
RESOLUTION NO. 3723-N.S.

A RESOLUTION ALLOWING CLAIMS FOR MONTH OF DECEMBER, 1936

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WHEREAS, the claims against the City of Modesto for the month of December, 1936 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-----	\$22,688.29
WATER FUND-----	5,614.62
LIBRARY FUND-----	1,594.18
BOND RED. INT. FUND-----	35.50
ST. BOND RED. INT. FUND-----	3,375.00
UNAPPORTIONED FUND-----	
GASOLINE TAX FUND-----	3,983.28
SEWER SEPTIC FUND-----	125.00
TOTAL-----	\$37,415.87

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of January, 1937, 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: Oliver and Pack

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 3724-N.S.

A RESOLUTION ALLOWING REFUND OF DEPOSIT TO O. W. HUNSAKER, SAMUEL GREENBERG AND WHEELER EXTERMINATING COMPANY AND REFUND OF BUILDING PERMIT FEE TO HARVIE GISH

---oOo---

WHEREAS, there has been filed with the Council a claim for refund of \$50.00 deposit required under section 101 of Ordinance 487-N.S. heretofore paid to the City License Collector by each of the following:

O. W. HUNSAKER
SAMUEL GREENBERG
WHEELER EXTERMINATING COMPANY

and a claim for refund of building permit fee by Harvie Gish because of deed restrictions and

WHEREAS, it appears that these claims are just,

BE IT THEREFORE RESOLVED that the claim of the above named be and the same are hereby allowed and the City Clerk and Auditor is directed to issue warrant therefore as prayed for, \$50.00 to O. W. Hunsaker, \$50.00 to Samuel Greenberg, \$50.00 to Wheeler Exterminating Company and \$2.00 to Harvie Gish.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of January, 1937 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: Oliver and Pack

A TEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 3725-N.S.

A RESOLUTION OFFERING THE MODESTO CITY BOARD OF EDUCATION ASSISTANCE IN THE INSTALLATION OF WATER MAINS AND HYDRANTS

---oOo --

WHEREAS, Mr. H. J. Wellman, and Fire Chief George Wallace have investigated the need for additional fire protection at the Modesto Junior College and the Modesto High School and recommend that hydrants be installed at the following places:

JUNIOR COLLEGE GROUNDS

1 at north building
1 at south building
1 at Athletic field near gymnasium
1 at athletic field near seats

HIGH SCHOOL GROUNDS

1 in rear of High School near new building
1 near the gymnasium south of new building, and

WHEREAS, the Modesto Board of Education, by letter dated January 12, 1937 makes a request to the City Council to install, at City expense, the hydrants at the recommended locations, and

WHEREAS, it is the opinion of the City Council that the Board of Education should assist in this improvement

THEREFORE, BE IT RESOLVED, that the City of Modesto will cooperate in carrying out the recommendations by furnishing the labor for laying the pipe and setting the hydrants providing the Board of Education will furnish materials satisfactory to the City of Modesto and the labor for excavation and backfilling.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of January, 1937 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 and Mayor King

Noes: Councilmen: None

Absent: Councilmen: Pack and Oliver

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO 3726-N.S.

A RESOLUTION STATING THE POLICY OF THE CITY COUNCIL IN THE MATTER OF ANNEXATION IN THE HIGH HOMES AND LESLIE HIGH TRACTS EAST OF MCHENRY AVENUE AND ADJACENT TO THE NORTH CITY LIMITS

---oOo---

WHEREAS, the Modesto Chamber of Commerce has requested certain information from the City Council that may be transmitted to residents of the proposed annexed area, to-wit:

1. What will be the policy of the City regarding those persons who have paid deposits for water service particularly those paid in recent months who feel they should be entitled to a refund on unused amounts?
2. When can the city provide the city services of water, sewage, police protection and fire protection in the event the area under consideration east of McHenry votes contemplating building within the next few months who would have the problem of sewage disposal and water.

THEREFORE, BE IT RESOLVED that the City Council go on record as being in favor of the proposed annexation of the above mentioned area and reply to questions 1 and 2 as follows:

1. No refunds will be made to persons who paid for water services. This would be unjust to residents now within the City limits, as it cost them approximately \$150.00 per service to develop the water system.
2. The City can begin supplying water about August 1, 1937. Police service can start at once. Partial fire protection can be provided at once with complete service as soon as fire hydrants are installed. Sewage installation can be started after August 1, 1937 for a portion of the area but the construction of a complete system would cover a period of at least one year

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of January, 1937, 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 and Mayor King

Noes: Councilmen: None

Absent: Councilmen: Oliver and Pack

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 3727-N.S.

A RESOLUTION DENYING REQUEST OF SINGER SEWING MACHINE COMPANY FOR RESERVED PARKING SPACE AT 1026 EYE STREET FOR LOADING ZONE

---oOo---

WHEREAS, Singer Sewing Machine Company have petitioned the Council for a reserved parking space in front of their place of business at 1026 Eye Street for a loading zone and

WHEREAS, it is believed that the congested condition of traffic and scarcity of parking spaces makes it impractical to grant request,

BE IT THEREFORE RESOLVED that petition 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 the 13th day of January, 1937 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, and Mayor King

Noes: Councilmen: None

Absent: Councilmen: Oliver and Pack

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 3728-N.S.

A RESOLUTION DENYING REQUEST OF HELM CHEVROLET COMPANY FOR RESERVED PARKING SPACE AT 1010 NINTH STREET

---oOo---

WHEREAS, Helm Chevrolet Company have petitioned the Council for a reserved parking space in front of their place of business at 1010 Ninth Street for their own use and

WHEREAS, it is believed that the congested condition of traffic and scarcity of parking spaces makes it impractical to grant request,

BE IT THEREFORE RESOLVED that petition 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 the 13th day of January, 1937 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 and Mayor King

Noes: Councilmen: None

Absent: Councilmen: Oliver and Pack

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 3729-N.S.

A RESOLUTION APPROVING CHANGE OF ROUTE OF MODESTO MOTOR BUS

---oOo---

PURSUANT, to request of Willis M. Kleinenbroich, operator of the Modesto Motor Bus Service for permission to change route for the city bus due to the discontinuance of left turns at 10th and Eye Streets; to discontinue running southerly on 11th Street between J Street and Eye and Westerly on Eye between 11th and 10th Streets, to start running on J Street westerly between 11th and 10th Streets and southerly on 10th Street between J and Eye Streets,

BE IT HEREBY RESOLVED that the proposed change in the route of the city bus of the Modesto Motor Bus Company over and upon the streets of the City of Modesto be and the same is hereby approved.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of January, 1937 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, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: Oliver and Pack

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 3730-N.S.

A RESOLUTION CANCELLING SECOND INSTALLMENT OF 1936 TAXES ON LOTS 37 and 38 in BLOCK 467 OF THE CITY OF MODESTO OWNED BY CHARLES RAY TOOMES FOR THE VETERANS WELFARE BOARD

---oOo---

WHEREAS, pursuant to request from the Veteran's Welfare Board for cancellation of second installment of 1936 taxes on lots 37 and 38 in Block 467 of the City of Modesto owned by Charles Ray Toomes and

WHEREAS title to this property has been vested in the State of California, according to the provisions of the Veterans Farm and Home Purchase Act under Chapter 519, Statutes of 1921

BE IT HEREBY RESOLVED that the City Assessor and Tax Collector make such entries on their records as to cancel the second installment of assessment No. 2722 on lots 37 and 38 in Block 467.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of January, 1937 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, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: Pack and Oliver

ATTEST H. E. GRAGG, city Clerk

RESOLUTION NO. 3731-N.S.

A RESOLUTION ACCEPTING DEED FROM OLIVE J. KIERSCEY, E. MAY FULLER, RAYMOND E. FULLER, EDNA H. ZLATNIK, RUBY E. NAILL, BERTHA E. BELLMAN, FRED N. FULLER AND JUSTIN L. FULLER, ON BEHALF OF THE CITY OF MODESTO, AND AUTHORIZING CITY AUDITOR TO PAY CERTAIN MONEYS FOR PROPERTY CONVEYED THEREIN.

---oOo---

WHEREAS, Oliver J. Kierscey, E. Mae Fuller, Raymond E. Fuller, Edna H. Zlatnik, Ruby E. Naill, Bertha E. Bellman, Fred N. Fuller, and Justin L. Fuller have duly executed and acknowledged a certain deed conveying certain property to the City of Modesto, a municipal corporation, which property is described as follows, to-wit:

All that certain lot, piece or parcel of land situate in the City of Modesto, County of Stanislaus, State of California, and bounded and described as follows, to-wit:

Commencing at the northeast corner of Burney and Ash Streets, the same being the southwest corner of Block 200; thence running northerly along the easterly property line of Burney Street, a distance of 14.00 feet to a point of beginning; thence running northerly along the

easterly property line of Burney Street, a distance of 86.00 feet; thence running easterly along a line which is 100.00 feet northerly from and parallel to the northerly property line of Ash Street, a distance of 7.58 feet to a point on the northeasterly property line of the proposed 19th Street Extension; thence running southeasterly along the northeasterly property line of the proposed 19th Street Extension, which is 30.00 feet northeasterly from and parallel to the produce center line of existing 19th Street between H and Burney Streets, a distance of 55.40 feet to the beginning of a curve, said curve being the northeasterly property line of the proposed 19th Street Extension; thence running southeasterly along an arc of said curve to the left, a distance of 65.83 feet; said arc having a chord of 65.82 feet a radius of 1032.00 feet and a central angle of 3°39' 18" to a point on said curve at a distance of 14.00 feet northerly from the northerly property line of Ash Street and 92.94' easterly from the easterly property line of Burney Street; thence running westerly along a line which is 14.00 feet northerly from and parallel to the northerly property line of Ash Street, a distance of 92.94 feet to the point of beginning.

The above property as described is contained within block 200, as shown in the Block Maps of the City of Modesto, Stanislaus County, California, and recorded in Maps, Volume 12, page 200 Stanislaus County Records, and on a Map of the proposed 19th Street Extension, Downey Avenue to Beard Brook, as on record in file of Maps Drawer No. 9, page No. 110, in the office of the City Engineer of Modesto, Stanislaus County, California.

WHEREAS, said deed has been deposited in escrow with the Pitts Title Company, of Modesto, California; and

WHEREAS, it appears to the City Council of the City of Modesto that the said property in question is free and clear of any and all debts, liens, encumbrances or claims, and that the persons above named are entitled to the moneys heretofore specified by said City Council-to-wit, FOUR HUNDRED DOLLARS(\$400.00) to be paid by the said City of Modesto to said persons:

NOW THEREFORE, the City Auditor of the said City of Modesto is hereby authorized and empowered by the said City Council of the City of Modesto to make draw and deliver to the said Pitts Title Company, of Modesto, California a check in the sum of Four Hundred Dollars (\$400.00) payable to said persons hereinabove named, as and for the consideration of the conveyance of the real property hereinabove set forth to said City and said City Council does by this resolution accept said deed to said property and hereby authorize the recordation of the same in the Office of the County Recorder of the County of Stanislaus, State of California.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of January, 1937 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 and Mayor King

Noes: Councilmen: None

Absent: Councilmen: Pack and Oliver

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 3732-N.S.

A RESOLUTION APPROVING PLANS FOR CONSTRUCTION OF BRIDGE TO BE BUILT ACROSS MODESTO IRRIGATION DISTRICT LATERAL NO 4 AT COLLEGE AVENUE AND AUTHORIZING CITY CLERK TO ADVERTISE FOR BIDS

---oOo---

WHEREAS, City Engineer Rossi has presented to the Council for approval

plans and specification of bridge to be constructed across Modesto Irrigation District Lateral No. 4 at College Avenue

BE IT HEREBY RESOLVED that the plans and specification be approved as presented and the City Clerk be authorized to advertise for bids or proposals for the construction of a new bridge across Modesto Irrigation District Lateral No 4 at College Avenue, the said bids to be opened at the regular meeting of the Council to be held on January 27, 1937 and that a contract be entered into by the City of Modesto with said successful bidder 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 13th day of January, 1937 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, Neece and Mayor King

Noes: Councilmen: None

Absent: Councilmen: Oliver and Pack

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 3733-N.S.

A RESOLUTION AUTHORIZING PROGRESSIVE PAYMENT TO J. F. DICKINSON ON INSTALLING HEATING SYSTEM IN CITY HALL, AUTHORIZE CITY CLERK TO FILE NOTICE OF COMPLETION WITH COUNTY RECORDER AND ACCEPTING HEATING PLANT

---oOo---

WHEREAS, City Engineer Rossi has filed notification of completion of heating system by J. F. Dickinson at 717 Tenth Street in the City Hall and

WHEREAS, there is due contractor, J. F. Dickinson \$817.50 as progressive payment according to certification filed by the City Engineer

BE IT HEREBY RESOLVED that the City Clerk and Auditor be authorized to draw warrant in amount \$817.50 payable to J. F. Dickinson, balance of contract to be paid after a period of 35 days have elapsed according to the terms of the contract providing no liens have been filed, and file notice of completion with the County Recorder.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of January, 1937 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, Neece and Mayor King

Noes: Councilmen: None

Absent: Councilmen: Oliver and Pack

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 3734-N.S.

A RESOLUTION CANCELLING CURRENT ASSESSMENT FOR YEAR 1936 AND TAX SALES ON LOTS 9 and 10 IN BLOCK 25

---oOo---

WHEREAS, lots 9 and 10 in Block 25 have been sold to L. Zubani

for the sum of \$500.00 at a public sale by the City Tax Collector

BE IT THEREFORE RESOLVED that the City Tax Collector and assessor make such entries on his books as to cancel current assessment for year 1936 No. 1008 and tax sales No. 1617, 1788 1985, 2210, 2405, 2602, 2765, 3041, 3126, 3399, 3912, 4501, 5059 and 5480.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of January, 1937 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, Neece and Mayor King

Noes: Councilmen: None

Absent: Councilmen: Oliver and Pack

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO 3735-N.S.

A RESOLUTION AUTHORIZING CITY CLERK TO ADVERTISE FOR BIDS ON LIGHTING OF AIRPORT AS PROVIDED FOR IN ORDINANCE NO. 539-N.S.

---oOo---

BE IT HEREBY RESOLVED that the City Clerk be authorized to advertise for bids on the lighting of the airport as provided for in Ordinance No. 539-N.S. whenever the City Engineer sees fit to do so.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of January, 1937 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, Neece and Mayor King

Noes: Councilmen: None

Absent: Councilmen: Oliver and Pack

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 3736-N.S.

A RESOLUTION ACCEPTING THE BID OF L. ZUBANI FOR LOTS 9 and 10 BLOCK 25 AND AUTHORIZING EXECUTION OF DEED

---oOo---

WHEREAS, Resolution No. 3709-N.S. authorized and directed that property known as lots 9 and 10 in Block 25 of the City of Modesto be sold at public auction to the highest bidder for cash and

WHEREAS said property was heretofore conveyed to the City of Modesto by the Tax Collector for delinquent taxes and the said sale having been held on the 31st day of December 1936 and

WHEREAS the City Tax Collector reported that the highest bid received for said property was that of L. Zubani in the amount of \$500.00

BE IT HEREBY RESOLVED that the Council formally accept this bid and authorize and direct the City Tax Collector execute deed therefor in favor of the said bidder.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of January, 1937 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, Neece and Mayor King

Noes: Councilmen: None

Absent: Councilmen: Oliver and Pack

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 3737-N.S.

ADJOURNMENT

---oOo---

There being no further business to come before the meeting BE IT RESOLVED that this Council meeting now in session be hereby adjourned.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of January, 1937 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, Neece and Mayor King

Noes: Councilmen: None

Absent: Councilmen: Oliver and Pack

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 3738-N.S.

A RESOLUTION AUTHORIZING CANCELLATION OF CERTAIN LICENSE FEES OWING TO THE CITY OF MODESTO

---oOo---

WHEREAS, on the 13th day of January, 1937 at a regular meeting of the City Council of the City of Modesto an ordinance was passed and ordered to print, which ordinance is numbered No. 54-N.S. and amends Section 8 of Ordinance No. 487-N.S. (business and professional license ordinance); and

WHEREAS, by the terms of said amendment, penalties inflicted upon licensees who are delinquent are lessened in this, that said licensee is only required to pay a penalty on the amount of license owned, over and above credits to which he is entitled as personal property tax; and

WHEREAS, it is deemed to be fair and equitable that said amendment should apply to persons now delinquent;

NOW THEREFORE, the City Clerk is hereby authorized and empowered by said City Council of the City of Modesto to apply said amendment to Ordinance No. 487-N.S. to those persons now delinquent in the payment of said licenses for the last quarter.

the foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 19th day of January, 1937 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, Pack and Mayor King

Noes: Councilmen: None

Absent: Councilmen: ~~Neece~~ Oliver

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 3739-N.S.

A RESOLUTION REQUIRING MEMBERS OF THE POLICE AND FIRE DEPARTMENTS OF THE CITY OF MODESTO TO SUBMIT TO ANNUAL PHYSICAL EXAMINATIONS

---oOo---

WHEREAS, it appears to the City Council of the City of Modesto that the maintenance of an efficient Fire Department and Police Department in the City of Modesto requires that the members of said Departments remain and continue in good health during the membership of said person in said Departments; and

WHEREAS, it appears to said City Council that in order to determine the physical condition and health of the members of said Departments it is necessary that the members thereof submit to physical examinations by competent physicians; and

WHEREAS, it appears that one annual physical and mental examination for each of the members of said Departments is sufficient under all the circumstances:

NOW THEREFORE, be it resolved by said City Council of the City of Modesto that each and all of the members of the Police and Fire Departments of said City of Modesto shall submit themselves to a thorough physical and mental examination by not less than two (2) nor more than three (3) competent physicians duly licensed to practice the profession of medicine and surgery in the State of California, once each year, to-wit, during the month of February, said first examination to be held in the month of February 1937, and in the month of February of each year thereafter, said costs of said examinations to be borne by the City of Modesto.

BE IT FURTHER RESOLVED, that in the event that said physicians render a written report that any member of said Fire or Police Departments or either of them, is physically unfit to carry on the duties assigned to said member, then said member shall be discharged from said Department.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 19th day of January, 1937 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, Pack, Neece and Mayor King
Noes: Councilmen: None
Absent: Councilmen: Oliver

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 3740-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 a regular meeting of the Council of the City of Modesto held on the 19th day of January, 1937 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, Pack and Mayor King
Noes: Councilmen: None
Absent: Councilmen: Oliver

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 3741-N.S.

A RESOLUTION AWARING BID ON RECONSTRUCTION OF COLLEGE AVENUE BRIDGE TO F. KAUS AS BEING LOWEST AND BEST BID AND AUTHORIZING CITY CLERK AND MAYOR TO ENTER INTO CONTRACT WITH F. KAUS

---oOo---

PURSUANT to advertising for the reconstruction of a reinforced concrete bridge within the City of Modesto on College Avenue, across the Modesto Irrigation District Lateral No. 4 and

WHEREAS the time for opening bids have now arrived, the City Clerk reported receipt of six bids which when opened read as follows:

<u>NAME OF BIDDER</u>	<u>AMOUNT OF BID</u>
F. O. Bohnett, 150 S Montgomery St. San Jose	\$3580.00
F. Kaus, 2726 E Main St., Stockton	2812.00
Cotner, Tomtitz & King, Rt 4, Modesto	3580.00
Harry Brown, Modesto	3478.00
Western Crane Service Corp., 962 Stanford Ave., Oakland	3710.00
R. G. Clifford, 215 Market St. San Francisco	4600.00

BE IT THEREFORE RESOLVED that the bid of F. Kaus be accepted for the construction of the work specified in said plans and specifications as being the lowest and best bid and that F. Kaus is a responsible bidder and Mayor and City Clerk be authorized to enter into contract.

BE IT FURTHER RESOLVED if F. Kaus could not qualify to the requirements set forth in specifications as to furnishing bonds, the next lowest bidder, Harry Brown would be awarded bid.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of January, 1937 by Commissioner Pack, who 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, Pack, Oliver and Mayor King

Noes: Councilmen: None

Absent: Councilmen: Stanley

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 3742-N.S.

ADJOURNMENT

BE IT HEREBY RESOLVED that this meeting of the City Council now in session adjourn until Friday the 29th day of January, 1937 at 7:30 o'clock P.M.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of January, 1937 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, Pack, Oliver and Mayor King

Noes: Councilmen: None

Absent: Councilmen: Stanley

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 3743-N.S.

A RESOLUTION ALLOWING CLAIMS OF STOCKTON ROOFING COMPANY AND PHILIP HAMMER FOR REFUND OF DEPOSIT AS REQUIRED BY ORDINANCE NUMBER 487-N.S.

WHEREAS claims having been filed with the City Auditor by the Stockton Roofing Company and Philip Hammer for refund of \$50.00 deposit required under Section 161 of Ordinance 497-N.S. heretofore paid to the City License Collector and

WHEREAS, all mill and one-half license have been paid and the deposit has been with the City for the length of time required by the ordinance

BE IT THEREFORE RESOLVED that the claim of the above named be and the same is hereby allowed and the City clerk and Auditor is directed to issue warrant therefore as prayed for.

The foregoing resolution was introduced at an adjourned meeting of the Council of the City of Modesto held on the 29th day of January, 1937 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, Pack, Stanley, Oliver and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, City Clerk

RESOLUTION NO. 3744-N.S.

A RESOLUTION GRANTING PERMIT TO JACK FREEMAN FOR BUSINESS BUILDING IN A RESIDENCE ZONE

---oOo---

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

JACK FREEMAN To conduct repair and paint shop for autos located E 50' of lots 17-18, Block 30 of City of Modesto

and it appearing from affidavits on file that a notice setting forth a time for hearing any and all protests to the granting of the petition as prayed for, and this being the time set forth and

WHEREAS, the City Clerk reports that no 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 shall have been complied with,

The foregoing resolution was introduced at an adjourned meeting of the Council of the City of Modesto held on the 29th day of January, 1937 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, Pack, Stanley, Oliver and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 3745-N.S.

A RESOLUTION AUTHORIZING CITY CLERK TO ADVERTISE FOR BIDS ON MATERIAL TO BE USED IN THE IMPROVEMENT OF SEWER FARM

---oOo---

BE IT HEREBY RESOLVED that the City Clerk be authorized to advertise for bids on material to be used in the improvement of the sewer farm when the City Engineer submits information and sees fit to do so.

The foregoing resolution was introduced at an adjourned meeting of the Council of the City of Modesto held on the 29th day of January, 1937 by Commissioner Pack, 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, Pack, Oliver, Stanley and Mayor King
Noes: Councilmen: None
Absent: Councilman: None

ATTEST H. E. GRAGG-CITY CLERK

RESOLUTION NO. 3746-N.S.

A RESOLUTION RECOMMENDING THAT THE COUNCIL GO ON RECORD AS BEING WILLING TO MAKE SETTLEMENT WITH THE GRANGE COMPANY FOR RIGHT OF WAY ON STATE HIGHWAY NO 99 ON THE SAME BASIS AS WITH OTHER PROPERTY OWNERS

---oOo---

BE IT HEREBY RESOLVED that the Council go on record as being willing to make a settlement with The Grange Company for right of way on widening of State Highway No. 99 and 9th Streets within the City limits of the City of Modesto on the same basis as they have made with other property owners and if this is agreeable to the said Grange Company that the City of Modesto will reimburse them in the amount of \$5093.13, payment to be made during the next fiscal year, beginning July 1, 1937.

The foregoing resolution was introduced at an adjourned meeting of the Council of the City of Modesto held on the 29th day of January, 1937 by Commissioner Pack, 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, Pack, Oliver and Mayor King
Noes: Councilmen: None
Absent: Councilmen: None

ATTEST H. E. GRAGG, City Clerk

RESOLUTION NO. 3747-N.S.

A RESOLUTION RECOMMENDING ACTION ON PROPOSED ORDINANCE REGULATING BARBERSHOPS IN THE CITY OF MCDESTO BE TABLED UNDEFINITELY

---oOo---

WHEREAS, Commissioner Stanley and City Attorney Fowler, committee appointed by the Council have reported that a proposed ordinance regulating barber-shops in the City of Modesto would be unconstitutional and could not be enforced.

THEREFORE be it resolved that action on this matter be tabled indefinitely.

The foregoing resolution was introduced at an adjourned meeting of the Council of the City of Modesto held on the 29th day of January, 1937 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, Pack, Oliver and Mayor King
Noes: Councilmen: None
Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 3748-N.S.

A RESOLUTION REAPPOINTING E. R. UTTER MEMBER OF THE BOARD OF LIBRARY TRUSTEES OF MCHENRY PUBLIC LIBRARY

---oOo---

WHEREAS, the term of E. R. Utter, member of the Board of Library Trustees of McHenry Public Library does expire February 1st, 1937 and

WHEREAS, it is the desire of the City Council to reappoint E. R. Utter to said Board for another term;

BE IT THEREFORE RESOLVED that E. R. Utter be and he is hereby re-appointed member of the Board of Library Trustees of McHenry Public Library for term beginning February 1st, 1937 and ending February 1st, 1941.

The foregoing resolution was introduced at an adjourned meeting of the Council of the City of Modesto held on the 29th day of January, 1937 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, Pack, Stanley, Oliver and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 3749-N.S.

A RESOLUTION APPOINTING DR. R. E. MAXWELL TO EXAMINE MEMBERS OF THE POLICE AND FIRE DEPARTMENTS OF THE CITY OF MODESTO ANNUALLY AND EMPOWERING THE SAID R. E. MAXWELL TO APPOINT ASSISTANTS

---oOo---

WHEREAS, the City Council of the City of Modesto has heretofore passed a Resolution No. 3739-N.S. requiring members of the Police and Fire Departments of the City of Modesto to submit themselves to physical and mental examinations once yearly:

NOW THEREFORE, Dr. R. E. Maxwell, of the City of Modesto is hereby appointed by said City Council to make such examinations of said members of said Departments, and is hereby empowered to appoint an assistant or assistants to number not more than two (2) for the purpose of aiding him in making said examinations.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 29th day of January, 1937 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, Pack, Stanley, Oliver and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 3750-N.S.

A RESOLUTION AUTHORIZING ATTENDANCE OF C. L. BAKER TO TERMITE CONTROL CONVENTION IN SAN JOSE ON FEBRUARY 12, 13, 1937

---oOo---

BE IT HEREBY RESOLVED that C. L. Baker, assistant building inspector, be appointed delegate to Termite Control convention to be held in San Jose on February 12th and 13th, 1937, expenses to be paid by the City of Modesto.

The foregoing Resolution was introduced at an adjourned meeting of the Council of the City of Modesto
held on the 29th day of January, 1936, by Commissioner Pack, who moved its adoption, which motion being duly seconded, it was upon roll call adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG City Clerk

RESOLUTION NO. 3751-N.S.

ADJOURNMENT

BE IT HEREBY RESOLVED that Council meeting now in session adjourn until Tuesday the 2nd of February, 1937 at 4:30 P.M.

The foregoing resolution was introduced at an adjourned meeting of the Council of the City of Modesto held on the 29th day of January, 1937 by Commissioner Pack, who moved its adoption, which motion being duly seconded, it was upon roll call adopted by the following vote:

Ayes: Councilman Neece, Pack, Oliver, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

H. E. GRAGG, CITY CLERK

RESOLUTION NO. 3752-N.S.

A RESOLUTION CALLING FOR THE PLACING ON THE BALLOT IN THE NEXT REGULAR ELECTION OF A PROPOSITION GIVING TO THE CITY COUNCIL POWER, BY CHARTER AMENDMENT, TO ESTABLISH A LAW CREATING AND MAINTAINING A DISABILITY AND RETIREMENT FUND FOR THE MEMBERS OF THE FIRE DEPARTMENT AND POLICE DEPARTMENT OF THE CITY OF MODESTO

---oOo---

WHEREAS, it appears to the City Council that the members of the Police and Fire Departments of the City of Modesto are now governed by state law in the matter of pensions and disability payments awarded to said members of said Police and Fire Departments: and

WHEREAS, it appears that by said state law said members of said Police and Fire Departments contribute nothing to the establishment of a fund to pay said pensions and disability payments to said members of said Police and Fire Departments when said members are entitled to the same; and

WHEREAS, it appears to said Council that said members of said Departments should in fairness contribute something to the establishment of a fund out of which pensions or disability payments should be paid to the members of said Departments when and if said members become entitled to the same:

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

That in the next regular municipal election in and for the City of Modesto to be held on April 13, 1937 there be presented to the people of the City of Modesto for their approval or disapproval as they may see fit, a proposed amendment to the Charter of the City of Modesto to read as follows, to-wit:

"Amend Article III Section 4 of the Charter of the City of Modesto, which reads as follows:

ARTICLE III
POWERS OF THE CITY

GENERAL POWERS OF THE CITY

Section 4. Without denial or disparagement of other powers held under the constitution and laws of the State, the City of Modesto shall have the right and power:

by adding a new subdivision thereto to be numbered 64 $\frac{1}{2}$, which subdivision shall read as follows:

"Subd. 64 $\frac{1}{2}$ To establish all laws necessary to create and maintain a disability and retirement fund for the members of the Fire Department and Police Department of the City of Modesto".

The foregoing resolution was introduced at an adjourned meeting of the Council of the City of Modesto held on the 2nd day of February, 1937, 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, Pack, Oliver and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 3753-N.S.

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

The foregoing resolution was introduced at an adjourned meeting of the Council of the City of Modesto held on the 2nd day of February, 1937 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, Pack, Oliver, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

H. E. GRAGG, CITY CLERK

RESOLUTION NO. 3754-N.S.

A RESOLUTION ALLOWING CLAIM OF CROWN ELECTRIC COMPANY FOR REFUND OF DEPOSIT REQUIRED BY ORDINANCE NO. 487-N.S.

---oOo---

WHEREAS, there has been filed with the Council a 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 Crown Electric Company and

WHEREAS, it appears that the said claimant has had this deposit with the City for the length of time provided for by this ordinance and all mill and one-half license paid.

BE IT THEREFORE RESOLVED, that the Claim of the above named be and the same is hereby allowed and the City Clerk and Auditor is directed to issue warrant therefore as prayed for.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of February, 1937 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, Pack, Stanley, Oliver and Mayor King
Noes: Councilmen: None
Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 3755-N.S.

A RESOLUTION ALLOWING CLAIMS FOR MONTH OF JANUARY, 1937

WHEREAS, the claims against the City of Modesto for the month of January, 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-----	\$ 20, 133.68
WATER FUND-----	4, 287.13
LIBRARY FUND-----	1, 805.33
BOND RED. INT. FUND-----	23, 087.50
ST. BOND RED. INT. FUND-----	4, 267.03
UNAPPORTIONED FUND-----	
GASOLINE TAX FUND-----	
SEWER SEPTIC FUND-----	62.50
TOTALS-----	\$ 53, 643.17

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on 10th day of February, 1937 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, Pack, Stanley, Oliver and Mayor King
Noes: Councilmen: None
Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 3756-N.S.

A RESOLUTION AUTHORIZING CITY CLERK TO REFUND PRO RATA LICENSE FEE TO J. J. MEHEGAN FOR REMOVAL OF PIN BALL MACHINES FROM CITY OF MODESTO

---oOo---

WHEREAS, pursuant to provisions of Resolution No. 3720-N.S. all pin ball machines were ordered removed from public places in the City of Modesto and

WHEREAS, J. J. Mehegan, owner of pin ball machines has removed all machines from public places as required

BE IT HEREBY RESOLVED that the City Clerk and Auditor be authorized to refund to J. J. Mehegan pro rata balance of license fee for cancellation of license issued as of July 1, 1936 for a term of one year in amount \$500.00

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on 10th day of February, 1937 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, Pack, Stanley, Oliver and Mayor King
Noes: Councilmen: None
Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 3757-N.S.

A RESOLUTION DESIGNATING NEW STREET JOINING TUOLUMNE BOULEVARD WITH ROUSE AVENUE IN BLOCK 308 AS "NEECE DRIVE"

---oOo---

WHEREAS, Commissioner Geo. F. Neece was active in developing the Golf Course and baseball field and

WHEREAS, a new street joining Tuolumne Boulevard with Rouse Avenue, east of Golf Course in Block 308 has been constructed,

BE IT HEREBY RESOLVED that this street be designated "Neece Drive" in honor of Commissioner Neece 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 10th day of February 1937 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, Pack, Stanley, Oliver and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, City Clerk

RESOLUTION NO. 3758-N.S.

A RESOLUTION DESIGNATING NEW STREET BETWEEN BLOCK 206 and 207 CONNECTING JAMES AND HARRIET STREETS AS "STATE STREET"

---oOo---

WHEREAS, a new street has been constructed between blocks 206 and 207 connecting James and Harriet Streets

BE IT HEREBY RESOLVED that this street be officially designated as "STATE STREET" and the United States Post Office be notified of action taken.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on 10th day of February, 1937 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, Pack, Stanley, Oliver and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 3759-N.S.

A RESOLUTION REFERRING BIDS ON LIGHTING OF AIRPORT TO CITY ENGINEER FOR INVESTIGATION AND TABULATION

---oOo---

PURSUANT to advertising for the lighting of the Airport and the time for opening bids having now arrived, the City Clerk reported receipt of five bids which when opened read as follows:

NAME OF BIDDER	AMOUNT OF BIDS
Incandescent Supply Co	\$982.38
Listerwalter & Gough	1123.80
Modesto Electric Company	1030.60
WESTINGHOUSE	1074.32
GENERAL ELECTRIC SUPPLY COMPANY	1030.60

BE IT HEREBY RESOLVED that above bids be referred to the City Engineer for investigation and tabulation 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 10th day of February, 1937 by Commissioner Pack, who 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, Pack, Stanley, Oliver and Mayor King

Nones: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, city Clerk

RESOLUTION NO. 3760-N.S.

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

---oOo---

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

That under and pursuant to the Charter of the City of Modesto, a general municipal election and a special municipal election in and for the City of Modesto be and the same are hereby called to be held on Tuesday, the 13th day of April, 1937, which said general municipal election is for the purpose of electing two officers for the City of Modesto, to-wit, two councilmen both for full terms and voting upon the question of an amendment to the Charter of the City of Modesto, which said amendment will if carried add to Article 3 Section 4 of said Charter a new subdivision thereof to be numbered 64 $\frac{1}{2}$ and which will if carried establish all laws necessary to create and maintain a disability and retirement fund for the members of the Fire Department and Police Department of the City of Modesto. Said special municipal election in and for the City of Modesto shall likewise be held on the same day, to-wit, Tuesday, the 13th day of April 1937, for the purpose of submitting to the duly qualified electors of said City the question of incurring a bonded indebtedness in the sum of Forty Thousand Dollars (\$40,000.00) for the purpose of acquiring garbage trucks and any and all equipment, real property and apparatus necessary to carry on the business of the collection and disposal of garbage, swill, trash, and refuse, as specified in the plans and specifications therefor filed with the City Clerk by the City Engineer of the City of Modesto. A general election in and for the Modesto City School District is likewise called to be held on the same day, to-wit, Tuesday, the 13th day of April 1937, for electing certain officers for the said Modesto City School District, to-wit, two members of the Board of Education of the Modesto City School District, for full terms.

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

Special Election or Consolidated Election Precinct No. 1

Special Election or Consolidated Election Precinct No. 2

Special Election or Consolidated Election Precinct No. 3

Special Election or Consolidated Election Precinct No. 4

- Special Election or Consolidated Election Precinct No. 5
- Special Election or Consolidated Election Precinct No. 6
- Special Election or Consolidated Election Precinct No. 7
- Special Election or Consolidated Election Precinct No. 8
- Special Election or Consolidated Election Precinct No. 9
- Special Election or Consolidated Election Precinct No. 10

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

Said General Election Precincts so designated by the said Board of Supervisors as Modesto Nos. 1 and 2 have been consolidated and established into "Consolidated Election Precinct No. 1".

