH SIDE OF EYE STREET

---oOo---

Whereas, pursuant to request by tenants of buildings on the south side of Eye Street between 13th and 14th Streets for a two hour parking zone

BE IT HEREBY RESOLVED that request be granted and the City Engineer have installed appropriate signs to make the south side of Eye Street from the Southeast corner of 13th and Eye Streets to alley a two hour parking zone.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of March, 1938 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: Neece, Stanley, Bond and Mayor King

Noes: Councilmen: None

Absent: Councilmen: Oliver

ATTEST: H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4128-N.S.

A RESOLUTION GRANTING PERMISSION TO THE MODESTO GARDEN CLUB TO PLANT A CHRISTMAS TREE LANE AT THE MUNICIPAL GOLF COURSE

--oOo--

WHEREAS, the Modesto Garden Club appeared before the City Park Commission asking for permission to plant a Christmas Tree lane in the location designated by said Commission and

WHEREAS the City Park Commission recommended that the Christmas tree lane consisting of Deodora trees be planted within the boundaries of the Municipal Golf Course and

WHEREAS, Mayor J. H. King has received a letter from the Modesto Garden Club on February 15, 1938 accepting the recommendation of the Park Commission.

BE IT HEREBY RESOLVED that the Modesto Garden Club be granted permission to plant a Christmas Tree lane totally within the Municipal Golf Course and under the direction of and as designated by Mr. Neece, Commissioner of Finance and Revenue and F. J. Rossi, City Engineer.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of March, 1938 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: Neece, Bond, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: Oliver

ATTEST: H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4129-N.S.

ADJOURNMENT

There being no further business to come before the Council

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

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on March 9, 1938, by Commissioner Bond, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen; Bond, Stanley, Neece and Mayor King

Noes: Councilmen: None

Absent: Councilmen: Oliver

ATTEST: H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4130-N.S.

A RESOLUTION REFUSING TO WAIVE \$5.00 LICENSE FEE FOR DANCE HALL ON THE THOMPSON HALL FOR THE STANISLAUS LODGE NO. 50 O.D.H.S.

---oOo---

Whereas the Secretary of Stanislaus Lodge No. 50, O.D.H.S. Mr. M. Schneider, has petitioned the Council to waive the \$5.00 license fee for dance hall on the Thompson Hall as they are planning on holding a benefit dance at the hall and a license had not been secured by the owner of the Hall, S. B. Thompson

BE IT HEREBY RESOLVED that petition be refused as the provisions of Ordinance No. 482-N.S. did not permit any deviation from the regular procedure.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on March 16th, 1938 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: Bond, Stanley, Oliver, Neece and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4131-N.S.

A RESOLUTION ADOPTING THE BUDGET AS SET FORTH IN THE PROJECT STATEMENT OF MARCH 14, 1938, FOR THE IMPROVEMENT OF HIGHWAYS WITHIN THE CITY OF MODESTO.

---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 a Supplement to the Budget for expenditures upon Highways within the City of Modesto for the biennial period ending June 30, 1939, and does herewith designate Mayor J. H. King, and City Engineer, F. J. Rossi, to affix their signatures 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 Mr. R. W. Pierce, Engineer of Division X of Highways of the California State Department of Public Works.

The foregoing Resolution was introduced at a special meeting of the Council of the City of Modesto held on March 16, 1938, by Commissioner Bond who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Bond, Stanley, Oliver, Neece and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4132-N.S.

A RESOLUTION REQUESTING GOVERNING BODY OF STANISLAUS COUNTY TO ALLOW INSPECITON OF MAPS OF PROPOSED SUBDIVISIONS; PLOTTING GROUNDS WITHIN THREE MILES OF THE CITY OF MODESTO

---oOo---

WHEREAS, recent legislation passed and adopted by the Legislature of the State of California, and duly signed by the Governor of said State permits cities to request of the Board of Supervisors of the counties wherein said cities are located the right to inspect maps of proposed subdivisions of property outside of said city, but within three miles of the city limits of said city; and

WHEREAS, it is the desire of the Council of the City of Modesto to work for the betterment not only of the City of Modesto, but for territory lying in and adjacent to said City, and for the beautification of the City of Modesto and territory adjacent thereto; and

WHEREAS, there are now being filed with the County Surveyor of the County of Stanislaus, State of California, numerous maps and plats of proposed subdivisions covering property outside of the City of Modesto, but within three miles of the limits of said city; and

WHEREAS, it is desired by the City of Modesto and the Planning Commission of said City that said maps be subjected to inspection by the Planning Commission of the City of Modesto and the Council thereof:

NOW, THEREFORE, be it resolved that the County Clerk of Stanislaus County, California, and clerk ex officio of the Board of Supervisors, the governing body of said County of Stanislaus, State of California, be requested to allow inspection by the Planning Commission of the City of Modesto and/or the City Council of said City of all plats and maps of proposed subdivisions filed with the County Surveyor of Stanislaus County, California, covering premises outside of the City Limits of the City of Modesto, but within a radius of three miles of said City Limits.

The foregoing Resolution was introduced at a special meeting of the Council of the City of Modesto held on the 16th day of March, 1938, by Councilman Bond, who moved its adoption, which motion being duly seconded, was upon roll call carried, and the Resolution adopted by the following vote;

Ayes: Councilmen: Neece, Bond, Stanley, Oliver and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4133-N.S.

A RESOLUTION REQUIRING BONDS AND INSURANCE FOR PROTECTION OF CITY OF MODESTO TO BE PURCHASED FROM COMPANIES EMPLOYING LOCAL AGENTS.

---oOo---

WHEREAS, the City of Modesto is often required to secure insurance for the protection of the citizens of the said City; and

WHEREAS, the City of Modesto is often required to demand the posting of certain bonds by individuals dealing with said City, which is likewise for the protection of the citizens of the City of Modesto; and

WHEREAS, it is deemed to be to the advantage and benefit of the citizens of said City that said bonds and insurance be secured by said City of Modesto from compan-

ies who employ agents living in the City of Modesto whenever possible so to do, save and except certain bonds posted by bidders, which bonds accompany the bid of said bidders for City business:

NOW, THEREFORE, BE IT RESOLVED that from and after the date of the due adoption of this Resolution, all bonds furnished by persons dealing with the City of Modesto for the protection of the City and its said citizens, save and except those bonds accompanying bids for City business, and all insurance taken out by and on behalf of the City of Modesto for its protection and for the protection of its citizens be furnished, purchased and/or secured from companies furnishing bonds and insurance, which said companies have agents living in the City of Modesto, whenever the same is possible so to do.

The foregoing Resolution was introduced at a special meeting of the Council of the City of Modesto held on the 16th day of March, 1938, by Councilman Neece, who moved its adoption, which motion being duly seconded, was upon roll call carried, and the Resolution adopted by the following vote:

Ayes: Councilmen: Neece, Bond, Stanley, Oliver and Mayor King
Noes: Councilmen: None
Absent: Councilmen: None

ATTEST: H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4134-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 March 16, 1938, by Commissioner Oliver, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Bond, Stanley, Oliver, Neece and Mayor King
Noes: Councilmen: None
Absent: Councilmen: None

ATTEST: H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4135-N.S.

A RESOLUTION ACCEPTING RESIGNATION OF GEORGE THRELFALL AS DEPUTY LICENSE COLLECTOR AND AUDITOR

---oOo---

Whereas, George Threlfall has accepted employment elsewhere and has presented his resignation as deputy license collector and Auditor

BE IT HEREBY RESOLVED that his resignation as presented be accepted.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of March, 1938 by Commissioner Neece who moved its adoption which motion being duly seconded, it was upon roll call adopted by the following vote:

Ayes: Councilmen: Neece, Bond, Oliver, Stanley and Mayor King
Noes: Councilmen: None
Absent: Councilmen: None

ATTEST: H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4136-N.S.

A RESOLUTION APPOINTING W. B. DEVLIN TO POSITION OF DEPUTY LICENSE COLLECTOR AND AUDITOR

---oOo---

WHEREAS, due to the resignation of George Threlfall there is a vacancy in the position of Deputy License Collector and Auditor, and

WHEREAS, the application of W. B. Devlin has been presented for consideration

BE IT HEREBY RESOLVED that W. B. Devlin be appointed to the position of Deputy License Collector and Auditor at a salary of \$150.00 per month, effective as soon as he could leave his present employer.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of March, 1938 by Commissioner Oliver who moved its adoption which motion being duly seconded, it was upon roll call adopted by the following vote:

Ayes: Councilmen: Neece, Bond, Oliver, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4137-N.S.

A RESOLUTION GRANTING PERMIT TO REESE ESGAR TO OPERATE SERVICE STATION AT 12TH & I STREETS

---oOo---

WHEREAS, pursuant to Ordinance No. 344-N.S. there was filed with the Council for approval application of Reese Esgar to erect, operate and maintain a service station on property known as southwesterly portions of lots 17, 18, 19 and 20 of Block 93 of the City of Modesto and

WHEREAS the plans therefor have been heretofore checked and approved by the City Engineer,

BE IT HEREBY RESOLVED that permit be granted to Reese Esgar to erect, operate and maintain a service station as prayed for when all provisions of city ordinances relative to building permit and the regulations for storage and dispensing of gasoline and zoning have been complied with.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of March, 1938 by Commissioner Bond who moved its adoption which motion being duly seconded, it was upon roll call adopted by the following vote:

Ayes: Councilmen: Neece, Bond, Oliver, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4138-N.S.

A RESOLUTION AUTHORIZING CITY ENGINEER TO MAKE INVESTIGATION OF TREE AT 202 SUNSET BOULEVARD AND REMOVING TREE IF IN HIS OPINION HE DEEMS IT NECESSARY FOR THE PUBLIC GOOD

---oOo---

Whereas, Mrs. Paul Fisher has petitioned the Council to remove a cottonwood tree by the side of her home at 202 Sunset Boulevard, as it is dangerous to the public .

BE IT HEREBY RESOLVED that the City Engineer be authorized to investigate and take action if he thinks best to remove the tree.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of March, 1938 by Commissioner Neece, who moved its adoption which motion being duly seconded, it was upon roll call adopted by the following vote:

Ayes: Councilmen: Neece, Bond, Oliver, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4139-N.S.

A RESOLUTION AUTHORIZING CITY CLERK TO ADVERTISE FOR BIDS FOR DRILLING A WELL AT SIERRA DRIVE AND FIFTH STREETS

---oOo---

BE IT HEREBY RESOLVED that the City Clerk be authorized to advertise for bids or proposals for drilling a well at Sierra Drive and Fifth Streets and furnishing and installing casing and pumping and developing well as per plans and specifications on file in the office of the City Engineer, said bids to be opened at 7:30 P.M. at the City Hall at 717 10th Street, April 13, 1938.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto on the 23rd day of March, 1938 by Commissioner Bond who moved its adoption which motion being duly seconded, it was upon roll call adopted by the following vote:

Ayes: Councilmen; Neece, Bond, Oliver, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4140-N.S.

A RESOLUTION APPROVING RENEWAL OF PATHFINDER FLYING SERVICE LEASE FOR TERM OF ONE YEAR FROM MARCH 31, 1938

---oOo---

WHEREAS, the Pathfinder flying Service, a corporation, as Lessee under that certain lease dated March 30, 1936 by and between the said corporation and the City of Modesto, has filed with the City Clerk its notice electing to continue as the lessee of the premises described in said lease for an additional year commencing on April 1, 1938 and ending on March 31, 1939

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Modesto that the Mayor of the City of Modesto be, and he is hereby authorized on behalf of the said City to accept said notice of election on behalf of the City of Modesto and to endorse on said original notice the acceptance of the City thereof.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of March, 1938 by Commissioner Bond who moved its adoption which motion being duly seconded, it was upon roll call adopted by the following vote:

Ayes: Councilmen: Neece, Bond, Oliver, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4141-N.S.

A RESOLUTION ADOPTING MAP OF THE CITY OF MODESTO AS MADE AND COMPILED BY THE CITY ENGINEER

---oOo---

WHEREAS, pursuant to and in accordance with Section 3652a 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 of letter, and to each lot or subdivision in such block a separate number of letter and giving names to such streets avenues, lanes, courts, 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 23rd day of March, 1938.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of March, 1938 by Commissioner Bond who moved its adoption, which motion being duly seconded, it was upon roll call adopted by the following vote:

Ayes: Councilmen: Neece, Bond, Oliver, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4142-N.S.

A RESOLUTION CHANGING THE NAME OF COMMERCIAL STREET TO CAMPUS WAY

---oOo---

BE IT HEREBY RESOLVED THAT the name of Commercial Street be changed to "Campus Way" and the City Clerk be instructed to notify the United States Post Office of the action taken 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 March, 1938 by Commissioner Stanley, who moved its adoption which motion being duly seconded, it was upon roll call adopted by the following vote:

Ayes: Councilmen: Neece, Bond, Oliver, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4143-N.S.

A RESOLUTION CHANGING THE NAME OF WATER STREET TO "MORTON BOULEVARD"

---oOo---

BE IT HEREBY RESOLVED THAT the name of Water Street be changed to "Morton Boulevard" and the City Clerk be instructed to notify the United States Post Office of the action taken 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 March, 1938 by Commissioner Stanley, who moved its adoption, which motion being duly seconded, it was upon roll call adopted by the following vote:

Ayes: Councilmen: Neece, Bond, Oliver, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4144-N.S.

A RESOLUTION REQUIRING BONDS AND INSURANCE FOR PROTECTION OF CITY OF MODESTO TO BE PURCHASED FOR COMPANIES EMPLOYING LOCAL AGENTS

---oOo---

WHEREAS, the City of Modesto is often required to secure insurance for the protection of the citizens of the said City; and

WHEREAS, the City of Modesto is often required to demand the posting of certain bonds by individuals dealing with said City of Modesto; and

WHEREAS, it is deemed to be to the advantage and benefit of the citizens of said City that said bonds and insurance be secured by said City of Modesto from companies who employ agents living in the City of Modesto, whenever possible so to do:

NOW THEREFORE, BE IT RESOLVED, that from and after the date of the due adoption of this Resolution, all bonds furnished by persons dealing with the City of

Modesto for the protection of the City and its said citizens, and all insurance taken out by and on behalf of the City of Modesto for its protection and for the protection of its citizens be furnished, purchased and/or secured from companies furnishing bonds and insurance through agents who maintain and operate offices or places of business in the City of Modesto, whenever the same is possible so to do.

The foregoing Resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of March, 1938 by Councilman Neece, who moved its adoption, which motion being duly seconded was upon roll call carried, and the resolution adopted by the following vote:

Ayes: Councilmen: Neece, Stanley, Oliver, Bond and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4145-N.S.

A RESOLUTION PROVIDING FOR TEN MINUTE PARKING ON THE SOUTHWESTERLY SIDE OF TENTH STREET IN THE CITY OF MODESTO.

---oOo---

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

WHEREAS, under and by virtue of the provisions of Ordinance No. 538-N.S., duly and regularly adopted by the City Council of the City of Modesto, said City Council has the power, when and if the general welfare and safety of the citizens of the City of Modesto so require it, to increase or diminish the time for which vehicles may be parked on the public streets of the business district of the City of Modesto;

NOW, THEREFORE, BE IT RESOLVED AND ORDERED by said City Council that in the space hereinafter set forth the parking time of all vehicles parked in said space shall be, between the hours of 9 a.m. and 6 p.m. for ten consecutive minutes, and no longer.

Said ten minute parking space hereby created shall be located and established on the southwesterly side of Tenth Street, westerly from the northerly line of G Street where said G Street intersects said Tenth Street, the southerly line of said parking space to commence at a point on the curb of said Tenth Street, which is located at a distance of 18 feet from the northerly property line of said G Street.

BE IT FURTHER RESOLVED that the City Engineer of the City of Modesto shall procure proper markings and or signs conveying to the public notice of the fact that the space herein designated shall be used by the operators of vehicles for the period herein set forth.

This Resolution shall be effective as soon as the parking space herein designated is properly marked and designated by the said City Engineer of the City of Modesto.

The foregoing Resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of March, 1938, 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: Neece, Stanley, Oliver, Bond and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4146-N.S.

A RESOLUTION PROVIDING FOR THE LOCATION OF A LOADING ZONE AND/OR BUS STOP AT THE INTERSECTION OF ELEVENTH AND J STREETS IN THE CITY OF MODESTO, AND ELIMINATING A LOADING ZONE IN FRONT OF THE BEATY BUILDING ON SAID J STREET.

--oOo--

WHEREAS, traffic conditions at the intersection of Eleventh and J Streets in the City of Modesto are becoming more hazardous due to increased automobile travel upon and over said intersection; and,

WHEREAS, said intersection is used by the Modesto Motor Bus Service as a place to stop busses owned and operated by said Company for the purpose of discharging and taking on passengers; and

WHEREAS, at the present time said busses stop at said intersection at or near the middle of J Street, or in any event in the travelled portion of said J Street, thus creating a traffic hazard for persons then traveling on said J Street and for persons leaving and entering said bus; and,

WHEREAS, it is deemed to the best interest of the citizens of the City of Modesto that said traffic hazard be eliminated:

NOW, THEREFORE, IT IS HEREBY RESOLVED, and there is hereby created a loading zone and/or bus stop to be used by said busses for taking on and discharging passengers. Said busses proceeding easterly on said J Street, having occasion to stop at the intersection of said J and Eleventh Streets shall park and/or stop in said loading zone and/or bus stop, and in no other place at said intersection. No other persons shall be permitted to stop or park in said loading zone and/or bus stop.

Said loading zone and/or bus stop shall be located as follows:

It shall be 39 feet in length and lying parallel to the southerly side of J Street adjacent to the J Street cross walk, which said cross walk is now located on the southwesterly side of said Eleventh Street at the intersection of said Eleventh and J Streets.

BE IT FURTHER RESOLVED, that the City Engineer of the City of Modesto shall procure proper markings and/or signs, conveying to the public notice of the fact that the area herein designated shall be used only for the purpose of stopping and parking busses of the Modesto Motor Bus Service.

BE IT FURTHER RESOLVED that the loading zone now located on the southerly side of J Street between Tenth and Eleventh Streets and directly in front of the entrance to the Beaty Building shall be removed, and said space in front of said building shall be remarked for parallel parking.

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

The foregoing Resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of March, 1938, 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: Neece, Oliver, Bond, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4146A.N.S.

A RESOLUTION PROVIDING A TEN-MINUTE PARKING SPACE ON THE SOUTHWESTERLY SIDE OF ELEVENTH STREET NEAR J STREET IN THE CITY OF MODESTO, AND RESCINDING A FORMER RESOLUTION.

---oOo---

WHEREAS, under and by virtue of the provisions of Ordinance No. 538-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 increase or diminish the time for which vehicles may be parked on the public streets of the business district of the City of Modesto; and,

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

NOW, THEREFORE, BE IT RESOLVED AND ORDERED by said City Council that in the space hereinafter set forth the parking time of all vehicles parked in said space shall be, between the hours of 9 a.m. and 6 p.m. for ten consecutive minutes, and no longer.

Said space is described as follows:

That Certain space now located and designated for diagonal parking of vehicles, being the first parking space southeasterly from the southerly line of J Street on Eleventh Street in the City of Modesto, The northerly line of said parking space shall commence at a point on the curb which is located at a distance of 27 feet from the southerly property line of J Street.

BE IT FURTHER RESOLVED, that that portion of Resolution No. 3820-N.S., Entitled: " A RESOLUTION PROVIDING TEN-MINUTE PARKING SPACES ON THE STREETS OF MODESTO IN CERTAIN DESIGNATED AREAS", creating a ten-minute parking space on the southeasterly side of J Street westerly from the south corner of the intersection formed by Eleventh and J Streets, is hereby rescinded, and the City Engineer of the City of Modesto is hereby ordered to remove the sign and other marking designating said parking space at said point.

BE IT FURTHER RESOLVED that the City Engineer of the City of Modesto shall procure proper markings and/or signs conveying to the public notice of the fact that the space herein designated shall be used by the operators of vehicles for the period herein set forth.

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

The foregoing Resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of March, 1938, 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: Neece, Stanley, Oliver, Bond and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4147-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 March 23, 1938 by Councilman Oliver, who moved its adoption, which motion being duly seconded was upon roll call carried, and the resolution adopted by the following vote:

Ayes: Councilmen: Neece, Bond, Stanley, Oliver and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4148-N.S.

A RESOLUTION ACCEPTING OFFER OF FRANK B. COLLIER OF \$400.00 FOR LOTS 19 AND 20 IN BLOCK 510 IN THE CITY OF MODESTO

---oOo---

WHEREAS, Frank B. Collier, attorney for James A. Roach has offered to purchase for \$400.00 lots 19 and 20 in Block 510 in the City of Modesto on which the city has taken tax deed, free and clear of all city taxes and assessments levied or assessed prior to the first Monday in March, 1938.

BE IT HEREBY RESOLVED that offer be accepted for said property.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 30th day of March, 1938 by Councilman Bond who moved its adoption, which motion being duly seconded was upon roll call carried, and the resolution adopted by the following vote:

Ayes: Councilmen: Stanley, Bond, Oliver, Neece and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4149-N.S.

A RESOLUTION REFUSING OFFER OF FRANK A. COLLIER, ATTORNEY FOR JAMES A ROACH, OF \$250.00 ON LOTS 11 AND 12, BLOCK 575 AND OFFERING TO SELL PROPERTY FOR SUM OF \$350.00

---oOo---

WHEREAS, Frank B. Collier, attorney for James A. Roach has offered \$250.00

for lots 11 and 12 in Block 575, free and clear of all city taxes and assessments levied or assessed prior to the first Monday in March, 1938

BE IT HEREBY RESOLVED that offer be rejected and the Council of the City of Modesto does hereby make an offer to Frank B. Collier, attorney for James A. Roach to sell the above described property for \$350.00, clear and free of all city taxes and assessments levied or assessed prior to the first Monday in March, 1938.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 30th day of March, 1938 by Councilman Bond who moved its adoption, which motion being duly seconded was upon roll call carried, and the resolution adopted by the following vote:

Ayes: Councilmen: Stanley, Neece, Oliver, Bond and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4150-N.S.

A RESOLUTION ACCEPTING OFFER OF FRANK B. COLLIER, ATTORNEY FOR MR. JAMES A. ROACH, OF \$100.00 ON LOTS 1, WEST 50 FT. OF EAST 100 FEET, BLOCK 212.

---oOo---

WHEREAS, Frank B. Collier, Attorney for James A. Roach has offered to purchase lot 1, west 50 ft. of East 100 ft. Block 212, City of Modesto for \$100.00, same to be free and clear of all city taxes and assessments levied or assessed prior to the first Monday in March, 1938.

BE IT HEREBY RESOLVED that offer be accepted for said property.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 30th day of March, 1938 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: Stanley, Bond, Oliver, Neece and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4151-N.S.

A RESOLUTION EXPRESSING APPRECIATION OF THE COUNCIL OF THE CITY OF MODESTO TO THE MODESTO GARDEN CLUB FOR PLANTING TREES ON THE GOLF COURSE

---oOo---

BE IT HEREBY RESOLVED that the City Clerk be authorized to write a letter of appreciation to the Modesto Garden Club for their action in planting Deodora trees on the Golf Course.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 30th day of March, 1938 by Councilman Neece who moved its adoption, which motion being duly seconded was upon roll call carried, and the resolution adopted by the following vote:

Ayes: Councilmen: Stanley, Bond, Oliver, Neece and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4152-N.S.

ADJOURNMENT

---oOo---

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

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 30th day of March, 1938 by Councilman Oliver who moved its adoption, which motion being duly seconded was upon roll call carried, and the resolution adopted by the following vote:

Ayes: Councilmen: Stanley, Bond, Oliver, Neece and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4153-N.S.

A RESOLUTION ACCEPTING OFFER TO PURCHASE CERTAIN PROPERTY

---oOo---

WHEREAS, Frank B. Collier has offered to purchase on behalf of James A. Roach lots 11 and 12 in Block 575 in the City of Modesto, County of Stanislaus, State of California for the sum of \$350.00, which said property is to be sold, free and clear of all City taxes and assessments levied or assessed prior to the first Monday in March, 1938 and

WHEREAS the City Council of the City of Modesto desires to have reinstated to the tax roll of said city, property upon which taxes and assessments are now delinquent and which property is not yielding any revenue to the City and

WHEREAS said offer is deemed by said Council to be fair and equitable and its acceptance reacts to the benefit of the City of Modesto.

THEREFORE BE IT RESOLVED that said offer for said property of \$350.00 be and the same is hereby accepted.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 6th day of April, 1938 by Councilman Bond, who moved its adoption, which motion being duly seconded was upon roll call carried, and the resolution adopted by the following vote:

Ayes: Councilmen: Stanley, Neece, Bond and Mayor King

Noes: Councilmen: None

Absent: Councilmen: Oliver

ATTEST: H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4154-N.S.

A RESOLUTION PROVIDING FOR PREPARATION OF DEEDS AND AUTHORIZING MAYOR AND TAX COLLECTOR TO SIGN SAME CONVEYING CERTAIN CITY PROPERTY

---oOo---

WHEREAS, certain offers have heretofore been made for the purchase of certain property in the City of Modesto, hereinafter set forth, which offers have been accepted by the City Council, as evidenced by Resolution No. 4148-N.S. and Resolution No. 4150-N.S. and Resolution No. 4153-N.S.

WHEREAS, full consideration agreed upon has been paid by the said Frank B. Collier, attorney for James A. Roach, to the City Auditor of the City of Modesto and it is now in order that deeds to said property be delivered to Frank B. Collier.

NOW THEREFORE BE IT RESOLVED and the City Attorney is hereby ordered to prepare 3 deeds of the following described real property:

Parcel #1 West 50 feet of East 100 feet of Lot 1 in Block 212 of the City of Modesto as per official Map thereof on file and recorded in the office of the County Recorder of Stanislaus County.

Parcel #2 Lots 11 and 12 in Block 575 of the City of Modesto, as per official Map thereof on file and recorded in the office of the County Recorder of Stanislaus County

Parcel #3 Lots 19 and 20 in Block 510 of the City of Modesto as per official map thereof on file and recorded in the office of the County Recorder of Stanislaus County

BE IT FURTHER RESOLVED that said 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, 1938 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 James A. Roach upon whose benefit said property is purchased by said Frank B. Collier.

BE IT FURTHER RESOLVED that the Auditor and Tax Collector shall cancel all back taxes and assessments on all said premises prior to March 7, 1938.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 6th day of April, 1938 by Councilman Bond who moved its adoption, which motion being duly seconded was upon roll call carried, and the resolution adopted by the following vote:

Ayes: Councilmen: Neece, Bond, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: Oliver

ATTEST: H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4155-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 April, 1938 by Councilman Neece, who moved its adoption, which motion being duly seconded was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Stanley, Bond, Neece and Mayor King

Noes: Councilmen: None

Absent: Councilmen: Oliver

ATTEST: H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4156-N.S.

A RESOLUTION ACCEPTING OFFER OF GRACE EVANGELICAL LUTHERN CONGREGATION UNALTERED AUGSBURG CONFESSION OF MODESTO, CALIFORNIA OF \$150.00 FOR BLOCK 200 LOTS 1 and 2 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 AND TAX COLLECTOR TO CANCEL ALL TAXES LEVIED AND ASSESSED PRIOR TO MARCH 7, 1938

---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 200, lots 1 and 2 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 Grace Evangelical Lutheran Congregation Unaltered Augsburg Confession, of Modesto, California have offered to purchase said property for the sum of \$150.00, same to be free and clear of all city taxes and assessments levied or assessed prior to the first Monday in March, 1938

BE IT HEREBY RESOLVED that offer of \$150.00 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, 1938 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 Grace Evangelical Lutheran Congregation Unaltered Augsburg Confession, of Modesto, California.

BE IT FURTHER RESOLVED that the Auditor and Tax Collector be authorized to cancel all taxes levied and/or assessed prior to March 7, 1938 against this property.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on April 13, 1938 by Councilman Stanley who moved its adoption, which motion being duly seconded was carried by the following vote:

Ayes: Councilmen: Neece, Bond, Stanley, Oliver and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4157-N.S.

A RESOLUTION ALLOWING CLAIMS FOR MONTH OF MARCH, 1938

---oOo---

WHEREAS, the claims against the City of Modesto for the month of March, 1938, 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 references being made to the Auditor's Cash Records for further details relative to amounts of withdrawals from the various funds as follows:

GENERAL FUND-----	\$24,123.98
WATER FUND-----	3,535.17
LIBRARY FUND-----	1,439.45
BOND RED. INT. FUND-----	62.98
ST. BOND RED. INT. FUND-----	---
UNAPPORTIONED FUND-----	---
GASOLINE TAX FUND-----	---
TOTAL-----	\$29,167.58

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of April, 1938 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: Neece, Bond, Oliver, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST E. E. GRAGG, CITY CLERK

RESOLUTION NO. 4158-N.S.

A RESOLUTION ALLOWING CLAIMS FOR REFUND OF TAXES TO FIRESTONE SERVICE STORE, VOY S. MCMATH AND ANNA L. LARSEN

---oOo---

WHEREAS, the Firestone Service Store has filed claim for refund of personal property tax for year 1938 because of wrong value being turned in on business statement for stock on hand as of March 7, 1938, same being \$9399.00 which should have been \$4821.00 and

WHEREAS, Voy S. McMath has filed claim for \$111.00 for refund of 1937 taxes because soldier's exemption was not allowed although he had signed exemption and

WHEREAS, Anna L. Larsen has filed claim for refund of taxes because of assessment of full value instead of 55% on Block 516, lots 7 and 8, E 40 feet, and E. 44 Ft. of 9 and 10.

BE IT HEREBY RESOLVED that claims be allowed and the City Clerk and Auditor be authorized to draw warrants in payment and make such entries on their records.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of April, 1938 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: Neece, Bond, Oliver, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4159-N.S.

A RESOLUTION APPROVING AND ACCEPTING MAP OF JOHN MUIR SUBDIVISION IN BLOCK 606, PRESENTED BY BOMBERGER BROTHERS

---oOo---

WHEREAS, a map of John Muir Subdivision in Block 606 has been pre-

sented by Bomberger Brothers for acceptance and approval

BE IT HEREBY RESOLVED that map be accepted and approved and the Mayor and City Clerk be authorized to sign same.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of April, 1938 by Commissioner Bond, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Neece, Bond, Oliver, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4160-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 April, 1938 by Commissioner Oliver, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Neece, Bond, Oliver, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4161-N.S.

A RESOLUTION ACCEPTING OFFER OF LESLIE F. BAKER AND HARRIET BAKER HIS WIFE OF \$34.58 FOR BLOCK 17, LOTS 26 and 27 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 AND TAX COLLECTOR TO CANCEL ALL TAXES LEVIED AND ASSESSED PRIOR TO MARCH 7, 1938

---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 17, lots 26 and 27 of the City of Modesto acquired by tax deed as provided by Ordinance No. 396-N.S. be sold at private sale and

WHEREAS, Leslie F. Baker and Harriet Baker, his wife have offered to purchase said property for the sum of \$34.58, same to be free and clear of all city taxes and assessments levied or assessed prior to the first Monday in March, 1938

BE IT HEREBY RESOLVED that offer of \$34.58 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, 1938 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 Leslie F. Baker and Harriet Baker, his wife.

BE IT FURTHER RESOLVED that the City Auditor and Tax Collector be authorized to cancel all taxes levied and/or assessed prior to March 7, 1938 against this property.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on April 21, 1938 by Councilman Bond who moved its adoption, which motion being duly seconded was carried by the following vote:

Ayes: Councilmen: Neece, Bond, Stanley, Oliver and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4162-N.S.

A RESOLUTION APPROVING MAP OF ARATA AND PODESTO TRACT IN BLOCK 308 OF THE CITY OF MODESTO AND APPOINTING MAYOR AND CITY CLERK SIGNATORY OFFICIALS

---oOo---

BE IT HEREBY RESOLVED that map of Arata-Podesto subdivision of Block 308 be approved as presented by the City Engineer and the Mayor and City Clerk be appointed as signatory officials.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on April 21, 1938 by Councilman Neece who moved its adoption, which motion being duly seconded was carried by the following vote:

Ayes: Councilmen: Neece, Bond, Stanley, Oliver and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4163-N.S.

A RESOLUTION EXTENDING WATER SERVICE TO J. G. BRUCE, J. REED HICKEN AND A. L. YOUNG FOR A PERIOD OF TWO MONTHS IN THE HIGH HOMES TRACT

---oOo---

WHEREAS, Resolution No. 3986-N.S. provided that water service be granted A. L. Young, J. G. Bruce and J. Reed Hicken located outside the city in the High Homes Tract for a period of six months from October 18, 1938 and

WHEREAS this period expired on April 18, 1938 and it is necessary to make new arrangements for water service

BE IT HEREBY RESOLVED that an extension of water service be granted for a period of two months more from April 18, 1938 to June 18, 1938.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on April 21, 1938 by Councilman Bond, who moved its adoption, which motion being duly seconded was carried by the following vote:

Ayes: Councilmen: Neece, Bond, Stanley, Oliver and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4164-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 April 21, 1938 by Councilman Bond, who moved its adoption, which motion being duly seconded was carried by the following vote:

Ayes: Councilmen: Neece, Bond, Stanley, Oliver and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4165-N.S.

A RESOLUTION ALLOWING CLAIM OF W. R. HOLDRIDGE FOR REFUND OF \$9.24 PERSONAL PROPERTY TAX AND AUTHORIZING CITY AUDITOR TO DRAW WARRANT IN PAYMENT

---oOo---

WHEREAS, W. R. Holdridge has filed claim for \$9.24 for refund of personal property tax for business at 911 Needham as he had paid statement on April 8, 1938 (receipt #2766-E) before he had filed his soldier's exemption on April 20, 1938

BE IT HEREBY RESOLVED that claim be allowed and the City Auditor be authorized to draw warrant in amount \$9.24 in payment of same.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on April 27, 1938 by Councilman Neece who moved its adoption, which motion being duly seconded was adopted by the following vote:

Ayes: Councilmen: Neece, Bond, Stanley, Oliver and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4166-N.S.

A RESOLUTION ACCEPTING PETITION FOR ANNEXATION OF "HAWKINS TRACT" TO THE CITY OF MODESTO

---oOo---

WHEREAS, there has been presented to the City Council of the City of Modesto at a regular meeting thereof held on the 27th day of April, 1938, a petition requesting that an election be called in the "Hawkins Tract", which tract is described as follows, to-wit:

Beginning at the Northeast corner of Lot 1 of the Spencer Colony according to the map on file in the office of the County Recorder of Stanislaus County in Vol. 2 of Maps at page 3, the said point being a granite monument marking the Northeast corner of section 31, T 3S. R. 9E, M.D.B & M.; thence South along the line common to Sections 31 and 32, above township and range, said line being the East line of lots 1 and 8 of Spencer Colony and the West Corporate limits of the City of Modesto, a distance of 19.815 chains to the southeast corner of said Lot 8; thence West along the South line of said Lot 8, 10.086 chains to the Southwest corner of said Lot 8; thence North along the West line of Lots 8 and 1, 19.8436 chains to the Northwest corner of said Lot 1; thence East along the North line of said Lot 1 and along the North line of said Section 31, 10.086 chains to the point of beginning. Excepting from the above the South 81.591 feet of Lot 8, being that certain parcel conveyed by Deed from John M. De Vilbiss et ux to Charles C. Crane et ux and recorded on January 29, 1937 in Vol. 612 of Official Records at page 55, records of Stanislaus County.