Said General Election Precincts so designated by the said Board of Supervisors as Modesto Nos. 3, 4 and 5 have been consolidated and established into "Consolidated Election Precinct No. 2".

Said General Election Precincts so designated by the said Board of Supervisors as Modesto Nos. 6, 7 and 8 have been consolidated and established into "Consolidated Election Precinct No. 3".

Said General Election Precincts so designated by the said Board of Supervisors as Modesto Nos. 9, 10 and 11 have been consolidated and established into "Consolidated Election Precinct No. 4".

Said General Election Precincts so designated by the said Board of Supervisors as Modesto Nos. 12, 13 and 15 have been consolidated and established into "Consolidated Election Precinct No. 5".

Said General Election Precincts so designated by the said Board of Supervisors as Modesto Nos. 14, 17 and 18 have been consolidated and established into "Consolidated Election Precinct No. 6".

Said General Election Precincts so designated by the said Board of Supervisors as Modesto Nos. 16, 19, 20 and 21 have been consolidated and established into "Consolidated Election Precinct No. 7".

Said General Election Precincts so designated by the said Board of Supervisors as Modesto Nos. 22, 23 and 24 have been consolidated and established into "Consolidated Election Precinct No. 8".

Said General Election Precincts so designated by the said Board of Supervisors as Modesto Nos. 25, 26 and 27 have been consolidated and established into "Consolidated Election Precinct No. 9".

Said General Election Precincts so designated by the said Board of Supervisors as Modesto Nos. 28, 29, 30 and 31 have been consolidated and established into "Consolidated Election Precinct No. 10".

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

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

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

SPECIAL ELECTION PRECINCT NO. 11

which comprises all of the territory within the said Modesto City School District heretofore described outside of the corporate limits of the City of Modesto which is embraced within the exterior boundaries of Paradise School District and of Shiloh School District, and of the Modesto Grammar or Elementary School District outside of said City lying north of the Tuolumne River and west of the Central Pacific Railroad..

SPECIAL ELECTION PRECINCT NO. 12

which comprises all of the territory within the Modesto City School District hereinbefore described and embraced within the exterior boundaries of the following elementary school districts, to-wit: Hart and Ransom.

SPECIAL ELECTION PRECINCT NO. 13

which comprises all of the territory within said Modesto City School District hereinbefore described and embraced within the exterior boundaries of the following elementary school districts, to-wit: Jackson and Salida.

SPECIAL ELECTION PRECINCT NO. 14

which comprises all of the territory within said Modesto City School District hereinbefore described and embraced within the exterior boundaries of the following elementary school districts, to-wit: Stoddard, Stanislaus, McHenry, Prescott and Bellpassi, as well as all of the territory within the boundaries of the Modesto Grammar or Elementary School District outside of the corporate limits of the City of Modesto which lies north of Dry Creek and east of the Central Pacific Railroad.

SPECIAL ELECTION PRECINCT NO. 15

which comprises all of the territory within the said Modesto City School District hereinbefore described and embraced within the exterior boundary lines of the following elementary school districts, to-wit: Cole, Garner and New Hope.

SPECIAL ELECTION PRECINCT NO. 16

which comprises all of the territory within the Modesto Grammar School District and outside of the corporate limits of the City of Modesto which lies south of Dry Creek and north of the Tuolumne River

SPECIAL ELECTION PRECINCT NO. 17

which comprises all of the territory within said Modesto City School District hereinbefore described and embraced within the exterior boundaries of Fairview Elementary School District, and also that portion of the Modesto Elementary or Grammar School District lying south of the Tuolumne River.

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

SPECIAL ELECTION OR CONSOLIDATED PRECINCT NO. 1

Polling Place: Garage 102 Oliver Street
Inspector: Mrs. Verna Menzies, 221 Poplar Ave.,
Judges: Mrs. Jessie Russell, 210 College Ave.,
Mrs. Margaret Coughlin, 121 Orange Ave.,
Clerks: Mrs. A. H. Williams, 125 Orange Ave.,
Leslie Wallis, 111 Hackberry Ave.,
Mrs. Doris E. Hamilton, 232 Hackberry

SPECIAL ELECTION OR CONSOLIDATED PRECINCT NO. 2

Polling Place: Garage 102 Sycamore Avenue
Inspector: Wm. G. Proper, 115 Park Ave.,
Judges: Mrs. Frances Arnold, 208 Elmwood Ave.,
John G. Cuneo, 427 Sycamore Ave.,
Clerks: Mrs. Aura I. Rader, 415 Hackberry Ave.,
Mrs. Lyndall Merrill, 229 Elmwood
Mrs. Marie Paxton, 1626 Achor Court

SPECIAL ELECTION OR CONSOLIDATED PRECINCT NO. 3

Polling Place: Garage 1715 Downey Avenue
Inspector: Mrs. Ora R. Bates, 1705 Downey Ave.,
Judges: Mrs. Alma M. Wallace, 1921 Downey Ave.,
Mrs. Pearl Hays, 343 Semple St.
Clerks: Mrs. Frances M. Nunez, 1746 Lee St.,
Mrs. Myrtle Wells, 432 McHenry Ave.,
Mrs. Harriet F. Hooten, 1733 Jones St.,

SPECIAL ELECTION OR CONSOLIDATED PRECINCT NO. 4

Polling Place: Garage 17 Bodem Street
Inspector: Josephine Ekstein, 245 High St.,
Judges: Mrs. Edith M. Rogers, 120 Redwood Ave.,
Mrs. Bessie E. Tobias, 115 Redwood Ave.,
Clerks: Mrs. Mattie H. Weisner, 315 Melrose
Mrs. Virginia Morey, 15 Bodem St.
Mrs. Tomona Fairchilds, 2210 H. St.

SPECIAL ELECTION OR CONSOLIDATED PRECINCT NO. 5

Polling Place: Hotel Covell
Inspector: Sidney W. Elliott, 1217 12th St.
Judges: Franke Craycroft, 1202 13th St.
Mrs. Alfreda Holetz, 1130 12th St.
Clerks: Mrs. Emilie Severin, 1014 M. St.
Mrs. Myrtle F. Hanke, 1422 10th St.
Wm. H. Durham, 1309 11th St.

SPECIAL ELECTION OR CONSOLIDATED PRECINCT NO. 6

Polling Place: Downey Street Firehouse #3
Inspector: Mrs. Pearl Gordon, 728 14th St.
Judges: Mrs. Mildred E. Lumsden, 623 16th St.
Mrs. Dorothy Todd, 115 Ross St.
Clerks: Mrs. Gertrude W. D. Meader, 701 18th St.
Mrs. Rose Ciccarella, 823 17th St., Apt. 1
Mrs. Mathea Glover, 728 14th St.

SPECIAL ELECTION OR CONSOLIDATED PRECINCT NO. 7

Polling Place: City Hall, 717 Tenth Street
Inspector: Wm. O. Brunow, 415 14th St.
Judges: Mrs. Elsie E. Ring, 609 12th St.
Mrs. Mabel C. Love, 419 13th St.
Clerks: Mrs. Carrie Utterback, 632 12th St.
Mrs. Mabel Arata, 808 B. St.
Mrs. Ellen V. Plummer, 526 1/2 14th St.

SPECIAL ELECTION OR CONSOLIDATED PRECINCT NO. 8

POLLING PLACE: Harrington Store, Stanislaus & Madison Streets
Inspector: Mrs. Matilda M. Condit, 201 Locust St.
Judges: Mrs. Leonie R. Smith, 1127 Jefferson
Miss Agnes Dunn, 930 7th St.
Clerks: Mrs. Irma Karker, 126 Maple St.
Mrs. Alice Cavanaugh, 214 Laurel
Mrs. Esther S. Ingham, 1106 5th St.

SPECIAL ELECTION OR CONSOLIDATED PRECINCT NO. 9

Polling Place: Alford's, 602 I Street
Inspector: Mrs. Minna H. Damrell, 822 6th St.
Judges: Mrs. Gertrude Epperson, 702 4th St.
Mrs. Marguerite Ginotti, 629 5th St.

Clerks: Mrs. Jessie M. Shotwell, 117 Pine St.
Mrs. Ellen M. Harris, 302 H. St.
Mrs. Ruby Ribera, 917 5th St.

SPECIAL ELECTION OR CONSOLIDATED PRECINCT NO. 10

Polling Place: Fire Station #2 Second Street
Inspector: Mrs. Mary J. Blaine, 253 Sierra Drive
Judges: Mrs. Amy L. Mitchell, 220 Tuolumne Blvd.
Mrs. Mabel Prouty, 413 Leon Ave.

Clerks: Mrs. Elma M. Ducker, 138 Sunset
Max L. Suiter, 131 Sierra Drive
Mrs. Olive C. Rasmussen, 115 Fresno

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

SPECIAL PRECINCT NO. 11:

Polling Place: Paradise Schoolhouse
Inspector: O. H. DeForest, Rt. 3, Box 849
Judges: Mrs. Sue H. Robbins, Rt. 3, Box 820
Jas. T. Townson, Rt. 3, Box 1072

Clerks: Mrs. A. Grace Harcksen, Rt. 3, Box 859
Mrs. Dorothy Kidd, Rt. 3, Box 833
Mrs. Lena B. Chumlea, Rt. 3, Box 861

SPECIAL PRECINCT NO. 12:

Polling Place: Ransome Schoolhouse
Inspector: Mrs. Alma Montgomery, Rt. 3, Box 277
Judges: Mrs. Lulu Vlach, Rt. 2, Box 1362
Mrs. Cora B. Hanson, Rt. 3, Box 707

Clerks: Mrs. Ethel L. Wooley, Rt. 3, Box 745A
Mrs. Beulah Bowman, Rt. 3, Box 1226
Mrs. Helen Davis, Rt. 3, Box 705

SPECIAL PRECINCT NO. 13:

Polling Place: Maple Hall, Salida, California
Inspector: James Lee Curtis, Box 115, Salida
Judges: Mrs. Julia Ladd, Salida
Mrs. Gertrude Holmes, Salida
Clerks: Maurice Belisle, Salida
Mrs. Edna Craig, Salida
Mrs. Mary E. Wellington, Salida

SPECIAL PRECINCT NO. 14:

Polling Place: Sylvan Clubhouse, McHenry Road
Inspector: Omar C. Glass, Rt. 1, Box 1302
Judges: Darthula A. Hummer, Rt. 1, Box 1194
Glenn D. Hemphill, Rt. 2, Box 796
Clerks: Mrs. Edith M. Holden, Rt. 1, Box 1324
Mrs. Francella Ryan, Rt. 1, Box 1560
Mrs. Alma Whitmore, Rt. 2, Box 673

SPECIAL PRECINCT NO. 15:

Polling Place: Empire School Auditorium
Inspector: H. W. Little, Rt. 1, Box 740
Judges: Henry A. Codoni, Empire
Harry Secrest, Rt. 1, Box 1950
Clerks: Mrs. A. S. Lotspeich, Empire
Mrs. R. H. Davison, Rt. 1, Box 942
Mrs. G. Hollingsworth, Rt. 1, Box 680

SPECIAL PRECINCT NO. 16:

Polling Place: Garage 105 Santa Rita (W. H. Glassford)
Inspector: Herman Rice, 241 Santa Rita Ave.
Judges: Mrs. Hazel M. Nelson, Santa Rita Ave.
Mrs. Maryon Muller, 205 Santa Rita

Clerks: Mrs. Irma Wellman, 165 Santa Ana
Mrs. Ethel S. Wilhite, 159 Santa Ana
Mrs. Lois G. Amerine, 200 Santa Rosa

SPECIAL PRECINCT NO. 17:

Polling Place: Fairview Schoolhouse
Inspector: Ila Rutherford, Rt. 4, Box 2060
Judges: Mrs. Rilla K. Hoatson, Rt. 4, Box 2200
Mrs. Estella F. Jones, Rt. 4, Box 176

Clerks: Mrs. Mary E. Pegden, Rt. 4, Box 2455
Mrs. Nora A. Hamer, Rt. 4, Box 2442
Mrs. Verla O. Stalker, Rt. 4, Box 260

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

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

The foregoing resolution was introduced and ordered adopted by the Council of the City of Modesto at a regular meeting thereof duly convened and held on the 10th day of February, 1937, by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

APPROVED FEBRUARY 10TH, 1937

J. H. KING, MAYOR

H. E. CRAGG, CITY CLERK

RESOLUTION NO. 3761-N.S.

A RESOLUTION AUTHORIZING THE CITY ATTORNEY TO DRAW UP A LEASE OF CITY PROPERTY TO
MODESTO TRAP AND SKEET CLUB

---oOo---

WHEREAS, it appears to the City Council of the City of Modesto that it is to the advantage of the citizens of said City that there be created for the recreation of the citizens of said City a place where said citizens may carry on and enjoy skeet shooting and trap shooting; and

WHEREAS, it appears to said Council that certain citizens in the City of Modesto and surrounding territory have formed an association named "The Modesto Trap and Skeet Club"; and

WHEREAS, it appears that said Modesto Trap and Skeet Club has been and is formed for the purpose of conducting trap and skeet shooting and that a considerable portion of the citizens of the City of Modesto and surrounding territory are

interested in trap and skeet shooting:

NOW, THEREFORE, the City Attorney of the said City of Modesto is hereby authorized to draw a lease for a certain portion of property belonging to said City hereinafter to be designated by the City Engineer of said City, said lease to be for a period of one year, by the terms of which said property shall be leased to Modesto Trap and Skeet Club, an association.

IT IS FURTHER RESOLVED That said property so leased shall be open to the use and enjoyment of any and all responsible persons desiring to use said property for the purpose of skeet shooting and trap shooting, subject to any reasonable rules and regulations that said Association may hereinafter invoke.

IT IS FURTHER RESOLVED that said Modesto Trap and Skeet Club shall procure and keep in force public liability and property damage insurance and/or suitable insurance for the protection of any person using said property for the purposes herein set forth and/or for the protection of any person who might be injured in and upon said property.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of February, 1937 by Councilman Pack, 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, Pack, Stanley, Oliver and Mayor King
Noes: Councilmen: None
Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 3762-N.S.

A RESOLUTION PERMITTING W. E. BLACKBURN TO ESTABLISH USED CAR LOT AT 1522 9TH STREET

---oOo---

WHEREAS, W. E. Blackburn has petitioned the Council to be allowed to enter into the business of Used Car Lot operator at 1522 9th Street and

WHEREAS, said applicant has furnished the necessary application and bond in accordance with Ordinance No. 514-N.S.

BE IT HEREBY RESOLVED that applicant be permitted to establish used car lot at above named address providing he complies with rules and regulations of Ordinances No. 487-N.S. and 514-N.S.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on 10th day of February, 1937 by Commissioner Pack, who 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, Pack, Stanley, Oliver and Mayor King
Noes: Councilmen: None
Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

* *****

RESOLUTION NO. 3763-N.S.

A RESOLUTION AUTHORIZING CITY CLERK TO DRAW WARRANT IN AMOUNT \$421.80 AS FIRST PROGRESSIVE PAYMENT TO F. KAUS FOR RECONSTRUCTION OF COLLEGE AVENUE BRIDGE

PURSUANT to filing by City Engineer Rossi of certification of amount due of \$421.80 as first progressive payment for work completed upon the reconstructing of College Avenue Bridge by contractor F. Kauscup to and including February 9th, 1937,

BE IT HEREBY RESOLVED that City Clerk and Auditor be authorized to draw warrant in amount \$421.80 payable to Contractor F. Kaus.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on 10th day of February 1937 by Commissioner Pack, who 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, Pack, Stanley, Oliver and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 3764-N.S.

A RESOLUTION APPROVING AND ACCEPTING A CERTAIN EASEMENT UPON AND OVER REAL PROPERTY BELONGING TO T. H. KEWIN, IRIS S. KEWIN, HERBERT W. RAMONT AND HOLLIS M. RAMONT, FRANK J. ROSSI, LENORA N. ROSSI, ROBERT LYLE KIMMEL AND ALMA WAGNER KIMMEL

---oOo---

WHEREAS, the City Engineer of the City of Modesto has procured the consent of T. H. Kewin, Iris S. Kewin, his wife, Herbert W. Ramont and Hollis M. Ramont, his wife, Frank J. Rossi and Lenora N. Rossi, his wife, Robert Lyle Kimmel and Alma Wagner Kimmel, his wife, to use and employ a portion of the real property of said persons for use by said City in laying and maintaining sewer service pipe, water pipes and other City services; and

WHEREAS, said real property to be so used by said City of Modesto, a municipal corporation of Stanislaus County, State of California, is described as follows to-wit:

Parcel No. 1

A strip of land 8 feet in width and extending, 4 feet on each side of the following described line: Commencing at the southwest corner of LaLoma Subdivision, according to the map thereof filed August 8, 1934 in Vol. 11 of Maps at page 25, Stanislaus County Records; thence north $89^{\circ} 17' 23''$ west 28.56 feet to the point of beginning; thence north $17^{\circ} 26' 23''$ west 86.65 feet; thence north $12^{\circ} 28' 37''$ east 406.91 feet; thence north $5^{\circ} 21' 3 7''$ east to the south property line of LaLoma, a street.

Parcel No. 2

A strip of land 5 feet in width north and adjacent to the following described line; beginning at the southwest corner of La Loma Subdivision, according to the map thereof as filed in the office of the Recorder of Stanislaus County, California on August 8, 1934 in Vol. 11 of Maps at page 25; thence north $89^{\circ} 17' 23''$ west to the center line of Beard Brock.

WHEREAS, the parties above named have executed an instrument in writing, granting an easement to the City of Modesto, over the property herein above described, which instrument has been duly signed and is in due form; and

WHEREAS, it appears to said City Council of the City of Modesto that acceptance by the said City of said easement will work to the general welfare and benefit of the City of Modesto;

NOW THEREFORE, the said instrument signed by the persons hereinabove named, conveying to the City of Modesto an easement upon and over the property herein described is hereby accepted and approved by the City Council of the City of Modesto, and the City Clerk of said City is hereby authorized and ordered to record the same in the office of the County Recorder of Stanislaus County, California

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of February, 1937 by Councilman Pack

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, Pack, Stanley, Oliver and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 3765-N.S.

A RESOLUTION AUTHORIZING FINAL PAYMENT TO J. F. DICKINSON FOR HEATING SYSTEM IN
CITY HALL IN AMOUNT \$272.50

--oOo--

PURSUANT to completion of heating system in City Hall at 727 Tenth
Street as per terms of contract and as thirty five days will have elapsed on
February 17th, since acceptance certification has been filed by the City Engineer.

BE IT HEREBY RESOLVED that the City Clerk and Auditor be authorized and
instructed to draw warrant in amount \$272.50 in full payment of contract to
J. F. Dickinson, providing no liens are filed, as of February 17th.

The foregoing resolution was introduced at a regular meeting of the
Council of the City of Modesto held on 10th day of February, 1937 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, Peck, Stanley, Oliver and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, City Clerk

RESOLUTION NO. 3766-N.S.

ADJOURNMENT

There being no further business to come before the meeting

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 10th day of February, 1937 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, Pack, Stanley, Cliver and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, City Clerk

RESOLUTION NO. 3767-N.S.

A RESOLUTION AWARDDING BID TO MODESTO ELECTRIC COMPANY ON THE LIGHTING OF THE MUNICIPAL AIRPORT

---oOo---

Pursuant to advertising for the lighting of the Municipal Airport of the City of Modesto and the receiving of bids for same and action being postponed thereon until this time

BE IT HEREBY RESOLVED that the bid of the Modesto Electric Company for material to be used in lighting of the Municipal Airport is the lowest and best bid, being \$1030.60 in amount and they be awarded bid.

BE IT FURTHER RESOLVED that the City Clerk be instructed to return to the unsuccessful bidders certified checks.

The foregoing resolution was introduced at a Special Council meeting held on the 15th day of February, 1937 by Commissioner Pack who moved its adoption, which motion being duly seconded, it was upon roll call adopted by the following vote:

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

Noes: Councilmen: None

Absent:Councilmen: None

ATTEST H. E. GRAGG, City Clerk

RESOLUTION NO. 3768

ADJOURNMENT

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

The foregoing resolution was introduced at a Special Council meeting of the Council of the City of Modesto held on the 15th day of February, 1937 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, Pack, Stanley, Oliver and Mayor King

Noes: Councilmen: None

Absent:Councilmen: None

ATTEST H. E. GRAGG, City Clerk

RESOLUTION NO. 3769-N.S.

A RESOLUTION ALLOWING CLAIM OF J. VENTURINI FOR REFUND OF DEPOSIT AS REQUIRED BY SECTION 101 OF ORDINANCE NO. 487-N.S.

---oOo---

WHEREAS, there has been filed with the Council a 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 J. Venturini and

WHEREAS, it appears that the said claimant has had this deposit with the City for the length of time provided for by this Ordinance

BE IT THEREFORE RESOLVED that the claim of the above named be and the same is hereby allowed and the City Clerk and Auditor is directed to issue warrant therefore as prayed for.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto, at a regular meeting thereof held on February 24th, 1937 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, Pack, Oliver and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 3770-N.S.

A RESOLUTION AUTHORIZING CITY CLERK AND AUDITOR TO DRAW WARRANT IN PAYMENT OF EXPENSES OF C. L. BAKER TO TERMITE CONTROL MEETING

---oOo---

BE IT HEREBY RESOLVED that the City Clerk and Auditor be authorized to draw warrant in amount \$8.29 payable to C. L. Baker, Assistant building inspector for expenses to Termite Control meeting held in Fresno, in accordance with provisions of Resolution No. 3750-N.S.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on February 24, 1937 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, Pack, Oliver and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 3771-N.S.

A RESOLUTION ALLOWING CLAIM OF MODESTO LUMBER COMPANY FOR CEMENT

---oOo---

WHEREAS, a discount of \$10.00 will be allowed on purchase of cement if statement to Modesto Lumber Company is paid at once, and

WHEREAS the claim in amount \$259.56 is a just one

BE IT THEREFORE RESOLVED that the City Clerk and Auditor be authorized to draw a warrant in amount \$259.56 payable to the Modesto Lumber Company at once,

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on February 24th, 1937 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, Pack, Oliver and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, City Clerk

RESOLUTION NO. 3772-N.S.

A RESOLUTION AUTHORIZING PAYMENT IN AMOUNT \$738.15 to F. KAUS CONTRACTOR ON RE-CONSTRUCTION OF COLLEGE AVENUE BRIDGE

---oOo---

WHEREAS, City Engineer Bossi has filed with the Council of the

City of Modesto certification of amount due of \$738.15 as second progressive payment for work completed on the reconstruction of College Avenue Bridge as follows:

Total amount of Contract	\$2812.00
55% of \$2812.00 is	\$1546.60
less 25%	386.65
	<u>\$1159.95</u>
Less previous payment	421.80
Payment due	<u>\$ 738.15</u>

BE IT THEREFORE RESOLVED that the City Clerk and Auditor be authorized to draw warrant in amount \$738.15 payable to F. Kaus, Contractor as second progressive payment

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto, held on February 24, 1937 by Commissioner Pack, 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, Pack, Stanley, Oliver and Mayor King
Noes: Councilmen: None
Absent: Councilmen: None

ATTEST H. E. GRAGG, City Clerk

RESOLUTION NO. 3773-N.S.

A RESOLUTION RESCINDING RESOLUTION NO. 2752-N.S. DESIGNATING CERTAIN HOLIDAYS THAT MAY BE OBSERVED BY CERTAIN CITY EMPLOYEES

---oOo---

BE IT RESOLVED that Resolution No. 2752-N.S. be rescinded and this resolution be adopted in lieu.

BE IT RESOLVED by the Council of the City of Modesto that the holidays which may be observed by those mechanics and laborers who are classified as "permanent employees" of the City of Modesto and whose compensation is referred to and adjusted by Resolution No. 2751-N.S. shall be the following:
January first (New Year's day) February 22nd, (Washington's Birthday), May 30th (Memorial Day), July 4th (Independence Day), the first Monday in September (Labor day), November 11th, (Armistice day), the last Thursday in November (Thanksgiving day) December 25th (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.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto, at a regular meeting held on February 24, 1937 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, Pack, Stanley, Oliver and Mayor King
Noes: Councilmen: None
Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 3774-N.S.

A RESOLUTION ACCEPTING GRANT DEEDS FROM T. H. KEWIN, IRIS S. KEWIN AND GRANT DEED FROM T. H. KEWIN, IRIS S. KEWIN, FRANK J. ROSSI, LENORA N. ROSSI, ROBERT LYLE KIMMEL AND ALMA W. KIMMEL COVERING PORTION OF LA LOMA TRACT TO BE USED FOR ROADS

---oOo---

WHEREAS, T. H. Kewin and Iris S. Kewin having delivered to the City of

Modesto a grant deed to the following described real property lying situate and being in the County of Stanislaus, State of California to-wit:

All their interest in the following described land:

Beginning at the southeast corner of Lot 1 in Block 235 of LaLoma according to the map thereof filed August 8, 1934 in Vol. 11 of Maps at page 25, Stanislaus County Records, thence north 89° 17' 23" west along the northerly property line of La Sombra, a street, a distance of 72.74 feet to the beginning of a curve, which is the point of beginning; said curve having the functions of (Central Angle 83° 04' 24", Radius 30.00 feet, Tangents 26.58 feet, chord 39.79 feet and an arc of 43.50 feet); thence northwesterly along the said arc of said curve a distance of 43.50 feet to the end of said curve, the said arc being subtended by the chord of 39.79 feet, which bears north 47° 45' 11" west, and the said end of curve, being on the curve defining the easterly property line of El Rio, a street; thence southerly along an arc of a portion of the said curve defining the said easterly property line of El Rio, a distance of 26.58 feet to the southwest corner of said lot 1 in block 235; the said arc of said portion of said curve having the functions of, Central Angle 1° 29' 09", Radius 1025.00 feet, Tangents 13.29 feet, Chord 26.58 feet, and an arc of 26.58 feet the said arc being subtended by the chord of 26.58 feet, which bears south 6° 57' 33.5" east; thence south 89° 17' 23" east a distance of 26.23 feet to the point of beginning, for street purposes

and

WHEREAS T. H. KEWIN AND IRIS S. KEWIN, husband and wife, Frank J. Rossi and Lenora N. Rossi, husband and wife and Robert Lyle Kimmely, ^{and Almar W. Kimmely,} husband and wife, having delivered to the City of Modesto a grant deed to the following described real property lying situate and being in the County of Stanislaus, State of California to-wit:

All interest in the following described land:

Beginning at the southeast corner of lot in block 236 of La Loma according to the map thereof filed August 8, 1934 in Vol. 11 of Maps at page 25, Stanislaus County Records; thence north 89° 17' 23" west along the southerly property line of LaSombra, a street produced, a distance of 22.01 feet to the beginning of the first portion of a reversed curve, the said first portion of said reversed curve having the functions of (Central angle 53° 32' 38" Radius 200.00 feet, Tangents 100.90 feet, Chord 180.76 feet and an Arc of 186.90 feet); thence northerly along the said arc of said first portion of said reversed curve, a distance of 186.90 feet to the point of reversed curve, the said arc being subtended by the chord of 180.76 feet, which bears north 1° 51' 25" thence continuing northerly along the arc of the second portion of the said reversed curve, a distance of 71.72 feet, to the end of the said reversed curve, the said arc being subtended by a chord of 71.34 feet, and the end of the said reversed curve being on the curve defining the westerly property line of El Rio, a street; the said second portion of said reversed curve having the functions of (Central Angle 20° 32' 47" , Radius 200.00 feet, Tangents 36.25 feet, chord 71.34 feet and an Arc of 71.72 feet); thence southerly along an arc of a portion of the said curve defining the said westerly property line of El Rio, a distance of 250.44 feet to the point of beginning, the said arc of said portion of said curve having the functions of (Central Angle 13° 13' 30" Radius 1085.00 feet, Tangents 125.78 feet, chord 249.90 feet, and an arc of 250.44 feet) for street purposes.

THEREFORE, BE IT RESOLVED, that said deeds be accepted by the City of Modesto, and that the City Clerk be and he is hereby authorized and directed to file the same for record in the office of the County Recorder of Stanislaus County, California

The foregoing resolution was introduced at a regular meeting of the City Council of the City of Modesto held on the 24th day of February, 1937 by Councilmen Pack, 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, Pack, Stanley, Oliver and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 3780-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 a regular meeting of the Council of the City of Modesto held on the 24th day of February, 1937 by Councilman Pack, which motion being duly seconded was upon roll call carried by the following vote:

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

ATTEST H. E. GRAGG, City Clerk

RESOLUTION NO. 3775-N.S.

A RESOLUTION APPROVING LEASE OF CITY PROPERTY TO MODESTO TRAP AND SKEET CLUB

---oOo---

WHEREAS, the City Council of the City of Modesto has heretofore by Resolution No. 3761-N.S. authorized the City Attorney of said City to prepare a written lease of certain real property belonging to said City to the Modesto Trap and Skeet Club, an association; and

WHEREAS, said real property is described as follows, to-wit:

Beginning at a point which bears S 0° 44' E a distance of 150.00 feet from the Northeast corner of Lot 4, La Rio Park Tract; thence S 0° 44' E a distance of 1000.00 feet; thence N 89° 45' E 410.00 feet; thence N 0° 44' W 1000.00 feet; thence S 89° 45' W to the point of beginning, all of the property described herein is within the La Rio Park Tract as recorded in Vol. 5, Page 9, Stanislaus County Records, and lying within the S½ of the S½ of Section 34, T. 3S. R. 9E., M.D.B & M.

WHEREAS, it is deemed to be of benefit to the citizens of the City of Modesto that said citizens shall have the recreational facilities afforded by said lease and agreement, by the terms of which the citizens of said City shall have the right and privilege to engage in the sports of trap and skeet shooting on said leased premises; and

WHEREAS, it appears that said lease is in due form and the same has been properly executed by the President and Secretary of said Trap and Skeet Club:

NOW, THEREFORE, the City Council by this resolution does hereby authorize the further execution of said lease by the Mayor and City Auditor of said City, and does hereby approve and ratify said agreement.

The foregoing resolution was introduced at a regular meeting of the City Council of the City of Modesto held on the 24th day of February, 1937 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, Pack, Stanley, Oliver and Mayor King
Noes: Councilmen: None
Absent: Councilmen: None

ATTEST H. E. GRAGG, City Clerk

(Res. 3776-N.S. See page 398)

RESOLUTION NO. 3777-N.S.

A RESOLUTION APPROVING MAKING APPLICATION TO STATE OF CALIFORNIA BOARD OF PUBLIC HEALTH FOR ADDITION EQUIPMENT AT MUNICIPAL SEWAGE PLANT

Resolved by the City Council of the City of Modesto, that pursuant and subject all the terms, conditions and provisions of the Public Health Act of the State of California, approved March 23, 1907, and all amendments thereto, application by this City be made to the State Board of Public Health of the State of California, for a permit to alter and make additions to the Municipal Sewage disposal plant, serving the entire City of Modesto, by the construction of one Bio Filter, one settling Tank and pumps and conduits. The new units are to be used in conjunction with the existing clarifier and Digestion Tank to improve the present method of sewage treatment before the effluent is discharged to the existing drying beds; that the Mayor of said City of Modesto be and he is hereby authorized and directed to cause the necessary data to be prepared, and investigations to be made, and in the name of said City to sign and file such application with the said State Board of Public Health".

Passed and adopted at a regular meeting of the City Council of the City of Modesto on the 24th day of February 1937.

J. H. KING Mayor

CLERK OF SAID CITY H. E. GRAGG

RESOLUTION NO. 3778-N.S.

WHEREAS, the City of Modesto is a municipal corporation of and within the State of California; and

WHEREAS, the public interest and necessity of the said City of Modesto and its inhabitants demand the acquisition and construction of the municipal improvements hereinafter specified; and

WHEREAS, the cost of said municipal improvements will be too great to be paid out of the ordinary annual income and revenue of the said City of Modesto; and

WHEREAS, the Council of the City of Modesto is the legislative branch of said municipal corporation, and the Mayor of the City of Modesto is the chief executive officer of said City of Modesto;

NOW, THEREFORE, Be it resolved by the Council of the City of Modesto, at a regular meeting thereof duly and regularly had, held and conducted: (And the said City Council so determines and declares)

That the public interest and necessity of the said City of Modesto and the inhabitants thereof demands the acquisition and construction of the municipal improvements hereinafter specified and named; and that the cost of said improvements and any and all thereof will be too great to be paid out of the ordinary annual income and revenue of the said City of Modesto;

That the municipal improvements, the acquisition and construction of which are demanded by public interest and necessity as aforesaid, together with the estimated cost of the same, are as follows, to-wit:

Garbage trucks and any and all equipment, real property and apparatus necessary to carry on the business of the collection and disposal of garbage, swill, trash, and refuse, as specified in the plans and specifications therefor filed with the City Clerk by the City Engineer of the City of Modesto, of the estimated cost of Forty Thousand Dollars (\$40,000.00)

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of February, 1937 by Councilman Stanley, which motion, being duly seconded, was upon roll call carried by the following vote:
Ayes: Councilmen: Neece, Pack, Stanley, Oliver and Mayor King
Noes: Councilmen: None
Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 3779-N.S.

A RESOLUTION PROVIDING FOR THE SPREADING OF STATEMENT ON MINUTES OF COUNCIL MEETING REGARDING BONDS FOR GARBAGE SYSTEM

---oOo---

BE IT HEREBY RESOLVED that the following statement be spread upon the minutes of the meeting:

TO THE VOTERS OF MODESTO:

From time to time there has been agitation with a view to having the City take over the Garbage Business.

After careful investigation, we find that there are many and varied ways of handling this business in vogue throughout California and one can usually find some good points in any system. In contacting some of the most able men who handle garbage problems, we have been warned not to try to start a Municipal Garbage System if we are not well financed, as it is only the well financed plants that can be made to pay.

After inspecting various plants operating in town comparable in size to Modesto, we find it will take \$40,000.00 to set up a plant that will operate efficiently and economically. Your present City Council has reduced your taxes 20% in the last two years and in addition, has spent something like \$18,000 on your airport, \$16,000.00 making the dam in the Tuolumne River a permanent one and improving Lake Modesto, as well as spending many thousands of dollars more on parks than any previous City Council. This leaves the City where it does not have a surplus of sufficient size which can be diverted to starting and operating a municipally owned garbage business. In view of this condition, we have put on the April Election Ballot a Bond Issue of \$40,000.00. If you want a municipal garbage system in Modesto, vote for the bonds. If you want the garbage business to continue as it is, vote against the bonds.

We feel that we are here to serve the people impartially and can assure you that we will carry out your wishes to the very best of our ability, which ever way you vote:

J. H. KING, MAYOR
CARL J. STANLEY,
GEORGE F. NEECE
G. D. Oliver, Jr.
ROY E. PACK

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of February, 1937 by Councilman Oliver, which motion being duly seconded, was upon roll call carried by the following vote:
Ayes: Councilmen: Neece, Pack, Stanley, Oliver and Mayor King
Noes: Councilmen: None
Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 3781-N.S.

A RESOLUTION CANCELLING OPERATOR LICENSE OF CLARENCE WORDEN, LEONARD CHATHAM and CARL BOCK IN ACCORDANCE WITH SECTION 6 OF ORDINANCE NO. 522-N.S.