WHEREAS, it appears to the City Council of said City that said petition is in order:

NOW, THEREFORE, said petition is hereby accepted by said City Council of said City, and it is hereby resolved and the City Attorney is hereby ordered to

prepare the necessary documents and notices for the holding of an election in said territory sought to be annexed to the City of Modesto for the purpose of determining whether or not the voters living in said territory desire said territory to be annexed to, and to become a part of the City Limits 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 27th day of April, 1938 by Councilman Bond, who moved its adoption, which motion being duly seconded, was upon roll call carried and adopted by the following vote:

Ayes: Councilmen: Neece, Bond, Stanley, Oliver and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4167-N.S.

WHEREAS, heretofore, to-wit, on the 27 day of April 1938, there was received by the City Council of the City of Modesto, which said City Council is the legislative body of said City of Modesto, a municipal corporation, situate in the County of Stanislaus, State of California, a written petition signed by not less than one-fourth in number of all the qualified electors residing within the territory described therein, as shown by the registration of voters in the County in which such territory is situate, asking that such territory, which is in said petition and hereinafter described, be annexed to the City of Modest; and

WHEREAS, said petition so presented contained a request that said described territory be annexed to the said City of Modesto without said territory and the inhabitants thereof being subjected to the liability for payment of any bonded indebtedness or other indebtedness incurred by or owing by the said City of Modesto at the time of the filing of said petition, and that said property in the event of its annexation to the City of Modesto shall be liable only for such debts as the City may incur after the incorporation of such territory and for the taxes and assessments levied by said City only after said incorporation;

NOW, THEREFORE, BE IT RESOLVED, that a special election be, and the same is hereby called to submit to the electors residing in the territory proposed by such petition to be annexed to the said City of Modesto, the question as to whether or not such new territory which is hereinafter described, shall be annexed to, incorporated in, and made a part of said municipal corporation, to-wit, the City of Modesto, without thereby being subjected to the payment of any bonded indebtedness or moneys owed by said City at the time of said incorporation, and that said territory shall be subject to taxation equally with the property within such municipal corporation, less any taxes levied for indebtedness owed by said City at the time of said incorporation; said election to be held on the 31st day of May, 1938; the polls to be opened at six o'clock in the morning of said day, and to remain open until seven o'clock in the evening of said day, when the polls shall be closed; that the territory so proposed to be annexed and in which said special election shall be held as aforesaid is situate, lying and being in the County of Stanislaus, State of California and is contiguous to the City of Modesto, and is particularly described as follows; to-wit:

Beginning at the Northeast corner of Lot 1 of the Spencer Colony

according to the map on file in the office of the County Recorder of Stanislaus County in Vol. 2 of Maps at page 3, the said point being a granite monument marking the Northeast corner of Section 31, T. 3S. R. 9E, M.D.B & M.; thence South along the line common to sections 31 and 32, above township and range, said line being the east line of lots 1 and 8 of Spencer Colony and the West Corporate Limits of the City of Modesto, a distance of 19, 815 chains to the Southeast corner of said lot 8; thence West along the South line of said lot 8, 10.086 chains to the Southwest corner of said Lot 8; thence North along the West line of Lots 8 and 1, 19.8436 chains to the Northwest corner of said Lot 1; thence East along the North line of said Lot 1 and along the North line of said Section 31, 10.086 chains to the point of beginning. Excepting from the above the South 21,591 feet of Lot 8, being that certain parcel conveyed by Deed from John M. De Vilbiss et ux to Charles C. Crane et ux and recorded on January 29, 1937 in Vol. 612 of Official Records at page 55, records of Stanislaus County.

IT IS FURTHER ORDERED that for the purpose of holding said special election all of the territory mentioned in said petition and hereinabove described is consolidated and established into one election precinct, and the following is hereby designated as the place at which the polls shall be opened for such election in such territory so proposed to be annexed, to-wit: dwelling J. R. Hopkins-Franklin Street. The following, who are qualified electors of the voting precinct in which they are appointed to act, are hereby appointed officers of said election, to-wit:

Judges DELLA O. SANDERS and THELMA B. SANDERS, Inspector: J. R. HOPKINS

IT IS FURTHER ORDERED that for the purpose of said election the territory hereinabove described and proposed to be annexed to said municipal corporation is hereby designated as "Hawkins Tract".

IT IS FURTHER ORDERED that upon the ballots to be used at said election there shall be printed the words

"Shall HAWKINS TRACT be annexed to the City of Modesto?"	:	:	:	:
	:	Yes	:	:
"Shall HAWKINS TRACT be annexed to the City of Modesto?"	:	:	:	:
	:	No	:	:

IT IS FURTHER ORDERED that said election shall be held and conducted in accordance with an act of the legislature of the State of California entitled "An Act to Provide for the Alteration of the Boundaries of and for the Annexation of Territory to Municipal Corporations, for the Incorporation of such Annexed Territory in and as a Part Thereof, and for the Districting, Government and Municipal Control of Such Annexed Territory," approved June 11, 1913, and the acts amendatory of and supplemental thereto, if any there be.

IT IS FURTHER ORDERED that a notice be given by the Clerk of this Council of said election by the publication thereof in a newspaper of general circulation, printed and published outside of the municipal corporation of the City of Modesto, but within Stanislaus County, at least once a week for a period of four successive weeks next preceding the date of such election, and that said notice shall be in substantially the following form:

NOTICE OF ELECTION FOR THE ANNEXATION OF TERRITORY.

Notice is hereby given by order of the City Council of the City of Modesto, in accordance with the statutes of the State of California in such case made and provided, that pursuant to a proper petition filed therefor with said City Council a special election has been called by said Council to be held, and the same will be held, in the territory hereinafter described on Tuesday, the 31st day of May, 1938.

The proposition to be voted on at such election is as follows:

That it is proposed to annex to, incorporate in and make a part of the municipal corporation, to-wit, the City of Modesto, the following territory lying, being, and situate in the County of Stanislaus, State of California, and contiguous to the City of Modesto, and particularly described as follows:

Beginning at the Northeast corner of Lot 1 of the Spencer Colony according to the map on file in the office of the County Recorder of Stanislaus County in Vol. 2 of Maps at page 3, the said point being a granite monument marking the Northeast corner of Section 31, T 3S. R 9E, M.D.B & M.; thence South along the line common to Sections 31 and 32, above township and range, said line being the East line of Lots 1 and 8 of Spencer Colony and the West Corporate Limits of the City of Modesto, a distance of 19.815 chains to the Southeast corner of said Lot 8; thence West along the South line of said Lot 8, 10.086 chains to the Southwest corner of said Lot 8; thence North along the West line of Lots 8 and 1, 19.8436 chains to the Northwest corner of said lot 1; thence East along the North line of said Lot 1 and along the North line of said Section 31, 10.086 chains to the point of beginning. Excepting from the above the South 81.591 feet of Lot 8, being that certain parcel conveyed by Deed from John M. DeVilbiss et ux to Charles C. Crane et ux and recorded on January 29, 1937 in Vol. 612 of Official Records at page 55, records of Stanislaus County.

and that said property shall not after such annexation, be subject to taxation for the purpose of payment of any indebtedness owed or owing by the City of Modesto prior to the date of said annexation.

The territory within which said election shall be held is that territory hereinabove designated and particularly described, and it shall be further designated for the purpose of identification by the name to-wit "HAWKINS TRACT", by which name such territory shall be referred to and indicated upon the ballots to be used at said election.

The electors in said territory are directed to vote upon said question in the manner set forth in "Instructions to Voters" on the ballots to be used at said election.

The ballots to be used at such election shall be in substantially the following form:

TICKET FOR ANNEXATION ELECTION

Special Election, HAWKINS TRACT, Tuesday, May 31, 1938

Instruction to Voters: Each voter desiring to vote in favor of annexing the territory herein referred to as HAWKINS TRACT to the City of Modesto shall stamp a cross (X) in the voting square after the word "Yes" after the words "Shall Hawkins Tract be annexed to the City of Modesto?"

If an elector desires to vote against the annexation of said territory to the City of Modesto, he shall stamp a cross (X) in the voting square after the word "No" after the words "Shall Hawkins Tract be annexed to the City of Modesto?"

The mark shall be made with the rubber stamp and ink pad which will be found in each booth, and the ballots shall not be marked in any other manner.

All marks except the cross (X) are forbidden; all distinguishing marks or erasures are forbidden and make the ballot void. If you wrongly stamp, tear or deface this ballot, return it to the inspector of election and obtain another.

"Shall HAWKINS TRACT be annexed to the City of Modesto?"	: Yes	:
	:	:
	:	:
"Shall HAWKINS TRACT be annexed to the City of Modesto?"	: No	:
	:	:
	:	:

Said election shall be held as aforesaid on the 31st day of May, 1938. The polls shall be opened at six o'clock in the morning of said day and shall remain open until seven o'clock in the evening of said day, when the polls shall be closed.

For the purpose of holding said special election all of the territory in said petition and hereinabove mentioned and described, and herein also referred to and designated as HAWKINS TRACT, is consolidated and established into one election precinct, and the following place is hereby designated as the place at which the polls shall be open for such election in such territory so proposed to be annexed, to-wit DWELLING OF J. R. HOPKINS, Franklin Street.

The following, who are qualified electors of the said voting precinct in which they are appointed to act, are hereby appointed officers of said election, to-wit:

JUDGES: Della O. Sanders and Thelma B. Sanders, INSPECTOR: J. R. Hopkins

Except as herein otherwise specified, said election shall be held in accordance with the laws of the State of California concerning general elections.

Dated: April 27, 1938

H. E. GRAGG, CITY CLERK, CITY OF MODESTO

Date of first publication: April 29th, 1938

It is further ordered that said notice be published in the OAKDALE ENTERPRISE, a newspaper of general circulation printed and published outside of the municipal corporation of the City of Modesto, but in the County of Stanislaus, at least once a week for a period of four successive weeks next preceding the date of such election.

The foregoing resolution was introduced by Councilman Bond, who moved its adoption, which motion, being duly seconded, was carried by the following vote:

Ayes: Councilmen: Neece, Bond, Stanley, Oliver and Mayor King
 Noes: Councilmen: None
 Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4168-N.S.

A RESOLUTION AWARDDING BID ON DRILLING WELL AT FIFTH AND SIERRA DRIVE TO WESTERN WELL DRILLING CO. LTD.

---oCo---

BE IT HEREBY RESOLVED that bid on drilling well at Sierra Drive and Fifth Streets be awarded to the Western Well Drilling Co. Ltd, as being the lowest and best bid:

Drilling 24 inch well for the first 50 feet	\$2.75 per ft.
" " " " " " second 50 feet	2.75 per ft.
" " " " " " third 50 feet	2.75 per ft.
" 14 " " " " first 25 feet	1.00 " "
" 14 " " " " second 25 feet	1.00 " "
Furnishing and driving 24 inch #12 double casing	4.19
One 24" x 6" x 3/4" driving shoe	not required
Sand Pumping and developing well	2.75 per hr.
Furnishing test pump, its installation and removal (in addition to hourly rate for sand pumping and developing well)	1.00 per ft.
Minimum charge \$50.00	

BE IT FURTHER RESOLVED that a contract be entered into by the City of Modesto with said Western Well Drilling Co. Ltd. and that the Mayor and the City Clerk be and they are hereby authorized and directed to enter into said contract.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on April 27, 1938 by Councilman Bond who moved its adoption, which motion being duly seconded was upon roll call adopted by the following vote:

Ayes: Councilmen: Neece, Bond, Stanley, Oliver and Mayor King
Noes: Councilmen: None
Absent: Councilmen: None

ATTEST H. E. GRAGG; CITY CLERK

RESOLUTION NO. 4169-N.S.

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MODESTO APPROVING SECOND SUPPLEMENTAL MEMORANDUM OF AGREEMENT FOR EXPENDITURE OF 1/4 CENT GAS TAX ALLOCATED FOR STATE HIGHWAYS

---oCo---

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 1937-39 biennium allocated for State highways in the City of Modesto, and

WHEREAS, the City Council has heard read said Supplemental Agreement in full and is familiar with the contents thereof;

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

ADOPTED this 27th day of April, 1938

J. H. KING, Mayor of the City of Modesto

ATTEST: H. E. GRAGG, City Clerk of the City of Modesto

I hereby certify that the foregoing resolution was duly and re-

gularly passed by the City Council of the City of Modesto at a regular meeting thereof held on April 27, 1938

H. E. GRAGG, Clerk of the City of Modesto

RESOLUTION NO. 4170-N.S.

A RESOLUTION AGREEING TO CONSTRUCT PIPE LINE FOR WATER UP TO PROPERTY LINE IN BLOCK 434 FOR THE AMERICAN LEGION TO USE ON THEIR BASEBALL FIELD AND TO FURNISH FREE WATER FOR FIELD

---oOo---

WHEREAS, pursuant to request by the American Legion to be furnished free water for the use of their Junior Baseball Field in Block 434 in the City of Modesto and

WHEREAS, it has not been the policy of the Council to construct pipe line on private property with the taxpayers money

BE IT HEREBY RESOLVED that the City of Modesto agree to construct pipe line to the nearest point of Block 434 to the Baseball Field and furnish free water to the baseball field as long as it is occupied and used for Junior Baseball Field and the Legion to pay for the construction of line to the baseball field.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on April 27, 1938 by Councilman Neece who moved its adoption, which motion being duly seconded was upon roll call adopted by the following vote:

- Ayes: Councilmen: Neece, Bond, Stanley, Oliver, and Mayor King
- Noes: Councilmen: None
- Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4171-N.S.

A RESOLUTION REAPPOINTING J. A. DAVIS CN PARK COMMISSION BOARD

---oOo---

WHEREAS, term of J. A. Davis on Park Commission expires on May 10, 1938 and it is the desire of the Council to appoint a member

BE IT HEREBY RESOLVED that J. A. Davis be appointed for a new term of 3 years from May 10, 1938 to May 10, 1941.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on April 27, 1938 by Councilman Neece who moved its adoption, which motion being duly seconded, was upon roll call adopted by the following vote:

- Ayes: Councilmen: Neece, Oliver, Stanley, Bond and Mayor King
- Noes: Councilmen: None
- Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NC. 4172-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 April 27, 1938 by Councilman Neece who moved its adoption, which motion being duly seconded was upon roll call adopted by the following vote:

Ayes: Councilmen: Neece, Bond, Stanley, Oliver and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4173-N.S.

A RESOLUTION GRANTING PERMIT TO THE UNION OIL COMPANY TO ERECT SERVICE STATION AT TWELFTH AND I STREETS IN THE CITY OF MODESTO

---t00o---

WHEREAS, the Union Oil Company of California has made application to the Council for permission to erect and operate a service station on the southwest corner of 12th and J Streets.

BE IT HEREBY RESOLVED that permit be granted as prayed for when all provisions of city ordinances relative to building permit and the regulations for storage and dispensing of gasoline have been complied with.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 2nd day of May, 1938 by Councilman Bond who moved its adoption, which motion being duly seconded was adopted upon roll call by the following vote:

Ayes: Councilmen: Neece, Bond, Stanley, Oliver and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4174-N.S.

A RESOLUTION ACCEPTING OFFER OF J. D. ROGERS OF \$100.00 FOR BLOCK 430 LOTS 19-20 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 AND TAX COLLECTOR TO CANCEL ALL TAXES LEVIED AND ASSESSED PRIOR TO MARCH 7, 1938

---o0o---

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 430 lots 19 and 20 of the City of Modesto acquired by tax deed as provided by Ordinance No. 396-N.S. be sold at private sale and

WHEREAS, J. D. Rogers has 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, 1938.

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, 1938 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 J. D. Rogers.

BE IT FURTHER RESOLVED that the Auditor and Tax Collector of the City of Modesto be authorized to cancel all taxes levied and/or assessed prior to March 7, 1938 against this property.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on May 2, 1938 by Councilman Stanley who moved its adoption, which motion being duly seconded was carried by the following vote:

Ayes: Councilmen: Neece, Bond, Stanley, Oliver and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4175-N.S.

A RESOLUTION ACCEPTING OFFER OF ISABEL L. RAUBE AND FRITZ A. RAUBE OF \$125.00 FOR BLOCK 5 LOTS 1 and 2 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 AND TAX COLLECTOR TO CANCEL ALL TAXES LEVIED AND ASSESSED PRIOR TO MARCH 7, 1938

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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 5, lots 1 and 2 of the City of Modesto acquired by tax deed as provided by Ordinance No. 396-N.S. be sold at private sale and

WHEREAS, Isabel L. Raube and Fritz A. Raube have offered to purchase said property for the sum of \$125.00, same to be free and clear of all city taxes and assessments levied or assessed prior to the first Monday in March, 1938

BE IT HEREBY RESOLVED that offer of \$125.00 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, 1938 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 Isabel L. Raube and Fritz A. Raube.

BE IT FURTHER RESOLVED that the Auditor and Tax Collector of the City of Modesto be authorized to cancel all taxes levied and/or assessed prior to March 7, 1938 against this property.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on May 2, 1938 by Councilman Bond who moved its adoption, which motion being duly seconded was carried by the following vote:

Ayes: Councilmen: Neece, Bond, Stanley, Oliver and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4176-N.S.

A RESOLUTION APPOINTING PLUMBING EXAMINER BOARD AS PROVIDED BY SECTION 11 OF ORDINANCE NO. 569-N.S.

---oOo---

PURSUANT to provisions of section 11 of Ordinance No. 569-N.S.

BE IT HEREBY RESOLVED that a plumbing Examiner Board be appointed consisting of Master Plumber, L. E. Moore; Journeyman plumber Fred Hill, City Attorney Fowler, City Health Inspector Frank Holtham and Plumbing Inspector of the City of Modesto, Frank J. Rossi, which said board will be governed by provisions of Ordinance No. 569-N.S.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on May 2, 1938 by Councilman Bond who moved its adoption, which motion being duly seconded, was upon roll call carried by the following vote:

Ayes: Councilmen: Neece, Bond, Stanley, Oliver and Mayor King
Noes: Councilmen: None
Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4177-N.S.

ADJOURNMENT

---oOo---

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 May, 1938 by Councilman Oliver, who moved its adoption, which motion being duly seconded was upon roll call carried, and the resolution adopted by the following vote:

Ayes: Councilmen: Neece, Oliver, Bond, Stanley and Mayor King
Noes: Councilmen: None
Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4178-N.S.

A RESOLUTION ALLOWING CLAIMS FOR MONTH OF APRIL, 1938

---oOo---

WHEREAS, the claims against the City of Modesto for the month of April, 1938, 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-----	\$21,211.22
WATER FUND-----	4,982.04
LIBRARY FUND-----	1,735.73
BOOND RED. INT. FUND-----	5.01
ST. BOND RED. INT. FUND-----	93.36
UNAPPORTIONED FUND-----	36.96
	<u>\$28,064.32</u>

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of May, 1938 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: Neece, Oliver, Bond, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4179-N.S.

A RESOLUTION ACCEPTING OFFER OF FRANK B. COLLIER OF \$50.00 FOR BLOCK 358, LOTS 47 and 48 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 AND TAX COLLECTOR TO CANCEL ALL TAXES LEVIED AND ASSESSED PRIOR TO MARCH 7, 1938

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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 358, lots 47 and 48 of the City of Modesto acquired by tax deed as provided by Ordinance No. 396-N.S. be sold at private sale and

WHEREAS, Frank B. Collier has offered to purchase said property for the sum of \$50.00 same to be free and clear of all city taxes and assessments levied or assessed prior to the first Monday in March 1938

BE IT HEREBY RESOLVED that offer of \$50.00 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, 1938 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 FRANK B. COLLIER.

BE IT FURTHER RESOLVED that the City Auditor and Tax Collector be authorized to cancel all taxes levied and/or assessed prior to March 7, 1938 against this property.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on May 11, 1938 by Councilman Stanley who moved its adoption, which motion being duly seconded was carried by the following vote:

Ayes: Councilmen: Neece, Bond, Stanley, Oliver and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4180-N.S.

A RESOLUTION ACCEPTING OFFER OF J. D. ROGERS OF \$100.00 FOR BLOCK 604, LOTS 45 and 46 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 AND TAX COLLECTOR TO CANCEL ALL TAXES LEVIED AND ASSESSED PRIOR TO MARCH 7, 1938

---000---

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 604, lots 45 and 46 of the City of Modesto acquired by tax deed as provided by Ordinance No. 396-N.S. be sold at private sale and

WHEREAS, J. D. Rogers has 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, 1938.

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, 1938 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 J. D. ROGERS.

BE IT FURTHER RESOLVED that the City Auditor and Tax Collector be authorized to cancel all taxes levied and/or assessed prior to March 7, 1938 against this property.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on May 11, 1938 by Councilman Oliver who moved its adoption, which motion being duly seconded was carried by the following vote:

Ayes: Councilmen: Neece, Bond, Stanley, Oliver and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4181-N.S.

A RESOLUTION AUTHORIZING THE CITY CLERK TO CALL FOR BIDS FOR BUILDING A PUMPING STATION AT FIFTH & SIERRA STREETS

----oOo---

BE IT HEREBY RESOLVED that the City Clerk be authorized to advertise for bids on the building of a pumping station at Fifth Street and Sierra Drive in the City of Modesto, as per plans and specifications on file in the office of the City Engineer. Said bids to be opened at a regular meeting of the Council to be held on May 25, 1938 at 7:30 P.M. at the City Hall, 717 Tenth Street.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of May, 1938 by Commissioner Bond who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Neece, Oliver, Bond Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4182-N.S.

A RESOLUTION REFUSING TO PAY CLAIM OF RUSTAM EDGAR FOR DAMAGES

---oOo---

WHEREAS, heretofore attorneys Wilcox & Rodin have filed with the City Council of the City of Modesto two claims totaling the sum of \$6000.00, for injuries alleged to have been suffered by Rustam Edgar upon the Municipal golf course of the City of Modesto in the month of January, 1938; and

WHEREAS, an examination of the facts upon which said claim is based shows that the said City of Modesto is not legally liable for the alleged damages so received by the said Rustam Edgar:

NOW THEREFORE, the said claims and each of them are hereby denied, and the City Attorney of the City of Modesto is hereby authorized to defend any action at law or in equity that may be brought by the said Rustam Edgar or by anyone on his behalf for the collection of the amount herein set forth, or any amount.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of May, 1938 by Councilman Neece, who moved its adoption, which motion being duly seconded was upon roll call carried, and the resolution adopted by the following vote:

Ayes: Councilmen: Neece, Bond, Stanley, Oliver and Mayor King
Noes: Councilmen: None
Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4183-N.S.

ADJOURNMENT

---oOo---

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 May 1938 by Commissioner Oliver who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Neece, Oliver, Bond, Stanley and Mayor King
Noes: Councilmen: None
Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4184-N.S.

A RESOLUTION ACCEPTING EASEMENT FROM TIDEWATER SOUTHERN RAILWAY COMPANY COVERING THE CROSSING OF COMMERCIAL STREET OVER THE TRACT AND RIGHT OF WAY

---oOo---

WHEREAS, an easement from the Tidewater Southern Railway Company to the City of Modesto covering the crossing of Commercial Street over the tract and right of way of the Tidewater Southern Railway Company has been presented for acceptance by the Council.

BE IT HEREBY RESOLVED that easement be accepted as presented and the City Clerk be authorized to have same recorded with the County Recorder of

Stanislaus County.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on May 23, 1938 by Councilman Bond who moved its adoption, which motion being duly seconded was carried by the following vote:

Ayes: Councilmen: Neece, Bond, Stanley, Oliver and Mayor King
Noes: Councilmen: None
Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

CERTIFICATION

State of California)
County of Stanislaus) ss
City of Modesto)

I, H. E. Cragg, City Clerk of the City of Modesto do hereby certify that the foregoing is a full, true and correct copy of a resolution introduced and adopted at a special meeting of the Council of the City of Modesto held on the 23rd day of May, 1938 and that the same is now in full force and effect.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of Modesto this 26th day of May, 1938

SIGNED H. E. GRAGG, CLERK OF THE CITY OF MODESTO CALIFORNIA

RESOLUTION NO. 4185-N.S.

A RESOLUTION APPROVING AND AUTHORIZING THE EMPLOY OF GORDON WHITNALL TO LECTURE ON CITY PLANNING THURSDAY EVENING MAY 26, 1938

---oOo---

BE IT HEREBY RESOLVED that Gordon Whitnall be employed to give a lecture to the Planning Commission at a fee of \$25.00, Thursday evening, May 26, 1938, The City Clerk and Auditor is hereby 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 23rd day of May, 1938 by Councilman Bond, who moved its adoption, which motion being duly seconded was upon roll call carried, and the resolution adopted by the following vote:

Ayes: Councilmen: Neece, Oliver, Bond, Stanley and Mayor King
Noes: Councilmen: None
Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4186-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 23rd day of May, 1938 by Councilman Oliver, who moved its adoption, which motion being duly seconded was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Neece, Oliver, Bond, Stanley and Mayor King
Noes: Councilmen: None
Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4187-N.S.

A RESOLUTION REVCKING LICENSE AND/PERM.T ISSUED ERRONEOUSLY TO RICE FURNITURE COMPANY,
AND REQUIRING SAID COMPANY TO SECURE AND PAY FOR REGULAR TRUCK LICENSE

---oOo---

WHEREAS, it has come to the attention of the City Council of the City of Modesto, that Rice Furniture Company, with its place of business situate southerly of the City Limits of the City of Modesto, is delivering merchandise by means of trucks within the City of Modesto; and

WHEREAS, it further appears that said Rice Furniture Company is not paying to the City of Modesto the license required of persons without fixed place of business in said City, delivering merchandise within the limits of said City by means of trucks; and,

WHEREAS, it appears that an error has been made in permitting said Furniture Company to deliver merchandise in said City limits by means of trucks without paying a license therefor,

NOW THEREFORE, any and all permits heretofore granted said Rice Trucking Company to deliver merchandise by truck in the City of Modesto without the paying of a license therefor, are hereby revoked and the City License Collector is hereby ordered to collect license fees from the said Rice Furniture Company in the future for deliverying merchandise in said City by means of trucks.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 25th day of May, 1938 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: Oliver, Bond, Neece, Stanley Mayor King
Noes: Councilmen: None
Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4188-N.S.

A RESOLUTION ALLOWING CLAIMS OF MODESTO CHAMBER OF COMMERCE

---oOo---

WHEREAS, claims have been presented by the Retail Merchants Bureau of the Modesto Chamber of Commerce for \$100.00 and \$50.00, being balance of amount allowed under Ordinance No. 552-N.S.

BE IT HEREBY RESOLVED that claims be allowed and the City Clerk and Auditor be authorized to draw warrants in amounts stated above.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 25th day of May, 1938 by Councilman Neece, who moved its adoption, which motion being duly seconded was upon roll call carried, and the resolution adopted by the following vote:

Ayes: Councilmen: Oliver, Bond, Neece, Stanley and Mayor King
Noes: Councilmen: None
Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4189-N.S.

A RESOLUTION AUTHORIZING THE WRITING OF A LETTER TO PRESIDENT ROOSEVELT SPONSORING THE APPOINTMENT OF JEAN L. VINCENZ ON CIVIL AERONAUTICS AUTHORITY

---c0o---

WHEREAS, Jean L. Vincenz, Commissioner of Public Works of the City of Fresno has petitioned the Council to write to the President Franklin D. Roosevelt recommending his appointment to the Civil Aeronautics Authority so that California may be represented on this Commission.

BE IT HEREBY RESOLVED that the City Clerk be authorized to write a letter to President Roosevelt and Senator William G. McAdoo urging the appointment of Jean L. Vincenz on this Commission.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 25th day of May, 1938 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: Oliver, Bond, Neece, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4190-N.S.

A RESOLUTION GRANTING PERMIT TO STANISLAUS COUNTY FARM BUREAU TO BUILD COUNTY FARM BUREAU CENTER ON LOTS 29, 30, 31, 32 in BLOCK 109 CITY OF MODESTO

---c0o---

WHEREAS, pursuant to the filing of petition with the Council by the Stanislaus County Farm Bureau to erect and maintain a County Farm Bureau Center on property known as corner 13th and M Streets, being lots 29, 30, 31, 32 in Block 109 of the City of Modesto and

WHEREAS it appears 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

BE IT HEREBY RESOLVED that permission be granted to erect and maintain a County Farm Bureau Center at location indicated with the understanding that all provisions relative to building permit fees be complied with.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 25th day of May, 1938 by Councilman Bond, who moved its adoption which motion being duly seconded was upon roll call carried, and the resolution adopted by the following vote:

Ayes: Councilmen: Oliver, Bond, Neece, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4191-N.S.

A RESOLUTION AWARDDING BID ON PUMPING STATION TO BE ERECTED AT FIFTH STREET AND SIERRA DRIVE

Whereas, plans and specifications have heretofore been filed by the City Engineer with the Council and approved by the Council for the construction and completion of a pumping station at Fifth Street and Sierra Drive and

WHEREAS, notice to bidders has heretofore been given and published as required by law and bids in accordance with said notice, having been received not later than 7:30 P.M. on Wednesday, May 25, 1938 and having been then and there opened by the Council in open meeting and the City Clerk reported four bids on file namely:

Harry Brown	\$1127.00	Alternate \$1185.00
Jarvis Brothers	1327.00	1327.00
M. O. Ward	1900.00	1840.00
Stewart M. McGaw	1390.00	1365.00

BE IT HEREBY RESOLVED that contract be awarded to Harry Brown for \$1127.00 for constructing the building complete using concrete block in the walls, as being the lowest and best bid and authorizing the City Clerk to return cashier's checks and bid bonds to the unsuccessful bidders and that a contract be entered into by the City of Modesto with said Harry Brown and that the Mayor and the City Clerk of the City of Modesto be and they are hereby authorized and directed to enter into said contract.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 25th day of May, 1938 by Councilman Bond, who moved its adoption which motion being duly seconded was upon roll call carried, and the resolution adopted by the following vote:

Ayes: Councilmen: Oliver, Neece, Bond, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4192-N.S.

A RESOLUTION PROVIDING FOR SICK LEAVE, VACATIONS, AND HOLIDAYS FOR EMPLOYEES OF THE CITY OF MODESTO

---oOo---

WHEREAS, it is deemed expedient and for the good of the personnel of the employees of the City of Modesto, as well as for the said City of Modesto, that all regular and permanent employees of the City of Modesto be granted sick leave, vacations, and holidays with compensation; and

WHEREAS, it is believed that years of faithful service rendered by City employees should be rewarded with the accumulation of unused sick leave for use by said employees in the case of a possible emergency:

THEREFORE, BE IT RESOLVED that all regular and permanent employees of the City of Modesto, working for said City upon either a per diem or monthly basis, who have served continuously for one year in the service of said City, are hereby granted, without loss of compensation, vacations, sick leave, and holidays, as hereinafter set forth;

Every employee of the City of Modesto shall be granted two weeks vacation each year, without loss of compensation.

BE IT FURTHER RESOLVED that during periods of illness, or any contingency causing absence from duty, persons who have been employed by the City for periods of less than one year shall have their compensation from said City suspended during the period of said absence; and employees who have been steadily employed by

the City for a period of one year or more shall be paid the regular salary or wage for a period of seven days of incapacitation, which said seven days shall be the total amount allowed per year of service; for continuous service, unused portions of the seven days leave may be accumulated from year to year, but in no event shall this accumulation for compensation during an emergency exceed thirty-five(35) working days.

An employee unable to return to his or her employment after seven days' absence therefrom as the result of sickness or other disability must furnish to the City of Modesto a doctor's certificate stating the nature of illness or disability. The employee is permitted to call his or her own doctor for the examination. The payment for such examination after the first seven days shall be made by the City of Modesto. All other treatments, examinations, or medicines subscribed by said doctor shall be paid for by said employee. The City employee shall receive his regular monthly salary on a per diem basis, less the amount paid to said employee by the State Compensation Insurance Fund, if any.

BE IT FURTHER RESOLVED that the holidays to be granted to the employees of the City of Modesto in whatever capacity they may be employed, shall be, and they are, hereby declared to be as follows:

New Year's Day
WASHINGTON's Birthday
Memorial Day
Independence Day
Labor Day
Armistice Day
Thanksgiving Day
Christmas Day

The day upon which any general state election in the State of California occurs, and which is declared by State law to be a legal holiday, and also every Sunday.

Anything to the contrary notwithstanding, no employee of the City of Modesto shall be granted the right to remain away from his employment upon any holiday or Sunday unless the head of his department grants to said employee the right to so remain away from said employment.

BE IT FURTHER RESOLVED that payments for holidays, vacations, and allowed periods of absence shall be made from the General Fund and/or Special Fund, from which the salary or wage of the employee in question may be budgeted.

By this Resolution the City Council of the City of Modesto rescinds any and all resolutions in conflict herewith.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 25th day of May, 1938 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: Neece, Stanley, Oliver, Bond and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4193-N.S.

A RESOLUTION PROVIDING TWO HOUR PARKING ON PORTIONS OF TENTH STREET, E. STREET,
AND F. STREET IN THE CITY OF MODESTO.

---ooOoo---

WHEREAS, under and by virtue of the provisions of Ordinance No. 544-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 increase or diminish the time for which vehicles may be parked on the public streets of the business district of the city of Modesto; and,

WHEREAS, it appears to said City Council in regular session that the general welfare and safety of the citizens of the City of Modesto require that the time for parking vehicles in the hereinafter designated spaces be set at two hours:

NOW, THEREFORE, BE IT RESOLVED AND ORDERED by said City Council that in the spaces hereinafter set forth, the parking time of all vehicles parked in said spaces shall be, between the hours of nine o'clock A. M. and six o'clock P. M. on each day, save and except Sundays, for a period of two (2) consecutive hours, and no longer.

The said spaces are described as follows:

Tenth Street between the northwesterly property line of D Street and the southeasterly property line of G Street, except the northeasterly side of Tenth Street in front of the City Offices, located on said street and occupying Lots 22, 23, and 24 of Block 71 of the City of Modesto;

The half block on E Street between the northeasterly property line of Tenth Street and the alley between Tenth and Eleventh Streets;

The half block on F Street between the northeasterly property line of Tenth Street and the alley between Tenth and Eleventh Streets.

BE IT FURTHER RESOLVED that the City Engineer of the City of Modesto shall procure proper markings and/or signs conveying to the public notice of the fact that the spaces herein designated shall be used by the operators of vehicles for the period herein set forth.

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

The foregoing Resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 25th day of May, 1938, 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: Neece, Bond, Stanley, Oliver and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG, CITY CLERK.

RESOLUTION NO. 4194-N.S.

A RESOLUTION PROVIDING TWO HOUR PARKING ON PORTIONS OF TWELFTH STREET IN THE CITY
OF MODESTO.

---ooOoo---

WHEREAS, under and by virtue of the provisions of Ordinance No. 544-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 increase or diminish the time for which vehicles may be parked on the public streets of the business district of the City of Modesto; and,

WHEREAS, it appears to said City Council in regular session that the general welfare and safety of the citizens of the City of Modesto require that the time for parking vehicles in the hereinafter designated space be set at two hours:

NOW, THEREFORE, BE IT RESOLVED AND ORDERED by said City Council that in the space hereinafter set forth, the parking time of all vehicles parked in said space shall be, between the hours of nine o'clock A. M. and six o'clock P. M. on each day, save and except Sundays, for a period of two (2) consecutive hours, and no longer.

The said space is described as follows:

The southwesterly side of Twelfth Street for a distance of two hundred four (204) feet northerly from the northwesterly property line of J. Street.

BE IT FURTHER RESOLVED that the City Engineer of the City of Modesto shall procure proper markings and/or signs conveying to the public notice of the fact that the space herein designated shall be used by the operators of vehicles for the period herein set forth.

This Resolution shall be effective as soon as the parking space herein designated is properly marked and designated by the said City Engineer of the City of Modesto.

The foregoing Resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 25th day of May, 1938, 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: Neece, Bond, Stanley, Oliver and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4195-N. S.

A RESOLUTION ACCEPTING REPORT OF CITY ATTORNEY FOWLER ON MUNICIPAL LEAGUE TAX CONFERENCE AND AUTHORIZING PAYMENT OF EXPENSE CLAIM OF CITY ATTORNEY IN AMOUNT \$10.40 ATTENDING CONFERENCE

---ooOoo---

Whereas, City Attorney Fowler has presented report on Municipal League Tax Conference which he had attended in San Francisco on May 20, 1938 and

WHEREAS he has presented statement in amount \$10.40 expenses incurred while attending tax conference

BE IT HEREBY RESOLVED that payment of claim be authorized and the City Auditor be directed to draw warrant in payment to claimant and

BE IT FURTHER RESOLVED that report as presented be accepted and filed.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 28th day of May, 1938 by Councilman Oliver who moved its adoption, which motion being duly seconded was upon roll call carried, and the resolution adopted by the following vote:

Ayes: Councilmen: Neece, Bond, Stanley, Oliver and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4196-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 May, 1938 by Councilman Oliver who moved its adaption, which motion being duly seconded was upon roll call carried, and the resolution adopted by the following vote:

Ayes: Councilmen: Neece, Bond, Stanley, Cliver and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4197-N. S. NOT USED

RESOLUTION NO. 4198-N. S.

A RESOLUTION DENYING PERMIT TO CONDUCT A TAXICAB BUSINESS IN MODESTO TO L. E. FLOREY.

---ooOoo---

WHEREAS, L. E. Florey has petitioned the City Council of the City of Modesto, California, for a permit to operate and conduct a taxicab business in the City of Modesto; and

WHEREAS, the said L. E. Florey in the month of September, 1937, and for some time prior thereto, conducted and operated a taxicab stand in the City of Modesto; and

WHEREAS, the said L. E. Florey refused and failed to cooperate with the police department of the City of Modesto in the operation of said business; and

WHEREAS, during the month of September, 1937, and in the month or months following, taxicabs operated by the drivers of said L. E. Florey caused death to one person by reason of the negligence and carelessness of the operator of said taxicab, and serious injury to several other persons, as a result of the negligent and careless operation of said taxicab belonging to the said L. E. Florey; and

WHEREAS, it appears to the Council and the Council finds that there is insufficient public need or demand for the operation of the vehicle or vehicles for which the said L. E. Florey seeks to secure a permit to operate:

NOW, THEREFORE, the City Council, by this resolution, and under and by virtue of the power vested in it by the terms of section 15 of Ordinance 547-N. S. of the City of Modesto, does hereby resolve that said request for a permit of the said L. E. Florey be denied for the reasons hereinabove stated.

The foregoing Resolution was introduced at a special meeting of the Council of the City of Modesto held on the 1st day of June, 1938, by Councilman Stanley, who moved its adortion, which motion being duly seconded was upon roll call carried, and the Resolution adopted by the following vote:

Ayes: Councilmen: Neece, Bond, Stanley, Oliver and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4199-N.S.

A RESOLUTION EXTENDING CONTRACT FOR RESURFACING STREETS IN THE CITY OF MODESTO TO JULY 1, 1938 AT THE REQUEST OF CONTRACTOR S. M. MCGAW

---oOo---

WHEREAS, S. M. McGaw has petitioned the Council to be granted an extension of time for completion of his contract for resurfacing streets in the City of Modesto from June, 1938 to July 1, 1938

BE IT HEREBY RESOLVED that request be granted and contract of S. M. McGaw dated February 25, 1938 be extended to July 1, 1938.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 1st day of June, 1938 by Councilman Bond who moved its adoption, which motion being duly seconded was upon roll call carried, and the resolution adopted by the following vote:

Ayes: Councilmen: Neece, Bond, Stanley, Oliver and Mayor King
Noes: Councilmen: None
Absent: Councilmen: None

ATTEST: H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4200-N.S.

A RESOLUTION ACCEPTING PLAN AND LIST OF PERSONNEL OF DEPARTMENT OF PARKS OF THE CITY OF MODESTO AS FURNISHED BY CITY ENGINEER ROSSI

---oOo---

PURSUANT TO section 2 of Ordinance No. 572-N.S. City Engineer Rossi submitted an outline of the plan and a list of the personnel of the Department of Parks of the City of Modesto,

BE IT HEREBY RESOLVED that outline as presented be accepted.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 1st day of June, 1938 by Councilman Bond who moved its adoption, which motion being duly seconded was upon roll call carried, and the resolution adopted by the following vote:

Ayes: Councilmen: Neece, Bond, Stanley, Oliver and Mayor King
Noes: Councilmen: None
Absent: Councilmen: None

ATTEST: H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4201-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 June, 1938 by Councilman Oliver who moved its adoption, which motion being duly seconded was upon roll call carried, and the resolution adopted by the following vote:

Ayes: Councilmen: Neece, Bond, Stanley, Oliver and Mayor King
Noes: Councilmen: None
Absent: Councilmen: None

ATTEST: H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4202-N.S.

A RESOLUTION ACCEPTING OFFER OF LESTER W. WHEELER OF \$150.00 FOR BLOCK 21, LOTS 11 AND 12 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 AND TAX COLLECTOR TO CANCEL ALL TAXES LEVIED AND ASSESSED PRIOR TO MARCH 7, 1938

---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 21, lots 11 and 12 of the city of Modesto acquired by tax deed as provided by Ordinance No. 396-N.S. be sold at private sale and

WHEREAS, Lester W. Wheeler, has offered to purchase said property for the sum of \$150.00, same to be free and clear of all city taxes and assessments levied or assessed prior to the first Monday in March, 1938.

BE IT HEREBY RESOLVED that offer of \$150.00 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, 1938 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 Lester W. Wheeler.

BE IT FURTHER RESOLVED that the City Auditor and Tax Collector be authorized to cancel all taxes levied and/or assessed prior to March 7, 1938 against this property.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on June 8, 1938 by Councilman Neece who moved its adoption, which motion being duly seconded was carried by the following vote:

Ayes: Councilmen: Neece, Bond, Stanley, Oliver and Mayor King
Noes: Councilmen: None
Absent: Councilmen: None

ATTEST: H. E. CRAGG, CITY CLERK

CERTIFICATION

State of California)
County of Stanislaus) ss
City of Modesto)

I, H. E. Cragg, City Clerk of the City of Modesto do hereby certify that the foregoing is a full true and correct copy of a Resolution introduced and adopted at a regular meeting of the Council of the City of Modesto held on the 8th day of June, 1938, and that the same is now in full force and effect.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of Modesto this 13th day of June, 1938

SIGNED: H. E. CRAGG, CLERK OF THE CITY OF MODESTO, CALIFORNIA

RESOLUTION NO. 4202-A-N.S.

A RESOLUTION ALLOWING CLAIMS FOR MONTH OF MAY, 1938

---oOo---

WHEREAS, the claims against the City of Modesto for the month of May, 1938, 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-----	\$26,267.98
WATER FUND-----	5,360.15
LIBRARY FUND-----	1,533.60
TOTAL-----	\$33,161.73

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of June, 1938 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: Neece, Bond, Stanley, Oliver and Mayor King
 Noes: Councilmen: None
 Absent: Councilmen: None

ATTEST: H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4203-N.S.

A RESOLUTION REFUSING BID OF FRANK B. COLLIER OF \$125.00 ON LOTS 9-10-11-12 IN BLOCK 588 OF THE CITY OF MODESTO

---oOo---

WHEREAS, Frank B. Collier has made a bid of \$125.00 on lots 9, 10, 11, 12 in block 588 which has been sold to the city for taxes and

WHEREAS a committee consisting of Commissioners Bond, Neece and City Clerk Gragg, appointed by the Council to make an investigation of this matter have reported to the Council that they believe that the property could be used very advantageously by the City of Modesto in constructing city buildings.

BE IT HEREBY RESOLVED that bid of Frank B. Collier on this property be refused.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on June 8, 1938 by Councilman Bond who moved its adoption, which resolution being duly seconded was adopted by the following vote:

Ayes: Councilmen: Neece, Bond, Stanley, Oliver, and Mayor King
 Noes: Councilmen: None
 Absent: Councilmen: None

ATTEST: H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4204-N.S.

A RESOLUTION ACCEPTING OFFER OF EDMUND W. ANDREWS OF \$151.00 FOR BLOCK 584, LOTS 33 AND 34 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 AND TAX COLLECTOR TO CANCEL ALL TAXES LEVIED AND ASSESSED PRIOR TO MARCH 7, 1938

---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 584, lots 33 and 34 of the City of Modesto acquired by tax deed as provided by Ordinance No. 396-N.S. be sold at private sale and

WHEREAS, EDMUND W. ANDREWS has offered to purchase said property for the sum of \$151.00, same to be free and clear of all city taxes and assessments levied or assessed prior to the first Monday in March, 1938

BE IT HEREBY RESOLVED that offer of \$151.00 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, 1938 and subsequent thereto. The Mayor and Tax Collector of said City are hereby authorized and empowered to execute deed and such other instruments conveying said property from the said City of Modesto to Edmund W. Andrews.

BE IT FURTHER RESOLVED that the City Auditor and Tax Collector be authorized to cancel all taxes levied and/or assessed prior to March 7, 1938 against this property.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on June 8, 1938 by Councilman Bond who moved its adoption, which motion being duly seconded was carried by the following vote:

Ayes: Councilmen: Neece, Bond, Stanley, Oliver and Mayor King
Noes: Councilmen: None
Absent: Councilmen: None

ATTEST: H. E. GRAGG, CITY CLERK

CERTIFICATION

State of California)
County of Stanislaus) ss
City of Modesto)

I, H. E. Gragg, City Clerk of the City of Modesto do hereby certify that the foregoing is a full true and correct copy of a Resolution introduced and adopted at a regular meeting of the Council of the City of Modesto held on the 8th day of June, 1938, and that the same is now in full force and effect.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of Modesto the 13th day of June, 1938.

SIGNED: H. E. GRAGG, CLERK OF THE CITY OF MODESTO, CALIFORNIA

RESOLUTION NO. 4205- N. S.

A RESOLUTION ACCEPTING OFFER OF FRANK R. COLLIER OF \$150.00 FOR BLOCK 582, LOTS 41 AND 42 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 AND TAX COLLECTOR TO CANCEL ALL TAXES LEVIED AND ASSESSED PRIOR TO MARCH 7, 1938

---oOo---

WHEREAS, in accordance with section 38 of Ordinance No. 596-N.S. as amended by Ordinance No. 598-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 582, lots 41 and 42 of the City of Modesto acquired by tax deed as provided by Ordinance No. 396-N.S. be sold at private sale and

WHEREAS, FRANK B. COLLIER has offered to purchase said property for the sum of \$150.00, same to be free and clear of all city taxes and assessments levied or assessed prior to the first Monday in March, 1938

BE IT HEREBY RESOLVED that offer of \$150.00 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, 1938 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 FRANK B. COLLIER.

BE IT FURTHER RESOLVED that the City Auditor and Tax Collector be authorized to cancel all taxes levied and/or assessed prior to March 7, 1938 against this property.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on June 8, 1938 by Councilman Bond who moved its adoption, which motion being duly seconded was carried by the following vote:

Ayes: Councilmen: Neece, Bond, Stanley, Oliver and Mayor King
Noes: Councilmen: None
Absent: Councilmen: None

ATTEST: H. E. GRAGG, CITY CLERK

CERTIFICATION

State of California)
County of Stanislaus) ss
City of Modesto)

I, H. E. Gragg, City Clerk of the City of Modesto do hereby certify that the foregoing is a full true and correct copy of a Resolution introduced and adopted at a regular meeting of the Council of the City of Modesto held on the 8th day of June, 1938 and that the same is now in full force and effect.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of Modesto this 13th day of June, 1938.

SIGNED: H. E. GRAGG, CLERK OF THE CITY OF MODESTO,
CALIFORNIA

RESOLUTION NO. 4206-N.S.

A RESOLUTION AUTHORIZING CITY CLERK TO ADVERTISE FOR BIDS ON ADVERTISING AND PRINTING FOR FISCAL YEAR ENDING JUNE 30, 1939

---oOo---

BE IT HEREBY RESOLVED that City Clerk be authorized to call for bids on printing and advertising for the fiscal year ending June 30, 1939, said bids to be opened at 7:30 Wednesday June 22, 1938 at the regular meeting of the Council of the City of Modesto.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on June 8, 1938 by Councilman Neece who moved its adoption, which resolution being duly seconded was adopted by the following vote:

Ayes: Councilmen: Neece, Bond, Stanley, Oliver and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4207-N. S.

A RESOLUTION AUTHORIZING PARTIAL PAYMENT FOR RESURFACING STREETS TO CONTRACTOR
S. M. MCGAW

---oOo---

WHEREAS, S. M. McGaw, contractor, has completed the resurfacing work required in his contract and

WHEREAS in conformance with provisions of contract there is due at this time 75% of the total amount of contract, namely \$5091.40

BE IT HEREBY RESOLVED that payment be authorized and the City Clerk and Auditor be directed to draw warrant in amount \$5091.40 in payment.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on June 8, 1938 by Councilman Bond who moved its adoption, which resolution being duly seconded was adopted by the following vote:

Ayes: Councilmen: Neece, Bond, Stanley, Oliver and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4208-N.S.

A RESOLUTION ACCEPTING NOTIFICATION FROM DEPARTMENT OF COMMERCE, BUREAU OF AIR COMMERCE FOR THE RENEWING OF LEASES AT MUNICIPAL AIRPORT FOR A RADIO RANGE STATION AND AIRWAY REMOTE CONTROL HEADQUARTERS FOR TERM OF ONE YEAR FROM JULY 1, 1938 TO JUNE 30, 1939

---oOo---

WHEREAS, the Department of Commerce, Bureau of Air Commerce have filed their intentions of renewing leases with the City of Modesto on portion of Municipal Airport for a radio range station and Airways remote control quarters for a term of one year from July 1, 1938 to June 30, 1939

BE IT HEREBY RESOLVED that notification be accepted and the renewing of leases be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on June 8, 1938 by Councilman Bond who moved its adoption, which resolution being duly seconded was adopted by the following vote:

Ayes: Councilmen: Neece, Bond, Stanley, Oliver and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4209-N.S.

A RESOLUTION CANVASSING RETURNS OF SPECIAL ELECTION HELD ON MAY 31, 1938, FOR THE ANNEXATION OF HAWKINS TRACT TO THE CITY OF MODESTO.

---oOoOo---

WHEREAS, this being the time provided for the first regular meeting of the Council of the City of Modesto next after the expiration of three days

from and after the date of an election held in the territory proposed to be annexed to the City of Modesto, known as Hawkins Tract, and described particularly as the following described territory lying and being in the County of Stanislaus, State of California, and contiguous to the City of Modesto, and particularly described as follows, to-wit:

Beginning at the Northeast corner of Lot 1 of the Spencer Colony according to the map on file in the office of the County Recorder of Stanislaus County in Vol. 2 of Maps at page 3, the said point being a granite monument marking the Northeast corner of Section 31, T. 3 S. R. 9 E., M.D.E. S. M.; thence South along the line common to Sections 31 and 32, above township and range, said line being the East line of Lots 1 and 8 of Spencer Colony and the West Corporate Limits of the City of Modesto, a distance of 19.815 chains to the Southeast corner of said Lot 8; thence West along the South line of said Lot 8, 10.086 chains to the Southwest corner of said Lot 8, thence North along the West line of Lots 8 and 1, 19.8436 chains to the Northwest corner of said Lot 1; thence East along the North line of said Lot 1 and along the North line of said Section 31, 10.086 chains to the point of beginning. Excepting from the above the South 51.591 feet of Lot 8, being that certain parcel conveyed by Deed from John M. De Vilbiss et ux to Charles C. Crane et ux and recorded on January 29, 1937 in Vol. 612 of Official Records at page 55, records of Stanislaus County;

and it appearing that said election was held within the territory proposed to be annexed on the 31st day of May, 1938, in accordance with the resolution of this Council heretofore passed and adopted, and that after the holding of said election the election officers thereof delivered to and deposited with the Clerk of this Council, the ballots, tally sheets and returns of said election, and it appearing and the Council so finding that the proposition submitted at said election was whether or not such new territory, in said resolution and hereinabove described, shall be annexed to, incorporated in and made a part of the municipal corporation of the City of Modesto, and the property therein be not, after such annexation, subject to taxation equally with the property within such municipal corporation, to pay the bonded indebtedness of such municipal corporation outstanding at the time of the filing of the petition asking that such election be called or theretofore authorized;

THEREFORE, BE IT RESOLVED that the Council of the City of Modesto after having proceeded to canvass the said returns, finds that the whole number of votes cast in said territory proposed to be annexed was three, that the number of votes cast therein in favor of annexation was three, and that the number of votes therein cast against annexation was none.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of June, 1938, by Councilman Bond who moved its adoption, which motion being duly seconded, it was upon roll call adopted by the following vote:

Ayes: Councilmen: Bond, Neece, Oliver, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG, CITY CLERK

~~RESOLUTION NO. 4210-N.S.~~

RESOLUTION NO. 4210-N.S.

A RESOLUTION AGREEING TO ESTABLISH SEWER AND WATER LINE TO THE HAWKINS SUBDIVISION ANNEXED TO THE CITY OF MODESTO PROVIDING HAWKINS, HAWKINS AND CARDOZA FURNISH TO THE CITY OF MODESTO A \$1000 BOND GUARANTEEING TO REIMBURSE THE CITY IN THE EVENT THE ANNEXATION OF TRACT SHOULD NOT BECOME FINAL

---ooOoo---

WHEREAS Hawkins, Hawkins and cardozo have petitioned the City of Modesto to immediately construct sewer line and water line to the new Hawkins tract which was annexed to the City of Modesto at the election held on May 31, 1938 and

WHEREAS the State law provides that a six months period elapse before annexation become final

BE IT HEREBY RESOLVED that the petitioner be required to post a \$1000 bond guaranteeing to reimburse to the City of Modesto any expense they might incur should the annexation of this tract not become final before the sewer line and water line be constructed.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on June 8, 1938 by Councilman Bond who moved its adoption, which motion being duly seconded was adopted by the following vote:

Ayes: Councilmen: Neece, Bond, Stanley, Oliver and Mayor King;

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4211-N.S.

A RESOLUTION GRANTING REQUEST OF SANTA FE TRANSPORTATION COMPANY FOR TEMPORARY PARKING ZONE ON THE SOUTHEAST CORNER OF NINTH AND EYE STREETS FOR A PERIOD OF NINETY DAYS

---oOo---

WHEREAS, the agent of the Santa Fe Transportation Company Fred Stites, has petitioned the City Council for a temporary loading zone on the southeast corner of Ninth and Eye Streets

BE IT HEREBY RESOLVED that petition be granted for a period of 90 days from June 8, 1938 and

BE IT FURTHER RESOLVED that the City Engineer be authorized to install proper parking signs.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on June 8, 1938 by Councilman Stanley who moved its adoption, which motion being duly seconded was adopted by the following vote:

Ayes: Councilmen: Neece, Bond, Stanley, Cliver and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4212-N.S.

A RESOLUTION REFUSING PAYMENT OF STATEMENT OF SPEARS-WELLS MACHINERY COMPANY INC FOR RENTAL OF HEATER PLANER AS THE STATEMENT WAS NOT IN PROPER FORM AND AUTHORIZING PAYMENT WHEN CORRECTION MADE

---oOo---

WHEREAS Statement from the Spears-Wells Machinery Company, Inc. for the rental of heater planer is not in proper form

BE IT HEREBY RESOLVED that payment be refused on statements as presented and directing the City Engineer to secure new statements and authorizing the City Clerk and Auditor to make payment when statement is presented in proper form.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on June 8, 1938 by Councilman Bond who moved its adoption, which motion being duly seconded was adopted by the following vote:

Ayes: Councilmen: Neece, Bond, Stanley, Cliver and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4213-N.S.

A RESOLUTION AUTHORIZING PAYMENT TO ELECTION OFFICIALS ON THE ANNEXATION OF HAWKINS TRACT

---oOo---

BE IT HEREBY RESOLVED that the City Clerk and Auditor be authorized to draw warrants in amount \$5.00 each to J. R. Hopkins, Della O. Sanders, Thelma B. Sanders in payment of services on election board at election held on May 31, 1938 for the annexing of Hawkins Tract.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on June 8, 1938 by Councilman Neece who moved its adoption, which motion being duly seconded was upon roll call adopted by the following vote:

Ayes: Councilmen: Neece, Bond, Stanley, Oliver and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4214-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 June 8, 1938 by Councilman Neece who moved its adoption, which motion being duly seconded was upon roll call adopted by the following vote:

Ayes: Councilmen: Neece, Bond, Stanley, Oliver and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4215-N.S.

A RESOLUTION APPROVING THE PROJECT STATEMENT OF JUNE 11, 1938 WHICH PROVIDED FOR THE EXPENDITURE OF $\frac{1}{4}$ CENT FUNDS UPON THE STREETS OF MAJOR IMPORTANCE FOR THE FISCAL YEAR 1938-1939.

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 a Budget for the expenditure of $\frac{1}{4}$ cent funds upon Streets of Major Importance, and does herewith designate Mayor J. R. King and City Engineer F. J. Rossi, to affix their signatures 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 Mr. R. E. Pierce, Engineer of Division X of Highways of the California State Department of Public Works.

The foregoing Resolution was introduced at a special meeting of the Council of the City of Modesto held on June 15, 1938, by Commissioner Bond, who moved

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

Ayes: Councilmen: Neece, Bond, Stanley, Oliver and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4216-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 June, 1938 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: Neece, Bond, Stanley, Oliver and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4217-N.S. NOT USED

RESOLUTION NO. 4218-N.S.

A RESOLUTION AUTHORIZING CITY ATTORNEY TO CLEAR TITLE ON BLOCK 588, LOTS 9-10-11-12 ON WHICH CITY HOLDS TAX DEED SO THAT PROPERTY MAY BE USED FOR PUBLIC PURPOSES

oO

WHEREAS, the City of Modesto holds tax deed to Block 588, lots 9-10-11-12 and are desirous of clearing title on property so that it may be used for public purposes

BE IT HEREBY RESOLVED that the City Attorney be authorized to write to the Board of Supervisors of Stanislaus County and the Modesto Irrigation District regarding the cancelling of their taxes on above described property and to then proceed with the clearing of title to this property for the City of Modesto.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on June 22, 1938 by Commissioner Bond who moved its adoption, which motion being duly seconded was adopted upon roll call by the following vote:

Ayes: Councilmen: Neece, Bond, Stanley, Oliver and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4219-N.S.

A RESOLUTION ACCEPTING 1938-39 COMPENSATION POLICY FROM THE STATE COMPENSATION INSURANCE FUND AND REQUESTING CITY CLERK TO WRITE REQUESTING THEM TO EXTEND COVERING NOTE TO AUGUST 1, 1938.

WHEREAS, the State Compensation Insurance Fund have presented for acceptance 1938-39 compensation policy to cover employees of the City of Modesto and have issued a cover note to July 15, 1938 to cover lapse of time until premium is paid

BE IT HEREBY RESOLVED that the policy be accepted and the City Clerk be notified to write to the State Compensation Insurance Fund requesting them to extend binder to August 1, 1938 to take care of lapse of time until check is mailed.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on June 22, 1938 by Councilman Neece who moved its adoption, which motion being duly seconded was carried by the following vote:

Ayes: Councilmen: Neece, Bond, Stanley, Oliver and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4220-N.S.

A RESOLUTION REJECTING OFFERS OF FRANK B. COLLIER FOR TAX DEEDS AND MAKING NEW OFFERS TO HIM
---000---

WHEREAS FRANK B. COLLIER has offered to buy tax deeds which the City of Modesto hold on block 586, lots 36 and 37 for \$150.00, block 576, lots 23 and 24 for \$150.00 and block 469, lots 28 and 29 for \$25.00

BE IT HEREBY RESOLVED that offers of Frank B. Collier be rejected and

BE IT FURTHER RESOLVED that the City Clerk notify Mr. Collier that the Council would accept an offer of \$200.00 for Block 586, lots 36 and 37, \$200.00 for Block 586, lots 36 and 37, \$200.00 for Block 576, lots 23 and 24 and \$150.00 for Block 469, lots 28 and 29.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on June 22, 1938 by Councilman Neece who moved its adoption, which motion being duly seconded was adopted by the following vote:

Ayes: Councilmen: Neece, Bond, Stanley, Oliver and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4221-N. S.

A RESOLUTION AWARDED BID ON ADVERTISING & PRINTING FOR 1938-39 TO THE MODESTO BEE
---000---

PURSUANT to authorization of advertising for bids on advertising and printing for fiscal year ending June 30, 1939 and

WHEREAS this being the time set forth for opening bids and the City Clerk reports only one bid from the Modesto Bee, which read as follows:

65¢ for each non-pareil square for 1st insertion
40¢ for each such square for each subsequent insertion

70¢ for each non-pareil square for first insertion delinquent tax list
40¢ for each square for each subsequent insertion

BE IT HEREBY RESOLVED that the bid of the Modesto Bee be accepted for advertising and printing for fiscal year ending June 30, 1939 as being the lowest and best bid and

BE IT FURTHER RESOLVED that agreement be entered into with The Modesto Bee by the City of Modesto and the Mayor and City Clerk be appointed as signatory officials.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on June 22, 1938 by Councilman Neece who moved its adoption, which motion being duly seconded was carried upon roll call and

adopted by the following vote:

Ayes: Councilmen: Neece, Bond, Stanley, Oliver and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4222-N. S.

A RESOLUTION AUTHORIZING THE SECURING OF PUBLIC LIABILITY POLICY FOR THE CITY OF
MODESTO

---oOo---

BE IT HEREBY RESOLVED that the City of Modesto secure public liability insurance on their operations and frontage and area basis, 25/25 limits of liability at once.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on June 22, 1938 by Councilman Oliver who moved its adoption, which motion being duly seconded was upon roll call carried and adopted by the following vote:

Ayes: Councilmen: Neece, Bond, Stanley, Oliver and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4223-N.S.

A RESOLUTION GRANTING FREE WATER SERVICE TO BOYS BROTHERHOOD OF THE REPUBLIC FOR
A SIX MONTHS PERIOD FROM JUNE 10, 1938.

---oOo---

WHEREAS, the Boy's Brotherhood of the Republic have made a request to the City Council for free water service at their meeting hall at 409 10th Street.

BE IT HEREBY RESOLVED that free water service be granted for a period of six months from June 10, 1938.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on June 22, 1938 by Councilman Bond who moved its adoption, which motion being duly seconded was upon roll call carried and adopted by the following vote:

Ayes: Councilmen: Neece, Bond, Stanley, Oliver and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4224-N.S.

A RESOLUTION ACCEPTING NOTICE OF COMPLETION OF WELL AT FIFTH AND SIERRA DRIVE OF
THE WESTERN WELL DRILLING CO. LTD AND AUTHORIZING CITY CLERK TO FILE NOTICE WITH
COUNTY RECORDER OF COMPLETION AND DRAW WARRANT IN AMOUNT \$918.45 IN PAYMENT TO
CONTRACTOR AS PER AGREEMENT

---oOo---

Whereas, the drilling of well at Fifth and Sierra Drive has been completed by the Western Well Drilling Co. Ltd and

WHEREAS City Engineer Rossi has filed with the Council of the City of Modesto a certification of amount due of \$918.45 being 75% of contract price as provided by agreement

BE IT HEREBY RESOLVED that notice of completion be accepted and the

City clerk be authorized to file notice of completion with the County Recorder of Stanislaus County and

BE IT FURTHER RESOLVED that the City Auditor be authorized to draw warrant in amount \$916.45 in favor of the Western Well Drilling Co. Ltd.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on June 22, 1938 by Councilman Bond who moved its adoption, which motion being duly seconded was upon roll call carried and adopted by the following vote:

Ayes: Councilmen: Keece, Bond, Stanley, Oliver and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: E. E. GRAGG, CITY CLERK

RESOLUTION NO. 4225-N.S.

A RESOLUTION EXTENDING WATER SERVICE FOR PERIOD OF FOUR MONTHS TO A. L. YOUNG, J.G. BRUCE AND J. REED WICKEN IN HIGH HOMES TRACT

---oOo---

WHEREAS Resolution No. 4163-N.S. provides for extension of water service to J. G. Bruce, J. Reed Wicken and A. L. Young in the High Homes Tract outside the City of Modesto until June 18, 1938

BE IT HEREBY RESOLVED that they be granted a further extension until October 18, 1938 to give the property owners additional time to petition for annexation to the City of Modesto.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on June 22, 1938 by Councilman Stanley who moved its adoption, which motion being duly seconded was upon roll call carried and adopted by the following vote:

Ayes: Councilmen: Keece, Bond, Stanley, Oliver and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4226-N.S.

A RESOLUTION DISCLAIMING RESPONSIBILITY FOR INJURIES THAT MAY OCCUR TO PERSONS ON ROAD NORTH OF LATERAL NO. 4, RUNNING FROM SYCAMORE AVENUE TO McHENRY AVENUE AND RECOMMENDING THAT SAID ROAD BE CLOSED

---ooOoo---

WHEREAS, there exists at the present time a road, street or passageway immediately north of Lateral No. 4, which road, street or passageway parallels said Lateral No. 4 and runs from Sycamore Avenue to McHenry Avenue; and

WHEREAS, a small portion of said road, street or passageway is within the City Limits of the City of Modesto; and

WHEREAS, that portion of said road, street or passageway within the said City Limits of the City of Modesto is upon private property and is not a public road, street or passageway; and

WHEREAS, the City Council of the City of Modesto finds that said road, street or passageway is so constructed that traffic and other accidents are likely to occur to persons who use the same and to persons in and upon McHenry Avenue and Sycamore Avenue, where said Avenues cross said road, street or passageway:

NOW, THEREFORE, THE CITY COUNCIL BY THIS RESOLUTION does hereby disclaim any and all responsibility for any personal or property damage occurring to any persons in and upon said road, street or passageway, and does hereby recommend to the Modesto Irrigation District, which said District has the jurisdiction and control of and over said road, street or passageway, that the same be closed to any and all kinds of traffic.

BE IT FURTHER RESOLVED, that a copy of this Resolution be forwarded to the Board of Directors of the Modesto Irrigation District.

The foregoing Resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of June, 1938, 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: Bond, Stanley, Oliver, Neece and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4227-N. S.

A RESOLUTION AUTHORIZING CITY CLERK TO FILE WITH COUNTY RECORDER OF STANISLAUS COUNTY COPY OF ORDINANCE NO. 576-N.S. AND CERTIFICATION FROM SECRETARY OF STATE ON ANNEXATION OF HAWKINS TRACT TO THE CITY OF MODESTO

---OOO---

BE IT HEREBY RESOLVED that City Clerk be authorized to record with the Stanislaus County Recorder certified copy of Ordinance No. 576-N.S. approving annexation of Hawkins Tract to the City of Modesto and copy of approval of annexation from Secretary of State.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of June, 1938 by Commissioner Bond who moved its adoption, which motion being duly seconded was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Neece, Stanley, Oliver, Bond and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG, CITY CLERK

State of California)
County of Stanislaus) ss
City of Modesto)

I, H. E. Gragg, City Clerk of the City of Modesto do hereby certify that the foregoing is a full true and correct copy of a resolution introduced and adopted at a regular meeting of the Council of the City of Modesto held on the 22nd day of June, 1938 and that the same is now in full force and effect.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of Modesto this 25th day of June, 1938

SIGNED: H. E. GRAGG, CLERK OF THE CITY
OF MODESTO, CALIFORNIA

RESOLUTION NO. 4228-N.S.

A RESOLUTION PROVIDING TEN MINUTE PARKING SPACES IN THE BUSINESS DISTRICT OF THE CITY OF MODESTO AS PROVIDED FOR IN ORDINANCE NO. 544-N.S.

---OOO---

WHEREAS, under and by virtue of the provisions of Ordinance No. 544-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 increase or diminish the time for which vehicles may be parked on the public streets of the business district of the City of Modesto; and,

WHEREAS, it appears to said City Council in regular session that the general welfare and safety of the citizens of the city of Modesto require that the time for parking vehicles in the hereinafter designated spaces be set at ten minutes;

NOW, THEREFORE, BE IT RESOLVED AND ORDERED by said City Council that in the spaces hereinafter set forth the parking time of all vehicles parked in said spaces shall be, between the hours of 9 A. M. and 6 P. M. for ten consecutive minutes, and no longer.

Said spaces are described as follows:

a. The first parking space on the northerly side of I Street, situate southwesterly from the southwesterly line of the alley between Ninth and Tenth Streets. The northerly line of said parking space shall commence at a point on the northerly curb of I Street, which is twelve and one-half (12½) feet from the southwesterly side of the alley between Ninth and Tenth Streets.

b. The first parking space on the southerly side of I Street northeasterly from the northeasterly line of the alley between Ninth and Tenth Streets. The southerly line of the parking space shall commence at a point on the southerly curb of I Street, which is twenty-two (22) feet from the northeasterly line of the alley between Ninth and Tenth Streets.

c. The first parking space on the northerly side of I Street southwesterly from the southwesterly line of the alley between Tenth and Eleventh Streets. The northerly line of the parking space shall commence at a point on the northerly curb of I Street, which is twelve and one-half (12½) feet from the southwesterly line of the alley between Tenth and Eleventh Streets.

d. The first parking space on the southerly side of I Street northeasterly from the northeasterly line of the alley between Tenth and Eleventh Streets. The southerly line of the parking space shall commence at a point on the southerly curb of I Street, which is twenty-two (22) feet from the northeasterly line of the alley between Tenth and Eleventh Streets.

e. The first parking space on the southerly side of J Street, northeasterly from the northeasterly line of the alley between Ninth and Tenth Streets.

f. The first parking space on the northerly side of J Street southwesterly from the southwesterly line of the alley between Tenth and Eleventh Streets.

g. The first parking space on the southerly side of J Street northeasterly from the northeasterly line of the alley between Tenth and Eleventh Streets.

BE IT FURTHER RESOLVED that the City Engineer of the City of Modesto shall procure proper markings and/or signs conveying to the public notice of the fact that the space herein designated shall be used by the operators of vehicles for the period herein set forth.

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

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of June, 1938, 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: Neece, Bond, Stanley, Oliver and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG, CITY CLERK.

RESOLUTION NO. 4229-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 June, 1938 by Commissioner Oliver who moved its adoption, which motion being duly seconded was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Neece, Stanley, Oliver, Bond and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4230-N.S.

A RESOLUTION GRANTING JUDGE LESLIE K. FLOYD LEAVE OF ABSENCE FROM STATE DURING THE PERIOD OF JULY 15, 1938 TO AUGUST 15, 1938

---oOo---

BE IT HEREBY RESOLVED that Judge Leslie K. Floyd be granted leave of absence from the State of California during the period of July 15, 1938 to August 15, 1938.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on July 13, 1938 by Commissioner Stanley who moved its adoption which motion being duly seconded was upon roll call adopted by the following vote:

Ayes: Councilmen: Neece, Bond, Stanley, Oliver and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4231-N.S.