---oOo---

WHEREAS, Clarence Worden, Leonard Chatham and Carl Bock have violated Section 6 of Ordinance No. 522-N.S. as they had been arrested for traffic violations

BE IT HEREBY RESOLVED that their operator's license to operate a taxi-cab in this City be cancelled as provided for in section 6 of Ordinance No. 522-N.S.

See Page 245 for Res. 3781-N.S.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of March, 1937 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, Pack, Oliver, Stanley and Mayor King
 Noes: Councilmen: None
 Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 3782-N.S.

A RESOLUTION ALLOWING CLAIMS FOR MONTH OF FEBRUARY 1937

----oOo---

WHEREAS, the claims against the City of Modesto for the month of February 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-----	\$ 21,836.60
WATER FUND-----	\$ 3,318.16
LIBRARY FUND-----	\$ 1,666.41
BOND RED. INT. FUND-----	\$
ST. BOND RED. INT. FUND-----	\$ 363.46
UNAPPORTIONED FUND-----	\$
GASOLINE TAX FUND-----	\$ 1,159.95
SEWER SEPTIC FUND	125.00
TOTAL-----	\$ 28,469.58

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of March, 1937 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, Pack, Stanley, Oliver and Mayor King
 Noes: Councilmen: None
 Absent: Councilmen: None

ATTEST H. E. GRAGG, City Clerk

 RESOLUTION NO. 3783-N.S.

A RESOLUTION ALLOWING CLAIM OF DOC'S MAGAZINE EXCHANGE AND N. J. SNYDER FOR REFUND OF \$50.00 DEPOSIT AS REQUIRED BY ORDINANCE NO. 487-N.S.

----oOo---

WHEREAS, there has been filed with the Council a 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:

DOC'S MAGAZINE EXCHANGE
 N. J. SNYDER

WHEREAS, it appears that the said claimants have had this deposit with the City for the length of time provided for by this ordinance.

BE IT THEREFORE RESOLVED that the claims of the above be and the same are hereby allowed and the City Clerk and Auditor is directed to issue warrants therefore as prayed for.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of March, 1937 by Commissioner Oliver who moved its adoption, which being duly seconded was upon roll call carried and the resolution adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, City Clerk

RESOLUTION NO. 3784-N.S.

A RESOLUTION ALLOWING CLAIM OF EMMA V. SMITH FOR PENSION DUE LEE SMITH FOR PERIOD DECEMBER 10, 1936 TO DATE OF HIS DEATH FEBRUARY 28, 1937

---oOo---

WHEREAS, claim has been filed by Emma V. Smith, widow of Lee E. Smith for pension due from December 10, 1936 to date of his death February 28, 1937 in amount \$300.00 and

WHEREAS, it is deemed that this is a just claim

BE IT HEREBY RESOLVED that this claim be allowed and the City Clerk and Auditor is instructed to draw warrant payable to Emma V. Smith, Claimant for \$300.00

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of March by Commissioner Oliver, 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, Pack, Stanley, Oliver and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG CITY CLERK

RESOLUTION NO. 3785-N.S.

A RESOLUTION RECOMMENDING THAT MAYOR KING APPOINT A COMMITTEE TO WORK IN CONJUNCTION WITH UNITED STATES CONSTITUTION SESQUICENTENNIAL COMMISSION IN THE OBSERVANCE OF THE 150th ANNIVERSARY OF FORMATION OF CONSTITUTION OF THE UNITED STATES

---oOo---

WHEREAS, The United States Constitution Sesquicentennial Commission has requested that the Mayor appoint a committee to work in conjunction with them in the observance of the 150th anniversary of the formation of the Constitution of the United States

BE IT HEREBY RESOLVED that Mayor King appoint a committee as requested in this communication.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of March, 1937 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, Pack, Stanley, Oliver and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG CITY CLERK

*

RESOLUTION NO. 3786-N.S.

A RESOLUTION GRANTING PERMIT TO VALLEY MOTOR LINES FOR BUSINESS BUILDING
IN RESIDENCE ZONE

---oOo---

WHEREAS, pursuant to the filing of petition with the Council by Valley Motor Lines for permit to erect, operate and maintain a shipping depot of frame, stucco and corrugated iron on property known as 7th and K Streets, being lots 17, 18, 19, 20, 21 and 22 in Block 40 of the City of Modesto and it appearing from affidavits on file that a notice setting forth a time for hearing any and all protests to the granting of the petition as prayed for, and this being the time set forth and

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

BE IT THEREFORE RESOLVED that permission be and the same is hereby granted with the understanding that all provisions relative to building permit fees be complied with to the above named applicant for permit as prayed for in his petition.

The foregoing resolution was introduced by Commissioner Pack at a regular meeting of the Council of the City of Modesto held on the 10th day of March, 1937, 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, Pack, Oliver and Mayor King
Noes: Councilmen: None
Absent: Councilmen: None

ATTEST H. E. GRAGG, City Clerk

RESOLUTION NO. 3787-N.S.

A RESOLUTION ACCEPTING RECONSTRUCTION OF COLLEGE AVENUE BRIDGE FROM CONTRACTOR F. KAUS AUTHORIZING PROGRESSIVE PAYMENT DUE AND DIRECTING CITY CLERK TO FILE NOTICE OF COMPLETION OF RECONSTRUCTION OF BRIDGE

---oOo---

WHEREAS, City Engineer Rossi has filed with this Council a certification of completion on the reconstruction of College Avenue bridge and progressive payment due F. Kaus Contractor, being 75% of actual amount of contract less previous payment, in amount \$949.05

BE IT HEREBY RESOLVED that this Council accept the reconstruction of the College Avenue bridge from Contractor F. Kaus as completed and authorize payment of \$949.05 and

BE IT FURTHER RESOLVED that the City Clerk and Auditor be authorized to draw warrant in amount \$949.05 and to record notice of completion with the County Recorder and if no liens have been filed remaining balance of contract is to be paid to contractor F. Kaus after a period of 35 days have elapsed after date of acceptance.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of March, 1937 by Commissioner Pack 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, Pack, Oliver, Stanley and Mayor King
Noes: Councilmen: None
Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 3788-N.S.

A RESOLUTION NOTIFYING THE WORKS PROGRESS ADMINISTRATION THAT THE CITY OF MODESTO WILL OPERATE THE AIRPORT AS A MUNICIPAL AIRPORT AT ALL TIMES

---oOo---

Resolved, that for and in consideration of the Federal Funds made available through the Works Progress Administration under Official Project No. 65-3-1936 for the improvement of our municipal airport and landing facilities, we pledge that said airport will at all times be operated and maintained as a municipal airport for the public benefit, without unjust discrimination against or in favor of any aircraft operator, including any scheduled airline operator

It is further certified that the fee simple title to the land utilized as the municipal airport is in the name of the City of Modesto.

The City Clerk is instructed to forward a certified copy of this resolution to the Works Progress Administrator in Washington, the State Works Progress Administrator of California and the Secretary of Commerce in Washington.

The foregoing Resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of March, 1937 by Commissioner Pack 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, Pack, Oliver, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 3789-N.S.

A RESOLUTION APPOINTING COMMITTEE TO MAKE INVESTIGATION AS TO ADVISIBILITY OF MAKING A PARK OUT OF BLOCK 606

---oOo---

WHEREAS, the matter of making a park out of Block 606 was brought before the Council

BE IT HEREBY RESOLVED that the appointment of a committee by the Mayor of Roy Pack and C. J. Stanley to investigate the advisability of this matter be approved.

The foregoing resolution was introduced at the regular meeting of the Council of the City of Modesto held on March 10th, 1937 by Commissioner Pack, 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, Pack, Stanley, Oliver and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 3790-N.S.

A RESOLUTION ADOPTING THE BUDGET, AS SET FORTH IN THE PROJECT STATEMENT OF FEBRUARY 25, 1937 FOR EXPENDITURES UPON THE STREETS OF MAJOR IMPORTANCE AS PROVIDED IN SECTIONS 194 and 195 of THE STREETS AND HIGHWAYS CODE. THIS STATEMENT PROVIDES FOR TWO PROJECTS TO BE ADDED TO THE BUDGET PREVIOUSLY ADOPTED FOR THE FISCAL YEAR 1936-1937

---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 its budget for the fiscal year ending June 30, 1937, 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. E. Pierce, Engineer of Division X of Highways of the California State Department of Public Works.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on March 10, 1937 by Commissioner Pack, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 3791-N.S.

A RESOLUTION AUTHORIZING THE EXECUTION OF A DEED BY THE CITY OF MODESTO TO CENTRAL PACIFIC RAILWAY COMPANY

---oOo---

WHEREAS, the City of Modesto, a municipal corporation, has heretofore conveyed by deed certain premises to the Central Pacific Railway Company, a corporation, conveying to said Railway property in the City of Modesto, specifically set forth in said deed and now of record in the office of the County Recorder of the County of Stanislaus, State of California; and

WHEREAS, said property was conveyed with reservation of right therein to Avis M. Tillson and C.R. Tillson, her husband; and

WHEREAS, said Central Pacific Railway Company is now entitled to said property without reservation;

NOW THEREFORE, the City Council of the City of Modesto does hereby authorize and empower its Mayor and the City Auditor of said City to execute a quitclaim deed, a copy of which is attached hereto and made a part hereof by incorporation, to said Central Pacific Railway Company, a corporation, conveying full and complete title to said premises to said Central Pacific Railway, a corporation.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of March, 1937 by Councilman Pack, 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, Pack, Oliver, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 3792-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 City Council of the City of Modesto held on March 10th 1937 by Commissioner Pack, who moved its adoption, which motion being duly seconded was upon roll call carried and the resolution was adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 3793-N.S.

A RESOLUTION ALLOWING CLAIMS OF FRED KAUS AND JOHN H. LASH FOR REFUND OF DEPOSIT REQUIRED UNDER ORDINANCE NO. 487-N.S.

---oOo---

WHEREAS, there has been filed with the Council a 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 Fred Kaus and John H. Lash and

WHEREAS these claims are just

BE^{it} THEREFORE RESOLVED that the claim of the above named be and the same is hereby allowed and that City Clerk and Auditor is directed to issue warrant therefore as prayed for.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of March, 1937 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, Pack, Stanley, Oliver and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 3794-N.S.

A RESOLUTION ALLOWING REFUND OF REGISTRATION FEE OF \$5.00 TO CHARLES G. NOWLIN

---oOo---

PURSUANT to claim being filed with the City Auditor for refund of registration fee of \$5.00 as required under Ordinance No. 487-N.S. by Charles G. Nowlin and

WHEREAS claimant has not operated under this license and is going out of business entirely

BE IT THEREFORE RESOLVED that claim be allowed and the same is hereby allowed and the City Clerk and Auditor is directed to issue warrant therefore as prayed for.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of March, 1937 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, Pack, Stanley, Oliver and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, City Clerk

RESOLUTION NO. 3795-N.S.

A RESOLUTION AUTHORIZING SALE OF CITY PROPERTY

---oOo---

WHEREAS, the City of Modesto, a municipal corporation, is the owner of a certain metal safe manufactured by Hall's Safe and Lock Company; and

WHEREAS, said safe is of an antique design and no longer suited to the needs of the City of Modesto; and

WHEREAS, said safe has heretofore been advertised for sale; and

WHEREAS, L. W. Zimmerman, of the City of Modesto has offered to purchase said safe for the sum of \$100.00 lawful money of the United States; and

WHEREAS, it appears to the City Council of said City of Modesto that said offer is the highest and best offer made by any person for the purchase of said safe:

NOW THEREFORE, said offer of said L. W. Zimmerman to purchase said safe for the sum of \$100.00 is hereby accepted, and the City Clerk of the City of Modesto is hereby authorized to prepare or have prepared a bill of sale or such other suitable document as may be required to pass title to said safe to said L. W. Zimmerman. Said Clerk is further empowered and ordered to allow said L.W. Zimmerman upon payment aforesaid of said sum to remove said safe at his own cost and expense from the City Hall of said City of Modesto.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of March, 1937 by Councilman Pack, who moved its adoption, which motion being duly seconded, was upon roll call carried, and the resolution adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 3796-N.S.

A RESOLUTION APPROVING APPLICATIONS OF FOSTER & KLEISER FOR BILLBOARDS

---oOo---

PURSUANT to applications by Foster & Kleiser for installing billboards at the following locations:

Lease #3901-B and Morton Blvd. N.W. 1-panel

Lease #3901 D St. S. line 125' west of 13th Street-1 panel

Lease #3896-7th St. west line opposite B Street 1 or 2 panels

Lease #3902 7th St. and Tuolumne Blvd. southwest 1 panel

Lease #3930 7th St. east line 200' north of 13th Street 2 panels

Lease #3896-Grant St. 100' west of Carlson 2 panels

and

WHEREAS applications presented are in accordance with requirements set forth by Ordinance No. 528-N.S. and 302 N.S. and

WHEREAS the City Engineer has determined that all locations, with the exception of Lease No. 3902 7th St. and Tuolumne Boulevard, southwest, comply with Ordinances No. 302-N.S. and No. 528-N.S.

BE IT HEREBY RESOLVED that applications be approved and applicant be permitted to install billboards as requested with the exception of Lease No. 3902-N.S.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of March, 1937 by Commissioner Pack, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

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

Noes: Councilmen: Neece

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 3797-N.S.

RESOLUTION AUTHORIZING CITY CLERK TO ADVERTISE FOR BIDS FOR CONSTRUCTION AND REPAIR OF CULVERTS ON H STREET AND LALOMA STREET BRIDGE

----oOo----

BE IT HEREBY RESOLVED that the City Clerk be authorized to advertise for bids for construction and repair of culverts on H Street and LaLoma Street Bridge when the City Engineer submits information and deems it necessary to do so.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of March, 1937 by Commissioner Pack, who 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, Pack, Oliver, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, City Clerk

RESOLUTION NO. 3798-N.S.

A RESOLUTION ADOPTING THE FIRST SUPPLEMENTAL MEMORANDUM OF AGREEMENT AS A BUDGET FOR THE FISCAL YEAR OF 1936-1937 FOR EXPENDITURES UPON THE STREETS OF MAJOR IMPORTANCE AS PROVIDED IN SECTIONS 194 and 195 OF THE STREETS AND HIGHWAYS CODE.

----oOo----

WHEREAS, there has been presented to this Council, for adoption and signature, an Agreement 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 approve this Agreement as its Budget for the fiscal year ending June 30, 1937, and does herewith designate Mayor J. H. King to affix his signature thereto on behalf of the City of Modesto.

BE IT FURTHER RESOLVED, that the said Agreement and certified copies of this Resolution in duplicate, be and the same are hereby ordered forwarded

to Mr. R. E. Pierce, District Engineer of the Division of Highways of the California State Department of Public Works.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of March, 1937 by Commissioner Pack who 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, Pack, Oliver, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 3799-N.S.

A RESOLUTION AUTHORIZING PAYMENT BY CITY AUDITOR OF THE CITY OF MODESTO OF ONE THOUSAND DOLLARS TO MAUDE MCCARTHY AND HER ATTORNEYS

---oOo---

WHEREAS, there was filed in the Superior Court of the State of California, in and for the County of Stanislaus, in the month of August, 1935 a suit entitled "Maude McCarthy, Plaintiff, vs City of Modesto, a municipal corporation, and Board of Police Pension Fund Commissioners, Defendants, numbered 17369", in which complaint it was alleged that one Thomas McCarthy died on September 15, 1934, leaving plaintiff, his widow; and

WHEREAS, it is further alleged in said complaint that the said Thomas McCarthy was at said time a member of the Police Department of the City of Modesto, and had been a member of said Department since July 1, 1919; and

WHEREAS, said complaint claimed damages of and from the defendants in the sum of One Thousand Dollars (\$1000.00) by virtue of the provisions of the Statutes of 1889 of the State of California, as set forth in Act 6012, Deering's General Laws 1931;

WHEREAS, thereafter, issue was joined on said complaint and trial was had in the above entitled honorable Court on November 10 and 16, 1936; and

WHEREAS, the Court made certain findings of fact, a copy of which is attached hereto, together with a copy of the judgment rendered by said Court, decreeing that said plaintiff have judgment against said defendants, a copy of which judgment is affixed hereto, together with a copy of the entry of said judgment; and

WHEREAS, it appears to the City Council of the City of Modesto duly assembled, that said judgment constitutes a lien against said City and that said City by the said judgment of said Court is hereby required to pay the same;

NOW THEREFORE, the City Auditor of the said City of Modesto is hereby authorized and empowered and ordered to pay to Maude McCarthy, plaintiff, and Griffin & Boone, attorneys for said plaintiff, the sum of One Thousand Dollars (\$1,000.00), lawful money of the United States, from and out of the General Funds of said City of Modesto, and to receive from said Griffin & Boone a satisfaction of judgment in said case.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of March, 1937, 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, Pack, Stanley, Oliver and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 3800-N.S.

A RESOLUTION AUTHORIZING THE CITY ENGINEER TO TRADE A DISCARDED ELGIN STREET SWEEPER FOR USABLE STEEL SHEET PILING

---oOo---

WHEREAS, the Associated Equipment Company of San Francisco has offered to trade one lot of used Steel Sheet Piling of approximate value of \$800.00 to the City of Modesto for one 1925 Model Elgin Street Sweeper which has been discarded as unfit for further use by the City; and

WHEREAS, the aforementioned Elgin Sweeper has been previously advertised for sale by the City Council and no bids were offered;

BE IT THEREFORE RESOLVED that the City Engineer be, and he is hereby authorized to negotiate the trade of the discarded Sweeper for the usable Steel Sheet Piling.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto on March 24, 1937 by Commissioner Pack, who moved its adoption, which motion being duly seconded, it was upon roll call adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 3800A-N.S.

A RESOLUTION PROVIDING FOR THE SALE OF CERTAIN USELESS PERSONAL PROPERTY

---oOo---

WHEREAS, there is on hand at the municipal yard on 11th Street between F and G Streets, the following described personal property belonging to the City of Modesto which is unfit and unnecessary for the use of the city, to-wit: Pipe Molds, extra jackets, and rings for making 8" 18" 24", 36" and 42" concrete pipe Approximately 2500 feet of 2 1/2" fire hose

12 feet of spiral metal stairs:

7 junk gas heaters

1-concrete mixer bucket and frame

1 lead top battery bench

1 Leaning wheel Adams grader

1 16" Plow

1 iron wheel wagon

1 Asphalt heater on iron wheels

1 Tank

1 Clutch pulley assembly

1 2 1/2" Bear Pump
1-1 1/2" centrifugal pump

1 1 1/2 H.P. Gas Engine

1 Model A Ford front fender, steering post, spring leaves and transmission parts;

2 model T Ford blocks;
1000# 2" pipe
2 junk 12" Golden Anderson valves:
2 valves for sprinkling wagon
Approximately 286 pounds brass
Approximately 342 pounds copper
Approximately 2760 pounds lead covered copper cable
Approximately 24,980 pounds of scrap iron

BE IT THEREFORE RESOLVED that said property be sold at public auction and that the City Engineer be and he is hereby instructed to advertise for bids for same for at least five days prior to the date of sale.

BE IT FURTHER RESOLVED that if said property be not sold on the date of sale, that the sale be continued from day to day commencing every morning at ten o'clock until said property be sold: that all bids shall be submitted to the City Engineer of the City of Modesto, and that in his discretion any or all bids may be rejected.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of March, 1937 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, Pack, Stanley, Oliver and Mayor King
Noes: Councilmen: None
Absent: Councilmen: None

RESOLUTION NO. 3801-N.S.

A RESOLUTION TRANSFERRING \$50,000 FROM THE WATER FUND TO THE GENERAL FUND OF THE CITY OF MODESTO

---oOo---

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

NOW THEREFORE BE IT RESOLVED that the City Auditor and Treasurer be and he is hereby directed to 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 as aforesaid

The foregoing resolution was introduced at an adjourned meeting of the Council of the City of Modesto held on the 24th day of March, 1937 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, Oliver, Pack, Stanley and Mayor King
Noes: Councilmen: None
Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 3802-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 a regular meeting of the Council of the City of Modesto held on the 24th day of March, 1937 by Commissioner Neece who moved its adoption, which motion was duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

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

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 3803

MODESTO CITY COUNCIL

WHEREAS, the Pathfinder Flying Service, a corporation, as Lessee under that certain Lease dated March 30th, 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, 1937, and ending on March 31, 1938,

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

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

Dated: March 31st, 1937

H. E. GRAGG, CITY CLERK

RESOLUTION NO. 3804-N.S.

A RESOLUTION AUTHORIZING THE ENTERING INTO AN AGREEMENT WITH THE MODESTO REDS BASEBALL TEAM FOR THE RENTING OF ROOSEVELT FIELD

---oOo---

BE IT HEREBY RESOLVED THAT THE City of Modesto enter into an agreement with Stanley Sanders manager of the Modesto Reds Baseball Team for the rental of Roosevelt Field Park for the coming baseball season from April 4th to November 1st, 1937.

BE IT FURTHER RESOLVED that the Commissioner of Finance and Revenue, G.D.Oliver Jr. and the City Auditor be named as signatory officials' for this agreement.

The foregoing resolution was introduced at a special Council meeting of the City of Modesto held on March 31st, 1937 by Commissioner Oliver who moved its adoption, which motion being regularly seconded, it was upon roll call adopted by the following vote:

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

ATTEST H. E. GRAGG, City Clerk

RESOLUTION NO. 3805-N.S.

ADJOURNMENT

---oOo---

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 March 31st 1937 by Councilman Oliver, which motion being duly seconded, it was upon roll call adopted by the following vote:

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

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 3806-N.S.

A RESOLUTION ALLOWING CLAIMS FOR MONTH OF MARCH, 1937

---oOo---

WHEREAS, the claims against the City of Modesto for the month of March, 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-----	\$24,663.74
WATER FUND-----	\$ 7,200.89
LIBRARY FUND-----	\$ 1,535.31
BOND RED. INT. FUND-----	\$
ST. BOND RED. INT. FUND-----	\$ 50.28
UNAPPORTIONED FUND-----	\$
GASOLINE TAX FUND-----	\$ 949.05
SEWER SEPTIC FUND-----	\$ 62.50
TOTAL-----	\$34,461.77

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of April, 1937 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, Pack, Stanley, Oliver and Mayor King
Noes: Councilmen: None
Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 3807-N.S.

A RESOLUTION AUTHORIZING FINAL PAYMENT TO F. KAUS RECONSTRUCTION OF COLLEGE AVENUE BRIDGE

---oOo---

PURSUANT to completion of reconstructing of College Avenue Bridge as per the terms of the contract and as thirty five days have elapsed since acceptance certification has been filed by the City Engineer, and no liens have been attached

BE IT HEREBY RESOLVED that final payment in amount \$703.00 be

allowed and the City Clerk and Auditor be instructed to draw a warrant in the above amount payable to F. Kaus, contractor

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on April 14, 1937 by Commissioner Pack who 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, Pack, Oliver, Stanley and Mayor King
Noes: Councilmen: None
Absent:Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 3808-N.S.

ADJOURNMENT

It being the desire of the Council to meet in adjourned session on Thursday, April 15, 1937 at 7:30

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

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on April 14th 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, Pack, Stanley, Oliver and Mayor King
Noes: Councilmen: None
Absent:Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 3809-N.S.

A RESOLUTION ALLOWING CLAIM OF PHILIP HAMMER FOR REFUND OF \$50.00 DEPOSIT REQUIRED UNDER ORDINANCE NO. 487-N.S.

---oOo---

WHEREAS, there has been filed with the Council a 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 Philip Hammer.

BE IT THEREFORE RESOLVED that the claim of the above named be and the same is hereby allowed and the City Clerk and Auditor is directed to issue warrant therefore as prayed for.

The foregoing resolution was introduced at an adjourned meeting of the Council of the City of Modesto held on April 15th, 1937 by Commissioner Oliver, who moved its adoption, which motion being duly seconded was upon roll call adopted by the following vote:

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

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 3810-N.S.

A RESOLUTION ALLOWING CLAIM OF FOSTER & KLEISER FOR REFUND OF \$1.00 APPLICATION FEE FOR BILLBOARD

---oOo---

WHEREAS, there has been filed with the Council a claim for refund of \$1.00 application fee for construction of billboard at 7th Street and Tuolumne Blvd, southwest one panel, Lease #3902 and

WHEREAS application was not granted for this billboard by Resolution No. 3796-N.S.

BE IT THEREFORE RESOLVED that claim be allowed as presented and the City Clerk and Auditor be authorized to draw warrant in amount of \$1.00 to Claimant, Foster & Kleiser.

The foregoing resolution was introduced at an adjourned meeting of the Council of the City of Modesto held on April 15th, 1937 by Commissioner Oliver who moved its adoption, which motion being duly seconded was upon roll call adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 3811-N.S.

A RESOLUTION CERTIFYING THAT THE RETURNS OF THE ELECTION TO VOTE UPON AN AMENDMENT TO THE CHARTER OF THE CITY OF MODESTO HAVE BEEN CANVASSED, AND DECLARING THE RESULT OF SAID ELECTION

---oOo---

WHEREAS, the Council of the City of Modesto did by resolution No. 3760-N.S. adopted on the 10th day of February, 1937 call a general election to be held on the 13th day of April, 1937 for the purpose of voting upon the question of the ratification of a certain amendment to the Charter of the City of Modesto proposed by the City Council upon its own motion, and

WHEREAS, THE PROVISIONS OF LAW PREREQUISITE TO THE CALLING of said election have been duly complied with, and a notice of said election has been duly given, all as required by law, and the said general election was held on the said 13th day of April, 1937 and was conducted and held in all respects in conformity with the laws of the State of California, and the ordinances of the City of Modesto, and

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

WHEREAS, it appears from the canvass of the returns of said election that a total of 2722 votes were cast at said election and that the said proposition voted upon received in its favor the votes of more than one-half of the voters voting at said election.

NOW THEREFORE, the said City Council of the City of Modesto, sitting as a canvassing board to canvass the returns of said election, do hereby declare and find the result of said election as follows:

That the results of said general election and the votes cast for the proposition submitted thereat are as follows:

TOTAL NUMBER OF VOTES CAST-----2722 .

(1) On the proposed Charter Amendment No. 1 amending Article 3 of Section 4 of the Charter of the City of Modesto by adding a new subdivision thereto to be numbered subdivision 64 $\frac{1}{2}$ reading as follows, to-wit:

PROPOSED CHARTER AMENDMENT

Amend Article 3 Section 4 of the Charter of the City of Modesto, which reads as follows:

Article 3 POWERS OF CITY
GENERAL POWERS OF CITY

Section 4. Without denial or disparagement of other powers held under the Constitution and laws of the State, the City of Modesto shall have the right and power by adding a new subdivision thereto to be numbered 64 $\frac{1}{2}$ which subdivision shall read as follows: to-wit:

Subd. 64 $\frac{1}{2}$. To establish all laws necessary to create and maintain a disability and retirement fund for the members of the Fire Department and Police Department of the City of Modesto

as set forth in the resolution calling the election-----1641 votes were cast for the amendment and 1081 votes were cast against the amendment.

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

BE IT FURTHER RESOLVED that the Mayor and City Clerk certify to the Legislature of the State of California, which is now in session, the results of said election, to the end that the said Legislature may, in the manner provided by law, approve said amendment to the Charter.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of April 1937 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, Pack, Oliver and Mayor King
Noes: Councilmen: None
Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO 3812-N.S.

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

---oOo---

WHEREAS, a General Municipal Election, together with a Special Municipal Election, together with a General School Election in and for the Modesto City School District, was held on the 13th day of April, 1937 and,

WHEREAS, at the said Special Election a certain ordinance was proposed to the qualified electors of the City of Modesto, and

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

NOW THEREFORE, BE IT RESOLVED, CERTIFIED AND DECLARED by the Council of the City of Modesto that the said General Municipal Election in and for the

City of Modesto, the said General School Election, in and for the Modesto City School District, and the said Special Municipal Election, were regularly called, held and conducted as required by law; that the proper and complete returns hereof have been made and received by said Council; that the same have been properly canvassed; that from the returns so canvassed as aforesaid, it appears, and the said Council so finds that at said General Municipal Election in and for the City of Modesto, the total number of votes cast was 2983, that the number of votes received by the respective candidates for the office of Councilman in the City of Modesto were and are as follows, to-wit:

George Neece-----1324-votes:
Barney H. Bond-----1134 votes:
Ad Brown-----1026 votes
Y. G. Barnell-----1017 votes:
Fred H. Petersen----- 864 votes:

That none of said candidates for the office of Councilman received the required number of votes for election thereto, to-wit, more than one-half of the votes cast, and that George Neece, Barney H. Bond, Ad. Brown and Y. G. Barnell were and are the four persons receiving the highest number of votes for said office and are entitled to be placed upon the ballot for a second election for the office of Councilman (there being two Councilmen to be elected).

The City Council, sitting as such canvassing board, as aforesaid, finds and declares that at said Special Municipal Election the following ordinance, to-wit:

For the incurring of an indebtedness for the acquisition and construction of certain municipal improvements by the City of Modesto, to-wit; garbage trucks and any and all equipment, real property and apparatus necessary to carry on the business of the collection and disposal of garbage, swill, trash and refuse, as specified in the plans and specifications therefore filed with the City Clerk of the City of Modesto by the City Engineer of said City-----\$40,000.00

received 503 votes in its favor, and that 2500 votes were cast against the adoption of said ordinance.

That said ordinance was therefore not adopted by two-thirds of the qualified electors voting thereon, and failed to carry.

The said City Council sitting as such canvassing board, as aforesaid, further finds and declares that at said General School Election in and for the Modesto City School District the total number of votes cast was 3493; that the number of votes received by each of the candidates for election to the office of member of the Board of Education of said Modesto City School District are as follows:

W. C. SHACKELFORD-----2360 votes:
MRS. RHODA STURTEVANT-----1695 votes:
MRS. VIOLA W. FIELD-----1057 votes;
C. A. HARRINGTON----- 903 votes:

That the number of votes received by W. C. Shackelford is greater than one-half of the ballots cast at said election, and that said W.C. Shackelford was elected to the office of member of the Board of Education of the Modesto City School District, and that a certificate of Election be issued to him under the hand and seal of the City Clerk.

That of the remaining candidates for the office of member of the Board of Education of the Modesto City School District none thereof re-

ceived the required number of votes for election thereto, to-wit, more than one half of the votes cast, and that Mrs. Rhoda Sturtevant and Mrs. Viola W. Field were the two persons receiving the highest number of votes (excepting the said W.C.Shackelford) for said office and are entitled to be placed upon the ballot for a second election for the office of member of the Board of Education of Modesto City School District (there being one such member to be hereafter elected)

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of April, 1937 by Councilman Pack, 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, Pack, Stanley, Oliver and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO 3813-N.S.

A RESOLUTION PROVIDING FOR A SECOND GENERAL MUNICIPAL ELECTION

---oOo---

WHEREAS, at the general municipal election held in the City of Modesto on the 13th day of April, 1937 no candidates for the offices of members of the City Council of the City of Modesto, of which there are two to be elected, received a majority of the votes cast; and

WHEREAS, at the general election likewise held on the 13th day of April, 1937 one candidate was elected to the office of member of the Board of Education of the Modesto City School District, and there remains to be elected another member of said Board of Education; and

WHEREAS, there are two persons who are now candidates to the remaining office of member of the Board of Education of the Modesto City School District, neither one of which received a majority of the votes cast at said election;

NOW THEREFORE, pursuant to the Charter of the City of Modesto made and provided,

IT IS ORDERED BY THE CITY COUNCIL that a second election be called in and for said City of Modesto to be held on the 27th day of April, 1937, to fill two offices of members of the City Council of the City of Modesto, and that the names of A. N. (Ad) Brown, Barney H. Bond, George Neece and Y. G. Barnell be placed upon the ballot to be voted on at such election for the office of Councilman of the City of Modesto.

IT IS FURTHER ORDERED BY SAID CITY COUNCIL that an election be called in and for the Modesto City School District to be held on the 27th day of April, 1937, to fill the office of member of the Board of Education of Modesto City School District, and that the names of Viola W. Field and Mrs. Rhoda Sturtevant be placed upon the ballot to be voted on at such election for the office of member of the Board of Education of said Modesto City School District.

IT IS FURTHER ORDERED that the Clerk give notice of the holding of such election by issuing a proclamation therefor as required by law, and that the provisions of previous ordinances and resolutions of this Council and of the Statutes of the State of California with reference to the holding and conducting of such election be complied with by the proper offices; that the election precincts and

polling places and election officers at said second election shall be the same as they were at the general election held within said City of Modesto on April 13th, 1937

The foregoing resolution was introduced at an adjourned meeting of the Council of the City of Modesto held on the 15th day of April, 1937 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, Pack, Oliver and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 3814-N.S.

A RESOLUTION APPROVING LEASE WITH MODESTO REDS BASEBALL TEAM FOR ROOSEVELT FIELD

---oOo---

WHEREAS, at this time a lease was presented for approval between the City of Modesto and the Modesto Reds baseball team

BE IT HEREBY RESOLVED that the lease be approved as presented with the exception of clause to be added only allowing concession privileges to the Modesto Reds Baseball Team on the days they actually play at the Roosevelt Field.

The foregoing resolution was introduced at an adjourned meeting of the Council of the City of Modesto held on the 15th day of April, 1937 by Commissioner Oliver who moved its adoption, which resolution being duly seconded was upon roll call adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 3815-N.S.

A RESOLUTION AUTHORIZING LEASING OF ROOSEVELT FIELD TO OTHER TEAMS ON DAYS THE MODESTO REDS BASEBALL TEAM ARE NOT PLAYING

---oOo---

BE IT HEREBY RESOLVED that other baseball teams may lease the Roosevelt Field to hold baseball games on days that the Modesto Reds Baseball Team are not using the Field on the same rental arrangement, namely 5¢ per ticket sold

The foregoing resolution was introduced at an adjourned meeting of the Council of the City of Modesto held on April 15th, 1937 by Commissioner Oliver who moved its adoption, which motion being duly seconded was upon roll call adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO 3816-N.S.

ADJOURNMENT

---oOo---

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

The foregoing resolution was introduced at a regular meeting of the Council held on April 15th, 1937 by Commissioner Stanley who moved its adoption, which motion being duly seconded was upon roll call adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO 3817-N.S.

A RESOLUTION ALLOWING REFUND OF \$50.00 DEPOSIT TO F. J. HENLEY AS REQUIRED BY ORDINANCE NO. 487-N.S.

---oOo---

PURSUANT to claim being filed by F. J. Henley for refund of deposit of \$50.00 as required by Ordinance No. 487-N.S. with the City Auditor and WHEREAS, it appears that the said claimants have had this deposit with the City for the length of time provided for by this ordinance

BE IT THEREFORE RESOLVED that the claim of the above named be and it is hereby allowed and the City Clerk and Auditor be directed to issue warrant therefore as prayed for

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 28th day of April, 1937 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, Pack, Stanley, Oliver and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO 3818-N.S.

A RESOLUTION REFUND ^{int}TAX ON IMPROVEMENTS BELONGING TO L. A. GRINER BECAUSE OF REMOVAL OF BUILDINGS FROM PROPERTY

---oOo---

WHEREAS, L. A. Griner has filed claim with the City Auditor for refund of City taxes for year 1936 on improvements on Blk 23, Beg. at Ely corner lot 17, the NWly 90 ft. Swly 45 ft. Sely 90 ft. NEly to beg. as improvements were taken off real estate property before March 1, 1936 and

BE IT HEREBY RESOLVED that the City Clerk and Auditor be authorized to draw warrant in amount of \$11.75 as refund of 1936 taxes on improvements which have been removed from property to the claimant and make such entries in his books.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 28th day of April, 1937 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, Pack, Stanley, Oliver and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO 3819-N.S.