A RESOLUTION ALLOWING CLAIMS FOR THE MONTH OF JUNE, 1938

---ooOoo---

WHEREAS, the claims against the City of Modesto for the month of June, 1938 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-----	\$26,267.98
WATER FUND-----	5,360.15
LIBRARY FUND-----	1,533.60
BOND RED. INT. FUND-----	-----
ST. BOND RED. INT. FUND-----	-----
UNAPPORTIONED FUND-----	-----
GASOLINE TAX FUND-----	-----
TOTAL-----	\$33,161.73

The foregoing resolution was introduced at a regular meeting of the

Council of the City of Modesto held on the 13th day of July, 1938, 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: Neece, Bond, Stanley, Oliver and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4232-N. S.

A RESOLUTION ACCEPTING OFFER OF FRANK B. COLLIER OF \$200.00 FOR BLOCK 586, LOTS 37 AND 36 IN THE CITY OF MODESTO AND \$200.00 FOR LOTS 23 AND 24 IN BLOCK 576 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 AND TAX COLLECTOR TO CANCEL ALL TAXES LEVIED AND ASSESSED PRIOR TO MARCH 7, 1938

---000---

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 586, lots 36 and 37 and Block 576 lots 23 and 24 of the City of Modesto acquired by tax deed as provided by Ordinance No. 396-N.S. be sold at private sale and

WHEREAS, Frank B. Collier has offered to purchase said property for the sum of \$400.00, same to be free and clear of all city taxes and assessments levied or assessed prior to the first Monday in March, 1938

BE IT HEREBY RESOLVED that offer of \$400.00 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, 1938 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 Frank B. Collier.

BE IT FURTHER RESOLVED that the Auditor and Tax Collector be authorized to cancel all taxes levied and/or assessed prior to March 7, 1938 against this property.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on July 13, 1938 by Councilman Neece who moved its adoption, which motion being duly seconded was carried by the following vote:

Ayes: Councilmen: Neece, Bond, Stanley, Oliver and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG, CITY CLERK

CERTIFICATION

State of California)
County of Stanislaus) ss
City of Modesto)

I, H. E. Gragg, City Clerk of the City of Modesto do hereby certify that the foregoing is a full, true and correct copy of a Resolution introduced and adopted at a regular meeting of the Council of the City of Modesto held on the 13th day of July, 1938, and that the same is now in full force and effect.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of Modesto this 15th day of July, 1938

SIGNED: H. E. GRAGG, CLERK OF THE CITY OF MODESTO, CALIFORNIA

RESOLUTION NO. 4233-N.S.

A RESOLUTION GRANTING PERMIT TO MARY MARITZEN TO OPERATE TAXICAB AT 938 10TH STREET IN THE CITY OF MODESTO

---oOo---

WHEREAS, pursuant to petition of Mary Maritzen to be permitted to operate a taxicab business in the city of Modesto and to be assigned the parking space in front of 938 10th Street, formerly occupied by B. Handy

BE IT HEREBY RESOLVED that petition be granted and the parking space at 938 10th Street be assigned to Mary Maritzen.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of July, 1938 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: Neece, Bond, Stanley, Oliver and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4234-N.S.

A RESOLUTION GRANTING PERMIT TO A. GALLIHER TO ERECT AND OPERATE UPHOLSTERY SHOP ON PROPERTY KNOWN AS BLOCK 420, LOTS 10 AND 11 IN THE CITY OF MODESTO.

---oOo---

Whereas, pursuant to the filing of petition with the Council by A. Galliher for permit to erect and maintain an upholstering business on property known as Block 420, lots 10 and 11, Maze Wren Subdivision and

Whereas it appears 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.

BE IT HEREBY RESOLVED that permission be granted to 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 13th day of July, 1938 by Commissioner Bond who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Neece, Bond, Stanley, Oliver and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4235-N.S.

A RESOLUTION GRANTING PERMIT TO SIGNAL OIL COMPANY TO CONSTRUCT AND OPERATE A SERVICE STATION AT CORNER OF 13TH & H STREETS IN THE CITY OF MODESTO.

---oOo---

WHEREAS, pursuant to Ordinance No. 344-N.S. there was filed with the Council for approval the application of the Signal Oil Company to erect, operate and maintain a service station on property known as northwest corner of 13th and H Streets in the City of Modesto, and whereas the plans therefor having been heretofore checked and approved by the City Engineer,

BE IT HEREBY RESOLVED that permission be granted to the Signal Oil Company to erect, operate and maintain a service station when all provisions of City ordinance relative to building permit and the regulations for storage and dispensing of gasoline have been complied with,

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of July, 1938 by Commissioner Bond, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Neece, Bond, Stanley, Oliver and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4236-N.S.

A RESOLUTION AUTHORIZING FINAL PAYMENT TO S. M. MCGAW FOR RESURFACING STREETS IN AMOUNT \$1697.13

---oOo---

WHEREAS, City Engineer Rossi has filed with the Council of the City of Modesto, a certification of amount due \$1697.13 as final payment for resurfacing streets and

WHEREAS, the 35 days period has elapsed as provided by the agreement

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of July, 1938 by Commissioner Bond, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Neece, Bond, Stanley, Oliver and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4237-N.S.

A RESOLUTION AUTHORIZING CITY ENGINEER ROSSI TO SIGN TOY LOAN LIBRARY PROJECT

---oOo---

BE IT HEREBY RESOLVED that City Engineer Rossi be authorized to sign Toy Loan Library project of the N. Y. A.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of July, 1938 by Commissioner Oliver, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Neece, Bond, Oliver, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4238-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

---oOo---

WHEREAS, the State of California, through its Department of Public Works, Division of Highways, has presented a memorandum of agreement in accordance with a project statement submitted by the City for expenditure of the 1/4 cent gas tax for the fiscal year 1939 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 13th day of July, 1938.

SIGNED: J. H. KING, MAYOR OF THE CITY OF MODESTO

ATTEST: H. E. GRAGG, 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 the 13th day of July, 1938.

H. E. GRAGG, CLERK OF THE CITY OF MODESTO

RESOLUTION NO. 4239-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 13th day of July by Councilman Oliver who moved its adoption which motion being duly seconded it was upon roll call adopted by the following vote:

Ayes: Councilmen: Neece, Oliver, Stanley, Bond and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4240-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 July, 1938 by Commissioner

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

Ayes: Councilmen: Neece, Bond, Oliver, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4241-N.S.

A RESOLUTION GRANTING REFUND OF DEPOSIT OF \$50.00 TO WESTERN WELL DRILLING COMPANY LTD.

---oOo---

WHEREAS, the Western Well Drilling Company Ltd. have petitioned the Council for the refund of \$50.00 deposit required by the Ordinance No. 487-N.S. as they have completed the contract for drilling well at Fifth and Sierra Drive for the City of Modesto

BE IT HEREBY RESOLVED that petition be granted and the City Auditor be authorized to draw warrant in amount of \$50.00 payable to Western Well Drilling Company Ltd.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on July 15, 1938 by Commissioner Bond who moved its adoption, which motion being duly seconded, it was upon roll call adopted by the following vote:

Ayes: Councilmen: Neece, Bond, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: Oliver

ATTEST: H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4242-N.S.

A RESOLUTION AUTHORIZING J. H. KING, MAYOR, TO FILE AN APPLICATION TO THE UNITED STATES OF AMERICA THROUGH THE FEDERAL EMERGENCY ADMINISTRATION OF PUBLIC WORKS FOR A GRANT TO AID IN FINANCING THE CONSTRUCTION OF A FIRE HOUSE AND DESIGNATING F. J. ROSSI, CITY ENGINEER, TO FURNISH SUCH INFORMATION AS THE GOVERNMENT MAY REQUEST.

---oOo---

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

Section 1. That J. H. King, Mayor, be and he is authorized to execute and file an application on behalf of the city of Modesto, a Municipal Corporation, to the United States of America for a grant to aid in financing the construction of a Fire House, consisting of two stories and basement.

Section 2. That F. J. Rossi, City Engineer, be and he is hereby authorized and directed to furnish such information as the United States of America, through the Federal Emergency Administration of Public Works, may reasonably request in connection with the application which is herein authorized to be filed.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on July 15, 1938 by commissioner Stanley, who moved its adoption, which motion being duly seconded, it was upon roll call adopted by the following vote:

Ayes: Councilmen: Neece, Bond, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: Oliver

ATTEST: H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4243-N.S.

A RESOLUTION AUTHORIZING J. H. KING, MAYOR TO FILE AN APPLICATION TO THE UNITED STATES OF AMERICA THROUGH THE FEDERAL EMERGENCY ADMINISTRATION OF PUBLIC WORKS FOR A GRANT TO AID IN FINANCING THE CONSTRUCTION OF A CIVIC AUDITORIUM, WHICH WILL INCLUDE A LITTLE THEATRE AND DESIGNATING F. J. ROSSI, CITY ENGINEER TO FURNISH SUCH INFORMATION AS THE GOVERNMENT MAY REQUEST

---oOo---

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

Section 1. That J. H. King, Mayor be and he is authorized to execute and file an application on behalf of the City of Modesto, a Municipal Corporation to the United States of America for a grant to aid in financing the construction of a Civic Auditorium with seating capacity of 2000 and a little theatre as a part of said auditorium with seating capacity of 600.

Section 2. That F. J. Rossi, City Engineer be and he is hereby authorized and directed to furnish such information as the United States of America, through the Federal Emergency Administration of Public Works, may reasonably request in connection with the application which is herein authorized to be filed.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on July 15, 1938 by Commissioner Stanley, who moved its adoption, which motion being duly seconded, it was upon roll call adopted by the following vote:

Ayes: Councilmen: Neece, Bond, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: Oliver

ATTEST: H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4244-N.S.

A RESOLUTION AUTHORIZING J. H. KING, MAYOR TO FILE AN APPLICATION TO THE UNITED STATES OF AMERICA THROUGH THE FEDERAL EMERGENCY ADMINISTRATION OF PUBLIC WORKS FOR A GRANT TO AID IN FINANCING THE REMODELING OF AND ADDING TO THE PRESENT CITY HALL AND DESIGNATING F. J. ROSSI, CITY ENGINEER TO FURNISH SUCH INFORMATION AS THE GOVERNMENT MAY REQUEST

---oOo---

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

Section 1. That J. H. King, Mayor, be and he is authorized to execute and file an application on behalf of the City of Modesto, a Municipal Corporation, to the United States of America for a grant to aid in financing the remodeling of and adding to present City Hall.

Section 2. That F. J. Rossi, City Engineer be and he is hereby authorized and directed to furnish such information as the United States of America, through the Federal Emergency Administration of Public Works, may reasonably request in connection with the application which is herein authorized to be filed.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on July 15, 1938 by Commissioner Stanley, who moved its adoption, which motion being duly seconded, it was upon roll call adopted by the following vote:

Ayes: Councilmen: Neece, Bond, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: Oliver

ATTEST: H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4245-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 July 15, 1938 by Commissioner Neece who moved its adoption, which motion being duly seconded, it was upon roll call adopted by the following vote:

Ayes: Councilmen: Neece, Bond, Stanley and Mayor King
Noes: Councilmen: None
Absent: Councilmen: Oliver

ATTEST: H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4246-N.S.

A RESOLUTION APPOINTING CITY ATTORNEY ROBERT B. FOWLER ACTING SECRETARY OF THE CITY COUNCIL DURING ABSENCE OF CITY CLERK

---oCo---

BE IT HEREBY RESOLVED that City Attorney Robert B. Fowler be appointed acting secretary of the City council for this meeting during the absence of City Clerk.

The foregoing resolution was introduced at a special Council meeting held on July 22, 1938 by Councilman Neece who moved its adoption, which motion being duly seconded, it was carried upon roll call by the following vote:

Ayes: Councilmen: Neece, Bond, Stanley, and Mayor King
Noes: Councilmen: None
Absent: Councilmen: Oliver

ATTEST: H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4247-N.S.

A RESOLUTION AUTHORIZING CITY ENGINEER TO PROCEED WITH PLANS FOR BUILDING OF A NEW FIREHOUSE AND THE REMODELING OF AND ADDING TO THE CITY HALL

---oCo---

BE IT HEREBY RESOLVED that the City Engineer be authorized to proceed with plans and specifications for the building of a new firehouse and the remodeling of and adding to the City Hall, expenditures not to be over \$52,580 on the fire house and not over \$29,130 on the remodeling of and adding to the City Hall.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on July 22, 1938 by Commissioner Bond who moved its adoption, which motion being duly seconded, was carried upon roll call and adopted by the following vote:

Ayes: Councilmen: Neece, Bond, Stanley and Mayor King
Noes: Councilmen: None
Absent: Councilmen: Oliver

ATTEST: H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4248-N.S.

A RESOLUTION RECOMMENDING THAT THE CITY OF MODESTO HOLD A SPECIAL ELECTION ON QUESTION OF ACQUIRING A BONDED INDEBTEDNESS TO BUILD A CIVIC AUDITORIUM AT A DATE TO BE SET IN THE NEAR FUTURE

---oCo---

Whereas the City Council is in favor of holding an election on the question of acquiring a bonded indebtedness to build a civic auditorium and

WHEREAS the propriety of holding a special election on August 30, 1938, on which date the County and State primaries will be held has come before the Council for consideration.

BE IT HEREBY RESOLVED that the City of Modesto hold a special election on the question of acquiring a bonded indebtedness to build a civic auditorium at a date to be set at a future time instead of holding the election on August 30, 1938 because there will be no saving of expenses in holding such an election on this date as the bond issue cannot appear on the regular primary ballot as it would tend to confuse the voter.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on July 22, 1938 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: Neece, Bond, Stanley, and Mayor King
Noes: Councilmen: None
Absent: Councilmen: Oliver

ATTEST: H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4249-N.S.

A RESOLUTION APPOINTING JOHN L. MASON ASSISTANT CITY ENGINEER AT A SALARY OF \$250.00 AS OF JULY 22, 1938

--oOo--

WHEREAS, pursuant to death of Marvin H. Crews, Assistant City Engineer,

BE IT HEREBY RESOLVED that John L. Mason be appointed Assistant City Engineer at a salary of \$250.00 as of July 22, 1938.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on July 22, 1938 by Commissioner Bond who moved its adoption, which motion being duly seconded, it was upon roll call carried and adopted by the following vote:

Ayes: Councilmen: Neece, Bond, Stanley and Mayor King
Noes: Councilmen: None
Absent: Councilmen: Oliver

ATTEST: H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4250-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 July 22, 1938 by Commissioner Neece who moved its adoption, which motion being duly seconded, it was upon roll call carried and adopted by the following vote:

Ayes: Councilmen: Neece, Stanley, Bond and Mayor King
Noes: Councilmen: None
Absent: Councilmen: Oliver

ATTEST: H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4251-N.S.

A RESOLUTION APPOINTING ANNE M. COLLINS ACTING SECRETARY OF COUNCIL DURING ABSENCE OF H. E. GRAGG, CITY CLERK

--oOo--

BE IT HEREBY RESOLVED that Anne M. Collins be appointed acting secretary of the Council during the absence of H. E. Gragg, City Clerk for this meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on July 27, 1938 by Commissioner Neece who moved its adoption, which motion being duly seconded, it was upon roll call carried and adopted by the following vote:

Ayes: Councilmen: Neece, Bond, Stanley, and Mayor King

Noes: Councilmen: None

Absent: Councilmen: Oliver

ATTEST: H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4282-N.S.

A RESOLUTION ALLOWING CLAIM OF J. R. WIELAND FOR \$262 FOR DRAWING PLANS, ESTIMATING MATERIALS AND LABOR ON FIRE HOUSE AND CITY HALL

---oOo---

WHEREAS, a claim for \$262.00 has been filed with the City Auditor for payment for drawing plans, estimating materials and labor on new fire House and remodeling and adding to present City Hall, and

WHEREAS said claim is a just claim and should be allowed

BE IT HEREBY RESOLVED that the City Auditor be authorized to draw warrant in payment of claim,

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on July 27, 1938 by Commissioner Neece who moved its adoption, which motion being duly seconded, it was upon roll call carried and adopted by the following vote:

Ayes: Councilmen: Neece, Bond, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: Oliver

ATTEST: H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4253-N.S.

A RESOLUTION GRANTING REQUEST OF THE SOUTHERN PACIFIC COMPANY TO SHIFTING OF TRACK ON WEST STREET TO OBTAIN PROPER CLEARANCE

---oOo---

WHEREAS, Pursuant to communication from the Southern Pacific Company regarding shifting of track on West Street to obtain proper clearance

BE IT HEREBY RESOLVED, that request be granted and the City Clerk be authorized to notify the Southern Pacific Company of the decision of the Council and to send five copies of letter to the Railroad Commission, San Francisco.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on July 27, 1938 by Commissioner Neece who moved its adoption, which motion being duly seconded, it was upon roll call carried and adopted by the following vote:

Ayes: Councilmen: Neece, Bond, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: Oliver

ATTEST: H. E. GRAGG, CITY CLERK

SIGNED: J. H. KING, MAYOR OF THE
CITY OF MODESTO, CALIFORNIA

ATTEST: H. E. GRAGG, CITY CLERK OF THE
CITY OF MODESTO, CALIFORNIA

CLERK'S CERTIFICATE

I, H. E. Gragg, City Clerk of the CITY OF MODESTO, California, do hereby certify that the foregoing is a full, true and correct copy of a resolution duly adopted at a special meeting of the City Council of said City duly and regularly held at the regular meeting place thereof on the 4th day of August, 1938, of which meeting all of the members of said City Council had due notice and at which a majority thereof was present; that at said meeting said resolution was introduced by Councilman Bond and read in full and was thereupon, upon motion of Councilman Bond, seconded by Councilman Neece adopted by the following vote:

Ayes: Councilmen: Neece, Bond, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: Oliver

That I have carefully compared the same with the original minutes of said meeting on file and of record in my office and that said resolution is duly entered of record in Book 13 of Minutes, at pages 350 to _____, inclusive, and said resolution is a full, true and correct copy of the original resolution adopted at said meeting and entered in said minutes. That said resolution has not been amended, modified or rescinded since the date of its adoption and the same is now in full force and effect.

WITNESS my hand and the seal of said City of Modesto this 15th day of August, 1938.

H. E. GRAGG, CITY CLERK OF THE CITY
OF MODESTO, CALIFORNIA

RESOLUTION NO. 4268-N.S.

A RESOLUTION AUTHORIZING PAYMENT OF \$7.71 TO BOARD OF SUPERVISORS OF STANISLAUS COUNTY AS INTEREST DUE ON JUDGMENT OF \$601.25 AGAINST CITY OF MODESTO

---oOo---

WHEREAS, the county of Stanislaus has secured a judgment of \$601.25 against the city of Modesto as of May 27, 1938 with the provisions that interest be paid from date of judgment, May 27, 1938 to date of payment of judgment

BE IT HEREBY RESOLVED that payment of \$7.71 be allowed the Board of Supervisors of Stanislaus county, interest on judgment and the City Auditor be hereby 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 August 4, 1938 by Councilman Neece who moved its adoption, which motion being duly seconded, it was upon roll call carried and adopted by the following vote:

Ayes: Councilmen: Neece, Bond, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: Oliver

ATTEST: H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4269-N.S.

A RESOLUTION ALLOWING CLAIM OF \$12.60 OF ROBERT B. FOWLER, CITY ATTORNEY FOR USE OF AUTOMOBILE ON TRIPS TO STOCKTON AND SAN FRANCISCO

---oOo---

BE IT HEREBY RESOLVED that claim of \$12.60 of Robert B. Fowler, City Attorney for use of Automobile on trips to Stockton on July 28, 1938 and to San Francisco on August 2, 1938.

The foregoing resolution was introduced at a special Council meeting of the City of Modesto held on August 4, 1938 by Councilman Neece who moved its adoption, which motion being duly seconded, it was upon roll call carried and adopted by the following vote:

Ayes: Councilmen: Neece, Bond, Stanley and Mayor King
Noes: Councilmen: None
Absent: Councilmen: Oliver

ATTEST: H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4270-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 August 4, 1938 by Councilman Neece who moved its adoption, which motion being duly seconded, it was upon roll call carried and adopted by the following vote:

Ayes: Councilmen: Neece, Bond, Stanley and Mayor King
Noes: Councilmen: None
Absent: Councilmen: Oliver

ATTEST: H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4271-N.S.

A RESOLUTION ALLOWING CLAIMS FOR THE MONTH OF JULY, 1938

---oOo---

WHEREAS, the claims against the City of Modesto for the month of July, 1938, for the various sums in the aggregate hereinafter stated having been audited by the Council and found to be correct;

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

GENERAL FUND-----	\$30,883.41
WATER FUND-----	6,110.02
LIBRARY FUND-----	1,721.07
BOND RED. INT. FUND-----	5,962.50
ST. BOND RED. INT. FUND-----	27,575.87
SPECIAL GAS TAX FUND-----	1,697.13
TOTAL-----	\$73,950.00

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of August, 1938 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: Neece, Bond, Stanley, Oliver and Mayor King
Noes: Councilmen: None
Absent: Councilmen: None

ATTEST: H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4254-N.S.

A RESOLUTION AUTHORIZING THE CITY CLERK TO ADVISE R. G. DeLAPPE THAT THE CITY OF MODESTO IS NOT HIRING AN ARCHITECT UNTIL SUCH TIME AS THE BOND ISSUE IS VOTED AND THE GRANT IS RECEIVED FROM THE P. W. A. FOR THE BUILDING OF A CIVIC AUDITORIUM

---oCo---

WHEREAS, R. G. DeLappe, Architect has petitioned the Council to be employed by the City of Modesto for the building of the proposed municipal Auditorium.

BE IT HEREBY RESOLVED that the City Clerk be authorized to advise Mr. R. G. DeLappe that the City of Modesto is not hiring an architect until such time as the bond issue is voted and the grant is received from the P. W. A. and that the work in preparing application is being handled by the City Engineer.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on July 27, 1938 by Commissioner Neece who moved its adoption, which motion being duly seconded, it was upon roll call carried and adopted by the following vote:

Ayes: Councilmen: Neece, Stanley, Bond and Mayor King

Noes: Councilmen: None

Absent: Councilmen: Oliver

ATTEST: H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4255-N.S.

A RESOLUTION DENYING REQUEST OF MRS. A. L. MEDLIN TO OPERATE A LUNCH WAGON AT 802 H STREET WHEN MRS. PETERSON GIVES UP HER LUNCH WAGON BUSINESS AT THAT LOCATION

---oCo---

WHEREAS, Mrs. A. L. Medlin has petitioned the Council to be permitted to operate a lunch wagon at 802 H Street, when Mrs. Peterson (present occupant) gives up her lunch wagon business at this location.

BE IT HEREBY RESOLVED that request be denied in view of the fact that Mrs. Peterson had been asked by the City to move her restaurant business from the street because of the traffic hazard and also because it is not the policy of the Council to grant permits to operate lunch wagons.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on July 27, 1938 by Commissioner Neece who moved its adoption, which motion being duly seconded, it was upon roll call carried and adopted by the following vote:

Ayes: Councilmen: Neece, Bond, Stanley and Mayor King,

Noes: Councilmen: None

Absent: Councilmen: Oliver

ATTEST: H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4256-N.S.

A RESOLUTION AUTHORIZING MAYOR KING PURCHASE ADDITIONAL LAND FOR THE MODESTO MUNICIPAL AIRPORT FROM W. W. GIDDINGS FOR \$1150.00

---oCo---

WHEREAS, it is deemed for the best interest of the citizens that the City of Modesto acquire lots 17, 18, 19, 20, 21 and 37, 38, 39 of the Sierra Subdivision No. 3 in Section 34 T 3 S R 9E to provide additional runways to the Municipal Airport

BE IT HEREBY RESOLVED that Mayor King be authorized to offer the owner of the property W. W. Giddings \$1150 for the purchase of the land, contingent

on the adoption of Ordinance by Stanislaus County Board of Supervisors, limiting height of buildings near the Airport.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on July 27, 1938 by Commissioner Bond, who moved its adoption, which motion being duly seconded, it was upon roll call carried and adopted by the following vote:

Ayes: Councilmen: Neece, Bond, Stanley and Mayor King
Noes: Councilmen: None
Absent: Councilmen: Oliver

ATTEST: H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4257-N.S.

A RESOLUTION AUTHORIZING FINAL PAYMENT ON DRILLING WELL IN AMOUNT \$305.48 TO THE WESTERN WELL DRILLING CO. LTD.

---oO---

BE IT HEREBY RESOLVED that final payment be made to the Western Well Drilling Company in amount \$305.48 for drilling well #10 at Fifth and Sierra Drive, as 35 days have elapsed since the acceptance of the well by the City of Modesto as per contract and the City Clerk and Auditor is hereby authorized to draw warrant in payment of claim.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on July 27, 1938 by Commissioner Bond, who moved its adoption, which motion being duly seconded, it was upon roll call carried and adopted by the following vote:

Ayes: Councilmen: Neece, Bond, Stanley and Mayor King
Noes: Councilmen: None
Absent: Councilmen: Oliver

ATTEST: H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4258-N.S.

A RESOLUTION AUTHORIZING THE CITY CLERK TO ADVERTISE FOR BIDS ON PAVEMENT AT 9TH AND B STREETS WHEN THE CITY ENGINEER FURNISHES NECESSARY DATA

---oO---

BE IT HEREBY RESOLVED that the City Clerk be authorized to advertise for bids on pavement at 9th & B Streets when the City Engineer furnishes the necessary data.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on July 27, 1938 by Commissioner Bond who moved its adoption, which motion being duly seconded, it was upon roll call carried and adopted by the following vote:

Ayes: Councilmen: Neece, Bond, Stanley and Mayor King
Noes: Councilmen: None
Absent: Councilmen: Oliver

ATTEST: H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4259-N.S.

A RESOLUTION AUTHORIZING CITY CLERK TO ADVERTISE FOR BIDS ON AUTOS AND MOTORCYCLES FOR THE POLICE DEPARTMENT AND THE DEPUTY LICENSE COLLECTOR

---oO---

BE IT HEREBY RESOLVED that the City Clerk be authorized to advertise

for bids on the following equipment:

- Item 1- One sedan for which the cost, including sales tax, shall not exceed the trade in allowance for one 1935 Pontiac Sedan and \$700.00
- Item 2- Two motorcycles for traffic work, for which the cost including sales tax, shall not exceed the trade in allowance for two 1935 Indian 4 motorcycles and \$525.00
- Item 3- One three wheel dispatch motorcycle with left hand throttle not to exceed \$600.00 in cost, including sales tax.
- Item 4- One Coupe for which the cost including sales tax shall not exceed the trade in allowance for one 1932 Rockne Sedan and \$1000

Bids to be opened at the City Hall not later than 7:30 P. M. on Wednesday, August 10, 1938.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on July 27, 1938 by Commissioner Stanley who moved its adoption, which motion being duly seconded, it was upon roll call carried and adopted by the following vote:

Ayes: Councilmen: Neece, Bond, Stanley and Mayor King
Noes: Councilmen: None
Absent: Councilmen: Oliver

ATTEST: H. E. GRAGG, CITY CLERK

RESOLUTION NO. 426D-N.S.

A RESOLUTION REQUESTING THE BOARD OF SUPERVISORS OF STANISLAUS COUNTY TO ANNUL CERTAIN TAXES OWED BY AND DECLARED DUE FROM THE CITY OF MODESTO TO THE COUNTY OF STANISLAUS.

---oOo---

WHEREAS, the City of Modesto is the owner of certain pieces of ground, to-wit, lots 9, 10, 11 and 12 in Block 588 of the City of Modesto, County of Stanislaus, State of California; and

WHEREAS, said City desires to use said property for governmental and/or operative purposes for the use and benefit of the citizens of said City:

NOW, THEREFORE, the City Council of said City of Modesto in regular session do hereby respectfully petition and request the Board of Supervisors of Stanislaus County, California, to cancel, annul and set aside its claim to certain taxes now due and owing on said property to the County of Stanislaus, and that said Board of Supervisors shall not in the future, while said property belongs to the City of Modesto, levy or collect taxes upon said property from said city.

The foregoing Resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of July, 1938, by Councilman Neece, who moved its adoption, which motion being duly seconded, it was upon roll call carried and adopted by the following vote:

Ayes: Councilmen: Neece, Bond, Stanley and Mayor King
Noes: Councilmen: None
Absent: Councilmen: Oliver

ATTEST: H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4261-N.S.

A RESOLUTION REQUESTING THE BOARD OF THE MODESTO IRRIGATION DISTRICT TO ANNUL CERTAIN TAXES OWED BY AND DECLARED DUE FROM THE CITY OF MODESTO TO THE MODESTO IRRIGATION DISTRICT

---oOo---

WHEREAS, the City of Modesto is the owner of certain pieces of ground, to-wit, lots 9, 10, 11 and 12 in Block 588 of the City of Modesto, County of Stanislaus,

State of California; and

WHEREAS, said City desires to use said property for governmental and/or operative purposes for the use and benefit of the citizens of said City:

NOW, THEREFORE, the City Council of said City of Modesto in regular session do hereby respectfully petition and request the Board of Modesto Irrigation District to cancel, annul and set aside its claim to certain taxes now due and owing on said property to the Modesto Irrigation District and that said Board of Modesto Irrigation District shall not in the future, while said property belongs to the City of Modesto, levy or collect taxes upon said property from said City.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of July, 1938 by Councilman Neece, who moved its adoption, which motion being duly seconded, it was upon roll call carried and adopted by the following vote:

Ayes: Councilmen: Neece, Bond, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: Oliver

ATTEST: H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4262-N.S.

A RESOLUTION INSTRUCTING AND EMPOWERING CITY AUDITOR TO PAY TO THE COUNTY OF STANISLAUS \$601.25 TO SATISFY A JUDGMENT.

---oOo---

WHEREAS, there has been filed a certain action in the Superior Court of the County of Stanislaus, State of California, entitled "Stanislaus County, a body politic, incorporated, plaintiff, vs. City of Modesto, a municipal corporation, B. G. Hawkins, and Leslie K. Floyd, defendants, numbered 19453¹ and

WHEREAS, after the filing of a cross-complaint and full determination of all of the matters concerning said action, the said Superior Court has rendered judgment in favor of the county of Stanislaus in the sum of Six Hundred One Dollars and Twenty-Five Cents (\$601.25), which amount the Court declared to be due and owing to said County, over and above all set-offs claimed by the City of Modesto; and

WHEREAS, neither the City of Modesto nor the County of Stanislaus intends to appeal from said judgment, and said judgment has never been annulled, set aside, or modified in any particular whatsoever; and

WHEREAS, the said amount of Six Hundred One Dollars and Twenty-Five Cents (\$601.25) and all of said amount is now due and owing to said County of Stanislaus by the said City of Modesto:

NOW, THEREFORE, be it resolved, that there be paid to the said County of Stanislaus and the Board of Supervisors thereof the sum of Six Hundred One Dollars and Twenty-Five Cents (\$601.25) in full satisfaction of said judgment. The City Auditor of said City of Modesto is hereby empowered and directed to draw his check against the General Fund of the City of Modesto in said sum of Six Hundred One Dollars and Twenty-Five cents (\$601.25), and to deliver to said Board of Supervisors of said County of Stanislaus said check upon receipt by them or their attorney of a full satisfaction of said judgment.

The foregoing Resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of July, 1938, by Councilman Neece, who moved its adoption, which motion being duly seconded, it was upon roll call carried and adopted by the following vote:

Ayes: Councilmen: Neece, Bond, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilman: Oliver

ATTEST: H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4263-N.S.

A RESOLUTION APPOINTING DELEGATES TO LEAGUE OF CALIFORNIA MUNICIPALITIES CONVENTION AT SANTA BARBARA SEPTEMBER 6-9 INC. 1938

---oOo---

BE IT HEREBY RESOLVED that Mayor King, Commissioners Bond, Oliver, Stanley, City Attorney Fowler, Inspector Holtham, City Engineer Rossi, City Clerk Gragg and Chief of Police Arington be appointed as delegates to the Convention of the League of California Municipalities, which is to be held in Santa Barbara, September 6-9 inc., 1938, with all expenses paid.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on July 27, 1938 by Councilman Neece, who moved its adoption, which motion being duly seconded, it was upon roll call carried and adopted by the following vote:

Ayes: Councilmen: Neece, Bond, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: Oliver

ATTEST: H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4264-N.S.

A RESOLUTION RECOMMENDING THAT THE CITY PLACE VALUE OF \$50.00 ON LOTS 7 AND 8 IN BLOCK 430 AND NOTIFY BIDDER A. RAMSEY THAT THEY WOULD ACCEPT THIS AMOUNT FOR THE LOTS

---oOo---

WHEREAS, A. Ramsey has offered to buy tax deed of the City of Modesto on lots 7 and 8 in Block 430 and whereas the city council appointed Commissioner Stanley and Bond to make a personal investigation to ascertain the approximate value of the lot and to set a price that the city would accept for their tax deed

BE IT HEREBY RESOLVED that a value of \$50.00 be placed on these lots and the city clerk be notified to authorize sale to A. Ramsey for this amount.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on July 27, 1938 by Commissioner Stanley, who moved its adoption, which motion being duly seconded, it was upon roll call carried and adopted by the following vote:

Ayes: Councilmen: Neece, Bond, Stanley, And Mayor King

Noes: Councilmen: None

Absent: Councilmen: Oliver

ATTEST: H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4265-N.S.

A RESOLUTION GRANTING PERMIT TO A. W. CLARK JR. & CO. TO OPERATE SERVICE STATION AT EIGHTEENTH STREET AND LALOMA ROAD ON PROPERTY OF EVERETT SHELBURN

---oOo---

WHEREAS, pursuant to Ordinance No. 344-N.S. there was filed with the Council for approval, the application of A. W. Clark Jr. & Co. to erect, operate and maintain a service station on property known as southeasterly line of H Street between

18th Street and LaLoma Road on the property of Everett Shelburn, and

WHEREAS the plans therefor having been heretofore checked and approved by the City Engineer,

BE IT HEREBY RESOLVED that permit be granted to A. W. Clark Jr. and Company when all provisions of city ordinances relative to building permits and the regulations for storage and dispensing of gasoline have been complied with.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on July 27, 1938 by Commissioner Bond who moved its adoption, which motion being duly seconded, it was upon roll call carried and adopted by the following vote:

Ayes: Councilmen: Neece, Bond, Stanley and Mayor King
Noes: Councilmen: None
Absent: Councilmen: Oliver

ATTEST: H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4266-N.S.

ADJOURNMENT

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

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of July, 1938, by Commissioner Stanley who moved its adoption, which motion being duly seconded, it was upon roll call carried and adopted by the following vote:

Ayes: Councilmen: Neece, Bond, Stanley, and Mayor King
Noes: Councilmen: None
Absent: Councilmen: Oliver

ATTEST: H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4267-N.S.

DETERMINING THAT THE PUBLIC INTEREST AND NECESSITY DEMAND THE ACQUISITION, CONSTRUCTION AND COMPLETION OF THE FOLLOWING MUNICIPAL IMPROVEMNT OF THE CITY OF MODESTO, TO WIT: A CIVIC AUDITORIUM, ASSEMBLY AND CONVENTION HALL, WITH QUARTERS FOR A MUNICIPAL THEATRE, INCLUDING ALL LANDS, BUILDING, FURNITURE, FIXTURES AND EQUIPMENT NECESSARY FOR CIVIC AUDITORIUM, ASSEMBLY AND CONVENTION HALL, AND MUNICIPAL THEATRE PURPOSES, THE COST OF WHICH SAID MUNICIPAL IMPROVEMENT IS AND WILL BE TOO GREAT TO BE PAID OUT OF THE ORDINARY ANNUAL INCOME AND REVENUE OF SAID CITY.

---oOo---

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

1. - That the public interest and necessity demand the acquisition, construction and completion of the following municipal improvement of said city, to wit: A civic Auditorium, assembly and convention hall, with quarters for a municipal theatre, including all lands, building, furniture, fixtures and equipment necessary for civic auditorium, assembly and convention hall, and municipal theatre purposes.
2. - That said municipal improvement is necessary and convenient to carry out the objects, purposes and powers of said city.
3. - That the cost of said municipal improvement is and will be too great to be paid out of the ordinary annual income and revenue of said City.

PASSED AND ADOPTED this 4th day of August, 1938, by the following vote:

Ayes: Councilmen: Neece, Bond, Stanley and Mayor King
Noes: Councilmen: None
Absent: Councilmen: Oliver

RESOLUTION NO. 4272-N.S.

A RESOLUTION ALLOWING CLAIM OF MODESTO CHAMBER OF COMMERCE FOR \$800.00 FOR CIVIC SPORTS REVOLVING FUND AS PROVIDED BY ORDINANCE NO. 581-N.S.

---oOo---

Whereas Ordinance No. 581-N.S. provides for the contribution to the Modesto Chamber of Commerce certain sums of money upon presentation of claim and

WHEREAS the Chamber of Commerce of the City of Modesto have presented a claim for \$800.00 to be used for the civic sports revolving fund to be set up for the underwriting of various civic events including baseball, archery, pistol shoot, trap shoots, boat racing, and golf tournaments.

BE IT HEREBY RESOLVED, that claim be allowed and the City Clerk and Auditor be authorized to draw warrant in payment of \$800.00 to the Modesto Chamber of Commerce.

The foregoing resolution was introduced at the regular meeting of the Council of the City of Modesto held on August 10, 1938 by Commissioner Neece who moved its adoption, which motion being duly seconded, it was upon roll call carried and adopted by the following vote:

- Ayes: Councilmen: Neece, Bond, Stanley, Oliver and Mayor King
- Noes: Councilmen: None
- Absent: Councilmen: None

ATTEST: H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4273-N.S.

A RESOLUTION APPOINTING CAPTAIN GEORGE ENGEL OF THE SALVATION ARMY SPECIAL OFFICER FOR PERIOD TEN MONTHS BEGINNING SEPTEMBER 1, 1938 AT A SALARY OF \$25.00 PER MONTH

---oOo---

BE IT HEREBY RESOLVED that Captain George Engel of the Salvation Army be appointed Special Police Officer for a period of 10 months beginning September 1, 1938 and ending June 30, 1939 at a salary of \$25.00 per month.

The foregoing resolution was introduced at a regular meeting of the Council of the city of Modesto held on the 10th day of August, 1938 by Commissioner Stanley who moved its adoption, which motion being duly seconded, it was upon roll call carried and adopted by the following vote:

- Ayes: Councilmen: Neece, Bond, Stanley, Oliver and Mayor King
- Noes: Councilmen: None
- Absent: Councilmen: None

ATTEST: H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4274-N.S.

A RESOLUTION ACCEPTING OFFER OF ARNOLD RAMSEY OF \$50.00 FOR BLOCK 430, LOTS 7 and 8 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 AND TAX COLLECTOR TO CANCEL ALL TAXES LEVIED AND ASSESSED PRIOR TO MARCH 7, 1938

---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 430, lots 7 and 8 of the City of Modesto acquired by tax deed as provided by Ordinance No. 396-N.S. be sold at private sale and

WHEREAS, Arnold Ramsey has offered to purchase said property for the

sum of \$50.00, same to be free and clear of all city taxes and assessments levied or assessed prior to the first Monday in March, 1938

BE IT HEREBY RESOLVED that offer of \$50.00 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, 1938 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 Arnold Ramsey.

BE IT FURTHER RESOLVED that the City Auditor and Tax Collector be authorized to cancel all taxes levied and or assessed prior to March 7, 1938 against this property, namely Tax sales #2051 for year 1924, #3054 for year 1929, #3250 for year 1930, #5677 for year 1931, #4192 for year 1932, #4873 for year 1933, #5713 for year 1935, #6025 for year 1936 and #6299 for year 1937

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on August, 10, 1938 by Councilman Bond, who moved its adoption, which motion being duly seconded was carried by the following vote:

Ayes: Councilmen: Neece, Bond, Stanley, Oliver and Mayor King

Noes: Councilmen: None

Absent; Councilmen: None

ATTEST: H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4275-N.S.

A RESOLUTION GRANTING PERMIT TO THE DEPARTMENT OF COMMERCE, BUREAU OF AIR COMMERCE TO INSTALL NECESSARY WATER SUPPLY AND MEANS OF SEWAGE DISPOSAL AT WATCHHOUSE TO BE BUILT AT MUNICIPAL AIRPORT OF THE CITY OF MODESTO UNDER THE SUPERVISION OF THE CITY ENGINEER AND RECOMMENDING THAT A CHARGE OF \$1.00 PER MONTH FOR WATER SERVICE BE MADE FROM BEGINNING DATE OF WATER SERVICE

---00---

WHEREAS, the Department of Commerce, Bureau of Air Commerce are engaged in the construction of a watchhouse at the Modesto Municipal Airport to serve as control quarters as well as house certain weather bureau instruments and

WHEREAS, they have requested the City of Modesto to be permitted to install necessary water supply and means of sewage disposal

BE IT HEREBY RESOLVED that permit be granted and the installation of sewage disposal unit and water connections be authorized under the supervision of the City Engineer and

BE IT FURTHER RESOLVED that a charge of \$1.00 per month for water service be made from beginning date of water service.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on August 10, 1938 by Commissioner Stanley, who moved its adoption, which motion being duly seconded, it was upon roll call carried and adopted by the following vote:

Ayes: Councilmen: Neece, Stanley, Oliver, Bond and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4276-N.S.

A RESOLUTION RECOMMENDING THAT A PRICE OF \$237.00 BE PLACED ON TAX DEED ON LOTS 1 AND 2 IN BLOCK 574 AND AUTHORIZING THE CITY CLERK TO NOTIFY C. CATELLI OF THE DECISION OF THE COUNCIL

---oOo---

WHEREAS, pursuant to appointment of Commissioners Bond and Stanley by the Council to make investigation of offer of C. Catelli of \$200.00 to purchase tax deed on lots 1 and 2 Block 574 in the City of Modesto and to report to the council price to be placed on these lots and

WHEREAS, Commissioners Bond and Stanley recommend that a price of \$237.00 be placed on these lots

BE IT THEREFORE RESOLVED THAT a price of \$237.00 be placed on these lots and the City Clerk be authorized to notify C. Catelli that the Council would accept this price for tax deed providing he agreed to pay this amount of money.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on August 10, 1938 by Commissioner Bond who moved its adoption, which motion being duly seconded, it was upon roll call carried and adopted by the following vote:

Ayes: Councilmen: Neece, Bond, Stanley, Oliver and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4277-N.S.

A RESOLUTION AUTHORIZING PAYMENT TO HARRY BROWN ON PUMP STATION #10 AND ACCEPTING PUMP STATION FROM CONTRACTOR AND AUTHORIZING CITY CLERK TO FILE NOTICE OF COMPLETION WITH COUNTY RECORDER

---oOo---

WHEREAS, City Engineer Rossi has filed with the Council of the City of Modesto certification of completion of pump station at Well #10 located at Sierra Drive and Fifth Street by contractor Harry Brown and

WHEREAS a claim of \$845.25, being 75% of total contract for building of pump station, has been filed by contractor Harry Brown

BE IT HEREBY RESOLVED that certification of completion be accepted by the council on pump station at well #10 and the City Clerk and Auditor be authorized to draw warrant in payment of 75% of total contract \$845.25 to claimant, as per terms of contract and

BE IT FURTHER RESOLVED that the City Clerk be authorized 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 August 10, 1938 by Commissioner Bond, who moved its adoption, which motion being duly seconded, it was upon roll call carried and adopted by the following vote:

Ayes: Councilmen: Neece, Bond, Stanley, Oliver and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4278-N.S.

A RESOLUTION OFFICIALLY ADOPTING PROPOSED BUDGET FOR 1938-39

---oOo---

PURSUANT to provisions of Section 48 of the Charter of the City of Modesto providing that the Council shall meet annually prior to fixing the tax levy and make a budget of the estimated amounts required to pay the expenses of conducting the business of the City Government for the next ensuing fiscal year and

WHEREAS the budget of estimated expenditures of the various departments of the City of Modesto for the fiscal year beginning July 1, 1938 and ending June 30, 1939, 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

THEREFORE, BE IT RESOLVED that the said budgets of the various departments be and the same are hereby adopted as so corrected and revised, reference being made to the original copies now on file in the City Clerk's office for greater detail.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of August, 1938 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: Neece, Oliver, Bond, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4279-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 August 10, 1938 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: Neece, Bond, Stanley, Oliver and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4280-N.S.

A RESOLUTION APPOINTING ANNE M. COLLINS SECRETARY PRO TEM OF COUNCIL DURING THE ABSENCE OF CITY CLERK H. E. GRAGG

---OO---

BE IT HEREBY RESOLVED that Anne M. Collins be appointed Secretary Pro tem of City Council during the absence of City Clerk H. E. Gragg.

The foregoing resolution was introduced at a Special meeting of the Council of the City of Modesto held on August 13, 1938 by Councilman Stanley who moved its adoption, which motion being duly seconded, it was upon roll call carried and the motion adopted by the following vote:

Ayes: Councilmen: Bond, Stanley, Oliver and Mayor King

Noes: Councilmen: None

Absent: Councilmen: Neece

ATTEST: H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4281-N.S.

A RESOLUTION AWARDDING BID ON DISPATCH MOTORCYCLE FOR THE POLICE DEPARTMENT TO HAP ALZINA AT A PRICE OF \$594.50

---oOo---

WHEREAS bids for a 1938 Indian Dispatch Motorcycle having been referred to the City Engineer for tabulation and

WHEREAS at this time a report was presented by the City Engineer on the bids received

BE IT HEREBY RESOLVED that bid on 1938 Indian Dispatch Motorcycle be awarded to Hap Alzina at a price of \$594.50, as being the lowest and best bid and

~~BE IT FURTHER RESOLVED that the City Clerk and Auditor be authorized to draw warrant in payment of \$594.50, as being the lowest and best bid and~~

BE IT FURTHER RESOLVED that the City Clerk and Auditor be authorized to draw warrant in payment of \$594.50 upon delivery of equipment and acceptance by the Police Department.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on August 13, 1938 by Councilman Oliver who moved its adoption, which motion being duly seconded, it was upon roll call carried and the motion adopted by the following vote:

Ayes: Councilmen: Bond, Stanley, Oliver and Mayor King

Noes: Councilmen: None

Absent: Councilmen: Neece

ATTEST: H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4282-N.S.

A RESOLUTION REJECTING ALL BIDS ON TWO MOTORCYCLES FOR THE POLICE DEPARTMENT FOR TRAFFIC WORK

---oOo---

BE IT HEREBY RESOLVED that bids received on the two motorcycles for the traffic work of the Police department be rejected as they do not meet the requirements.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on August 13, 1938 by Councilman Stanley who moved its adoption, which motion being duly seconded, it was upon roll call carried and the motion adopted by the following vote:

Ayes: Councilmen: Bond, Stanley, Oliver and Mayor King

Noes: Councilmen: None

Absent: Councilmen: Neece

ATTEST: H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4283-N.S.

A RESOLUTION AWARDDING BID ON DEPUTY LICENSE COLLECTOR'S AUTO TO PATCHETT & WIGHT AT A PRICE OF \$675.77

---oOo---

WHEREAS bids for an auto for the Deputy License collector have been referred to the City Engineer for tabulation and whereas at this time a report was presented by him on all the bids received

BE IT HEREBY RESOLVED that bid on 1938 Ford Coupe at a price of \$675.77 be awarded Patchett & Wight, as being the lowest and best bid and the City

Clerk and Auditor be authorized to draw a warrant in payment immediately upon delivery of equipment.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on August 13, 1938 by Councilman Oliver, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the motion adopted by the following vote:

Ayes: Councilmen: Bond, Stanley, Oliver and Mayor King
Noes: Councilmen: None
Absent: Councilmen: Neede

ATTEST: H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4284-N.S.

A RESOLUTION AWARDED BID ON AUTO FOR POLICE DEPARTMENT TO THE FRANK PARADIS COMPANY AT A PRICE OF \$700.00 FOR A DESOTO SEDAN AND AUTHORIZING CITY CLERK AND AUDITOR TO DRAW WARRANT IN PAYMENT

---oOo---

WHEREAS bids for a sedan for the Police Department have been referred to the City Engineer for tabulation and whereas at this time a report was presented by him on all the bids received

BE IT HEREBY RESOLVED that bid on 1938 DeSoto Sedan at a price of \$700.00 be awarded Frank Paradis Company, as being the lowest and best bid and the City Clerk and Auditor be authorized to draw a warrant in payment immediately upon delivery of equipment and acceptance by the Police Department.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on August 13, 1938 by Councilman Stanley, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the motion adopted by the following vote:

Ayes: Councilmen: Bond, Stanley, Oliver and Mayor King
Noes: Councilmen: None
Absent: Councilmen: Neede

ATTEST: H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4285-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 August 13th, 1938 by Councilman Oliver, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the motion adopted by the following vote:

Ayes: Councilmen: Bond, Stanley, Oliver and Mayor King
Noes: Councilmen: None
Absent: Councilmen: Neede

ATTEST: H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4286-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 August 17, 1938 by Councilman Stanley who moved its adoption, which motion being duly seconded, it was upon roll call carried and the motion adopted by the following vote:

Ayes: Councilmen: Bond, Stanley, Neece and Mayor King

Noes: Councilmen: None

Absent: Councilmen: Oliver

ATTEST: H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4286A-N.S.

A RESOLUTION APPROVING CLAIM OF EDWIN A. CRAIG, AND AUTHORIZING PAYMENT OF THE SAME.

---oOo---

WHEREAS, Edwin A. Craig, of 1021 Washington Street, Modesto, California, has presented his claim to the City Council of the City of Modesto; and

WHEREAS, the said claimant alleges in said claim that as the result of a broken water main certain goods belonging to said claimant have been damaged in the sum of Eight Dollars Ten Cents (\$8.10), and the sum of Two (\$2.00) Dollars will be required for the removal of mud and other debris from the area flooded by said water main; and

WHEREAS, the City Council has determined that said claim is valid and just and that said City of Modesto now owes the said claimant the sum of Ten Dollars and Ten Cents (\$10.10):

NOW, THEREFORE, BE IT RESOLVED that the claim of the said Edwin A. Craig is hereby acknowledged and accepted, and the City Clerk of said City of Modesto is authorized to pay unto said Edwin A. Craig said sum of Ten Dollars and Ten Cents (\$10.10), and to receive from the said Edwin A. Craig a complete release for any and all damages resulting from said broken water main.

The foregoing Resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of August, 1938, 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: Bond, Neece, Oliver, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4287-N.S.

A RESOLUTION ACCEPTING OFFER OF J. D. ROGERS OF \$100.00 FOR BLOCK 203, LOTS 29 AND 30 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 AND TAX COLLECTOR TO CANCEL ALL TAXES LEVIED AND ASSESSED PRIOR TO MARCH 7, 1938

---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 203, lots 29 and 30 of the City of Modesto acquired by tax deed as provided by ordinance No. 396-N.S. be sold at private sale and

WHEREAS, J. D. ROGERS has 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, 1938

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, 1938 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 J. D. ROGERS.

BE IT FURTHER RESOLVED that the City Auditor and Tax Collector be authorized to cancel all taxes levied and/or assessed prior to March 7, 1938 against this property.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on August 24, 1938 by Councilman Oliver who moved its adoption, which motion being duly seconded was carried by the following vote:

Ayes: Councilmen: Bond, Neece, Oliver, Stanley and Mayor King

Noes: Councilman: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG, CITY CLERK

CERTIFICATION

State of California)
County of Stanislaus) ss
City of Modesto)

I, H. E. Gragg, City Clerk of the city of Modesto do hereby certify that the foregoing is a full, true and correct copy of a Resolution introduced and adopted at a regular meeting of the Council of the city of Modesto held on the 24th day of August, 1938, and that the same is now in full force and effect.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the city of Modesto this 27th day of August, 1938

SIGNED: H. E. GRAGG, CLERK OF THE CITY
OF MODESTO, CALIFORNIA

RESOLUTION NO. 4288-N.S.

A RESOLUTION ACCEPTING OFFER OF WM. J. CROSBY OF \$100.00 FOR BLOCK 430, LOTS 11 AND 12 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 AND TAX COLLECTOR TO CANCEL ALL TAXES LEVIED AND ASSESSED PRIOR TO MARCH 7, 1938

---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 430, lots 11 and 12 of the City of Modesto acquired by tax deed as provided by Ordinance No. 396-N.S. be sold at private sale and

WHEREAS, WM. J. CROSBY has 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, 1938

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, 1938 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 Wm. J. Crosby.

BE IT FURTHER RESOLVED that the City Auditor and Tax Collector be authorized to cancel all taxes levied and/or assessed prior to March 7, 1938 against this property.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on August 24, 1938 by Councilman Stanley who moved its adoption, which motion being duly seconded was carried by the following vote:

Ayes: Councilmen: Bond, Neece, Oliver, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4289-N.S.

A RESOLUTION AUTHORIZING THE CITY TAX COLLECTOR AND ASSESSOR TO CANCEL TAXES ON LOT 1 IN BLOCK 234 OF THE LALOMA TRACT WHICH PROPERTY HAS BEEN ACQUIRED BY THE VETERANS' WELFARE BOARD FROM GEORGE KEWIN

---oOo---

WHEREAS, the State of California Veterans' Welfare Board has acquired, through the provisions of the Veterans' Farm and Home Purchase Act, under Chapter 519, Statutes of 1921 title to property located at 213 Buena Vista Avenue, lot 1 in Block 234 of the LaLoma Tract in the city of Modesto from George Kewin and

WHEREAS they have requested cancellation of taxes on this property

BE IT HEREBY RESOLVED that the City Tax Collector and Assessor be authorized to cancel taxes on this property and the City Tax Collector and Assessor be authorized to make such entries on his records.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on August 24, 1938 by Commissioner Oliver who moved its adoption, which motion being duly seconded, it was upon roll call carried and adopted by the following vote:

Ayes: Councilmen: Neece, Bond, Oliver, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4290-N.S.

A RESOLUTION RECOMMENDING INSTALLATION OF LIGHT IN ALLEY BETWEEN FIFTH AND SIXTH STREET AND H AND EYE STREETS

---oOo---

WHEREAS, pursuant to petition of property owners for installation of light in alley between H and Eye Streets and Fifth and Sixth streets and

WHEREAS, an investigating committee composed of Commissioner Stanley, City Engineer Rossi and Chief Arington appointed by the Council recommended the installation

BE IT HEREBY RESOLVED that the City Engineer be authorized to proceed with the installation of a light in the alley between H and E Streets and Fifth and Sixth Streets.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on August 24, 1938 by Commissioner Stanley who moved its adoption, which motion being duly seconded, it was upon roll call carried and adopted by the following vote:

Ayes: Councilmen: Bond, Neece, Oliver, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4291-N.S.

A RESOLUTION REFUSING REQUEST OF THE MODESTO PENTECOSTAL ASSEMBLY TO MARK OFF PARKING SPACES ON SIXTH STREET IN FRONT OF THEIR CHURCH

---OOO---

WHEREAS the Modesto Pentecostal Assembly located at 610 Sixth Street has petitioned the Council to mark off parking spaces on Sixth Street in front of their church and

WHEREAS, the City Council appointed an investigating committee composed of Commissioner Stanley, City Engineer Rossi and Chief of Police Arington to make investigation as to the advisability of granting request and

WHEREAS, the investigating committee have recommended that request be denied and the traffic condition does not warrant the marking of parking spaces on Sixth Street.

BE IT HEREBY RESOLVED that request be denied.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on August 24, 1938 by Commissioner Stanley who moved its adoption, which motion being duly seconded, it was upon roll call carried and adopted by the following vote:

Ayes: Councilmen: Bond, Neece, Oliver, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4292-N.S.

A RESOLUTION REFERRING BID ON PAVING NINTH STREET BETWEEN MORTON BOULEVARD AND B STREET TO CITY ENGINEER AND COMMISSIONER OF PUBLIC WORKS FOR CHECKING

---OOO---

WHEREAS, plans and specifications having heretofore been filed by the City Engineer with the Council and approved by them for the widening of pavement on the easterly side of Ninth Street between Morton Boulevard and B Street and notice to bidders having heretofore been given and published as required by law and bids in accordance with said notice, having been received not later than 7:30 P. M. on Wednesday, August 24, 1938 and having been then and there opened by the Council in open meeting and it appearing that the bid of S. M. McGaw for the construction of the work specified in said plans and specifications was the only bid received

BE IT HEREBY RESOLVED that bid be referred to the City Engineer and Commissioner of Public Works for checking.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on August 24, 1938 by Commissioner Bond who moved its adoption, which motion being duly seconded, it was upon roll call carried and adopted by the following vote:

Ayes: Commissioners: Bond, Neece, Oliver, Stanley and Mayor King
Noes: Commissioners: None
Absent: Commissioners: None

ATTEST: H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4293-N.S.

A RESOLUTION AUTHORIZING CITY ATTORNEY TO PREPARE NECESSARY DOCUMENTS TO CLOSE CARLSON STREET AND TO ACCEPT DEEDS FOR OPENING MORTON BOULEVARD

---oOo---

BE IT HEREBY RESOLVED that City Attorney Fowler be authorized to prepare the necessary documents to close Carlson Street and accept deed for opening Morton Boulevard.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on August 24, 1938 by Councilman Bond who moved its adoption, which motion being duly seconded, it was upon roll call carried and adopted by the following vote:

Ayes: Councilmen: Neece, Bond, Oliver, Stanley and Mayor King
Noes: Councilmen: None
Absent: Councilmen: None

ATTEST: H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4294-N.S.

A RESOLUTION AUTHORIZING THE CITY CLERK TO ADVERTISE FOR BIDS ON MANHOLE CASTINGS AND CEMENT CONCRETE SEWER PIPE

---oOo---

BE IT HEREBY RESOLVED that the City Clerk be authorized to advertise for manhole castings and cement concrete sewer pipe f. o. b. trench side at Modesto, materials to be delivered in quantities as required by City Engineer, bids to be submitted not later than 7:30 P. M. on September 14, 1938 at the City Hall, 717 Tenth Street.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on August 24, 1938 by Commissioner Bond who moved its adoption, which motion being duly seconded, it was upon roll call carried and adopted by the following vote:

Ayes: Councilmen: Bond, Neece, Oliver, Stanley and Mayor King
Noes: Councilmen: None
Absent: Councilmen: None

ATTEST: H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4295-N.S.

A RESOLUTION DETERMINING PREVAILING RATE OF PER DIEM WAGES ON PUBLIC WORKS PERFORMED UNDER CONTRACT IN THE CITY OF MODESTO

---oOo---

BE IT RESOLVED that, pursuant to the statutes of the State of California, the Council of the City of Modesto has ascertained the following scale of wages to be the prevailing rate of per diem wages, hourly rates, and rates for legal

holiday and overtime work on Public Work performed by contract in the City of Modesto and the same is hereby adopted for such work:

Classification	Rate per diem	Rate per hour
Asbestos Workers	\$ 9.00	\$ 1.125
Asphalt Plant operators	9.00	1.125
Asphalt Feeders	5.00	.625
Asphalt Rakers	5.00	.625
Asphalt Scale men	6.00	.75
Bricklayers	10.00	1.25
Bricklayers hod carriers	7.00	.875
Bricklayers Manhole Construction	6.00	.75
Bricklayers Hod carriers manhole construction	5.00	.625
Carpenters	8.00	1.00
Carpenters Apprentices	5.00	.625
Carpenters Bridge form work	8.00	1.00
Carpet Linoleum workers	9.00	1.125
Cement Finishers	8.00	1.00
Cement Finishers paving	6.50	.8125
Cement Workers	5.00	.625
Concrete mixer operators	8.00	1.00
Concrete mixer men-Handwork	5.50	.6875
Common laborers	4.00	.50
Electrical workers	8.00	1.00
Electrical workers helpers	5.00	.625
Elevator constructors	11.00	1.375
Elevator constructors helpers	7.50	.9375
Operators, hoisting, portable, quarries, tractors over 50 H. P.	10.00	1.25
Operators, Roller, Mixers	10.00	1.25
Operators Stone derricks	10.00	1.25
Engineers, Bridge and Structural	10.00	1.25
Operators, Pile Drivers, Derrick, barges, Cableways	10.00	1.25
Engine, Fireman and Apprentices, Structural work	7.00	.875
Firemen, Asphalt Plant	5.00	.625
Glass workers	8.00	1.00
Grader men	6.00	.75
Granite setters	11.00	1.375
Granite Cutters	9.50	1.1875
Hardwood Floormen	8.00	1.00
Housemovers	8.00	1.00
Housesmiths, architectural iron	9.00	1.125
Housesmiths reinforced concrete	9.00	1.125
Iron workers, bridge and structural	9.60	1.20
Laborers, building, cement	5.00	.625
Lathers	8.00	1.00
Marble workers	10.00	1.25
Marble workers helpers	6.00	.75
Millmen, planing mill department	8.00	1.00
Millmen, sash and door	7.00	.875
Mill wrights	9.00	1.125
Model casters	9.00	1.125
Model makers	10.00	1.25
Model Sculptors	14.00	1.75
Mosaic & Terrazzo Workers	9.00	1.125
Mosaic & Terrazzo Workers Helpers	6.00	.75
Painters	8.00	1.00
Pile Drivers, wharf builders	9.00	1.125
Pipe layers	4.50	.5625
Plasters	10.00	1.25
Plasterers Hod carriers	7.50	.9375
Plumbers	8.00	1.00
Plumbers helpers	5.00	.625
Reinforced steel workers	6.00	.75
Roller men, rock, asphalt	10.00	1.25
Roofers	8.00	1.00
Sheet metal workers	8.00	1.00
Shovel Operators	10.00	1.25
Shovel Operators underground	11.00	1.375
Shovel Cranesmen	8.50	1.0625
Shovel Cranesmen underground	9.50	1.1875
Shovel firemen and watchmen	7.50	.9375
Shovel Oilers	6.00	.75
Sprinklers Fitters	11.00	1.375
Steam fitters	10.00	1.25
Stone setters	11.00	1.375
Stone cutters	9.00	1.125
Stone derrickmen	9.00	1.125
Teamsters	5.00	.625
Tile setters	10.00	1.25
Tile setters helpers	5.00	.625
Truck and tractors drivers	6.00	.75
Watchmen	4.00	.50
Jack Hammer Man	7.20	.90
OVERTIME at one and one-half times the above rates		

SUNDAY AND LEGAL HOLIDAYS (except Watchmen) work at one and one-half times the above rates.

The foregoing schedule of per diem wages is based upon a working day of eight (8) hours. The hourly wage rate prescribed hereinabove is the per diem rate

divided by the aforementioned number of hours constituting a working day.

The foregoing resolution was introduced at the regular meeting of the Council of the City of Modesto held on the 24th day of August, 1938, by Commissioner Neece who moved its adoption, which motion was duly seconded, and, upon roll call, adopted by the following vote:

Ayes: Councilmen: Bond, Neece, Oliver, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

Not Voting:

ATTEST: H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4296-N.S.

A RESOLUTION DECLARING CERTAIN PREMISES SITUATE AT THE CORNER OF THIRTEENTH AND L STREETS TO BE A NUISANCE, CONDEMNING THE SAME, AND REQUIRING THE CITY ATTORNEY OF THE CITY OF MODESTO TO TAKE PROPER ACTION TO ABATE THE PREMISES.

---oOo---

WHEREAS, there is at present a certain dwelling house situate upon the southeast corner of the intersection formed by Thirteenth and L Streets in the City of Modesto, which said dwelling house faces upon said Thirteenth Street and is numbered 1130; and

WHEREAS, said house has fallen into a state of disrepair and the Council of the City of Modesto finds from oral reports of the Health Department of the City of Modesto that said dwelling house contains ancient and defective plumbing and constitutes a menace to the health of persons living in and upon said premises, and is dangerous to the health and safety of persons living in the neighborhood of said premises:

NOW, THEREFORE, BE IT RESOLVED that the council of the City of Modesto by this resolution finds and determines that said premises constitute a nuisance and are dangerous to the health and safety of the citizens of the City of Modesto residing in the vicinity of said premises, and the Council further finds that said premises are dangerous to the health and safety of persons living in and upon said premises; said City Council does further declare said premises to be a nuisance.

BE IT FURTHER RESOLVED that the City Attorney of said City of Modesto is hereby instructed and empowered to abate said nuisance by whatever legal means may be proper so to do.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of August, 1938, 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: Bond, Neece, Oliver, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4297-N.S.

A RESOLUTION ACCEPTING OFFER OF C. CAPELLI OF \$237.00 FOR BLOCK 574, LOTS 1 AND 2 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 AND TAX COLLECTOR TO CANCEL ALL TAXES LEVIED AND ASSESSED PRIOR TO MARCH 7, 1938.

---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 574, lots 1 and 2 of the City of Modesto acquired by tax deed as provided by Ordinance No. 396-N.S. be sold at private sale and

WHEREAS, C. CAPELLI has offered to purchase said property for the sum of \$237.00, same to be free and clear of all city taxes and assessments levied or assessed prior to the first Monday in March, 1938

BE IT HEREBY RESOLVED that offer of \$237.00 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, 1938 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 C. CAPELLI

BE IT FURTHER RESOLVED that the city Auditor and Tax Collector be authorized to cancel all taxes levied and/or assessed prior to March 7, 1938 against this property.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on August 24, 1938 by Councilman Bond, who moved its adoption, which motion being duly seconded was carried by the following vote:

Ayes: Councilmen: Bond, Neece, Oliver, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG, CITY CLERK

CERTIFICATION

State of California)
County of Stanislaus) ss
City of Modesto)

I, H. E. Gragg, City Clerk of the City of Modesto do hereby certify that the foregoing is a full, true and correct copy of a resolution introduced and adopted at a regular meeting of the Council of the City of Modesto held on the 24th day of August, 1938, and that the same is now in full force and effect.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of Modesto this 29th day of August, 1938

SIGNED: H. E. GRAGG, CLERK OF THE
CITY OF MODESTO

RESOLUTION NO. 4298-N.S.

A RESOLUTION AUTHORIZING CERTAIN OFFICIALS OF THE CITY OF MODESTO TO SIGN REQUISITIONS FOR LABOR AND/OR MATERIALS

---oO---

BE IT HEREBY RESOLVED that the city clerk, City Engineer, Fire Chief, Chief of Police, Inspector of Health Department and the first assistant next in authority to the department head be authorized to sign requisitions of the City of Modesto for materials and/or labor.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on August 24, 1938 by Commissioner Neece who moved its adoption, which motion being duly seconded, it was upon roll call carried

and adopted by the following vote:

Ayes: Councilmen: Bond, Neece, Oliver, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4299-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 August 24, 1938 by Councilman Oliver who moved its adoption, which motion being duly seconded, it was upon roll call carried and adopted by the following vote:

Ayes: Councilmen: Bond, Neece, Oliver, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4300-N.S.

A RESOLUTION OF INTENTION TO HOLD AN ELECTION FOR ANNEXATION OF "LESLIEHUGH TRACT" TO THE CITY OF MODESTO, AND PROVIDING A TIME FOR PROTESTING THE HOLDING OF SAID ELECTION.

---oOo---

WHEREAS, there has been presented to the City Council of the City of Modesto at a special meeting thereof held on the 2nd day of September, 1938, a petition requesting that an election be called in the "LESLIEHUGH TRACT", which tract is described as follows, to-wit:

Beginning at a point, which is the intersection of the North Corporate Limits of the City of Modesto, with the Easterly property line of McHenry Avenue; thence Northerly along the said Easterly property line of McHenry Avenue, to a point which is 110 feet Northerly from the Northeastly property corner of the said McHenry Avenue and Helen Avenue; thence Easterly along a line which is 110 feet Northerly from and parallel to the Northerly property line of said Helen Avenue, to a point on the Westerly Boundary Line of the Lesliehugh Tract; thence Northerly 15 feet along the said Westerly Boundary Line of the Lesliehugh Tract, to a point which is 125 feet Northerly from the said Northerly Property Line of Helen Avenue; thence Easterly along a line which is 125 feet Northerly from and parallel to the said Northerly Property Line of Helen Avenue, to a point on the Center Line of Ila Way; thence Northerly along the said Center Line of Ila Way, to a point at its intersection with the Center Line of Hintze Avenue; thence Easterly along the said Center Line of Hintze Avenue, to a point on the Center Line of Patricia Lane; thence Northeasterly along the said Center Line of Patricia Lane, to a point on the Northerly Boundary Line of the said Lesliehugh Tract; thence Easterly along the said Northerly Boundary Line of the Lesliehugh Tract, to a point at the Northeasterly Boundary Corner of the said Lesliehugh Tract, the said point being on the Northwesterly Property Line of the Modesto Irrigation District Lateral No. 4, Right of Way; thence Southwesterly along the Southeasterly Boundary Line of the said Lesliehugh Tract and the said Northwesterly Property Line of the Modesto Irrigation District Lateral No. 4, Right of Way, and the same extended and produced, to a point on the said North Corporate Limits of the City of Modesto; thence Westerly along the said North Corporate Limits of the City of Modesto, to the said point of beginning.

The property as above described is located in the County of Stanislaus, State of California, in the S.W. ¼ of Section 21, T. 3 S., R. 9 E., M.D.B. & M., and includes a portion of the High Homes Tract, according to the Map of the High Homes Tract, as recorded in Maps, Volume 9, Page 24; a portion of the Lesliehugh Tract, according to the Amended Map of Lesliehugh Tract, as recorded in Maps, Volume 11, Page 20, of the Stanislaus County Records; and property as shown in the Records of the Stanislaus County Assessor, Stanislaus County, California.

WHEREAS, it appears to the City Council of said City that said petition is in order; and

WHEREAS, by the provisions of Act 5159 (Annexation Act of 1913) Deering's General Laws, 1937, at page 2210, it is provided that a time and place be set for hearing written protests to the holding of an election for the annexation of said Tract:

NOW, THEREFORE, said petition for annexation of said Lesliehugh Tract as herein described is hereby accepted by said City Council of said City, and said City Council does hereby declare that it is the intention of said City Council to hold an election in said Lesliehugh Tract for the purpose of submitting to the voters of said Tract the question whether or not the voters residing in said Tract desire to have said described territory annexed to and made a part of the Corporate limits of the City of Modesto, County of Stanislaus, State of California.

Said election shall be held in said Tract on the 9th day of November, 1938.

The time for hearing protests by persons owning property in the within described Lesliehugh Tract is hereby set for the 19th day of September, 1938, in the Council room in the rear of the City Clerk's office at No. 717 Ninth Street, in the City of Modesto, County of Stanislaus, State of California, at the hour of 4:30 o'clock P. M. At said time and place the said City Council will hear all protests of persons owning property in the said Lesliehugh Tract, as described herein. All protests must be in writing and shall state the name or names of the owner or owners of the property to be affected by said election, and the location and area of such property in general terms.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 2nd day of September, 1938, by Councilman Oliver, who moved its adoption, which motion being duly seconded was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Neece, Oliver, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: Bond

ATTEST: H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4301-N.S.