A RESOLUTION CANCELLING TAX ON PROPERTY ACQUIRED BY THE VETERANS' WELFARE BOARD

---oOo---

WHEREAS, the Veterans Welfare Board has acquired the following property through provisions of the Veteran's Farm and Home Purchase Act:

HOWARD ANDERSON-lots 20, 21 and N 5 ft 22 in Block 467

BE IT HEREBY RESOLVED that the City Tax Collector and assessor make such entries on his books, cancelling taxes on above described property

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 28th day of April, 1937 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, Pack, Stanley, Oliver and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO 3820-N.S.

A RESOLUTION PROVIDING TEN MINUTE PARKING SPACES ON THE STREETS OF MODESTO IN CERTAIN DESIGNATED AREAS

---oOo---

WHEREAS, under and by virtue of the provisions of Ordinance No. 544-N.S. duly and regularly adopted by the City Council of the City of Modesto, said City Council has the power, when and if the general welfare and safety of the citizens of the City of Modesto so require it, to increase or diminish the time for which vehicles may be parked on the public streets of the business district of the City of Modesto; 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 (10) 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 9:00 A.M. and 6:00 P.M., for ten (10) consecutive minutes, and no longer.

1. First parallel parking stall situate on the northwesterly side of J Street, easterly from the north corner of the intersection formed by Eleventh and J Streets.

2. First oblique parking stall on the southwesterly side of Eleventh Street northerly from the west corner of the intersection formed by Eleventh and J Streets.

3. First oblique parking stall situate on the northwesterly side

of Tenth Street northerly from the north corner of the intersection formed by Tenth and J Streets.

4. First parallel parking stall situate on the northeasterly side of Eleventh Street southerly from the east corner of the intersection formed by Eleventh and J Streets.

5. First parallel parking stall situate on the southeasterly side of J Street westerly from the south corner of the intersection formed by Eleventh and J Streets.

6. Second oblique parking stall situate on the northeasterly side of Tenth Street southerly from the east corner of the intersection formed by Tenth and J Streets.

7. First parallel parking stall situate on the southeasterly side of J Street westerly from the south corner of the intersection formed by Tenth and J Streets.

8. First oblique parking stall situate on the northeasterly side of Eleventh Street northerly from the north corner of the intersection formed by Eleventh and I Streets.

9. First oblique parking stall situate on the northwesterly side of I Street westerly from the west corner of the intersection formed by Eleventh and I Streets.

10. First oblique parking stall on the southwesterly side of Tenth Street northerly from the west corner of the intersection formed by Tenth and I Streets.

11. First oblique parking stall situate on the northeasterly side of Eleventh Street southerly from the east corner of the intersection formed by Eleventh and I Streets.

12. First oblique parking stall situate on the southeasterly side of I Street westerly from the south corner of the intersection formed by Eleventh and I Streets.

13. First oblique parking stall situate on the southwesterly side of Tenth Street southerly from the south corner of the intersection formed by Tenth and I Streets.

14. First oblique parking stall situate on the northeasterly side of Tenth Street northerly from the north corner of the intersection formed by Tenth and H Streets.

15. First oblique parking stall on the southwesterly side of Tenth Street northerly from the west corner of the intersection formed by Tenth and H Streets.

16. First oblique parking stall situate on the northeasterly side of Tenth Street southerly from the east corner of the intersection formed by Tenth and H Streets.

17. 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.

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 areas herein designated shall be used by the operators of vehicles for the period herein set forth.

Said resolution shall be effective as soon as each of the

spaces and/or areas herein designated are 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 28th day of April, 1937 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: Oliver, Neece, Stanley, Pack and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 3821-N.S.

A RESOLUTION GRANTING PERMIT TO L. G. FRISTROM FOR BUSINESS BUILDING IN A RESIDENCE ZONE

---oOo---

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

L. G. FRISTROM

To erect and maintain a music studio on property known as lots 31 and 32, Block 584 on High Street in the City of Modesto

and it appearing from affidavits on file that a notice setting forth a time for hearing any and all protests to the granting of the petition as prayed for, and this being the time set forth and

WHEREAS, the City Clerk reports that no 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 28th day of April, 1937 by Commissioner Pack, who 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, Pack, Stanley, Oliver and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, City Clerk

RESOLUTION NO 3822-N.S.

A RESOLUTION EXPRESSING APPRECIATION OF THE CITY COUNCIL OF THE CITY OF MODESTO TO ROY E. PACK

---oOo---

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

WHEREAS, for approximately two years of said period the said Roy E. Pack was the Acting Mayor of the City of Modesto; and

WHEREAS, on the date herein set forth, to-wit; April 28, 1937, the said Roy E. Pack voluntarily retires from the office of City Councilman of said City and

WHEREAS, the said Roy E. Pack during the period of membership on said

City Council, both as Councilman and Acting Mayor of the City of Modesto, has rendered invaluable service to the citizens of the City of Modesto, and has at all times held himself ready and willing to aid and has aided the other members of said City Council in promoting the interests and welfare of said City;

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

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 28th day of April, 1937 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 and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 3823-N.S.

A RESOLUTION GRANTING LEAVE OF ABSENCE TO MAYOR KING

---oOo---

BE IT HEREBY RESOLVED that the Mayor be allowed a leave of absence from his duties for a period of 30 days or less beginning April 29, 1937.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on April 28, 1937 by Commissioner Neece 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, Pack, Stanley, Oliver and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 3824-N.S.

A RESOLUTION REFERRING BIDS ON MATERIAL FOR SEWAGE WORKS TO THE CITY ENGINEER FOR INVESTIGATION AND TABULATION AS TO THE LOWEST AND BEST BID

---oOo---

Pursuant to advertising for material for Sewage Works and the time for opening bids having now arrived, the City Clerk reported receipt of five bids which when opened read as follows:

NAME OF BIDDER	Item 1	Item 2	Item 3	Item 4
California Corrugated Culvert Co.				\$580.03
Fairbanks, Morse & Co.		\$1190.35 (Item 2 and 3)		
Victor Equipment Co.		\$932.93	\$565.31	
Dorr Company	\$5043.00			
Water Works Supply Co.	4500.00			

BE IT HEREBY RESOLVED that the above bids be referred to the City Engineer for investigation and tabulation as to the lowest and best bid and to report back to

the Council.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on April 28, 1937, by Commissioner Pack, 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, Oliver, Pack, Stanley and Mayor King
Noes: Councilmen: None
Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 3825-N.S.

A RESOLUTION ACCEPTING MAP OF RESUBDIVISION OF COLLEGE TRACT LOCATED IN BLOCK 502 and 503

---oOo---

WHEREAS, a map of the resubdivision of College Tract located in Block 502 and 503 was presented to the Council for acceptance and approval

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

The foregoing resolution was regularly introduced at the regular Council meeting of the City of Modesto held on April 28, 1937 by Commissioner Pack who 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, Pack, Stanley, Oliver and Mayor King
Noes: Councilmen: None
Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 3826-N.S.

A RESOLUTION ADOPTING THE BUDGET, AS SET FORTH IN THE PROJECT STATEMENT OF APRIL 28, 1937, FOR EXPENDITURES UPON THE STREETS OF MAJOR IMPORTANCE AS PROVIDED IN SECTIONS 194 and 195 OF THE STREETS AND HIGHWAYS CODE

---oOo---

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

THEREFORE, BE IT RESOLVED that the Council of the City of Modesto does hereby adopt this statement as its budget for the expenditure of $\frac{1}{4}$ cent funds upon streets of Major Importance for the fiscal year ending June 30, 1938, 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.E.Pierce, Engineer of Division X of Highways of the California State Department of Public Works.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on April 28, 1937 by Commissioner Pack who 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, Pack, Stanley, Oliver and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 3827-N.S.

A RESOLUTION ADOPTING THE BUDGET AS SET FORTH IN THE PROJECT STATEMENT OF APRIL 28, 1937 FOR THE IMPROVEMENT AND MAINTENANCE 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 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. E. Pierce, Engineer of Division X of Highways of the California State Department of Public Works.

The foregoing Resolution was introduced at a regular meeting of the Council of the City of Modesto held on April 28, 1937 by Commissioner Pack who 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, Pack, Stanley, Oliver and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, City Clerk

RESOLUTION NO. 3828-N.S.

A RESOLUTION CERTIFYING THAT THE RETURNS OF THE ELECTION TO VOTE FOR TWO MEMBERS OF THE CITY COUNCIL OF THE CITY OF MODESTO AND ONE MEMBER OF THE BOARD OF EDUCATION OF THE MODESTO CITY SCHOOL DISTRICT HAVE BEEN CANVASSED AND DECLARING THE RESULTS OF SAID ELECTION

---oOo---

WHEREAS, the Council of the City of Modesto did by Resolution No. 3813 N.S., adopted on the 15th day of April, 1937 call a general municipal election to be held on the 27th day of April 1937 for the purpose of voting for the selection of two members of the City Council of the City of Modesto, and on said 15th day of April, 1937 by said Resolution likewise called a general election in and for the Modesto City School District to select one member of the Board of Education of said Modesto City School District; and

WHEREAS, the provisions of law prerequisite to the calling of said election have been duly complied with, and notice of said election has been duly given, all as required by law, and that said elections were held on the said 27th day of April, 1937, and were held and conducted in all respects in conformity with the laws of the State

of California, and the ordinances of the City of Modesto; and

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

WHEREAS, it appears from the canvass of the returns of said election that a total number of votes cast within the City of Modesto, including absentee ballots, was and is 2,448 votes, and that the total number of votes cast in the said City of Modesto and within the confines of the Modesto City School District, including absentee ballots, was and is 3,093; and

WHEREAS, it appears from said canvass that George Neece, candidate for City Councilman, secured a total number of 1,599 votes; that Barney H. Bond, candidate for City Councilman, secured a total number of 1,219 votes; that Ad Brown, candidate for City Councilman, secured a total number of 1,193 votes; that Y. G. Barnell, candidate for City Councilman, secured a total number of 207 votes; and that one vote was cast for the election of Fred Peterson to said City Council; and

WHEREAS, it appears by said canvass that Mrs. Rhoda Sturtevant, candidate for member of Board of Education of Modesto City School District, secured a total number of 1,957 votes; and that Viola W. Field, candidate for member of Board of Education of Modesto City School District, secured a total number of 963 votes:

NOW THEREFORE, the City Council of the City of Modesto, sitting as a canvassing board to canvass the returns of said election, does hereby declare that George Neece and Barney H. Bond were and are elected as Councilmen of and to membership as Councilmen in the City Council of the City of Modesto, and that Mrs. Rhoda Sturtevant has been and is elected to membership on the Board of Education of Modesto City School District, and the City Clerk of the City of Modesto is hereby empowered and ordered to deliver unto the said George Neece, Barney H. Bond, and Mrs. Rhoda Sturtevant Certificates of Election, evidencing the election of said candidates to the respective offices herein described, to which each of said candidates has been elected.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 28th day of April, 1937 by Councilman Pack 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, Pack, Oliver, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 3829-N.S.

A RESOLUTION AUTHORIZING PAYMENT TO ELECTION OFFICERS AND FOR POLLING PLACES IN GENERAL MUNICIPAL ELECTION OF APRIL 13, 1937 AND SECOND GENERAL MUNICIPAL ELECTION OF APRIL 27, 1937

---oOo---

WHEREAS, pursuant to General and Second General Municipal elections held on April 13, 1937 and April 27, 1937 in and for the City of Modesto and the

Modesto City School District, certain election officers were employed and certain polling places were rented for conducting said elections:

BE IT THEREFORE RESOLVED that the said election officials serving in precincts located within the City of Modesto be paid the sum of \$5.00 for each election for their services, that the said election officials serving in precincts outside the City of Modesto be paid the sum of \$3.00 for each election for their services, that O. H. DeForest, James L. Curtis, Omer C. Glass and Hubert W. Little be paid \$1.00 for each election additional for setting up election booths outside the City of Modesto and that the sum of \$5.00 be paid for each election for all polling places which it is necessary to pay for.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto by Commissioner Neece, held on April 28, 1937, who moved its adoption, which motion being duly seconded, was upon roll call adopted by the following vote:

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

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 3830-N.S.

A RESOLUTION GRANTING PERMIT TO EXCHANGE CLUB TO USE MUNICIPAL GOLF COURSE FOR A TOURNAMENT ON MAY 13th, 1937 WHEN THE STATE CONVENTION OF THE EXCHANGE CLUB WILL BE HELD IN MODESTO

---oOo---

WHEREAS, O.O. Osborne, Chairman of Golf Committee of the Exchange Club of Modesto has requested that the Exchange Club be allowed to hold a golf tournament on Thursday, afternoon of May 13th, 1937 at the Municipal Golf Course of the City of Modesto, at which time the State Convention of the Exchange Club will be held in Modesto

BE IT HEREBY RESOLVED that this request be granted to petitioner.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on April 28, 1937 by Commissioner Oliver who moved its adoption, which motion being duly seconded was regularly adopted by the following vote:

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

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO 3831-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 28, 1937 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, Bond, Stanley, Oliver and Mayor King
Noes: Councilmen: None
Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 3832-N.S.

A RESOLUTION DESIGNATING THE ASSIGNMENT OF THE MEMBERS OF THE CITY COUNCIL OF THE CITY OF MODESTO TO VARIOUS COMMISSIONERSHIPS

---oOo---

WHEREAS, as the result of the general municipal elections held in the City of Modesto on April 13th and April 27th, 1937, Barney H. Bond and George F. Neece have been elected and have qualified and are now Councilmen of the City of Modesto, and together with Mayor James H. King, Councilmen G. D. Oliver, Jr. and C. J. Stanley, constitute the Council of said City; and

WHEREAS, Section 35 of the Charter of the City of Modesto requires that the Council shall at the first regular meeting after the election of its members designate the commissionerships of the member of the Council; and

WHEREAS, this is the first meeting of the Council following the said elections:

NOW THEREFORE, be it RESOLVED, that Councilman Barney H. Bond be and he is hereby designated as Commissioner of Public Works; that Councilman George F. Neece be and he is hereby designated Commissioner of Finance and Revenue; that Councilman G. D. Oliver, Jr. be and he is hereby designated Commissioner of Public Supplies; and that Councilman C. J. Stanley shall continue in his present Commission-ership as the Commissioner of Public Health and Safety.

Be it further resolved that the said Council 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 previous ordinances and resolution 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 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.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of May, 1937, 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, Bond, Oliver, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 3833-N.S.

A RESOLUTION ALLOWING CLAIMS FOR MONTH OF APRIL, 1937

---oOo---

WHEREAS, the claims against the City of Modesto for the month of April, 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-----	\$24,713.64
WATER FUND-----	\$ 6,053.11
LIBRARY FUND-----	\$ 1,509.45
BOND RED. INT. FUND-----	\$ 39.97
ST. BOND RED. INT. FUND-----	\$ 391.72
UNAPPORTIONED FUND-----	\$
GASOLINE TAX FUND-----	\$ 1,401.30
ST. BOND RED. INT. FUND SPECIAL	.35
TOTAL-----	\$ 34,109.54

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of May, 1937 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. 3834-N.S.

A RESOLUTION ALLOWING REFUND OF BUSINESS LICENSE DEPOSIT TO ELEANOR FRANCIS, WM. G. AND A. GILMOUR, LINDGREN & SWINERTON, INC.

---oOo---

WHEREAS, claims for refund of \$50.00 deposit required by Section 101 of Ordinance No. 487-N.S. have been filed by the following persons with the City Auditor:

ELEANOR FRANCIS
WM. G. AND A. GILMOUR
LINDGREN & SWINERTON, INC.

BE IT HEREBY RESOLVED that the City Clerk and Auditor be authorized to draw warrants in amount \$50.00 for each claimant as refund of business license deposit.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of May, 1937 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. 3835-N.S.

A RESOLUTION ALLOWING CLAIM OF DR. ALLAN D. HARRIS FOR OVERPAYMENT OF MILL AND ONE-HALF LICENSE

---oOo---

WHEREAS, Dr. Allan D. Harris has made a total overpayment of mill and one half license in amount \$2.59 on July 30, 1937 and May 10, 1937

BE IT HEREBY RESOLVED that the City Clerk and Auditor be authorized to draw a warrant for this amount 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 May, 1937 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. 3836-N.S.

A RESOLUTION ALLOWING CLAIM OF MRS. CLARA SAYERS FOR REFUND OF REGISTRATION FEE AS PROVIDED BY PROVISION OF RESOLUTION NO. 3302-N.S.

---oOo---

PURSUANT to claim of \$5.00 being filed with the City Auditor by Mrs. Clara Sayers for refund of registration fee as provided by provisions of Resolution No. 3302-N.S. and

WHEREAS, Mrs. Clara Sayers' gross income received from her teaching of music lessons was less than \$25.00 per quarter

BE IT THEREFORE RESOLVED that the City Auditor be empowered to draw warrant in amount of \$5.00 as requested by petitioner.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of May, 1937 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:

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

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 3837-N.S.

A RESOLUTION ALLOWING CLAIM OF FRED BENNETTS FOR REFUND PERSONAL PROPERTY TAX PAID ON HOUSEHOLD FURNITURE

---oOo---

WHEREAS, claim has been filed by Fred Bennetts for \$3.50 for personal property tax paid on household furniture (receipt #1497-E) because of the fact the household goods taxed were purchased on April 7, 1937 which is after assessment date,

BE IT HEREBY RESOLVED that claim be allowed as presented and City Clerk and Auditor be authorized to draw a warrant in amount \$3.50 in payment.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of May, 1937 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. 3838-N.S.

IN THE MATTER OF CLAIM FOR REFUND OF TRUCK AND TRAILER LICENSE MADE BY STINNETT'S TRANSFER COMPANY

---oOo---

WHEREAS, claim has been filed by Stinnett's Transfer Company for refund of truck and trailer license in amount \$7.50 for quarter ending June 30, 1937 paid to the City License Collector on April 13th because of the fact the claimant does not intend to operate in this city

BE IT HEREBY RESOLVED THAT THE City Auditor be authorized to draw warrant in amount \$7.50 as refund of license to Stinnett's Transfer Company.

The foregoing resolution was regularly adopted at the regular Council meeting of the City of Modesto held on May 12, 1937 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. 3839-N.S.

A RESOLUTION AWARDED BID ON PAVEMENT OVER CULVERTS ON FIRST, SECOND, THIRD AND FOURTH STREETS AT H STREET TO STEWART MCGAW

---oOo---

Plans and specifications having heretofore been filed by the City Engineer with the Council and approved by them for the paving over of culverts at the intersection of First, Second, Third and Fourth Streets on H Street and money for said construction 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, May 12th and having been then and there opened by the Council in open meeting and

WHEREAS it appears that the bid of Stewart M. McGaw for the work specified was the only one received and that Stewart M. McGaw is a responsible bidder.

BE IT THEREFORE RESOLVED that bid be awarded to Stewart McGaw for 400 tons asphaltic concrete at \$5.75 per ton as being 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 May, 1937 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. 3840-N.S.

A RESOLUTION AWARDED BID ON SEWAGE DISPOSAL PLANT

---oOo---

Pursuant to advertising for the sewage disposal plant equipment and the receiving of bids for same and action being postponed thereon until this time and it appearing that the following are the lowest and best bids:

Item #1	\$4503.00	Dorr Co. Inc,
Items #2 and #3	1190.35	Fairbanks Morse & Co.
Item #4	580.03	California Corrugated Culvert Co.

BE IT HEREBY RESOLVED that above named concerns be awarded bids and the City Clerk be instructed to return checks and bidding bonds to the unsuccessful bidders.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of May, 1937 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. 3841-N.S.

A RESOLUTION REAPPOINTING HOWARD KEELEY AS PARK COMMISSIONER FOR TERM OF THREE YEARS FROM MAY 10, 1937

---oOo---

BE IT HEREBY RESOLVED that Howard Keeley be reappointed Park Commissioner for a term of three years from May 10, 1937

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of May, 1937 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, Stanley, Oliver and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 3842-N.S.

A RESOLUTION NAMING B. H. BOND, COMMISSIONER OF PUBLIC WORKS, EX-OFFICIO MEMBER OF THE PLANNING COMMISSION

---oOo---

WHEREAS, pursuant to provision of Ordinance No. 414-N.S. providing that the Commissioner of Public Works shall be also ex-officio member of the City Planning Commission; and

WHEREAS, pursuant to reorganization of the City Council, B. H. Bond is now Commissioner of Public Works:

BE IT THEREFORE RESOLVED that B. H. Bond, Commissioner of Public Works, be and he is hereby named ex-officio member of the City Planning Commission during his term of office as such commissioner.

The foregoing resolution was introduced at a regular meeting of the City Council held on the 12th day of May, 1937 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, Oliver, Bond, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 3843-N.S.

A RESOLUTION AUTHORIZING CITY AUDITOR OF THE CITY OF MODESTO TO MAKE PAYMENT OF \$1,000.00 to EMMA V. SMITH, AND TO OTHERWISE COMPLY WITH JUDGMENT OF SUPERIOR COURT IN ACTION OF EMMA V. SMITH, vs CITY OF MODESTO

---oOo---

WHEREAS, on the 28th day of April, 1937, there was filed in the Superior Court of the State of California, in and for the County of Stanislaus action numbered 18892, entitled "Emma V. Smith, Plaintiff and Petitioner, vs. City of Modesto, a municipal corporation, et al., Defendants", which said action consisted of a petition for alternative writ of mandate; and

WHEREAS, on said date the Honorable Superior Court in and for said State and County issued an alternative writ of mandate commanding the defendants in said action to pay unto Emma V. Smith the sum of \$1,000.00, or to appear before said Court on May 10, 1937, to show cause why said payment has not been made; and

WHEREAS, on the said 10th day of May, 1937, before the Honorable B.C. Hawkins, Judge of said Court, a hearing was had upon said petition and evidence presented before said Court; and

WHEREAS, on said date, said Superior Court rendered judgment in the form of a peremptory writ of mandate, commanding the defendants named in said action to pay unto the said Emma V. Smith the sum of \$1,000.00, and to make known to said Court on or before June 1st, 1937 how said defendants have complied with said writ; and

WHEREAS, in view of the order of said Court said sum of \$1,000.00 is now due, owing and unpaid, to the said Emma V. Smith;

NOW, THEREFORE, BE IT RESOLVED, that the said defendants procure and deliver to the said Emma V. Smith and her attorney, A. J. Carlson, the sum of \$1,000.00, as and from the General Fund of the said City of Modesto. And the City Auditor of the said City of Modesto is hereby authorized and ordered to make, draw and deliver to said Emma V. Smith and her attorney, A. J. Carlson, a check in the sum of \$1000.00 drawn against the General Fund of said City of Modesto.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of May, 1937, 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. 3844-N.S.

A RESOLUTION APPROVING APPLICATIONS FOR BILLBOARDS MADE BY FOSTER & KLEISER

---oOo---

PURSUANT, to application being made by Foster & Kleiser for billboards

at the following location

- Lease #3929 Location 9th St. west line 200' north of E St.
- Lease #1482 Location 7th St. west line 25' south of G St.
- Lease # Location H St. north line 90' east of 4th St.
- Lease #3896 Location: Grant St. north line 200' west of Carlson

WHEREAS, applications presented are in accordance with requirements set forth by Ordinance No. 528-N.S. and Ordinance No. 302-N.S. and the City Engineer has determined that all locations comply with above named ordinances,

BE IT THEREFORE RESOLVED that application be approved as presented and applicant be permitted to erect signs in given locations.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of May, 1937 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: Oliver, Bond, Stanley and Mayor King
 Noes: Councilmen: Neece
 Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 3845-N.S.

A RESOLUTION AUTHORIZING THE COMMISSIONER OF FINANCE AND REVENUE TO ALLOW FLOWERS TO BE CUT FROM THE CITY PARKS IN CONNECTION WITH SHOWS OF THE MODESTO GARDEN CLUB OR FOR USE OF CONVENTIONS OR ORGANIZATIONS AND MEETINGS OF STATE-WIDE IMPORTANCE

---oOo---

WHEREAS, demands and requests have been repeatedly made upon the City Council of the City of Modesto for supply of flowers from the city parks and gardens; and

WHEREAS, the Council desires hereby to declare its policy regarding such matter; therefore

BE IT AND IT IS HEREBY RESOLVED that no flowers from the public parks shall be furnished for private purposes, but the Commissioner of Finance and Revenue may authorize the use of flowers from city parks and gardens in connection with the shows of the Modesto Garden Club or for use in connection with decorations in cases of conventions or organizations and meeting of statewide importance, the sessions of which are held in Modesto, and cutting and amount of such flowers for such purposes shall be under the supervision of Commissioner of Finance and Revenue, to whom requests for such flowers shall be made.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of May, 1937 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, Oliver, Stanley and Mayor King
 Noes: Councilmen: None
 Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 3846-N.S.

A RESOLUTION APPROVING APPLICATION OF THE RICHFIELD OIL COMPANY FOR ERECTION OF SERVICE STATION ON FIRST AND H STREETS

---oOo---

PURSUANT, to requirements of Ordinance No. 344-N.S. there was filed with the Council for approval application of the Richfield Oil Company to erect, operate and maintain a service station on property described as southwest 80 feet of lots 31 and 32 and the southwest 80 feet of the northwest 10 feet of lots 30 all in Block 2 of the City of Modesto

BE IT HEREBY RESOLVED that plans be approved as presented and permit be granted to the Richfield Oil Company when all provisions of City ordinances relative to building permit have been 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 May, 1937 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. 3847-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 May 12, 1937 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, Stanley, Oliver and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 3848-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 May 21, 1937 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: Oliver

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 3849-N.S.

A RESOLUTION DENYING REQUEST OF MOTORCYCLE CLUB TO HOLD STUNT PROGRAM ON JULY 4th ON EYE STREET BETWEEN ELEVENTH AND TWELFTH STREETS

---oOo---

WHEREAS the motorcycle club has petitioned the Council to rope off Eye Street from 10th to 12th Streets on Sunday July 4th to hold a stunt program with motorcycles in connection with their convention which will be held on July 3rd to 5th and

WHEREAS, it is the opinion of the Council that the nature of the program would be too hazardous for the public welfare and as there will be church services going on at the Court House at this time.

BE IT THEREFORE RESOLVED that this request be denied

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of May, 1937 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, Bond, Stanley, Oliver and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 3850-N.S.

A RESOLUTION ALLOWING CLAIM FOR REFUND OF DEPOSIT TO TERHEYDEN AND BROTHERS

---oOo---

WHEREAS, claim for refund of \$50.00 deposit required by section 101 of Ordinance No. 487-N.S. having been filed by Terheyden & Bros. with the City Auditor and

WHEREAS, this is a just claim.

BE IT HEREBY RESOLVED that the City Clerk and Auditor be authorized to draw warrant in amount of \$50.00 for claimant.

The foregoing resolution was introduced at a regular meeting of the Council held on May 26th, 1937 by Commissioner Neece, who moved its adoption, which motion being duly seconded was upon roll call regularly 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 3851-N.S.

A RESOLUTION ALLOWING CLAIM OF J. R. HOPKINS FOR \$192.00 AND LAURENCE BENSON FOR \$6.75 FOR CUTTING WEEDS

---oOo---

WHEREAS claims have been filed by J. R. Hopkins for \$192.00 for cutting weeds on vacant lots and Laurence Benson for \$6.75 for cutting weeds on skeet traps with the City Auditor.

BE IT THEREFORE RESOLVED that the City Clerk and Auditor be authorized to draw warrants in amounts designated for each claimant.

The foregoing resolution was introduced at a regular meeting of the Council held on May 26th, 1937 by Commissioner Bond, who moved its adoption, which motion being duly seconded, was upon roll call regularly 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. 3852-N.S.

A RESOLUTION ALLOWING CLAIM OF AIKEN & MCNEIL FOR \$6.25 FOR COURT REPORTING IN CASE OF CITY OF MODESTO V. MENSINGER

---000---

WHEREAS, a claim for \$6.25 has been filed by Aiken & McNeil for reporters' fee for case of City of Modesto v. Mensinger in the Superior Court with the City Auditor

BE IT THEREFORE RESOLVED that the claim be allowed and the City Auditor be authorized to draw warrant in this amount payable to petitioner.

The foregoing resolution was introduced at a regular meeting of the Council held on May 26th, 1937 by Commissioner Neece, who moved its adoption, which motion being duly seconded, was upon roll call regularly 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. 3853-N.S.

A RESOLUTION ACCEPTING PARTIAL PAYMENT OF TAXES UPON CERTAIN PREMISES, DEPENDENT UPON APPROVAL BY STATE COMPTROLLER

---000---

WHEREAS, there is now due and owing to the City of Modesto the sum of \$696.36, as and for taxes in and upon lots 26 and 27 in Block 17 of the City of Modesto; and

WHEREAS, there is no present prospect of collecting said amount upon said property; and

WHEREAS, said property is not now on the tax rolls of the City of Modesto and is yielding no revenue to said City; and

WHEREAS, Mrs. Leslie Baker of Modesto, California has offered to pay to the City one-half of said sum, to-wit, the sum of \$348.18, if the County of Stanislaus would accept in lieu of the full amount of taxes owed the County one-half of the amount owed said County, and for the further consideration that said City and County will cancel the balance of taxes owed on said premises:

NOW THEREFORE, BE IT RESOLVED, that the Council of the City of Modesto hereby agrees to accept said sum of \$348.18 in lieu of all amounts owed to the City as and for taxes on said premises, when and if the Board of Supervisors of the County of Stanislaus agrees to accept one-half of the taxes owing to said County on said premises, and when and if said agreement is approved by the Comptroller of the State of California.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of May, 1937 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. 3854-N.S.

IN THE MATTER OF GRANTING PERMIT TO DR. F. R. DELAPPE TO ERECT DOCTOR'S OFFICE ON CORNER OF SEMPLE STREET AND DOWNEY AVENUE

---oOo---

Pursuant to the filing of petition with the City Council by Dr. F.R. DeLappe for permit to erect and maintain an architect and doctor's office on property known as South 85' of lots 1 and 2, Block 579 of the City of Modesto 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 no protests either oral or written have been officially filed

BE IT THEREFORE RESOLVED that permission be granted 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 26th day of May by Commissioner Bond who moved its adoption, which resolution being seconded, was upon roll call 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. 3855-N.S.

A RESOLUTION AUTHORIZING CITY CLERK TO ADVERTISE FOR BIDS ON ROCK AND LUMBER FOR IMPROVEMENTS TO MUNICIPAL SEWER FARM

---oOo---

BE IT HEREBY RESOLVED that the City Clerk is hereby authorized to advertise for bids for the following materials

1-80 cu. yds of crushed rock or approved gravel graded to pass a $3\frac{1}{2}$ inch screen and retained upon a 3 inch screen

2-620 cu. yds of crushed rock or approved gravel graded to pass a $2\frac{1}{2}$ inch screen and retained upon a $1\frac{1}{2}$ inch screen

3-13000 bd. ft. of 2" x 4" x 16' rough common structural redwood for construction at the Municipal Sewer Farm

Said bids to be opened at 717 10th Street, City Hall at 7:30 P.M. Wednesday June 9, 1937.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of May, by Commissioner Bond, who moved its adoption, which resolution being seconded, was upon roll call 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. 3856-N.S.

A RESOLUTION GRANTING PERMIT TO W. M. KLEINENBROICH TO OPERATE BUS LINE ON STREETS OF THE CITY OF MODESTO UNTIL COUNCIL HAS TIME TO CHECK THE MATTER OF FRANCHISE

---oOo---

BE IT HEREBY RESOLVED that W. M. Kleinenbroich be permitted to use the streets of the City of Modesto to operate a bus line until such time as the matter can be gone over thoroughly by the Council of granting a franchise to him.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of May, by Commissioner Neece who moved its adoption, which resolution being seconded, was upon roll call 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. 3857-N.S.

A RESOLUTION ALLOWING FREE WATER TO W. P. A. PROJECT AT WAREHOUSE #43 OF THE MODESTO TERMINAL COMPANY AT 228 11th STREET

---oOo---

BE IT HEREBY RESOLVED that the W.P.A. organization be allowed free water service at warehouse #43 of the Modesto Terminal Company at 228 11th Street in the City of Modesto until August 30th, 1937

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of May, by Commissioner Bond, who moved its adoption, which resolution being seconded, was upon roll call 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. 3858-N.S.

ADJOURNMENT

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

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of May, by Commissioner Oliver who moved its adoption, which resolution being seconded, was upon roll call 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

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 2nd day of June, 1937 by Commissioner Bond who moved its adoption, which resolution being seconded, was upon roll call 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

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RESOLUTION NO. 3859-N.S.

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

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of June, 1937 by Council Mayor Bond, who moved its adoption, which resolution being seconded, was upon roll call 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. 3860-N.S.

A RESOLUTION ALLOWING CLAIMS FOR MONTH OF MAY, 1937

---oOo---

WHEREAS, the claims against the City of Modesto for the month of May, 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:

Table with 2 columns: Fund Name and Amount. Rows include GENERAL FUNDS (\$24,175.78), WATER FUND (\$6,445.68), LIBRARY FUND (\$1,639.06), BOND RED. INT. FUND (\$7.70), ST. BOND RED. INT. FUND (\$3.50), UNAPPORTIONED FUND (\$475.08), and TOTAL (\$32,746.80).

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of June, 1937, 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. 3861-N.S.

A RESOLUTION ALLOWING CLAIM OF W. E. BLACKBURN FOR REFUND OF DEPOSIT AND \$5.40 FOR REFUND OF WATER BILL TO J. A. COULTER

---oOo---

WHEREAS, claim against the City of Modesto for refund of deposit in amount \$50.00 has been filed with the City Auditor by W. E. Blackburn and claim of \$5.40 for refund on water bill at 2217 Morris Avenue by J. A. Coulter with the City Auditor.

NOW THEREFORE BE IT RESOLVED that all of said claims so audited and approved be and they are hereby ordered allowed and the Auditor is hereby directed to draw warrants in favor of applicants.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of June, 1937 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. 3862-N.S.

A RESOLUTION CANCELLING TAXES ON LOTS 38 and 39 IN BLOCK 456 OF THE CITY OF MODESTO, FOR THE VETERANS WELFARE BOARD

---oOo---

WHEREAS the Veterans Welfare Board have requested that the City of Modesto cancel taxes on property acquired by the Veterans' Welfare Board through provisions of the Veterans' Farm and Home Purchase Act, described as follows:

FRED W. HILTON, lots 38 and 39 in Block 456 of the City of Modesto.

BE IT HEREBY RESOLVED that the City Tax Collector and assessor be authorized to make such entries on his books to cancel these taxes.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of June, 1937 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. 3863-N.S.

A RESOLUTION APPROVING APPLICATION AND BOND OF JOHN A. MILLER FOR PLUMBING CONTRACTING IN THE CITY OF MODESTO

---oOo---

WHEREAS, application and bond of John A. Miller for carrying on the business of plumbing in the City of Modesto having been submitted to the Council for approval, pursuant to provisions of Ordinance No. 276-C.S. and

WHEREAS, the said application and bond appear to be in proper form.
BE IT THEREFORE RESOLVED that the said bond of John A. Miller be

and the same is hereby approved and the City Clerk authorized to issue to said John A. Miller license to carry on the business of plumbing in the City of Modesto, when all provisions of Ordinance No. 487-N.S. relative to payment of license fee shall have been complied with.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of June, 1937 by Commissioner 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. 3864-N.S.