A RESOLUTION AWARDED BID TO S. M. MCGAW ON PAVING AT NINTH AND B STREETS

---oOo---

WHEREAS, pursuant to provisions of Resolution No. 4292-N.S. bid of S. M. McGaw on widening of pavement on the easterly side of Ninth Street between Morton Boulevard and B Street being referred to the City Engineer and Commissioner of Public Works for checking and report to the Council

WHEREAS, City Engineer and Commissioner of Public Works at this time report that bid of S. M. McGaw meets the requirements and that he is a responsible bidder.

BE IT HEREBY AUTHORIZED that bid be awarded to S. M. McGaw at price set forth in bid (see bid file No. 159) and the Mayor and City Clerk be authorized to enter into an agreement with the bidder for the construction of the work, when proper bonds have been presented.

The foregoing resolution was introduced at a special meeting of the

Council of the City of Modesto held on the 2nd day of September, 1938 by Commissioner Stanley who moved its adoption, which motion being duly seconded, it was upon roll call adopted by the following vote:

Ayes: Councilmen: Neece, Oliver, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: Bond

ATTEST: H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4302-N.S.

A RESOLUTION AUTHORIZING THE CITY CLERK TO ADVERTISE FOR BIDS ON ROOFING AND DOORS FOR MUNICIPAL HANGAR

BE IT HEREBY RESOLVED that the City Clerk be authorized to advertise for bids on 10350 Sq. ft. of 26 Ga. Galvanized sheet metal roofing, Dri-Lap Type and 8 Hangar doors to be used on Municipal Airport Hangar, bids to be opened at 7:30 P. M. on September 14, 1938 at the Council Hall, 717 10th St.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 2nd day of September, 1938, by Councilman Neece who moved its adoption, which motion being duly seconded was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Neece, Oliver, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: Bond

ATTEST: H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4303-N.S.

A RESOLUTION TRANSFERRING TEN MINUTE PARKING SPACE FROM SECOND OBLIQUE PARKING SPACE ON THE SOUTHWESTERLY SIDE OF TENTH STREET TO THE FIRST PARKING SPACE

---oOo---

WHEREAS, section 17 of Resolution No. 3820-N.S. adopted by the Council on April 28, 1937 provides for ten minute parking zone at the second oblique parking stall on the southwesterly side of Tenth Street, southerly from the south corner of the intersection formed by Tenth and H Streets and

WHEREAS it is the intention of the Council to discontinue the above named 10 minute parking zone as of this date and instead provide for the first oblique parking zone at the above named location to be marked for ten minute parking zone

BE IT THEREFORE RESOLVED that the City Engineer be authorized to mark the first oblique parking space on the southwesterly side of Tenth Street, southerly from the south corner of the intersection formed by Tenth and H Streets for ten minute parking and to remove signs from the second oblique parking zone at the same corner.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 2nd day of September, 1938 by Commissioner Stanley who moved its adoption, which motion being duly seconded, it was upon roll call adopted by the following vote:

Ayes: Councilmen: Neece, Oliver, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: Bond

ATTEST: H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4304-N.S.

ADJOURNMENT

---oOo---

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, 1938 by Commissioner Stanley who moved its adoption, which motion being duly seconded, it was upon roll call adopted by the following vote:

Ayes: Councilmen: Neece, Oliver, Stanley and Mayor King
Noes: Councilmen: None
Absent: Councilmen: Bond

ATTEST: H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4305-N.S.

---oOo---

A RESOLUTION ALLOWING CLAIMS FOR MONTH OF AUGUST, 1938

---oOo---

WHEREAS, the claims against the city of Modesto for the month of August, 1938, for the various sums in the aggregate hereinafter stated having been audited by the Council and found to be correct;

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

GENERAL FUND-----	\$29,631.78
WATER FUND-----	8,074.36
LIBRARY FUND-----	2,096.51
ST. BOND RED. INT. FUND-----	306.30
UNAPPORTIONED FUND-----	1.54
	<u>\$40,110.49</u>

The foregoing resolution was introduced at a regular meeting of the council of the city of Modesto held on the 14th day of September, 1938 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: Bond, Neece, Oliver, Stanley and Mayor King
Noes: Councilmen: None
Absent: Councilmen: None

ATTEST: H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4306-N.S.

A RESOLUTION ALLOWING CLAIM OF STANISLAUS COUNTY BOY'S BAND \$400.00

---oOo---

WHEREAS, a claim of \$400.00 has been presented by the Stanislaus County Boy's Band and

WHEREAS, the budget for 1938-1939 of the City of Modesto provided for the contribution to the Band of \$800.00

BE IT HEREBY RESOLVED that claim be allowed and the City Clerk and Auditor be authorized to draw warrant in amount of \$400.00 in payment to C. G. Price, Treasurer of the Stanislaus County Boy's Band.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of September, 1938 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: Bond, Neece, Oliver, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4307-N.S.

A RESOLUTION REFERRING BIDS ON ROOFING AND DOORS FOR AIRPORT HANGAR TO THE CITY ENGINEER AND COMMISSIONER OF PUBLIC WORKS FOR TABULATION

---oOo---

WHEREAS, specifications for the roofing of the Airport Hangar and 8 hangar doors having heretofore been filed by the City Engineer with the Council and approved by them and

WHEREAS notice to bidders have heretofore been given and published as required by law and bids, in accordance with said notice, having been received not later than 7:30 P. M. on Wednesday, September 14, 1938 and having been then and there opened by the Council in open meeting.

BE IT HEREBY RESOLVED that all bids be referred to the City Engineer and the Commissioner of Public Works for tabulation and recommendation as to the lowest and best bid.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of September, 1938 by Commissioner Bond, who moved its adoption which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Bond, Neece, Oliver, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4308-N.S.

A RESOLUTION AWARDDING BID ON CONCRETE PIPE AND REFERRING BIDS ON MANHOLE FRAMES TO THE CITY ENGINEER AND COMMISSIONER OF PUBLIC WORKS FOR TABULATION AND RECOMMENDATION AS TO LOWEST BID

---oOo---

WHEREAS, bids having been called for by the City Clerk for concrete pipe and manhole frames and covers and notice to bidders having heretofore been given and published as required by law and bids in accordance with said notice having been received not later than 7:30 P.M. on Wednesday, September 14, 1938

BE IT HEREBY RESOLVED THAT the lowest bidder on each item be awarded bids as follows:

- 1- 1000 lin. ft. of 8" T & G cement concrete Pipe to the Stanislaus Concrete Products Co., price 17¢ per foot, total \$170.00
- 2- 400 lin. ft. of 10" T & G Cement Concrete Pipe to the United Concrete Pipe Corp., price 20¢ per foot, total \$80.00
- 3- 1000 Lin. ft. of 12" T & G Cement Concrete Pipe to the Stanislaus Concrete Products Co. price 25¢ per foot, total \$250.00
- 4- 500 lin. ft. of 14" T & G Cement Concrete Pipe to the United Concrete Pipe Corp., price 32¢ per foot, total \$160.00

5- 4500 Lin. ft. of 16" T & G Cement Concrete Pipe to the Stanislaus Concrete Products Co., price 38¢ per foot, total \$1710.00

6- 1550 Lin. ft. of 20" T & G Cement Concrete Pipe to the Stanislaus Concrete Products Co., price 62¢ per foot, total \$837.00

and authorizing agreements to be drawn with the successful bidders and the Mayor and City Clerk be appointed as signatory officials and

BE IT FURTHER RESOLVED that all bids on the manhold frames and covers be referred to the City Engineer and Commissioner of Public Works for recommendations as to the lowest and best bid.

The foregoing resolution was introduced at a regular meeting of the Council of the city of Modesto held on the 14th day of September, 1938 by Commissioner Bond, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Bond, Neece, Oliver, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4309-N.S.

A RESOLUTION CANCELLING ALL CITY TAXES AND ASSESSMENTS ON LOTS 9-10-11-12 IN BLOCK 588 AS THE PROPERTY IS TO BE USED BY THE CITY OF MODESTO FOR THE PUBLIC WELFARE OF THE CITIZENS

---oOo---

WHEREAS, the city of Modesto has taken tax deed on lots 9, 10, 11, 12 in block 588 and

WHEREAS the property will be used for the public welfare of the citizens of the city of Modesto

BE IT HEREBY RESOLVED that all city taxes and assessments on this property be cancelled and the City Auditor be authorized to make such entries on his records.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of September, 1938 by Commissioner Bond who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Bond, Neece, Oliver, Stanley, and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4310-N.S.

A RESOLUTION AUTHORIZING PAYMENT TO HARRY BROWN ON PUMP STATION AT SIERRA DRIVE AND FIFTH STREET

---oOo---

Whereas, final payment in the amount of \$281.75 is now due and payable to contractor Harry Brown for pump station at well #10, Sierra Drive and Fifth street and

WHEREAS, no claims have been filed against said contractor Harry Brown

BE IT HEREBY RESOLVED that claim be allowed and the City Clerk and Auditor is hereby authorized to draw warrant in amount of \$281.75 as final payment of contract.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of September, 1938 by Commissioner Bond who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Bond, Neece, Oliver, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4311-N.S.

A RESOLUTION AUTHORIZING CITY CLERK DRAW WARRANT IN AMOUNT \$100.00 TO GEORGE E. WALLACE, FIRE CHIEF FOR EXPENSES TO FIRE CHIEF'S CONVENTION AT SALT LAKE, UTAH

---oOo---

BE IT HEREBY RESOLVED that the city clerk and auditor be authorized to draw warrant in amount \$100.00 to George E. Wallace, Fire Chief, for expenses to Fire Chief's Convention at Salt Lake, Utah.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of September, 1938 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: Bond, Neece, Oliver, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4312-N.S.

A RESOLUTION GRANTING PERMIT TO M & T ADVERTISING COMPANY TO PLACE ADVERTISING BANNERS ACROSS STREETS IN THE BUSINESS DISTRICT

---oOo---

WHEREAS, the M & T Advertising company have petitioned the Council to be permitted to place banners and/or strings of flags across the streets in the business district, advertising a Rodeo to be held at the Shiloh District Clubhouse

BE IT HEREBY RESOLVED that permission be granted to erect banners and/or strings of flags advertising the Rodeo providing the following conditions are conformed with:

- 1-M & T Advertising company must take out a business license to do business in the City of Modesto.
- 2-Public liability policy must be furnished city clerk in the limits of \$10/50,000, property damage insurance of \$1000.00
- 3-Inspection fee of \$1.00 per banner and/or strings of flags must be paid City Clerk
- 4-Banners and/or strings of flags must be erected under the supervision of the city Engineer
- 5-Letter granting permit from each owner of building, banners and/or string of flags are attached to,

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of September, 1938 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: Bond, Oliver, Stanley and Mayor King

Noes: Councilmen: Neece

Absent: Councilmen: None

ATTEST: H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4313-N.S.

A RESOLUTION RECOMMENDING THAT THE CITY OF MODESTO PURCHASE FROM THE COUNTY OF STANISLAUS CERTAIN REAL PROPERTY PURSUANT TO PROVISIONS OF SECTION 3897D OF THE POLITICAL CODE OF THE STATE OF CALIFORNIA

---oOo---

BE IT RESOLVED by the city of Modesto, of the County of Stanislaus, State of California, that the Council of the City of Modesto, County of Stanislaus, State of California purchase from the County of Stanislaus, pursuant to the provisions of Section 3897A of the Political Code of the State of California, certain real property situated in the City of Modesto, County of Stanislaus, State of California, and more particularly described in the copy of the agreement hereinafter set forth and for that purpose enter into an agreement in the following words and figures, to-wit:

RESOLUTION NO. 4314-NS

A RESOLUTION APPROVING AGREEMENTS FOR INACTIVE AND ACTIVE DEPOSITS OF FUNDS OF
THE CITY OF MODESTO

---000---

WHEREAS, pursuant to presentation of agreements for inactive and active deposit of funds by the American Trust Company, Bank of America and Anglo California National Bank of San Francisco, Modesto Branch, for approval by the City Council, and

WHEREAS, agreements for deposits of funds of the City of Modesto are in proper form

BE IT HEREBY RESOLVED that the Council of the City of Modesto does hereby accept the agreements as presented and the specified term for Notice of Withdrawal.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of September, 1938 by Commissioner Neece who moved its adoption, which motion being duly seconded, it was upon roll call adopted by the following vote:

Ayes: Councilmen: Bond, Neece, Oliver, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4315-NS

A RESOLUTION AUTHORIZING THE CITY CLERK AND AUDITOR TO DRAW WARRANT IN AMOUNT \$1150.00 TO MODESTO TITLE COMPANY FOR LOTS 17, 18, 19, 20 and 21 in BLOCK 2150 and LOTS 37,38 and 39 IN BLOCK 2140 OF SIERRA SUBDIVISION NO. 3, BEING ADDITION TO AIRPORT

---000---

BE IT HEREBY RESOLVED that the City Auditor be authorized to draw warrant in amount \$1150.00 in favor of MODESTO TITLE COMPANY and request them to make payment to the Anglo California National Bank upon delivery of deed on lots 17,18,19,20 and 21 in Block 2150 and lots 37,38 and 39 in Block 2140 of Sierra Sub-division No. 3, being an addition to the Municipal Airport.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of September, 1938 by Commissioner Oliver, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Bond, Neece, Oliver, Stanley and Mayor King
Noes: Councilmen: None
Absent:Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4316-NS

A RESOLUTION AUTHORIZING THE CITY CLERK AND AUDITOR TO PAY ELECTION OFFICIALS AND RENTAL POLLING PLACES FOR SPECIAL BOND ELECTION FOR CIVIC AUDITORIUM HELD SEPTEMBER 13,1938

---000---

BE IT HEREBY RESOLVED that the City Clerk and Auditor be authorized to pay election officials serving at the Special Bond Election for the Civic Auditorium \$5.00 each and \$5.00 rental for each polling place.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of September, 1938 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: Bond, Neece, Oliver, Stanley and Mayor King
Noes: Councilmen: None
Absent:Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4317-NS

A RESOLUTION DENYING PERMISSION TO E.F.C. ROGERS TO HOLD DOG PARADE TO CELEBRATE NATIONAL DOG WEEK ON SEPTEMBER 18, 1938

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WHEREAS, E. F. C. Rogers, local chairman of the National Dog Week has petitioned the Council to be permitted to hold parade of dogs in the City of Modesto on September 18, 1938 in observance of National Dog Week

BE IT HEREBY RESOLVED that permit be refused to hold a parade as there is some danger of outbreak of rabies in the City.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of September, 1938 by Commissioner Bond, who moved its adoption which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Bond, Neece, Oliver, Stanley and Mayor King

Noes: Councilmen: None

Absent; Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4318-A-NS

ADJOURNMENT

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

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of September, 1938 by Commissioner Oliver, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Bond, Neece, Oliver, Stanley and Mayor King

Noes: Councilmen: None

Absent; Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4318-NS

DECLARING CANVASS OF RETURNS, AND RESULTS OF SPECIAL BOND ELECTION HELD SEPTEMBER 13, 1938

---000---

WHEREAS, the City Council of the City of Modesto by Ordinance No. 585-NS., duly called and ordered held in said City of Modesto an election on the 13th day of September, 1938, for the purpose of submitting to the qualified voters and electors thereof the following proposition, to wit:

PROPOSITION: Shall the City of Modesto incur a bonded indebtedness in the principal amount of \$176,000 for the object and purpose of acquiring, constructing and completing the following municipal improvement, to wit: A Civic Auditorium, assembly and convention hall, with quarters for a municipal theatre, including all lands, building, furniture, fixtures and equipment necessary for civic auditorium, assembly and convention hall, and municipal theatre purposes?

AND WHEREAS, said ordinance calling and ordering said election was duly published as required by law and by said ordinance as appears from the affidavit of L. Townsend, printer and publisher of the "Modesto Bee," on file in the office of the City Clerk of said City of Modesto; and

WHEREAS, it appears that said special election was duly held in accordance with law and with said call, on the said 13th day of September, 1938, as aforesaid, and that the polls for said election were kept open during the time required by law, and that said election was held and conducted, and the votes thereat received and canvassed, and the returns thereof ascertained, determined and declared, all as provided by the laws of the State of California, and by said ordinance; and

WHEREAS, on this day, to wit, Friday, the 16th day of September, 1938, at the hour of 7:30 o'clock P.M., the City Council of the City of Modesto met at its usual place of meeting and has canvassed the returns of said special election as required by law, and the result of said canvass is found to be as hereinafter stated and set forth;

IT IS HEREBY RESOLVED, DETERMINED AND DECLARED by the City Council of the City of Modesto, as follows:

1.-That the proposition voted upon at said special election was as follows:

PROPOSITION: Shall the City of Modesto incur a bonded indebtedness in the principal amount of \$176,000 for the object and purpose of acquiring, constructing and completing the following municipal improvement, to wit: A Civic Auditorium, assembly and convention hall, with quarters for a municipal theatre, including all lands, building; furniture, fixtures and equipment necessary for civic auditorium, assembly and convention hall, and municipal theatre purposes?

2. - That by said ordinance calling said special election it was provided that for the purposes of said election said City of Modesto should be divided into ten special election precincts, and that the number of votes cast at said special election in favor of and against said proposition was as follows, to wit:

Number of votes cast in favor of said proposition	Number of votes cast against said proposition
1636	1590

3. - That the total number of votes cast at said special election was 3228 votes; that the number of votes cast in each precinct for and against said proposition was as follows:

CONSOLIDATED ELECTION PRECINCT NO. 1	
Votes for said proposition	159
Votes against said proposition	126
CONSOLIDATED ELECTION PRECINCT NO. 2	
Votes for said proposition	272
Votes against said proposition	162
CONSOLIDATED ELECTION PRECINCT NO. 3	
Votes for said proposition	155
Votes against said proposition	129
CONSOLIDATED ELECTION PRECINCT NO. 4	
Votes for said proposition	147
Votes against said proposition	115
CONSOLIDATED ELECTION PRECINCT NO. 5	
Votes for said proposition	149
Votes against said proposition	119
CONSOLIDATED ELECTION PRECINCT NO. 6	
Votes for said proposition	160
Votes against said proposition	149

CONSOLIDATED ELECTION PRECINCT NO. 7

Votes for said proposition 192
Votes against said proposition 149

CONSOLIDATED ELECTION PRECINCT NO. 8

Votes for said proposition 121
Votes against said proposition 176

CONSOLIDATED ELECTION PRECINCT NO. 9

Votes for said proposition 108
Votes against said proposition 202

CONSOLIDATED ELECTION PRECINCT NO. 10

Votes for said proposition 173
Votes against said proposition 263

That two ballots were spoiled and not counted. That less than two-thirds of all of the votes cast at said special election were in favor of said proposition and that said proposition failed to carry. That the City Clerk of the city of Modesto be, and is hereby, instructed to enter this resolution on the minutes of this City Council as a statement of the result of said election

PASSED AND ADOPTED this 16th day of September, 1938 by the following vote:

Ayes: Councilmen: Neece, Stanley and Mayor King

Noes: Councilmen: None

Absent; Councilmen: Oliver, Bond

J. H. KING, Mayor of the City of Modesto,
California

Attest:

H. E. GRAGG, City Clerk

Presented to and approved by me this 29th day of September, 1938

J. H. KING, MAYOR OF THE CITY OF MODESTO
CALIFORNIA

CLERKS CERTIFICATE

I, H. E. GRAGG, City Clerk of the City of Modesto, California, do hereby certify that the foregoing is a full, true and correct copy of a Resolution duly adopted at a special meeting of the City Council of said City duly and regularly held at the regular meeting place thereof on the 16th day of September, 1938, of which meeting all of the members of said Council had due notice and at which a majority thereof was present; that at said meeting said resolution was introduced by Councilman Neece and read in full and was thereupon, upon motion of Councilman Stanley, seconded by Councilman Neece, adopted by the following vote:

Ayes: Councilmen: Neece, Stanley and Mayor King

Noes: Councilmen: None

Absent; Councilmen: Bond and Oliver

That I have carefully compared the same with the original minutes of said meeting on file and of record in my office and that said resolution is duly entered of record in Book 13 of Minutes at pages 367 to 371 inclusive, and said resolution is a full, true and correct copy of the original resolution adopted at said meeting and entered in said minutes. That said resolution has not been

amended, modified or rescinded since the date of its adoption and the same is now in full force and effect.

WITNESS my hand and the seal of said City of Modesto, this 29th day of September, 1938.

(SEAL)

H. E. GRAGG, City Clerk of the City of Modesto, California

STATEMENT OF RESULT OF ELECTION

I, H. E. GRAGG, City Clerk of the City of Modesto, California, do hereby certify that a special municipal election was duly and regularly held in said City of Modesto on September 13, 1938, and that the returns of said election have been duly and regularly made, and that the result thereof has been duly and regularly canvassed and declared by the City Council of the City of Modesto on September 16, 1938, at the hour of 7:30 o'clock P.M., at the usual meeting place of said City Council in the City of Modesto, State of California, and that the following statement is a statement of the result of said election.

1. - The whole number of votes cast in said City of Modesto at said special election was 3228.

2. - The proposition voted upon at said special election was as follows:

PROPOSITION: Shall the City of Modesto incur a bonded indebtedness in the principal amount of \$176,000 for the object and purpose of acquiring, constructing and completing the following municipal improvement, to wit: A Civic Auditorium, assembly and convention hall, with quarters for a municipal theatre, including all lands, building, furniture, fixtures and equipment necessary for civic auditorium, assembly and convention hall, and municipal theatre purposes?

3. - That the number of votes given at each precinct for and against said proposition was as follows:

CONSOLIDATED ELECTION PRECINCT NO. 1	
Votes for said proposition	159
Votes against said proposition	126
CONSOLIDATED ELECTION PRECINCT NO. 2	
Votes for said proposition	272
Votes against said proposition	162
CONSOLIDATED ELECTION PRECINCT NO. 3	
Votes for said proposition	155
Votes against said proposition	129
CONSOLIDATED ELECTION PRECINCT NO. 4	
Votes for said proposition	147
Votes against said proposition	115
CONSOLIDATED ELECTION PRECINCT NO. 5	
Votes for said proposition	149
Votes against said proposition	119
CONSOLIDATED ELECTION PRECINCT NO. 6	
Votes for said proposition	160
Votes against said proposition	149
CONSOLIDATED ELECTION PRECINCT NO. 7	
Votes for said proposition	192
Votes against said proposition	149
CONSOLIDATED ELECTION PRECINCT NO. 8	

Votes for said proposition	121
Votes against said proposition	176
CONSOLIDATED ELECTION PRECINCT NO. 9	
Votes for said proposition	108
Votes against said proposition	202
CONSOLIDATED ELECTION PRECINCT NO. 10	
Votes for said proposition	173
Votes against said proposition	263

4. - The total number of votes given at such election for and against said proposition voted upon was as follows:

Total votes for said proposition	1636
Total votes against said proposition	1590

5. - The votes of less than two-thirds of all of the voters voting on said proposition at said election were cast in favor of said proposition and said proposition failed to carry. As soon as the result of said election was declared by said City Council, I caused to be entered upon the records of said City Council the foregoing Statement of said result.

IN WITNESS WHEREOF, I have caused this certificate to be executed this 29th day of September, 1938

H. E. GRAGG, CITY CLERK OF THE CITY OF
MODESTO, CALIFORNIA

RESOLUTION NO. 4319-NS

A RESOLUTION DECLARING CANVASS OF ABSENTEE VOTES AND DECLARATION OF CONSOLIDATED RETURN OF SPECIAL BOND ELECTION HELD SEPTEMBER 13, 1938

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WHEREAS, the City Council of the City of Modesto has heretofore, to wit, on the 16th day of September, 1938, met at its usual place of meeting for the purpose of canvassing the returns of the special election called in said City by Ordinance No. 585-NS., and by its Resolution No. 4319-NS, duly passed and adopted on said date, has determined and declared the result of said special election; and

IT IS HEREBY RESOLVED, DETERMINED AND DECLARED by the City Council of the City of Modesto as follows:

That all absentee voter ballots have been fully received and canvassed in the time, form and manner required by law, and the result of the absentee vote for and against the proposition submitted at said election as follows:

ABSENTEE VOTE

Absentee applications filed	2	September 10, 1938
Ballots returned (total vote cast)	2	
Votes rejected (ineligible)	0	
Spoiled ballots	0	
Ballots counted (regular)	2	
Absentee Vote "YES"	2	
Absentee Vote "NO"	0	
Total Absentee Vote	2	

That the total number of votes cast at such election for and against said proposition submitted therat, including the foregoing absentee votes, was as follows:

Total Vote For: 2
Total Vote against: 0

That less than two-thirds of all the votes cast at said special election were in favor of said proposition, and that said proposition failed to carry.

That the City Clerk of the City of Modesto be, and is hereby, instructed to enter this resolution on the minutes of this City Council as a statement of the consolidated return of said election.

PASSED AND ADOPTED this 16th day of September, 1938 by the following vote:

Ayes: Councilmen: Neece, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: Bond and Oliver

J. H. KING, MAYOR OF THE CITY OF MODESTO

ATTEST

H. E. GRAGG, CITY CLERK

Presented to and approved by me this 29 day of September 1938.

J. H. KING, Mayor of the City of Modesto

Clerk's Certificate

I, H. E. GRAGG, City Clerk of the City of Modesto, California, do hereby certify that the foregoing is a full, true and correct copy of a resolution duly adopted at a special meeting of the City Council of said City duly and regularly held at the regular meeting place thereof on the 16th day of September, 1938, of which meeting all of the members of said Council had due notice and at which a majority thereof was present; that at said meeting said resolution was introduced by Councilman Neece and read in full and was thereupon, upon motion of Councilman Neece, seconded by Councilman Stanley, adopted by the following vote:

Ayes: Councilmen: Neece, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: Oliver and Bond

That I have carefully compared the same with the original minutes of said meeting on file and of record in my office and that said resolution is duly entered of record in Book 13 of Minutes at pages 367 to 372, inclusive, and said resolution is a full, true and correct copy of the original resolution adopted at said meeting and entered in said minutes. That said resolution has not been amended, modified or rescinded since the date of its adoption and the same is now in full force and effect.

WITNESS my hand and the seal of said City of Modesto, this
29th day of September, 1938

(SEAL)

H. E. GRAGG, CITY CLERK OF THE CITY OF
MODESTO, CALIFORNIA

RESOLUTION NO. 4320-NS

A RESOLUTION REJECTING BIDS ON MANHOLE FRAMES AND COVERS AND AIRPORT HANGAR DOORS AND ROOFING ON AIRPORT HANGAR

---000---

WHEREAS, Resolution No. 4307-NS referred all bids on Airport hangar roofing and 8 hangar doors and Resolution No. 4308-NS referred all bids on manhole covers and frames to the Commissioner of Public Works and the City Engineer for investigation and recommendation and

WHEREAS, the committee reports that all bids received are unsatisfactory

BE IT HEREBY RESOLVED that all bids on hangar doors and roofing material for airport hangar and manhole covers and frames be rejected and

BE IT FURTHER RESOLVED that the City Clerk and Auditor be directed to return certified checks to unsuccessful bidders and the merchandise and/or supplies be purchased by the Department of Public Supplies as provided in Article IX, section 59 of the Charter of the City of Modesto.

The foregoing resolution was introduced at a Special Council meeting of the City of Modesto held on September 16, 1938 by Councilmen 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: Neece, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: Oliver and Bond

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4321-NS

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 September 16, 1938 by Commissioner Stanley who moved its adoption, which motion was duly seconded and was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Neece, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: Oliver and Bond

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4322-NS

A RESOLUTION DECLARING THAT NO PROTESTS HAVE BEEN FILED AGAINST THE HOLDING OF AN ELECTION FOR ANNEXATION OF "LESLIE-HUGH" TRACT TO THE CITY OF MODESTO

---000---

WHEREAS, Resolution No. 4300-NS adopted at special meeting of the Council of the City of Modesto on September 2, 1938 provides for the holding of an election for annexation of "Leslie-Hugh" tract to the City of Modesto and provides that all protests against annexation be heard at the City Council room at 4:30 P.M.

on September 19, 1938, and

WHEREAS no protests, either verbal or written, have been filed against the annexation of said tract.

BE IT HEREBY RESOLVED that the election be held on November 9, 1938 for the annexation of "Leslie-Hugh" tract to the City of Modesto.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on September 19, 1938 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: Neece, Stanley, Oliver and Mayor King

Noes: Councilmen: None

Absent;Councilmen: Bond

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4323-NS

A RESOLUTION RECOMMENDING THAT THE CITY ENGINEER WRITE TO CONGRESSMAN GEARHART REGARDING DELAY IN GRANTING CITY OF MODESTO P.W.A. FUNDS FOR THE BUILDING OF FIREHOUSE AND REMODELING CITY HALL

---ooc---

BE IT HEREBY RESOLVED that the City Engineer be instructed to write to Congressman Gearhart regarding the delay in granting to the City of Modesto, P.W.A. funds for the building of firehouse and remodeling City Hall.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on September 19, 1938 by Commissioner Oliver who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Neece, Stanley, Oliver and Mayor King

Noes: Councilmen: None

Absent;Councilmen: Bond

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4324-NS

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 September 19, 1938 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: Neece, Stanley, Oliver and Mayor King

Noes: Councilmen: None

Absent;Councilmen: Bond

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4325-NS

A RESOLUTION ALLOWING CLAIMS OF CHAMBER OF COMMERCE FOR \$400.00 AND RETAIL MERCHANTS BUREAU FOR \$100.00

---ooc---

WHEREAS, the 1938-1939 budget for the City of Modesto provides for the appropriation of \$2400.00 to the Merchants of the City of Modesto for Civic promotion fund and

WHEREAS at this time there has been presented a claim for \$100.00 and also a claim for \$400.00 for payment by the Retail Merchants Bureau and the Modesto Chamber of Commerce

BE IT HEREBY RESOLVED that claims be allowed as presented and the City Clerk and Auditor be authorized to draw warrants in payment.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on September 28, 1938 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: Bond, Neece, Oliver, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4326-NS

RESOLUTION PROVIDING FOR THE PAYMENT OF \$176.40 TO THE FIRM OF ORRICK, DAHLQUIST, NEFF AND HERRINGTON FOR ATTORNEY FEES

---000---

WHEREAS, the services of the firm of Orrick, Dahlquist, Neff and Herrington were retained by the City Council of the City of Modesto to aid in the preparation of documents necessary to call the recent election in the City of Modesto, which election was called for the purpose of determining whether the people of the City of Modesto desired to incur a bonded indebtedness for the construction of a civic auditorium; and

WHEREAS, it was deemed to the best interest of the said City of Modesto to retain the above named firm for the reason that in the event said election had carried and bonds had issued thereafter, said bonds would not have been saleable until said firm had sanctioned the issuance of said bonds; and

WHEREAS, said attorney fees in the sum of \$176.00, \$1.40 of which constitutes toll charges for telephonic communication between said firm and the City of Modesto, is fair and reasonable;

NOW THEREFORE it is hereby resolved that the claim of said firm, heretofore filed with the City Clerk, is in proper order, a valid claim against the City of Modesto, and should be paid. Be it further resolved that the City Auditor of the City of Modesto draw his warrant against the general fund of the City of Modesto in the sum of \$176.40, and transmit the same to the said firm of Orrick, Dahlquist, Neff and Herrington.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 28th day of September, 1938 by Councilman Neece, who moved its adoption, which motion being duly seconded was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Bond, Neece, Oliver, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4327-NS

A RESOLUTION AUTHORIZING THE CITY CLERK TO ADVERTISE FOR BIDS ON SEDAN FOR THE FIRE DEPARTMENT

---000---

BE IT HEREBY AUTHORIZED that the City Clerk be authorized to advertise for bids on a 1939 model sedan for the Fire Department, bids to be opened at the City Hall, 717 Tenth Street, October 12, 1938 at 7:30 P.M.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on September 28, 1938 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: Bond, Neece, Oliver, Stanley and Mayor King

Noes: Councilmen: None

Absent:Councilmen: None

ATTEST . H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4328-NS

A RESOLUTION AUTHORIZING THE CITY AUDITOR AND TREASURER TO TRANSFER \$50,000 FROM THE WATER FUND TO THE GENERAL FUND OF THE CITY OF MODESTO

---000---

BE IT HEREBY RESOLVED that the City Auditor and Treasurer be authorized to transfer \$50,000 from the Water Fund to the General 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 September 28, 1938 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: Bond, Neece, Oliver, Stanley and Mayor King

Noes: Councilmen: None

Absent:Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4329-NS

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MODESTO APPROVING THIRD SUPPLEMENTAL MEMORANDUM OF AGREEMENT FOR EXPENDITURE OF 1/4 CENT GAS TAX ALLOCATED FOR STATE HIGHWAYS

---000---

WHEREAS, the State of California, through its Department of Public Works, Division of Highways, has presented a third supplemental memorandum of Agreement in accordance with a project statement submitted by the City for expenditure of the 1/4 cent gas tax for the 1937-39 biennium allocated for State highways in the City of Modesto, and

WHEREAS, the City Council has heard read said Agreement in full and is familiar with the contents thereof;

THEREFORE, be it resolved by the City Council of the City of Modesto that said Agreement for expenditure of the 1/4 cent gas tax allocated for State highways be and the same is hereby approved and the Mayor and City Clerk

are directed to sign the same on behalf of said City.

ADOPTED this 28 day of September, 1938

J. H. KING, Mayor of the City of Modesto

Attest: H. E. GRAGG, 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 September 28, 1938

H. E. GRAGG, Clerk of the City of Modesto

RESOLUTION NO. 4330-NS

A RESOLUTION GRANTING FIRE PROTECTION TO E. J. LYG ON WAREHOUSE JUST OUTSIDE CITY LIMITS

---000---

WHEREAS, E. J. Lyng has petitioned the Council to be furnished fire protection on his warehouse just outside the city limits and the subsequent referring of same to Fire Chief Wallace for investigation of request, and

WHEREAS, at this time an agreement with E. J. Lyng and the City of Modesto was presented for approval for fire protection for one year term from September 29, 1938, by the Council

BE IT HEREBY RESOLVED that agreement be approved as presented and 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 September 28, 1938 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: Bond, Neece, Oliver, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4331-NS not used

RESOLUTION NO. 4332-NS

A RESOLUTION AUTHORIZING CITY CLERK TO RECORD DEED ON LOTS 17, 18, 19, 20 and 21, BLOCK 2150 and LOTS 37, 38, 39, Block 2140 OF SIERRA SUBDIVISION NUMBER 3 WITH THE COUNTY RECORDER

---000---

WHEREAS, a deed from the Anglo California National Bank on lots 17, 18, 19, 20 and 21, Block 2150 and lots 37, 38, 39, Block 2140 of Sierra Subdivision Number 3, being an addition to the Modesto Municipal Airport, has been presented to the Council for acceptance and approval

BE IT HEREBY RESOLVED that the deed be accepted and the City Clerk be directed to record it with the County Recorder of Stanislaus County.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on September 28, 1938 by Commissioner Bond who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Bond, Neece, Oliver, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

CERTIFICATION

State of California)
County of Stanislaus) ss
City of Modesto)

I, H. E. Gragg, City Clerk of the City of Modesto do hereby certify that the foregoing is a full, true and correct copy of a resolution introduced and adopted at a regular meeting of the Council of the City of Modesto held on the 28th day of September, 1938, and that the same is now in full force and effect. IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of Modesto this 18th day of October, 1938

Signed H. E. GRAGG, CLERK OF THE CITY OF MODESTO, CALIF.