A RESOLUTION AUTHORIZING CITY CLERK TO ADVERTISE FOR BIDS ON TRACTOR

0o0

BE IT HEREBY RESOLVED that the City Clerk be and he is hereby directed to advertise for bids or proposals for the following:

1-One tracklayer type tractor powered with a Diesel engine of approximately 35 H.P. at the Drawbar, the gauge width, center to center of tracks is to be 60 inches

2-One set of wide street plates for the 60 inch gauge tractor.

3-Alternate to Item 1, one tracklayer type Tractor powered with a Diesel engine of approximately 35 H.P. at the Drawbar. The gauge width, center to center of tracks is to be not less than 44 inches.

4-Alternate. One set of Street plates for the narrow gauge Tractor described under item 3.

Bids to be opened at the next regular Council meeting June 23, 1937 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 9th day of June, 1937 by Commissioner 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. 3865-N.S.

A RESOLUTION ALLOWING CLAIM OF S. M. MCGAW FOR \$1955.00 FOR ASPHALT CONCRETE AS PER CONTRACT AWARDED BY RESOLUTION NO. 3839-N.S.

---o0o---

WHEREAS, S. M. MCGAW has filed with the City Auditor claim for \$1955.00 for 340 tons Asphalt Concrete at \$5.75 per ton furnished the City for construction on the culverts on H Street at Second Third and Fourth Streets and

WHEREAS, claim is in accordance with award made by Resolution No. 3839-N.S.

BE IT THEREFORE RESOLVED that the claim be allowed as presented and the City Auditor is authorized to draw warrant in payment to claimant.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of June, 1937 by

Commissioner 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. 3866-N.S.

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

---oOo---

WHEREAS, the State of California, through its Department of Public Works, Division of Highways, has presented a memorandum of agreement in accordance with a project statement submitted by the City for expenditure of the 1/4 cent gas tax for the 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, and desires to approve the same;

NOW 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 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.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on June 9, 1937 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

I hereby certify that the foregoing resolution was duly and regularly passed by the City Council of the City of Modesto at a regular meeting thereof held June 9, 1937.

H. E. Gragg, City Clerk

RESOLUTION NO. 3867-N.S.

A 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 1937-1938 allocated for Streets of Major Importance 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:

NOW 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 be and the same is hereby approved and the Mayor and City Clerk are directed to sign the same on behalf of said City.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on June 9, 1937 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

I hereby certify that the foregoing resolution was duly and regularly passed by the City Council of the City of Modesto at a regular meeting thereof held June 9, 1937.

H. E. GRAGG, CITY CLERK

RESOLUTION NO. 3868-N.S.

WHEREAS, heretofore, to-wit, on the 26th day of May, 1937 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 Modesto; 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 13th day of July, 1937; 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 *particular*

described as follows, to-wit:

Starting at the north boundary line of the City of Modesto County of Stanislaus, State of California, at the point where the easterly boundary line of McHenry Avenue intersects the northerly boundary line of Lateral No. 4 of the Modesto Irrigation District; thence continuing along and upon said northerly boundary line of said Lateral No. 4 to a point intersecting the northerly property line of the LESLIE HUGH TRACT, extended and produced; thence westerly and parallel with said northerly boundary line to the easterly boundary line of said McHenry Avenue; thence south along and upon the easterly boundary line of said McHenry Avenue to the point of beginning.

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:

GARAGE-1721 Patricia Lane

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: RUTH NEAFUS and MARIE NEEL
INSPECTOR: MILDRED RINEHART

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 "The LESLIE HUGH TRACT."

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

"Shall the LESLIE HUGH Tract be annexed to the City of Modesto?"	:	:	:	:
	:	Yes	:	:
	:	:	:	:
Shall the LESLIE HUGH 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 11th, 1913, and the acts amendatory of and supplemental thereto.

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 13th day of July, 1937.

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:

Starting at the north boundary line of the City of Modesto County of Stanislaus, State of California, at the point where the easterly boundary line of McHenry Avenue intersects the northerly boundary line of Lateral No. 4 of the Modesto Irrigation District; thence continuing along and upon said northerly boundary line of said Lateral No. 4 to a point intersecting the northerly property line of the LESLIE HUGH TRACT, extended and produced; thence westerly and parallel with said northerly boundary line to the easterly boundary line of said McHenry Avenue; thence south along and upon the easterly boundary line of said McHenry Avenue to the point of beginning.

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, LESLIEHUGH 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, LESLIE HUGH Tract, Tuesday, July 13th, 1937

INSTRUCTIONS TO VOTERS: Each voter desiring to vote in favor of annexing the territory herein referred to as the LESLIE HUGH Tract to the City of Modesto shall stamp a cross (X) in the voting square after the word "Yes" after the words "Shall the LESLIE HUGH 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 words "Shall the LESLIE HUGH 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 THE LESLIEHUGH TRACT BE ANNEXED to the City of Modesto?"	:	Yes	:
"Shall the LESLIEHUGH Tract be annexed to the City of Modesto?"	:	No	:

Said election shall be held as aforesaid on the 13th day of July, 1937. 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 the LESLIE HUGH 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:

GARAGE, 1821 Patricia Lane

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: Ruth Neafus and Marie Neel, Inspector: Mildred Rinehart.

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

Dated: June 9, 1937

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

SEAL

Date of first publication: June 11, 1937

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

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 3869-N.S.

A RESOLUTION AUTHORIZING THE INSTALLATION OF "SLOW-CROSS STREET" signs ON FOURTEEN STREET AT E, F AND G STREETS AND 25 MILE LIMIT" SIGNS ON 14th STREETS AT D AND F STREETS

---oOo---

WHEREAS, the Committee composed of Commission Stanley, Chief of Police Arington and City Engineer Rossi, appointed by the Council to make an investigation of the traffic conditions in the City of Modesto, have reported that they deemed it advisable to install "SLOW---CROSS STREET" signs on Fourteenth Street at E, F. and G Streets and that "25 MILE LIMIT" signs be placed on 14th Street at D and F Streets,

BE IT WHEREFORE RESOLVED that the Public Works Department be authorized to install signs as set forth.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of June, 1937 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. 3870-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 9th day of June, 1937 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. 3871-N.S.

A RESOLUTION AWARDED BIDS ON GRAVEL TO PUTNAM SAND AND GRAVEL COMPANY AND ON LUMBER TO THE UNITED LUMBER YARDS FOR CONSTRUCTION AT SEWER FARM

---oOo---

Pursuant to advertising for the sewer farm material of gravel and lumber to be used in construction and the receiving of bids for same and action being postponed thereupon until this time and

WHEREAS, it appears that the following are the lowest and best bids

<u>BIDDER</u>	<u>COMMODITY</u>	<u>AMOUNT</u>
United Lumber Yards	Irrigation Grade R.W. Ro. 13000 Bd Ft. 2" x 4" x 16'	\$769.91
Putnam Sand & Gravel Co.	80 yds crushed rock 3-3 1/2"	\$3.00 per cu. yd.
	620 Cu. Yds crushed rock 1 1/2"-2 1/2"	2.25 per cu. yd.

BE IT THEREFORE RESOLVED that the bids be awarded to above named concerns and City Clerk be directed to return checks to the unsuccessful bidders.

The foregoing resolution was introduced at a Special meeting of the Council of the City of Modesto held on the 22nd day of June, 1937 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. 3872-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 22nd day of June, 1937

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. 3873-N.S.

A RESOLUTION ALLOWING CLAIM FOR REFUND OF \$50.00 DEPOSIT REQUIRED SECTION 101 of ORDINANCE NO. 487-N.S. TO ABEL P. FULIDO AND B. F. HUDELSON

---oOo---

WHEREAS claim for refund of \$50.00 deposit required under section 101 of Ordinance No. 487-N.S. having been filed by Abel P. Pulido and B. F. Hudelson with the City Auditor and

WHEREAS the deposits have been up for the required length of time and all mill and one-half license has been paid.

BE IT THEREFORE RESOLVED that the City Clerk and Auditor be authorized to draw warrants in amount of \$50.00 for each claimant.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of June, 1937 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, Bond, Stanley, Oliver and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 3874-N.S.

A RESOLUTION ALLOWING CLAIM OF STATE COMPENSATION INSURANCE FUND FOR 1937-1938 COMPENSATION POLICY

---oOo---

WHEREAS, claim has been filed with the City Auditor for \$3167.72 for renewal premium on compensation insurance for the City of Modesto for year July 1, 1937 to July 1, 1938 by the State Compensation Insurance Fund.

BE IT HEREBY RESOLVED that claim be allowed and the City Clerk and Auditor be authorized to draw warrant in payment after July 15, 1937.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of June, 1937 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, Bond, Stanley, Oliver and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 3776-N.S.

A RESOLUTION GRANTING PERMIT TO P. PRINCEVALLE TO OPERATE AND MAINTAIN SERVICE STATION AT 9th & O STREETS, lots 29, 30, 31 and 32 in BLOCK 61.

---oOo---

WHEREAS, P. Princevalle has made petition to the Council to Construct, operate, and maintain a gasoline service station and greasing rack on lots 29, 30, 30, 31 and 32 of Block 61 located at the corner of 9th & O Streets

BE IT HEREBY RESOLVED that petition 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 regular meeting of the City Council of the City of Modesto, held on the 24th day of February, 1937 by Councilman Pack, 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, Pack, Stanley, Oliver and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG, CITY CLERK

RESOLUTION NO. 3875-N.S.

A RESOLUTION GRANTING PERMISSION TO COUNTY OF STANISLAUS TO INSTALL AND MAINTAIN AN AERIAL FROM THE NORTHWEST CORNER OF H AND 12TH STREET IN THE CITY OF MODESTO

---oOo---

WHEREAS, the County of Stanislaus has requested permit from the City of Modesto to install and maintain an aerial from the northwest corner of H and 12th Streets to a pole in the rear of the County Jail, City of Modesto, said aerial to be at a height of 108 feet.

BE IT HEREBY RESOLVED that the said County of Stanislaus be granted permission to construct aerial under the supervision of the City Engineer.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of June, 1937 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. 3876-N.S.

A RESOLUTION GRANTING PERMIT TO PENTECOSTAL ASSEMBLY CHURCH TO ERECT A GOSPEL TENT ON THE CORNER OF VINE & MADISON STREETS FOR REVIVAL PURPOSES PROVIDING THEY OBTAIN CONSENT OF PROPERTY OWNERS AS PROVIDED FOR BY ZONING ORDINANCE NO. 364-N.S.

---oOo---

WHEREAS, the Pentecostal Assembly Church of 610 Sixth Street have petitioned the City Council to be permitted to erect a Gospel Tent on the corner of Vine & Madison Streets for revival purposes for about 30 days

BE IT HEREBY RESOLVED that permit be granted as requested providing they obtain the signatures of property owners as provided for in Zoning Ord-

nance no. 364-N.S.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of June, 1937 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. 3877-N.S.

A RESOLUTION DENYING REQUEST OF R. A. SYLVA FOR WATER SERVICE OUTSIDE CITY LIMITS AND DIRECTING THAT NO FURTHER WATER CONNECTIONS OUTSIDE CITY BE MADE BEFORE APPLICATION FOR SERVICE HAS BEEN APPROVED BY COUNCIL

---oOo---

WHEREAS, R. A. SYLVA has petitioned the Council for water service on lot six of Block 803 of the new Campus Tract, outside the City limits.

BE IT HEREBY RESOLVED that request of petitioner be denied and all further water connections outside city limits should be approved by the Council before service is granted.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of June, 1937 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. 3878-N.S.

A RESOLUTION AWARDED BID FOR PRINTING AND ADVERTISING CONTRACT FOR YEAR ENDING JUNE 30, 1938 TO THE MODESTO BEE

---oOo---

PURSUANT to notice to bidders for printing and advertising contract for fiscal year ending June 30, 1938 and this being the time set forth for the opening of said bids, the City Clerk reported receipt of one bid, namely; that of the Modesto Bee and

WHEREAS, the prices set forth in said bid are satisfactory, reference being hereby made to the said bid now on file in the City Clerk's office for further details as to same:

THEREFORE, BE IT RESOLVED that the bid of the Modesto Bee for printing and advertising for the City of Modesto for the fiscal year beginning July 1, 1937 and ending June 30, 1938 be and the same is hereby accepted, and the Mayor and City Clerk authorized to enter into a contract with the said Modesto Bee on behalf of the City of Modesto for printing and advertising as aforesaid, at the prices set forth in the above mentioned bid.

The foregoing resolution was introduced at a regular meeting of the

Council of the City of Modesto held on the 23rd day of June, 1937 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, Oliver, Bond, Stanley and Mayor King
Noes: Councilmen: None
Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 3879-N.S.

A RESOLUTION REFERRING BIDS ON DIESEL TRACTOR AND SET OF STREET PLATES FOR SAME TO CITY ENGINEER ~~FOR CITY ENGINEER~~ FOR TABULATION AND RECOMMENDATION

---oCo---

Pursuant to advertising for bids for Diesel 60 Gauge Tractor and 1 set of street plates and this being the time set forth for receiving of such bids, the City Clerk reported that there were on file four bids, which the Council proceeded to open and declare as follows:

<u>BIDDER</u>	<u>Item 1</u>	<u>Item 2</u>	<u>Item 3</u>	<u>Item 4</u>
Valley Tractor & Equip. Co.	\$3146.65	\$51.50	\$2987.00	\$51.50
		Trade in allowance	\$755.00	
J. D. Adams Co.			3060.00	55.00
		Trade in allowance	\$750.00	
Green & Berry	\$3084.85	73.13	2961.25	73.13
		Trade in allowance	\$675.00	
Stanislaus Implement & Hard.Co.	\$3020.00	66.25	2920.00	66.25
		Trade in allowance	\$750.00	

BE IT HEREBY RESOLVED that these 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 23rd day of June, 1937 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, Oliver, Bond, Stanley and Mayor King
Noes: Councilmen: None
Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 3880-N.S.

A RESOLUTION AUTHORIZING CITY ATTORNEY TO MAKE ARRANGEMENTS TO RENEW LEASE WITH BEARD LAND & INVESTMENT COMPANY FOR ARCHERY RANGE

---oCo---

BE IT HEREBY RESOLVED that the City Attorney be authorized to make arrangements to renew lease on Archery Range near Beard Brook Park with the Beard Land & Investment Company.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of June, 1937 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, Oliver, Bond, Stanley and Mayor King
Noes: Councilmen: None
Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 3881-N.S.

A RESOLUTION APPOINTING MAYOR KING AND CITY CLERK AS SIGNATORY OFFICIALS ON AGREEMENT WITH CENTRAL PACIFIC RAILWAY COMPANY

---oOo---

PURSUANT to agreement being presented by the Central Pacific Railway Company for signature providing for the expense of removing and relocation of the electroliers on their property on 9th Street being assumed by the City of Modesto

BE IT HEREBY RESOLVED that Mayor King and City Clerk H.E.Gragg be named as signatory officials and agreement be completed and returned to the Central Pacific Railway Company.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of June, 1937 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, Oliver, Bond, Stanley and Mayor King
Noes: Councilmen: None
Absent:Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 3882-N.S.

A RESOLUTION APPOINTING ROY PACK ON THE LIBRARY BOARD

---oOo---

WHEREAS, the term of L. L. Dennett on the Library Board will expire on July 1, 1937

BE IT HEREBY RESOLVED that Roy Pack be appointed for a term of 4 years from July 1, 1937.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of June, 1937 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, Oliver, Bond, Stanley and Mayor King
Noes: Councilmen: None
Absent:Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 3883-N.S.

A RESOLUTION AUTHORIZING THE RENEWAL OF BUS FRANCHISE FOR A TERM OF THREE YEARS TO WILLIS M. KLEINENBROICH

---oOo---

WHEREAS, Willis M. Kleinenbroich has made application to the Council for renewal of franchise for operation of a bus line in the city of Modesto in accordance with Ordinance No. 306-N.S.

BE IT HEREBY RESOLVED that the franchise be renewed for a term of three years.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of June, 1937 by Commissioner Bond who moved its adoption, which motion being duly seconded, it was upon roll call adopted by

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. 3884-N.S.

A RESOLUTION APPOINTING COMMITTEE TO DRAFT NEW PLUMBING ORDINANCE

---oOo---

BE IT HEREBY RESOLVED that the following be appointed as committee to draw up a new plumbing ordinance:

ARTHUR FRIEDMAN, Chairman

D. R. HOFFMAN

R. REIEN

CLYDE R. ALLBRITTEN

MRS. JESSIE TRUBELOD

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of June, 1937 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, Oliver, Bond, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 3885-N.S.

ADJOURNMENT

As the Council wishes to meet in adjourned session on June 28, 1937 at 7:30 P.M. on Monday night

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

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of June, 1937 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, Oliver, Bond, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 3886-N.S.

A RESOLUTION AWARING BID ON TRACTOR AND STREET PLATES TO STANISLAUS IMPLEMENT & HARDWARE COMPANY

---oOo---

PURSUANT to advertising for tracklayer type tractor powered with Diesel engine and one set of wide street plates and bids being referred to the Commissioner of Public Works and City Engineer for tabulation

BE IT HEREBY RESOLVED that bid be awarded to the Stanislaus Implement and Hardware Company as being the lowest and best bid at a net price of \$2095.50 after deduction for trade in had been made and City Clerk and Auditor be directed to return bidding checks to unsuccessful bidders.

The foregoing resolution was introduced at an adjourned meeting of the Council of the City of Modesto held on June 28, 1937 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. 3887-N.S.

A RESOLUTION ALLOWING CLAIM OF J. R. HOPKINS FOR CUTTING WEEDS

---oOo---

WHEREAS, claim for cutting weeds on vacant lots in amount of \$40.00 has been filed with the City Auditor for payment by J.R.Hopkins

BE IT HEREBY RESOLVED that the City Clerk and Auditor be authorized to draw warrant in amount \$40.00 in payment of claim, to petitioner J.R.Hopkins.

The Foregoing resolution was introduced at an adjourned meeting of the Council of the City of Modesto held on June 28, 1937 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, Oliver, Stanley and Mayor King
Noes: Councilmen: None
Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 3888-N.S.

A RESOLUTION AUTHORIZING PAYMENT TO W. P. BARRY FOR REVISING RECAPITULATION MODESTO PUBLIC BUILDINGS AND EQUIPMENT OF \$150.00

---oOo---

WHEREAS, a claim for \$150.00 for revising recapitulation of Modesto Public Buildings and Equipment has been filed by William P. Barry, Building Appraiser with the City Auditor

BE IT HEREBY RESOLVED that the City Clerk and Auditor be authorized to draw warrant in payment of claim for \$150.00 after July 15th, 1937.

The foregoing resolution was introduced at an adjourned meeting of the Council of the City of Modesto held on June 28th, 1937 by Commissioner Neece, who moved its adoption, 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. 3889-N.S.

A RESOLUTION DENYING REQUEST OF POSTAL TELEGRAPH COMPANY TO BE PERMITTED TO INSTALL BICYCLE RACK IN FRONT OF THEIR PLACE OF BUSINESS AT 10TH & EYE STREETS

---oOo---

WHEREAS, the Postal Telegraph Company have petitioned the Council to be permitted to install a bicycle rack in front of their place of business at 10th & I Streets and

WHEREAS the matter was referred to the Chief of Police and City Engineer for investigation and they now report it inadvisable to grant request due to traffic conditions

BE IT THEREFORE RESOLVED that request be denied petitioner.

The foregoing resolution was introduced at an adjourned meeting of the Council of the City of Modesto held on June 28th, 1937 by Commissioner Stanley, who moved its adoption, 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. 3890-N.S.

ADJOURNMENT

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

The foregoing resolution was introduced at an adjourned meeting of the Council of the City of Modesto held on June 28th, 1937 by Commissioner Oliver, who moved its adoption, 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. 3891-N.S.

A RESOLUTION REFUSING DEED FROM W. R. MENSINGER TO CERTAIN PROPERTY THEREIN SET FORTH

---oOo---

WHEREAS, on the 1st day of November, 1931, W.R.Mensinger and Alma Mensinger, his wife, Merle Mensinger and Estella Mensinger his wife, as parties of the first part, and the City of Modesto, a municipal corporation, party of the second part, entered into a certain agreement, a copy of which is attached hereto, incorporated in and made a part hereof; and

WHEREAS, thereafter the City of Modesto bored or caused to be bored a certain well upon the premises described in said agreement; and

WHEREAS, thereafter a dispute arose among the parties to said agreement as to the proper method of performance of the terms therein set forth; and

WHEREAS, thereafter the party of the second part filed a suit in the Superior Court of the State of California, in and for the County of Stanislaus to enforce specific performance of said agreement,

a trial was had thereupon and a memorandum opinion was filed by said above entitled Court, "requiring the defendants to specifically perform the terms and conditions of their contract upon the condition that the plaintiff herein shall furnish to the residents of Mensinger Tract No. 2, when and as required, water service from the distribution system of the plaintiff City"; and

WHEREAS, a decree was thereafter signed and filed by said above entitled Court dated the 30th day of June, 1937, a copy of which decree is affixed hereto and made a part hereof; and

WHEREAS, under and by virtue of the terms of said decree the said defendants and all of them have tendered to the City of Modesto a deed dated July 1, 1937, conveying the property described in said agreement to said City of Modesto:

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Modesto having heretofore declared its intention to refuse any request for extension of water service to any new areas surrounding said City for the reason that water now available to said City and all of it is required by the residents within said City of Modesto and areas adjacent thereto which are now served with water by said City, the acceptance of said deed is hereby refused by said City Council and the City Attorney is hereby instructed to return said deed to W. R. Mensinger or his attorney.

The foregoing resolution was introduced at a Special meeting of the Council of the City of Modesto held on the 6th day of July, 1937, 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. 3892-N.S.

A RESOLUTION AUTHORIZING TRIP TO BAKERSFIELD BY CITY ATTORNEY FOWLER REGARDING PENSION SYSTEM

---oOo---

BE IT HEREBY RESOLVED that City Attorney Fowler be authorized to go to Bakersfield to confer with Mr. Phifer of the Bakersfield Fire Department on the pension system to be set up by the City of Modesto and that all expenses incurred be paid by the City.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on July 6, 1937 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, Bond, Stanley and Mayor King
Noes: Councilmen: None
Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 3893-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 6, 1937 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. 3894-N.S.

A RESOLUTION ALLOWING CLAIMS FOR MONTH OF JUNE, 1937

---oOo---

WHEREAS, the claims against the City of Modesto for the month of June 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-----	\$28,480.40
WATER FUND-----	6,381.99
LIBRARY FUND-----	1,750.59
BOND RED. INT. FUND-----	2,312.50
ST. BOND RED. INT. FUND-----	
UNAPPORTIONED FUND-----	
GASOLINE TAX FUND-----	1,955.00
SEWER SEPTIC FUND-----	5,046.93
TOTAL-----	\$45,927.41

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of July, 1937 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. 3895-N.S.

A RESOLUTION ALLOWING CLAIM FOR REFUND OF DEPOSIT OF \$50.00 TO HENRY BROWN, CHUCK & WALT'S, W. C. ROWE AND S. M. MCGAW

---oOo---

WHEREAS claims for refund of \$50.00 deposit required by section 101 of Ordinance No. 487-N.S. having been filed with the city Auditor by the following:

HENRY BROWN
CHUCK & WALT'S
W. C. ROWE
S. M. MCGAW

BE IT HEREBY RESOLVED that the City Clerk and Auditor be authorized to draw warrants in amount \$50.00 for each claimant.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on July 14th, 1937 by Commissioner Neece, who moved its adoption, 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. 3896-N.S.

A RESOLUTION POSTPONING CANVASSING OF BALLOTS ON THE LESLIEHUGH TRACT ELECTION UNTIL SATURDAY, JULY 17, 1937

---oOo---

BE IT HEREBY RESOLVED that the canvassing of the ballots on the LESLIE-HUGH TRACT election held on July 13th, 1937 be postponed until Saturday morning at 11:00 A.M. July 17, 1937 at which time an adjourned meeting will be held, to abide by the rules and regulations governing a Special election on annexation.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on July 14, 1937 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, Oliver, Stanley, Bond, and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 3897-N.S.

A RESOLUTION SUPPLEMENTING AND AMENDING THE BUDGET, AS SET FORTH IN THE PROJECT STATEMENT OF JULY 12, 1937, FOR EXPENDITURES UPON THE STREETS OF MAJOR IMPORTANCE AS PROVIDED IN SECTIONS 194 AND 195 OF THE STREETS AND HIGHWAYS CODE.

---oOo---

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

THEREFORE, BE IT RESOLVED that the Council of the City of Modesto does hereby adopt this Statement as a Budget for the expenditure of $\frac{1}{4}$ cent funds upon Streets of Major Importance, 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.E. Pierce, Engineer of Division X of Highways of the California State Department of Public Works.

The foregoing Resolution was introduced at a regular meeting of the Council of the City of Modesto held on July 14, 1937, 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. 3898=N.S.

A RESOLUTION AUTHORIZING PAYMENT TO ELECTION OFFICIALS SERVING IN LESLIEHUGH TRACT ANNEXATION ELECTION HELD ON JULY 13, 1937 AND RENTAL OF POLLING PLACE

---oOo---

WHEREAS, pursuant to Special election for annexation of LESLIEHUGH TRACT held on July 13, 1937 to the City of Modesto certain election officers were employed and a certain polling place was rented for conducting said election:

BE IT THEREFORE RESOLVED that the said election officials serving be paid the sum of \$5.00 for their services and that the sum of \$5.00 be paid for polling place, and City Auditor be authorized to draw warrants in payment of same.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on July 14, 1937 by Commissioner Bond, who moved its adoption, which motion being duly seconded, was upon roll call carried 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. 3899-N.S.

ADJOURNMENT

BE IT HEREBY RESOLVED that this Council meeting now in session adjourn until Saturday Morning at 11:00 A.M. July 17, 1937.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on July 14, 1937 by Commissioner Oliver, who moved its adoption, which motion being duly seconded, was carried 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. 3900-N.S.

A RESOLUTION OFFICIALLY ADOPTING SUPPLEMENT TO PROPOSED BUDGET FOR YEAR 1937-1938

---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, a supplement to the official budget for the fiscal year beginning July 1, 1937 and ending June 30, 1938 governing salaries to be paid to employees of the City of Modesto has been submitted to the Council for approval and adoption; and

BE IT RESOLVED that the said supplement to budget governing all employees of the City of Modesto be and the same is hereby adopted, same to be effective as of August 1st, 1937, with the exception of the City Clerk, Auditor,

Assessor, Treasurer, Collector, Attorney, Engineer, Chief of Police, Fire Chief, Street Superintendent, Building Inspector and Sewer Inspector, which are to be taken care of by Ordinance as provided for by section 36 of Article VIII of the City Charter, 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 Special meeting of the Council of the City of Modesto held on the 15th day of July, 1937 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. 3901-N.S.

A RESOLUTION ALLOWING EXPENSE CLAIM OF CITY ATTORNEY ON TRIP TO BAKERSFIELD

---oOo---

WHEREAS, claim has been presented by City Attorney Fowler in amount \$16.23 expenses incurred on his recent trip to Bakersfield in regard to consultation with Mr. Phifer of the Fire Department on the pension system for the Fire and police Departments and

WHEREAS Resolution No. 3892-N.S. authorized expenses of this trip to be paid by the City of Modesto

BE IT THEREFORE RESOLVED that the City Auditor be authorized to draw warrant in amount of \$16.23 payable to City Attorney R. B. Fowler.

The Foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 15th day of July, 1937 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. 3902-N.S.

ADJOURNMENT

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

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 15th day of July, 1937 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. 3903-H.S.

IN THE MATTER OF THE ELECTION FOR THE ANNEXATION OF THE LESLIEHUGH TRACT

---c0o---

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

Starting at the North boundary line of the City of Modesto, County of Stanislaus, State of California, at the point where the easterly boundary line of McHenry Avenue intersects the Northerly boundary line of Lateral No. 4 of the Modesto Irrigation District; thence continuing along and upon said Northerly boundary line of said Lateral No. 4 to a point intersecting the Northerly property line of the Lesliehugh Tract extended and produced; thence Westerly and parallel with said Northerly boundary line to the easterly boundary line of said McHenry Avenue; thence South along and upon the easterly boundary line of said McHenry Avenue to the point of beginning;

And it appearing that said election was held within the territory proposed to be annexed, on the 14th day of July, 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 that said property shall not be subject to any bonded or other indebtedness owed by said City prior to the date of the filing of the petition asking that such election be called or theretofore authorized. The Council thereupon proceeded to canvass the said returns, and upon such canvass finds that the whole number of votes cast in said territory proposed to be annexed was 65, that the number of votes cast therein in favor of annexation was 34, and that the number of votes cast therein against annexation was 31.

Thereupon, upon motion of Councilman Stanley, seconded by Councilman Bond, and adopted by the vote of the Council it was ordered that the foregoing record of said canvass be made and entered upon the minutes of the Council at this meeting.

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 I now am and at all times hereinafter mentioned was the duly appointed, qualified and acting City Clerk of the City of Modesto, and the Clerk of the Council of said City.

That the foregoing and attached record of the canvass of the returns of the election therein referred to and entitled: "In the matter of the election for the Annexation of the Lesliehugh Tract" is a full, true and correct copy of the record of the canvass of the returns of the election within the territory therein described, which election was held on the 14th day of July, 1937, upon

the question of the annexation of the territory therein described to the City of Modesto; that said record was and is entered upon the minutes of said City Council and is the record of the returns of said election; that said election was held on the 14th day of July, 1937, and the result thereof was canvassed at an adjourned regular meeting of the Council of the City of Modesto held on the 17th day of July, 1937; that the result of said canvass and of said election, as shown by said election, is as follows: That the total number of votes cast in the territory proposed to be annexed was 65; that the total number of votes cast in said territory in favor of annexation was 34; and that the total number of votes cast there at against said annexation was 31.

I further certify that the following is a full, true and correct description of the territory proposed to be annexed, and which was annexed to said City of Modesto pursuant to the proceedings hereinabove stated, to-wit:

Starting at the North boundary line of the City of Modesto, County of Stanislaus, State of California, at the point where the easterly boundary line of McHenry Avenue intersects the Northerly boundary line of Lateral No. 4 of the Modesto Irrigation District; thence continuing along and upon said Northerly boundary line of said Lateral No. 4 to a point intersecting the Northerly property line of the Lesliehugh Tract extended and produced; thence westerly and parallel with said Northerly boundary line to the easterly boundary line of said McHenry Avenue; thence South along and upon the easterly boundary line of said McHenry Avenue to the point of beginning.

IN WITNESS WHEREOF, I have hereunto set my hand as City Clerk and affixed the official seal of said City of Modesto this 17th day of July, 1937.

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 3904-N.S.

A RESOLUTION DECLARING ELECTION HELD ON JULY 13, 1937 FOR THE ANNEXATION OF LESLIEHUGH TRACT TO THE CITY OF MODESTO NULL AND VOID AND AUTHORIZING STATEMENT TO BE PUBLISHED IN THE MODESTO BEE

---oOo---

WHEREAS, the description of the property to be annexed to the City of Modesto in the LESLIEHUGH TRACT was faulty and is not contiguous to the City of Modesto BE IT HEREBY declared that the election held on July 13, 1937 for the annexation of the LESLIEHUGH TRACT be null and void and the following statement be published in the Modesto Bee:

"Upon a further check of the description contained in the petition for annexation of the LESLIEHUGH TRACT which description as contained in said election petition was thereafter used in the proclamation of election, it becomes apparent that said description is faulty in this: That the property sought to be annexed by said election is in fact not contiguous to the City of Modesto. It is a requirement of the law that property sought to be annexed to a municipal corporation, for the purposes at hand at least, must be contiguous to the municipal corporation to which it is sought to annex said property. Unfortunately in the matter of the LESLIEHUGH tract it has been determined that the property described in the petition for annexation is not contiguous to said municipal corporation but is distant from the City limits of the city of Modesto several feet.

It is clear that the error in said description is a fatal defect and that the election for that reason is void. The City Council, though regretting the situation, is of the opinion that it would be improper to complete the attempted annexation of said territory, incurring the expenses necessary thereto".

The foregoing resolution was introduced at an adjourned meeting of the City Council of the City of Modesto held on the 17th day of July, 1937 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

RESOLUTION NO. 3905-N.S.

ADJOURNMENT

---oOo---

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

The foregoing resolution was introduced at an adjourned meeting of the Council of the City of Modesto held on the 17th day of July, 1937 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 and Mayor King

Noes: Councilmen: None

Absent: Councilmen: Oliver

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 3906-N.S.

A RESOLUTION APPOINTING CITY ATTORNEY FOWLER SECRETARY PRO TEM OF COUNCIL DURING THE ABSENCE OF CITY CLERK

---oOo---

BE IT HEREBY RESOLVED that City Attorney R. B. Fowler be appointed secretary pro tem of the Council during the absence of City Clerk H. E. Gragg on his vacation.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on July 28, 1937 by Councilman Neece, who moved its adoption, which motion being duly seconded, was carried by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: Oliver

ATTEST ROBERT B. FOWLER,
Acting City Clerk

RESOLUTION NO. 3907-N.S.

A RESOLUTION ALLOWING CLAIM FOR REFUND OF \$50.00 DEPOSIT REQUIRED BY SECTION 101 OF ORDINANCE NO. 487-N.S. TO E. W. EHLER AND GEORGE R. PATTERSON

---oOo---

WHEREAS, claim has been filed with the City Auditor for refund of \$50.00 deposit as required by section 101 of Ordinance No. 487-N.S. by the following

E. W. EHLER

GEORGE R. PATTERSON

and

WHEREAS, these deposits have been held by the City for the required length of time as provided by Ordinance No. 487-N.S.

BE IT THEREFORE RESOLVED that the City Clerk and Auditor be authorized to draw warrant in amount \$50.00 for each claimant.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on July 28, 1937 by Councilman Neece, who moved its adoption, which motion being duly seconded, was carried by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: Oliver

ATTEST ROBERT B. FOWLER,
Acting City Clerk

RESOLUTION NO. 3908-N.S.

A RESOLUTION ALLOWING CLAIMS OF EMIL SCHMIDT FOR \$36.50 AND R. H. MORTON FOR \$42.30 FOR EXPENSES WHILE ATTENDING POLICE SCHOOL AT SAN JOSE

---oOo---

WHEREAS, claim has been filed with the City Auditor for \$36.50 by Emil Schmidt and \$42.30 by R. H. Morton for expenses incurred while attending Police School at San Jose.

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

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on July 28, 1937 by Councilman Stanley, who moved its adoption, which motion being duly seconded, was carried by the following vote:

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

Noes: Councilmen: None

Absent, Councilmen: Oliver

ATTEST ROBERT B. FOWLER
Acting City Clerk

RESOLUTION NO. 3909-N.S.

A RESOLUTION REFUSING TO ISSUE PERMIT FOR ERECTION OF REEFERS ON LOTS 41 and 42 in BLOCK 582 OF THE CITY OF MODESTO

---oOo---

WHEREAS, J. W. Harrison has requested a permit to erect or place upon lots 41 and 42 in block 582 of the City of Modesto, Stanislaus County, California, four reefers or railroad cars; and

WHEREAS, block 582 in said City is in the residential district, to-wit, on Kimble Street, in said City of Modesto; and

WHEREAS, due notice has been given in compliance with Ordinance No. 364- n.s. of the City of Modesto, that said J. W. Harrison has requested the right to place said reefers at said location; and

WHEREAS, said J. W. Harrison has secured the necessary number of signers living in the vicinity of lots 41 and 42 of Block 582 aforesaid as required by said ordinance; and

WHEREAS, it appears to the City Council of the City of Modesto that it is again t the public interest and welfare to allow the placing of said reefers at said location:

NOW THEREFORE, IT IS HEREBY RESOLVED that a permit to place said reefers at said location be, and the same is, hereby denied.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 28th day of July 1937 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 ROBERT B. FOWLER,
acting City Clerk

RESOLUTION NO. 3910-N.S.