RESOLUTION NO. 4333-NS

A RESOLUTION RESCINDING RESOLUTION NO. 2211-ENTITLED "A RESOLUTION CREATING THE POSITION OF ASSISTANT CITY CLERK AND APPROVING THE APPOINTMENT OF MISS LILLIAN LOVING THERETO" AN PROMOTING ELMER BLUM TO THE POSITION OF ASSISTANT CITY CLERK IN THE CITY OF MODESTO

---000---

WHEREAS, Lillian Loving is now the Assistant City Clerk in the office of the City Clerk in the City of Modesto; and

WHEREAS, one Elmer Blum is also employed in the office of said City Clerk; and

WHEREAS, City Council of the City of Modesto deems it to the best interests of the citizens of said City that the said ELMER BLUM be named as, and that he occupy the position of Assistant City Clerk in said City;

NOW THEREFORE, the said LILLIAN LOVING is hereby relieved of her duties as said Assistant City Clerk and the said ELMER BLUM is, by this Resolution elevated to the position of Assistant City Clerk in the office of the City Clerk of Modesto, California

The foregoing Resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 28th day of September, 1938 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: Bond, Neece, Oliver, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4334-NS

ADJOURNMENT

BE IT HEREBY RESOLVED that this Council meeting in session adjourn. The foregoing resolution was introduced at a regular meeting of the

Council of the City of Modesto held on September 28, 1938 by Commissioner Oliver who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Bond, Stanley, Oliver, Neece and Mayor King

Noes: Councilmen: None

Absent; Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4335-NS

A RESOLUTION ACKNOWLEDGING REQUEST OF MODESTO CHAMBER OF COMMERCE TO HOLD AN AIR SHOW AT THE MODESTO MUNICIPAL AIRPORT, AND GRANTING PERMISSION FOR THE HOLDING OF SAID AIR SHOW UPON CERTAIN CONDITIONS

---oOo---

WHEREAS, a letter dated October 1, 1938, signed by R. L. Kimmel, Secretary of the Modesto Chamber of Commerce, which letter is on file in the office of the City Clerk of the City of Modesto and is herein referred to for further particulars, requesting permission of the City Council of the City of Modesto to allow said Chamber of Commerce to hold an air show at the Modesto Municipal Airport; and

WHEREAS, said letter contains the statement that adequate insurance will be taken out by said Chamber of Commerce or persons interested in said show for the purpose of protecting all persons attending said air show or elsewhere against damage by reason of any accident arising incident to said air show; and

WHEREAS, said letter contains the further statement that no expense of said air show shall be borne by the said City of Modesto;

NOW, THEREFORE, THE SAID CITY COUNCIL OF THE CITY OF MODESTO DOES HEREBY GRANT PERMISSION FOR the holding of said air show on October 15 and 16, 1938 at and upon said airport under the following conditions:

1. That there be presented to said City Council a resolution of the Board of Directors of said Chamber of Commerce showing that said Chamber of Commerce is the sponsor of said air show and that the said Secretary is authorized and empowered to make the representations contained in his letter of October 1, 1938.

2. That before said air show is held there shall be presented to the City Attorney of the City of Modesto for his examination satisfactory evidence that insurance in the sum of Fifty Thousand Dollars (\$50,000.00) property damage, and One Hundred Thousand Dollars (\$100,000.00) public liability, has been secured.

3. That evidence be given to said City Council or the City Attorney of said City of Modesto that permission has been secured from the Civil Aeronautics Authority granting permission for the holding of said air show.

4. That the City of Modesto shall incur no expense either in money or labor in connection with said air show, save and except to provide two policemen to police the air port and crowd at said air show.

5. That permission be secured by said Chamber of Commerce from Arthur Jenks, Manager of said airport, and employee of Pathfinder Flying Service, the present lessee of said airport.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 5th day of October, 1938, 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: Bond, Neece, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: Oliver

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4336-NS

ADJOURNMENT

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

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on October 5, 1938 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: Bond, Stanley, Oliver, Neece and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4337-NS

A RESOLUTION ALLOWING CLAIMS FOR MONTH OF SEPTEMBER, 1938

---000---

WHEREAS, the claims against the City of Modesto for the month of September, 1938, for the various sums in the aggregate hereinafter stated having been audited by the Council and found to be correct;

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

GENERAL FUND-----	\$29,897.90
WATER FUND-----	5,789.48
LIBRARY FUND-----	1,798.53
BOND RED. INT. FUND-----	
ST. BOND RED. INT. FUND-----	1,273.80
UNAPPORTIONED FUND-----	
GASOLINE TAX FUND-----	
- TOTAL-----	\$38,579.71

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of October, 1938 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: Bond, Neece, Oliver, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4338-NS

A RESOLUTION ALLOWING CLAIM OF \$6.60 REFUND OF LICENSE PAID ON APARTMENT HOUSE TO JAMES E. GRAY

---000---

WHEREAS, a claim of \$6.60 for refund of license paid on apartment house for period January 1, 1937 to June 30, 1938, inc. has been filed with the City Auditor by James E. Gray and

WHEREAS, Ordinance No. 509-NS provides that apartment houses are not required to pay a license

BE IT HEREBY RESOLVED that claim be allowed as presented and the City Clerk and Auditor be authorized to draw warrant in the amount of \$6.60, payable to claimant.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of October, 1938 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: Bond, Neece, Oliver, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4339-NS

A RESOLUTION ALLOWING REFUND ON WATER TAP OF \$20.00 TO MARK ROSS COMPANY

---000---

WHEREAS, Mark Ross & Co. have made application for refund of \$20.00 paid on 1½ inch water tap #4753 in Block 94 as an old tap was located.

BE IT HEREBY RESOLVED that claim be granted and the City Clerk and Auditor is hereby authorized to draw warrant in amount \$20.00 in payment of claim.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of October, 1938 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: Bond, Neece, Oliver, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4340-NS

A RESOLUTION GRANTING PERMIT TO DR. ALBERT C. MAZE FOR BUSINESS BUILDING IN A RESIDENCE ZONE

---000---

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

DR. ALBERT C. MAZE

to conduct office in remodeled garage at 1102 13th St.

and it appearing from affidavits on file that a notice setting forth a time for hearing any and all protests to the granting of the petition as prayed for, and this being the time set forth and

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

THEREFORE, BE IT RESOLVED that permission be and the same is hereby

granted, with the understanding that all provisions relative to building permit fees will be complied with, to the above named applicant for permit as prayed for in his petition.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of October, 1938 by Commissioner Oliver, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Bond, Neece, Oliver, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4341-NS

A RESOLUTION REFERRING BIDS ON CAR FOR FIRE DEPARTMENT TO COMMITTEE

---oOo---

WHEREAS, notice to bidders having heretofore been given and published as required by law for one 1938 model Sedan for the Fire Chief of the City of Modesto and bids in accordance with said notice having been received not later than 7:30 P.M. on Wednesday, October 12, 1938 and having been then and there opened by the Council in open meeting

BE IT HEREBY RESOLVED that the bids be turned over to the City Engineer for tabulation and Commissioners Stanley and Bond be appointed to make recommendations as to the lowest and best bid.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of October, 1938 by Commissioner Oliver, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Bond, Neece, Oliver, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4342-NS

A RESOLUTION ACCEPTING PAVEMENT ON NINTH STREET, BETWEEN B STREET AND MORTON BOULEVARD FROM CONTRACTOR S. M. MCGAW AND AUTHORIZING PAYMENT OF 75% OF CONTRACT \$2086.42

---oOo---

WHEREAS, City Engineer Rossi has filed notice of completion with the Council on the widening of pavement on Ninth Street between Morton Boulevard and B Street by Contractor S. M. McGaw and

BE IT HEREBY RESOLVED that paving be accepted and the City Clerk and Auditor be authorized to file notice of completion with the County Recorder of Stanislaus County and to draw warrant in amount \$2086.42, being 75% of contract price, payable to S.M. McGaw.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of October, 1938 by Commissioner Bond, who moved its adoption, which motion being duly seconded, it was upon roll call

carried and the resolution adopted by the following vote:

Ayes: Councilmen: Bond, Neece, Oliver, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4343-NS

A RESOLUTION PROVIDING FOR ONE HOUR PARKING ON J STREET BETWEEN 13th STREET AND ALLEY ON THE SOUTH SIDE IN THE CITY OF MODESTO

---oOo---

WHEREAS, under and by virtue of the provisions of Ordinance No. 345-NS of the City of Modesto, as thereafter amended, the City Council of the City of Modesto has the power, when and if the general welfare and safety of the citizens of the City of Modesto so require it, to increase or diminish the time for which vehicles may be parked on the public streets of the business district of the City of Modesto; and

WHEREAS, it appears to said City Council in regular session that the general welfare and safety of the citizens of the City of Modesto require that the time for which vehicles may be parked in the hereinafter designated spaces be set at one hour;

NOW THEREFORE, BE IT RESOLVED AND ORDERED BY SAID CITY COUNCIL that the operator of a vehicle shall not park such vehicle for longer than one (1) consecutive hour between the hours of nine o'clock A.M. and six o'clock P.M. of any day except Sunday on the south side of J Street between the alley and Thirteenth Street in the City of Modesto

BE IT FURTHER RESOLVED that the City Engineer of the City of Modesto shall procure proper markings and/or signs conveying to the public notice of the fact that the area herein designated shall be used by the operators of vehicles for the period herein set forth.

Said Resolution shall be effective as soon as the area herein designated is properly marked and designated by said City Engineer.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of October, 1938 by Councilman Bond, who moved its adoption which motion being duly seconded was upon roll call carried and adopted by the following vote:

Ayes: Councilmen: Neece, Stanley, Bond, Oliver and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4344-NS

A RESOLUTION AUTHORIZING THE CITY CLERK TO ADVERTISE FOR BIDS ON AUTOMOBILES FOR THE PUBLIC WORKS AND PARKS DEPARTMENTS OF THE CITY OF MODESTO

---oOo---

BE IT HEREBY RESOLVED that the City Clerk be authorized to advertise for bids on the following:

1. One pickup truck not less than one half ton capacity with closed cab, cost not to exceed \$700.00, including sales tax and license.

2. One Station Wagon type Surveyor's car with four side doors with glass windows and end door; doors to be fitted for locking; cost not to exceed \$1290.00 including sales tax and license.
3. One dump truck not less than 1½ ton capacity with metal body, floor plates of not less than 3/16 inch thick high carbon steel and side plates of not less than 10 gauge high carbon steel; head board and end gate not less than 22 inches high, sides not less than 12 inches high and fitted with stake pockets and with slots to receive 2 inch thick side boards; sides and end gate to be hinged so that they may be lowered to a horizontal position to form a flat body; body to be 10 feet by 5 feet six inches with sides and end gate raised; hydraulic hoist of not less than four ton capacity with not less than 6 inch cylinder and with manifold type pump; truck wheel base not less than 157 inches; dual rear wheels; tires not smaller than 32x6, 8 ply; cost not to exceed \$1450.00, including sales tax and license.

Bids to be received at the Council Chambers not later than 7:30 P.M. on Wednesday, October 26, 1938.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of October, 1938 by Commissioner Bond, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Bond, Neece, Oliver, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

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RESOLUTION NO. 4345-NS

A RESOLUTION ACCEPTING POLICY ON AUTOMOBILE FLEET OF THE CITY OF MODESTO AND AUTHORIZING PAYMENT

---000---

BE IT HEREBY RESOLVED that automobile policy for the fleet of the City of Modesto be accepted as presented by the Modesto Insurance Agent's Association and the City Clerk and Auditor be authorized to make payment of premium when it becomes due and payable

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on October 12, 1938 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: Bond, Neece, Oliver, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4346-NS

A RESOLUTION ACCEPTING THE HART AMBULANCE COMPANY, POLICY ON AMBULANCE AND REJECTING THE POLICY OF THE MODESTO AMBULANCE COMPANY

---000---

WHEREAS, Ordinance No. 593-NS, provides for the filing of insurance policies with the City Clerk of the City of Modesto by individuals operating ambulances within the City and

WHEREAS, the Hart Ambulance Company and the Modesto Ambulance Company have filed policies for approval by the Council.

BE IT HEREBY RESOLVED that the policy of the Hart Ambulance Company be accepted as presented as it met all requirements of the Ordinance and the policy of the Modesto Ambulance Company be rejected because it did not meet requirements set forth in the ordinance.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on October 12, 1938 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: Bond, Neece, Oliver, Stanley and Mayor King
Noes: Councilmen: None
Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4347-NS

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 October 12, 1938 by Commissioner Oliver who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Bond, Neece, Oliver, Stanley and Mayor King
Noes: Councilmen: None
Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4348-NS

A RESOLUTION AWARDED BID ON FIRE CHIEF'S AUTOMOBILE TO W. J. SILVA, AUTHORIZING CITY AUDITOR TO MAKE PAYMENT OF \$816.00 UPON DELIVERY OF AUTOMOBILE AND CITY CLERK TO RETURN CHECKS TO UNSUCCESSFUL BIDDERS

---000---

WHEREAS, bids on a 1939 model Sedan for the Fire Department were referred to committee of Commissioners Bond and Stanley for investigation and recommendation and

WHEREAS, they recommend that the purchase of 1939 Studebaker 6 Sedan at a price of \$816.00

BE IT HEREBY RESOLVED that bid be awarded to W. J. Silva at a price of \$816, delivery to be made within thirty days from factory at South Bend and the City Auditor be authorized to make payment of \$816.00 to W. J. Silva upon delivery of automobile and the City Clerk is directed to return to unsuccessful bidders checks and money accompanying their bids.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on October 21, 1938 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: Bond, Neece, Oliver, Stanley and Mayor King
Noes: Councilmen: None
Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4349-NS

A RESOLUTION ALLOWING CLAIM OF L. R. BARNETT AND JAMES J. REDMOND FOR \$450.00 FOR EXAMINATION AND AUDIT OF ACCOUNTS FOR THE CITY OF MODESTO FOR THE FISCAL YEAR ENDING JUNE 30, 1938.

---000---

WHEREAS, L. R. Barnett and James J. Redmond have presented claim of \$450.00 for examination and audit of accounts for the City of Modesto for the fiscal year ending June 30, 1938

BE IT HEREBY RESOLVED that the audit as presented be accepted from L. R. Barnett and James J. Redmond for the fiscal year ending June 30, 1938 and payment of \$450.00 be authorized.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on October 21, 1938, by Commissioner Bond, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Bond, Neece, Oliver, Stanley and Mayor King
Noes: Councilmen: None
Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4350-NS

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 October 21, 1938 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: Bond, Neece, Oliver, Stanley and Mayor King
Noes: Councilmen: None
Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4351-NS

A RESOLUTION ALLOWING CLAIMS OF A. M. MCNEIL AND THE UNITED CONCRETE PIPE CORPORATION

---000---

WHEREAS, A. M. McNeil has filed claim with the City Auditor for \$55.20 for copy of transcript on appeal case of George Keeley, discharged police officer, furnished the City of Modesto, and

WHEREAS, the United Concrete Pipe Corporation has filed claim for \$247.53 for pipe delivered on contract.

BE IT HEREBY RESOLVED that claims be allowed and the City Auditor and Clerk be directed to draw warrants in payment.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of October, 1938 by Commissioner Neece who moved its adoption, which motion being duly seconded, it was carried and the resolution adopted by the following vote:

Ayes: Councilmen: Bond, Neece, Oliver, Stanley and Mayor King
Noes: Councilmen: None
Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4352-NS

A RESOLUTION ORDERING CITY ENGINEER TO MAKE COMPILATION OF BIDS ON AUTOMOBILES FOR THE PUBLIC WORKS DEPARTMENT AND PARK DEPARTMENT OF THE CITY OF MODESTO AND APPOINTING COMMITTEE OF COMMISSIONERS STANLEY AND OLIVER TO MAKE INVESTIGATIONS OF BIDS AND RECOMMENDATIONS AS TO LOWEST AND BEST BID

---000---

WHEREAS, notice to bidders having heretofore been given and published as required by law for the following:

- 1-One pickup truck, cost not to exceed \$700.00
 - 2-One Station Wagon type Surveyor's car, cost not to exceed \$1290.00
 - 3-One Dump truck, not less than one and one half tons, cost not to exceed \$1450.00
- and bids in accordance with said notice having been received not later than 7:30 P.M. on Wednesday, October 26, 1938 and having been then and there opened by the Council in open meeting.

BE IT HEREBY RESOLVED that bids be turned over to the City Engineer for compilation and a committee of Commissioners Stanley and Oliver be appointed to make investigation of bids and to recommend to the Council the lowest and best bid at a later meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on October 26, 1938 by Commissioner Bond who moved its adoption, which motion was duly seconded and was carried and the resolution adopted by the following vote:

Ayes: Councilmen: Bond, Neece, Oliver, Stanley and Mayor King
 Noes: Councilmen: None
 Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4353-NS

A RESOLUTION AUTHORIZING CITY CLERK TO ADVERTISE FOR BIDS ON PIPE AND TRANSFORMER

---000---

BE IT HEREBY RESOLVED that the City Clerk be authorized to advertise for bids on the following:

- 1-4100 feet of 4 inch, 2450 feet of 6 inch, 2750 feet of 8 inch and 500 feet of 12 inch Class 150 Bell and Spigot Cast Iron Water Pipe or equal
- 2-7500 feet of 6 inch and 250 feet of 8 inch vitrified clay sewer pipe
- 3-One G. E. Type R.F. 15 KW, 2400 volt, 6.6 ampere secondary automatic station type Novalux constant current transformer, General Electric Company Catalog No. 3201492 or equal

said bids to be received by the City Council at the office of the City Clerk at 717 Tenth Street, not later than 7:30 o'clock on Wednesday, November 9, 1938.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on October 26, 1938 by Commissioner Bond, who moved its adoption, which motion being duly seconded, it was carried and the resolution adopted by the following vote:

Ayes: Councilmen: Bond, Neece, Oliver, Stanley and Mayor King
 Noes: Councilmen: None
 Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4354-NS

A RESOLUTION APPROVING CONTRACT WITH IO T. MCKIBBEN AND MARY MCKIBBEN FOR THE PLACING OF ANCHORAGE FOR SAND HOIST OF THE CITY OF MODESTO FOR A TERM OF ONE YEAR AT ANNUAL RENTAL OF \$25.00

---000---

WHEREAS, contract with Io T. McKibben and Mary McKibben for the placing of anchorage for sand hoist of the City of Modesto for a term of one year at an annual rental of \$25.00 on their property located on the south bank of the Tuolumne River was presented to the Council for approval

BE IT HEREBY RESOLVED that contract be approved as presented and the Mayor and City Auditor be appointed signatory officials and

BE IT FURTHER RESOLVED that warrant be drawn by the City Auditor in payment of rental in amount \$25.00 upon the signing of contract.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on October 26, 1938 by Commissioner Bond, who moved its adoption, which motion being duly seconded, it was carried and the resolution adopted by the following vote:

Ayes: Councilmen: Bond, Neece, Oliver, Stanley and Mayor King

Noes: Councilmen: None

Absent; Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4355-NS

ADJOURNMENT

BE IT HEREBY RESOLVED that the 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 October 26, 1938 by Commissioner Oliver, who moved its adoption, which motion being duly seconded, it was upon roll call adopted by the following vote:

Ayes: Councilmen: Bond, Neece, Oliver, Stanley and Mayor King

Noes: Councilmen: None

Absent; Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4356-NS

A RESOLUTION AWARING BIDS ON AUTOMOBILES FOR PUBLIC WORKS AND PARKS DEPARTMENTS

---000---

WHEREAS, bids on automobiles for the Parks and Public Works Departments of the City of Modesto were referred to Commissioners Oliver and Bond for investigation and recommendation as to the lowest and best bids and

WHEREAS at this time they recommend the purchase of the following equipment:

Item 1-1938 Dodge Express, purchase price \$695.00

Item 2-1939 Chevrolet Master "85" Station Wagon \$977.98

Item 3-Rec Model 1C4, purchase price \$1448.98

BE IT HEREBY RESOLVED that bids be awarded to R. B. MacBride on item 1, Helm Chevrolet Company on item 2 and John W. Croker on item 3, at prices

shown above and

BE IT FURTHER RESOLVED that the City Clerk and Auditor be authorized to return checks to unsuccessful bidders and to draw warrants in payment of claims upon delivery of equipment.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on November 8, 1938 by Commissioner Bond who moved its adoption which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Bond, Neece, Oliver, Stanley and Mayor King
Noes: Councilmen: None
Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4357-NS

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 November, 1938 by Commissioner Oliver who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Bond, Neece, Oliver, Stanley and Mayor King
Noes: Councilmen: None
Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO 4358-NS

A RESOLUTION ALLOWING CLAIMS FOR MONTH OF OCTOBER, 1938

---000---

WHEREAS, the claims against the City of Modesto for the month of October, 1938, for the various sums in the aggregate hereinafter stated having been audited by the Council and found to be correct;

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

GENERAL FUND-----	\$	29,398.56
WATER FUND-----	\$	4,481.75
LIBRARY FUND-----	\$	2,121.97
BOND RED. INT. FUND-----	\$.10
ST. BOND RED. INT. FUND-----	\$	
UNAPPORTIONED FUND-----	\$	
GASOLINE TAX FUND-----	\$	
TOTAL-----	\$	36,002.38

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of November, 1938 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: Bond, Neece, Oliver, Stanley and Mayor King
Noes: Councilmen: None
Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4359-NS

A RESOLUTION INSTRUCTING THE CITY CLERK TO WRITE TO THE LEAGUE OF CALIFORNIA MUNICIPALITIES FOR INFORMATION AS TO NEED FOR ADDITIONAL FUNDS

---oOo---

WHEREAS, the League of California Municipalities have requested additional funds for the coming year

BE IT HEREBY RESOLVED that the City Clerk be instructed to write to the League of California Municipalities to determine the need for additional funds.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of November, 1938 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: Bond, Neece, Oliver, Stanley and Mayor King
Noes: Councilmen: None
Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4360-NS

A RESOLUTION AUTHORIZING FINAL PAYMENT OF \$691.20 TO S. M. MCGAW ON WIDENING PAVEMENT AT NINTH AND B STREETS IN THE CITY OF MODESTO

---oOo---

WHEREAS, City Engineer Rossi has filed with this Council a certification of amount due on November 16, 1938 of \$691.20 as final payment of work completed by S. M. McGaw on paving of 9th Street near B Street

BE IT HEREBY RESOLVED that the City Clerk and Auditor be authorized to draw warrant in payment of claim on November 16, 1938 providing no claims have been filed against contractor S. M. McGaw.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on November 9, 1938 by Councilman Bond, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Bond, Neece, Oliver, Stanley and Mayor King
Noes: Councilmen: None
Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4361-NS

A RESOLUTION RECOMMENDING THAT THE COUNCIL GIVE DUE CONSIDERATION TO THE PETITION PRESENTED BY THE MODESTO CITY SCHOOL BOARD FOR THE ANNEXATION OF THE ENSLEN SCHOOL DISTRICT TO THE CITY OF MODESTO

---oOo---

BE IT HEREBY RESOLVED that the Council of the City of Modesto give due consideration to the petition presented by the Modesto City School Board for annexation of the Enslen School District to the City of Modesto.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on November 9, 1938 by Commissioner

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

Ayes: Councilmen: Neece, Oliver, Bond, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4362-NS

A RESOLUTION AUTHORIZING THE CITY CLERK TO ADVERTISE FOR BIDS ON JUNK TO BE SOLD BY THE CITY AT PUBLIC AUCTION TO THE HIGHEST BIDDERS

---oOo---

BE IT HEREBY RESOLVED that the City Clerk be authorized to advertise the sale at public auction to the highest bidders for cash the following described personal property:

4 Recording water pressure gauges

2 hay derrick carriages with track

5 junk gas radiators

1 Junk hot water storage tank

About 2000 pounds of miscellaneous lengths and sizes of screw pipe and fittings;

About 7000 pounds of Scrap Cast Iron;

About 3000 pounds of scrap steel and iron;

About 400 pounds of Scrap brass, copper and aluminum;

2 Fire Hydrant Heads;

1 Boy's Bicycle

1 Girl's Bicycle

1 Medium size Tricycle

1 26 inch rear Bicycle wheel with tire and fender

Bids are to be received at the office of the City Engineer on Friday, November 18, 1938 at 9 o'clock A.M. Bidders to be present in person and make oral bids.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on November 9, 1938 by Commissioner Bond who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Bond, Neece, Oliver, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4363-NS

A RESOLUTION REFERRING BIDS ON WATER PIPE, SEWER PIPE AND TRANSFORMER TO THE CITY ENGINEER FOR TABULATION AND RECOMMENDATION AS TO THE LOWEST AND BEST BID

---oOo---

WHEREAS, specifications for the purchase of spigot cast iron water pipe, vitrified clay sewer pipe and transformer having heretofore been filed by the City Engineer with the Council and approved by the Council and the money for said purchase having heretofore been duly appropriated and being now available and notice to bidders having heretofore been given and published as required by

law and bids, in accordance with said notice having been received not later than 7:30 P.M. on Wednesday, November 9, 1938 and having been then and there opened by the Council in open meeting

BE IT HEREBY RESOLVED that all bids be referred to the City Engineer for tabulation and recommendation as to the lowest and best bid.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of November, 1938 by Commissioner Oliver who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Bond, Neece, Oliver, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4364-NS

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MODESTO APPROVING FOURTH SUPPLEMENTAL MEMORANDUM OF AGREEMENT FOR EXPENDITURE OF 1/4 CENT GAS TAX ALLOCATED FOR STATE HIGHWAYS

---000---

WHEREAS, the State of California, through its Department of Public Works, Division of Highways, has presented a Fourth Supplemental Memorandum of Agreement in accordance with a project statement submitted by the City for expenditure of the 1/4 cent gas tax for the 1937-39 biennium allocated for State Highways in the City of Modesto, and

WHEREAS, the City Council has heard read said Agreement in full and is familiar with the contents thereof;

THEREFORE, be it resolved by the City Council of the City of Modesto that said Agreement for expenditure of the 1/4 cent gas tax allocated for state highways be and the same is hereby approved and the Mayor and City Clerk are directed to sign the same on behalf of said City.

ADOPTED this 9th day of November, 1938

J. H. KING, Mayor of the City of Modesto

ATTEST: H. E. Gragg, 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 November 9, 1938

H. E. GRAGG, Clerk of the City of Modesto

RESOLUTION NO. 4365-NS

A RESOLUTION AUTHORIZING AN AGREEMENT WITH THE COUNTY OF STANISLAUS FOR THE PURCHASE OF A PARCEL OF PROPERTY IN BLOCK 206

---000---

WHEREAS, the property lying, situate and being in the City of Modesto hereinafter described has been deeded to the State of California for delinquent taxes, and has also been deeded to the City of Modesto for delinquent taxes and assessments; and,

WHEREAS, the public interest of the City of Modesto and of its residents require that the City of Modesto acquire and take title to and possession of the strip of land hereinafter described for road purposes;

NOW THEREFORE, BE IT RESOLVED that the City of Modesto, a municipal corporation, enter into an agreement with the Board of Supervisors of the County of Stanislaus, subject to the approval of the State Controller, as provided by Section 3897D of the Political Code of the State of California, by the terms of which the said City of Modesto will agree to purchase and the Supervisors of the County of Stanislaus will agree to sell to the City of Modesto the following described real property lying, situate and being in the City of Modesto, County of Stanislaus, State of California, to-wit:

The southerly 25 feet of Block 206 of the City of Modesto, according to the official map or plat thereof on file in the Recorder's office of Stanislaus County, California at a purchase price of Ten Dollars(\$10.00), to be paid upon the execution and delivery to the City of Modesto of a deed therefor, and that the City of Modesto further agrees to pay the costs of publishing, posting and/or mailing the notices provided for in said Section 3897D of the Political Code, and that said property, when acquired, shall be used for public road, highway or street purposes.

BE IT FURTHER RESOLVED that the Mayor and City Clerk of the City of Modesto be and they are hereby empowered to enter into an agreement with the Board of Supervisors of said County of Stanislaus for said purchase.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of November, 1938, by Councilman Bond, who moved its adoption, which motion being duly seconded was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Bond, Neece, Oliver, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG, CITY CLERK

STATE OF CALIFORNIA)
County of Stanislaus) ss
City of Modesto)

I, H. E. GRAGG, City Clerk of the City of Modesto do hereby certify and declare that the foregoing is a full, true and correct copy of Resolution No. 4365-N.S. adopted at a regular meeting of the Council of the City of Modesto, held on the 9th day of November, 1938, and that said Resolution is now in full force and effect.

IN WITNESS WHEREFORE, I have hereunto set my hand and affixed the seal of the City of Modesto this 10th day of November, 1938.

H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4366-NS

A RESOLUTION RESCINDING RESOLUTIONS NO. 780-S.P. and NO. 222-RESOLUTION OF INTENTION OF THE CITY OF MODESTO

---oOo---

WHEREAS, two resolutions numbered 780--S.P. and 222-- Resolution of Intention, have heretofore been passed by the City Council of the City of

Modesto, which resolutions pertain to an agreement with the Board of Supervisors of Stanislaus County, California, for procuring from said Board certain property described in said resolutions and for the further purpose of utilizing said property for street purposes; and,

WHEREAS, certain records and instruments relating thereto have been mislaid or lost in transit between said Board of Supervisors and the office of the City Clerk of the City of Modesto:

NOW, THEREFORE, BE IT 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 9th day of November, 1938 by Councilman Bond, who moved its adoption, which motion being duly seconded was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Bond, Neece, Oliver, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4367-NS

A RESOLUTION CANCELLING CONTRACT WITH IO T. MCKIBBEN AND MARY MCKIBBEN FOR ANCHORAGE OF SAND HOIST BELONGING TO THE CITY OF MODESTO

---000---

WHEREAS, Resolution No. 4354-NS adopted on October 26, 1938 approved agreement for anchorage for sand hoist belonging to the City of Modesto to be placed on the property of Io T. McKibben and Mary McKibben his wife, as prepared by the City Attorney and

WHEREAS, the City Engineer reports that Io T. McKibben and Mary McKibben have refused to sign agreement and other arrangements have been made for anchoring the said sand hoist

BE IT HEREBY RESOLVED that check No. 99 in amount \$25.00 drawn by the City Clerk and Auditor for rental of sand hoist anchorage for one year in favor of the said Io T. McKibben be cancelled and agreement be declared null and void

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of November, 1938 by Commissioner Neece who moved its adoption, which motion being duly seconded, it was upon roll call adopted by the following vote:

Ayes: Councilmen: Bond, Neece, Oliver, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4368-NS

ADJOURNMENT

BE IT HEREBY RESOLVED that the 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 November 9, 1938 by Commissioner Oliver, who

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

Ayes: Councilmen: Bond, Neece, Oliver, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4369-NS

A RESOLUTION AWARDING BID TO GLADDING, MCBEAN & COMPANY ON SEWER PIPE AND TO THE UNITED STATES PIPE AND FOUNDRY COMPANY ON WATER PIPE

---000---

WHEREAS, pursuant to bids on sewer pipe and water pipe being referred to the City Engineer for tabulation and recommendation as to lowest and best bid

BE IT HEREBY RESOLVED that Gladding, McBean and Company be awarded bid on sewer pipe as follows;

7500 Lineal Feet 6" Sewer Pipe	\$.2451 per ft.	\$1838.25
250 Lineal Feet 8" Sewer Pipe	.3502 " "	<u>87.55</u>
Truck delivery F.O.B. job Modesto		\$1925.80

and that United States Pipe and Foundry Company be awarded bid on waterpipe as follows:

4100 feet 4" pipe	\$.475 a foot	\$1947.50
2450 " 6" pipe	.724 a foot	1773.80
2750 " 8" pipe	1.09 a foot	2997.50
500 " 12" pipe	1.87 a foot	<u>935.00</u>
		\$7653.80
Sales Tax		<u>177.47</u>
F. O. B. Modesto to yard or trench side		\$7831.27

BE IT FURTHER RESOLVED that the City Auditor be instructed to notify the successful bidders and to return bidding bonds and checks to unsuccessful bidders and to make payment on equipment when statements are presented and goods delivered.

The foregoing resolution was introduced at a special Council meeting of the City of Modesto held on November 18, 1938 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: Stanley, Neece and Mayor King
 Noes: Councilmen: None
 Absent: Councilmen: Bond and Oliver

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4370-NS

A RESOLUTION AWARDING BID ON TRANSFORMER TO GENERAL ELECTRIC COMPANY AT A PRICE OF \$635.92

---000---

WHEREAS, bids on transformer have been referred to the City Engineer for tabulation and recommendation as to the lowest and best bid and

WHEREAS, at this time he recommends the bid being awarded to the General Electric Company as being the lowest and best bid

BE IT HEREBY RESOLVED that the bid be awarded to the General Electric Company as follows:

1-Gat. 3201492 type RF-15 KW, 2400 volts, 6.6 amps. 60 cycle, Novalux constant current station type automatic transformer-full automatic operation from full load to short circuit, price net, freight prepaid to cars, Modesto, plus sales tax

\$635.92

and the City Clerk is authorized to return certified checks and bidding bonds to unsuccessful bidders and payment be authorized immediately upon delivery of equipment.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on November 18, 1938 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: Neece, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: Oliver and Bond

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4371-NS

ADJOURNMENT

---oOo---

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

The foregoing resolution was introduced at a special council meeting of the City of Modesto held on November 18, 1938 by Commissioner Oliver, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Neece, Stanley, and Mayor King

Noes: Councilmen: None

Absent: Councilmen: Bond and Oliver

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4372-NS

A RESOLUTION IN THE MATTER OF REQUEST OF EDWARD L. BLAKER TO ERECT BUSINESS BUILDING IN RESIDENCE DISTRICT

---oOo---

WHEREAS, Edward L. Blaker desires to erect a residence and garage for business purposes on lots 31 and 32 in Block 25 of the City of Modesto; and

WHEREAS, said property is situate within a residential district of the City of Modesto and by local ordinance it is necessary that the said Edward L. Blaker procure the signatures of certain persons living within the said vicinity; and

WHEREAS, said persons have heretofore and do now refuse to sign said petition until said persons are assured of the fact that the said Edward L. Blaker will erect a residence on said premises; and

WHEREAS, the said Edward L. Blaker has appeared before the City Council of the City of Modesto on November 23, 1938, and has promised that if he can procure said signatures of said persons to said petition he will erect on said premises a residence; before building on said premises any business building;

NOW, THEREFORE, BE IT RESOLVED, that in the event that the proper petition is presented to the City Council and no protests are filed, permission will be granted said Edward L. Blaker by said City Council to erect said business building on said premises, upon the promise of the said Edward L. Blaker that he will erect a residence on said premises; prior to erecting thereon any business building.

BE IT FURTHER RESOLVED that in the event said Edward L. Blaker does procure signatures to said petition and does not erect a residence on said premises the City Council of the City of Modesto reserves the right to raze any business building that said Edward L. Blaker places on said premises.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of November, 1938 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: Neece, Oliver, Stanley and Mayor King
Noes: Councilmen: None
Absent: Councilmen: Bond

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4373-NS

A RESOLUTION REFUNDING \$8.25 TAXES PAID BY REUBEN A SYLVA

---000---

WHEREAS, Reuben A. Sylva has made claim for \$8.25 for refund of 1938 taxes paid on property in Campus Tract and

WHEREAS, property annexed to the City by election in Campus Tract on December 31, 1937 was to be charged \$.90 rate instead of regular rate of \$1.10.