A RESOLUTION APPROVING BOND AND APPLICATION OF HARRY STEVENS FOR CONDUCTING OF USED CAR LOT AT 8th & I STREETS

---oOo---

WHEREAS Harry Stevens has presented application and bond as required by Ordinance No. 514-N.S. for the conducting of a Used Car lot at 8th and I Streets, and

WHEREAS, application and bond as presented are in proper form

BE IT HEREBY RESOLVED that Harry Stevens be given permission to establish a Used Car lot at 8th & I Streets.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on July 28, 1937 by Councilman Bond, who moved its adoption, which motion being duly seconded was carried by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: Oliver

ATTEST ROBERT B. FOWLER, ACTING CITY CLERK

RESOLUTION NO 3911-N.S.

A RESOLUTION APPROVING BOND AND APPLICATION OF PATCHETT & WIGHT FOR CONDUCTING OF USED CAR LOT AT 1111 10th ST AND 1120 10th St.

---oOo---

WHEREAS, Patchett & Wight have presented application and bond as required by Ordinance No. 514-N.S. for the conducting of used car lots at 1111 10th Street and 1120 10th Street and

WHEREAS, application and bond as presented are in proper form

BE IT HEREBY RESOLVED, that Patchett & Wight be given permission to establish a used car lot at 1111 10th Street and 1120 10th Street in the city of Modesto

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on July 28, 1937 by Councilman Bond, who moved its adoption, which motion being duly seconded was carried by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: Oliver

ATTEST ROBERT B. FOWLER, acting
City Clerk

RESOLUTION NO. 3912-N.S.

A RESOLUTION AUTHORIZING THE PUBLIC WORKS DEPARTMENT TO MARK LOADING ZONE IN FRONT OF THE EUROPA HOTEL ON 9th & F STREETS

---oOo---

BE IT HEREBY RESOLVED that the Public Works Department be authorized to arrange for marking of loading zone in front of the Europa Hotel on 9th and F 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 July 28th 1937 by Councilman Stanley, who moved its adoption, which motion being duly seconded was carried by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: Oliver

ATTEST ROBERT B. FOWLER, Acting City Clerk

RESOLUTION NO. 3913-N.S.

A RESOLUTION ALLOWING \$100.00 EXPENSES FOR ATTENDANCE OF FIRE CHIEF WALLACE AT CONVENTION IN SPOKANE ON AUGUST 11th to 14th

---oOo---

BE IT HEREBY RESOLVED that the City Clerk and Auditor be authorized to draw warrant for \$100.00 payable to Fire Chief Wallace for expenses for attending the Fire Chief's convention at Spokane on August 11th to 14th, 1937.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on July 28, 1937 by Councilman Stanley, who moved its adoption, which motion being duly seconded was carried by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: Oliver

ATTEST ROBERT B. FOWLER,
ACTING CITY CLERK

RESOLUTION NO. 3914-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 July 28, 1937 by Councilman Neece, who moved its adoption, which motion being duly seconded was carried by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: Oliver

ATTEST ROBERT B. FOWLER, ACTING CITY CLERK

RESOLUTION NO. 3915-N.S.

A RESOLUTION ALLOWING CLAIMS FOR MONTH OF JULY, 1937

---oOo---

WHEREAS, the claims against the City of Modesto for the month of July, 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-----	\$27,884.22
WATER FUND-----	6,119.32
LIBRARY FUND-----	1,732.69
BOND RED. INT. FUND-----	6,393.75
ST. BOND RED. INT. FUND-----	34,133.20
UNAPPORTIONED FUND-----	
GASOLINE TAX FUND-----	
SEWER SEPTIC FUND-----	\$ 314.45
TOTAL	<u>\$76,577.63</u>

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of August, 1937 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. 3916-N.S.

A RESOLUTION ALLOWING REFUND OF DEPOSIT REQUIRED BY SECTION 101 OF ORDINANCE NO 487-N.S. TO HAAS & HAAS

---oOo---

WHEREAS, claim has been filed with City Auditor for refund of \$50.00 deposit required by section 101 of Ordinance No. 487-N.S. by Haas & Haas and

WHEREAS, this deposit has been held by the City Auditor for the required length of time

BE IT THEREFORE RESOLVED that the City Clerk and Auditor be authorized to draw warrant in amount \$50.00 payable to claimant.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of August, 1937 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. 3917-N.S.

A RESOLUTION APPOINTING DELEGATES TO CONVENTION OF THE LEAGUE OF CALIFORNIA MUNICIPALITIES TO BE HELD AT SAN JOSE ON SEPTEMBER 13 to 16 inc, 1937.

---oOo---

BE IT HEREBY RESOLVED that the attendance of City Attorney Fowler, City Clerk Gragg, City Engineer Rossi, City Inspector Holtham and any member of the Council that were able, be authorized to the convention of the League of California Municipalities to be held in San Jose on September 13 to 16 inc. 1937, all expenses to be borne by the City of Modesto.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of August, 1937 by Commissioner Bond, who moved its adoption, which motion being duly seconded, was upon roll 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. 3918-N.S.

A RESOLUTION GRANTING PERMIT TO CERTAIN APPLICANT FOR BUSINESS BUILDING IN A RESIDENCE ZONE

---oOo---

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

Modesto Irrigation District	to erect and maintain a substation on property known as 12th Street between E and F Streets, being lots 8 to 16 in Block 80 of the City of Modesto.
-----------------------------	---

and it appearing from affidavits on file that a notice setting forth a time for hearing any and all protests to the granting of the petition as prayed for, and this being the time set forth and

WHEREAS, the City Clerk reports that no 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 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 11th day of August, 1937 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. 3919-N.S.

A RESOLUTION EXTENDING WATER SERVICE TO REUBEN SYLVA IN LOT 1 OF BLOCK 803 OF THE CAMPUS TRACT ON THE N.W. CORNER OF MYRTLE AND COLDWELL AVENUES

---oOo---

WHEREAS, Reuben Sylva has petitioned the Council for water service on his property located in lot 1 of Block 803 of the Campus Tract on the northwest corner of Myrtle and Coldwell Avenues as per map on file in the office of the City Engineer,

BE IT HEREBY RESOLVED that water service be granted Reuben Sylva temporarily until such time as annexation election of the Campus Tract into the city of Modesto will be held and if this election does not result in the annexation of this territory, water service is to be discontinued.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of August, 1937 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

RESOLUTION NO. 3920-N.S.

A RESOLUTION APPROVING TENTATIVE MAP OF LALOMA TERRACE ADDITION

---oOo---

WHEREAS, there has been presented for approval by the Council, a tentative map of the LaLoma Terrace addition of the City of Modesto,

BE IT THEREFORE RESOLVED that map be approved as presented and same be placed on file in the City Engineer's office.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of August, 1937 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. 3921-N.S.

A RESOLUTION ACCEPTING DEED FROM THE GRANGE COMPANY ON THE RIGHT OF WAY ON NINTH STREET AND AUTHORIZING PAYMENT UPON RECEIPT OF CERTIFICATE OF TITLE

---oOo---

WHEREAS, there has been presented for acceptance deed on right of way on State Highway from The Grange Company and

WHEREAS, Resolution No. 3746-N.S. provides for the payment to The GRANGE COMPANY of \$5093.13 for this right of way from the fund of State Gasoline tax on State Highways

BE IT HEREBY RESOLVED that City Clerk and Auditor be authorized to draw warrant in the amount of \$5093.13 payable to The Grange Company when they deliver to the city certificate of title on this property.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of August, 1937 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. 3922-N.S.

A RESOLUTION OFFICIALLY ADOPTING PROPOSED BUDGET FOR 1937-1938

---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, 1937 and ending June 30, 1938, 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 and to Resolution No. 3900-N.S. adopting supplement to budget covering salaries and to Ordinance No. 549-N.S. entitled "AN ORDINANCE FIXING THE COMPENSATION ^{of the City officials} 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 11th day of August, 1937 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. 3923-N.S.

A RESOLUTION AUTHORIZING PAYMENT OF RENT TO THE STANISLAUS COUNTY TREASURER FOR CITY'S SHARE OF RENT OF THE POLICE COURT

---oOo---

BE IT HEREBY RESOLVED that the City Clerk be authorized to make payment of \$50.00 per month direct to the Stanislaus County Treasurer for the city's share of rent of the Police Court, if after the City Attorney makes an investigation and finds it advisable instead of to L. W. Zimmerman, lessor of building.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of August, 1937 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. 3924-N.S.

A RESOLUTION GRANTING JOHN NOBLE PERMIT TO OPERATE AN AUTO WRECKING AND PARTS SALES YARD AT 602 SEVENTH STREET

---oOo---

PURSUANT to petition by John Noble to operate an auto wrecking and Parts Sales yard at 602 Seventh Street to be known as JUSTAWRECKER,

BE IT HEREBY RESOLVED that permit be granted.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of August, 1937 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. 3925-N.S.

A RESOLUTION PROVIDING FOR PAYMENT OF \$17.50 TO J. W. CLARK FOR REIMBURSEMENT OF MONEYS PAID OUT BY HIM FOR SUBSTITUTE JANITOR AT CITY HALL DURING HIS VACATION

---oOo---

BE IT RESOLVED that the City Clerk and Auditor be and he is hereby directed to draw a warrant in the sum of \$17.50 payable to J. W. Clark, the same being reimbursement for money paid out by him for hiring a substitute to perform his services as janitor at the City Hall during his vacation of two weeks.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of August, 1937 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, Stanley, Oliver, Bond and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 3926-N.S.

ADJOURNMENT

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

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of August, 1937 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. 3927-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 24th day of August, 1937 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, Neece, Bond and Mayor King

Noes: Councilmen: None

Absent: Councilmen: Oliver

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 3928-N.S.

A RESOLUTION DENYING REQUEST OF VALLEY EXPRESS COMPANY FOR PERMISSION TO INSTALL "NO PARKING" SIGN IN FRONT OF PLACE OF BUSINESS ON 7th & K STREETS

---oOo---

WHEREAS, the Valley Express Company have petitioned the Council of the City of Modesto to be permitted to install a "NO PARKING" sign in front of their place of business on K Street, between 8th and 7th Streets,

BE IT HEREBY RESOLVED that request be refused for the present time.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 25th day of August, 1937 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. 3929-N.S.

A RESOLUTION AUTHORIZING CITY CLERK TO ADVERTISE FOR BIDS ON IMPROVING H AND I STREETS WHEN SPECIFICATIONS ARE FURNISHED BY PUBLIC WORKS DEPARTMENT

---oOo---

BE IT HEREBY RESOLVED that the City Clerk be authorized to advertise for bids on improving H and I Streets as set forth in agreement with the State for expenditure of $\frac{1}{4}$ gas tax fund for streets of major importance as soon as the City Engineer sees fit to do so.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 25th day of August, 1937 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. 3930-N. S.

A RESOLUTION AUTHORIZING CITY CLERK TO ADVERTISE FOR MATERIAL FOR LALOMA BRIDGE CONSTRUCTION WHEN THE CITY ENGINEER FURNISHES SPECIFICATIONS

---oOo---

BE IT HEREBY RESOLVED that the City Clerk be authorized to advertise for bids for material for LaLoma Bridge construction when the City Engineer furnished specifications.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 25th day of August, 1937 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. 3931-N.S.

A RESOLUTION AUTHORIZING THE CITY CLERK TO DRAW WARRANT PAYABLE TO STANISLAUS COUNTY FOR \$50.00 FOR RENT ON POLICE COURT AS PER REQUEST OF L. W. ZIMMERMAN LESSOR

---oOo---

WHEREAS, a resolution signed by L. W. Zimmerman, lessor of Police Court office to the Stanislaus County requesting that the City of Modesto pay their share of the rent on this office direct to the Stanislaus County Treasurer instead of to him as the lease was made between the County and L. W. Zimmerman,

BE IT THEREFORE RESOLVED that the City Clerk be authorized to draw warrant payable to Stanislaus County Auditor for \$50.00 for rent on Police Court (rent to be paid the month following instead of in advance), the first meeting of each month along with the regular claims.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 25th day of August, 1937 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, Bond, Stanley, Oliver and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 3932-N.S.

A RESOLUTION AUTHORIZING THE CITY ATTORNEY TO PROCURE A LEASE FROM THE BEARD LAND AND INVESTMENT COMPANY FOR ONE YEAR

---oOo---

BE IT HEREBY RESOLVED that the City Attorney be authorized to procure a lease from the Beard Land & Investment Company for a term of one year for the rental of the Archery range near Beard Brook Park

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 25th day of August, 1937 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. 3933-N.S.

A RESOLUTION AUTHORIZING PUBLIC WORKS DEPARTMENT TO INSTALL SIGN AT LALOMA BRIDGE LIMITING LOAD AND SPEED ON BRIDGE

---oOo---

BE IT HEREBY RESOLVED that the Public Works Department be authorized to install signs at the LaLoma Street bridge limiting maximum gross load per vehicle to 12 tons and rate of speed of vehicle to not over 15 miles per hour for loads over 10 tons.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 25th day of August, 1937 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. 3934-N.S.

A RESOLUTION AUTHORIZING THE CORRECTION OF THE DESCRIPTION OF LAND LEASED TO THE PATHFINDER FLYING SERVICE TO INCLUDE NEW LAND PURCHASED BY THE CITY TO BE USED AS A MUNICIPAL AIRPORT

---oOo---

WHEREAS, since the entering into an agreement and lease with the Pathfinder Flying Service by the City of Modesto for the rental of the Municipal Airport, new land has been purchased by the City of Modesto to be used as an airport

BE IT HEREBY RESOLVED that the present agreement and lease be amended and corrected to include the new property purchased.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 25th day of August, 1937 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. 3935-N.S.

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MODESTO APPROVING SECOND SUPPLEMENTAL MEMORANDUM OF AGREEMENT FOR EXPENDITURE OF $\frac{1}{4}$ 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 second supplemental 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 fiscal year 1937 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 $\frac{1}{4}$ 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 25th day of August, 1937.

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 August 25th, 1937,

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

RESOLUTION NO. 3936-N.S.

A RESOLUTION ACCEPTING RESOLUTION FROM MODESTO CHAMBER OF COMMERCE ASSUMING ALL RESPONSIBILITY AND LIABILITY FOR THE MODESTO AIR RACES TO BE HELD ON SEPTEMBER 19, 1937

---oOo---

WHEREAS, there has been presented for acceptance by the Council of the City of Modesto the following resolution:

"Be it resolved by the Board of Directors of the Modesto Chamber of Commerce in regular session August 23, 1937 that the Chamber of Commerce assume all responsibility and liability for the operation of the Modesto Air Races during the period of 6 A.M. to 9 P.M. September 19, 1937 and that it be further understood that a public liability insurance policy to cover all spectators be secured by the committee in charge".

BE IT HEREBY RESOLVED that the City Council now in session accept this resolution as presented.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 25th day of August, 1937 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. 3937-N.S.

A RESOLUTION AUTHORIZING THE SECURING OF A RETURN OF SECURITIES BOND

---oOo---

BE IT HEREBY RESOLVED that a return of Securites Bond for \$140,000 for a term of 3 years be secured.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 25th day of August, 1937 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. 3938-N.S.

A RESOLUTION CONDEMNING PROPERTY BELONGING TO JOE MINENI AS DANGEROUS TO THE GENERAL WELFARE, HEALTH AND SAFETY OF THE CITIZENS OF MODESTO

---oOo---

WHEREAS, it appears to the City Council of the City of Modesto that Joe Mineni is the owner of certain real property consisting of lots four (4) and five (5) in block thirty-one (31) in the City of Modesto; and

WHEREAS, upon said premises there is situate a two story wooden house or structure likewise belonging to said Joe Mineni; and

WHEREAS, said wooden structure, in the event of a collapse thereof is liable to cause injury to the person and property of other citizens in the city of Modesto; and

WHEREAS said Joe Mineni has been requested by the City Engineer of the City of Modesto to repair said building and to remove the hazard heretofore and now being caused by the present condition of said building;

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Modesto does hereby determine and find that said wooden structure as it now exists on said premises is dangerous and constitutes a menace to the general welfare, health and safety of the citizens of the City of Modesto, and said Council does, by this resolution, hereby condemn said premises as unfit and unsafe;

BE IT FURTHER RESOLVED, and the city attorney is hereby ordered to commence proper proceedings for the abatement of said wooden structure as a nuisance, or upon such other grounds as said city attorney may deem fit and proper in the circumstances.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 25th day of August, 1937 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. 3939-N.S.

ADJOURNMENT

WHEREAS, it being the desire of the Council to meet in adjourned session on Monday, August 30, 1937 at 7:30 P.M.

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

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 25th day of August, 1937 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. 3940-N.S.

A RESOLUTION REFUSING DEMAND OF STANISLAUS COUNTY TO PAY OVER CERTAIN MONIES

---oOo---

WHEREAS, Leslie A. Cleary, District Attorney of the County of Stanislaus, by authority of the Board of Supervisors of said County, has made a demand upon the City Council of the City of Modesto, Stanislaus County, California; and

WHEREAS, said demand recites that an opinion, recently rendered by the Attorney General of the State of California, holds that monies collected in a Police Court, where said Police Court and Justice Court are presided over by one individual, such as is the case in the City of Modesto, and which said monies have been collected in the form of fines imposed upon misdemeanants for violation of State laws prosecuted in said Police Court, should be paid into the County treasury; and

WHEREAS, it has been the practice in the City of Modesto to pay into the City treasury monies collected for the prosecution of all crimes in said Police Court; and

WHEREAS, a proper decision of the question as to whether monies collected in fines for prosecution of individuals violating State laws in the Police Court should be paid into the County treasury or City treasury, is vital to the people of the City of Modesto, and to other cities whose government is similar thereto;

NOW THEREFORE, the City Council of the City of Modesto does,

by this resolution, respectfully refuse to comply with the demand of the Board of Supervisors and said District Attorney, and does, by this resolution, give notice to said Board of Supervisors and said District Attorney that it will not pay over to the County of Stanislaus monies heretofore collected in the form of fines from persons convicted of violation of State laws in the Police Court of the City of Modesto, unless ordered so to do by a court of competent jurisdiction.

The foregoing resolution was introduced at an adjourned meeting of the Council of the City of Modesto held on the 30th day of August, 1937 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. 3941-N.S.

A RESOLUTION FINDING AND DECLARING THAT CERTAIN PREMISES CONSTITUTE A PUBLIC NUISANCE AND ORDERING THE CITY ATTORNEY TO ABATE THE SAME

---oOo---

WHEREAS, there is situate in Block 146, in the City of Modesto on Ninth Street in said City, between the intersections of M and Ninth Street and N and Ninth Street, a certain factory, apparatus and/or plant employed for the manufacture, preparation and/or mixing of ingredients to be used in paving streets, etc; and,

WHEREAS, said factory, apparatus and/or plant discharges into the air dust and dirt, which dust and dirt is spread by air currents to surrounding territory and in and upon the property of persons living and/or having their places of business adjacent to said factory; and

WHEREAS, the discharge of said dust and dirt is endangering the public health of persons living and having their places of business adjacent to and in the vicinity of said factory, apparatus and/or plant; and

WHEREAS, from the evidence and facts brought to the attention of this Council, it is apparent that said structure constitutes a public nuisance requiring abatement thereof;

NOW, THEREFORE, this Council does hereby find and declare that said factory, apparatus and/or plant does, in fact, constitute 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 an adjourned meeting of the Council of the City of Modesto held on the 30th day of August, 1937, 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. 3942-N.S.

A RESOLUTION GRANTING REQUEST OF THE STANISLAUS COUNTY CENTRAL LABOR COUNCIL TO PARADE ON LABOR DAY UNDER THE STRICT SUPERVISION OF THE COMMISSIONER OF PUBLIC HEALTH AND SAFETY AND THE CHIEF OF POLICE

---e0o---

WHEREAS, the Stanislaus County Central Labor Council have petitioned the City Council to be permitted to parade on Labor Day, September 6, 1937

BE IT HEREBY RESOLVED that permit be granted providing the parade be under the strict supervision of the Commissioner of Public Health and Safety and the Chief of Police and in the event the C.I.O. organization endeavors to parade or cause a disturbance to give up their plans to parade.

The foregoing resolution was introduced at an adjourned Council meeting of the Council of the City of Modesto, held on the 30th day of August, 1937 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, Bond, Oliver and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 3943-N.S.

A RESOLUTION GRANTING MAYOR KING LEAVE OF ABSENCE FROM THE CITY FOR 60 DAYS BEGINNING SEPTEMBER 9 1937

---e0o---

BE IT HEREBY RESOLVED that Mayor King be granted leave of absence from the City of Modesto for a period of 60 days, beginning September 9, 1937.

The foregoing resolution was introduced at an adjourned Council meeting of the Council of the City of Modesto, held on the 30th day of August, 1937 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. 3944-N.S.

A RESOLUTION FINDING AND DECLARING THAT CERTAIN PREMISES CONSTITUTE A PUBLIC NUISANCE AND ORDERING THE CITY ATTORNEY TO ABATE THE SAME

---e0o---

WHEREAS, there is situate in Block 113, upon lots 15 and 16 and lots 12 and 13, in the City of Modesto, County of Stanislaus, State of California, certain buildings or structures; and

WHEREAS, said buildings are in a state of disrepair and dilapidation and constitute a fire hazard and are dangerous and a menace to the public health, welfare and safety of the citizens of the City of Modesto; and

WHEREAS, from the evidence and facts brought to the attention of the Council of the City of Modesto, it is apparent that said structures located upon

the lots and in the block aforesaid constitute a public nuisance, requiring abatement thereof:

NOW, THEREFORE, this Council does hereby find and declare that said structures and/or buildings do, in fact, constitute 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 an adjourned meeting of the Council of the City of Modesto held on the 30th day of August, 1937 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. 3945-N.S.

ADJOURNMENT

---000---

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 an adjourned Council meeting of the Council of the City of Modesto, held on the 30th day of August, 1937 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, Bond, Oliver and Mayor King
Noes: Councilmen: None
Absent: Councilmen: None

ATTEST: H. E. GRAGG, CITY CLERK

RESOLUTION NO. 3946-N.S.

ADJOURNMENT

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

The foregoing resolution was introduced at a Special Council meeting of the City of Modesto held on the 1st day of September, 1937 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, Bond, Oliver and Mayor King
Noes: Councilmen: None
Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 3947-N.S.

A RESOLUTION ALLOWING CLAIMS FOR MONTH OF AUGUST, 1937

---c0o---

WHEREAS, the claims against the City of Modesto for the month of August, 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-----	\$26,820.22
WATER FUND-----	6,110.24
LIBRARY FUND-----	2,034.87
SEWER SEPTIC-----	4,937.33
TOTAL-----	\$39,902.66

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of September, 1937 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. 3948-N.S.

A RESOLUTION ALLOWING CLAIM OF CHAMBER OF COMMERCE AND RETAIL MERCHANTS BUREAU AS PROVIDED FOR BY ORDINANCE NO. 552-N.S.

---c0o---

WHEREAS Ordinance No. 552-N.S. provides for the appropriation of money for purposes of promoting the general welfare of the citizens of Modesto and

WHEREAS, there has been filed with the City Auditor claims for A.P.P.B. Convention and badges purchased for Grange & Farm Bureau conventions in amount \$500.00 by the Chamber of Commerce and for \$500.00 for July Bargain Harvest Program by the Retail Merchants Bureau,

BE IT HEREBY RESOLVED, that these claims as presented by allowed and the City Clerk and Auditor be authorized to draw warrants for these amounts payable to claimants when and at which time the ordinance is in full force and effect.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of September, 1937 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. 3949-N.S.

IN THE MATTER OF REFUND OF \$50.00 DEPOSIT REQUIRED UNDER SECTION 101 OF ORDINANCE NO. 487-N.S. TO NATIONAL INSTITUTE OF MUSIC AND ARTS

---oOo---

WHEREAS, there has been filed with the Council, a 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 the National Institute of Music and Arts,

BE IT HEREBY RESOLVED that claim be allowed and the City Clerk and Auditor be authorized to draw a warrant in amount of \$50.00 payable to claimant.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of September, 1937 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. 3950-N.S.

A RESOLUTION APPROVING APPLICATION AND BOND OF R. C. CHRISTENSEN TO CONDUCT BUSINESS OF PLUMBER IN THE CITY OF MODESTO

---oOo---

WHEREAS, R. C. Christensen has presented application and bond to the Council for approval to conduct the business of plumber in the City of Modesto

BE IT HEREBY RESOLVED that application and bond be approved and applicant be permitted to conduct the business of plumber in this city.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of September, 1937 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. 3951-N.S.

A RESOLUTION DENYING REQUEST OF THE GRANGE COMPANY TO CLOSE WEST STREET

---oOo---

BE IT HEREBY RESOLVED that the request of the Grange Company to close West Street be denied.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of September, 1937 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. 3952-N.S.

A RESOLUTION DIRECTING LICENSE COLLECTOR TO REFUSE TO ISSUE A RENEWAL LICENSE FOR A POPCORN WAGON ON THE NORTHWEST CORNER OF TENTH AND J STREETS

---oOo---

BE IT HEREBY RESOLVED that the City License Collector be directed to refuse to issue a license for a popcorn wagon on the northwest corner of 10th & J Streets when the present one runs out on October 1, 1937.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of September, 1937 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. 3953-N.S.

A RESOLUTION DENYING REQUEST OF BURDEAN THOMPSON TO PLACE WASTEPAPER RECEPTACLES OVER THE CITY AT VARIOUS STREET CORNERS

---oOo---

WHEREAS, Burdean Thompson has petitioned the Council to be permitted to place wastepaper receptacles over the city at various street corners

BE IT HEREBY RESOLVED that the request of applicant be denied.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of September, 1937 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. 3954-N.S.

A RESOLUTION DIRECTING CITY ATTORNEY TO GIVE NOTICE TO TENANTS OF 618 SEVENTH STREET TO CEASE USING BUILDING AS OIL REFINERY AS OF NOVEMBER 1, 1937

---oOo---

BE IT HEREBY RESOLVED that the City Attorney give notice to the tenants T. L. Wren, Henry O. Smith and Russell U. Smith of property located at 618 Seventh Street that they must cease using building as an oil refinery as of November 1, 1937 as this building is creating a fire hazard and dangerous to public welfare.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of September, 1937 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. 3955-N.S.

ADJOURNMENT

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

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of September, 1937 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, Stanley, Oliver and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 3956-N.S.

A RESOLUTION ALLOWING CLAIM OF DELEGATES AND HOTEL DEANZA FOR EXPENSES INCURRED DURING CONVENTION OF LEAGUE OF CALIFORNIA MUNICIPALITIES

---oOo---

WHEREAS, Resolution No. 3917-N.S. provides for appointment of delegates to convention of League of California Municipalities and payment of expenses incurred by the City of Modesto and

WHEREAS, there has been filed with the City Auditor claims by the following:

Frank E. Holtham, meals and registration fee (2 days)	\$7.00
F. J. Rossi " " " "	14.05
Robert B. Fowler " " " "	10.15
H. E. Gragg " " " "	12.50
Hotel DeAnza room rent(Rossi, Fowler, Gragg)	43.35

BE IT THEREFORE RESOLVED that the above named claims be allowed and the City Auditor be directed to draw warrants in favor of claimants.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of September, 1937, 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, Oliver and Mayor pro tem Stanley

Noes: Councilmen: None

Absent: Councilmen: Mayor King *****

RESOLUTION NO. 3957-N.S.

A RESOLUTION ALLOWING CLAIM OF A. R. THORSEN FOR BOOSTER PUMP

---oOo---

WHEREAS, claim has been filed with the City Auditor for \$187.78 by A. R. Thorsen for a booster pump purchased by the City of Modesto.

BE IT THEREFORE RESOLVED that claim be allowed and City Clerk and Auditor be directed to draw warrant for \$187.78 in payment of claim.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of September, 1937, 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, Oliver and Mayor pro tem Stanley

Noes: Councilmen: None

Absent: Mayor King

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 3958-N.S.

A RESOLUTION ALLOWING CLAIM OF HOBART BEAUTY PARLOR FOR REFUND OF DEPOSIT FILED WITH CITY LICENSE COLLECTOR REQUIRED BY ORDINANCE NO. 487-N.S.

---eOo---

WHEREAS, pursuant to claim being filed by Hobart Beauty Salon for refund of deposit of \$50.00 filed with the City License Collector as required by Ordinance No. 487-N.S.

BE IT HEREBY RESOLVED that claim be allowed and the City Auditor be authorized to draw a warrant in amount \$50.00 in payment of claim.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of September, 1937 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, Oliver and Mayor pro tem Stanley

Noes: Councilmen: None

Absent: Mayor King

RESOLUTION NO. 3959-N.S.

A RESOLUTION AUTHORIZING THE CANCELLATION OF TAXES FOR THE VETERANS WELFARE BOARD ON LOTS 18 and 19 in BLOCK 553 OWNED BY CHARLES HYSLOP

---eOo---

WHEREAS, pursuant to the State of California Veterans Welfare Board making application to the City Council for cancellation of city taxes on lots 18 and 19 in Block 553 owned by Charles Arthur Hyslop in accordance with provisions of the Veterans' Farm and Home Purchase Act under Chapter 519, Statutes of 1921, as amended.

BE IT THEREFORE RESOLVED that request be granted and the City Tax Collector and Assessor be authorized to make such entries on his books as to cancel these taxes.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of September, 1937, 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, Oliver and Mayor pro tem Stanley

Noes: Councilmen: None

Absent: Mayor King

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 3960-N.S.

A RESOLUTION GRANTING REQUEST OF A. B. HART FOR TRANSFER OF TAXI STAND FROM JOHN DUCKART

---eOo---

WHEREAS, the taxicab business of John Duckart has been purchased by A. B. Hart and

WHEREAS, A. B. Hart has made application to have the parking place on 10th & I Streets transferred to him

BE IT HEREBY RESOLVED that request be granted providing that applicant comply with all regulations relative to business license and chauffer licenses.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of September, 1937 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, Oliver and Mayor pro tem Stanley

Noes: Councilmen: None

Absent: Councilmen: Mayor King

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 3961-N.S.

A RESOLUTION GRANTING PERMIT TO THE LUTHERAN CHURCH TO BUILDING CHURCH ON LOTS 17 and 18 IN BLOCK 451 OF THE CITY OF MODESTO

---eOo---

WHEREAS, pursuant to the filing of petition with the Council by the Emmanuel Lutheran Church for permit to erect and maintain a church on property described as lots 17 and 18; in Block 451 of the City of Modesto and

WHEREAS 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

WHEREAS, there were no oral or written protests filed with the City Clerk

BE IT HEREBY RESOLVED that permission be granted for building church, with the understanding that all provisions relative to building permit fees be complied with, to the applicants as prayed for in their petition.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of September, 1937 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, Oliver and Mayor pro tem Stanley

Noes: Councilmen: None

Absent: Mayor King

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 3962-N.S.

A RESOLUTION AUTHORIZING TREASURER TO MAKE AGREEMENTS WITH BANKS FOR DEPOSITING PUBLIC FUNDS

---eOo---

WHEREAS that certain act of the Legislature of the State of California entitled, "An act to authorize and control the deposit in banks of money belonging to or in the custody of any county, city and county, city town, municipality or other public or municipal corporation within the State, and to repeal all acts or parts of acts in conflict with this act, "approved April 28, 1933", as amended provides that notwithstanding any of the other provisions of the act the treasurer may, and he is hereby expressly authorized, to deposit funds and to enter into contracts relating thereto with any State or National bank in compliance with and subject to such provisions and conditions relating to the payment of interest on public funds as are now or may hereafter be prescribed by any act of the Congress

of the United States or rules or regulations of any department or agency of the Federal Government adopted pursuant thereto and which said acts, rules or regulations impose lawful and binding regulations governing the payment of interest on deposits of public funds by member banks of the Federal Reserve System or banks the deposits of which are insured by the Federal deposit insurance corporation and which acts, rules or regulations governing the payment of interest are in conflict with the provisions of this act, and

WHEREAS, the City Council recognizes that a conflict between state and Federal laws now exists, or will exist as of August 23, 1937, the effective date of Federal regulations imposing restrictions upon said banks as aforesaid.

Now therefore said City Council does hereby consent that the treasurer of said City of Modesto, during the existence of such conflicting provisions between such Federal law or regulations and the provisions of said state act above referred to, shall determine what amount of money shall be deposited as inactive deposits and the rate or rates of interest thereon, and shall determine what amount of money shall be deposited as active deposits and shall enter into such contract or contracts with such depository or depositories as in his judgment will be to the public advantage so to do, which contract or contracts shall fix the duration of deposits and the rate or rates of interest thereon, if any, and provide conditions for the withdrawal and repayment thereof, and, within the requirements of Section 4 of said state act, prescribe the security therefor.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of September, 1937 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, Oliver and Mayor pro tem Stanley

Noes: Councilmen: None

Absent: Mayor King

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 3963-N.S.

A RESOLUTION AUTHORIZING THE CITY CLERK TO ADVERTISE FOR BIDS FOR ONE DUMP TRUCK

---e0e---

BE IT HEREBY RESOLVED that the City Clerk be authorized to advertise for bids for one dump truck for the Department of Public Works to be paid for with the Gasoline Tax Fund, said bids to be opened at the regular meeting of the Council to be held on October 13, 1937.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of September, 1937, 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, Oliver and Mayor pro tem Stanley

Noes: Councilmen: None

Absent: Mayor King

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 3964-N.S.

A RESOLUTION DESIGNATING TWO NEW LOADING ZONES ON NINTH STREET IN THE CITY OF MODESTO AND ORDERING THE CITY ENGINEER TO PROPERTY MARK THE SAME

---oOe---

WHEREAS, increasing traffic and the use of large trucks and trailers upon Ninth Street in the City of Modesto, County of Stanislaus, State of California, is causing difficulty in the parking of said trucks for the purpose of loading and unloading goods, wares, merchandise and materials; and

WHEREAS, it is to the best interest of the commerce of the City of Modesto and to the citizens of said City that space be provided upon and along the easterly side of Ninth Street in said City for the loading and unloading of said trucks and trailers:

NOW THEREFORE, the City Council of the City of Modesto does by this resolution create on the easterly side of said Ninth Street two "loading zones" as provided for in Section 31 of Ordinance No. 345-N.S. of the City of Modesto, which said loading zones are to be located as follows:

That certain space on the easterly side of Ninth Street commencing fifty-one (51) feet southerly of the property line of I Street on the easterly side of Ninth Street running in a southerly direction for a distance of forty(40) feet; and

That certain space commencing on the easterly side of Ninth Street fifty-six (56) feet northerly of the property line of H Street running in a northerly direction for a distance of forty(40) feet.

BE IT FURTHER RESOLVED, that the City Engineer of the City of Modesto is hereby authorized and ordered to appropriately mark said loading zones as provided for in section 31 of Ordinance 345-N.S. 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 September 1937, 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 and Mayor pro tem Stanley

Noes: Councilmen: None

Absent: Councilmen: Mayor King

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 3965-N.S.

A RESOLUTION APPOINTING C. L. BAKER DELEGATE TO A BUILDING CONFERENCE TO BE HELD IN LOS ANGELES ON OCTOBER 4 to 7th, 1937

---oOe---

BE IT HEREBY RESOLVED that C. L. Baker, assistant building inspector be appointed delegate to a building conference to be held in Los Angeles, on October 4 to 7th, 1937, the city to bear all expenses.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of September 1937 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, Oliver and Mayor pro tem Stanley
Noes: Councilmen: None
Absent: Mayor King

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 3966-N.S.

A RESOLUTION AUTHORIZING THE CANCELLATION OF WARRANTS

---oOe---

BE IT HEREBY RESOLVED that the following warrants be cancelled:

9529 to Mrs. L. E. Drake, amount \$10.00 dated Sept. 2, 1926
A236 to Modesto Paint & Wallpaper Co. \$1.01 dated Feb. 9, 1927
2131 to Pacific Silicate Co. for \$18.41 dated May 9, 1928
as per recommendation of Auditor for the fiscal year 1936-1937.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of September 1937 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, Oliver and Mayor pro tem Stanley
Noes: Councilmen: None
Absent: Mayor King

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 3967-N.S.

A RESOLUTION CANCELLING CITY TAXES ON LOTS 11, 12, 13, 14, 15 AND 16 IN BLOCK 80 PURCHASED BY THE MODESTO IRRIGATION DISTRICT

---oOe---

WHEREAS, the Modesto Irrigation District has purchased lots 11, 12, 13, 14, 15 and 16 in Block 80 and have requested the City of Modesto to cancel all city taxes against this property for the current year 1937-1938

BE IT THEREFORE RESOLVED that request be granted and the taxes be cancelled subject to street improvements and the City Tax Collector and Assessor make such entries on his records accordingly.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of September, 1937 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, Oliver and Mayor pro tem Stanley
Noes: Councilmen: None
Absent: Mayor King

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 3968-N.S.

ADJOURNMENT

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

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of September, 1937 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, Oliver and Mayor pro tem Stanley

Noes: Councilmen: None

Absent: Mayor King

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 3969-N.S.

A RESOLUTION ALLOWING CLAIMS FOR MONTH OF SEPTEMBER, 1937

---e0o---

WHEREAS, the claims against the City of Modesto for the month of September, 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-----	\$24,356.28
WATER FUND-----	6,834.54
LIBRARY FUND-----	1,868.93
ST. BOND. RED. INT. FUND-----	639.47
SEWER SEPTIC-----	688.25
	<u>\$34,387.47</u>

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of October, 1937 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, Bond, Oliver and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 3970-N.S.

A RESOLUTION ALLOWING CLAIM OF ROBERT M. GANE & I. W. FISCALINI, PUBLIC ACCOUNTANTS FOR AUDIT FOR FISCAL YEAR ENDING JUNE 30-1937 AND ACCEPTING AUDIT

---e0o---

WHEREAS, there was presented for acceptance, audit of records of the City of Modesto for the fiscal year ending June 30, 1937 by Robert M. Gane & I.W. Fiscalini, Public Accountants and

WHEREAS, they presented a claim of \$450.00 for services in connection with the examination of the accounts

BE IT HEREBY RESOLVED that the Audit as presented be accepted and the City Auditor be authorized to draw a warrant in amount \$450.00 payable to claimants, Robert M. Gane and I. W. Fiscalini.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of October, 1937 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. 3971-N.S.
(not used)

RESOLUTION NO. 3972-N.S.

A RESOLUTION ALLOWING CLAIMS FOR REFUND OF DEPOSIT TO GEORGE ROEK AND SCHRADER
IRON WORKS AND REFUND OF LICENSE TO C. C. MUDGETT

---oOo---

WHEREAS, claims have been filed with the City Auditor for refund of deposit of \$50.00 by George Roek and Schrader Iron Works, as required by Ordinance No. 487-N.S. and

WHEREAS, C. C. Mudgett has made claim for refund of \$5.00 truck license paid for period October 1, 1937 to December 31, 1937, as he has stopped hauling on September 30, 1937 and sold out his business.

BE IT THEREFORE RESOLVED that claims as presented be allowed and City Auditor be authorized to draw warrants in favor of claimants.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of October, 1937 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. 3973-N.S.

A RESOLUTION AUTHORIZING PAYMENT OF ONE HALF AMOUNT BUDGETED FOR CONCERTS BY
THE STANISLAUS COUNTY BOYS BAND FOR YEAR 1937-1938

---oOo---

WHEREAS, there has been presented for payment to the Council a request for \$400.00 by the Stanislaus County Boys Band, being one half of the amount budgeted by the City for the summer concerts for the year 1937-38

BE IT THEREFORE RESOLVED that the City Auditor be authorized to draw warrant for this amount payable to W. A. Harter, Treasurer, Stanislaus County Boys Band

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of October, 1937 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. 3974-N.S.

A RESOLUTION REFUSING TO PAY OVER CERTAIN MONEYS COLLECTED IN THE FORM OF FINES TO THE COUNTY OF STANISLAUS

---oOo---

WHEREAS, there has been presented to the City Council of the City of Modesto an account prepared by the District Attorney of Stanislaus County, California, setting forth the amounts of money collected by the Police Court of the City of Modesto in the form of fines imposed upon persons convicted of misdemeanors committed in the City of Modesto, and which misdemeanors are made such by State law only, and not by local ordinance; and

WHEREAS, the said District Attorney of Stanislaus County, California, has filed with said account a demand that there be paid into the Treasury of the County of Stanislaus by the said City of Modesto the total amount of fines collected by the said Police Court, imposed upon persons convicted in said Police Court of said misdemeanors committed within the City of Modesto, in the sum of \$4,399.00; and

WHEREAS, the Police Court of the City of Modesto has collected for and on behalf of the City of Modesto fines imposed upon persons convicted of misdemeanors made such by State law for a number of years; and

WHEREAS, no question has been raised by any person as to the propriety of said Police Court paying said fines into the Treasury of the City of Modesto; and

WHEREAS, the demand by said District Attorney has raised a legal question the determination of which is vital to the citizens of the City of Modesto, and to other cities in the State of California functioning under a type of city government similar to that adopted by the citizens of the City of Modesto; and

WHEREAS, the propriety of the claim made by said District Attorney is questionable under the laws of the State of California and the Charter of the City of Modesto;

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Modesto refuses, and does by this Resolution refuse to comply with the demand of the District Attorney of the County of Stanislaus, State of California, to pay over into the Treasury of said County of Stanislaus the sum of \$4399.00 and/or any sum collected by the Police Court of the City of Modesto in the form of fines imposed upon persons convicted of misdemeanors within the City of Modesto, which misdemeanors are made such only by State law.

BE IT FURTHER RESOLVED, that the City Attorney of the said City of Modesto is hereby empowered and ordered to defend any suit that may be brought by the said District Attorney of Stanislaus County for the collection of said moneys or any part thereof so demanded.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of October, 1937 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. 3975-N.S.

A RESOLUTION REFUSING TO ALLOW A PUBLIC HEARING IN RE: PETITION OF GEORGE M. KEELEY FOR REINSTATEMENT

---oOo---

WHEREAS, heretofore George M. Keeley was dismissed from the Police Department of the City of Modesto; and

WHEREAS, all of the provisions of the Charter of the City of Modesto have been complied with in said dismissal of said George M. Keeley; and

WHEREAS, there is no provision in the law as contained in the Charter of the City of Modesto, or otherwise, which permits a public hearing in matters of this kind:

NOW THEREFORE, the petition of said George M. Keeley requesting a public hearing on the reasons for his dismissal from said Police Department, as aforesaid, is hereby denied.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of October, 1937, 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. 3976-N.S.

A RESOLUTION GRANTING PERMIT TO MODESTO ICE DELIVERY TO ERECT BUILDING ON 12th & L STREETS LOTS 14, 15, 16 in BLOCK 87

---oOo---

WHEREAS, pursuant to the filing of petition with the Council by Modesto Ice Delivery to conduct a building for cash and carry ice business on property known as 12th & L Streets, lots 14, 15, 16 Block 87 of the City of Modesto and it appearing from affidavits on file that a notice setting forth a time for hearing any and all protests to the granting of the petition as prayed for and this being 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 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 13th day of October, 1937 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

H. E. GRAGG, CITY CLERK

RESOLUTION NO. 3977-N.S.

A RESOLUTION ACCEPTING CHECK FOR \$250.00 FROM PACIFIC GRAPE PRODUCTS COMPANY FOR LOSS OF USE OF WATER LINE UNDER BUILDINGS IN ALLEY IN BLOCK 220 AND AUTHORIZING CITY ATTORNEY TO PREPARE PLANS FOR CLOSING OF ALLEY

---oOo---

PURSUANT, to application by the Modesto Terminal Company for the closing of alley in Block 220 and

WHEREAS, the Pacific Grape Products Company have built a building over this alley and as the City of Modesto owns sewer and water line in this alley and can no longer make use of same and

WHEREAS, the Pacific Grape Products Company have presented to the City Council their check for \$250 .00 for loss of use of water line under buildings in alley in Block 220

BE IT THEREFORE RESOLVED that the City of Modesto accept check as presented and the City Attorney be authorized to prepare plans for the closing of the alley.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of October, 1937 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. 3978-N.S.

A RESOLUTION PROVIDING FOR TWO HOUR PARKING ON TENTH STREET BETWEEN K AND L STREETS IN THE CITY OF MODESTO

---oOo---

WHEREAS, under and by virtue of the provisions of Ordinance No. 345-N.S. 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 two hours:

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 two (2) consecutive hours between the hours of nine o'clock a.m. and six o'clock p.m. of any day except Sunday on Tenth Street between the intersections of said Tenth Street with K and L Streets 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 property 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 13th day of October, 1937 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: Neece, Stanley, Bond, Oliver and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 3979-N.S.

A RESOLUTION APPROVING SUPPLEMENT TO LEASE ON AIRPORT WITH PATHFINDER FLYING SERVICE AND APPOINTING MAYOR KING AS SIGNATORY OFFICIAL

---oOo---

WHEREAS, supplement agreement to lease with the Pathfinder Flying Service for the Municipal Airport having been presented for approval to the City Council

BE IT HEREBY RESOLVED that agreement be approved as presented and Mayor King be appointed as signatory official and the City Clerk be directed to communicate with the Pathfinder Flying Service to obtain a copy of resolution adopted by their Board of Directors authorizing the entering into agreement with the City.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of October, 1937 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, Stanley, Oliver, Bond and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 3980-N.S.

A RESOLUTION AUTHORIZING CITY CLERK TO CO-OPERATE WITH COUNTY TAX COLLECTOR IN SALE OF CERTAIN PROPERTIES

---oOo---

WHEREAS, within the City of Modesto there are numerous parcels and pieces of real property that have been deeded to the City of Modesto for non-payment of taxes and assessments due thereon; and

WHEREAS, it is to the best interest of the citizens of the City of Modesto that said real property be restored to the rolls of said City and that taxes be collected thereon to add to the revenue of said City; and

WHEREAS, the law as set forth in Section 3897 of the Political Code of the State of California provides a method whereby said property may be restored to the rolls and thereafter yield a revenue to the taxing body; and

WHEREAS, the County tax Collector of the County of Stanislaus may sell said property and pro rate among the various taxing bodies the amount

received for the sale of said property; and

WHEREAS, the City of Modesto is owed moneys in the form of assessments heretofore levied on much of the real property situate in the City of Modesto which has been deeded to the City for failure to pay taxes and assessments; and

WHEREAS, the sale by the Tax Collector of Stanislaus County of property within said City upon which assessments have been levied and unpaid, does not operate to relieve said property or the purchaser thereof from paying said assessments owed to said City; and

WHEREAS, in order to perfect title in the purchaser at said tax sale held by the Tax Collector of Stanislaus County, it is necessary that said purchaser secure a deed to said property from the City of Modesto; and

WHEREAS, in the event the Tax Collector of Stanislaus County should give a deed to one person covering property purchased by him, and the City of Modesto should give its deed to the same property to another person, great confusion would arise and prospective purchasers would refuse to buy or attempt to buy said property:

NOW THEREFORE, in all cases where the Tax Collector of Stanislaus County gives his deed or other evidence of title to property situate in the City of Modesto to any person, firm, or corporation, the City of Modesto will likewise deliver its deed to the same person, firm, or corporation securing a deed from said County Tax Collector, covering the same property, upon receipt of due consideration therefor.

Nothing contained herein is to be construed as a waiver of the right of the City of Modesto to receive its pro rata share of the moneys received by the Tax Collector of Stanislaus County at his sale of said property.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of October, 1937, 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. 3981-N.S.

A RESOLUTION PROVIDING FOR THE LOCATION OF A LOADING ZONE ON J STREET BETWEEN TENTH AND ELEVENTH STREETS IN THE CITY OF MODESTO

---oOo---

WHEREAS, in the Beaty Building, situate on the southerly side of J Street between Tenth and Eleventh Streets in the City of Modesto, County of Stanislaus, State of California, are located numerous physicians; and

WHEREAS, numerous people suffering from illness and injury visit said physicians in said building and because of said injury and illness said persons are unable to walk any distance; and

WHEREAS, sick and injured people are unable to park at the entrance to said building, and on occasions must be carried from a distance to the entrance of said Beaty Building:

NOW, THEREFORE, the City Council of the City of Modesto duly assembled

in special session determines and finds that it is to the best interest of the citizens of the City of Modesto that a "loading zone" be established directly in front of the entrance to said Beaty Building, situate on J Street between Tenth and Eleventh Streets in said City of Modesto, in compliance with the terms relating to loading zones as contained in Ordinance 345-N.S. of the City of Modesto, thereafter amended.

The City Engineer of the City of Modesto is hereby empowered and directed to appropriately mark said space, calling to the attention of the public the matters herein set forth.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of October, 1937, 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. 3982-N.S.

A RESOLUTION APPOINTING CAPTAIN ENGLE OF SALVATION ARMY SPECIAL OFFICER OF POLICE DEPARTMENT BEGINNING NOVEMBER 1, 1937 FOR A PERIOD OF 4 MONTHS AT A SALARY OF \$50.00 PER MONTH

---c0c---

BE IT HEREBY RESOLVED that Captain George Engle of the Salvation Army be appointed special officer of the Police Department beginning November 1, 1937 for a period of 4 months at a salary of \$50.00 per month.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of October, 1937 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. 3983-N.S.

ADJOURNMENT

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

The foregoing resolution was introduced at a regular meeting of the City Council held on October 13, 1937 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: Neece, Bond, Stanley, Oliver and Mayor King
Noes: Councilmen: None
Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 3984-N.S.

A RESOLUTION AWARDDING BID ON TRUCK TO JAMES L. SINGLETON TO BE USED IN PUBLIC WORKS DEPARTMENT

---e0o---

WHEREAS, specifications have heretofore been filed by the City Engineer with the Council and approved by the Council for dump truck to be used by the Public Works Department and money for said truck having been heretofore been appropriated and notice to bidders having 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, October 13, 1937 and having been then and there opened by the Council in open meeting and referred to Commissioner of Public Supplies, Oliver for recommendation as to the best and lowest bids.

BE IT THEREFORE RESOLVED that bid be awarded to James L. Singleton for International model D-50 purchase price complete \$3498.95, as being the lowest and best bid and authorizing the City Clerk to return check to the unsuccessful bidders.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 18th day of October, 1937 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: Neece, Bond, Stanley, Oliver and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 3985-N.S.

A RESOLUTION AWARDDING BID ON STEEL FOR REPAIR OF LALOMA STREET BRIDGE TO HERRICK IRON WORKS

---e0o---

WHEREAS, specifications have heretofore been filed by the City Engineer with the Council and approved by the Council for steel to be used in repair of LaLoma Street Bridge and money has been appropriated for same and notice to bidders has 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. Wednesday, October 13, 1937 and having been then and there opened by the Council in open meeting and referred to the Commissioner of Public Works and City Engineer for tabulation and recommendation with order to report back to the Council.

BE IT THEREFORE RESOLVED that Herrick Iron Works be awarded bid for \$994.98 F.O.B. Modesto, Sales tax included as being the lowest and best bid and City Clerk be authorized to return check to the unsuccessful bidders.

The foregoing resolution was introduced at a Special meeting of the Council of the City of Modesto held on the 18th day of October, 1937 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: Neece, Bond, Stanley, Oliver and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

. RESOLUTION NO. 3986-N.S.

A RESOLUTION GRANTING WATER SERVICE TO A. L. YOUNG, J. G. BRUCE AND H. REED HICKEN TEMPORARILY FOR SIX MONTHS IN HIGH HOMES TRACT

---oCo---

WHEREAS, A. L. Young, Helen Avenue, J. G. Bruce, 1735 Francis Avenue and H. Reed Hicken, 1730 Helen Avenue, all of the High Homes Tract have made application to the Council of the City of Modesto for water service for their houses in the High Homes Tract, outside the City limits

BE IT THEREFORE RESOLVED that water service be granted applicants temporarily for six months from October 18, 1937 and upon expiration of this term, they must again make application to the City for service.

The foregoing resolution was introduced at a Special meeting of the Council of the City of Modesto held on the 18th day of October, 1937 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, Stanley, Oliver and Mayor King
Noes: Councilmen: None
Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 3987-N.S.

A RESOLUTION APPOINTING BOB FITCH TO ESTABLISH SYSTEM OF HANDLING PENSION FUND FOR THE POLICE AND FIRE DEPARTMENTS AS PROVIDED FOR BY ORDINANCE NO. 559-N.S.

---eCo---

BE IT HEREBY RESOLVED that B. R. Fitch be appointed to assist the City Auditor in establishing a system to handle the pension fund for the Police and Fire Departments as provided for by Ordinance No. 559-N.S.

The foregoing resolution was introduced at a Special meeting of the Council of the City of Modesto held on the 18th day of October, 1937 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. 3988-N.S.

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 a Special meeting of the Council of the City of Modesto, held on the 18th day of October, 1937 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. 3989-N.S.

A RESOLUTION CANCELLING CONDEMNATION SUIT AGAINST THE GRANGE COMPANY

---e0c---

WHEREAS suit was brought against The Grange Company by the City of Modesto for the condemnation of portion of lots 1 and 2 in Block 443 to be used as right of way for widening of Ninth Street and the 99 Highway (Resolution No. 2534-N.S.) and

WHEREAS The Grange Company has sold the desired property to the City for a certain consideration

BE IT THEREFORE RESOLVED the condemnation suit against The Grange Company be cancelled.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on October 27, 1937 by Councilman Bond, 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. 3990-N.S.

A RESOLUTION ALLOWING CLAIM OF JAMES L. SINGLETON FOR \$3498.95 FOR DUMP TRUCK

---e0c---

WHEREAS James L. Singleton has filed claim with the Auditor for \$3498.95 for dump truck furnished the Public Works Department of the City of Modesto and

WHEREAS the claim meets the requirements of bid furnished by claimant on this equipment

BE IT THEREFORE RESOLVED that claim be allowed as presented and the City Clerk and Auditor be authorized to draw warrant in amount of \$3498.95 in payment of claim.

The foregoing resolution was introduced at the regular meeting of the Council of the City of Modesto held on the 27th day of October, 1937 by Councilman Oliver, 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. 3991-N.S.

A RESOLUTION ALLOWING CLAIM OF MODESTO CHAMBER OF COMMERCE FOR \$650.00 FOR DONATIONS TO THE FARM BUREAU CONVENTION AND THE GRANGE CONVENTION AS PROVIDED FOR BY ORDINANCE NO. 552-N.S.

---e0c---

WHEREAS, the Modesto Chamber of Commerce have presented claims for \$475⁰⁰

for
donation to the Farm Bureau Convention and to the Grange Convention for \$175.00
and

WHEREAS, Ordinance No. 552-N.S. provides for this appropriation

BE IT HEREBY RESOLVED that these claims be allowed and the City Auditor be directed to draw warrant in amount of \$650.00 payable to the Modesto Chamber of Commerce.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of October, 1937 by Councilman Neece, 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. 3992-N.S.

A RESOLUTION ALLOWING CLAIM OF R. B. FOWLER AND CARL L. OGDEN

---oOo---

WHEREAS, City Attorney Robert B. Fowler has filed claim with the Auditor for \$4.00 for use of his automobile for trip to Attorney General's office in San Francisco and Carl L. Ogden has presented claim for overpayment on 1936-1937 taxes of \$10.00 as he was not allowed credit for soldier's exemption

BE IT THEREFORE RESOLVED that claims be allowed and the City Auditor be authorized to draw a warrant in payment of each claim.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of October, 1937 by Councilman Oliver, 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. 3993-N.S.

A RESOLUTION ALLOWING CLAIM OF PUTMAN & CLARK FURNITURE COMPANY FOR FURNITURE FURNISHED THE POLICE DEPARTMENT

---oOo---

PURSUANT to claim being presented to the City Council by Putman-Clark Furniture Company for \$123.38 for furniture furnished the Police Department

BE IT HEREBY RESOLVED that claim be allowed and 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 the 27th day of October, 1937 by Commissioner Stanley, 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. 3994-N.S.

A RESOLUTION ALLOWING FREE WATER SERVICE TO THE W.P.A. OFFICE AT 2301 H STREET FROM OCTOBER 15, 1937 to SUCH TIME AS OFFICE IS CLOSED

---oOo---

PURSUANT to petition of the W. P. A. requesting free water service for their local office located at 2301 H Street

BE IT HEREBY RESOLVED that permit be granted for free water service from October 15, 1937 until such time as the local office is closed.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of October, 1937 by Commissioner Bond, 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. 3995-N.S.

A RESOLUTION AUTHORIZING CITY CLERK TO ADVERTISE FOR BIDS ON AUTOMOBILES, TRACTOR AND PIPE

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

1-one Automobile Coupe, not to exceed \$775.00 in cost including sales tax.

2-One Pickup Truck, not to exceed \$750.00 in cost including sales tax

3-One industrial type tractor equipped with rubber tires and a sickle bar mower attachment, not to exceed \$1250.00 in cost including sales tax. The mower may be driven by an independent motor

4-1000 feet of 4 inch, 1000 feet of 6", 1700 feet of 8" and 160 feet of 12 inch, class 150 bell and spigot cast iron water pipe or equal.

said bids to be received by the City Council at the City Hall not later than 7:30 P.M. on Wednesday, November 10, 1937.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of October, 1937 by Commissioner Bond, 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. 3996-N.S.

A RESOLUTION AUTHORIZING THE CITY CLERK TO CALL FOR BIDS ON ADDITION TO GOLF COURSE BUILDING

---oOo---

WHEREAS, plans and specifications have been presented by the City Engineer for addition to present structure at the Golf Course and approved by the Council

BE IT THEREFORE RESOLVED that the City Clerk be authorized to advertise for bids; said bids to be opened at the regular council meeting to be held on November 10, 1937 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 27th day of October, 1937 by Commissioner Neece, 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. 3997-N.S.

A RESOLUTION ACCEPTING DEED FROM GRANGE WAREHOUSE AND STORAGE COMPANY, DATED OCTOBER 25, 1937.

---oOo---

WHEREAS, by virtue of a resolution heretofore duly passed by the City Council of the City of Modesto, said Council authorized the City Clerk of the City of Modesto to pay unto Grange Warehouse and Storage Company, a corporation, of Modesto, Stanislaus County, California, the sum of FIVE THOUSAND NINETY THREE DOLLARS AND THIRTEEN CENTS (\$5,093.13) for certain property described as follows:

That certain parcel of land situate in the City of Modesto, Modesto Irrigation District, County of Stanislaus, State of California, described as follows, to-wit:

All those portions of lots one (1) and two (2) in Block four hundred forty-three (443) of the City of Modesto, according to the official map thereof filed March 3, 1930 in Vol 12 of Maps, Stanislaus County Records, bounded and particularly described as follows, to-wit:

Beginning at the westerly corner of block 443 of the City of Modesto, the same being the common easterly corner of 9th Street and Tully Road; thence running in a southeast direction along the common boundary line of block 443 and 9th Street to the common corner of lots 2 and 3 in said block 443; thence running in a northeasterly direction along the common boundary line of lots 2 and 3 a distance of 18 feet; thence running in a northwest direction on a line paralleling and at a distance of 18 feet northeasterly from the common boundary line of block 443 and 9th Street to the common boundary line of block 443 and Tully Road; thence running in a southerly direction along the easterly boundary line of Tully Road a distance of 26.42 feet to the point of beginning, and being a portion of lot 1 and a portion of lot 2 in the southwesterly portion of said block 443 and adjoining the northeasterly boundary line of 9th Street and between the easterly line of Tully Road and the northwesterly boundary line of lot 3, all within the limits of the description hereinabove contained.

WHEREAS, a deed has been delivered to the Mayor of the City of Modesto by said Grange Warehouse and Storage Company, a corporation, duly executed by its President and Secretary, conveying the within described premises to the City of Modesto, free and clear of any and all claims by said Grange Warehouse and Storage Company, a corporation; and

WHEREAS, said deed is in order:

NOW THEREFORE, the said City Council of the City of Modesto in regular session this 27th day of October, 1937, does hereby accept said deed and does hereby authorize the City Attorney of said City of Modesto to record said deed and to record with said deed a certified copy of this resolution.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of October, 1937 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. 3998-N.S.

A RESOLUTION PROVIDING FOR THE LOCATION OF A LOADING ZONE ON H STREET BETWEEN SEVENTEEN AND EIGHTEEN STREETS IN THE CITY OF MODESTO

---oOo---

WHEREAS, the Sisters of St. Mary's Hospital have requested the Council to establish a loading zone on H Street between 17th and 18th Streets at the ambulance entrance to the Hospital

NOW THEREFORE, the City Council of the City of Modesto duly assembled in regular session determines and finds that it is to the best interest of the citizens of the City of Modesto that a "Loading Zone" be established on H Street between 17th & 18th Streets in said City of Modesto in compliance with the terms relating to loading zones as contained in Ordinance No. 345-N.S. of this city, thereafter amended. The City Engineer of the City of Modesto is hereby empowered and directed to appropriately mark said space, calling to the attention of the public the matters herein set forth.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of October, 1937 by Commissioner Stanley, 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. 3999-N.S.

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

---oOo---

BE IT HEREBY RESOLVED that the City Clerk be authorized to call for bids on one 6 cylinder touring sedan for which the cost including sales tax shall not exceed the trade in allowance for one 1935 Ford Sedan and \$1000.00 to be used by the Police Department. Said bids to be opened by the Council of the City of Modesto in regular session on November 10, 1937 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 27th day of October, 1937 by Commissioner Stanley, 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. 4000-N.S.

A RESOLUTION CANCELLING OPERATOR'S LICENSE NO. 83 OF STANLEY LYLOTT TO DRIVE TAXICAB IN THIS CITY

---oOo---

WHEREAS, Stanley Lylott has violated provisions of Ordinance No. 522-NS regulating taxicab drivers in this city.

BE IT HEREBY RESOLVED that operator's license No. 83 to drive taxicab in this city by Stanley Lylott be cancelled.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of October, 1937 by Commissioner Stanley, 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 / 4001-N.S.

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 the 27th day of October, 1937 by Commissioner Oliver, 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. 4002-N.S.

A RESOLUTION ACCEPTING MAP OF LALOMA TERRACE AND APPOINTING MAYOR AND CITY CLERK AS SIGNATORY OFFICIALS

---oOo---

WHEREAS, map has been presented to the Council of the City of Modesto for approval and acceptance of LaLoma Terrace, being a subdivision of Block 206, 226, portion of Blocks 207, 209, 212 and 227

BE IT HEREBY RESOLVED that map be approved and accepted as presented and Mayor King 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 November 10, 1937 by Commissioner Bond, 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. 4003-N.S.

A RESOLUTION ALLOWING CLAIMS FOR MONTH OF OCTOBER, 1937

----oOo---

WHEREAS, the claims against the City of Modesto for the month of October

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-----	\$25,476.75
WATER FUND-----	4,040.54
LIBRARY FUND-----	1,684.63
BOND RED. INT. FUND-----	2.10
ST. BOND RED. INT. FUND-----	18.35
SPECIAL ST. BOND. RED. INT. FUND----	.30
SEWER SEPTIC-----	389.09
GAS TAX FUND-----	3,498.95
	<u>\$35,110.71</u>

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of November, 1937 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. 4004-N.S.

A RESOLUTION ALLOWING CLAIM OF J. H. KING AND W. M. HOLLAND

---oOo---

WHEREAS, Mayor J. H. King has presented claim for \$12.00 money advanced by him to pay for expenses of Secretary of California League of Municipalities in attending the Central Valley Division of League held in Modesto on November 2, 1937 and W. M. Holland has presented claim for refund of \$50.00 deposit paid by him in accordance with requirements of Ordinance No. 487-N.S.

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

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of November, 1937 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. 4005-N.S.

A RESOLUTION PROVIDING FOR THE RETURN OF CERTIFIED CHECK TO CALROCK ASPHALT COMPANY WHICH ACCOMPANIED THEIR BID ON RESURFACING STREETS

---oOo---

WHEREAS, the bid of Calrock Asphalt Company for resurfacing streets in the City of Modesto was rejected and whereas they have petitioned the Council for the return of their certified check in amount \$900.00 which accompanied their

bid,

BE IT HEREBY RESOLVED that the City Clerk and Auditor be authorized to return certified check to Calrock Asphalt Company.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of November, 1937 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. 4006-N.S.

A RESOLUTION ALLOWING REFUND OF \$25.00 ON LICENSE FOR DISTRIBUTING HANDBILLS, PHAMPLETS, ETC, TO WESTERN UNION AND MODESTO TRIBUNE

---oOo---

WHEREAS on October 1, 1937 Ordinance No. 553-N.S. provided for the entire annual license fee for distributing handbills being paid in advance and

WHEREAS, all other licenses are payable on July 1st of each year and it is desired that such precedent should be continued in all cases

THEREFORE BE IT RESOLVED that the City Clerk be authorized to refund to the Western Union and Modesto Tribune \$25.00 each so that the expiration of license will coincide with all other licenses.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of November, 1937 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. 4007-N.S.

A RESOLUTION GRANTING PETITION TO WALTER E. SAMWAYS TO OPERATE USED CAR LOT AT 910 G. STREET

---oOo---

WHEREAS, Walter E. Samways has petitioned the Council for permission to operate a used car lot at 910 G Street and

WHEREAS, he has presented application and bond in conformance with requirements of Ordinance No. 514-N.S.

BE IT HEREBY RESOLVED that request to operate used car lot be granted to Walter E. Samways as prayed for.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of November, 1937 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, Bond and Mayor King
Noes: Councilmen: None
Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4008-N.S.

A RESOLUTION REFUSING PERMIT TO ~~GEORGE~~ LEISZ TO OPERATE A GARAGE AT 310 MELROSE STREET.

---oOo---

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

GEORGE LEISZ: To operate a garage for the purpose of repairing shop on property known as 310 Melrose, lots 29, and 30 in Block 591 of the City of Modesto

and it appearing from affidavits on file that a notice setting forth the time for hearing any and all protests to the granting of the petition as prayed for and this being the time set forth.

BE IT HEREBY RESOLVED that petition be refused as the location of the garage is in a residence zone and would not be for the best interest of the surrounding territory.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of November, 1937 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, Bond and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4009-N.S.

A RESOLUTION GRANTING PERMIT TO THE MODESTO IRRIGATION DISTRICT TO PLACE POWER LINE ACROSS BEARD BROOK PARK

---oOo---

WHEREAS, the Modesto Irrigation District have petitioned the City of Modesto to place a power line across Beard Brook Park to a substation to be erected on 12th and E Streets

BE IT HEREBY RESOLVED that permission be granted in accordance with request of July 6, 1937 as set forth in their letter.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of November, 1937 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 4010-N.S.

A RESOLUTION GRANTING REMOVAL OF TREE ON 11TH STREET UNDER THE SUPERVISION OF THE CITY ENGINEER

---oOo---

WHEREAS, a petition as filed with the City Council by group of property owners for the removal of a tree on 11th Street in 700 block on the left side, facing north because of obscuring neon signs of business concerns.

BE IT HEREBY RESOLVED the tree be removed by the City of Modesto under the supervision of the City Engineer.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of November, 1937 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. 4011-N.S.

A RESOLUTION REFERRING BIDS ON AUTOS, TRACTOR, AND WATER PIPE TO COMMISSIONER OF PUBLIC WORKS AND CITY ENGINEER FOR TABULATION AND RECOMMENDATION

---oOo---

WHEREAS, specifications having heretofore been filed by the City Engineer with the Council and approved by them for the purchase of 1 Coupe, 1 Pickup Truck, 1 Industrial Tractor and water pipe and

WHEREAS 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 November 10, 1937 and having been then and there opened by the Council in open meeting, City Clerk reported 18 bids received (C.F. Bid File No. 148) for details of bids.

NOW THEREFORE BE IT RESOLVED that bids be referred to the City Engineer and 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 10th day of November, 1937 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, Bond, Oliver and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4012-N.S.

A RESOLUTION REFERRING BIDS ON POLICE AUTO TO COMMISSIONER OF HEALTH AND SAFETY AND CITY ENGINEER FOR TABULATION AND RECOMMENDATION AS TO LOWEST AND BEST BID

---oOo---

WHEREAS, specifications having heretofore been filed by the Police Department with the Council and approved for the purchase of a Sedan Patrol car and money 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, November 10, 1937 and having been then and there opened by the Council in open meeting the City Clerk reported 6 bids received (C.F. Bid File No. 150 for details of bids)

BE IT THEREFORE RESOLVED that bids be referred to the City Engineer and Commissioner of Health and Safety 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 10th day of November, 1937 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, Oliver and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4013-N.S.

A RESOLUTION REFERRING BIDS ON ADDITION TO GOLF COURSE CLUBHOUSE TO CITY ENGINEER AND COMMISSIONER OF PUBLIC WORKS

---oOo---

WHEREAS, plans and specifications having heretofore been filed by the Public Works Department with the Council and approved by them for the addition to clubhouse at the golf course and money having been 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 10, 1937 and having been then and there opened by the Council in open meeting, City Clerk reported 3 bids received (C.F. Bid File No. 149 for details of bids)

BE IT THEREFORE RESOLVED that all bids be referred to the City Engineer and 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 10th day of November, 1937 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, Bond, Oliver and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4014-N.S.

A RESOLUTION AUTHORIZING THE CITY CLERK TO ADVERTISE FOR BIDS ON MATERIAL FOR FIRE DEPARTMENT

---oOo---

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

1-One front mounted centrifugal fire pump, capacity 400 gallons, complete with accessories mounted on chassis

2-Water tank of 100 gallons capacity, to be constructed throughout of 10 gauge steel.

said bids to be received at the office of the City Clerk not later than seven-thirty P.M. on Wednesday, December 8, 1937.

The foregoing resolution was introduced at a regular meeting of the

Council of the City of Modesto held on the 10th day of November, 1937 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, Oliver and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4015-N.S.

A RESOLUTION APPROVING CONTRACT WITH UNITED LUMBER YARDS INC. FOR CLOSING OF ALLEY IN BLOCK 73 OF THE CITY OF MODESTO

---oOo---

WHEREAS, on June 9, 1937 the Council passed Resolution No. 778-S.P. Resolution of intention No. 220 providing for the closing and abandoning of alley in Block 73 in the City of Modesto and

WHEREAS at this time a contract was presented for acceptance and approval by the Council between the City of Modesto and the United Lumber Yards, Inc. providing for entering upon property for maintaining pipes and conduits now located in alley by the City at all times and for the payment by the United Lumber Company of all expenses incurred in closing alley.

BE IT HEREBY RESOLVED that contract be accepted as presented and Mayor King and City Clerk be appointed as signatory officials and

BE IT FURTHER RESOLVED that City Clerk be directed to file contract 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 10th day of November, 1937 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, Bond, Oliver and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4016-N.S.

A RESOLUTION ORDERING CITY ATTORNEY OF THE CITY OF MODESTO TO PREPARE AND FILE CLAIM WITH COUNTY SUPERVISORS

---oOo---

WHEREAS, there is now pending in the Superior Court of Stanislaus County, California, an action at law, in which the said County of Stanislaus is plaintiff and City of Modesto, a municipal corporation is defendant; and

WHEREAS, a demurrer heretofore filed by the City of Modesto to the complaint of said County filed in said action has been overruled by the said Superior Court with ten days' leave to answer said complaint; and

WHEREAS, if legally the County of Stanislaus is entitled to the sum of \$4,399.00, which amount constitutes the total sum collected by the Police Court of the City of Modesto from and including September 28, 1933 to and including September 28, 1937, the said City of Modesto is in turn entitled to receive

from the County of Stanislaus the sum of \$3,614.25, which sum has been expended by the City of Modesto in feeding certain prisoners lodged in the County Jail of Stanislaus County for violation of State laws committed within said City:

NOW, THEREFORE, BE IT RESOLVED THAT THE CITY COUNCIL OF THE CITY OF MODESTO hereby finds and declares that if the City of Modesto is indebted to the said County of Stanislaus in the sum of \$4,399.00 and/or any sum as claimed by said County in said suit, said City of Modesto is entitled to received from said County the sum of \$3,614.25 and the City Attorney of the City of Modesto is hereby empowered and authorized and ordered to file a cross-complaint against said County for the purpose of recovering and/or attempting to recover from said County said sum of \$3,614.25 as and for moneys expended in feeding prisoners in said Jail during the period heretofore set forth.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of November, 1937 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. 4017-N.S.

A RESOLUTION DENYING PETITION FOR A PUBLIC HEARING ON DISCHARGE FROM POLICE DEPARTMENT BY GEORGE KEELEY

---e0o---

PURSUANT to petition being filed with the Council by George Keeley for a public hearing on his discharge from the Police Department of the City of Modesto

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 the 10th day of November, 1937 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, Oliver and Mayor King

Noes: Councilmen: None

Absent:Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4018-N.S.

A RESOLUTION ACCEPTING PETITION FOR ANNEXATION OF "SOUTHERN CAMPUS TRACT" TO THE CITY OF MODESTO WHEN THE CITY CLERK ASCERTAINS THE PERSONS SIGNING THE SAME ARE ENTITLED SO TO DO

---e0o---

WHEREAS, there has been presented to the City Council of the City of Modesto at a regular meeting thereof on the 10th day of November, 1937, a petition requesting that an election be called in the "Southern Campus Tract", which tract is described as follows:

Beginning at College Avenue and Coldwell Avenue where a 1" iron pipe marks the Southwest corner of the Southeastquarter 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.

WHEREAS, it appears to the City Council of said City that said petition is in order, with one exception, to-wit; that said Council is unable at this time to determine that the persons signing said petition have the legal right so to do;

NOW THEREFORE, said petition is hereby accepted by said City Council, subject to a determination by the City Clerk of said City that those persons signing said petition have the legal right to sign the same.

BE IT FURTHER RESOLVED that when and if the City Clerk of said City determines that the persons signing said petition have the legal right so to do, then and in such event the City Attorney of the City of Modesto is hereby ordered to prepare the necessary documents and notices for the holding of an election in said territory sought to be annexed to determine whether or not the voters living in said territory desire said territory to be annexed to, and to become a part of the corporate 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 10th day of November, 1937 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. 4019*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 10th day of November, 1937 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, Bond, Oliver and Mayor King

Noes: Councilmen: None

Absent; Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4020-N.S.

A RESOLUTION AWARING BID ON COUPE, TRUCK, WATER PIPE AND REJECTING BID ON INDUSTRIAL TRACTOR

---oOo---

Pursuant to bids for autos, tractor and pipe for the Public Works Department as per advertised Notice to Bidders and the subsequent referring of all bids received to a committee for investigation and recommendation, at this time they recommended the purchase of the following equipment;

Item 1 Bid of Helm Chevrolet Company for 1 1938 Chevrolet Coupe at the net price of

\$752.51

- Item 2 Bid of John Crocker for 1 1938 Reo Pickup demonstrator at a net price of \$708.12
- Item 3 All bids rejected on Industrial Tractor. New bids to be called for at later date
- Item 4 Bid of Pacific States Pipe and Foundry Co. on cast iron pipe of various sizes at a net cost of \$3691.11

BE IT THEREFORE RESOLVED that bids as above set forth be accepted as being the lowest and best bids and upon delivery and acceptance of equipment, the City Clerk and Auditor be authorized to draw warrants in payment, and the City Clerk be authorized to return to the unsuccessful bidders the certified checks accompanying their bids.

The foregoing resolution was introduced at a special Council meeting of the City of Modesto held on the 17th day of November, 1937 by Commissioner Oliver who moved its adoption, which motion being duly seconded was regularly 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. 4021-N.S.

A RESOLUTION AWARING BID ON ADDITION TO GOLF COURSE CLUBHOUSE TO JARVIS BROTHERS

---oOo---

WHEREAS bids for addition to golf course clubhouse as per advertised Notice to Bidders and the subsequent referring of all bids received to a committee for investigation and recommendation as to the lowest and best bid and

WHEREAS at this time they recommend the bid of Jarvis Brothers for \$1057.00 as being the lowest and best bid

BE IT THEREFORE RESOLVED that Jarvis Brothers be awarded bid and the Mayor and City Clerk be authorized to enter into a contract with said Jarvis Brothers on behalf of the City of Modesto for the construction of building and

BE IT FURTHER RESOLVED that the City Clerk be authorized to return to the unsuccessful bidders their certified checks and bidding bonds accompanying their bids.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 17th day of November, 1937 by Commissioner Oliver, who moved its adoption which motion being duly seconded was regularly 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. 4022-N.S.

A RESOLUTION AWARING BID ON POLICE CAR TO R. B. MACBRIDE

---eOo---

WHEREAS, bids for auto for the Police Department as advertised Notice to Bidders and the subsequent referring of all bids received to a committee for in-

vestigation and recommendation as to the lowest and best bid and

WHEREAS, at this time they recommend the bid of R. B. MacBride for 1938 Plymouth Sedan for \$961.23, less credit of \$310.00 for trade in on Ford Sedan, making a net cost to the city of \$651.23 as being the lowest and best bid.

BE IT RESOLVED that bid of R. B. MacBride, as set forth above be accepted and upon delivery and acceptance of equipment by the City of Modesto, the City Clerk and Auditor be authorized to draw warrant in payment and to return certified checks to unsuccessful bidders.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 17th day of November, 1937 by Commissioner Oliver, who moved its adoption, which motion being duly seconded was regularly 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. 4023-N.S.

A RESOLUTION GRANTING PERM.T TO JOAQUINITA VICTORIA TO OPERATE A TAMALES PARLOR AT 513 12th STREET IN THE CITY OF MODESTO

---oOo---

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

JOAQUINITA VICTORIA for permit to maintain a Tamale Parlor on property known as 513 12th Street, being lots 8, 9, 10 and Block 80 of the City of Modesto

and it appearing from affidavits on file that a notice setting forth the time for hearing any and all protests to the granting of the petition as prayed for, and this being the time set forth and as the City Clerk reports that no protests either oral or written have been officially filed.

BE IT THEREFORE RESOLVED that permit be granted with the understanding that all provisions relative to building permit fees be complied with.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 17th day of November, 1937 by Commissioner Bond, who moved its adoption, which motion being duly seconded was regularly 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. 4024-N.S.

A RESOLUTION GRANTING REQUEST OF BERT LOWRY TO LEASE ROOSEVELT FIELD FOR THE SPRING TRAINING SEASON OF 1938

---oOo---

WHEREAS, Bert Lowry has petitioned the Council for permission to lease Roosevelt Field for the Spring Training season of 1938

BE IT HEREBY RESOLVED that request be granted and Commissioner Oliver, Bond and Neece be appointed as a committee to make arrangements for the leasing and management of the field.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 17th day of November, 1937 by Commissioner Oliver, who moved its adoption, which motion being duly seconded was regularly 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. 4025-N.S.

WHEREAS, heretofore, to-wit, on the 17th day of November, 1937, 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 Modesto; 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 21st day of December, 1937; 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 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. 3 S 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.

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: 603 Myrtle Avenue, 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: Loyela Kint and Helen Sylva--Inspector: Reuben Sylva

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 "The Southern Campus Tract."

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

"Shall the SOUTHERN CAMPUS TRACT be annexed to the City of Modesto?"

: :
: Yes :
: :
: :
: :
: :

Shall the SOUTHERN CAMPUS 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 11th, 1913, and the acts amendatory of and supplemental thereto.

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 21st day of December, 1937

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

That it is proposed to annex to, incorporate in and made 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 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

in which they are appointed to act, are hereby appointed officers of said election,
to-wit:

Judges: Loyola King and Helen Sylva---Inspector: Reuben Sylva

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

Dated: November 17, 1937

H. E. GRAGG, CITY CLERK
CITY OF MODESTO

Date of first publication: November 19, 1937.

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, Stanley, Oliver, Bond and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4026-N.S.

ADJOURNMENT

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

The foregoing resolution was introduced at a special meeting of the
Council of the City of Modesto held on the 17th day of November, 1937 by
Commissioner Oliver, who moved its adoption, which motion being duly seconded,
was upon roll call carried 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. 4027-N.S.

A RESOLUTION EMPLOYING RAY GADA IN THE ELECTRICAL DEPARTMENT OF THE CITY OF MODESTO
TO MEET FEDERAL RADIO BUREAU REQUIREMENTS AT A SALARY OF \$1.00 PER YEAR

---oOo---

BE IT HEREBY RESOLVED that Ray Gada be employed in the Electrical De-
partment of the City of Modesto at a salary of \$1.00 per year to meet requirements
of the Federal Radio Bureau, beginning of employment to be as of this date,
November 22, 1937.

The foregoing resolution was introduced at a special meeting of the
Council of the City of Modesto held on the 22nd day of November, 1937 by Commis-
sioner Bond, who moved its adoption, which motion being duly seconded, was upon roll
call carried 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. 4028-N.S.

ADJOURNMENT

BE IT HEREBY RESOLVED that this meeting of the Council of the City of Modesto adjourn.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 22nd day of November, 1937 by Commissioner Oliver, who moved its adoption, which motion being duly seconded was upon roll call carried 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. 4029-N.S.

A RESOLUTION ALLOWING CLAIM OF ERNEST W. RETTIG FOR REFUND OF TAXES AND F. E. HOLTHAM FOR EXPENSES TO MILK INSPECTORS & HEALTH OFFICERS' CONVENTION

---oOo---

WHEREAS claim has been filed by Ernest W. Rettig for refund of personal tax paid in amount of \$1.10 as property assessed has been removed prior to assessment date and claim has been filed by F. E. Holtham on expenses to convention of Milk Inspectors and Health Officers in Oakland in amount of \$6.60 with the City Auditor

BE IT HEREBY RESOLVED that claims are just ones and should be allowed and the City Clerk and Auditor is hereby authorized to draw warrants in payment of claims.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of November, 1937 by Commissioner Stanley, who moved its adoption, which motion being duly seconded was upon roll call carried 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. 4030-N.S.

A RESOLUTION GRANTING FREE WATER SERVICE TO W.P.A. WAREHOUSE AT 228-11th STREET FOR DURATION OF SANITATION PROJECT

---oOo---

WHEREAS, pursuant to request for free water service at warehouse #43 leased by the W.P.A. at 228 11th Street in the City of Modesto for duration of their sanitation project

BE IT HEREBY RESOLVED that request be granted and free water be allowed petitioner until such time as project is completed.

The foregoing resolution was regularly introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of November, 1937 by Commissioner Neece, who moved its adoption, which motion being duly seconded was upon roll call carried 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. 4031-N.S.

A RESOLUTION DENYING REQUEST OF GEORGE KEELEY FOR REINSTATEMENT OF AS CAPTAIN OF POLICE OF THE CITY OF MODESTO AND PAYMENT OF WAGES SINCE DATE OF DISCHARGE

---oOo---

WHEREAS, communication has been filed with the City Clerk by George Keeley as follows:

"Request is hereby made upon you to reinstate the undersigned as Captain of Police of the City of Modesto, and pay to the said undersigned the sum of \$793.33 due as compensation since the 17th day of July, 1937.

Dated this 20th day of November, 1937

G. W. KEELEY"

BE IT HEREBY RESOLVED that request be denied.

The foregoing resolution was regularly introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of November, 1937 by Commissioner Stanley, who moved its adoption, which motion being duly seconded was upon roll call carried 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. 4032-N.S.

A RESOLUTION GRANTING PERMIT TO MRS. O.N. HAYDEN to operate store in residence AT ROSEMONT & CENTER STREETS, BLOCK 328, lots 37 and 38

---oOo---

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

Mrs. O.N. Hayden: To operate and maintain a general retail store in residence at present store building to be constructed later, on property known as Rosemont & Center Streets, Block 328, lots 37 and 38.

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.

BE IT THEREFORE RESOLVED that permission be granted, with the understanding that all provisions relative to building permit fees be complied with.

The foregoing resolution was regularly introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of November, 1937 by Commissioner Oliver, who moved its adoption, which motion being duly seconded was upon roll call carried 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. 4033-N.S.

A RESOLUTION CORRECTING RESOLUTION NO. 4016-N.S. ENTITLED "A RESOLUTION ORDERING CITY ATTORNEY OF THE CITY OF MODESTO TO PREPARE AND FILE CLAIM WITH COUNTY SUPERVISORS"

---oOo---

BE IT HEREBY RESOLVED that Resolution No. 4016-N.S. entitled "A RESOLUTION ORDERING CITY ATTORNEY OF THE CITY OF MODESTO TO PREPARE AND FILE CLAIM WITH COUNTY SUPERVISORS" be hereby corrected to read that City of Modesto is entitled to receive from said County of Stanislaus the sum of \$3614.25, which sum has been expended by the City of Modesto in feeding certain prisoners lodged in the County Jail for violation of State laws committed within said city instead of \$2245.50 as set forth in Resolution No. 4016-N.S.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of November, 1937 by Commissioner Oliver, who moved its adoption, which motion being duly seconded was upon roll call carried 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. 4034-N.S.

ADJOURNMENT

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

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of November, 1937 by Commissioner Oliver who moved its adoption, which motion being seconded, was upon roll call carried 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. 4035-N.S.

A RESOLUTION ALLOWING CLAIMS FOR THE MONTH OF NOVEMBER, 1937

---oOo---

WHEREAS, claims for the month of November, 1937, against the City of Modesto for the various sums in the aggregate hereinafter stated having been audited by the Council and found to be correct;

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

GENERAL FUND-----	\$24,838.50
WATER FUND-----	5,045.96
LIBRARY FUND-----	1,628.01
BOND REDEMPTION INTEREST FUND-----	18.95
ST. BOND RED. INT. FUND-----	34.74
SEWER SEPTIC FUND-----	286.14

\$31,852.30

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of December, 1937 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. 4036-N.S.

A RESOLUTION ALLOWING CLAIM FOR REFUND OF DEPOSIT REQUIRED BY ORDINANCE NO. 487-N.S.

---oOo---

WHEREAS, There has been filed with the Council claims 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:

J. GREENBERG
MODESTO AMBULANCE COMPANY
C. COY SMITH

WHEREAS, it appears that the said claimants have met the requirements of Ordinance No. 487-N.S. and are entitled to the refund of deposit

BE IT THEREFORE RESOLVED that the claims of the above named be and the same are hereby allowed and the City Clerk and Auditor is directed to issue warrant therefore as prayed for.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of December, 1937 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. 4037-N.S.

A RESOLUTION ALLOWING CLAIM OF J. M. BRUNETTE FOR REFUND OF REGISTRATION FEE OF \$5.00

---oOo---

WHEREAS claim for refund of registration fee of \$5.00 has been filed by J. M. Brunette because of non operation with the City Auditor

BE IT HEREBY RESOLVED that the City Clerk and Auditor be authorized to draw warrant in amount of \$5.00 payable to claimant.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of December, 1937 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. 4038-N.S.

A RESOLUTION ALLOWING CLAIM OF STANISLAUS COUNTY TITLE COMPANY FOR REFUND OF PERSONAL PROPERTY TAX AND OF ROY VERTREES FOR OVER ASSESSMENT ON BLOCK 466, lots 9 and 10 AND SOUTH 1/2 of lot 8

---oOo---

WHEREAS, the Stanislaus County Title Company have made claim for \$2.69 for erroneous assessment on personal property in Block 403, lots 9 and 11 in the City of Modesto and

WHEREAS, Roy Vertrees has made claim for \$9.14 for over assessment of \$435.00 for years 1936-1937 and 1937-1938 on Block 466, lots 9 and 10 and South 1/2 of lot 8,

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

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of December, 1937 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. 4039-N.S.

A RESOLUTION ALLOWING CLAIM OF THE MODESTO CHAMBER OF COMMERCE RETAIL MERCHANTS BUREAU FOR \$600.00 for CHRISTMAS PROGRAM AS PROVIDED FOR BY ORDINANCE NO. 552-N.S.

---oOo---

WHEREAS, the retail merchants Bureau of the Modesto Chamber of Commerce have filed a claim for \$600.00 for Christmas Program, including street decorations, lighting, entertainment and special events and

WHEREAS, this claim is in conformity with provisions of Ordinance No. 552-N.S. providing for appropriation of \$2400.00

BE IT THEREFORE RESOLVED that claim be allowed as presented and the City Clerk and Auditor be directed 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 the 8th day of December, 1937 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. 4040-N.S.

A RESOLUTION CARRYING OVER THE CLAIM AGAINST CITY EMPLOYEE BY DR. J.A. PORTER FOR MEDICAL SERVICES

---oOo---

WHEREAS, a communication from Dr. J.A. Porter making claim against city employee B. Fairfield for medical services rendered

BE IT HEREBY RESOLVED that this matter be laid over to the next regular meeting of the Council.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of December, 1937 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. 4041-N.S.

A RESOLUTION GRANTING REQUEST OF J. S. CRISWELL TO USE VACANT LOTS AT CORNER OF LALOMA AND H STREETS UNTIL DECEMBER 25, 1937 TO SELL CHRISTMAS TREES

---c0c---

WHEREAS, J. S. Criswell has made application to the Council for the use of vacant lots owned by the City of Modesto at the corner of LaLoma and H Streets until December 25, 1937 to sell Christmas trees

BE IT THEREFORE RESOLVED that request be granted with the stipulation that the lots are to be cleared up and left in good condition.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of December, 1937 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. 4042-N.S.

A RESOLUTION AWARDDING BID ON FIRE EQUIPMENT TO P. E. VAN PELT

---c0c---

WHEREAS, plans and specifications having heretofore been filed by the Fire Chief with the Council and approved by them for the purchase of front mounted centrifugal fire pump and water tank of 100 gallons capacity and notice to bidders having heretofore been given and published as required by law and bids in accordance with said notice having been then and there opened by the Council in open meeting and it appearing that the bid of P.E. Van Pelt was the only bid received and that he is a responsible bidder,

BE IT THEREFORE RESOLVED that bid of P.E. Van Pelt for \$654.05 for fire pump and \$97.85 for water tank be accepted, and the City Clerk and Auditor be instructed to draw warrant in payment immediately upon delivery and approval by the Fire Chief.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of December, 1937 by Commissioner Stanley, who moved its adoption, which motion being duly seconded, was upon roll call carried 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. 4043-N.S.

A RESOLUTION ADOPTING A SUPPLEMENT TO THE BUDGET, AS SET FORTH IN THE PROJECT STATEMENT OF NOVEMBER 30, 1937.

---oOo---

WHEREAS, there has been presented to this Council for adoption, a Project Statement relative to the expenditure, by the State Department of Public Works, of 1/4 cent funds for highways for additional devices warning of the proximity of the Tidewater Southern Railway trestle to the north approach of the Tuolumne river bridge; 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 expenditure 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. E. Pierce, Engineer of Division X of Highways of the California State Department of Public Works.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on December 8, 1937, 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: Neece, Stanley, Oliver, Bond and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4044-N.S.

A RESOLUTION ADOPTING RULES AND REGULATIONS FOR THE USE OF THE MODESTO MUNICIPAL GOLF COURSE

---oOo---

BE IT RESOLVED that the following rules and regulations for the use of the Modesto Municipal Golf Course shall be and they are hereby adopted:

Rule 1. The Municipal Golf Course or Golf Links shall consist of that portion of the real property owned by the City of Modesto heretofore used as an aviation field, which has been laid out into a golf course.

RULE 2. The golf course shall be available for play by the public generally and by all individuals who comply with the rules and regulations established by this resolution and herein set forth

RULE 3. The fees to be paid for the use of said Municipal Golf Course shall be as follows: The greens fee per player shall be the sum of 30¢ for each round of nine holes, 60¢ for eighteen holes to be played consecutively,

or 75¢ for all day, which fee is to be paid, in advance at the clubhouse. The player shall sign his name on the daily register. The fee for the use of the practice driving range shall be the sum of 30¢ per hour, payable in advance at the clubhouse, provided that any player purchasing a ticket for nine holes may use the driving range and practice putting green without additional charge. The fee for a monthly ticket shall be \$4.00 for family, consisting of husband, wife, and minor children; \$3.50 for adult individual; \$1.75 per month for students of Modesto schools and Junior College. Student tickets are not effective on Saturdays, Sundays, and holidays. Each monthly ticket issued shall terminate on the last day of the month during which it was issued. Complimentary tickets without fee may be issued by or under the direction of the Commissioner in charge of the course to visiting professionals or others, for services rendered, or when in the opinion of such Commissioner it will be for the advantage or best interest of the course to issue such complimentary tickets.

RULE 4. The City Council may employ a professional, enter into a contract with him for his compensation, and shall specify and prescribe the duties to be performed by him. The professional shall be in charge of the course under the direction of the said Commissioner, and it shall be his duty to see that the rules with reference to the use of the course as they are herein adopted or may hereafter be amended are enforced and complied with. He shall have the right to eject or bar from the course any person or persons who violate any of these rules or regulations. No extra charge for the use of the practice fairways and greens shall be made against any person receiving instructions from the professional during the period of instruction.

RULE 5. Caddies. The employment, discharge, instruction and control of caddies shall be under the supervision of the professional. Their duties shall be prescribed and assigned by him and the rate of compensation to be paid to them which shall be in addition to the greens fee, shall be specified by the professional. No person shall be allowed to work as a caddie at said course unless he is designated for that purpose by the professional.

RULE 6. The commissioner of Finance of the City of Modesto is hereby designated as the Commissioner having charge of said Municipal Golf Course. He is charged with the use, control, and regulation of the same in accordance with these rules. He shall arrange for the collection and payment into the City Treasury of the fees chargeable for the use of said golf course, and shall authorize all expenditures which may be incurred for the upkeep and maintenance of the course.

RULE 7. The following additional rules and regulations for the use of said golf course are hereby adopted:

a. The rules of the United States Golf Association and the local rules hereinafter specified shall govern all play. A copy of the local rules herein specified shall be posted at the clubhouse or starter's office.

b. Players must register at the clubhouse or starter's office and pay the greens fee or exhibit their monthly card before starting each round.

c. The use of one set of clubs by more than one player is prohibited.

c. High heeled shoes will not be permitted on the course.

e. Players shall not drive from any tee until those in front are out of range, nor play up to a putting green until the players thereon have holed out and moved away.

- f. Players who have holed out shall move away promptly and not obstruct the putting green.
- g. The placing of caddie bags on putting greens or in traps is not permitted.
- h. Driving a ball from a putting green is prohibited.
- i. Players looking for a lost ball must allow other matches coming up to pass them.
- j. Players holding back a match must allow the faster match to go through, provided there is room ahead.
- k. Children under 14 years of age will not be allowed to play except by special permission from the professional in charge.
- l. Players must not purchase balls from anyone on the golf course except the professional.

m. Shouting or any disorderly conduct will not be tolerated.

BE IT FURTHER RESOLVED that this Resolution shall succeed and supplant Resolutions No. 2743-N.S., No. 3035-N.S. and No. 3382-N.S.

The foregoing Resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of December, 1937 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, Oliver, Bond, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4045-N.S.

A RESOLUTION DIRECTING THE PUBLIC WORKS DEPARTMENT TO MARK DRIVEWAY ON G STREET BETWEEN 10th & 11th STREETS LEADING INTO VALLEY TRACTOR & EQUIPMENT BUILDING

---oOo---

BE IT HEREBY RESOLVED that the Public Works Department mark driveway on G Street between 10th and 11th Street, leading into Valley Tractor & Equipment Building so that it can be used by tenants of Tully Apartments and not as a parking space for the public.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of December, 1937 by Commissioner Stanley, who moved its adoption, which motion being duly seconded, was upon roll call carried and was 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. 4046-N.S.

A RESOLUTION PROHIBITING LEFT HAND TURNS AT 10th AND J STREETS DURING THE CHRISTMAS SHOPPING SEASON

---oOo---

WHEREAS, congestion of traffic at the corner of 10th and J Streets requires some further regulation.

BE IT HEREBY RESOLVED that left hand turns be prohibited at this corner from December 8th, 1937 to and including December 24th, 1937 and

BE IT FURTHER RESOLVED that the Police Department be hereby directed to install the proper signs prohibiting left hand turns from 9:00 A.M. to 6:00 P.M. from December 8, 1937 to and including December 24th, 1937.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on December 8, 1937 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, Bond and Mayor King

Noes: Councilmen: None

Absent:Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4047-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 December 8, 1937 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, Bond and Mayor King

Noes: Councilmen: None

Absent:Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4048-N.S.

A RESOLUTION ALLOWING CLAIMS OF NEW MODESTO SHOPPER AND JOHN PAULSON FOR REFUND OF DEPOSIT REQUIRED BY ORDINANCE NO. 487-N.S.

---oOo---

WHEREAS, claim for refund of deposit as required by Ordinance No. 487-N.S. has been filed with the City Auditor by the New Modesto Shopper and John Paulson, in amount of \$50.00 each.

BE IT THEREFORE RESOLVED that claims be allowed and the City Clerk and Auditor be instructed to draw warrants in payment of same.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of December, 1937 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. 4049-N.S.

A RESOLUTION ALLOWING CLAIM OF HELM CHEVROLET COMPANY AND ROBERT DARLING

---oOo---

WHEREAS, claim for purchase of 1-1936 Chevrolet Pickup for the Water Department from the Helm Chevrolet Company for \$500.00 and claim for painting exterior of pumping station No. 9 by Robert Darling for \$35.00 having been filed with the City Auditor and

WHEREAS these claims are just claims and should be paid.

BE IT THEREFORE RESOLVED that claims be allowed and the City 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 22nd day of December, 1937 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. 4050-N.S.

A RESOLUTION AUTHORIZING THE CITY CLERK TO ADVERTISE FOR BIDS ON INDUSTRIAL TYPE TRACTOR FOR PARK DEPARTMENT

---oOo---

BE IT HEREBY RESOLVED that the City Clerk be authorized to advertise for bids on 1-Industrial type tractor equipped with rubber tires, steering brakes and a five foot sickle bar mower attachment, cost of the tractor and mower complete for the City of Modesto, including sales tax shall not exceed \$1250.00. Said bids to be received at the office of the City Clerk not later than seven-thirty P.M. on Wednesday, January 12, 1938.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of December, 1937 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: Councilman: Neece, Stanley, Oliver, Bond and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4051-N.S.

A RESOLUTION APPOINTING NATHAN MCVAY AND J. E. STEIGER TO THE PLANNING COMMISSION

---oOo---

WHEREAS, the terms of J. Ekstein and Nathan McVay on the Planning Commission expire on January 9, 1938

BE IT HEREBY RESOLVED that Nathan McVay be reappointed and J. E. Steiger be appointed for a term of 4 years from January 9, 1938.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of December, 1937 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. 4052-N.S.

A RESOLUTION RESCINDING RES. 4027-N.S. AND APPOINTING RAY GADA TO POLICE DEPARTMENT AT A SALARY OF \$1.00 PER YEAR

---oOo---

WHEREAS, resolution No. 4027-N.S. provides for employing Ray Gada in the Electrical Department of the City of Modesto at a salary of \$1.00 as Radio technician for the Police and Fire Department from November 22, 1937 and

WHEREAS, it will be necessary to employ Ray Gada in the Police Department to meet federal requirements

BE IT HEREBY RESOLVED that Resolution No. 4027-N.S. be rescinded and Mr. Gada be employed in the Police Department at a salary of \$1.00 per year from December 22, 1937.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of December, 1937 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. 4053-N.S.

A RESOLUTION ESTABLISHING STOP SIGNS AT 19th AND BURNEY STREETS IN ACCORDANCE WITH REGULATIONS OF ORDINANCE NO. 558-N.S.

---oOo---

WHEREAS, Ordinance No. 558-N.S. provides for the City Council to establish stop signs at specified entrances to main travelled roads in the City of Modesto by resolution

BE IT THEREFORE RESOLVED that the Public Works Department be directed to erect and maintain "Stop Signs" on the southeast corner of Burney at Downey Streets and on the south side of 19th Street and H Street.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of December, 1937 by Commissioner Stanley, who moved its adoption, which motion being duly seconded, was upon roll call adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4054-N.S.

A RESOLUTION CREATING A FUND TO BE KNOWN AND DESIGNATED AS "IN LIEU TAX FUND" PROVIDING FOR MONEYS TO BE PLACED IN SAID FUND AND FOR THE EXPENDITURE OF SAID MONEYS

---oOo---

WHEREAS, by opinions No. 1 N.S. 263 and 2 N.S. 140, the Attorney General of the State of California has decreed that all "in lieu tax moneys"(motor vehicle license fee funds), can be expended by cities only for the purposes specified in the act creating such in lieu tax, to-wit, law enforcement and the regulation and control and fire protection of highway traffic; and

WHEREAS, certain moneys have been delivered to the City of Modesto under and pursuant to the provisions of said act; now therefore, be it

RESOLVED: That there is hereby created a fund to be known and designated as the "in lieu tax fund;" and be it

FURTHER RESOLVED: That all moneys allocated to the City of Modesto by the State of California pursuant to the laws of the State of California creating said in lieu tax (motor vehicle license fee funds), shall be placed in said fund; and be it

FURTHER RESOLVED: That all moneys placed in said fund shall be expended and disbursed therefrom solely and exclusively for "law enforcement and the regulation and control and fire protection of highway traffic."

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of December, 1937 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. 4055-N.S.

A RESOLUTION CREATING A FUND TO BE KNOWN AND DESIGNATED AS "ALCOHOLIC BEVERAGE CONTROL LICENSE FEE FUND," PROVIDING FOR MONEYS TO BE PLACED IN SAID FUND AND FOR THE EXPENDITURE OF SUCH MONEYS.

---oOo---

WHEREAS, Section 37 of the Alcoholic Beverage Control Act (Statutes 1935, page 1123, as amended) provides for the allocation to the cities in the state of a proportion of certain fees collected in the enforcement of such act; and

WHEREAS, certain moneys have been delivered to the City of Modesto under and pursuant to the provisions of said act; now, therefore, be it

RESOLVED: that there is hereby created a fund to be known and designated as the "Alcoholic Beverage Control License Fee Fund;" and be it

FURTHER RESOLVED: That all moneys allocated to the city of Modesto by the State of California pursuant to Section 37 of the Alcoholic Beverage Control Act shall be placed in said fund; and be it

FURTHER RESOLVED: That all moneys placed in said fund shall be expended and disbursed therefrom solely and exclusively for the purpose of the enforcement of the provisions of said act, and to inform against and diligently prosecute

all persons who have offended against the provisions of said act.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of December, 1937 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. 4056-N.S.

A RESOLUTION ACCEPTING RESIGNATION OF BASEBALL COMMISSION FOR THE TRAINING SEASON OF 1937

---c0o---

WHEREAS, a resolution was presented by the Baseball Commission appointed by Resolution No. 3535-N.S. for the training season of 1937 tendering their resignation effective immediately to the Council of the City of Modesto

BE IT HEREBY RESOLVED that the resignation of the Commission be accepted and a vote of thanks be extended to each member for his services and

BE IT FURTHER RESOLVED that the City Clerk be instructed to write a letter to each member of the Commission accepting their resignation and expressing the appreciation of the Council for their work.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of December, 1937 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. 4057-N.S.

A RESOLUTION AUTHORIZING PAYMENT TO ELECTION OFFICERS IN SPECIAL ELECTION HELD DECEMBER 21, 1937 FOR ANNEXATION OF SOUTHERN CAMPUS TRACT

---c0o---

WHEREAS, pursuant to special election held on December 21, 1937 in and for the City of Modesto for the annexation of the Southern Campus Tract certain election officers were employed for conducting said election

BE IT THEREFORE RESOLVED that the said election officials be paid the sum of \$5.00 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 by Commissioner Neece, held on December 22, 1937, who moved its adoption, which motion being duly seconded, was upon roll call adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4058-N.S.

A RESOLUTION ACCEPTING REPORTS FROM POLICE & PUBLIC WORKS DEPARTMENTS

---oCo---

WHEREAS; the Public Works Department have presented a schedule of possible expenditures of the "In Lieu" tax funds for traffic control and the Police Department have presented a schedule of the percentage of miscellaneous expense on traffic and liquor enforcement (C.F. December 1937 minutes file for schedules)

BE IT THEREFORE RESOLVED that schedules as presented be accepted by the Council.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on December 22, 1937 by Commissioner Stanley who moved its adoption, which motion being duly seconded, was upon roll call adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4059-N.S.

A RESOLUTION PROTESTING SALE OF TAX DEED ON LOTS 26-27 BLOCK 17 BY COUNTY TAX COLLECTOR

---oCo---

WHEREAS, County Tax Collector Ed. Whitmore has sold tax deeds on lots 26 and 27 in Block 17 to Leslie F. Baker et ux

BE IT THEREFORE RESOLVED that the City Clerk be directed to notify County Tax Collector, Ed. Whitmore that the City of Modesto wishes to protest the sale of tax deed on these lots.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on December 22nd, 1937 by Commissioner Oliver, who moved its adoption, which motion being duly seconded, was upon roll call adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4060-N.S.

ADJOURNMENT

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

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of December, 1937 by Commissioner Oliver, who moved its adoption, which motion being duly seconded, was upon roll call adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

RESOLUTION NO. 4061-N.S.

A RESOLUTION DENYING FIRE PROTECTION TO TURLOCK COOPERATIVE GROWERS CANNERY

---oOo---

WHEREAS, the Turlock Cooperative Growers Cannery have requested fire protection by the Fire Department of the City of Modesto and

WHEREAS, at this time the committee appointed by Mayor King to investigate the advisability of the City of Modesto furnishing fire protection to the Turlock Cooperative Growers Cannery has made a report of their findings

BE IT HEREBY RESOLVED that the report of the committee be accepted and fire protection be denied the Turlock Cooperative Growers Cannery and the City Clerk be instructed to notify them of the decision of the Council in this matter.

The foregoing resolution was introduced at a Special meeting of the Council of the City of Modesto held on December 28, 1937 by Commissioner Stanley, 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. 4062-N.S.

ABJOURNMENT

There being no further business to come before the meeting

BE IT HEREBY RESOLVED that the Council now in session adjourn.

The foregoing resolution was introduced at a Special meeting of the Council of the City of Modesto held on December 28, 1937 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