BE IT HEREBY RESOLVED that claim be allowed and the City Clerk and Auditor be authorized to draw warrant in amount \$8.25.

The foregoing resolution was introduced at a regular meeting of the City of Modesto held on November 23, 1938 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: Neece, Oliver, Stanley and Mayor King
Noes: Councilmen: None
Absent: Councilmen: Bond

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4374-NS

A RESOLUTION ALLOWING CLAIM OF FRANK E. DONALD FOR REFUND OF TAXES

WHEREAS, Frank E. Donald has made claim for refund of 1938 taxes paid on improvements on Block 575, lots 21 and 22 and

WHEREAS, the improvements were assessed at full value and they were only 50% complete as of March 7, 1938

BE IT HEREBY RESOLVED that the City Clerk and Auditor be

authorized to draw warrant in amount \$9.62 in payment of claim.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on November 23, 1938 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: Neece, Oliver, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: Bond

attest H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4375-NS

A RESOLUTION GRANTING PERMIT TO J. S. CRISWELL TO USE CITY PROPERTY AT LALOMA, NINETEENTH AND H STREETS TO SELL CHRISTMAS TREES

---oOo---

WHEREAS, J. S. Criswell has petitioned the City Council to be granted permission to use triangle lot owned by the City of Modesto located at LaLoma, Nineteenth and H Streets to sell Christmas trees.

BE IT HEREBY RESOLVED that permit be granted to J. S. Criswell to use lot providing the lot be left free of debris and in a good condition.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on November 23, 1938 by Councilman Oliver, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Neece, Oliver, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: Bond

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4376-NS

A RESOLUTION REFUSING REQUEST OF STAR MEAT MARKET FOR LOADING ZONE AT 916 H STREET

---oOo---

WHEREAS, request has been made by the Star Meat Market for loading zone to be marked off in front of their store at 916 H Street and

WHEREAS, traffic conditions in the business section do not warrant establishing additional loading zones

BE IT HEREBY RESOLVED that request be denied and the City Clerk be directed to notify applicant of the decision of the Council.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on November 23, 1938 by Commissioner Stanley who moved its adoption, which motion being duly seconded, it was upon roll call carried and the motion adopted by the following vote:

Ayes: Councilmen: Neece, Oliver, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: Bond

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4377-NS

A RESOLUTION GRANTING REQUEST OF THE LEAGUE OF CALIFORNIA MUNICIPALITIES FOR CONTRIBUTION AND AUTHORIZING THE CITY CLERK TO SEND CHECK IN AMOUNT \$100.00 DURING THE MONTH OF JANUARY, 1939

WHEREAS, the League of California Municipalities have made a request for contribution of \$100.00 in addition to regular dues of \$175.00 due to numerous changes in their expenditure program and

WHEREAS, it is deemed for the best interest of the city that this request be granted

BE IT HEREBY RESOLVED that the City Clerk and Auditor be authorized to draw warrant in the month of January for \$100.00, payable to the League of California Municipalities.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on November 23, 1938 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: Neece, Oliver, Stanley and Mayor King

Noes: Councilmen: None

Absent; Councilmen: Bond

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4378-NS

A RESOLUTION AUTHORIZING CITY CLERK TO DRAW WARRANT IN AMOUNT \$400.00 PAYABLE STANISLAUS COUNTY BOYS' BAND, BEING BALANCE OF AMOUNT BUDGETED

---000---

BE IT HEREBY RESOLVED that the City Clerk and Auditor be authorized to draw warrant in amount \$400.00, balance due Stanislaus County Boys' Band, as allowed in 1938-39 budget.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on November 23, 1938 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: Neece, Oliver, Stanley and Mayor King

Noes: Councilmen: None

Absent; Councilmen: Bond

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4379-NS

A RESOLUTION GRANTING PERMISSION TO THE YANKEE RECRUIT TEAM TO USE MUNICIPAL BASEBALL FIELD FOR THEIR 1939 TRAINING SEASON

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WHEREAS, the Yankee Recruit Team have made a request to be permitted to use the Modesto Municipal Baseball Field for their training season of 1939 under the same arrangements as last year.

BE IT HEREBY RESOLVED that request be granted as prayed for.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on November 23, 1938 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: Neece, Oliver, Stanley and Mayor King
Noes: Councilmen: None
Absent: Councilmen: Bond

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4380-NS

A RESOLUTION DENYING REQUEST OF JOSEPH HARRIS TO MOVE PRIVATE GARAGE ON PROPERTY LINE IN BLOCK 10, IN THE CITY OF MODESTO

---000---

WHEREAS, pursuant to the filing of petition with the Council by Joseph Harris for permit to erect private garage on property line at Third and H Streets, being west 70 feet of lots 29,30,31, 32, Block 10 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 protests have been filed by the residents in the neighborhood.

BE IT HEREBY RESOLVED that request be denied.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on November 23, 1938 by Commissioner Oliver, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Neece, Oliver, Stanley and Mayor King
Noes: Councilmen: None
Absent: Councilmen: Bond

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4381-NS

A RESOLUTION CANVASSING RETURNS OF SPECIAL ELECTION HELD NOVEMBER 9, 1938, FOR THE ANNEXATION OF THE LESLIEHUGH TRACT TO THE CITY OF MODESTO

---000---

WHEREAS, this being the time provided for the first regular meeting of the Council next after the expiration of three days from and after the date of an election held in the territory proposed to be annexed to the City of Modesto, known as Lesliehugh Tract, and described particularly as the following described territory lying and being in the County of Stanislaus, State of California, and contiguous to the City of Modesto, and particularly described as follows, to-wit:

Beginning at a point, which is the intersection of the North Corporate limits of the City of Modesto, with the Easterly property line of McHenry Avenue; thence Northerly along the said Easterly property line of McHenry Avenue, to a point which is 110 feet northerly from the Northeasterly property corner of the said McHenry Avenue and Helen Avenue; thence Easterly along a line which is 110 feet Northerly from and parallel to the Northerly property line of said Helen Avenue, to a point on the Westerly Boundary line of the Lesliehugh Tract; thence Northerly 15 feet along the said Westerly Boundary line of the Lesliehugh Tract, to a point which is 125 feet Northerly from the said Northerly Property Line of Helen Avenue; thence Easterly along a line which is 125 feet Northerly from and parallel to the said Northerly Property Line of Helen Avenue, to a point on the Center Line of Ila Way; thence Northerly along the said Center Line of Ila Way, to a point at its intersection with the Center Line of Hintze Avenue; thence Easterly along the said Center Line of Hintze Avenue, to a point on the Center Line of Patricia Lane; thence Northeasterly along the said Center Line of Patricia Lane, to a point on the Northerly Boundary line of the said Lesliehugh Tract; thence Easterly along the said Northerly Boundary Line of the Lesliehugh Tract, to a point at the Northeasterly Boundary Corner of the said Lesliehugh Tract, the said point being on the Northwesterly Property Line of the Modesto Irrigation District, Lateral No. 4, Right of Way; thence Southwesterly along the Southerly Boundary Line of the said Lesliehugh Tract and the said Northwesterly Property Line of the Modesto Irrigation District Lateral No. 4, Right of Way, and the same extended and produced to a point on the said North Corporate Limits of the City of Modesto; thence Westerly along the said North Corporate Limits of the City of Modesto, to the said point of beginning.

The property as above described is located in the County of Stanislaus, State of California, in the S.W. $\frac{1}{4}$ of Section 21, T. 3S, R. 9E., M.D.B. & M., and includes a portion of the High Homes Tract, according to the Map of the High Homes Tract, as recorded in Maps, Volume 9, Page 24; a portion of the Lesliehugh Tract, according to the Amended Map of Lesliehugh Tract, as recorded in Maps, Volume 11, page 20, of the Stanislaus County Records; and property as shown in the Records of the Stanislaus County Assessor, Stanislaus County, California;

and it appearing that said election was held within the territory proposed to be annexed on the 9th day of November, 1938, in accordance with the resolution of this Council heretofore passed and adopted, and that after the holding of said election

the election officers thereof delivered to and deposited with the Clerk of this Council, the ballots, tally sheets and returns of said election, and it appearing and the Council so finding that the proposition submitted at said election was whether or not such new territory, in said resolution and hereinabove described, shall be annexed to, incorporated in and made a part of the municipal corporation of the City of Modesto, and the property therein be not, after such annexation, subject to taxation equally with the property within such municipal corporation, to pay the bonded indebtedness of such municipal corporation outstanding at the time of the filing of the petition asking that such election be called or theretofore authorized;

THEREFORE, BE IT RESOLVED that the Council of the City of Modesto after having proceeded to canvass the said returns, finds that the whole number of votes cast in said territory proposed to be annexed was 63, that the number of votes cast therein in favor of annexation was 43, and that the number of votes cast therein against annexation was 20.

BE IT FURTHER RESOLVED that the Council of the City of Modesto after having proceeded to canvass the absentee ballots cast at said election, finds that the whole number of absentee ballots or votes cast at said election was 2; that the number of absentee ballots or votes cast therein in favor of annexation was 2; and that the number of absentee ballots or votes cast therein against annexation was 0. That the total number of votes, both absentee and those cast by the voters at the polls in said territory proposed to be annexed was 65; that the total number of votes cast in favor of annexation was 45; and that the total number of votes cast therein against annexation was 20.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of November, 1938, by Councilman Oliver, who moved its adoption, which motion being duly seconded, it was upon roll call adopted by the following vote:

Ayes: Councilmen: Neece, Oliver, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: Bond

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4382-NS

WHEREAS, God in His infinite wisdom, has seen fit to call from our midst our beloved fellow member of the City Council of the City of Modesto, to-wit, B. H. Bond, on the 23rd day of November, 1938; and

WHEREAS, the said B. H. Bond has rendered invaluable service to the City of Modesto, both as a citizen and as a member of said City Council, displaying at all times a willingness to aid in the advancement of the interests of the citizens of said City and a co-operative spirit with the other members of said City Council; and

WHEREAS, the said City Council feels and knows that the death of the said B. H. Bond constitutes an irreparable loss to said City Council and the citizens of the City of Modesto;

NOW THEREFORE, the City Council of the City of Modesto does by these presents take cognizance of the loss to said Council and the citizens of the

City of Modesto suffered through the death of the late B. H. Bond, and does further extend unto the family of the late B. H. Bond the sympathy of said City Council and the citizens of the City of Modesto, whom it represents.

BE IT FURTHER RESOLVED that a copy of this resolution be spread upon the minutes of the City Council of the City of Modesto, and that a copy likewise be sent to the family of our late member.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of November, 1938 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: Neece, Oliver, Stanley and Mayor King
Noes: Councilmen: None
Absent: Councilmen: Bond

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4383-NS

ADJOURNMENT

---oOo---

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 November 23, 1938 by Commissioner Oliver who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Neece, Oliver, Stanley and Mayor King
Noes: Councilmen: None
Absent: Councilmen: Bond

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4384-NS

A RESOLUTION APPOINTING COUNCILMAN TO FILL VACANCY ON CITY COUNCIL CAUSED BY DEATH

---oOo---

WHEREAS, at the general municipal election held in the Month of April, 1937, the late B.H.Bond was duly elected a member of the City Council of the City of Modesto; and

WHEREAS, the said B. H. Bond thereafter properly qualified for said office and was until the 23rd day of November, 1938, a regular member of said City Council; and

WHEREAS, on the 23rd day of November, 1938, the said B. H. Bond died and that as a result thereof a vacancy occurred in said City Council and

WHEREAS, by the terms of the Charter of the City of Modesto it becomes the duty of the remaining members of said City Council to appoint a qualified resident of the City of Modesto to fill said vacancy:

NOW, THEREFORE, BE IT HEREBY RESOLVED, that Y. G. Barnell is hereby appointed by said City Council to fill the vacancy on said City Council

occasioned by the death of the said B. H. Bond, and said Y. G. Barnell is by this resolution appointed a member of the City Council of said City of Modesto to fill said vacancy and to be and remain a member of said City Council until the next general municipal election to be held in the City of Modesto in the month of April, 1939.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 6th day of December, 1938 by Councilman Neece, who moved its adoption, which motion being duly seconded was upon roll call carried, and the resolution adopted by the following vote:

Ayes: Councilmen: Neece, Oliver, Stanley and Mayor King
Noes: Councilmen: None
Absent: Councilmen: Bond

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4385-NS

A RESOLUTION RECOMMENDING THAT LICENSE ISSUED TO MARY WHITE BE RESCINDED AND LICENSE FEE OF \$100.00 BE REFUNDED

---000---

WHEREAS, pursuant to the issuance of license to Mary White on November 28, 1938 for a period of one month to do phrenology readings and

WHEREAS, the said Mary White has not complied with provisions of Ordinance No. 54-NS entitled "AN ORDINANCE RELATING TO THE LICENSES, LICENSE TAX RATES, AND TO THE REGULATION OF CERTAIN KINDS OF BUSINESS, PLACES, SHOWS AND EXHIBITIONS AND LAWFUL GAMES OF CHANCE WITHIN THE CITY OF MODESTO, COUNTY OF STANISLAUS, STATE OF CALIFORNIA, AND FIXING A PENALTY FOR THE VIOLATION OF THE PROVISIONS OF THIS ORDINANCE", under which license was issued.

BE IT HEREBY RESOLVED that license be rescinded and the said Mary White be refunded \$100.00 license fee paid and the City Clerk and Auditor is hereby directed to draw warrant in said amount to said Mary White.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on December 6, 1938, 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: Neece, Oliver, Stanley and Mayor King
Noes: Councilmen: None
Absent: Councilmen: Bond

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4386-NS

A RESOLUTION DESIGNATING THE ASSIGNMENT OF THE MEMBERS OF THE CITY COUNCIL OF THE CITY OF MODESTO TO VARIOUS COMMISSICNERSHIPS.

---000---

WHEREAS, Y. G. Barnell has been recently appointed to membership in the City Council by the City Council of the City of Modesto to take the place of the late B. H. Bond; and

WHEREAS, it is deemed proper that the said Y. G. Barnell be

appointed to a commissionership in said City Council;

NOW, THEREFORE, BE IT RESOLVED that City Councilman Y. G. Barnell be and he is hereby designated Commissioner of Public Supplies; Councilman G.D. Oliver, Jr., who has heretofore occupied the commissionership of Public Supplies, is hereby made and appointed Commissioner of Public Works; Commissioner C. J. Stanley shall continue in his present commissionership as the Commissioner of Public Health and Safety; and Councilman George F. Neece shall be continued in his present commissionership as the Commissioner of Finance and Revenue.

BE IT FURTHER RESOLVED that the City Council of the City of Modesto does hereby determine and assign the duties of the several commissioners and departments as the same are determined and assigned by the Charter and by the ordinances and resolutions of the City Council. Reference is hereby particularly made to Resolution No. 2655-N.S., which is continued in full force and effect, and reference is also made to Ordinance No. 377-N.S. as amended by Ordinance No. 439-N.S., which includes, in the duties of the Commissioner of Finance and Revenue, the supervision of the parks of the City of Modesto; provided, however, that in addition to having jurisdiction over the parks the Commissioner of Finance and Revenue, as a part of the park department of said City, shall also have jurisdiction and control over the trees growing along and upon the streets of the City of Modesto, with power to assign and delegate to the City Engineer the immediate control and supervision thereof, including the power to employ and discharge the necessary assistance and labor in carrying out the duties and functions pertaining to the parks and the street trees.

BE IT FURTHER RESOLVED that Resolution No. 3832-NS of the City of Modesto entitled: "A RESOLUTION DESIGNATING THE ASSIGNMENT OF THE MEMBERS OF THE CITY COUNCIL OF THE CITY OF MODESTO TO VARIOUS COMMISSIONERSHIPS", is hereby rescinded, annulled and set aside.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 6th day of December, 1938 by Councilman Neece, who moved its adoption, which motion being duly seconded was upon roll call carried, and the resolution adopted by the following vote:

Ayes: Councilmen: Barnell, Neece, Oliver, Stanley and Mayor King
Noes: Councilmen: None
Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4387-NS

ADJOURNMENT

---oOo---

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 December 6, 1938, by Councilman Oliver, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Neece, Oliver, Stanley and Mayor King
Noes: Councilmen: None
Absent: Councilmen: Bond

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4388-NS

A RESOLUTION ALLOWING CLAIMS FOR MONTH OF NOVEMBER, 1938

---000---

WHEREAS, the claims against the City of Modesto for the month of November, 1938, 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-----	\$21,659.80
WATER FUND-----	5,801.09
LIBRARY FUND-----	1,610.66
ST. BOND RED. INT. FUND-----	10.00
ST. BOND FUND-----	320.78
TOTAL-----	\$39,402.33

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of December, 1938 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: Barnell, Neece, Oliver, Stanley and Mayor King
Noes: Councilmen: None
Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4389-NS

A RESOLUTION ALLOWING CLAIM OF \$800.00 TO CHAMBER OF COMMERCE

---000---

WHEREAS, Ordinance no. 581-NS provides for contribution to the merchants of the City of Modesto an amount of \$2400.00 and whereas the Retail Merchants Bureau have presented a claim of \$800.00 through the Chamber of Commerce for Christmas Program

BE IT HEREBY RESOLVED that claim be allowed and the City Clerk and Auditor be authorized to draw warrant in amount \$800.00 to claimant.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on December 14, 1938 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: Barnell, Neece, Oliver, Stanley and Mayor King
Noes: Councilmen: None
Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4390-NS

A RESOLUTION NAMING ALLEY IN BLOCK 131 OF THE CITY OF MODESTO "CHURCH WAY"

---oOo---

WHEREAS, Rev. Thomas C. Maxwell of the Episcopal Church of the City of Modesto has requested that the alley in Block 131 be given a name

BE IT HEREBY RESOLVED that the name of "Church Way" be assigned to the alley in Block 131 and the City Clerk is hereby ordered to send a copy of this resolution to Rev. Thomas C. Maxwell notifying him of the action taken by the Council.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on December 14, 1938 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: Barnell, Neece, Oliver, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4391-NS

A RESOLUTION CANCELLING SECOND INSTALLMENT OF TAXES ON LOT 24, BLOCK 554 IN THE CITY OF MODESTO, L. R. SPENKER FOR YEAR 1938 PROPERTY BEING ACQUIRED BY VETERANS' WELFARE BOARD

---oOo---

WHEREAS, the Veterans' Welfare Board have made application to the Council for cancellation of second installment of taxes on lot 24, Block 554, being purchased by L. R. Spenker having been acquired through the provisions of the Veterans' Farm and Home Purchase Act, under Chapter 519, Statutes of 1921,

BE IT HEREBY RESOLVED that request for cancellation of second installment of 1938-39 taxes be granted to the Veterans' Welfare Board and the City Tax Collector and Assessor make such entries on their records.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of December, 1938 by Commissioner Oliver who moved its adoption, which motion being duly seconded and upon roll call was adopted by the following vote:

Ayes: Councilmen: Barnell, Neece, Oliver, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4392-NS

A RESOLUTION GRANTING PERMIT TO HARRY A DELUGG TO OPERATE USED CAR LOT AT 1113 10th STREET IN THE CITY OF MODESTO

---oOo---

WHEREAS, Harry A DeLugg has petitioned the Council to be permitted to operate a Used car lot at 1113 10th Street and

WHEREAS bond and application furnished by applicant is satisfactory to the Council and meets requirements of Ordinance No. 514-NS

BE IT HEREBY RESOLVED that request be granted to Harry A DeLugg to operate Used car lot at 1113 10th Street,

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of December, 1938 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: Barnell, Neece, Oliver, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4393-NS

A RESOLUTION GRANTING PERMIT TO MRS. G. W. HALLMARK TO OPERATE BUSINESS IN RESIDENCE ZONE AT 310 ROSE STREET

---000---

WHEREAS, pursuant to the filing of petition with the Council to operate beauty parlor by Mrs. G. W. Hallmark on property known as 310 Rose Street, being lots 23 and 24 in Block 344 of the City of Modesto and

WHEREAS it appears 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.

BE IT HEREBY RESOLVED that permission be granted to Mrs. G.W. Hallmark to operate beauty parlor at 310 Rose Street with the understanding that all provisions relative to building permit fees 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 December, 1938 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: Barnell, Neece, Oliver, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4394-NS

A RESOLUTION DENYING REQUEST OF W. L. ARMSTRONG TO OPERATE GARAGE IN RESIDENCE DISTRICT AT 312 OAK STREET

---000---

WHEREAS, pursuant to the filing of petition with the Council to operate garage on property known as 312 Oak Street, being lots 20 and 21 in Block 415 of the City of Modesto by W. L. Armstrong and

WHEREAS, it appears 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 it is not the custom of the Council to grant permit to operate garages in residence zone.

BE IT HEREBY RESOLVED that request be denied and W.L.Armstrong be refused permit to establish a garage in the residence district.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on December 14, 1938 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: Barnell, Oliver, Neece, Stanley and Mayor King

Noes: Councilmen: None

Absent;Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4395-NS

A RESOLUTION ACCEPTING REPORTS FROM THE POLICE AND PUBLIC WORKS DEPARTMENTS ON EXPENDITURES FOR FISCAL YEAR OF "IN LIEU TAX" FUNDS

---000---

BE IT HEREBY RESOLVED, that reports furnished the Council by the Police and Public Works Departments on expenditures for fiscal year of 1938-39 of "IN LIEU TAX" funds for traffic control are hereby accepted.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on December 14, 1938 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: Barnell, Neece, Oliver, Stanley and Mayor King

Noes: Councilmen: None

Absent;Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4396-NS

A RESOLUTION ACCEPTING REPORTS FROM THE POLICE AND PUBLIC WORKS DEPARTMENTS ON EXPENDITURES FOR FISCAL YEAR 1938-1939 of "ALCOHOLIC BEVERAGE FUND"

---000---

BE IT HEREBY RESOLVED that reports furnished the Council by the Police and Public Works Departments on expenditures for fiscal year of 1938-39 of "Alcoholic Beverage" fund be accepted.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on December 14, 1938 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: Barnell, Neece, Oliver, Stanley and Mayor King

Noes: Councilmen: None

Absent;Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4397-NS

A RESOLUTION AUTHORIZING THE CITY CLERK TO ADVERTISE FOR BIDS FOR CONSTRUCTION OF BRIDGE ON STODDARD AVENUE

---000---

BE IT HEREBY RESOLVED that the City Clerk be authorized to advertise for bids for wrecking of existing wooden bridge and construction of a reinforced concrete bridge within the City of Modesto on Stoddard Avenue across the Modesto Irrigation District Lateral No. 4, bids to be opened at 7:30 P.M. on Wednesday, December 28, 1938 at the City Hall.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on December 14, 1938 by Commissioner Oliver, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Barnell, Neece, Oliver, Stanley and Mayor King
Noes: Councilmen: None
Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4398-NS

A RESOLUTION APPOINTING COMMISSIONER OLIVER TO FILL VACANCY ON PLANNING COMMISSION DUE TO DEATH OF COMMISSIONER BOND

---000---

BE IT HEREBY RESOLVED, that Commissioner G. D. Oliver, Jr., be appointed to fill the vacancy on the Planning Commission due to the death of Commissioner Bond as of this date.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on December 14, 1938 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: Barnell, Neece, Oliver, Stanley and Mayor King
Noes: Councilmen: None
Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4399-NS

A RESOLUTION APPROVING RECREATION PROJECT AS PRESENTED BY THE WORKS PROGRESS ADMINISTRATION FOR THE COMING SUMMER SEASON AND AUTHORIZING THE CITY ENGINEER TO SIGN AS AGENT FOR CO-SPONSOR

---000---

WHEREAS, a recreation project has been presented by the Works Progress Administration for the coming summer season

BE IT HEREBY RESOLVED that project be approved as presented and the City Engineer be authorized to sign as agent for co-sponsor, the City of Modesto.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on December 14, 1938 by Commissioner Oliver, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Barnell, Neece, Oliver, Stanley and Mayor King
Noes: Councilmen: None
Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4400-NS

A RESOLUTION PROVIDING FOR HOUR PARKING ON H STREET, BETWEEN ELEVENTH AND TWELFTH STREETS IN THE CITY OF MODESTO

---000---

WHEREAS, the City Council of the City of Modesto after due consideration of the matter has determined and does now determine that the south side of H Street between the intersecting streets of Eleventh and Twelfth in the City of Modesto should have regulations imposed upon it, limiting the length of time that persons may park vehicles on said side of said street; and,

WHEREAS, it is deemed to be for the general welfare of the citizens of said City that parking on the south side of said street should be limited as hereinafter set forth; and,

WHEREAS, by virtue of the terms of Ordinance No. 544-N.S., entitled "AN ORDINANCE AMENDING SECTION 32 of ORDINANCE NO. 345-NS ENTITLED 'AN ORDINANCE REGULATING TRAFFIC UPON THE PUBLIC STREETS OF THE CITY OF MODESTO, AS AMENDED BY ORDINANCE NO. 404-N.S., OF THE CITY OF MODESTO'", it is provided that said City Council may by resolution regulate the length of time in the business district that vehicles may park in said district;

NOW, THEREFORE, BE IT RESOLVED that the operator of a vehicle shall not park such vehicle for longer than sixty (60) consecutive minutes between the hours of 9 A.M. and 6 P.M. of any day except Sunday upon the south side of H Street between Eleventh and Twelfth Streets in the City of Modesto.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of December, 1938 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: Barnell, Neece, Oliver, Stanley and Mayor King
Noes: Councilmen: None
Absent: Councilmen: None

ATTEST H. E. CRAGG, CITY CLERK

RESOLUTION NO. 4401-NS

A RESOLUTION REQUESTING THE BOARD OF SUPERVISORS OF STANISLAUS COUNTY TO ANNUL CERTAIN TAXES OWED BY AND DECLARED DUE FROM THE CITY OF MODESTO TO SAID COUNTY

---000---

WHEREAS, the City of Modesto is the owner of the following
real
described/property, to-wit:

The southerly 25 feet of Block 206 of the City of Modesto, according to the official map or plat thereof on file in the Recorder's office of Stanislaus County, California;

WHEREAS, said City desires to use said property for governmental and/or operative purposes for the use and benefit of the citizens of said City;

NOW, THEREFORE, the City Council of said City of Modesto in regular session does hereby respectfully petition and request the Board of Supervisors of Stanislaus County, California to cancel, annul and set aside its claim to certain taxes now due and owing on said property to the County of Stanislaus, and that said Board of Supervisors shall not in the future, while said property belongs to the City of Modesto, levy or collect taxes upon said property from said City.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of December, 1938 by Councilman Oliver, who moved its adoption, which motion being duly seconded was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Barnell, Neece, Oliver, Stanley and Mayor King
Noes: Councilmen: None
Absent: Councilmen: None

ATTEST: H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4402-NS

A RESOLUTION RESCINDING RESOLUTION NO. 4365-N.S. OF THE CITY OF MODESTO

---oOo---

WHEREAS, heretofore, Resolution No. 4365-N.S. was passed by the City Council of the City of Modesto, authorizing the City Attorney of said City to prepare a contract with the Board of Supervisors of Stanislaus County, California, for the purpose of purchasing from said Supervisors the following property, to-wit:

The Southerly 25 feet of Block 206 of the City of Modesto, according to the map or plat thereof on file in the Recorder's office of Stanislaus County, California; and,

WHEREAS, a simpler and more speedy method of gaining the use and control of said property has been devised:

NOW, THEREFORE, the City Council of the City of Modesto does hereby by this resolution rescind, annul and set aside Resolution No. 4365-N.S., entitled: "A RESOLUTION AUTHORIZING AN AGREEMENT WITH THE COUNTY OF STANISLAUS FOR THE PURCHASE OF A PARCEL OF PROPERTY IN BLOCK 206 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 December, 1938 by Councilman Oliver, who moved its adoption, which motion being duly seconded was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Barnell, Neece, Oliver, Stanley and Mayor King
Noes: Councilmen: None
Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4403-NS

A RESOLUTION AUTHORIZING THE CITY AUDITOR TO MAKE PAYMENT TO OFFICIALS ON BOARD OF ELECTION FOR ANNEXATION OF LESLIEHUGH TRACT AND FOR RENTAL OF GARAGE USED FOR ELECTION

---oOo---

BE IT HEREBY RESOLVED that the City Auditor be authorized to make payment to officials on board of election held on November 9, 1938 for the annexation of Lesliehugh Tract in the amount of \$5.00 each and to draw warrant in amount \$6.00 for rental of garage used for election.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of December, 1938 by Councilman Neece, who moved its adoption, which motion being duly seconded was

upon roll call carried and the resolution adopted by the following vote;

Ayes: Councilmen: Barnell, Neece, Oliver, Stanley and Mayor King

Noes: Councilmen: None

Absent; Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4404-NS

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 December, 1938 by Councilman Oliver, who moved its adoption, which motion being duly seconded was upon roll call carried and the resolution adopted by the following vote;

Ayes: Councilmen: Barnell, Neece, Oliver, Stanley and Mayor King

Noes: Councilmen: None

Absent; Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4405-NS

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 December 19, 1938 by Commissioner Oliver, who moved its adoption, which motion being duly seconded, it was upon roll call adopted by the following vote;

Ayes: Councilmen: Barnell, Neece, Oliver, Stanley and Mayor King

Noes: Councilmen: None

Absent; Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4406-NS

A RESOLUTION ALLOWING CLAIMS OF STANDARD MATERIALS COMPANY

---000---

WHEREAS, claim has been filed with the City Auditor by the Standard Materials Company for cement and screenings furnished the City of Modesto in the amount of \$312.34 and

WHEREAS, claims is just and should be allowed.

BE IT HEREBY RESOLVED that claim be allowed and the City Auditor be authorized to draw warrant in amount of \$312.34.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on December 28, 1938 by Commissioner Oliver, who moved its adoption, which motion being duly seconded, it was upon roll call

adopted by the following vote:

Ayes: Councilmen: Barnell, Neece, Oliver, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4407-NS

A RESOLUTION GRANTING PERMIT TO M. L. ALCORN TO OPERATE GROCERY STORE IN RESIDENCE DISTRICT

---000---

WHEREAS, pursuant to the filing of petition with the Council by M.L. Alcorn to erect and operate a retail grocery store on property known as E $\frac{1}{2}$ of Lot 1, Block 605, Lucern and El Vecino Avenues in the City of Modesto and

WHEREAS, it appears 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.

BE IT HEREBY RESOLVED that permit be granted to M. L. Alcorn to erect and operate a retail grocery store at Lucern and El Vecino Avenues 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 December 28, 1938 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: Barnell, Neece, Oliver, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4408-NS

A RESOLUTION AWARDDING BID ON STODDARD AVENUE BRIDGE TO H. BROWN

---000---

WHEREAS, plans and specifications having been heretofore approved by the Council for the wrecking of existing wooden bridge and construction of a reinforced concrete bridge within the City of Modesto on Stoddard Avenue across the Modesto Irrigation District Lateral No. 4 and notice to bidders having heretofore been given and published as required by law and bids, in accordance with said notice having been received not later than 7:30 P.M. on Wednesday, December 28, 1938 and

WHEREAS, the City Clerk reported six bids received, namely:

HARRY BROWN FOR \$5384.00	Jarvis Bros. for	\$7370.00
F. KAUS 5730.00	S. M. MCGAW	5400.00
NELSON & WALLACE 5790.00	A. A. TIESLAU	6861.00

C. F. Bid File #BP165 for further particulars

BE IT HEREBY RESOLVED that bid be awarded to Harry Brown as being the lowest and best bid and a contract be entered into with the successful bidder

and Mayor and City Clerk be appointed as signatory officials and the City Clerk be authorized to return checks to unsuccessful bidders.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 28th day of December, 1938 by Councilman Oliver, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote;

Ayes: Councilmen: Barnell, Neece, Oliver, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4409-NS

A RESOLUTION AUTHORIZING REFUND OF BUILDING PERMIT FEE PAID BY HARCOURT SMITH

---000---

WHEREAS, Harcourt Smith has made claim for refund of \$2.00 building permit fee paid as the repairs have not been made on which the building permit was taken.

BE IT HEREBY RESOLVED that claim be allowed and the City Auditor be authorized to draw warrant in amount \$2.00 in payment to Harcourt Smith.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on December 28, 1938 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: Barnell, Neece, Oliver, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4410-NS

A RESOLUTION RECOMMENDING THE INSTALLATION OF LIGHT IN ALLEY BETWEEN G AND H STREETS AND 11th and 12th STREETS AND REFUSING REQUEST FOR LIGHT IN ALLEY BETWEEN F AND G STREETS AND 15th AND 16th STREETS

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WHEREAS, application has been made to the Council for installation of light in alley between F and G Streets and 15th and 16th Streets and in alley between G and H Streets and 11th and 12th Streets and

WHEREAS, the Council appointed City Engineer Rossi and Commissioner Oliver to make investigation as to advisability of installing lights

BE IT HEREBY RESOLVED that a light be installed in alley between G and H Streets and 11th and 12th Streets and request be refused for light in alley between F and G Streets and 15th and 16th Streets.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on December 28, 1938 by Commissioner Oliver, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote;

Ayes: Councilmen: Barnell, Neece, Oliver, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

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RESOLUTION NO. 4411-N.S.

A RESOLUTION AUTHORIZING THE CITY CLERK TO FILE DOCUMENTS WITH STANISLAUS COUNTY RECORDER ON ANNEXATION OF LESLIEHUGH TRACT TO THE CITY OF MODESTO

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BE IT HEREBY RESOLVED that the City Clerk be authorized to record with the Recorder of Stanislaus County certified copy of Ordinance No. 597-NS entitled "AN ORDINANCE APPROVING THE ANNEXATION OF CERTAIN TERRITORY TO THE CITY OF MODESTO" and copy of approval of such annexation from the Secretary of State.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on December 28, 1938 by Councilman Barnell, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote;

Ayes: Councilmen: Barnell, Neece, Oliver, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4412-NS

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MODESTO ADOPTING BUDGET AND APPROVING FIRST SUPPLEMENTAL MEMORANDUM OF AGREEMENT FOR EXPENDITURE OF 1/4 CENT GAS TAX ALLOCATED FOR STREETS OF MAJOR IMPORTANCE

---oOo---

WHEREAS, a first supplemental Memorandum of Agreement has been presented to be entered into with the State of California in accordance with a project statement for expenditure of the 1/4 cent gas tax for the fiscal year 1939 allocated for Streets of Major Importance other than State highways in the City of Modesto and

WHEREAS, the City Council has heard read said agreement in full and is familiar with the contents thereof,

THEREFORE, be it resolved by the City Council of the City of Modesto that said project statement be and it is hereby adopted as the budget of proposed expenditures of the 1/4 cent gas tax allocated for Streets of Major Importance other than State highways, and said Agreement be and the same is hereby approved and the Mayor and City Clerk are directed to sign the same on behalf of said City, said Agreement to be binding upon the City upon its execution by the authorized officials of the State.

ADOPTED this 28th day of December, 1938.

J. H. KING, MAYOR OF THE CITY OF MODESTO

ATTEST: H. E. GRAGG, 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 December 28th, 1938.

H. E. GRAGG, CLERK OF THE CITY OF MODESTO

RESOLUTION NO. 4413-NS

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 December 28, 1938 by Commissioner Oliver, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Barnell, Neece, Oliver, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK