

RESOLUTION NO. 3080-N.S.

A RESOLUTION DIRECTING THE CITY ENGINEER TO COMPLY WITH REQUEST OF STATE PLANNING BOARD FOR OUTLINE OF PUBLIC WORK PROJECTS TO BE PERFORMED UNDER THE C.W.A. PROGRAM OF THE FEDERAL GOVERNMENT

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WHEREAS, the State Planning Board has filed with this Council a communication urging all municipalities to proceed to outline projects which might be constructed under the C. W. A. program of the federal government and to submit a report of such projects not later than January 31st, 1935, to the said State Planning Board;

BE IT THEREFORE, RESOLVED that the City Engineer be and he is hereby instructed to proceed with the outlining of feasible projects which might be carried out under the new program of public works proposed by the federal government, and forward report of same to the State Planning Board as requested.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of January, 1935, by Commissioner Rogers, who moved its adoption, which motion being duly seconded, it was upon roll call adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

Attest: H. E. GRAGG
CITY CLERK

RESOLUTION NO. 3081 - N.S.

A RESOLUTION ALLOWING CLAIMS AGAINST THE CITY FOR MONTH OF DECEMBER, 1934

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WHEREAS, the claims against the City of Modesto for the month of December, 1934, having been audited and approved by the Council;

BE IT RESOLVED that all of said claims be and they are hereby allowed reference being made to the Auditor's Cash Book for further details relative to amounts of withdrawals from various funds as follows:

GENERAL FUND	-----	\$
WATER FUND	-----	\$
LIBRARY FUND	-----	\$
BOND RED. INT. FUND	-----	\$
ST. BOND RED. INT. FUND	-----	\$
UNAPPORTIONED FUND	-----	\$
TOTAL	-----	\$

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of January, 1935, by Commissioner Neece, who moved its adoption, which motion being duly seconded, it was upon roll call adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

H. E. GRAGG
CITY CLERK

RESOLUTION NO.3082-N.S.

A RESOLUTION DIRECTING THAT PROGRESSIVE PAYMENT BE MADE UPON CONTRACT FOR CONSTRUCTING MACHINE SHOP

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WHEREAS, the City Engineer has filed with this Council certification of the amount of \$ 1824.56 being due to Ernest Green as progressive payment for 75% of the amount bid for quantities completed under contract for construction of machine shop;

BE IT THEREFORE, RESOLVED that the City Clerk and Auditor be and he is hereby instructed to issue warrant to said Ernest Green for the amount above stated for progressive payment as above stated.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of January, 1935, by Commissioner Rogers, who moved its adoption, which motion being duly seconded, it was upon roll call adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack
Noes: Councilmen: None
Absent: Councilmen: None

Attest: H.E. GRAGG
CITY CLERK

RESOLUTION NO.3083-N.S.

A RESOLUTION GRANTING PERMISSION TO BERT LOWRY TO USE ROOSEVELT FIELD FOR PERIOD BEGINNING FEBRUARY 15, 1936, AND ENDING APRIL 4, 1936.

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WHEREAS, petition has been received from Mr. Bert Lowry seeking permission to use Roosevelt Field for period beginning February 15, 1936, and ending April 4, 1936. for purpose of ^{training a team and} playing thereat a series of exhibition baseball games, and asking that in event negotiations for such ^{training camp and} games fail to materialize before April 15, 1936, the application be rescinded;

BE IT THEREFORE, RESOLVED that permission be and the same is hereby granted to Bert Lowry for the use of Roosevelt Field as prayed for, subject to the rules, regulations and rental fees imposed by all ordinances and/or resolutions of the Council pertaining to such use; and

BE IT FURTHER RESOLVED that in event the applicant does not complete negotiations for the said exhibition games for the period above set forth, on or before April 15, 1935, the application and permission herein granted be and the same shall be considered rescinded.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of January, 1935, by Commissioner Neece, who moved its adoption, which motion being duly seconded, it was upon roll call adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack
Noes: Councilmen: None
Absent: Councilmen: None

ATTEST: H.E. GRAGG
CITY CLERK

RESOLUTION NO. 3084-N.S.

A RESOLUTION GRANTING PERMISSION TO THRIFT OIL CO. & SIGNAL OIL CO. TO ERECT SUPER-SERVICE STATION ON NINTH STREET BETWEEN J AND K STREETS

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WHEREAS, there has been filed with this Council petition of the Thrift Oil Company and the Signal Oil and Gas Company for the erection, maintenance and operation of a super-service of all-steel construction in Block 143 of the City of Modesto located on the westerly side of Ninth Street between J and K Streets;

BE IT THEREFORE, RESOLVED that permission be and the same is hereby granted to the Thrift Oil Company and the Signal Oil and Gas Company for the erection, maintenance and operation of super-service station in Block 143 located on the Westerly side of Ninth Street between J and K Streets, providing that the said building shall be of all-steel construction to comply with city regulations in this particular zone and shall be located and constructed in accordance with set backs and other regulations prescribed by the City Engineer.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of January, 1935, by Commissioner Rogers, who moved its adoption, which motion being duly seconded, it was upon roll call adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

Attest: H.E. GRAGG
CITY CLERK

RESOLUTION NO. 3085-N.S.

A RESOLUTION PROVIDING FOR THE SALE OF CERTAIN USELESS PERSONAL PROPERTY OF THE CITY

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WHEREAS, there is on hand at the municipal yard on 11th Street between F and G Streets, and at the municipal yard at the corner of 8th and L 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:

- Approx. 2000 Lbs. Old Cast Iron Pipe
- Approx. 800 Lbs. Old Copper Wire
- Approx. 900 Lbs. Old Brass
- Approx. 2500 Lbs. Old Iron Pipe and Scrap
- 1 - Hillside Plow
- 1 - 12" Walking Plow
- 1 - 10" Walking plow
- 1 - Fresno Scraper (2-horse)
- 1 - Spike Tooth Cultivator
- 1 - Spring tooth Cultivator
- 1 - Weed Cutter
- 1 - Set Doubletrees
- 3 - Sets Singletrees
- 1 - Set Tug Harness
- 2 - Collars
- 2 - Bridles
- 2 - Halters
- 1 - Single Chain Gear
- 20 - Bales Oat Hay
- 1 - Horse
- 1 - Iron Safe (Hall Safe Co.)

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 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 9th day of January, 1935, by Commissioner Brown, who moved its adoption, which motion being duly seconded, it was upon roll call adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

Attest: F. E. GRAGG
CITY CLERK

RESOLUTION NO. 3086-N.S.

WHEREAS, heretofore, to-wit: on or about the 10th day of October, 1934, the City Council passed and adopted its Resolution No. 3016-N.S. offering to Signal Oil Company a contract with said City for the sale and delivery to the City of gasoline for a portion of the year thence next ensuing, which said resolution was adopted following the advertisement by said City for bids for the sale and delivery to the City of Modesto of its gasoline requirements during the next ensuing year, and which said resolution above referred to was not an acceptance of the bid of the Signal Oil Company, but was a counteroffer for a portion of the year only; and

WHEREAS, said counteroffer, as set forth in said resolution, has not been accepted by the Signal Oil Company, and the Signal Oil Company has tendered no contract pursuant thereto, and its bidding bond is still on file with the City Clerk;

THEREFORE, BE IT RESOLVED that the bid of the Signal Oil Company hereinabove referred to be and the same is hereby rejected, and the City Clerk is hereby directed to return to said Signal Oil Company its bidding bond.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of January, 1935, by Councilman Rogers, who moved its adoption, which motion being duly seconded was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

Attest: H. E. GRAGG
CITY CLERK

RESOLUTION NO. 3087-N.S.

A RESOLUTION DIRECTING THAT WARRANT BE DRAWN FOR ADDITION TO AIRPORT

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WHEREAS, pursuant to Ordinance No. 483-N.S. appropriating funds for the purchase of property adjacent to the Municipal Airport on Waterford Road known as:

The North 150' of Lots 1, 2 and 3 of LaRio Park Tract in Section 34, Twp 3 South R. 9 E, M.D.B. & M.

and

WHEREAS, pursuant to Resolution No. 3068-N.S. authorizing and instructing the City Engineer to take an option from Mrs. Emma Brun, the legal owner of the above described property, for the purchase thereof;

BE IT THEREFORE, RESOLVED that the City Clerk and Auditor be and he is hereby directed to draw a warrant in the sum of \$ 1008.00 in favor of the Security Title Insurance Company in payment for the above property upon execution of deed for same to the City in accordance with option agreement.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of January, 1935, by Commissioner Rogers, who moved its adoption, which motion being duly seconded, it was upon roll call adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

Attest: H. E. GRAGG
CITY CLERK

RESOLUTION NO. 3088-N.S.

A RESOLUTION REAPPOINTING MR. H. RAMONT A MEMBER OF THE CITY PLANNING COMMISSION

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WHEREAS, the term of Mr. H. Ramont as member of the City Planning Commission does expire this 9th day of January, 1935; and

WHEREAS, it is the desire of the Council that he be reappointed a member of said Board;

BE IT THEREFORE, RESOLVED that Mr. Ramont be and he is hereby reappointed a member of the City Planning Commission for term commencing January 9th, 1935, and ending January 9th, 1939.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of January, 1935, by Commissioner Rogers, who moved its adoption, which motion being duly seconded, it was upon roll call adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

Attest: H. E. GRAGG
CITY CLERK

RESOLUTION NO. 3089-N.S.

A RESOLUTION WITH REFERENCE TO PARTICIPATION BY THE CITY OF MODESTO IN THE CONSTRUCTION OF A CROSSING OVER THE MODESTO IRRIGATION DISTRICT LATERAL AT SYCAMORE AV.

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WHEREAS, the present bridge over Lateral # 4 of the Modesto Irrigation District at Sycamore Avenue is approaching a condition where it must either be repaired at a considerable expense or replaced by a new structure; and

WHEREAS, this bridge or crossing serves almost wholly an area outside of the corporate limits of the City, and the City is under no legal obligation to repair or replace the bridge, but is nevertheless interested in seeing that a suitable crossing is maintained; and

WHEREAS, owing to the increasing density of population adjacent to said Lateral #4, it will become desirable and may become necessary to substitute underground conduits in the place of an open ditch for the conveyance of water through all or a portion of the said ditch where it runs adjacent to or within the limits of the City of Modesto; and

WHEREAS, in event of such replacement, any moneys spent in the construction of an adequate or substantial bridge would be largely wasted and the purpose of a crossing would be subserved by the installation at this time of underground conduits of adequate shape and construction for the distance of the width of the street at said intersection, and the City of Modesto is willing to stand its share of the cost of the construction of such an improvement.

THEREFORE, BE IT RESOLVED that the City of Modesto propose to the Directors of the Modesto Irrigation District and to the Supervisors of Stanislaus County that the present bridge be replaced at an early date with an appropriate underground structure designed to fit in with such plans as may hereafter be adopted for the substitution of underground conduits in place of an open ditch on the right of way of said Lateral # 4 and adequate also to serve for the purpose of a bridge or crossing where Sycamore Avenue crosses said ditch, and that the City of Modesto offer to defray one-third of the expense of such improvement.

BE IT FURTHER RESOLVED THAT THE City Clerk be authorized and directed to communicate this offer to the Board of Supervisors of the County of Stanislaus and the Directors of the Modesto Irrigation District.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of January, 1935, by Councilman Rogers, who moved its adoption, which motion being duly seconded, it was upon roll call adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Paak

Noes: Councilmen: None

Absent: Councilmen: None

Attest: H.E. GRAGG
CITY CLERK

RESOLUTION NO. 3090-N.S.

A RESOLUTION FIXING RENTAL TO BE CHARGED FOR HOUSES OWNED BY CITY AND DIRECTING THAT RENTAL LEASES BE ENTERED INTO BY THE OCCUPANTS THEREOF

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WHEREAS, the matter of fixing amount of rental to be charged City Employees occupying houses owned by the City, to-wit: 110 Poplar, 1628 H Street, and 723 17th Street, has been brought to the attention of the City Council;

BE IT THEREFORE, RESOLVED that the City Clerk be and he is hereby authorized to enter into rental leases with the present tenants of the above houses for such period of time as he may deem to the best interests of the City; and

BE IT FURTHER RESOLVED that the rental to be charged for the said houses shall be as follows:

110 Poplar Ave. @ \$25.00 Per Month
1628 H Street @ \$25.00 Per Month
723 17th Street @ \$20.00 Per Month

the said rent to be due and payable in advance on the first day of each month.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of January, 1935, by Commissioner Rogers who moved its adoption, which motion being duly seconded, it was upon roll call adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

Attest: H.E. GRAGG
CITY CLERK

RESOLUTION NO. 3091-N.S.

A RESOLUTION DIRECTING THE CITY ENGINEER TO REROUTE WATER MAIN THROUGH BLOCK 328, THE LABOR TO BE PERFORMED AS S. E. R. A. PROJECT IF FEASIBLE

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WHEREAS, it appears that existing water main in Block 328 runs through Lots 19 and 20 and that no easement therefor can be found of record; and

WHEREAS, the owners of said property have requested the City Engineer to remove said water main;

BE IT THEREFORE, RESOLVED that the City Engineer be and he is hereby directed to have the said water main moved and rerouted through the existing alleys in said Block 328, the labor to be furnished by the S. E. R. A. office as public work project; and in event such labor cannot be obtained then to proceed with said work at the expense of the City of Modesto.

The foregoing resolution having been introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of January, 1935, by Commissioner Rogers, who moved its adoption, which motion being duly seconded it was upon roll call adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

Attest: H.E. GRAGG
CITY CLERK

RESOLUTION NO. 3092-N.S.

A RESOLUTION APPROVING ACTION OF CITY ATTORNEY IN THE MATTER OF INJURIES SUSTAINED BY MRS. SMITH FROM A FALL ON THE SIDEWALK

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WHEREAS, City Attorney Carlson has filed with this Council a written report reciting the following facts: That on January 7, 1935, Mrs. Smith residing at 222 Sunset Blvd. stumbled over a vertical elevation of the sidewalk in front of property at 201 Sunset Blvd., sustaining severe bruises; that he and the City Engineer upon being summoned immediately went to that location and investigated the matter, finding the sidewalk elevated approximately one inch by a tree root; that Mrs. Smith was in need of medical attention and had not means of supplying same; that in view of the apparent liability of the City for damages in the matter, he ordered medical aid for Mrs. Smith and authorized the hiring of a practical nurse to care for her for a few days at the expense of the City; that he had no opportunity of gaining consent of the members of the Council at that time, but that the Commissioner of Finance and Revenue had approved of the action taken;

BE IT THEREFORE, RESOLVED that the Council of the City of Modesto does hereby approve of the action taken by the City Attorney in the above matter and authorizing the payment of the claims for medical aid and for a nurse when such claims are presented for payment.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of January, 1935, by Commissioner Neece, who moved its adoption, which motion being duly seconded, it was upon roll call adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

Attest: H.E. GRAGG
CITY CLERK

RESOLUTION NO.3093-N.S.

A RESOLUTION PROVIDING FOR CONTINUANCE OF COMPENSATION INSURANCE FOR CADDIES AND ASST. EMPLOYED AT THE MUNICIPAL GOLF COURSE

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WHEREAS, there has been filed with this Council report of the City Attorney on the status of caddies and assistant employed at the municipal golf course under the compensation insurance policy carried by the City; and

WHEREAS, in the opinion of the Council it is deemed best to continue to have the said employees covered by the said policy;

THEREFORE, BE IT RESOLVED that the Council does herewith authorize the continuance of the present method of providing compensation insurance for caddies and assistant employed at the municipal golf course by the professional in charge.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of January, 1935, by Commissioner Neece, who moved its adoption, which motion being duly seconded, it was upon roll call adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack
Noes: Councilmen: None
Absent: Councilmen: None

Attest: H. E. GRAGG
CITY CLERK

RESOLUTION NO.3094-N. S.
A RESOLUTION OF ADJOURNMENT

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BE IT RESOLVED that this Council meeting now in session be and the same is hereby adjourned.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of January, 1935, by Commissioner Brown, who moved its adoption, which motion being duly seconded, it was upon roll call adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack
Noes: Councilmen: None
Absent: Councilmen: None

Attest: H. E. GRAGG
CITY CLERK

RESOLUTION NO. 3095- N.S.

A RESOLUTION AUTHORIZING THE MAYOR OF THE CITY OF MODESTO TO MAKE APPLICATIONS TO AND ENTER INTO CONTRACTS WITH THE STATE EMERGENCY RELIEF ADMINISTRATION

--- oOo ---

BE IT RESOLVED that Roy E. Pack, Mayor pro tem. of the City of Modesto, be and he is hereby authorized and empowered on behalf of the City of Modesto to make, sign and execute such applications to the State Emergency Relief Administration as he may deem proper and necessary for work projects and for the allocation to said projects and to the City of Modesto in connection therewith of such funds as may be necessary to accomplish the same; and to include in such applications such covenants and agreements on behalf of the City of Modesto as may be required by said State Emergency Relief Administration, and to obligate the City of Modesto to the performance thereof in so far as the same is not in conflict with the Charter of the City of Modesto or the laws of the State of California. The power and authority herein granted to and conferred upon said Roy E. Pack, Mayor pro tem. of the City of Modesto, shall extend to and include all matters and things incidental to and necessary to carry out the purposes of this Resolution, and to obtain for said City the benefit of any and every work project which may be allocated or allotted to said City by the State Emergency Relief Administration. And the said City of Modesto does hereby ratify and confirm any and every act that may be done or promise that may be made by said Roy E. Pack Mayor pro tem. under and by virtue of this Resolution.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 12th day of January, 1935, by Councilman Rogers, who moved its adoption, which motion being duly seconded was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Brown, Rogers, and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: Weece

Attest: H. E. GRAGG

CITY CLERK

RESOLUTION NO. 3096-N.S.

A RESOLUTION DIRECTING THAT MONEY HERETOFORE DEPOSITED IN THE SUPERIOR COURT BE PAID TO PODESTO AND ARATA AS PART PAYMENT OF AWARD OF DAMAGES PENDING FINAL PAYMENT OF BALANCE OF SAID AWARD TOGETHER WITH INTEREST AND COSTS

---oOo---

WHEREAS, pursuant to condemnation suit of the City of Modesto for right of way for Ninth Street Highway and bridge in Block 229 owned by Podesto & Arata, and to the subsequent judgment of verdict handed down by the Superior Court awarding to the said Podesto & Arata \$ 4,600.00 severance damages and \$ 2,000.00 for the said right of way, and further awarding the said defendants costs of suit in amount of \$ 108.92, and interest at the rate of 7% on the total award of \$ 6,600.00 from October 26th, 1932, to date of payment: and

WHEREAS, it appears that the City of Modesto has heretofore appropriated and deposited with the Superior Court the sum of \$ 6,500.00 and that a further authorization is necessary for the payment of the balance of the award;

BE IT THEREFORE, RESOLVED that the said Court be and it is hereby petitioned to pay the defendants, Podesto & Arata, the above mentioned deposit of \$ 6,500.00 as part payment of the award of damages pending the effectiveness of Ordinance No. 424-N.S. which makes a further appropriation of \$ 1250.00 and authorizes the payment of the balance of said award in amount of \$ 100.00 plus the costs and interest as aforesaid.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 12th day of January, 1935, at 10:00 A. M. by Commissioner Rogers who moved its adoption, which motion being duly seconded, it was upon roll call adopted by the following vote:

Ayes: Councilmen: Brown, Rogers, and Mayor pro tem. Peck

Noes: Councilmen: None

Absent: Councilmen: Neece

Attest: H. E. GRAPP
CITY CLERK

RESOLUTION NO. 3097-N.S.

ADJOURNMENT

--oOo--

BE IT RESOLVED that this Council meeting now in session be and the same is hereby adjourned.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 12th day of January, 1935, at 10:00 A. M. by Commissioner Brown, who moved its adoption, which motion being duly seconded, it was upon roll call adopted by the following vote:
Ayes: Councilmen: Brown, ~~Manney~~ Rogers, and Mayor pro tem. Pack
Noes: Councilmen: None
Absent: Councilmen: Neece

Attest: H. E. GRAGG
CITY CLERK

RESOLUTION NO. 3098-N.S.

A RESOLUTION PROVIDING FOR THE ENTRY OF CITY OF MODESTO IN THE FOURTH NATIONAL TRAFFIC SAFETY CONTEST AND AUTHORIZING THE MAYOR TO MAKE CERTAIN APPOINTMENTS IN CONNECTION THEREWITH

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WHEREAS, a communication has been received from the National Safety Council asking the City of Modesto to enter the Fourth National Traffic Safety Contest for the year 1935;

BE IT RESOLVED that the City of Modesto be entered in the said National Traffic Safety Contest for the year 1935 and that Mayor Pro Tem. Pack be authorized to sign the entry blank therefor and name the two contact officials required to be appointed in connection therewith.

The foregoing resolution was introduced by Commissioner Neece at a regular meeting of the Council of the City of Modesto held on the 23rd day of January, 1935, who moved its adoption, which motion being duly seconded, it was upon roll call regularly adopted by the following vote:

Ayes: Councilmen: ~~Brown~~ Neece, Rogers, and Mayor pro tem. Pack
Noes: Councilmen: None
Absent: Councilmen: Brown

Attest: H. E. GRAGG
CITY CLERK

NOTE: Mayor Pack appointed City Engineer, F. J. Rossi, contact official relative to engineering and enforcement items and Chief of Police, Lee E. Smith, contact official relative to grading schedule and educational feature.

RESOLUTION NO. 3099*N.S.
A RESOLUTION AUTHORIZING PROGRESSIVE PAYMENT ON MACHINE SHOP CONTRACT TO E. GREEN

--- oOo ---

WHEREAS, the City Engineer has filed with the Council certification of progressive payment in amount of \$ 1060.59 due to Contractor Ernest Green for quantities completed on contract for construction of Machine Shop unit at corporation yard;

BE IT RESOLVED that the City Clerk and Auditor be and he is hereby directed to issue warrant in said amount of \$ 1060.59 in favor of Ernest Green for progressive payment as aforesaid.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of January, 1935, by Commissioner Rogers, who moved its adoption, which motion being duly seconded, it was upon roll call adopted by the following vote:

Ayes: Councilmen: Neece, Rogers, and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: Brown

Attest: H.E. GRAGG
CITY CLERK

RESOLUTION NO. 3100-n.s.

A RESOLUTION REAPPOINTING TWO MEMBERS OF THE BOARD OF LIBRARY TRUSTEES OF McHENRY PUBLIC LIBRARY

--- oOo ---

WHEREAS, the terms of W. H. Murray and Fred Condit, members of the Board of Library Trustees of McHenry Public Library, do expire February 1st, 1935; and

WHEREAS, it is the desire of the City Council to reappoint Messers Murray and Condit to said Board for another term; and

THEREFORE, BE IT RESOLVED that W. H. Murray and Fred Condit be and they are hereby reappointed members of the Board of Library Trustees of McHenry Public Library for term beginning Feb. 1st, 1935, and ending Feb. 1st, 1939.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of January, 1935, by Commissioner Neece, who moved its adoption, which motion being duly seconded, it was upon roll call adopted by the following vote:

Ayes: Councilmen: ~~XXXX~~, Neece, Rogers, and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: Brown,

Attest: H.E. GRAGG
CITY CLERK

RESOLUTION NO. 3101 *N.S.

A RESOLUTION AUTHORIZING THE ACQUISITION OF AN EASEMENT FOR WATER PIPE IN
BLOCK 328

--- oOo ---

WHEREAS, pursuant to Resolution No. 3091-N.S. authorizing the City Engineer to proceed to move water main from the center of property known as Lots 19 and 20 in Block 328 owing to the fact there there was no easement on file and owing to the fact that it passes directly through the said property owned by G. E. Gabrielson, at this time the City Engineer reported that considerable expense would be involved in moving the said main and rerouting it through said Block 328; and

WHEREAS, G. E. Gabrielson has offered to convey to the City of Modesto an easement over the westerly five feet of Lot 19 in Block 328 for the purpose of installing and maintaining thereon a water pipe, which is a part of the municipal water system, for a consideration of Two Hundred Dollars (\$200.00).

NOW THEREFORE, BE IT RESOLVED that said offer be accepted and that the City of Modesto pay to said G. E. Gabrielson the sum of Two Hundred Dollars (\$200.00) upon the execution and delivery to said City of an easement covering the westerly five feet of Lot 19 in Block 328 for the installation, operation and maintenance of a water pipe thereover and thereunder, and the right to go upon said strip of ground for the purpose of maintaining the same, or making any necessary repairs or enlargements thereto; that a warrant be drawn in favor of said G. E. Gabrielson, and the City Clerk is authorized to deliver the same to him upon the delivery of such deed.

BE IT FURTHER RESOLVED that the City Engineer be and he is hereby directed to purchase the necessary material and employ the necessary labor for the removal of the existing water main, which is a part of the municipal water system, from the center of said Lots 19 and 20 in Block 328 and the re-installation of same over and through the Westerly 5' of Lot 19 in Block 328.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of January, 1935, by Councilman Neece, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Neece, Rogers, and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: Brown

Attest: H.E. GRAGG
CITY CLERK

RESOLUTION NO. 3102-N.S.

A RESOLUTION DIRECTING THE CITY ENGINEER TO CONFER WITH THE COUNTY ENGINEER RELATIVE TO CONSTRUCTION OF BRIDGE OVER CANAL AT SYCAMORE AVENUE

--- oOo ---

WHEREAS, pursuant to Resolution No. 3089-N.S. directing that the Directors of the Modesto Irrigation District and the Supervisors of Stanislaus County be contacted relative to sharing expense of constructing a new bridge over M. I. D. Lateral No. 4 at Sycamore Avenue; and

WHEREAS, communication has been received from the Supervisors of Stanislaus County asking that the City Engineer confer with the County Engineer relative to the nature of the proposed structure and the cost thereof;

BE IT THEREFORE, RESOLVED that the City Engineer be and he is hereby directed to confer with the County Engineer relative to the proposed construction of said bridge.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of January, 1935, by Commissioner Rogers, who moved its adoption, which motion being duly seconded, it was upon roll call adopted by the following vote:

Ayes: Councilmen: Neece, Rogers, and Mayor pro tem. Pack
Noes: Councilmen: None
Absent: Councilman: Brown

Attest: H.E. GRAGG
CITY CLERK

RESOLUTION NO. 3103-N.S.

A RESOLUTION RATIFYING AGREEMENT WITH STANLEY SANDERS FOR USE OF ROOSEVELT FIELD

--- oOo ---

WHEREAS, pursuant to Resolution No. 3073-N.S. authorizing the execution of agreement with Stanley Sanders on behalf of the Modesto Reds for the use of Roosevelt Field from one o'clock P.M. to midnight of each Sunday and holiday from April 1st, 1935, to November 1st, 1935, and authorizing Commissioner Neece to act as signatory on behalf of the City of Modesto in executing the agreement; and

WHEREAS, the said agreement, duly executed, has been presented to the City Council for ratification and approval;

BE IT THEREFORE, RESOLVED that the said agreement be and it is hereby ratified and accepted by the Council of the City of Modesto this 23rd day of January, 1935.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of January, 1935, by Commissioner Neece, who moved its adoption, which motion being duly seconded, it was upon roll call adopted by the following vote:

Ayes: Councilmen: ~~Steeny~~ Neece, Rogers, and Mayor pro tem. Pack
Noes: Councilmen: None
Absent: Councilman: Brown

Attest: H.E. GRAGG
CITY CLERK

RESOLUTION NO.3104-N.S.
A RESOLUTION ACCEPTING A DEED

---oOo---

WHEREAS, Emma Brun, a widow, has executed and delivered to the City of Modesto a deed, dated January 18th, 1935, conveying to said City the following described real property lying, situate and being in the County of Stanislaus, State of California, to-wit:

The northerly 150 feet of Lots 1, 2 and 3 of LaRio Park Tract, according to the map or plat thereof filed in the office of the County Recorder of Stanislaus County, California, on June 18th, 1910, in Vol. 5 of Maps, page 9, reserving unto the party of the first part a right of way over the easterly 40 feet of the premises hereby conveyed for road purposes, and a right of way over the westerly 15 feet of the premises hereby conveyed for road purposes,

upon certain covenants and conditions specified in said deed.

NOW THEREFORE, BE IT RESOLVED that said deed be accepted and filed for record in the County Recorder's Office of Stanislaus County, California.

BE IT FURTHER RESOLVED that a certified copy of this resolution be attached to said deed by the City Clerk.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of January, 1935, 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: Rogers, Neece, and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: Brown

Attest: H.E. GRAGG
CITY CLERK

RESOLUTION NO. 3105-N.S.
ADJOURNMENT

--- oOo ---

BE IT RESOLVED that this Council meeting now in session be and the same is hereby adjourned.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of January, 1935, 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, Rogers, and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: Brown

Attest: H.E. GRAGG
CITY CLERK

RESOLUTION NO. 3106-N.S.

A RESOLUTION ALLOWING CLAIMS FOR THE MONTH OF JANUARY, 1935

--- oOo ---

WHEREAS, claims against the City of Modesto for the month of January, 1935, having been heretofore audited by the Council and approved;

BE IT THEREFORE, RESOLVED THAT ALL SAID CLAIMS so audited and approved be and they are hereby allowed, reference being made to the Auditor's Cash Book for further details relative to the amounts of withdrawals from the various funds as follows:

GENERAL FUND -----	\$ 22,799.20
WATER FUND-----	9,925.09
LIBRARY FUND-----	1,621.12
BOND RED. INT. FUND-----	25,470.58
ST. BOND RED. INT. FUND-----	6,829.90
ST. BOND RED. INT. (SPECIAL)-----	.24
UNAPPORTIONED FUND -----	.33
TOTAL -----	\$ 66,446.46

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of February, 1935, by Commissioner Neece, who moved its adoption, which motion being duly seconded, it was upon roll call adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack
Noes: Councilmen: None
Absent: Councilmen: None

ATTEST: H. E. GRAGG
CITY CLERK

RESOLUTION NO. 3107-N.S.

A RESOLUTION PROVIDING FOR PROGRESSIVE PAYMENT TO CONTRACTORS ON MACHINE SHOP

--- oOo ---

WHEREAS, there has been filed with this Council certification of the City Engineer of progressive payment in amount of \$ 745.13 due to Contractor Ernest Green for 75% of the amount bid for quantities completed upon the construction of machine shop as per contract;

BE IT THEREFORE, RESOLVED that the City Clerk and Auditor be and he is hereby instructed to issue warrant in amount of \$ 745.13 in favor of Ernest Green for progressive payment on machine shop contract as aforesated.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of February, 1935, by Commissioner Rogers, who moved its adoption, which motion being duly seconded, it was upon roll call adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack
Noes: Councilmen: None
Absent: Councilmen: None

Attest: H. E. GRAGG
CITY CLERK

RESOLUTION NO. 3108-N.S.

A RESOLUTION ACCEPTING MACHINE SHOP COMPLETED BY CONTRACTOR GREEN

---oOo---

WHEREAS, there has been filed this Council certification of the City Engineer that machine shop at the City corporation yard at 8th and L Sts. has been completed by Ernest Green in accordance with the terms of his contract to the entire satisfaction of the City Engingineer, and that the same complies with the plans and specifications heretofore adopted and approved by the Council;

THEREFORE, BE IT RESOLVED that the completed Machine Shop be and the same is hereby accepted from Contractor Ernest Green by the Council of the City of Modesto.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of February, 1935, by Commissioner Rogers, who oved its adoption, which motion being duly seconded, it was upon roll call adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

Attest: H. E. GRAGG
CITY CLERK

RESOLUTION NO. 3109-N.S.

A RESOLUTION AUTHORIZING THE ISSUING OF CERTAIN LICENSES TO APPLICANTS

---oOo---

WHEREAS, there has been filed with this Council the following applications for licenses to sell beverages containing 3.2% alcohol in the City of Modesto:

NUGGET CAFE - 909 H ST.- RETAIL
W.H.SCHOLFIELD- 1022 NINTH ST.-RETAIL

and

WHEREAS, it appearing that the said applications have been investigated and approved by the Commissioner of Public Health and Safety;

BE IT THEREFORE, RESOLVED that the City Clerk be and he is hereby instructed to issue the licenses to the applicants as prayed for.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of February, 1935, by Commissioner Brown, who moved its adoption, which motion being duly seconded, it was upon roll call adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

Attest: H. E. GRAGG
CITY CLERK

RESOLUTION NO. 3110-N.S.

A RESOLUTION ACCEPTING EASEMENT FOR WATER LINE IN BLOCK 328

--- oOo ---

BE IT RESOLVED that that certain conveyance executed by G.E. Gabrielson and Lottie Gabrielson, his wife, to the City of Modesto, dated January 25th, 1935, conveying an easement over the westerly five feet of Lot 19 in Block 328 of the City of Modesto for a water main, be accepted; that a certified copy of this resolution be attached to said document and that said document thereupon be filed in the Recorder's Office of Stanislaus County, California.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of February, 1935, by Councilman Rogers, who moved its adoption, which motion being duly seconded it was upon roll call adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

Attest: H. E. GRAGG
CITY CLERK

RESOLUTION NO. 3111-N.S.

A RESOLUTION CREATING TRAFFIC DIVISION OF THE POLICE DEPARTMENT AND NAMING THE SERGEANT IN CHARGE THEREOF

--- oOo ---

WHEREAS, it is deemed expedient and for the good of the service to create a Traffic Division of the Modesto Police Department and to create the office of Sergeant of the said Traffic Division;

THEREFORE, BE IT RESOLVED that the Traffic Division of the Modesto Police Department be and the same is hereby created; that the officer in charge of said Division, under the jurisdiction and control of the Chief of Police, shall be known as Sergeant of the Traffic Division of the Modesto Police Department, and shall be charged with the enforcement of all rules and regulations pertaining to the direction of traffic in the City of Modesto which are now or may be enacted by the Council of said City; and

BE IT FURTHER RESOLVED that Officer Geo. Keeley be and he is hereby named Sergeant of the Traffic Division of the Modesto Police Department, the said appointment to take effect from and after the date of this Resolution and to terminate at the pleasure of the City Council.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of February, 1935, by Commissioner Brown, who moved its adoption, which motion being duly seconded, it was upon roll call adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

Attest: H. E. GRAGG
CITY CLERK

RESOLUTION NO. 3112-N.S.

A RESOLUTION SETTING TIME FOR HEARING OF PROTESTS TO USE OF PROPERTY IN RESIDENCE
ZONE FOR BUSINESS PURPOSES

--- oCo ---

WHEREAS, pursuant to provisions of Ordinance No. 364-N.S.
a petition was filed with the Council by J. Bertolani for the operation of a
steam press and the receiving and delivering of garments for alterations or
other service at the premises at 1921 Downey Avenue, being Lot 7 and the West 15'
of Lot 8 in Block 579 of the City of Modesto;

BE IT THEREFORE, RESOLVED that the City Clerk be and he is
hereby directed to cause notices to be posted and published as required by
Ordinance No. 364-N.S., setting forth Wednesday, the 27th day of February, 1935,
as the time when the Council will hear any and all protests to the granting of
the permit to the petitioner as prayed for.

The foregoing resolution was introduced at a regular meeting
of the Council of the City of Modesto held on the 13th day of February, 1935, by
Commissioner Rogers, who moved its adoption, which motion being duly seconded, it
was upon roll call adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

Attest: H.E. GRAGG
CITY CLERK

RESOLUTION NO. 3113-N.S.

ADJOURNMENT

---oCo---

BE IT RESOLVED that this Council meeting now in session be and
the same is 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 February, 1935, by
Commissioner Brown, who moved its adoption, which motion being duly seconded,
it was upon roll call adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

Attest: H.E. GRAGG
CITY CLERK

RESOLUTION NO. 3114-N.S.

A RESOLUTION ACCEPTING AND APPROVING RESOLUTION OF STATE HIGHWAY COMMISSION RELATIVE TO HIGHWAY ROUTING OF MAZE BOULEVARD TRAFFIC THROUGH CITY

--- oOo ---

WHEREAS, pursuant to Resolution No. 3076-M.S. wherein the City Council did petition the State Department of Public Works to designate the highway routing of Maze Boulevard Traffic through the City of Modesto via Fifth and H Streets to Ninth Street rather than the L Street routing previously designated; and

WHEREAS, there is now on file with the Council a certified copy of resolution adopted by the State Highway Commission approving a change in the routing of State Highway Route No. 110 so as to route traffic entering the City of Modesto via Maze Boulevard over Fifth Street to H Street and H Street to Ninth Street;

BE IT THEREFORE, RESOLVED that the said resolution of the California State Highway Commission be and the same is hereby approved and accepted by the Council of the City of Modesto.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of February, 1935, by Commissioner Rogers who moved its adoption, which motion being duly seconded, it was upon roll call adopted by the following vote:

Ayes: Councilmen Brown, Neece, Rogers, and Mayor pro tem. Pock

Noes: Councilmen: None

Absent Councilmen: None

Attest: H.E. GRAGG
CITY CLERK

RESOLUTION NO. 3115-N.S.

A RESOLUTION GRANTING PERMIT FOR OPERATION OF STEAM PRESS IN RESIDENTIAL DISTRICT OF THE CITY

---oOo---

WHEREAS, pursuant to petition of J. Bertolani for permit to operate a steam press and receive and deliver garments for alteration or other service at 1921 Downey Avenue, being Lot 7 and the West 15' of Lot 8 in Block 579 of the City of Modesto; and

WHEREAS, due notices of the filing of said petition were posted and published as required by Ordinance No. 364-N.S. setting forth a time for hearing of protests to the granting of the permit as prayed for; and

WHEREAS, this being the time set out in said notices for the hearing of any protests as aforesaid, and it appearing that no protests, either oral or written, have been filed;

BE IT THEREFORE, RESOLVED that permit be and the same is hereby granted to the said petitioner as prayed for when all ordinances relative to the operation, erection and maintenance of cleaning establishments 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 27th day of February, 1935, by

Commissioner Brown, who moved its adoption, which motion being duly seconded, it was upon roll call adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

Attest: H. E. GRAGG
CITY CLERK

RESOLUTION NO. 3116-N.S.

A RESOLUTION SETTING TIME FOR HEARING OF PROTESTS TO GRANTING PERMIT FOR CLEANING ESTABLISHMENT IN A RESIDENCE ZONE OF THE CITY OF MODESTO

---oOo---

WHEREAS, Chas. A. McCready has filed with this Council a petition for the construction, operation and maintenance of a clothes press and garment shop at property known as 751 4th Street, being Lots 1 and 2 in Block 10 of the City of Modesto, all as provided in Ordinance No. 364-N.S.;

BE IT THEREFORE, RESOLVED that the City Clerk be and he is hereby directed to post and publish notices as required by the above named ordinance setting forth Wednesday, the 13th day of March, 1935, at 7:30 P.M. in the Council Chambers of the City Hall as the time and place when and where all protests to the granting of permit to the said petitioner as prayed for will be heard.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of February, 1935, by Commissioner Rogers, who moved its adoption, which motion being duly seconded, it was upon roll call adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

Attest: H. E. GRAGG
CITY CLERK

RESOLUTION NO. 3117-N.S.

A RESOLUTION APPROVING BOND OF ELECTRICAL CONTRACTOR, D. T. SMITH

--- oOo ---

WHEREAS, pursuant to City Ordinance No. 352-N.S., Mr. D.T. Smith filed with the Council bond for carrying on the business of electrical contracting in the City of Modesto, and it appearing that said bond is in the proper form;

BE IT THEREFORE, RESOLVED that said bond of D.T. Smith be and the same is hereby accepted and approved by the City Council, and directing the City Clerk to issue Electrical Contractor's License to said D.T. Smith upon payment of the regular fee therefor.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of February, 1935, by Commissioner Rogers, who moved its adoption, which motion being duly seconded it was upon roll call adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

Attest: H.E. GRAGG
CITY CLERK

RESOLUTION NO. 3118-N.S.

ADJOURNMENT

--- oOo ---

BE IT RESOLVED that this Council meeting now in session be and the same is hereby adjourned.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of February, 1935, by Commissioner Brown, who moved its adoption, which motion being duly seconded, it was upon roll call adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

Attest: H.E. GRAGG
CITY CLERK

RESOLUTION NO.3119-N.S.

A RESOLUTION ALLOWING CLAIMS AGAINST THE CITY FOR FEBRUARY, 1935

--- oOo ---

WHEREAS, claims against the City of Modesto for the month of February, 1935, having been heretofore audited and approved, are before this Council for allowance;

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

GENERAL FUND -----	\$
WATER FUND -----	\$
LIBRARY FUND -----	\$
BOND RED. INT. FUND -----	\$
ST. BOND RED. INT. FUND -----	\$
UNAPPORTIONED FUND -----	\$
TOTAL -----	\$

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of March, 1935, by Commissioner Neece, who moved its adoption which motion being duly seconded, it was upon roll call adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

Attest: H. E. GRAGG
CITY CLERK

RESOLUTION NO.3120-N.S.

A RESOLUTION ALLOWING CLAIMS FOR MEDICAL AID AND CARING FOR MRS. CORDELIA SMITH, 222 SUNSET BLVD., FOR INJURIES SUSTAINED IN FALL ON SIDEWALK

--- oOo ---

WHEREAS, pursuant to Resolution No. 3092-N.S. authorizing the payment of expenses for medical attention and hospitalization of Mrs. Cordelia Smith, 222 Sunset Blvd., for injuries sustained in fall on sidewalk near 222 Sunset Blvd. and

WHEREAS, the following claims have been presented to the Council for payment;

Dr. H. R. Wilson ----	\$ 12.50	--- for medical services
Mrs. W. H. Rehme ---	5.00	--- for practical nurse
St. Mary's Hospital	4.00	--- for X-ray service

BE IT THEREFORE, RESOLVED that all of the above claims be and they are hereby allowed and the City Clerk and Auditor directed to issue warrants in payment therefor in the amounts above stated.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of March, 1935, by Commissioner Brown, who moved its adoption, which motion being duly seconded, it was upon roll call adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

Attest: H. E. GRAGG
CITY CLERK

RESOLUTION NO.3121-B.S.

A RESOLUTION GRANTING PERMIT TO C.S.Mc CREADY FOR CONSTRUCTION OF CLEANING SHOP
BUILDING AT CORNER OF FOURTH AND H STREETS

---o06---

WHEREAS, pursuant to application of Mr. C.S.McCready for the construction, operation and maintenance of a clothes pressing and alteration shop on property located at 731 4th Street, being Lots 1 and 2 in Block 10 of the City of Modesto, and it appearing from affidavits on file that due notice of a time for hearing any and all protests to the granting of such permit had been posted and published as required by Ordinance No.364-N.S.; and

WHEREAS, this being the time set forth in such notices for the hearing of such protests, the City Clerk reported that neither oral nor written protests thereto were on file;

THEREFORE, BE IT RESOLVED that permit be and the same is hereby granted to C. S. McCready for the construction, operation and maintenance of a clothes pressing and alteration shop as prayed for, when all provisions of City ordinances governing such construction and maintenance 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 13th day of March, 1935, by Commissioner Rogers, who moved its adoption, which motion being duly seconded, it was upon roll call adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pock

Noes: Councilmen: None

Absent: Councilmen: None

Attest: H.E.GRAGG
CITY CLERK

RESOLUTION NO. 3122-N.S.

A RESOLUTION GRANTING PERMIT TO ENA BORNHAUSER FOR CONSTRUCTION OF A GREENHOUSE AT
320 WALNUT ST.

---oOo---

WHEREAS, pursuant to the application of Ena Bornhauser for the construction, operation and maintenance of a greenhouse for the sale of cut flowers at 320 Walnut Street; and

WHEREAS, it appearing from affidavits on file that this is the time set forth in posted and published notices for the hearing of any and all protests to the granting of the permit prayed for; and

WHEREAS, neither oral nor written protests have been filed with the Council;

BE IT THEREFORE, RESOLVED that permit be and the same is hereby granted to Ena Bornhauser for the construction, operation and maintenance of a greenhouse as prayed for; when all provisions of City ordinances governing such construction and maintenance 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 13th day of March, 1935, by Commissioner Rogers, who moved its adoption, which motion being duly seconded it was upon roll call adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem: Pack

Noes: Councilmen: None

Absent: Councilmen: None

Attest: H.E. GRAGG
CITY CLERK

RESOLUTION NO. 3123-N.S.

A RESOLUTION DIRECTING THE CITY ENGINEER TO INVESTIGATE COMPLAINT RELATIVE TO ODORS
COMING FROM CITY SEWER AT END OF FRANKLIN STREET

--- oOo ---

WHEREAS, a petition signed by 37 residents of the Fairview District has been filed with this Council asking that immediate steps be taken to abate the odor coming from the City sewer at the foot of Franklin Street;

BE IT THEREFORE, RESOLVED that the City Engineer be and he is hereby directed to investigate said complaint and take such steps as may be necessary for the correction of the evil complained of.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of March, 1935, by Commissioner Brown, who moved its adoption, which motion being duly seconded, it was upon roll call adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

Attest: H.E. GRAGG
CITY CLERK

RESOLUTION NO.3124-N.S.

A RESOLUTION DIRECTING THE CITY ATTORNEY TO NEGOTIATE FOR THE EXCHANGE OF CANCELLATION OF CERTAIN DELINQUENT TAXES FOR BEARD LAND AND INVESTMENT COMPANY FOR LONG TERM LEASE OR CLEAR TITLE TO PROPERTY KNOWN AS THE ARCHERY COURSE AND TRESTLE GLEN ADJACENT TO BEARD BROOK PARK

---oOo---

WHEREAS, the City Auditor reports that the Beard Land & Investment Company is seeking the cancellation of certain taxes against property known as Lots 17 to 20 inc. in Block 29 of the City of Modesto for the years 1931 to 1934 inclusive in the amount of \$ 655.25; and

WHEREAS, in view of the fact that the City of Modesto has heretofore through former Mayor L. L. Dennett started negotiations for a long term lease of a small tract of land adjacent to Beard Brook Park, containing approximately 3 Acres, which property is known as Trestle Glen and the Archery Course, and no official record of such negotiations having been made;

BE IT THEREFORE, RESOLVED that the City Attorney be and he is hereby directed to proceed with negotiations with the Beard Land and Investment Company for a long-term lease or clear title to the above described property in exchange for the cancellation of City taxes upon Lots 17 to 20 inc. in Block 29 of the City of Modesto.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of March, 1935, by Commissioner Neece, who moved its adoption, which motion being duly seconded, it was upon roll call adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack
Noes: Councilmen: None
Absent: Councilmen: None

Attest: H. E. GRAGG
CITY CLERK

RESOLUTION NO. 3125-N.S.

A RESOLUTION PETITIONING THE ABOLISHING OF PARALLEL PARKING ON J STREET

--- oOo ---

WHEREAS, petition was filed with the Council by L.H. Enemark asking the Council to abolish parallel parking on J Street stating that tenants in the building at the corner of 10th and J Street, of which he is trustee, complain about the parking provision;

BE IT THEREFORE, RESOLVED that the City Clerk be and he is hereby instructed to advise the petitioner that because of the narrowness of J Street no other angle of parking is considered feasible in relieving traffic congestion.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of March, 1935, by Commissioner Brown who moved its adoption, which motion being duly seconded, it was upon roll call adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack
Noes: Councilmen: None
Absent: Councilmen: None

Attest: H. E. GRAGG
CITY CLERK

RESOLUTION NO. 3126-N.S.

A RESOLUTION AUTHORIZING FINAL PAYMENT TO E. GREEN ON MACHINE SHOP CONTRACT LESS \$70 TO BE WITHHELD PENDING SETTLEMENT OF CLAIM OF MODESTO STEEL PRODUCTS COMPANY FOR LABOR AND MATERIAL

--- oOo ---

WHEREAS, pursuant to contract with Ernest Green for the construction of Machine Shop at the City corporation yard the final payment thereon in the sum of \$ 2462.50 is now due and payable;

BE IT THEREFORE, RESOLVED that the City Clerk and Auditor be and he is hereby directed to issue warrant to Ernest Green in final payment of contract price for construction of machine shop as aforesaid, the amount of the said warrant to be the sum of \$ 2462.50 less an amount of \$ 70.00 to be withheld pending settlement of claim of the Modesto Steel Products Company for labor and material heretofore filed with 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 March, 1935, by Commissioner Brown, who moved its adoption, which motion being duly seconded, it was upon roll call adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

Attest: H.E. GRAGG
CITY CLERK

RESOLUTION NO. 3127-N.S.

A RESOLUTION NAMING 19TH STREET EXTENSION FROM H ST. TO DRY CREEK "LA LOMA STREET"

--- oOo ---

WHEREAS, pursuant to the extension of 19th Street from H Street to Dry Creek to connect with the newly constructed bridge across Dry Creek and with the recently annexed LaLoma Addition to the City of Modesto; and

WHEREAS, it is deemed advisable to name said extension of 19th St. from H Street to Dry Creek;

BE IT THEREFORE, RESOLVED that the said extension of 19th Street from H Street to Dry Creek be and the same is hereby officially designated as "La Loma Street" of the City of Modesto.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of March, 1935, by Commissioner Rogers, who moved its adoption, which motion being duly seconded, it was upon roll call adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

Attest: H.E. GRAGG
CITY CLERK

RESOLUTION NO. 3128-N.S.

A RESOLUTION AUTHORIZING THE SUBMITTING TO VOTERS THE QUESTION OF VALUATION SURVEY OF THE HOLDINGS OF THE MODESTO GAS COMPANY IN THE CITY OF MODESTO

--- oOo ---

WHEREAS, pursuant to action heretofore contemplated by the Council from time to time;

IT IS HEREBY RESOLVED by the Council of the City of Modesto that the City Attorney be directed to draft an ordinance to be placed upon the ballot at the General Municipal Election to be held on the 9th day of April, 1935, the question of expenditure of funds for making a valuation survey of the holdings of the Modesto Gas Co. in the City of Modesto.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of March, 1935, by Commissioner Rogers, who moved its adoption, which motion being duly seconded, it was upon roll call adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

Attest: H. E. GRAGG
CITY CLERK

RESOLUTION NO. 3129-N.S.

A RESOLUTION NAMING F. J. ROSSI SUPERINTENDENT OF CITY CORPORATION YARD, PLACING UNDER HIS JURISDICTION ALL MOTOR EQUIPMENT OF THE VARIOUS DEPARTMENTS OF THE CITY OF MODESTO, AND NAMING JOE MITCHELL ASSISTANT SUPERINTENDENT OF CORPORATION YARD

--- oOo ---

WHEREAS, pursuant to the completion of Machine Shop at the City's corporation yard, 8th and L Street, it now becomes necessary to provide for the administration thereof;

BE IT THEREFORE, RESOLVED that F. J. Rossi be and he is hereby named Superintendent of City Corporation Yard, and that all motor equipment of the various departments of the City of Modesto be placed under his jurisdiction.

BE IT FURTHER RESOLVED that Joe Mitchell, now master mechanic of the Fire Department, be and he is hereby transferred to the Department of Public Works as Assistant Superintendent of City Corporation Yard, at a salary of \$165 per month, the same to be effective from and after March 15th, 1935.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of March, 1935, by Commissioner Rogers, who moved its adoption, which motion being duly seconded, it was upon roll call adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

Attest: H. E. GRAGG
CITY CLERK

RESOLUTION NO. 3130-N. S.

ADJOURNMENT

--- oOo ---

BE IT RESOLVED that this Council meeting now in session be and the same is 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 March, 1935, by Commissioner Rogers, who moved its adoption, which motion being duly seconded, it was upon roll call adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

Attest: H. E. GRAGG
CITY CLERK

RESOLUTION NO. 3131-N. S.

A RESOLUTION DIRECTING THAT CLAIM FILED AGAINST CITY EMPLOYEE, GEO. KEELEY, BE ADJUSTED

--- oOo ---

WHEREAS, there has been filed with this Council claim against Geo. Keeley, traffic sergeant of the Police Department, by L. V. Hammock, proprietor of the M&H Service Station, 11th and H Streets, in amount of \$ 29.63 representing balance due on account over period of 1933, 1934, and 1935; and

WHEREAS, the City Council hertofore has adopted a resolution disapproving of City employees not paying their obligations;

THEREFORE, BE IT RESOLVED that the above claim be and the same is hereby referred to the Chief of Police for immediate adjustment.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 20th day of March, 1935, by Commissioner Brown, who moved its adoption, which motion being duly seconded, it was upon roll call adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

Attest: H. E. GRAGG
CITY CLERK

RESOLUTION NO.3132-N.S.

A RESOLUTION WAIVING FLAT RATE RENTAL FEE FOR USE OF ROOSEVELT FIELD BY BERT LOWRY FOR EXHIBITION BASEBALL GAMES

-----oOo-----

WHEREAS, pursuant to entering into agreement with Bert Lowry for a series of exhibition baseball games at Roosevelt Field during period from February 15,1935, to April 1,1935; and

WHEREAS, it is the unanimous opinion of the Council that the benefits to the City at large derived from such games warrant the waiving of the flat rate rental of \$ 20.00 heretofore charged for the use of Roosevelt Field in addition to the percentage tax on grandstand tickets;

THEREFORE, BE IT RESOLVED that the flat rate rental charge of \$ 20.00 for the use of Roosevelt Field by Bert Lowry for a series of exhibition baseball games as aforesated.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 20th day of March,1935, by Commissioner Neece, who moved its adoption, which motion being duly seconded, it was upon roll call adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

A test: H. E. GRAGG
CITY CLERK

RESOLUTION NO.3133-N.S.

A RESOLUTION GRANTING LICENSE TO SELL BEVERAGES CONTAINING 3.2% ALCOHOL AT WHOLESALE IN CITY

---oOo---

WHEREAS, there has been filed with this Council the application of the Milwaukee Brewery of San Francisco to sell at wholesale in the City of Modesto beverages containing 3.2% alcohol; and

WHEREAS, the said application has heretofore been approved by the Commissioner of Public Health and Safety;

BE IT THEREFORE, RESOLVED that the City Clerk be and he is hereby instructed to issue a license to the applicant for the sale of beverages containing 3.2% alcohol in the City of Modesto as prayed for.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 20th day of March,1935, by Commissioner Brown who moved its adoption, which motion being duly seconded, it was upon roll call adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

Attest: H. E. GRAGG
CITY CLERK

RESOLUTION NO. 3134-N.S.

ADJOURNMENT

--oOo--

BE IT RESOLVED that this special meeting of the Council of the City of Modesto be and the same is hereby adjourned.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 20th day of March, 1935, by Commissioner Brown, who moved its adoption, which motion being duly seconded, it was upon roll call adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack

Noes: Councilmen: None

Assent: Councilmen: None

Attest: H. E. GRAGG
CITY CLERK

RESOLUTION NO. 3135-N.S.

ADJOURNMENT

--oOo--

BE IT RESOLVED that this Council meeting now in session be and the same is hereby adjourned.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 22nd day of March, 1935, 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, Rogers, and Mayor pro tem. Pack

Noes: Councilmen: None

Assent: Councilmen: None

Attest: H. E. GRAGG
CITY CLERK

RESOLUTION NO.3136-N.S.

A RESOLUTION PROVIDING FOR THE SUBMISSION OF A PROPOSED ORDINANCE AT THE GENERAL MUNICIPAL ELECTION

--- oOo ---

WHEREAS, the City Council deems it for the best interests of the City of Modesto and its inhabitants that the City take over and acquire a certain public utility to-wit: the sale and distribution of gas for heating, cooking, lighting, power and other purposes, now operated by the Modesto Gas Company; and preliminary thereto it is necessary that an appraisal or valuation of the properties of said utility be made, and

WHEREAS, the cost of such valuation or appraisal will be the approximate sum of Sixteen Thousand Five Hundred Dollars (16,500.00); and

WHEREAS, the funds therefor are not available out of the general or any other public funds belonging to said City, and, even if so available, could not, under Section 20 of Article XI of the State Constitution be expended without a vote of the people authorizing the same;

THEREFORE, BE IT RESOLVED by the City Council that the following ordinance be submitted for adoption or rejection by the electors of said City, at the next general municipal election of said City, to be held on April 9, 1935; that a copy of said ordinance be published in the Modesto Bee, the official newspaper of said City of Modesto, at least three days prior to said election, and that the City Clerk enclose a printed copy thereof in an envelope with a sample ballot, and mail the same to each voter at least three days prior to said election.

The said proposed ordinance is as follows:

INITIATIVE ORDINANCE NO.485-N.S.

AN ORDINANCE LEVYING A SPECIAL TAX UPON THE TAXABLE PROPERTY IN THE CITY OF MODESTO FOR THE FISCAL YEAR BEGINNING JULY 1, 1935, TO RAISE MONEY TO PAY THE COST OF AN APPRAISEMENT OF A CERTAIN PUBLIC UTILITY TO-WIT: THE PROPERTY OF THE MODESTO GAS COMPANY, PRELIMINARY TO THE TAKING OVER AND ACQUISITION THEREOF BY THE CITY OF MODESTO

---oOo---

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

Section 1.

There shall be, and hereby is, levied for the fiscal year beginning July 1, 1935, in accordance with subdivision 17 Section 4, of the Charter of the City of Modesto a special tax upon all the taxable real and personal property within said City of Modesto in the sum of Sixteen Thousand Five Hundred Dollars (\$ 16,500.00) to raise the money necessary for the purpose of having a valuation and appraisement made of the properties of the Modesto Gas Company or its successors within and/or adjacent to the corporate limits of the City of Modesto, by the Railroad Commission of the State of California, and/or other competent engineers or authorities, as a preliminary step to the taking over and acquisition by the City of Modesto, of said property for public purposes.

Section 2.

The special tax herein provided for and authorized shall be in addition to the annual tax levy provided in Section 51 of the Charter. At the time when the City Council fixes the general tax rate for said City for the fiscal year beginning July 1, 1935, it shall also levy upon the assessed valuation of the property in said City, a rate of taxation for said fiscal year, sufficient to raise the special fund aforesaid. The provisions of Ordinance No.396-N.S. shall apply to the levying and collection of said special tax.

Section 3.

The proceeds of such special tax levy are hereby appropriated, and their expenditure authorized for the purposes aforesaid, specified in Section 1, hereof, and for no other purpose. The same shall be kept in a separate fund. In event, however, that upon the expiration of five years from June 1, 1935, there shall remain an unexpended balance in said fund, the same may be transferred to the general fund. The City Council of the City of Modesto is hereby authorized and empowered to employ the Railroad Commission of the State of California, and if, by said Council deemed advisable, such

additional engineers as may be necessary to make an inventory and appraisal and valuation of the properties of the Modesto Gas Company or such other utility as may serve the incorporated and/or adjacent territory of the City of Modesto, with gas for heat, cooking, lighting or power purposes, with the object of proceeding thereafter to have the same taken over and acquired by said City by condemnation or other proceedings.

----oOo---

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 25th day of March, 1935, by Mayor pro tem. Pack, who moved its adoption, which motion being duly seconded, it was upon roll call adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack
Noes: Councilmen: None
Absent: Councilmen: None

Attest: H.E. GRAGG
CITY CLERK

RESOLUTION NO. 3137-N.S.

A RESOLUTION PROVIDING FOR THE SUBMISSION AT THE GENERAL ELECTION OF A PROPOSED ORDINANCE FOR THE PAYMENT OF A SALARY TO THE MAYOR

----oOo---

WHEREAS, the Council of the City of Modesto desires to propose and submit to the electors of the City of Modesto, at the next general election, which will be held in said City April 9, 1935, the initiative ordinance hereinafter set forth;

THEREFORE, BE IT RESOLVED by the City Council that the following ordinance be submitted for adoption or rejection by the electors of said City at the next general municipal election of said City to be held on April 9, 1935: That a copy of said ordinance be published at least three days prior to the said election; and that the City Clerk enclose a printed copy thereof in an envelope with a sample ballot and mail the same to each voter at least three days prior to said election.

The said proposed ordinance is as follows:

INITIATIVE ORDINANCE
NO. 486-N.S.

AN ORDINANCE PROVIDING FOR AND FIXING COMPENSATION BY WAY OF SALARY FOR THE MAYOR OF THE CITY OF MODESTO

----oOo---

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

Section 1.

The Mayor of the City of Modesto shall receive as compensation for his services as such, a salary in the sum of Fifty Dollars (\$50.00) per month payable monthly in the same way that the compensation or salary of the other chief officials of the City of Modesto are paid.

Section 2.

This ordinance shall go into and be in full force and effect from and after June 1, 1935.

----oOo---

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 25th day of March, 1935, by Commissioner Neece, who moved its adoption, which motion being duly seconded, it was upon roll

call adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

Attest: H. E. GRAGG
CITY CLERK

RESOLUTION NO. 3138-N. P.

ADJOURNMENT

---oOo---

BE IT RESOLVED that this Council meeting now in session be and the same is hereby adjourned.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 25th day of March, 1935, by Commissioner Brown, who moved its adoption, which motion being duly seconded, it was upon roll call adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

Attest: H. E. GRAGG
CITY CLERK

RESOLUTION NO. 3139-N. S.

A RESOLUTION DENYING PETITION FOR REFUND OF TAXES PAID ON PROPERTY OCCUPIED BY THE POSTAL TELEGRAPH CO.

---oOo---

WHEREAS, a petition has been filed with this Council by J. W. Husband and Tax Research Inc. for the cancellation of certain taxes covering the years 1931-1932 to 1934-1935 inc. on property known as Lots 1 to 3 inc., Ely 40' by Nly 70', Block 55, City of Modesto by virtue of the fact that the taxes on this property were paid to the State of California by the Postal Telegraph Company as an operative public utility and also paid to the City of Modesto by J. W. Husband, the assessed owner of the property; and

WHEREAS, it is the unanimous opinion of the Council that the claim should be rejected;

BE IT THEREFORE, RESOLVED that the claim of J. W. Husband and Tax Research Inc. for the refund of taxes paid as above set forth be and the same is hereby rejected; and

BE IT FURTHER RESOLVED that the City Clerk be and he is hereby instructed to advise the petitioners of the action taken.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of March, 1935, by Commissioner Neece, who moved its adoption, which motion being duly seconded, it was upon roll call adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

Attest: H. E. GRAGG
CITY CLERK

RESOLUTION NO. 3140-N.S.

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

--- oOo ---

BE IT RESOLVED by the Council of the City of Modesto as follows: That under and pursuant to the Charter of the City of Modesto a general municipal election in and for the City of Modesto be and the same is hereby called to be held Tuesday, the 9th day of April, 1935, for the purpose of electing the following officers of the City of Modesto, to-wit: one Mayor and two Councilmen; and for the purpose of voting upon the questions of the adoption of two certain ordinances submitted in accordance with Section 59 of the Charter of the City of Modesto, entitled as follows:

"AN ORDINANCE PROVIDING FOR AND FIXING COMPENSATION BY WAY OF SALARY FOR THE MAYOR OF THE CITY OF MODESTO".

"AN ORDINANCE LEVYING A SPECIAL TAX UPON THE TAXABLE PROPERTY IN THE CITY OF MODESTO FOR THE FISCAL YEAR BEGINNING JULY 1, 1935, TO RAISE MONEY TO PAY THE COST OF AN APPRIASEMENT OF A CERTAIN PUBLIC UTILITY, TO-WIT: THE PROPERTY OF THE MODESTO GAS COMPANY, PRELIMINARY TO THE TAKING OVER AND ACQUISITION WHEREOF BY THE CITY OF MODESTO."

And 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 9th day of April, 1935, for the purpose of electing certain officers of the Modesto City School District, to-wit: three members of the Board of Education of the Modesto City School District.

For the purpose of holding said election, the 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 eight election precincts to be known and designated as follows:

Consolidated Election Precinct No. 1
Consolidated Election Precinct No. 2
Consolidated Election Precinct No. 3
Consolidated Election Precinct No. 4
Consolidated Election Precinct No. 5
Consolidated Election Precinct No. 6
Consolidated Election Precinct No. 7
Consolidated Election Precinct No. 8

Said consolidated election precincts are established by consolidating the general election precincts within the City of Modesto (except as hereinafter noted), as established by the orders of resolutions of the Board of Supervisors of Stanislaus County, California, in force for general election purposes within the City prior to January 1, 1935, (which said orders or resolutions now on file and of record in the office of the Clerk of the Board of Supervisors of Stanislaus County are hereby referred to and by such reference made a part hereof for greater certainty and a more particular description of the boundaries thereof), in the following manner, (said precincts so established by said Board of Supervisors being herein referred to as General Election Precincts).

Said General Election Precincts so designated by the said Board of Supervisors as Modesto Nos. 1, 2, 3, 4 and 5 are hereby consolidated and established into "Consolidated Election Precinct No. 1".

Said General Election Precincts so designated by the said Board of Supervisors as Modesto Nos. 6, 7, 8, 9, 10 and 11 are hereby consolidated and

established into "Consolidated Election Precinct No. 2"

Said General Election Precincts so designated by the said Board of Supervisors as Modesto Nos. 12, 13 and 15 are hereby consolidated and established into "Consolidated Election Precinct No. 3"

Said General Election Precincts so designated by the said Board of Supervisors as Modesto Nos. 14, 17 and 18 are hereby consolidated and established into "Consolidated Election Precinct No. 4".

Said General Election Precincts so designated by the said Board of Supervisors as Modesto Nos. 18, 19, 20, and 21 are hereby consolidated and established into "Consolidated Election Precinct No. 5".

Said General Election Precincts so designated by the said Board of Supervisors as Modesto Nos. 22, 23 and 24 are hereby consolidated and established into "Consolidated Election Precinct No. 6".

Said General Election Precincts so designated by the said Board of Supervisors as Modesto Nos. 25, 26, and 27 are hereby consolidated and established into "Consolidated Election Precinct No. 7".

Said General Election Precincts so designated by the said Board of Supervisors as Modesto Nos. 28, 29, 30 and 31 are hereby consolidated and established into "Consolidated Election Precinct No. 8".

For the purpose of holding said election (in so far as the election of the 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: said boundaries of the Modesto School District shall embrace all of the territory included and embraced within the exterior boundaries of the following elementary school districts of the 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 the said Board of Supervisors, to-wit: Jackson, Salida, Stoddard, Stanislaus, McHenry, Prescott, Bellpassi, Cole, Hart, Ransom, Garner, New Hope, Paradise, Shiloh, Fairview, as well as all of 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 is, for the purpose of said election, hereby divided and established into seven special election precincts, the designation and boundaries of which, and the territory within each of which, are hereby established as follows:

SPECIAL ELECTION PRECINCT NO. 9

which shall comprise 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. 10

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

SPECIAL ELECTION PRECINCT NO.11

which shall comprise 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.12

which shall comprise 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.13

which shall comprise 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.14

which shall comprise 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.15

which shall comprise 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 are hereby fixed and designated as and for the places of holding said election within the said City of Modesto, and the following named persons are hereby 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 PRECINCT NO.1;

Polling Place: Garage, 133 Poplar Avenue
Inspector: John C. Cuneo, 427 Sycamore Avenue
Judges: Mrs. Jessie Russell, 210 College
Mrs. Mayme Monese, 1017 Needham
Clerks: Mrs. Mary E. Nunnally, 1611 Morris Ave.
Mrs. Della B. Aldrich, 1643 Elmwood Court
Mrs. Aura I. Rader, 415 Hackberry Ave.

SPECIAL PRECINCT NO. 2a

Polling Place: Garage, 1715 Downey Avenue
Inspector: Mrs. Josephine Ekstein, 245 High St.
Judges: Mrs. Marie H. Weisner, 315 Melrose Ave.
Mrs. Marie A. Lochry, 1731 Almond
Clerks: Mrs. Bessie E. Tobias, 115 Redwood
Mrs. Edith M. Rogers, 234 Castle
Mrs. Amy L. Mitchell, 218 Redwood Ave.

SPECIAL PRECINCT NO.3:

Polling Place: Office Room, 1031 J Street
Inspector: Sidney W. Elliott, 1217 12th Street
Judges: Mrs. Ina C. Ayres, 1116 K Street
Mrs. Emilie Severin, 1014 M. Street
Clerks: Mrs. Stella H. Wiltse, 1211 11th Street
Henry L. Stith, 1214 11th
Mrs. Anna L. Philleo, 1203 13th St.

SPECIAL PRECINCT NO.4:

Polling Place: Fire Station #3-Downey Avenue
Inspector: Edwin B. Taylor, 2006 Downey Ave.
Judges: Miss Ruth T. Mahoney, 615 17th St.
Mrs. Pearl Gordon, 726 14th Street
Clerks: Mrs. Gertrude W.D. Meader, 701 18th Street
Mrs. Ella M. Blum, 823 17th Street
Mrs. Mildred E. Lumsden, 623 16th Street

SPECIAL PRECINCT NO.5:

Polling Place: City Hall, 717 Tenth Street
Inspector: William O. Grunow, 415 14th Street
Judges: Walter H. Stanley, 505 15th Street
Mrs. Elsie E. Ring, 509 12th Street
Clerks: Mrs. Grace E. Dunn, 812 13th Street
Mrs. Alma Wallace, 516 Tenth Street
Miss Corda Stone, 821 11th Street

SPECIAL PRECINCT NO.6:

Polling Place: Golden Rule Dairy, 1130 6th Street
Inspector: Mrs. Matilda M. Condit, 201 Locust Street
Judges: Mrs. Leonie R. Smith, 1127 Jefferson Street
Miss Agnes H. Dunn, 930 7th Street
Clerks: Mrs. Esther S. Ingham, 1106 5th Street
Mrs. Irma Karker, 126 Maple Street
Mrs. Eva L. Bornhauser, 320 Walnut Street

SPECIAL PRECINCT NO.7:

Polling Place: Store Room, 205 H Street
Inspector: Mrs. Minna H. Damrell, 822 6th Street
Judges: Mrs. Eva Deatsch, 302 J Street
Mrs. Marie P. Lentz, 809 Second Street
Clerks: Mrs. Hazel I. Murphy, 411 I Street
Mrs. Marguerite Ginotti, 629 5th Street
Mrs. Jessie M. Stowell, 117 Pine Street

SPECIAL PRECINCT NO.8:

Polling Place: Fire Station #2, Second Street
Inspector: Mrs. Mary J. Elaine, 253 Sierra Drive
Judges: Mrs. Mattie D. Crow, 305 Sierra Drive
Mrs. Elma M. Ducker, 138 Sunset Blvd.
Clerks: Mrs. Annia M. Davis, 141 Roselawn
Mrs. Louise E. Suiter, 131 Sierra Drive
Mrs. Ina L. Prindle, 317 Sierra Drive

The following places are hereby fixed and designated as and for the places of holding said 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 are designated to act as officers of election for said election within said territory, to-wit:

SPECIAL PRECINCT NO.9:

Polling Place: Paradise Schoolhouse
Inspector: C.H. DeForest, Rte 3 Box 849
Judges: Mrs. Sue H. Robbins, Rte 3 Box 820
J.T. Townson, Rte 3 Box 1072
Clerks: Mrs. Jessie M. Lampley, Rte 3 Box 831
Oscar L. Beam, Rte 3 Box 816
Mrs. Adaline G. Harcksen, Rte 3 Box 859

SPECIAL PRECINCT NO.10:

Polling Place: Ransom Schoolhouse
Inspector: Mrs. Frederica Davies, Rte 3 Box 735
Judges: Mrs. Minnie E. Davies, Rte 3 Box 735
Mrs. Viola Peterson, Rte 3 Box 746
Clerks: Mrs. Ethel R. Woolsey, Rte 3 Box 754
Mrs. Ella W. VanBuren, Rte 3 Box 758
Mrs. Edith E. Freeman, Rte 3 Box 554

SPECIAL PRECINCT NO.11:

Polling Place: Maple Hall, Salida, California
Inspector: James Lee Curties, Box 115, Salida
Judges: Mrs. Wm. Stambaugh, Salida
E.E. Avery, Salida, Box 85
Clerks: Mrs. Grace Cox, Salida
Mrs. Marie Cox Brown, Box 224, Salida
Mrs. Julia Ladd, Salida

SPECIAL PRECINCT NO.12:

Polling Place: Sylvan Clubhouse, McHenry Road
Inspector: Delmar von Glahn, Rte 2 Box 751
Judges: O.C. Glass, Rte 2 Box 755
Mrs. Nellie E. Moye, Rte 2 Box 752
Clerks: Mrs. Ruth J. Wesson, Rte 2 Box 808
Mrs. Sadie L. Francis, Rte 2 Box 684
Mrs. Cora R. von Glahn, Rte 2 Box 751

SPECIAL PRECINCT NO.13:

Polling Place; Empire School Auditorium
Inspector: Henry A. Codoni, Empire Calif.
Judges: Mrs. Winnie B. Lindsay, Empire
Mrs. A. S. Lotspeich, Empire
Clerks: Mrs. Maude Hollingsworth, Rte 1 Modesto
Harry Secrest, Rte 1 Modesto
Hubert Little, Rte 1 Modesto

SPECIAL PRECINCT NO.14:

Polling Place: Garage, 105 Santa Rita Avenue
Inspector: Mrs. Ethel Bovee, Rte 1 Box 90
Judges: Mrs. Maryon J. Bell, 205 Santa Rita Ave.
Nettie W. Rice, 241 Santa Rita Ave.
Clerks: Mrs. Hazel M. Nelson, P.O. Box 602
Fred L. Worsley, 189 Santa Ana Ave.
Mrs. Hattie C. Wellman, 155 Santa Ana Ave.

SPECIAL PRECINCT NO.15:

Polling Place: Fairview Schoolhouse
Inspector: Mrs. Ila M. Rutherford, Rte 4 Box 143
Judges: Mrs. Rilla K. Hoatson, Rte 4 Box 177
Mrs. Nora A. Hamer, Rte 4 Box 274
Clerks: Mrs. Mary E. Pegden, Rte 4 Box 292
Mrs. Stella F. Jones, Rte 4 Box 176
Mrs. Verla Stalker, Rte 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 precincts who are present at that time may appoint a Board of Election or supply the place of any absent member thereof.

It is further ordered that such 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 till 7 o'clock P.M. of the 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 at a regular meeting of the Council of the City of Modesto duly convened and held on the 27th day of March, 1935, and ordered adoption, which motion being duly seconded, upon rollcall it was adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

Approved: Roy E. Pack
Mayor pro tem.

Attest: H. Gragg
City Clerk

RESOLUTION NO. 3141-N.S.

A RESOLUTION PROTESTING AGAINST CERTAIN CHANGES IN THE PROPOSED MOTOR VEHICLE CODE

---oOo---

WHEREAS, the provisions of Section 743 of Assembly Bill No. 170 now pending before the State Legislature proposes to eliminate from the Motor Vehicle Act as it now exists Section 154 $\frac{1}{2}$ Subdivision (c) thereof requiring fines collected by a municipal court in the cases therein specified to be transmitted to the City wherein the offense was committed; and

WHEREAS, this would materially cut down the revenue of chartered cities with police judges and with police officers engaged in the enforcement of the Motor Vehicle Code;

THEREFORE, BE IT RESOLVED by the City Council of the City of Modesto that it protest against the adoption of said proposed Section 743 as now embodied in Assembly Bill No. 170 on the ground that such a change would be inequitable and unjust.

BE IT FURTHER RESOLVED that a certified copy of this Resolution be sent to Assemblyman Hornblower and Senator Fletcher, as well as to Assemblyman Donnelly and Senator Garrison of this County.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of March, 1935, by Councilman Rogers, 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, Brown, Rogers, and Mayor pro tem. Pack
Noes: Councilmen: None
Absent: Councilmen: None

Attest: H. E. GRAGG
CITY CLERK

RESOLUTION NO. 3142-N.S.

ADJOURNMENT

- - -

BE IT RESOLVED that this Council meeting now in session be and the same is hereby adjourned.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of March, 1935, by Commissioner Brown, who moved its adoption, which motion being duly seconded, it was upon roll call adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack
Noes: Councilmen: None
Absent: Councilmen: None

Attest: H. E. GRAGG
CITY CLERK

RESOLUTION NO. 3143-N.S.

A RESOLUTION ALLOWING CLAIMS FOR MONTH OF MARCH, 1935

--- oOo ---

WHEREAS, claims against the City of Modesto for the month of March, 1935, having been heretofore audited and approved by the Council;

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

GENERAL FUND-----	\$18,808.93
WATER FUND-----	3,714.92
LIBRARY FUND-----	1,471.95
TOTAL *-----	\$ 23,995.80

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of April, 1935, 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, Rogers, and Mayor pro tem. Pack
Noes: Councilmen: None
Absent: Councilmen: None

Attest: H.E. GRAGG
CITY CLERK

RESOLUTION NO. 3144-N.S.

A RESOLUTION REJECTING CLAIM FOR DAMAGES TO AUTOMOBILE CAUSED BY UPROOTED TREE

---oOo---

WHEREAS, a claim in amount of \$ 17.45 has been filed with this Council by Mrs. Van Dersen covering damages to her automobile incurred when wind uprooted a tree near St. Mary's Hospital and fell across the front of the parked car; and

WHEREAS, after due and proper consideration of the said claim it is the unanimous opinion of the Council that the City is not liable for the damages under the circumstances;

BE IT THEREFORE, RESOLVED that the above claim be and the same is hereby rejected.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of April, 1935, 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, Rogers, and Mayor pro tem. Pack
Noes: Councilmen: None
Absent: Councilmen: Brown

Attest: H.E. GRAGG
CITY CLERK

RESOLUTION O.3145-N.S.

A RESOLUTION ALLOWING CLAIM FOR MATERIALS FOR REPAIRING SHOES UNDER S.E.R.A. PROJECT

---oOo---

WHEREAS, a claim has been presented to this Council by R.L. Western in the sum of \$ 8.25 for materials used in repairing shoes at City Schools as a S.E.R.A Project; and

WHEREAS, the City Council has by action taken by Resolution No.3075-N.S. expressed the willingness to support this S.E.R.A.project by paying for materials used;

THEREFORE, BE IT RESOLVED that the above claim be and the same is hereby allowed and the City Clerk and Auditor directed to draw the warrant therefor.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of April, 1935, 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, Rogers, and Mayor pro tem. Pack
Noes: Councilmen: None
Absent: Councilmen: None

ATTEST: H.E. GRAGG
CITY CLERK

RESOLUTION NO.3146-N.S.

A RESOLUTION REJECTING PETITION FOR REFUND OF TAXES ON BUILDING OCCUPIED BY POSTAL TELEGRAPH COMPANY

--- oOo ---

WHEREAS, petition was filed with the Council by Tax Research Inc. and Grace T. Thomsen for the refund of certain taxes for the years 1931-32 to 1934-35 inclusive, paid to the City of Modesto on Lots 1 to 3 incl., Wly 40' by Nly 70', Block 55, Und. 1/2 Int., which said property is occupied by a utility company, to-wit: the Postal Telegraph Company; and

WHEREAS, the petition sets forth that the said building is exempt from City taxation by virtue of the fact that the said public utility pays corporation taxes to the State of California and therefore not subject to local taxation; and

WHEREAS, after due and proper consideration of the said petition, it is the unanimous opinion of the Council that it should be denied;

THEREFORE, BE IT RESOLVED that the said petition of Tax Research Inc. and Grace T. Thomsen be and the same is hereby denied, and the City Clerk directed to advise the petitioners of the action taken.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the the 10th day of April, 1935, 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, Rogers, and Mayor pro tem. Pack
Noes: Councilmen: None
Absent: Councilmen: None

Attest: H.E. GRAGG
CITY CLERK

RESOLUTION NO. 3147-N.S.

A RESOLUTION POSTPONING ACTION ON PETITION OF BOMBERGER BROS, FOR COMPENSATION TO MRS. EKSTEIN FOR RIGHT OF WAY TAKEN THROUGH PROPERTY IN BLOCK 133 FOR EXTENSION OF NINETEENTH STREET

---oOo---

WHEREAS, there has been filed with this Council a petition of Bomberger Bros on behalf of Mrs. Fred Ekstein, reciting that she holds a deed of trust to property in Block 133, over which property T. E. Kewin granted to the City a right of way for the extension of 19th Street to the new Dry Creek Bridge without the consent or knowledge of Mrs. Ekstein; and asking that certain concessions in the way of cancelling of delinquent taxes against the remaining portion of the property owned by Mrs. Ekstein in exchange for the right of way in question; and

WHEREAS, after due consideration of the matter, the Council is of the opinion that Mrs. Ekstein is entitled to some compensation, but that the granting of a tax compromise is not held feasible or advisable, and that she should be paid a cash compensation for the said right of way;

BE IT THEREFORE RESOLVED that the Council of the City of Modesto does hereby go on record as favoring the payment of a cash compensation to Mrs. Ekstein for the right of way taken by the City of Modesto through Block 133 as aforesaid, but that in view of budget limitations making prohibitive the payment of such compensation during the present fiscal year, action on the matter ^{be} and the same is hereby postponed until after July 1st, 1935, at which time the budget for the next fiscal year will give scope to the expense of payment for said right of way.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of April, 1935, by Commissioner Rogers, who moved its adoption, which motion being duly seconded, it was upon roll call adopted by the following vote:

Ayes: Councilmen: Neece, Rogers, and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: Brown

Attest: H. E. GRAGG
CITY CLERK

RESOLUTION NO.3148-N.S.

A RESOLUTION APPROVING MAP OF MASONIC CEMETERY IN THE CITY OF MODESTO

--- oOo ---

WHEREAS, there has been presented to this Council for approval a subdivision map of the Masonic Cemetery;

BE IT THEREFORE RESOLVED that the said map of the Masonic Cemetery be and the same is hereby approved as presented; and

BE IT FURTHER RESOLVED that the said map be placed of record in the office of 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 April, 1935, by Commissioner Rogers, who moved its adoption, which motion being duly seconded, it was upon roll call adopted by the following vote:

Ayes: Councilmen: Neece, Rogers, and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: Brown

ATTEST: H.E. GRAGG
CITY CLERK

RESOLUTION NO.3149-N.S.

A RESOLUTION AUTHORIZING PAYMENT OF SALARY TO GEO. KEELEY WHILE DRAWING COMPENSATION INSURANCE

--oOo--

WHEREAS, pursuant to injuries received by Traffic Sergeant Geo. Keeley in a motorcycle accident, at this time the City Auditor asked the Council to authorize or to order discontinued the payment of salary to the said employee during the time the Compensation Insurance Fund pays compensation during the period of disability.

BE IT FURTHER RESOLVED that the City Auditor be and he is hereby authorized and instructed to continue to carry the name of Traffic Sergeant Geo. Keeley on the City payroll during the period of his disability as aforesaid.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of April, 1935, 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, Rogers, and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: Brown

Attest: H.E. GRAGG
CITY CLERK

RESOLUTION NO. 3150-H.S.

A RESOLUTION DETERMINING THE RESULT OF ELECTION

---oOo---

WHEREAS a general municipal election was held in and for the City of Modesto and a general school election in and for the Modesto City School District on the 9th day of April, 1955; and

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

NOW THEREFORE, BE IT RESOLVED, CERTIFIED AND DECLARED by the Council of the City of Modesto that the said general municipal election in and for the City of Modesto and the general school election in and for the Modesto City School District was regularly called, held and conducted as provided by law; that the proper and complete returns have been made to and received by said Council and that the same were properly canvassed; that from the returns so canvassed, as aforesaid, it appears and the said Council finds as follows:

That at said general municipal election in and for the City of Modesto the total number of votes cast was 4297; that the number of votes received by the respective candidates for Mayor was as follows:

James KING	<u>1963</u>	votes
Roy E. Pack	<u>1562</u>	votes
Dr. W.C. Wilcox	<u>682</u>	votes

That none of said candidates for the office of Mayor received the required number of votes for election to said office, namely, more than one-half of the number of ballots cast at such election, and that James King and Roy E. Pack were the two 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 Mayor. (There being one Mayor to be elected).

That the number of votes received by the respective candidates for the office of Councilman were as follows:

A. N. Brown	<u>1270</u>	votes
James M. Coffman	<u>653</u>	votes
Thos. E. Edwards	<u>154</u>	votes
G. D. Oliver, Jr.	<u>1963</u>	votes
Harold L. Rogers	<u>1742</u>	votes
Carl Stanley	<u>2298</u>	votes

That of said candidates for the office of Councilman, Carl Stanley received 2298 votes, which is greater than one-half of the number of ballots cast at said election, and that said Carl Stanley was elected to the office of Councilman of the City of Modesto, and that a certificate of election be issued to him under the hand and seal of the City Clerk; that G. D. Oliver, Jr. and Harold Rogers were the two persons receiving the highest number of votes for the remaining office of Councilman, and are

entitled to be placed upon the ballot for a second election for the office of Councilman.
(There being one Councilman remaining to be elected.)

The said City Council sitting as a canvassing board, as aforesaid, further finds and declares that at said general municipal election the following ordinance to-wit: "An ordinance providing for and fixing the compensation by way of salary for the Mayor of the City of Modesto" received 1555 votes in favor of its adoption, and that 2267 votes were cast against the adoption of said ordinance; that the number of votes cast in favor of the ordinance was less than one-half of the votes cast at said election, and that said ordinance was not adopted, but was defeated.

The said City Council sitting as a canvassing board further finds and declares that at said general municipal election the following ordinance, to-wit: "An ordinance levying a special tax upon the taxable property in the City of Modesto for the fiscal year beginning July 1st, 1935, to raise money to pay the cost of an appraisement of a certain public utility, to-wit: the property of the Modesto Gas Company, preliminary to the taking over and acquisition by the City of Modesto", received 1206 votes in favor of the adoption of said ordinance and that 2625 votes were cast against the adoption of said ordinance, and that the number of votes cast in favor of said ordinance was less than two thirds of the number of votes cast at said election, and that said ordinance was not adopted, but was defeated.

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 School District the total number of votes cast was 5089, and the total number of votes received by the respective candidates for member of the Board of Education of the Modesto City School District were as follows:

D. P. Boothe	<u>2651</u>	votes
Lloyd D. Chapin	<u>1913</u>	votes
Ian Mensinger	<u>1695</u>	votes
Dr. E. F. Soderstrom	<u>3017</u>	votes
Hubert Wellman	<u>3318</u>	votes

That the total number of votes received by D. P. Boothe, Dr. Ernest F. Soderstrom and Hubert Wellman, and each of them, is greater than one-half of the total number of votes cast at said election, and that said D. P. Boothe, Dr. Ernest F. Soderstrom and Hubert J. Wellman were and each of them was elected members of the Board of Education/and that certificates of election be issued to them as such under the hand and seal of the City Clerk.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of April, 1935, 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, Rogers, Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: Brown

Attest: F. E. GRAGG
CITY CLERK

RESOLUTION NO. 3151-N.S.

A RESOLUTION AUTHORIZING PAYMENT TO ELECTION OFFICERS AND FOR POLLING PLACES IN
GENERAL MUNICIPAL ELECTION OF APRIL 9TH, 1935

---oOo---

WHEREAS, pursuant to General Municipal Election held April 9, 1935, 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 election;

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 their services; and that the said election officials serving in precincts outside the City of Modesto be paid the sum of \$ 3.00 for their services; and that the sum of \$ 5.00 be paid 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 held on the 10th day of April, 1935, by Commissioner Nesce, who moved its adoption, which motion being duly seconded, it was upon roll call adopted by the following vote:

Ayes: Councilmen: Neece, Rogers, and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: Brown

ATTEST: H.E. GRAGG

RESOLUTION NO. 3152-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 9th day of April, 1935, no candidate for the office of Mayor, of which there is one to be elected, received a majority of the votes cast, and only one candidate for the office of Councilman, of which there are two to be elected, received a majority of the votes cast.

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 23rd day of April, 1935, to fill the office of Mayor of the City of Modesto, and to fill the office of one Councilman of the City of Modesto, and that the names of James King and Roy E. Pack be placed upon the ballot to be voted on at such election for the office of Mayor, and that the names of G. D. Oliver, Jr., and Harold Rogers be placed upon the ballot to be voted on at such election for the office of Councilman.

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 officers; 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 9th, 1935.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of April, 1935, 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, Rogers, and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: Brown

Attest: H. E. GRAGG
CITY CLERK

RESOLUTION NO. 3153-N.S.

A RESOLUTION DIRECTING THAT THE MODESTO CITY SCHOOL DISTRICT BE BILLED FOR EXPENSES INCURRED IN CONDUCTING ELECTION IN AND FOR THE MODESTO CITY SCHOOL DISTRICT ON APRIL 9TH, 1935

---oOo---

WHEREAS, pursuant to the conducting of election in and for the Modesto City School District on April 9, 1935, for the purpose of electing three members of the Modesto City Board of Education; and

WHEREAS, the Council is of the opinion that the expense of conducting said election in that portion of the School District located outside of the City limits of the City of Modesto should be borne by the Modesto City School District and not by the taxpayers of the City of Modesto;

THEREFORE, BE IT RESOLVED that the City Auditor be and he is hereby directed to determine the cost of conducting the said General Election in and for the Modesto City School District in that territory within the District which lies outside of the corporate limits of Modesto, and to send a statement therefor to the Modesto City Board of Education for reimbursement to the City of Modesto.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of April, 1935, 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, Rogers, and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: Brown,

Attest: H. E. GRAGG
CITY CLERK

RESOLUTION NO.3154-N.S.

A RESOLUTION APPOINTING HOWARD KEELEY A MEMBER OF THE CITY PARK COMMISSION

--- oOo ---

WHEREAS, pursuant to resignation of Mr. Frederick Knorr from the City Park Commission on the 12th day of December, 1935, and

WHEREAS, the Council wishes to appoint a successor to Mr. Knorr;

BE IT THEREFORE, RESOLVED that Mr. Howard C. Keeley be and he is hereby appointed a member of the City Park Commission to fill the unexpired term of Mr. Knorr, to-wit: from and after this 10th day of April, 1935, to May 10th, 1937.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of April, 1935, 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, Rogers, and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

Attest: H. E. GRAGG
CITY CLERK

RESOLUTION NO.3155-N.S.

A RESOLUTION AUTHORIZING THE TRANSFER OF CERTAIN EQUIPMENT FROM THE FIRE DEPARTMENT TO THE MACHINE SHOP

--- oOo ---

WHEREAS, pursuant to the completion of Machine Shop at the City Corporation Yard at 8th and L Streets at this time there was filed with the Council a list of equipment heretofore purchased and used by the Fire Department which is contemplated being moved to the Machine Shop;

BE IT THEREFORE, RESOLVED that the transfer of said equipment as aforesated be and the same is hereby authorized, and the City Auditor directed to make such entries in his books as are necessary to effect the transfer of the items of the machinery and equipment so transferred from the Fire Department to the Machine Shop at the corporation yard.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of April, 1935, by Commissioner Rogers, who moved its adoption, which motion being duly seconded, it was upon roll call adopted by the following vote:

Ayes: Councilmen: Neece, Rogers, and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: Brown

Attest: H. E. GRAGG
CITY CLERK

RESOLUTION NO. 3156-N.S.

ADJOURNMENT

---oOo---

BE IT RESOLVED that this Council meeting now in session be and the same is hereby adjourned.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of April, 1935, 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, Rogers, and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: Brown

Attest: H. E. GRAGG
CITY CLERK

RESOLUTION NO. 3157-N.S.

A RESOLUTION REFERRING COMMUNICATION TO THE STANISLAUS BOYS' BAND

--- oOo ---

WHEREAS, communication has been received from the Department of Music of the California Pacific International Exposition at San Diego inviting the Modesto High School Band to participate in the exposition;

BE IT ~~THEREFORE~~, RESOLVED that the said communication be and it is hereby ordered referred to the Boys' Band Association officers.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of April, 1935, by Commissioner Neece, who moved its adoption, which motion being duly seconded, it was upon roll call adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

Attest: H. E. GRAGG
CITY CLERK

RESOLUTION NO. 3158-N.S.

A RESOLUTION ALLOWING CLAIM FOR DAMAGES TO INTERIOR OF HOUSE CAUSED BY
FLUSHING CITY SEWER

*** O)O ***

WHEREAS, Mrs. Marie Braun, 205 Jennie Street, has filed with this Council a claim in the amount of \$ 29.50 for damages to rugs in her residence resulting from the flushing of City Sewers on Jennie Street April 22, 1935; and

WHEREAS, the Council is of the opinion that the said claim is a just one and should be allowed;

BE IT THEREFORE, RESOLVED that the claim of Mrs. Marie Braun in the amount above stated be and the same is hereby allowed, and the City Clerk and Auditor instructed to draw the warrant therefor.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of April, 1935, by Commissioner Rogers, who moved its adoption, which motion being duly seconded, it was upon roll call adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

Attest: H. E. GRAGG
CITY CLERK

RESOLUTION NO. 3159-N.S.

A RESOLUTION APPROVING BOND OF ELECTRICAL CONTRACTOR, T. M. BAKER

---oOo---

WHEREAS, T. M. Baker has filed with this Council bond for conducting and carrying on the business of electrical contracting as provided by Ordinance No. 352-N.S.; and

WHEREAS, the said bond appears to be in proper form;

BE IT THEREFORE, RESOLVE that the said bond of T. M. Baker be and the same is hereby approved; and the City Clerk directed to issue to him electrical license as prayed for when all provisions of City ordinance relative to payment of electrical fee have been complied with.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of April, 1935, by Commissioner Rogers, who moved its adoption, which motion being duly seconded, it was upon roll call adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG
CITY CLERK

RESOLUTION NO. 3160-F.S.

A RESOLUTION AUTHORIZING PAYMENT OF SALARY TO WALTER ANDERSON DURING ILLNESS; AND
DIRECTING THAT HIS NAME BE DROPPED FROM CITY PAYROLL FROM AND AFTER
APRIL 15, 1935

-- oOo---

WHEREAS, the City Auditor has called to the attention of the Council the matter of payment of salary to Patrolman Walter Anderson during his illness over the period from January 26, 1935, to the present date, asking that the Council ratify his action in continuing to keep the name of Mr. Anderson on the City payroll.

THEREFORE, BE IT RESOLVED that the action of the City Auditor in retaining the name of Walter Anderson on the City payroll for the period from January 26, 1935, to the present date be and the same is hereby confirmed; and further directing that the name of Mr. Anderson be dropped from the Payroll from and after April 15, 1935.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of April, 1935, by Commissioner Brown, who moved its adoption which motion being duly seconded, it was upon roll call adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

Attest: H. E. GRAGG
CITY CLERK

RESOLUTION NO. 3161-U.S.

A RESOLUTION DETERMINING THE RESULT OF ELECTION

---oOo---

WHEREAS, a second municipal election was held in and for the City of Modesto on the 23rd day of April, 1935, for the purpose of electing one Mayor and one Councilman of the City of Modesto; and

WHEREAS, the City Council of the said City of Modesto is now on this 4th day of April, 1935, sitting as a canvassing board to canvass the result of said second municipal election and has received all of the returns of said election and finds that the same are in proper form, and have opened and canvassed the same and ascertained the result of said election as hereinafter stated.

NOW THEREFORE, BE IT RESOLVED, CERTIFIED AND DECLARED BY THE COUNCIL OF THE CITY OF MODESTO that said second municipal election in and for said City of Modesto was regularly called, held and conducted as required by law; that the proper and complete returns of said election have been made and received by the City Council; that the same have been properly canvassed; and that the returns so canvassed as aforesaid it appears and the Council so finds that at said second municipal election in and for said City of Modesto the total number of votes cast was 4121 votes; that the number of votes received by the respective candidates for Mayor were as follows:

James King 2410 Votes

Roy E. Pack 1635 Votes

That the number of votes received by James King is greater than one-half of the ballots cast at said second municipal election, and that said James King was elected to the office of Mayor of the City of Modesto, and that a certificate of election be issued to him as such under the hand and seal of the Clerk of the City of Modesto.

That the number of votes received by the respective candidates for Councilman were as follows:

G. D. Oliver 2391 Votes

Harold Rogers 1682 Votes

That the number of votes received by G.D. Oliver is greater than one-half the number of ballots cast at said second municipal election, and that said G.D. Oliver was elected to the office of Councilman of the City of Modesto, and that a certificate of election be issued to said G.D. Oliver as such under the hand and seal of the City Clerk.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of April, 1935, 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: Brown, Neece, Rogers, and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG
CITY CLERK

RESOLUTION NO. 3162-N.S.

A RESOLUTION AUTHORIZING THE PAYMENT TO ELECTION OFFICERS AND FOR POLLING BOOTHS
FOR THE SECOND GENERAL ELECTION

---oOo---

BE IT RESOLVED that those election officials serving in the Second General Municipal Election of April 23, 1935, be paid the sum of \$ 5.00 for their services; and that the sum of \$ 5.00 be paid for the use of those 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 held on the 24th day of April, 1935, by Commissioner Neece, who moved its adoption, which motion being duly seconded, it was upon roll call adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Beck

Noes: Councilmen: None

Absent: Councilmen: None

Attest: H. E. GRAGG
CITY CLERK

RESOLUTION NO. 3163-N.S.

A RESOLUTION CONFIRMING DISMISSAL OF EMPLOYEE IN PUBLIC WORKS DEPARTMENT

--- oOo---

BE IT RESOLVED that the action taken by Commissioner of Public Works, H. L. Rogers, in dismissing L. L. Brooks from the position of horticulturist in the Department of Public Works be and it is hereby confirmed; and

BE IT FURTHER RESOLVED that the appointment of J. M. Cole as successor to Mr. Brooks at the same wages heretofore in effect for the position and it is hereby ratified.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of April, 1935, by Commissioner Rogers, who moved its adoption, which motion being duly seconded, it was upon roll call adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Beck

Noes: Councilmen: None

Absent: Councilmen: None

Attest: H. E. GRAGG
CITY CLERK

RESOLUTION NO. 3164 - U.S.

A RESOLUTION AUTHORIZING THE RESTORATION OF SALARY AND WAGE CUTS TO EMPLOYEES FROM
AND AFTER JULY 1, 1935

---oOo---

WHERE AS, with the adoption of the annual budget for the fiscal year 1932-33 the Council found it necessary to make certain reductions in the salaries of the City employees either through direct cuts or by the requiring of two weeks vacation without pay or by reducing the number of working hours per week; and

WHEREAS, these reductions were made necessary by the financial depression existing throughout the nation at that time; and

WHEREAS, the Council made a promise to the City employees affected by the salary and wage reductions that the measure was a temporary emergency measure, and that, as soon as financial conditions showed improvement the salaries and wages would be restored to their former figure; and

WHEREAS the Council before the expiration of its term by virtue of the municipal elections held April 9, 1935, and April 23, 1935, wishes to make good its promise to employees, and after taking into consideration the fact that the cost of living during the past two years has risen over 20% of the former figure; and the fact that the federal government has restored the salaries of its employees to the figures in effect before the general depression; and the fact that private industry and corporations throughout the country have restored wage figures to their former level;

THEREFORE, BE IT RESOLVED that this Council does hereby go on record pledging the restoration of all salaries and wages of City employees to the figure in effect prior to the adoption of the budgets for the year 1932-33.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of April, 1935, by Commissioner Rogers, who moved its adoption, which motion being duly seconded, it was upon roll call adopted by the following vote:

Ayes: Councilmen: Brown, Nece, Rogers, and Mayor Pro Tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG
CITY CLERK

RESOLUTION NO.3165-N.S.

ADJOURNMENT

--oOo--

BE IT RESOLVED that this Council meeting now in session be and the same is hereby adjourned.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of April, 1935, by Commissioner Brown, who moved its adoption, which motion being duly seconded, it was upon roll call adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG
CITY CLERK

RESOLUTION NO. 3166-N.S.

A RESOLUTION DESIGNATING AND SELECTING THE VICE-PRESIDENT AND MAYOR PRO TEMPORE OF THE CITY

--- oOo ---

BE IT RESOLVED that pursuant to Section 19, Article XI of the Charter of the City of Modesto C.J. Stanley be and he is hereby designated and selected as the Vice-president of the Council of the City of Modesto to act as Mayor pro tempore during the temporary absence or disability of the Mayor, if any, and that G.D. Oliver, Jr. be selected as Mayor pro tempore of the City of Modesto in case of the temporary absence or disability of both the Mayor and the Vice President.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of May, 1935, by Councilman 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: Oliver, Pack, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: Neece

Attest: H. E. GRAGG
CITY CLERK

RESOLUTION NO. 3167-N.S.

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

---oOo---

WHEREAS, as the result of the general municipal elections held in the City of Modesto on April 9th, and April 23rd, 1935, James King has been elected and has qualified and is now the Mayor of the City of Modesto, and C. J. Stanley and G. D. Oliver, Jr. have been elected and have qualified and are now Councilmen of the City of Modesto, and together with Roy E. Pack and George F. Neece constitute the Council of said City; and

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

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

NOT THEREFORE, BE IT RESOLVED that Councilman G. D. Oliver, Jr. be and he is hereby designated as Commissioner of Finance and Revenue; that Councilman C. J. Stanley be and he is hereby designated Commissioner of Public Health and Safety; that Councilman Roy E. Pack be and he is hereby designated Commissioner of Public Works, and that Councilman George F. Neece be and he is hereby designated Commissioner of Public Supplies.

BE IT THEREFORE 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 resolutions of the City Council. Reference is hereby particularly made to Resolution No. 2655-N.S. which is continued in full force and effect, and reference is also made to Ordinance No. 377-N.S. as amended by 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 apart 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 8th day of May, 1935, by Councilman Stanley, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: Neece

ATTEST: H. E. GRAGG

CITY CLERK

RESOLUTION NO. 3168-N.S.
A RESOLUTION PERMITTING VICE-PRESIDENT STANLEY OR MAYOR PRO TEM. OLIVER TO SIGN
WARRANTS IN ABSENCE OF MAYOR KING

--- oOo ---

WHEREAS, Section 54 of the Charter of the City of Modesto stipulates and requires that every demand against the City of Modesto when allowed by the Council shall be signed by the President and Secretary or Clerk of said Council and a warrant numbered and dated the same as the demand shall be issued and signed by the same officers; and

WHEREAS, this Council of the City of Modesto has now organized by the selection and designation of C. J. Stanley as Vice President and G. D. Oliver, Jr. as Mayor Pro Tempore in case of a temporary absence or disability of both the Mayor and Vice President of the Council.

NOW THEREFORE, BE IT RESOLVED that in event of the temporary absence from the City of Modesto or the disability of James King, the Mayor of said City, the duties imposed upon the Mayor by said Section 54 shall be discharged by the Vice-president, C.J. Stanley, and he is hereby authorized, in event of such temporary absence or disability, to sign the demands and the warrants as specified in said Section 54.

BE IT FURTHER RESOLVED that in case of the temporary absence or disability of both the Mayor and Vice President, the Mayor Pro tem., G.D. Oliver, Jr., shall perform the duties imposed upon the Mayor by Said Section 54, and said G.D. Oliver, Jr., as Mayor pro tem. of the City of Modesto, is hereby authorized and empowered, in event of the absence or disability of both the Mayor and Vice President of the Council, to sign the demands against the City and the warrants issued therefor, as specified in said Section 54.

The foregoing resolution was introduced at the regular meeting of the Council of the City of Modesto held on the 8th day of May, 1954, by Mayor King, who moved its adoption, which motion being duly seconded was upon roll call carried and the resolution adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: Neece

ATTEST: H. E. GRAGG
CITY CLERK

RESOLUTION NO. 3169-N.S.

A RESOLUTION RESCINDING A RESOLUTION PREVIOUSLY ADOPTED RESTORING SALARIES

---oOo---

WHEREAS, at its regular meeting on the 24th day of April, 1934, the Council adopted a resolution, being Resolution No. 3164-MS., restoring salary and wage cuts theretofore made applicable to City officers and employees; and

WHEREAS, it now appears that said resolutions of April 24th, 1935, was adopted without due and proper consideration of all the factors entering into the situation and that instead of restoring salary and wage deductions heretofore made, it will be better for all concerned that further consideration be given to the matter of salaries and wages of City officials and employees, with a view to readjusting the same upon a fair and equitable basis.

THEREFORE, BE IT RESOLVED that said Resolution No. 3164-N.S. be and the same is hereby rescinded; that the salaries and wages in effect pursuant to resolutions and orders of the Council theretofore adopted be continued in force and effect until the further order 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 May, 1935, by Councilman Oliver, who moved its adoption, which motion being duly seconded, it was upon roll call adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: Neece

ATTEST: H. E. GRAGG
CITY CLERK

RESOLUTION NO. 3170-N.S.

A RESOLUTION ALLOWING CLAIMS FOR APRIL, 1935

---oOo---

WHEREAS, the claims against the City of Modesto for the month of April, 1935, having been heretofore audited and approved by the Council;

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

GENERAL FUND -----	\$ 17,549.99
WATER FUND -----	3,269.55
LIBRARY FUND -----	1,296.03
	<hr/>
TOTAL -----	\$ 22,115.57

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of May, 1935, by Commissioner Pack, who moved its adoption, which motion being duly seconded it was upon roll call adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: Neece

ATTEST: H. E. GRAGG
CITY CLERK

RESOLUTION NO. 3171-N.S.

ADJOURNMENT

---oOo---

BE IT RESOLVED that this Council meeting now in session be and the same is hereby adjourned out of respect to Commissioner Geo. F. Neece.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of May, 1955, by Commissioner Stanley, who moved its adoption, which motion being duly seconded, it was upon roll call adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: Neece

ATTEST: H. E. GRAGG
CITY CLERK

RESOLUTION NO. 3172-N.S.

A RESOLUTION ALLOWING CLAIM OF CITY ATTORNEY FOR VARIOUS ITEMS

---oOo---

WHEREAS, there has been filed with this Council a claim in amount of \$ 6.95 by the City Attorney for cash paid out for phone calls and fees for serving summons in matters pertaining to the City of Modesto;

BE IT THEREFORE RESOLVED that the said claim be and the same is hereby allowed, and the warrant heretofore drawn therefor is hereby approved.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 15th day of May, 1955, 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. 5173-N.S.

A RESOLUTION GRANTING TWO PERMITS FOR ERECTION OF TENTS FOR CONDUCTING RELIGIOUS SERVICES IN THE CITY OF MODESTO

---oOo---

WHEREAS, there is on file with this Council two petitions for the erection of tents for conducting religious services in the City of Modesto, as follows:

Four Square Gospel Church ---- Tent on Property known as
Lots 20 and 21 in Blk 113

Pentecostal Apostolic Church - Tent on property known as
Lots 30 and 31 in Blk 307

and

WHEREAS, after due consideration of the above petitions the Council is of the opinion that they should be granted with certain reservations;

THEREFORE, BE IT RESOLVED that permission be and the same is hereby granted to the applicants to erect the tents and conduct religious meetings as prayed for, providing that the said tents be erected under the direction and supervision of the City Engineer, and provided further that the permission so granted shall be revoked after two months from this date.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 13th day of May, 1935, 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, Oliver, Pack, Stanley, and Mayor King

Noes: Councilmen: None

Assent: Councilmen: None

ATTEST: H.E. GRAGG
CITY CLERK

RESOLUTION NO. 3174-N.S.

A RESOLUTION TAKING UNDER ADVISEMENT PETITION OF WOMEN'S IMPROVEMENT FOR CLUBHOUSE SITE
IN BLOCK 127

---oOo---

WHEREAS, the Women's Improvement Club has filed with this Council petition for a site for clubhouse in the present City park located at the corner of 17th and G Streets in Block 127, citing that at one time the City Council offered the site to their organization but that they were not in a position to accept the offer, but that at the present time they are in a position to accept the offer and proceed with their plans for the construction of a Clubhouse; and

WHEREAS, the Council wishes to give further consideration to the matter;

BE IT RESOLVED that the petition of the Women's Improvement Club as aforesaid be and the same is hereby taken under advisement; and

BE IT FURTHER RESOLVED that the City Clerk be and he is hereby directed to advise the Women's Improvement Club of the action taken by the Council.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 13th day of May, 1935, by Commissioner Pack, who moved its adoption, which motion being duly seconded, it was upon roll call adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

Attest: H. E. GRAGG
CITY CLERK

RESOLUTION NO 3175-N.S.

A RESOLUTION NAMING ROY E. PACK, 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, Roy E. Pack, is now Commissioner of Public Works;

BE IT THEREFORE, RESOLVED that Roy E. Pack, 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 special meeting of the City Council held on the 13th day of May, 1935, by Mayor King, 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. 3176-H.S.

A RESOLUTION AUTHORIZING THE MAYOR OF THE CITY OF MODESTO TO MAKE APPLICATIONS TO AND ENTER INTO CONTRACTS WITH THE STATE EMERGENCY RELIEF ADMINISTRATION

---oOo---

BE IT RESOLVED that J. H. King, Mayor of the City of Modesto, be and he is hereby authorized and empowered on behalf of the City of Modesto to make, sign and execute such applications to the State Emergency Relief Administration as he may deem proper and necessary for work projects and for the allocation to said projects and to the City of Modesto in connection therewith of such funds as may be necessary to accomplish the same; and to include in such applications such covenants and agreements on behalf of the City of Modesto as may be required by said State Emergency Relief Administration, and to obligate the City of Modesto to the performance thereof in so far as the same is not in conflict with the Charter of the City of Modesto or the laws of the State of California. The power and authority herein granted to and conferred upon said J. H. King, Mayor of the City of Modesto, shall extend to and include all matters and things incidental to and necessary to carry out the purposes of this Resolution, and to obtain for said City the benefit of any and every work project which may be allocated or allotted to said City by the State Emergency Relief Administration. And the said City of Modesto does hereby ratify and confirm any and every act that may be done or promise that may be made by said J. H. King, Mayor of the City of Modesto, under and by virtue of this Resolution.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 13th day of May, 1935, by Commissioner Stanley, who moved its adoption, which motion being duly seconded, it was upon roll call adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

RESOLUTION NO. 3177-N.S.

A RESOLUTION RELATIVE TO PURCHASE OF GRADER WITH GAS TAX FUNDS FROM STATE

--- oOo ---

WHEREAS, it appears that the City of Modesto will be entitled to a credit with the Department of Public Works of the State of California in the sum of approximately Twenty-Four Hundred Sixty-six and 07/100 Dollars (\$2466.07) at the end of the biennium, June 30th, 1935, on account of the $\frac{1}{2}\phi$ gas tax, and that there are not state highway routes within the City of Modesto upon which such funds need to be expended at this time; but that the City of Modesto does need a motor grader for the maintenance of its streets and has not sufficient funds available in its own budget to purchase the same.

THEREFORE, BE IT RESOLVED that the City of Modesto apply to the Division of Highways, Department of Public Works of the State of California for permission to have said unexpended balance used in the purchase of a grader, as aforesaid, to be used on projects designated by the Division of Highways in the City of Modesto for the next biennium; that the cost of such grader, if any, in excess of the amount available out of the funds above referred to, be paid directly to the City; that pursuant thereto the City Clerk be and he is hereby directed to advertise for bids for the purchase of such a grader, and that when such bids have been received and tabulated, that the same be submitted to the said Division of Highways; that the City Engineer be and he is hereby authorized and empowered to make such arrangements with the said Division of Highways as may be necessary to acquire for said City of Modesto such equipment out of the funds above stated, and that when, as and if such equipment is furnished to the said City of Modesto by the Division of Highways, that a proper credit be given to the Division of Highways for the purchase thereof to the extent of the unexpended balance owing to the City of Modesto at the end of the current biennium.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 13th day of May, 1935, by Councilman Neece, who moved its adoption, which motion being duly seconded, was upon roll call carried and the resolution adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H.E. GRAGG
CITY CLERK

RESOLUTION NO. 3178-N.S.

A RESOLUTION COMMENDING J. C. GARRISON FOR HIS SUPPORT OF CERTAIN LEGISLATION

--- oOo ---

WHEREAS, the City of Modesto is greatly interested in a certain measure now pending before the Legislature of the State of California limiting the liability of cities and counties to \$ 5000.00 for damages arising from defective conditions of sidewalks and other public property; and

WHEREAS, Honorable J.C. Garrison, a member of the Senate of the State of California from Stanislaus County, has already rendered very active and efficient aid in having said bill reported from the Judiciary Senate with a do pass recommendation and is actively supporting its passage in the Senate.

THEREFORE, BE IT RESOLVED that this Council express its appreciation to Senator Garrison for the active and efficient assistance thus rendered in this matter; that a certified copy of this resolution be mailed to Senator Garrison by the City Clerk, and that it be spread at large upon the Minutes of this meeting of the Council.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 8th day of May, 1935, by Mayor King, 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, Pack, Stanley, and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H.E. GRAGG
CITY CLERK

RESOLUTION NO. 3179-N.S.

A RESOLUTION REMITTING RENTAL CHARGE TO MODESTO REDS IN AMOUNT OF SIXTY DOLLARS

---oOo---

WHEREAS, it having been called to the attention of the Council that the Modesto Reds Baseball Team is now indebted to the City of Modesto in amount of \$ 60.00 for rental charged for Roosevelt Field on the dates of April 28th, 1935; May 5th, 1935; and May 12th, 1935, which sum the organization is unable to pay at the present time; and

WHEREAS, in consideration of the matter it is the unanimous opinion of the Council that the rental charge now in arrears should be remitted.

BE IT THEREFORE, RESOLVED that the sum of \$ 60.00 due the City of Modesto by the Modesto Reds Baseball Team for renting of Roosevelt Field on the above mentioned dates be and the same is hereby remitted.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 13th day of May, 1935, 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. 3180-N.S.

A RESOLUTION OPPOSING CERTAIN PROPOSED LEGISLATION TO DEPRIVE CITIES AND COUNTIES OF RIGHT TO LEVY AND COLLECT TAXES ON AUTOMOBILES

---oOo---

WHEREAS, the joint Revenue and Taxation Committee composed of members of both the Senate and Assembly, has voted in favor of recommending to the Legislature that the State tax automobiles on the basis of weight and value in lieu of personal property ad valorem levy of the cities and counties; and

WHEREAS, this proposed measure will very shortly be proposed and recommended to both houses of the State Legislature for passage; and

WHEREAS, the proposed measure will deprive cities and counties of a source of revenue which is rightfully theirs, and which would cause a serious deficit in city and county tax funds, placing a greater burden upon taxpayers;

THEREFORE, BE IT RESOLVED that the Council of the City of Modesto does hereby declare itself opposed to the said proposed measure as an encroachment upon the rights of cities and counties and as a potential menace to all taxpayers.

BE IT FURTHER RESOLVED that copies of this resolution be forwarded to State Senator Garrison and to Assemblyman Hugh Donnelly.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 13th day of May, 1955, by Commissioner Pack, who moved its adoption, which motion being duly seconded, it 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. 3181-N.S.

ADJOURNMENT

--- oOo ---

BE IT RESOLVED that this Council meeting now in session be and the same is hereby adjourned.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 13th day of May, 1955, 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, Oliver, Pack, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG
CITY CLERK

RESOLUTION NO. 3182-N.S.

A RESOLUTION ALLOWING CLAIM OF SUPAN AND BROWN FOR ELECTRIC HAMMER

--- oOo ---

WHEREAS, there has been filed with this Council a claim in amount of \$ 35.00 by Supan and Brown for one electric hammer purchased by the Department of Public Works;

BE IT THEREFORE, RESOLVED that the said claim be and the same is hereby allowed, and the warrant ordered drawn in payment thereof.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of May, 1935, 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, Pack, Stanley, and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

Attest: H. E. GRAGG
CITY CLERK

RESOLUTION NO. 3183-N.S.

(See Resolution No. 3196-N.S.)

A RESOLUTION COMPLETING PAYMENT TO ERNEST GREEN FOR MACHINE SHOP CONTRACT

--- oOo ---

WHEREAS, pursuant to Resolution No. 3126-N.S. allowing final payment to Ernest Green for the construction of Machine Shop at the Corporation Yard, less the sum of \$ 70.00 to cover claim filed against said contractor by the Modesto Steel Products Co., and the time having now elapsed for the instigation of suit by the said claimant for recovery of the said sum;

BE IT THEREFORE, RESOLVED that payment be and the same is hereby directed to be made to Ernest Green, contractor for the construction of the Machine Shop, completing the final payment therefor in accordance with contract entered into.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of May, 1935, 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, Oliver, Pack, Stanley, and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

Attest: H. E. GRAGG
CITY CLERK

RESOLUTION NO.3184-N.S.

A RESOLUTION GRANTING PERMITS TO CERTAIN APPLICANTS FOR BUSINESS BUILDINGS IN A RESIDENCE ZONE

---oOo---

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

- D. K. Weisbrod - to conduct business at 315 Maple Street, being Lots 1 and 2 in Block 415
- Japanese Assn. - to construct meeting hall at 618 Sixth Street, being Lots 25 and 26 in Block 31

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 petitions 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 to the above named applicants for permits as prayed for in their petitions:

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of May, 1935, 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, Oliver, Pack, Stanley, and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

Attest: H.E. GRAGG
CITY CLERK

RESOLUTION NO.3185-N.S.

A RESOLUTION DIRECTING THAT DEED BE EXECUTED TO THE SOUTHERN PACIFIC COMPANY FOR PORTION OF EIGHTH STREET

--- oOo ---

WHEREAS, pursuant to Resolution of Intention No. 218 and Resolution No. 2843-N.S., authorizing the transfer of title to a portion of 8th Street to the Southern Pacific Company in exchange for their deed to the City of Modesto of certain portions of 9th Street for widening said street to conform to highway specifications; and

WHEREAS, at this time the City Attorney submitted the deed in question in its final form for execution;

THEREFORE, BE IT RESOLVED that the Mayor and City Clerk be and they are hereby authorized and instructed to affix their signatures thereto on behalf of the City of Modesto, completing the property exchange as per agreement heretofore entered into by the City of Modesto with the Southern Pacific Company.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of May, 1935, 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, Oliver, Pack, Stanley, and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

Attest: H.E. GRAGG
CITY CLERK

RESOLUTION NO. 3186-N.S.

A RESOLUTION CREATING A COMMITTEE TO MAKE A SURVEY OF TRAFFIC PROBLEMS IN THE CITY
OF MODESTO

---oOo---

WHEREAS, there exists at the present time many problems and conditions of traffic in the City of Modesto that need some solution and correction;

BE IT THEREFORE, RESOLVED that a committee of seven members be and the same is hereby created to make a study of traffic and parking conditions in the City and to report their findings and recommendations to the City Council:

BE IT FURTHER RESOLVED that the Mayor be and he is hereby directed and authorized to appoint the seven members of said Committee.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of May, 1935, by Commissioner Stanley, who moved its adoption, which motion being duly seconded, it was upon roll call adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

Attest: H.E. GRAGG
CITY CLERK

MAYOR KING APPOINTED COMMITTEE AS FOLLOWS:

CHAIRMAN: C.A. WHERRY
LOGAN BOWEN, W.L. MARR, FELIX RANEY, CLYDE BOOTHE,
GEO. FREITAS, AND L.J. NEVRAUMONT

RESOLUTION NO.3157-N.S.

A RESOLUTION CREATING A COMMITTEE TO STUDY INSURANCE CARRIED BY THE CITY

--- oOo ---

WHEREAS it appears that some changes beneficial to the City of Modesto might be made in the insurance now carried on various city properties;

THEREFORE, BE IT RESOLVED that a committee of three members be and the same is hereby created to make a survey of all insurance carried by the City of Modesto and report to the Council any recommendations and suggestions for changes that might be beneficial to the City of Modesto.

BE IT FURTHER RESOLVED that Mayor King be and he is hereby empowered and directed to name the members of said committee.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of May, 1935, 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

MAYOR KING APPOINTED: CHAIRMAN: W.H. WESTMORELAND
WADE H. POWELL
E. W. ANDREWS

RESOLUTION NO.3188-N.S.

A RESOLUTION ASKING THE RESIGNATION OF TWO MEMBERS OF THE CITY PARK COMMISSION

---oOo---

BE IT RESOLVED that the City Attorney be and he is hereby directed to address a communication to Howard Keeley and to Mrs. Lora Brown, members of the City Park Commission, and ask that they submit their resignations from the said Commission.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of May, 1935, by Commissioner Oliver, who moved its adoption, which motion being duly seconded, it was upon roll call adopted by the following vote:

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

Noes: Councilmen: Neece

Absent: Councilmen: None

Attest: H.E. GRAGG
CITY CLERK

RESOLUTION NO. 3189-N.S.

A RESOLUTION CREATING A COMMITTEE OF THREE MEMBERS ON RENTAL LEASES FOR ROOSEVELT
FIELD IN THE 1936 SEASON

---oOo---

WHEREAS, communication has been received by the Council from Bert Lowry relative to permission granted him by Resolution No. 3083-N.S. for the use of Roosevelt Field for exhibition games in the spring of 1936, which communication asked certain concessions and set forth figures showing the benefits derived by the City from such games; and

WHEREAS, it appears that certain other parties are interested in obtaining a concession for the use of Roosevelt Field in 1936 also; and

WHEREAS, it is deemed advisable by the Council to make a study of the various propositions and proposals for the rental of Roosevelt Field.

THEREFORE, BE IT RESOLVED that Mayor King be and he is hereby authorized and directed to appoint a committee of three members of the Council to confer with Bert Lowry and other prospective lessees of Roosevelt Field and work out a rental arrangement therefor satisfactory to the lessees and acceptable to the City.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of May, 1935, 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, Stanley, Pack, and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

Attest: H. E. GRAGG
CITY CLERK

MAYOR KING APPOINTED: COMMISSIONERS NEECE, OLIVER, AND PACK

RESOLUTION NO. 3190-N.S.

ADJOURNMENT

--- oOo ---

BE IT RESOLVED that this Council meeting now in session be and the same is hereby adjourned.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of May, 1935, 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, Oliver, Pack, Stanley, and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

Attest: H. E. GRAGG
CITY CLERK

RESOLUTION NO. 3191-N.S.

A RESOLUTION ALLOWING CLAIMS FOR MONTH OF MAY, 1935

--- oOo ---

WHEREAS, the various claims against the City of Modesto for the month of May, 1935, having been heretofore audited and approved by the City Council;

BE IT THEREFORE, RESOLVED That all of the said claims so audited and approved be and the same are hereby allowed, reference being made to the Auditor's Cash Book for details relative to the various withdrawals from the Funds as follows:

GENERAL FUND -----	\$17,071.58
WATER FUND -----	3,945.13
LIBRARY FUND -----	1,448.88
UNAPPORTIONED FUND -----	12.68
TOTAL -----	\$22,478.27

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of June, 1935, 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. 3193-N.S.

A RESOLUTION GRANTING PERMIT TO MRS. J. W. DAVIS TO CONDUCT PHOTOGRAPH STUDIO IN RESIDENCE ZONE OF THE CITY OF MODESTO

--- oOo ---

WHEREAS, pursuant to petition of Mrs. John W. Davis filed with the City Clerk seeking permit to conduct and carry on the business of a photographic studio at her residence at 2111 Downey Avenue; and

WHEREAS, it appears from affidavits on file that due notices thereof have been posted and published by the City Clerk as required by Ordinance No. 364-N.S.; and

WHEREAS, this being the time set forth in said notices for the hearing of any and all protests to the granting of a permit to the applicant as prayed for, and there having been no protests, either oral or written, filed;

THEREFORE, BE IT RESOLVED that permit be and the same is hereby granted to the applicant to carry on the business as prayed for in the said petition.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of June, 1935, 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, Oliver, Pack, Stanley, and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

Attest: H. E. GRAGG
CITY CLERK

*See Page 38
for Res. No 3192-N.S.*

RESOLUTION NO. 3201-N.S.

ADJOURNMENT

---oOo---

BE IT RESOLVED that this Council meeting now in session be and the same is hereby adjourned.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of June, 1935, 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, Oliver, Pack, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H.E. GRAGG
CITY CLERK

RESOLUTION NO. 3192-N.S.

A RESOLUTION FAVORING PASSAGE OF CERTAIN PROPOSED MEASURE AS NOW AMENDED FOR THE STATE TAXATION OF ALL AUTOMOBILES

--- oOo ---

WHEREAS, a Communication has been received by the Council from the League of California Municipalities relative to the proposed measure now before the State Legislature providing for the State taxation of all automobiles and abolishing the powers of counties and cities to levy taxes thereon; and

WHEREAS, in view of the facts set forth in the said Communication the Council deems it advisable to favor the passage of the said proposed measure;

THEREFORE, BE IT RESOLVED that the Council does herewith express its approval of the ^{above mentioned} measure, as amended, granting to the State exclusive power to levy taxes on automobiles; and

BE IT FURTHER RESOLVED that copies of this Resolution be and the same are hereby ordered forwarded to Senator Garrison and Assemblyman Domeyly.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of June, 1935, 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, Oliver, Pack, Stanley, and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

Attest: H.E. GRAGG
CITY CLERK

RESOLUTION NO.3193-N.S.

A RESOLUTION GRANTING PERMIT TO MRS.J.W.DAVIS TO CONDUCT PHOTOGRAPH STUDIO IN RESIDENCE
ZONE OF THE CITY OF MODESTO

--- oOo ---

WHEREAS, pursuant to petition of Mrs. John W. Davis filed with the City Clerk seeking permit to conduct and carry on the business of a photographic studio at her residence at 2111 Downey Avenue; and

WHEREAS, it appears from affidavits on file that due notices thereof have been posted and published by the City Clerk as required by Ordinance No. 364-N.S.; and

WHEREAS, this being the time set forth in said notices for the hearing of any and all protests to the granting of a permit to the applicant as prayed for, and there having been no protests, either oral or written, filed;

THEREFORE, BE IT RESOLVED that permit be and the same is hereby granted to the applicant to carry on the business as prayed for in the said petition.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of June, 1935, 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, Oliver, Pack, Stanley, and Mayor King
Noes: Councilmen: None
Absent: Councilmen: None

Attest: H.E. GRAGG

CITY CLERK

RESOLUTION NO. 3194-N.S.

A RESOLUTION GRANTING PERMIT TO LUCILLE KIZER TO SELL 3.2% BEVERAGES

---oOo---

WHEREAS, application for license to sell 3.2% beverages has been filed with the City Council by Lucille Kizer, 7th and H Sts., which application has been duly approved by the Commissioner of Public Health and Safety;

BE IT THEREFORE, RESOLVED that license to sell 3.2% beverages be and the same is hereby authorized issued to the said applicant.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of June, 1935, by Commissioner Stanley, who moved its adoption, which motion being duly seconded, it was upon roll call adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

Attest: H. E. GRAGG
CITY CLERK

RESOLUTION NO. 3195-N.S.

A RESOLUTION GRANTING SUBSIDY TO THE CHAMBER OF COMMERCE FOR FOURTH OF JULY CELEBRATION PROVIDING FOR THE COOPERATION OF THE POLICE, FIRE AND PUBLIC WORKS DEPARTMENTS WITH THE CELEBRATION COMMITTEE AND NAMING COMMISSIONER OLIVER OFFICIAL TO REPRESENT THE CITY COUNCIL RELATIVE TO MATTERS PERTAINING TO THE CELEBRATION

--- oOo ---

WHEREAS, there has been filed with the Council petition of the Modesto Chamber of Commerce for a subsidy of \$ 200.00 for financing a four-day Fourth of July celebration, and asking for the aid of the Police, Fire and Public Works Departments in carrying out the details in preparing for the event, and further asking permission to hold motor boat races in Lake Modesto; and

WHEREAS, after due consideration of the petition;

IT IS HEREBY RESOLVED that a subsidy of \$200.00 be and the same is hereby granted to the Chamber of Commerce for financing a four-day Fourth of July Celebration, and the warrant therefor ordered drawn; and be it

FURTHER RESOLVED that the Police Department, Fire Department, and Public Works Department cooperate with the Chamber of Commerce in carrying out the details in preparing for the event; and be it

FURTHER RESOLVED that inasmuch as there is some doubt as to the City Council's jurisdiction over the portions of the River which would be used in holding motor boat races, Commissioner Oliver be and he is hereby named official to represent the City of Modesto in conferring with the Chamber of Commerce committee in the matter of motor boat races and such other matters as might come to his attention.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of June, 1935, 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. 3196-N.S.

A RESOLUTION FOR FINAL PAYMENT OF THE CORPORATION YARD CONTRACT WITH ERNEST GREEN

---oOo---

WHEREAS, that certain contract heretofore entered into by Ernest Green with the City of Modesto for the construction of a corporation yard was completed on February 6th, 1935, and the work accepted by the City of Modesto on the 13th day of February, 1935, and thereafter one claim was filed against the balance due Ernest Green by virtue of said contract, which claim was filed on the 6th day of March, 1935, and pursuant thereto the City Council of the City of Modesto withheld from the final payment due to said Ernest Green the sum of Seventy Dollars (\$70.00) to satisfy said claim; and

WHEREAS, more than ninety days have expired since said claim was filed, and no action to enforce the collection of the same has been commended, by virtue of which the City of Modesto has been cleared of liability on account of the filing of said claim.

THEREFORE, BE IT RESOLVED that a warrant be issued to Ernest Green for the amount withheld from him on said final payment pursuant to said claim or withhold notice, to-wit: the sum of Seventy Dollars (\$70.00). (Reference is hereby made to Sections 1184 and 1184a, Code of Civil Procedure.)

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of June, 1935, by Councilman 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, Oliver, Pack, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

Attest: H.E. GRAGG
CITY CLERK

RESOLUTION NO. 3197-N.S.

A RESOLUTION DIRECTING THAT BIDS BE CALLED FOR LAMP GLOBES FOR THE FISCAL YEAR
1935-1936

---oOo---

BE IT RESOLVED that the City Clerk be and he is hereby directed to advertise for bids for furnishing lamp globes to the City of Modesto for the fiscal year beginning July 1, 1935, and ending June 30, 1935, the said bids to be received at the regular meeting of June 26th, 1935.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of June, 1935, 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, Oliver, Pack, Stanley, and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

Attest: H.E. GRAGG
CITY CLERK

RESOLUTION NO. 3198-N.S.

A RESOLUTION ACCEPTING RESIGNATION OF MRS. LORA D. BROWN FROM THE CITY PARK COMMISSION

--- oOo ---

WHEREAS, pursuant to Resolution No. 3188-N.S., Mrs. Lora D. Brown has tendered her resignation from the City Park Commission to the City Council;

BE IT THEREFORE, RESOLVED that the resignation of Mrs. Brown be and the same is hereby accepted, and a vacancy on the Board of Park Commissioners is hereby declared.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of June, 1935, 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.3199-N.S.

A RESOLUTION APPOINTING MRS. G. H. BENKENDORF TO THE BOARD OF CITY PARK COMMISSIONERS

--- oCo ---

WHEREAS, pursuant to vacancy on the City Park Commission resulting from resignation of Mrs. Lora Brown therefrom; and to vacancy thereon resulting from expiration of term of J.A. Davis on May 10th, 1935;

BE IT THEREFORE, RESOLVED that Mrs. G. H. Benkendorf be and she is hereby appointed a member of the City Park Commission to fill the unexpired term of Mrs. Lora Brown, to-wit: from June 12, 1935, to May 10, 1936; and

BE IT FURTHER RESOLVED that J.A. Davis be and he is hereby reappointed a member of the City Park Commission for term dating from May 10, 1935, to May 10, 1936.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of June, 1935, 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. 3200-N.S.

A RESOLUTION ACCEPTING CERTAIN RECOMMENDATIONS OF INSURANCE COMMITTEE

---oCo---

WHEREAS, pursuant to appointment of Committee to make a survey of insurance carried by the City of Modesto and make such recommendations for the improvement of the present method for handling same; and

WHEREAS, the said Committee has submitted to the Council a written report setting forth certain recommendations; and

WHEREAS, after due consideration of the said recommendations the Council is in favor of adopting same with two exceptions;

THEREFORE, BE IT RESOLVED that the said recommendations included in said report be and the same are hereby adopted with the exception of that for the making of an appraisal of properties for establishing values thereof, and that for the carrying of public liability insurance for the ball park and golf course; reference being hereby made to said report now on file in the City Clerk's Office for further details relative to the said recommendations.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto Held on the 12th day of June, 1935, 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. 3201-N.S.

ADJOURNMENT

---oOo---

BE IT RESOLVED that this Council meeting now in session be and the same is hereby adjourned.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of June, 1935, 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, Oliver, Pack, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H.E. GRAGG
CITY CLERK

RESOLUTION NO.3202-N.S.

A RESOLUTION DIRECTING THE CHIEF OF POLICE TO STOP THE OPERATION OF THE MOTOR BUSES OF THE CITY TRANSIT COMPANY FOR FAILURE TO CARRY ADEQUATE INSURANCE

--- oOo ---

WHEREAS, pursuant to Ordinance No.306-N.S. of the City of Modesto, the City Council, on April 13th,1927, adopted Resolution No. 1233-N.S. entitled "A Resolution granting to the City Transit Company a permit to operate motor buses within the City of Modesto pursuant to the provisions of Ordinance No. 306-N.S."; and

WHEREAS, the said licensee, the City Transit Company, does not now have on file with the City Clerk a bond or policy of insurance with a solvent and responsible insurance company, as specified in Section 5"A" of said ordinance, and therefore, pursuant to said section, is not entitled to operate any motor buses pursuant to said ordinance and said permit or license.

THEREFORE, BE IT RESOLVED that until said City Transit Company files with the City Clerk a bond or policy of insurance, as specified in said section, its right to operate the buses provided for in said permit be and the same is hereby cancelled and revoked, as provided in said Section 5(A) of Ordinance 306-N.S.

BE IT FURTHER RESOLVED that the Chief of Police of the City of Modesto be and he is hereby instructed to serve a copy of this Resolution upon the City Transit Company and to carry out and enforce the terms of this resolution and order.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 19th day of June,1935, by Councilman Stanley who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

Attest: H. E. GRAGG
CITY CLERK

RESOLUTION NO. 3203-N.S.

ADJOURNMENT

---oOo---

BE IT RESOLVED that this Council meeting now in session be and the same is hereby adjourned.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 19th day of June,1935, 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, Oliver, Pack, Stanley, and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H.E. GRAGG
CITY CLERK

RESOLUTION NO. 3204-N.S.

A RESOLUTION AUTHORIZING APPRAISAL OF ALL CITY BUILDINGS FOR INSURANCE PURPOSES AND PROVIDING FOR THE ENGAGEMENT OF SERVICES OF MR. W.P. BARRY FOR CONDUCTING SUCH APPRAISAL AT A COMPENSATION OF FOUR HUNDRED AND SEVENTY-FIVE DOLLARS (\$475)

---oOo---

WHEREAS, pursuant to recommendation of the Committee appointed by the Mayor to study and make a survey of insurance carried by the City of Modesto that a survey be made of all City Buildings for valuation purposes by an experienced appraiser; and

WHEREAS, pursuant to communication received from W. P. Barry offers to make such appraisal for the City of Modesto for a compensation of \$ 475.00; and

WHEREAS, the Council is of the opinion that such survey will result in a considerable saving to the City for insurance costs;

BE IT THEREFORE, RESOLVED that the services of Mr. W. P. Barry are hereby ordered engaged for conducting an appraisal survey for determining valuations of all City buildings and contents for insurance purposes, and that the compensation to be paid for such service is hereby fixed at \$475.00.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of June, 1935, 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. 3205-N.S.

A RESOLUTION GRANTING LICENSE TO L. RATTI TO SELL 3.2% BEVERAGES

---oOo---

WHEREAS, Mr. L. Ratti has filed with this Council an application for a license to sell 3.2% beverages at his place of business at 822 9th Street; and

WHEREAS, the said application has been duly investigated and approved by the Commissioner of Public Health and Safety;

THEREFORE, BE IT RESOLVED that L. Ratti be and he is hereby granted a license to sell 3.2% beverages as prayed for in his application now on file.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of June, 1935, by Commissioner Stanley, who moved its adoption, which motion being duly seconded, it was upon roll call adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H.E. GRAGG
CITY CLERK

RESOLUTION NO. 3206-N.S.

A RESOLUTION GRANTING PERMIT TO H.F. LEDERLE TO CONDUCT A BUSINESS AT HIS RESIDENCE

--- oOo ---

WHEREAS, pursuant to the provisions of Ordinance No. 364-N.S., notices of the filing of petition of H. F. Lederle to conduct a business of selling novelties and concessionary supplies at 221 Locust Street were duly posted and published setting forth a time for hearing of protests to the granting of permit as prayed for; and

WHEREAS, this being the time set forth for such hearing in said notices and there being no protests either oral or written filed with the Council;

BE IT THEREFORE, RESOLVED that permit be and the same is hereby granted to the petitioner as prayed for for conducting business at his residence, 221 Locust St.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of June, 1935, 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, Oliver, Pack, Stanley, and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG
CITY CLERK

RESOLUTION NO. 3207-N.S.

A RESOLUTION GRANTING TEMPORARY PERMIT TO JOE SMITH FOR POPCORN WAGON AT SOUTHEASTERLY CORNER OF 11TH AND I STREETS

--- oOo ---

WHEREAS, there has been filed with this Council a petition of Joe Smith for permit to operate a popcorn wagon at the southeasterly corner of 11th and I Streets on the 11th Street side in front of the Regal Drug Store;

BE IT THEREFORE, RESOLVED that a temporary permit be and the same is hereby granted to the applicant to operate a popcorn wagon as petitioned, the said permit to be revocable at the will and pleasure of the City Council.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of June, 1935, by Commissioner Stanley, who moved its adoption, which motion being duly seconded, it was upon roll call adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG
CITY CLERK

RESOLUTION NO. 3208-N.S.

A RESOLUTION REINSTATING TAXICAB LICENSE OF EDW. HAWKINS UPON THE CONDITION THAT DRIVER GUILTY OF VIOLATION OF SPEEDING LAWS BE DISMISSED FROM HIS EMPLOY

---oOo---

WHEREAS, pursuant to citation of Mr. Edward Hawkins to appear before the Council and show cause why his license should not be revoked for the operation of a taxicab in Modesto; and

WHEREAS, the charges set forth in the citation are that a driver employed by Mr. Hawkins was arrested by City traffic officers on two occasions for violating speeding laws; and

WHEREAS, after a hearing of the replies to the charges, the Council is of the opinion that the license in question should be reinstated on certain conditions;

BE IT THEREFORE, RESOLVED that the taxicab license of Mr. Hawkins be and the same is hereby ordered reinstated on the express condition that he dismiss from his employ the driver guilty of the speeding charges; and

BE IT FURTHER RESOLVED that the said license will be liable to immediate revocation at the instance of any further violations of traffic laws coming to the attention of the Council.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of June, 1935, by Commissioner Stanley, who moved its adoption, which motion being duly seconded, it was upon roll call adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG
CITY CLERK

RESOLUTION NO. 3209-N.S.

A RESOLUTION DISQUALIFYING BID OF LOSHER & HODGERT, POSTPONING ACTION ON, AND REFERRING TO CITY ENGINEER BIDS FOR INCANDESCENT LAMP GLOBES

--- oOo ---

WHEREAS, pursuant to advertising for bids for incandescent lamp globes, and this being the time set forth for receiving of such bids, the City Clerk has reported nine bids on file; and

WHEREAS, it appears that no certified check or bidding bond accompanies the bid of Losher & Hodgert as specified in the notice to bidders; and

WHEREAS, the Council is desirous of postponing action on the remaining bids until a careful survey has been made to determine the lowest and best bid;

THEREFORE, BE IT RESOLVED that action on the said bids be and the same is hereby postponed until the next regular meeting of the Council; and

BE IT FURTHER RESOLVED that the said bids be and they are hereby referred to the City Engineer for tabulation and recommendation.

BE IT FURTHER RESOLVED that the bid of Losher and Hodgert be and the

same is hereby disqualified by virtue of the fact that no certified check or bidding bond accompanied the said bid.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of June, 1935, 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, Oliver, Pack, Stanley, and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

Attest: H. E. GRAGG
CITY CLERK

RESOLUTION NO. 3210-N.S.

A RESOLUTION ACCEPTING BID OF THE MODESTO BEE FOR PRINTING AND ADVERTISING CONTRACT

--- oOo ---

WHEREAS, pursuant to notice to bidders for printing and advertising contract for fiscal year ending June 30, 1936, 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 relative thereto;

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 1st, 1935, and ending June 30th, 1936, 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 abovementioned bid.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of July^{re}, 1935, 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. 3211-N.S.

A RESOLUTION RENEWING STATE COMPENSATION INSURANCE POLICY FOR THE FISCAL YEAR
1935-36

---oOo---

WHEREAS, there has been filed with this Council by the State Compensation Insurance for City employees for the coming fiscal year ending June 30, 1936; and

THEREFORE, BE IT RESOLVED that the renewal policy of the State Compensation Insurance Fund be and the same is hereby accepted by the City Council; and

BE IT FURTHER RESOLVED that the City Clerk and Auditor be and they are hereby directed to draw warrant for the premium therefor in the amount of \$2197.40 in the same manner and at the same time that the regular claims for the month of July are allowed.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of June, 1935, 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. 3212-N.S.

A RESOLUTION APPROVING PLUMBER'S BOND OF L. E. MOORE FOR CARRYING ON TRADE OF
PLUMBING IN THE CITY OF MODESTO

*** ** *

WHEREAS, there has been submitted to this Council for approval the bond of L. E. Moore for conducting, engaging in and carrying on the trade of plumbing in the City of Modesto, as provided by Ordinance No. 276-O.S.; and

WHEREAS, the said bond appears to be in due and proper form;

BE IT THEREFORE, RESOLVED that the bond of L. E. Moore be and the same is hereby approved by the City Council for the conducting, engaging in and carrying on the business of plumbing in the City of Modesto.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of June, 1935, 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, Oliver, Pack, Stanley, and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

Attest: H. E. GRAGG
CITY CLERK

RESOLUTION NO.3213-N.S.

A RESOLUTION PROVIDING FOR COOPERATION OF THE CITY OF MODESTO WITH THE S.E.R.A.RECREATIONAL COMMITTEE AND ALLOWING EXPENDITURE UP TO \$110.00 FOR EQUIPMENT FOR CARRYING OUT PLANS OF SAID COMMITTEE

--- oOo ---

WHEREAS, a petition and report of the Recreation Committee of Modesto asking the cooperation of the City of Modesto with the S. E. R. A. project for bettering recreational facilities in the City of Modesto was filed with this Council on June 12th, 1935; and

WHEREAS, after due consideration of the proposed work of the above named Committee in improving and increasing the scope of recreational facilities in Modesto, the Council is of the opinion that the City should cooperate in the project as petitioned;

THEREFORE, BE IT RESOLVED that the City of Modesto cooperate with the S.E.R.A. Recreation Committee as outlined in the aforementioned petition and report; and

BE IT FURTHER RESOLVED that the expenditure of the sum of not to exceed \$110.00 is hereby authorized for the supplying of equipment and for carrying out the plans of the Committee as aforesaid.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of June, 1935, 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.3214-N.S.

A RESOLUTION RESCINDING PORTION OF AGREEMENT WITH STANLEY SANDERS FOR RENTAL OF ROOSEVELT FIELD

--- oOo ---

WHEREAS, pursuant to entering into agreement with Stanley Sanders for the rental of Roosevelt Field on terms of \$20.00 flat rate rental for each game and a tax of 5¢ on each grandstand ticket sold for each game, it appears that that certain portion of the said agreement providing for the payment of a flat rate rental of \$20.00 for each game played in Roosevelt Field should be rescinded;

THEREFORE, BE IT RESOLVED that that portion of Agreement entered into by the City of Modesto with Stanley Sanders for the payment of a flat rate rental of \$20.00 for each game played in Roosevelt Field be and the same is hereby rescinded.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of June, 1935, 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.3215-N.S.

ADJOURNMENT

---oOo---

BE IT RESOLVED that this Council meeting now in session be and the same is hereby adjourned.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of June, 1935, 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, Oliver, Pack, Stanley, and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H.E. GRAGG
CITY CLERK

RESOLUTION NO.3215-N.S.

A RESOLUTION ALLOWING CLAIMS AGAINST THE CITY OF MODESTO FOR JUNE

--- oOo ---

WHEREAS, the various claims against the City of Modesto for the month of June, 1935, having been audited and approved by the Council;

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

GENERAL FUND -----	\$ 18,991.36
WATER FUND -----	4,627.89
LIBRARY FUND -----	961.60
BOND RED. INT. FUND -----	937.50
UNAPPORTIONED FUND -----	15.87

\$ 25,534.22

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of July, 1935, 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. 3217-N.S.

A RESOLUTION ALLOWING CLAIM OF THE MODESTO TERMINAL COMPANY FOR RIGHT OF WAY ON NINTH STREET INVOLVING THE REMOVAL OF WAREHOUSE OCCUPIED BY BAKER & CO. FROM A PORTION THEREOF, AS PER AGREEMENT HERETOFORE ENTERED INTO

---oOo---

WHEREAS, There has been presented to this Council the claim of the Modesto Terminal Company in amount of \$1,000.00 for the removal of warehouse occupied by Baker & Co. from a portion of right of way for the widening of Ninth Street at the intersection of 9th and B Streets in Block 48 as per agreement entered into for settlement of suit on June 14, 1935, by Resolution No. 2604-N.S.; and also claim in amount of \$ 150.00 for repairing of 9th Street at the intersection of 9th and B Street; and

WHEREAS, the claims are in due order, and have been duly checked and approved by the City Engineer;

BE IT THEREFORE, RESOLVED that the above mentioned claims of the Modesto Terminal Company in the aggregate amount of \$ 1,150.00 be and the same are hereby allowed, and the City Clerk and Auditor authorized to draw the warrant therefor.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of July, 1935, 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, Oliver, Pack, Stanley, and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

Attest: H. E. GRAGG
CITY CLERK

RESOLUTION NO. 3218-N.S.

A RESOLUTION DIRECTING THAT DELIVERY OF WARRANT TO THE MODESTO TERMINAL COMPANY
BE HELD UP PENDING STATEMENT OF RENTAL CREDIT DUE CITY OF MODESTO

--- oOo ---

WHEREAS, pursuant to Resolution No. 3217-N.S. providing for the payment of the sum of \$ 1150.00 to Modesto Terminal Company for removal of portion of warehouse occupied by Baker & Co. from Ninth Street right of way in Block 48 as per agreement entered into June 14, 1933; and

WHEREAS, under the terms of the above mentioned agreement, the said warehouse was to be permitted to remain upon the right of way in question until the expiration of the lease therefor in October, 1935, the City to be credited with the amount of difference between the rental paid by Baker & Co. for said warehouse and the rental if the same were removed from the right of way at the date of agreement; and

WHEREAS, the Modesto Terminal Co. has not filed with the City of Modesto a statement of credit or payment of credit as above set forth;

THEREFORE, BE IT RESOLVED that the City Clerk and Auditor be and he is hereby directed to hold up delivery of warrant to the Modesto Terminal Co. in amount above stated until such time as a complete statement of credit is filed showing amount of rental with which City was credited as per the terms of the above mentioned agreement.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of July, 1935, 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, Oliver, Pack, Stanley, and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

Attest: H.E. GRAGG
CITY CLERK

RESOLUTION NO.3219-N.S.

A RESOLUTION ALLOWING CLAIM OF DISTRICT ATTORNEY FOR EXPENSES IN RECKLESS DRIVING CASES

*

WHEREAS, pursuant to the filing of claim with the City Council by District Attorney, Leslie A. Cleary, for expenses involved in the prosecution of certain reckless driving cases in the Police Court; and

WHEREAS, in view of the fact that the City of Modesto obtained the fines imposed in the said cases as result of such prosecution;

THEREFORE, BE IT RESOLVED that the claim of Leslie A. Cleary in amount of \$ 60.00 for prosecution of certain reckless driving cases be and the same is hereby allowed, and the City Clerk and Auditor directed to draw the warrant therefor.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of July, 1935, by Commissioner Stanley, who moved its adoption, which motion being duly seconded, it was upon roll call adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

Attest: H.E. GRAGG
CITY CLERK

RESOLUTION NO.3220-N.S.

A RESOLUTION GRANTING PERMIT TO F.R. SHIFFERT TO CONDUCT BUSINESS IN RESIDENCE ZONE

---oOo---

WHEREAS, pursuant to filing of petition by F. R. Shiffert with the City Clerk for a permit to conduct a photographic studio at his residence at 602 4th Street; and

WHEREAS, notices thereof having been duly printed and posted as required by the City Zoning Ordinance No 364-N.S.; and

WHEREAS, this being the time set forth in said notices for the hearing of any and all protests to the granting of the permit as prayed for, and it appearing that no protests, either oral or written have been filed;

THEREFORE, BE IT RESOLVED that a permit be and the same is hereby granted to F. R. Shiffert to conduct a business, namely: a photographic studio, at his residence at 602 4th Street 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 July, 1935, 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, Oliver, Pack, Stanley, and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

H.E. GRAGG
Attest: CITY CLERK

RESOLUTION NO.3221-N.S.

A RESOLUTION AUTHORIZING THE REFUND OF BEER LICENSE FEES TO LUCILLE KIZER AND TO L. RATTI PURSUANT TO REPEAL OF ORDINANCE NO.442-N.S. BY ORDINANCE NO.487-NS

---oOo---

WHEREAS, pursuant to the filing of petition by Lucille Kizer for refund of annual license fee of \$ 25.00 for the sale of 3.2% beverages in the City of Modesto under the provisions of Ordinance No. 442-N.S., the license having been issued June 12th,1935; and

WHEREAS, a similar license was issued to L. Ratti on June 26th,1935, upon payment by him of the \$ 25.00 fee; and

WHEREAS, Ordinance No. 442-N.S. imposing the license fees for the sale of beverages of 3.2% alcoholic content was repealed by Ordinance No. 487-N.S., effective July 1st,1935;

BE IT THEREFORE, RESOLVED that the refund of license fees paid by Lucille Kizer and L. Ratti as aforesated be and the same is hereby authorized, and the City Clerk and Auditor directed to draw the warrants therefor.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of July,1935, by Commissioner Stanley, who moved its adoption, which motion being duly seconded, it was upon roll call adopted by the following vote:

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

Noes: Councilman: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG
CITY CLERK

RESOLUTION NO.3222-N.S.

A RESOLUTION DENYING REDUCTION IN WATER BILL TO H.T.CROW FOR THE HOTEL MODESTO

---oOo---

WHEREAS, pursuant to petition of H. T. Crow for an adjustment of water charges made for a stand-by service meter during the period February 11th,1935, to June 13th,1935, in amount of \$ 95.99; and

WHEREAS, after consideration of this matter by the Council it does not appear that the charges are erroneous but represent the true amount of cubic feet consumed;

THEREFORE, BE IT RESOLVED that the petition for adjustment of the said water charges be and the same is hereby denied, and the City Water Collector hereby authorized to proceed to collect the charges in the manner and method provided by City ordinance,

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of July,1935, 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, Oliver, Pack, Stanley

Noes: Councilmen: Mayor King

Absent: Councilmen: None

Attest: H.E. GRAGG
CITY CLERK

RESOLUTION NO. 3223-N.S.

A RESOLUTION EXEMPTING FROM PROVISIONS OF BUSINESS LICENSE ORDINANCE NO. 487-N.S. CHRISTIAN
SCIENTIST PRACTITIONERS

---- oOo ----

WHEREAS, pursuant to petition of Mrs. L. Chase heretofore made to the City Council for exemption of Christian Scientist practitioners from the business and professional license levied by general business license Ordinance No. 487-N.S.; and

WHEREAS, it is the unanimous opinion of the Council that the particular instance of religious practitioners was not intended to be licensed under provisions of the said ordinance;

BE IT THEREFORE, RESOLVED that the provisions of said Ordinance No. 487-N.S. be and the same are hereby interpreted by the City Council as not including Christian Scientist practitioners, or other religious practitioners, in the class of occupations or professions upon which a license is imposed.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of July, 1935, 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, Pack, Stanley, and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

Attest: H.E. GRAGG
CITY CLERK

RESOLUTION NO. 3224-N.S.

A RESOLUTION GRANTING PERMIT FOR SERVICE STATION TO GENERAL PETROLEUM CORPORATION

---oOo---

WHEREAS, pursuant to provisions of Section 1 of Ordinance No. 344-N.S., the General Petroleum Corporation has filed with this Council an application for a permit to construct and operate and maintain a gasoline service station on property known as the railroad reservation at the wouthwest corner of 9th and I Streets, upon the present Chamber of Commerce building site; and

WHEREAS, the City Engineer having duly approved the plans and details of construction of the proposed building, and finding the same to comply in other respects with ordinances of the City of Modesto;

BE IT THEREFORE, RESOLVED that permit be and the same is hereby granted to the General Petroleum Corporation for the erection, operation and maintenance of gasoline service station as prayed for, provided that such construction be under the supervision and control of the City Engineer with respect to compliance with all City ordinances pertaining thereto.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of July, 1935, 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, Oliver, Pack, Stanley, and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

Attest: H.E. GRAGG
CITY CLERK

RESOLUTION NO. 3225-N.S.

A RESOLUTION ACCEPTING BID OF KELLY & ZIMMERMAN FOR LAMP GLOBES

---oOo---

WHEREAS, pursuant to receiving of bids for incandescent lamp globes and to the postponement of action thereon until this time; and

WHEREAS, it appears that the bid of Kelly & Zimmerman is the lowest and best bid;

BE IT THEREFORE, RESOLVED that the bid of Kelly & Zimmerman for furnishing incandescent lamp globes to the City of Modesto during the fiscal year ending June 30th, 1936, be and the same is hereby accepted; and

BE IT FURTHER RESOLVED that the total price of the said globes to be furnished shall not exceed the sum of \$ 1200.00 during the said fiscal year.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of July, 1935, 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, Stanley, Pack, and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

Attest: H.E. GRAGG
CITY CLERK

See Page 53 for Res. 3226-N.S.

RESOLUTION NO.3227-V.S.

ADJOURNMENT

---oOo---

BE IT RESOLVED that this Council meeting now in session be and the same is hereby adjourned.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of July, 1935, 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, Oliver, Pack, Stanley, and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

Attest: H.E. CRAGG
CITY CLERK

RESOLUTION NO.3226-N.S.

A RESOLUTION PROVIDING FOR THE SALE OF REAL PROPERTY HERETOFORE CONVEYED TO THE CITY OF MODESTO AT TAX SALE

*** **

WHEREAS, heretofore, to-wit: on the 30th day of June, 1924, the Tax Collector issued to the City of Modesto a certificate of sale, being Certificate No. 1735, for delinquent City taxes and assessments for the fiscal year 1923 and 1924, upon the following described real property in the City of Modesto, to-wit:

Lots 37 and 38 in Block 591, according to the map or plat thereof on file in the office of the County Recorder of Stanislaus County, California;

and WHEREAS, thereafter no redemption having been made from said sale, the tax collector issued to the City of Modesto a deed conveying said property to the City pursuant to Ordinance No. 396-N.S.; and

WHEREAS, the Council of the City finds and hereby declares that in their judgment the said property is not at this time of value great enough so that it can be sold by the City for a sum equal to the amount of taxes, interest, costs, penalties, charges and expenses up to the date of sale, which amounts to the sum of \$ 149.47, and that it will be for the best interests of the City to sell said property for a sum not less than Fifty Dollars (\$50.00), in addition to the expenses of sale amounting to the sum of Five Dollars (\$5.00).

THEREFORE, THE TAX COLLECTOR of the City of Modesto is hereby authorized and directed to sell the property hereinabove described for the sum of not less than Fifty Dollars (\$50.00), together with the expense of the sale, amounting to the sum of Five Dollars (\$5.00), and that said tax collector be and he is hereby authorized and directed to give notice of the place, date and hour of sale and describe the property to be sold, and publish the said notice at least once a week for three successive weeks in the official newspaper of the City of Modesto, and thereupon and at the place, date and hour therein specified to offer said property for sale for an amount not less than

that in this resolution specified and directed.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 12th day of July, 1935, 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. 3228-NS.

A RESOLUTION CREATING THE POSITION OF CLERK OF THE POLICE COURT, DEFINING THE DUTIES THEREOF, APPOINTING KITTIE BRIGGS, AND PROVIDING FOR PAYMENT OF SALARY THEREFOR

*** **

WHEREAS, it appears that some time ago in the interest of economy only, the position of Clerk of the Police Court was abolished and discontinued; and

WHEREAS, it appears that the good of the public service and the expedition of public business demands the legal establishment of office of Clerk of the Police Court, and the designation of a person to fill the same;

NOW THEREFORE, BE IT RESOLVED that the office of Clerk of the Police Court be and the same is hereby established; that it shall be the duty of said office, including the filing of papers and the applying of entries on docket and register, and the minutes of the Court in relation thereto; that the said Clerk of the Police Court be authorized and instructed to sign warrants and other writs of the said Police Court in its jurisdiction; that the said Clerk be paid a salary of \$10.00 per month beginning July 1, 1935, out of the General Fund of the City of Modesto in the same manner that other employees of the City of Modesto are paid; that Mrs. Kittie Briggs be and she is hereby designated Clerk of the said Police Court to serve at the pleasure of the Council.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of July, 1935, 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, Pack, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H.E. GRAGG
CITY CLERK

RESOLUTION NO.3229-N.S.

A RESOLUTION DENYING PETITION OF E.R.McCREA FOR REFUND OF BEER LICENSE FEE

---oOo---

WHEREAS, E. R. McCrea filed an application for refund of beer license fee which was paid on October 10,1934, for a period of one year, and which, under provisions of Ordinance 487-N.S. ceased to be effective July 1,1935; and

WHEREAS, the Council having heretofore decided that no beer licenses in effect more than 30 days prior to July 1,1935, should be entitled to refund pursuant to the adoption of general business license Ordinance No. 487-N.S.;

BE IT THEREFORE, RESOLVED that the application for refund of E.R. McCrea 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 24th day of July,1935, by Commissioner Stanley who moved its adoption, which motion being duly seconded, it was upon roll call adopted by the following vote:

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

ATTEST: H.E. GRAGG
CITY CLERK

RESOLUTION NO.3230-N.S.

A RESOLUTION DENYING APPLICATION OF MRS. V.E.KOCH FOR TRANSFER OF BUSINESS LICENSE FEE

*** **

WHEREAS, Mrs. V. E. Koch has filed an application with this Council for the transfer of business license fee of \$ 5.00 heretofore paid pursuant to Ordinance 487-N.S. for the conducting of a lunch stand in the industrial district to apply on business license fee for a delicatessen store; and

WHEREAS, after due consideration of the facts in the case and the provisions of said Ordinance 487-N.S., it is the opinion of the Council that the petition should be denied;

BE IT THEREFORE, RESOLVED that petition of Mrs. V. E. Koch for transfer of business license fee of \$ 5.00 as above stated 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 24th day of July,1935, 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.3231-N.S.

ADJOURNMENT

---oOo---

BE IT RESOLVED that this Council meeting now in session be and the same is hereby adjourned.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 2-th day of July,1935, 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, Pack, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG
CITY CLERK

RESOLUTION NO.3232-N.S.

(THIS NUMBER NOT USED FOR RESOLUTION)

RESOLUTION NO.3233-N.S.

A RESOLUTION AUTHORIZING REFUND OF BUSINESS LICENSE DEPOSIT TO MRS. CARRIE UмбаUGH

--- oOo ---

WHEREAS, there has been filed with this Council petition of Mrs. Nellie Umbaugh for the refund to her of \$ 50.00 deposit made to the City License Collector in accordance with the provisions of Section 101 of Ordinance No. 487-N.S. covering the operation of a business in the City of Modesto setting forth that she is physically unable to work and is in need of the money during her illness; and

WHEREAS, the statements of the petitioner appear to be verified by certification of Dr. N.E. Gould;

BE IT THEREFORE, RESOLVED that refund of the said deposit to the petitioner be and the same is hereby authorized as prayed for.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 31st day of July,1935, 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 and Mayor King

Noes: Councilmen: None

Absent: Councilmen: Oliver

ATTEST: H. E. GRAGG
CITY CLERK

RESOLUTION NO. 3234-N.S.

A RESOLUTION ADJOURNING SPECIAL MEETING OF COUNCIL HELD JULY 31, 1935

--- oOo ---

BE IT RESOLVED that this Council meeting now in session be and the same is hereby adjourned.

The foregoing resolution was introduced at a special meeting of the Council held on the 31st day of July, 1935, 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 Veece, Pack, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: Oliver

ATTEST: H.E. GRAGG
CITY CLERK

RESOLUTION NO. 3235-N.S.

A RESOLUTION PROVIDING FOR DISMISSAL OF CITY EMPLOYEES UPON FAILURE TO PAY DEBTS; AND PROHIBITING ADVANCES ON SALARIES

---oOo---

WHEREAS, complaints frequently are made to the City Council that a City employee has failed to pay a financial obligation within a reasonable time; and

WHEREAS, the Council feels that City employees are sufficiently remunerated for their services to permit them to pay their debts promptly; and

WHEREAS, the failure of City employees to maintain their credit rating by prompt payment of financial obligations tends to reflect upon the City administration;

THEREFORE, BE IT RESOLVED that in the future when any complaint is made to the Council that a City employee has failed to pay a just debt claim, and the Council is satisfied that the claim of the creditor is a bona fide and legal indebtedness, the Council will allow said employee a period of time of not to exceed ten (10) days in which to take care of the obligation and upon failure so to do within the said specified time, the Council shall cause said employee to be dismissed from the services of the City, unless there be shown good and sufficient cause why such action should not be taken.

BE IT FURTHER RESOLVED that inasmuch as it frequently happens that City employees apply to the City Auditor for an advance of a portion of salary before the regular date for payment of salaries to employees, the City Auditor be and he is hereby directed to make no such advances in the future, unless it be a case of extreme emergency.

BE IT FURTHER RESOLVED that a copy of this resolution be placed in the hands of each and every employee of the City of Modesto.

BE IT FURTHER RESOLVED that the provisions of this resolution shall become effective from and after October 1st, 1935, in order that all City employees may have opportunity to clear up any delinquent indebtedness heretofore accrued.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 7th day of August, 1935, by Commissioner Stanley, who moved its adoption, which motion being duly seconded, it was upon roll call adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG
CITY CLERK

RESOLUTION NO. 3236-N. S.

A RESOLUTION AUTHORIZING REFUND OF TRUCK LICENSE FEE TO THOSE PERSONS PAYING
FEE IMPOSED PRIOR TO AMENDMENT OF ORDINANCE

--- oOo ---

WHEREAS, pursuant to amending of Ordinance No. 487-N. S. reducing
the amount of truck license fee from \$10.00 per quarter to \$ 5.00 per quarter;

BE IT RESOLVED that refunds to those persons who have heretofore
paid the \$10.00 license fee as aforesaid be and the same is hereby authorized, the
City Auditor being herewith directed to make such refunds when application is
made therefor by the said licensees.

The foregoing resolution was introduced at a special meeting of the
Council of the City of Modesto held on the 7th day of August, 1935, by Commissioner
Oliver, who moved its adoption, which motion being duly seconded, it was upon
roll call carried and the resolution adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG
CITY CLERK

RESOLUTION NO. 3237-N. S.

A RESOLUTION OFFICIALLY ADOPTING PROPOSED BUDGET FOR 1935-36

---oOo---

WHEREAS, the budget of estimated expenditures of the various
departments of the City of Modesto for the fiscal year beginning July 1, 1935,
and ending June 30, 1935, 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, ref-
erence 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 7th day of August, 1935, 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, Oliver, Pack, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG
CITY CLERK

RESOLUTION NO. 3238-N.S.

ADJOURNMENT:

--oOo--

BE IT RESOLVED that this Council meeting now in session be and the same is hereby adjourned.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 7th day of August, 1935, 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, Oliver, Pack, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H.E. GRAGG
CITY CLERK

RESOLUTION NO. 3239-N.S.

A RESOLUTION OF THE BOARD OF EQUALIZATION AUTHORIZING TAX ADJUSTMENT IN TAXES OF SHACKELFORD-ULLMAN COMPANY

---oOo---

WHEREAS, petition of Shackelford Ullman Company for a reduction of the valuation placed by the Assessor upon its personal property as the result of error in determining and computing the same has been filed with the Board of Equalization; and

WHEREAS, the said Board is of the unanimous opinion that such reduction should be authorized and refund made for the taxes paid on such erroneous valuation;

THEREFORE, BE IT RESOLVED that the City Assessor be and he is hereby authorized and directed to reduce the valuation of property assessment of Shackelford Ullman Company for the year 1935-36 from \$ 17,360.00 to \$ 13,900.00; that refund of taxes in the amount of \$ 44.98 be and the same is hereby authorized made; and that the Un-secured Personal Property Tax Roll be corrected accordingly.

The foregoing resolution was introduced at a meeting of the City Board of Equalization held on August 9, 1935, by Commissioner Oliver, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

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

Noes: Councilmen: None

Absent; Councilmen: None

ATTEST: H.E. GRAGG
CITY CLERK

RESOLUTION NO. 3240-N.S.

A RESOLUTION OF THE BOARD OF EQUALIZATION ADJUSTING ASSESSMENT OF HENRY DAY

---oOo---

WHEREAS, petition of Henry Day having heretofore been filed with this City Board of Equalization for adjustment of assessed valuations on property owned by him, and having been duly considered by the Board;

BE IT THEREFORE, RESOLVED that the City Assessor be and he is hereby authorized and directed to lower the assessed valuation of the improvements on Lots 29 and 30 in Block 24 by \$ 200.00; that any adjustment or reduction in the values of Lots 6 and 7 in Block 18 and Lots 11 and 12 in Block 41 be and the same is hereby denied.

The foregoing resolution was introduced at the meeting of the City Board of Equalization held on the 9th day of August, 1935, by Commissioner Oliver who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H.E. GRAGG
CITY CLERK

RESOLUTION NO. 3241-N.S.

A RESOLUTION OF THE BOARD OF EQUALIZATION ADJUSTING ASSESSMENT OF

R. L. WARD

---oOo---

WHEREAS, petition of R.L. Ward for reduction in amount of assessment on merchandise inventory of the Ward Furniture Company having been duly considered by the City Board of Equalization; and

WHEREAS, it is the unanimous opinion of the Board that some reduction should be made in view of the facts set forth;

BE IT THEREFORE, RESOLVED that the City Assessor be and he is hereby authorized and directed to make a reduction in the assessment on merchandise inventory of the Ward Furniture Company in amount of \$ 5,985.00, and to correct the General Assessment Roll accordingly.

The foregoing resolution was introduced at the meeting of the City Board of Equalization held on the 9th day of August, 1935, by Commissioner Oliver, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H.E. GRAGG
CITY CLERK

RESOLUTION NO. 3242-N.S.

A RESOLUTION OF THE BOARD OF EQUALIZATION ADJUSTING ASSESSMENT OF D. & G. D. PLATO

--- oOo ---

WHEREAS, the petition of Melville Harris for reduction in amount of assessment on merchandise inventory of D. & G.D.Plato's store, having been duly considered by this City Board of Equalization; and

WHEREAS, it is the unanimous opinion of the Council that some reduction should be made in view of the facts set forth in said petition;

THEREFORE, BE IT RESOLVED that the Assessor of the City of Modesto be and he is hereby directed to make a reduction in the assessment on merchandise inventory of D. & G. D. Plato in amount of \$ 2465.00; directing that a refund of \$ 32.05 be made on the amount of the reduction; and directing that the Unsecured Personal Property Tax Assessment Roll be so corrected.

The foregoing resolution was introduced at a meeting of the City Board of Equalization held on the 9th day of August, 1935, by Commissioner Cliver, who 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, Pack, Stanley and Mayor King

Noes: Councilmen: None

Absent; Councilmen: None

ATT ST: H. E. GRAGG
CITY CLERK

RESOLUTION NO. 3243-N.S.

A RESOLUTION OF THE BOARD OF EQUALIZATION DENYING REDUCTIONS IN ASSESSED VALUATIONS TO CERTAIN PETITIONERS FOR SUCH REDUCTIONS

--- oOo ---

WHEREAS, there have been filed with this City Board of Equalization petitions of the following persons for reductions in assessments of properties owned or controlled by them:

J. D. COZAD
MISS CORD A STONE
GEO. FRIEND
MRS. L.D. SPICER
OSCAR L. BEAM

E. E. BURT
ROBT. E. SMITH
THERESA RICHARDS
A. P. WISECARVER

and

WHEREAS, the requests of the above petitioners have been carefully considered by the Board; and

WHEREAS, it is the unanimous opinion of the Board that the assessments heretofore made by the City Assessor are reasonable, correct and just and entirely in line with the assessment valuations on other properties of like nature and location throughout the City;

THEREFORE, BE IT RESOLVED that reductions in assessments of properties owned or controlled by the above named petitioners be and the same are hereby denied; and the City Clerk directed to write to each petitioner setting forth the findings of the Board in each instance.

The foregoing resolution was introduced at the meeting of the City Board of Equalization held on the 9th day of August, 1935, 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. 3244-N.S.

A RESOLUTION ADJOURNING THE CITY BOARD OF EQUALIZATION

--- oOo ---

WHEREAS, the Modesto City Board of Equalization has convened and conducted its meetings as required by State Statute and the Charter of the City of Modesto; and

WHEREAS, there is no unfinished business pending before the Board;

BE IT THEREFORE, RESOLVED that the Modesto City Board of Equalization for the year 1935 be and the same is hereby adjourned sine die.

The foregoing resolution was introduced at the final meeting of the Modesto City Board of Equalization held on the 9th day of August, 1935, 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. 3245-N.S.

A RESOLUTION GRANTING FREE LICENSE TO DISABLED VETERANS ORGANIZATION FOR BOXING AND WRESTLING EXHIBITIONS IN THE CITY

---oOo---

WHEREAS, pursuant to request heretofore made to the Council by the Disabled American Veterans for exemption from license provisions of Ordinance No. 437-N.S., pertaining to boxing and wrestling exhibitions; and

WHEREAS, at this time Attorney McVey has presented to the Council certification and proof of the the funds derived from such exhibitions being used for charitable purposes only;

THE REFERENCE, BE IT RESOLVED that the City Clerk and License collector be and he is hereby instructed to issue a free license to the Disabled American Veterans for the holding of boxing and wrestling exhibitions as aforesaid.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of August, 1935, 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, Stanley and Mayor King
Noes: Councilmen: None
Absent: Councilmen: Pack

ATTEST: H. E. GRAGG
CITY CLERK

RESOLUTION NO. 3245-N.S.

A RESOLUTION GRANTING FREE LICENSE TO DISABLED VETERANS ORGANIZATION FOR BOXING AND WRESTLING EXHIBITIONS IN THE CITY

--- oOo ---

WHEREAS, pursuant to request heretofore made to the Council by the Disabled American Veterans for exemption from license provisions of Ordinance No. 487-N.S., pertaining to boxing and wrestling exhibitions; and

WHEREAS, at this time Attorney McVey has presented to the Council certification and proof of the funds derived from such exhibitions being used for charitable purposes only;

BE IT THEREFORE, RESOLVED that the City Clerk and License Collector be and he is hereby instructed to issue free license to the Disabled American Veterans for the holding of boxing and wrestling exhibitions as aforesaid.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of August, 1935, 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, Stanley and Mayor King
Noes: Councilmen: None
Absent: Councilmen: Pack

ATTEST: H. E. GRAGG
CITY CLERK

RESOLUTION NO. 3246-N. S.

A RESOLUTION ALLOWING CLAIMS AGAINST CITY FOR MONTH OF JULY, 1935

---oOo---

WHEREAS, claims against the City of Modesto for the month of July, 1935, having been heretofore audited and approved by the Council;

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

GENERAL FUND -----	\$ 24,865.58
WATER FUND -----	5,247.31
LIBRARY FUND -----	1,330.84
ST. BOND RED. INT. FUND -----	45,007.38
BOND RED. INT. FUND -----	7,112.50
TOTAL -----	\$ 83,563.61

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of August, 1935, 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, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: Pack

ATTEST: _____
CITY CLERK

RESOLUTION NO. 3247-N. S.

A RESOLUTION CANCELLING WARRANT DRAWN IN SUM OF \$75 TO LEAGUE OF MUNICIPALITIES

---oOo---

WHEREAS, there was presented to the Council for approval a warrant in the sum of \$ 75.00 drawn in favor of the League of California Municipalities for the City of Modesto's share of expense in sending expert valuation engineers and attorneys before the Board of Equalization in connection with the return of valuations of utilities to the cities by the said Board, and in view of the fact that no formal statement for same had been filed by the said League with the Council;

BE IT THEREFORE, RESOLVED that the City Clerk and Auditor be and he is hereby directed to cancel said warrant and postpone the payment of the said contribution pending rendition of statement therefor by the said League.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of August, 1935, 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, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: Pack

ATTEST: H. E. GRAGG
CITY CLERK

RESOLUTION NO. 3248-N.S.

A RESOLUTION AUTHORIZING AND DIRECTING A PROTESTS TO BE MADE AGAINST THE VALUATIONS
PLACED BY THE STATE BOARD OF EQUALIZATION UPON PUBLIC UTILITY PROPERTIES

--- oOo ---

WHEREAS, pursuant to Section 1, Article IV of the Constitution of the State of California and to Sections 3663a and 3663b of the Political Code, the State Board of Equalization has tentatively placed a valuation of \$ 1,203,260.00 upon the public utility properties within the City of Modesto for assessment purposes; and

WHEREAS, the said amount is the same as that placed by said Board of Equalization upon the same property for the purpose of County taxes; and

WHEREAS, the assessed valuation of common property within the City of Modesto as made by the City assessor is greatly in excess of that made by the County assessor for County taxation, and therefore the tentative valuation placed upon the public utility properties by the State Board of Equalization is wholly out of line with the valuations placed upon similar property by the assessor of the City of Modesto for municipal purposes, and will result in gross inequalities.

THEREFORE, BE IT RESOLVED that H. E. Gragg, auditor and chief accounting officer of the City of Modesto, be and he is hereby directed to prepare and file with the State Board of Equalization a protests against the tentative assessment or valuation now placed upon said property, and to request that said tentative valuations be increased to correspond with the valuations placed upon similar property ^{the} in/City of Modesto by the City Assessor.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of August, 1935, by Councilman Oliver, who moved its adoption, which motion being duly seconded, was upon roll call carried and the resolution adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: Paack

ATTEST: H. E. GRAGG
CITY CLERK

RESOLUTION NO.3249-N.S.

A RESOLUTION DELEGATING FIRE CHIEF, GEO. E. WALLACE, TO ATTEND CONVENTION OF
FIRE CHIEFS

---oOo---

WHEREAS, pursuant to receipt of communication from the Pacific Coast Association of Fire Chiefs relative to convention of that organization from September 9th to 11th, 1935, in Sacramento;

BE IT RESOLVED that Fire Chief Geo. E. Wallace be and he is hereby named a delegate of the said convention, the expenses incurred to be paid by the City of Modesto.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of August, 1935, by Commissioner Stanley, who moved its adoption, which motion being duly seconded, it was upon roll call adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: Pack

ATTEST: H.E. GRAGG
CITY CLERK

RESOLUTION NO.3250-N.S.

A RESOLUTION ACCEPTING APPRAISAL SURVEY MADE BY W.P. BARRY OF ALL CITY BUILDINGS
AND CONTENTS FOR INSURANCE PURPOSES

---oOo---

WHEREAS, pursuant to Resolution No. 3204-N.S. engaging the services of W. P. Barry for making a complete survey of City buildings and contents for insurance purposes; and

WHEREAS, at this time Mr. Barry has submitted to the Council the said insurance appraisal survey, together with communication reciting that the Mc-Henry Library had not been included in the original list of buildings upon which his quotation for services was made, and that he had accordingly made an additional nominal charge of \$ 24.00 for same, bringing the total amount of \$ 499.99 for the said survey;

THEREFORE, BE IT RESOLVED that the appraisal report of Mr. Barry be and the same is hereby accepted by the Council; and that the City Clerk and Auditor be and he is hereby directed to issue warrant to Mr. Barry in the sum of \$ 499.00 in payment therefor.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of August, 1935, 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, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: Pack

ATTEST: H.E. GRAGG
CITY CLERK

RESOLUTION NO. 3251-N.S.

A RESOLUTION GRANTING FIRE PROTECTION OUTSIDE CITY LIMITS TO R. FAIR

---oOo---

WHEREAS, pursuant to petition of R. Fair for fire protection to buildings proposed to be erected by him outside the City limits for carrying ^{on} a dried fruit packing business, and to the subsequent reference of same to Commissioner Stanley and the Fire Chief for investigation of the request and recommendation thereon; and

WHEREAS, at this time the said Committee has reported that it would seem to the best interest of all parties concerned to grant fire protection as petitioned to R. Fair, in consideration of the payment of the sum of \$100.00 to the City of Modesto each year for stand-by service, and the sum of \$ 50.00 for each truck called to respond to a fire alarm at the said building;

THEREFORE, BE IT RESOLVED that fire protection be and the same is hereby granted to R. Fair on the above outlined basis; and agreement authorized to be drawn up including the said provisions, the said agreement to be executed on behalf of the City of Modesto by its Mayor and City Clerk.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of August, 1935, by Commissioner Stanley, who moved its adoption, which motion being duly seconded, it was upon roll call adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: Paack

ATTEST: H. E. GRAGG
CITY CLERK

RESOLUTION NO. 3252-N.S.

A RESOLUTION GRANTING FIRE PROTECTION TO DRYDEN POULTRY FARM UNDER CERTAIN CONDITIONS

---oOo---

WHEREAS, pursuant to requests heretofore made to various city officials by the Dryden Poultry Farm for fire protection to their buildings outside the City limits; and

WHEREAS, it is unanimously decided by the Council that such protection should be granted;

BE IT THEREFORE, RESOLVED that there is hereby granted to the Dryden Poultry Farm fire protection, when and if agreement is entered into containing provisions for payment to the City of Modesto of the sum of \$ 150.00 per year for stand-by service, and the sum of \$ 50.00 for each truck called to respond to fire alarm at the premises; and providing that such agreement be executed on behalf of the City of Modesto by its Mayor and City Clerk.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of August, 1935, by Commissioner Stanley, who moved its adoption, which motion being duly seconded, it was upon roll

call adopted by the following vote:
Ayes: Councilmen: Neece, Oliver, Stanley and Mayor King
Noes: Councilmen: None
Absent: Councilmen: Paack

ATTEST: H. E. GRAGG
CITY CLERK

RESOLUTION NO. 3253-N.S.

A RESOLUTION APPROVING PLUMBER'S BOND OF CALIFORNIA METAL & PIPE COMPANY

---oOo---

WHEREAS, there has been filed with this Council for approval the bond of California Metal & Pipe Co. for conducting and carrying on the business of plumbing in the City of Modesto; and

WHEREAS, the said bond appears to be in proper form but has not yet been thoroughly investigated by the City Engineer;

BE IT THEREFORE, RESOLVED that the said bond be and it is hereby approved, subject, however, to revocation upon adverse report of the City Engineer after investigation of the qualifications of the applicants.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of August, 1935, 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, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H.E. GRAGG
CITY CLERK

RESOLUTION NO. 3254-N.S.

A RESOLUTION AUTHORIZING THE MAYOR OR MAYOR PRO TEMPORE AND THE CITY ENGINEER OF THE CITY OF MODESTO TO MAKE APPLICATIONS TO AND ENTER INTO CONTRACTS WITH THE WORKS PROGRESS ADMINISTRATION OR THE PUBLIC WORKS ADMINISTRATION

* * * *

BE IT RESOLVED that J. H. King, Mayor of the City of Modesto, be and he is hereby authorized and empowered by and on behalf of the City of Modesto to make, sign and execute such applications to the Works Progress Administration and/or the Public Works Administration as he may deem proper and necessary for work projects and for the allocation to said projects and to the City of Modesto in connection therewith of such funds as may be necessary to accomplish the same; and to include in such applications such covenants and agreements on behalf of the City of Modesto as may be required by said Administrations; and to obligate the City of Modesto to the performance thereof in so far as the same is not in conflict with the Charter of the City of Modesto or the laws of the State of California.

BE IT FURTHER RESOLVED that during the, if any, temporary absence or disability of the said Mayor, Carl J. Stanley, the Vice President of the Council, shall act in the place and stead of the Mayor with the authority and power by this Resolution granted to the Mayor.

BE IT FURTHER RESOLVED that F.J. Rossi, the City Engineer, of the City of Modesto, shall act as the sponsor's agent in and about such applications and the performance of contract entered into as the result thereof.

BE IT FURTHER RESOLVED that the power and authority herein granted to and conferred upon said J. H. King, Mayor of the City of Modesto, and

/or Carl J. Stanley as Mayor pro tempore, and/or F.J.Rossi as City Engineer, shall extend to and include all matters and things incidental to and necessary to carry out the purposes of this Resolution and to obtain for said City of Modesto the benefit of any and every work project which may be allocated or allotted to said City by said Administration, or either of them. And the said City of Modesto and its City Council do hereby ratify and confirm any and every act that may be done or promise that may be made by said J. H. King and/or Carl J. Stanley and/or said F.J.Rossi under and by virtue of this Resolution.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of August, 1935, by Councilman Neece, who moved its adoption, which motion being duly seconded, was upon roll call carried, and the resolution adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: Pack

ATTEST: H.E.GRAGG
CITY CLERK

RESOLUTION NO. 3255-N.S.

A RESOLUTION FIXING SALARIES OF CERTAIN EMPLOYEES OF THE CITY OF MODESTO TO CONFORM WITH SALARY EXPENDITURES SET FORTH IN BUDGET FOR 1935-1936

--- oOo ---

WHEREAS, pursuant to adoption of budget of expenditures of the City for the fiscal year beginning July 1, 1935, and ending June 30, 1935, and to certain adjustments in salaries having been provided for therein, it is deemed advisable to set forth for approval and adoption such salary adjustments included therein;

THEREFORE, BE IT RESOLVED that the salaries of the following officials and employees of the City of Modesto for the said fiscal year 1935-36:

GOVERNMENT-ADMINISTRATIVE DEPARTMENT:

Name:	Title:	Salary per Mo.:
H.E.Gragg	City Clerk	\$ 110.00
H. E. Gragg	City Auditor	65.00
H.E.Gragg	City Assessor	45.00
H.E.Gragg	City Tax Collector	15.00
H.E.Gragg	City Treasurer	15.00
Lillian Loving	Ass't City Clerk & Water Collections	150.00
Elmer Blum	Deputy Tax Coll. & Acct.	155.00
Cecil Davis	General Clerk-All Depts.	110.00
Ducetta Coulson Cox	Stenographer & Filing Clerk	110.00
S. F. DeYoe	License Collector-Outside Man	150.00
J. W. Clark	Janitor(Part time)	35.00
A. J. Carlson	City Attorney	{ 250.00 for July, Aug, & Sept. 150.00 for remainder of year

FIRE DEPARTMENT:

Geo. E. Wallace	Fire Chief	225.00
Clarence Green	Ass't Fire Chief	160.00
O.A.Boyd	Fireman	140.00
O. Bridgman	"	140.00
L.H.Daniels	"	140.00
B. Fairfield	"	140.00
H. Graham	"	140.00
M. Graham	"	140.00
C C.Hensley	"	140.00
Thos.Stedman	"	140.00
A. Walsh	"	140.00
E.P.Walsh	"	140.00
Jack Wemyss	"	140.00
Carl Payne	Operator	145.00
E.H.Stockwell	Operator	145.00

Name:	Title:	Salary per Mo.:
HEALTH DEPARTMENT:		
F.E.Holtham	Chief Inspector	\$ 200.00
POLICE COURT:		
B. C. Hawkins	Police Judge	100.00
Mrs. Kittie Briggs	Clerk	10.00
POLICE DEPARTMENT:		
Lee E. Smith	Chief	225.00
E.E.Arlington	Captain	200.00
F.E.Turner	Sergeant	150.00
D.C.Cole	Patrolman	145.00
M. Crosby	"	145.00
W.F.Wooley	"	145.00
J. Almeida	"	145.00
Frank Elkins	"	145.00
Hubert Dunn	"	145.00
Emil Schmit	"	145.00
L.L.Martin	"	145.00
Thos. McCumber	"	145.00
J.W.Bright	"	145.00
Geo. Keeley	Traffic Sergeant	145.00
Geo. Denison	Motor Police	145.00
Urbane Pickering	" "	145.00
Ernest Benson	Night Jailor	130.00
PARK DEPARTMENT:		
Ian Macdonald	Golf Professional	125.00
B. Dearmond	Caretaker, Golf Course	35.00
J.E. DonCarlos	Ass't Park Supt.	150.00
L.L. Brooks	Horticulturist	140.00
B.H. Ryan	Attendant, Beard Brook	40.00
PUBLIC WORKS DEPARTMENT:		
F.J. Rossi	City Engineer	50.00
F.J. Rossi	Supt. Streets	50.00
F.J. Rossi	Electrician	40.00
F.J. Rossi	Water Supt.	100.00
F.J. Rossi	Supt. Machine Shop	10.00
F.J. Rossi	Supt. Airport	15.00
F.J. Rossi	Supt. Parks & Golf Course	35.00
M. H. Crews	Ass't Engineer	200.00
Veta Whitcomb	Stenographer	110.00
F.L. Olcott	Field Engineer	175.00
C.A. Waldo	Ass't Field Engineer	150.00
A.O. Carley	Draftsman	150.00
Nels Hansen	Ass't St. Supt.	175.00
H.A. Lolllich	Motor Operator	150.00
G.D. Reddy	" "	150.00
H.C. Moore	Ass't Electrician	175.00
I.F. Walker	Lineman	150.00
C. Vise	"	150.00
H.J. Hall	"	150.00
C.L. Baker	Ass't Bldg. Insp.	175.00
E.S. Shotwell	Water Service Man	170.00
A.L. Walsh	Water Tap Man	140.00
K.W. Graham	Ass't Tap Man	135.00
C.E. Baker	Foreman	160.00
W.V. Voice	Pump Operator	135.00
A.C. Worthen	" "	135.00
J.H. Speaker	" "	135.00
W. Kneriem	" "	135.00
W. Worsham	" "	135.00
J.D. Conrad	Disposal Plant Opr.	135.00
J.F. Mitchell	Ass't Supt. Corp. Yd.	175.00
F. Bishop	Janitor	45.00
McHENRY PUBLIC LIBRARY:		
Miss Bessie B. Silverthord	Librarian	75.00
Ruth McDowell	Referene Librarian	150.00
Ida Huntington	Ass't Ref. Libr.	62.50
Alma Rossel	Circulation Head	135.00
Lois Bunton	Circulation Ass't	120.00
Arlone Neumann	Circulation Ass't	100.00
Ione Townsend	Accession Dept. & Ref.	125.00
Kathleen Scandrett	Cataloger	100.00
Ruth Nankeville	Children's Libr.	150.00
Pauline Julius	Children's Rm. Page	25.00
Ernest Correa	Afternoon Service Page	25.00
Margaret Prickey	Night Service Page	25.00
O. N. Rowe	Janitor	125.00

BE IT FURTHER RESOLVED that the salaries of day laborers employed on a per diem basis and paid each week be and the same are hereby fixed and adopt-

ed as outlined in the said budget for the year 1935-36:

BE IT FURTHER RESOLVED that the provisions of this resolution shall be in full force and effect from and after August 1st, 1935.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of August, 1935, by Commissioner Oliver, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

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

ATTEST: H. E. GRAGG
CITY CLERK

RESOLUTION NO. 3256-N.S.

A RESOLUTION DENYING PETITION OF WOMEN'S IMPROVEMENT CLUB FOR SITE FOR CLUBHOUSE IN BLOCK 97

---oOo---

WHEREAS, pursuant to petition of the Women's Improvement Club for site for Clubhouse in Block 97 for their organization; and

WHEREAS, action on the said petition has been laid over from time to time, pending full consideration of same; and

WHEREAS, it is the unanimous opinion of the Council that a more suitable site might be found by the Women's Improvement Club than that petitioned;

THEFORE, BE IT RESOLVED that it is hereby declared impractical to grant site in Block 97 to the Women's Improvement Club for a clubhouse, and denying the petition therefor; further directing the City Clerk to write to the petitioners suggesting that they find a more suitable site for the building.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto, held on the 14th day of August, 1935, 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, Stanley and Mayor King
Noes: Councilmen: None
Absent: Councilmen: Pack

ATTEST: H. E. GRAGG
CITY CLERK

RESOLUTION NO. 3257-N.S.

A RESOLUTION GRANTING PERMISSION TO G. N. HILBURN & J. S. WEST & CO. TO ERECT GASOLINE SERVICE STATION ON RAILROAD RESERVATION

---oOo---

WHEREAS, there has been filed with this Council by G. N. Hilburn on behalf of J. S. West & Co. a petition for permit to erect a gasoline service station on H Street between 8th and 9th Street on the existing site of J. S. West Company storage warehouse; and

WHEREAS, the plans and specifications for the proposed service station have been checked and approved by the City Engineer;

BE IT THEREFORE, RESOLVED that permission be and the same is hereby granted for the service station as prayed for, providing that all City ordinances pertaining to such erection and construction be complied with.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of August, 1935, by Commissioner Stanley, who moved its adoption, which motion being duly seconded, it was upon roll call adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: Pack

ATTEST: H. E. GRAGG
CITY CLERK

RESOLUTION NO. 3258-N.S.

A RESOLUTION DIRECTING CITY AUDITOR TO WRITE TO OTHER CITIES TO DETERMINE MANNER USED IN FILING TAX REDEMPTIONS WITH COUNTY RECORDERS

---oOo---

WHEREAS, pursuant to recently enacted state legislation permitting County Recorders to charge cities and other taxing bodies the sum of 25¢ for each certificate of redemption of delinquent taxes filed, there has been filed with this Council by Pitts Title Company and Security Title and Ins. Co communications objecting to the practices of the City Auditor in not including this fee in the estimate of the amount of redemption and the subsequent filing of same by him in the Recorder's office, but delivering the redemption certificate to the party making the redemption for recording; their objections being based upon the supposition that over a period of time a number of delinquent tax redemptions certificates will not be recorded and redeemed taxes will appear on the county recorder's records as unpaid;

BE IT THEREFORE, RESOLVED that the City Clerk be and he is hereby directed to write to other cities to determine the method of handling the recording of such redemptions.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of August, 1935, 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, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG
CITY CLERK

RESOLUTION NO. 3259-N.S.

A RESOLUTION FIXING THE FEES AND CHARGES TO BE PAID TO THE CITY OF MODESTO FOR THE USE OF THE MUNICIPAL AIRPORT

---oOo---

BE IT RESOLVED that from and after September 1st, 1935, the following charges or fees shall be paid to the City of Modesto for the use of the airport known as the Modesto Municipal Airport, to-wit:

Item 1: For hangars or other buildings, to store or keep aircraft, twenty-five (25¢) cents per month per front foot of space occupied, measured along the front line of same, when such space is leased for one or more months. The space occupied by a single airplane shall, for the purposes of this Section, be the total wing spread plus ten feet.

Item 2: For field storage of aircraft, fifty (50) cents per night, day storage fifty (50) cents if stored on the field more than one (1) hour.

Hangar Rentals Daily

Min. rate	\$1.50 per day under 50 wing span	
Aircraft wing span from 51 to 60 ft.	\$ 1.75 per day
Aircraft wing span from 61 to 70 ft.	2.00 per day
Aircraft wing span from over 70 ft.	3.00 per day

Item 3: For aircraft not operated by lessees of ground space for use of field for commercial purposes, the following fees, in addition to hangar rentals, shall be charged:

- 2 Place jobs, minimum \$2.00 per month plus five (5) percent of the gross revenue
- 3 Place jobs, minimum \$3.50 per month plus five (5) percent of the gross revenue.
- 4 Place jobs, minimum \$ 5.00 per month, plus five (5) percent of the gross revenue.
- 5 or more place jobs, minimum \$10.00 per month, plus five (5) percent of the gross revenue.

Planes stationed at the Airport less than 30 days shall pay double the above rates, of Item 3.

Planes operating on a regular daily schedule from said Airport shall pay the following fees:

For one landing per day	\$ 7.50 per month
For two landings per day	\$10.00 per month
For three landings per day	\$15.00 per month
For four landings per day	\$20.00 per month

For each additional landing per day, at the rate of \$ 2.50 per month.

For the purposes of this Section, a month shall be deemed to consist of thirty days and portions of a month shall be paid for on a pro-rata basis.

Item 4. For the use of one bank of flood lights for each separate take-off and/or landing, fifty (50¢) cents each.

Item 5. For the privilege of installing a station for the supplying of aircraft with aircraft fuel and oils and the use of the necessary ground space for such station, the fees to be paid shall be as follows:

A minimum of Five (\$ 5.00) Dollars per month plus the following amounts per gallon of gasoline or other aircraft fuel dispensed through the service station equipment to be placed upon said parcel of land:

- 1. One-quarter ($\frac{1}{4}$) cent per gallon over One Thousand (1000) gallons and less than Three Thousand One (3001) gallons per month;

2. One-half ($\frac{1}{2}$) cent per gallon over Three Thousand (3000) gallons and less than Five Thousand One (5001) gallons per month;

3. One (1) cent per gallon over Five Thousand (5000) gallons per month.

Retail prices for aviation gasoline, auto gasoline, oils or similar products sold to consumers shall at all times be the same as those posted by the major oil companies.

Fees for ground space under the provisions of Item 1 of this Section shall be paid monthly in advance. Fees for the privilege under the provisions of Item 5 of this section shall be paid each month for the next preceding month. All other fees shall be paid in advance.

Delivery of aircraft fuel to aircraft on the Airport shall not be made by tank trucks or out of drums by any person, firm or corporation supplying such fuel who or which does not have installed on the Airport a service station for which fees are paid in accordance with the provisions of Item 5 of this section. Any person, firm or corporation supplying aircraft fuel and having a service station established on the Airport and paying the fees required by Item 5 of this section may supply fuel to aircraft by tank trucks only in case of emergency or at such times as the Airport Superintendent may permit.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of August, 1935, 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, Staley, Mayor King

Noes: Councilmen: None

Absent: Councilmen: Pack

ATTEST: H. E. GRAGG
CITY CLERK

RESOLUTION NO. 3260-N.S.

A RESOLUTION GRANTING A LEAVE OF ABSENCE TO MAYOR J. H. KING

--- oOo ---

WHEREAS, pursuant to request of Mayor J. H. King for a leave of absence of 60 days;

BE IT THEREFORE, RESOLVED that a leave of absence of 60 days be and the same is hereby granted to Mayor King.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of August, 1935, 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, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: Pack

ATTEST: H. E. GRAGG
CITY CLERK

RESOLUTION NO. 3261-N.S.

A RESOLUTION ACCEPTING REPORT OF CITIZENS COMMITTEE ON SALARIES

---oOo---

WHEREAS, pursuant to filing of report by a committee of businessmen heretofore appointed by Mayor King to investigate and make recommendations in the matter of salaries of the various employees of the City of Modesto;

BE IT THEREFORE, RESOLVED that the report of said committee be and the same is hereby accepted, and the members of said committee be and they are hereby extended a vote of thanks by the Council for their cooperation and invaluable aid in this matter.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of August, 1935, 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, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: Pack

ATTEST: H. E. GRAGG
CITY CLERK

RESOLUTION NO. 3262-N.S.

ADJOURNMENT

---oOo---

BE IT RESOLVED that this Council meeting now in session be and the same is hereby adjourned.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of August, 1935, 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, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: Pack

ATTEST: H.E. GRAGG
CITY CLERK

RESOLUTION NO. 3263-N.S.

A RESOLUTION ALLOWING CLAIM OF DISABLED AMERICAN VETERANS FOR REFUND OF LICENSE PAID FOR BOXING AND WRESTLING MATCHES

---oOo---

WHEREAS, there has been filed with this Council a claim of the Disabled American Veterans for refund of the sum of \$10.00 to their organization which amount was paid to the City License Collector for license fee for conducting two wrestling exhibitions in the City of Modesto; and

WHEREAS, the Council having heretofore, to-wit: on the 14th day of August, 1935, granted exemption from business license fees to the said Disabled American Veterans;

BE IT THEREFORE, RESOLVED that the claim of the Disabled American Veterans for refund of the said license fee be and the same is hereby allowed, and the City Clerk and Auditor directed to issue warrant therefor.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the the 28th day of August, 1935, 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, and Mayor pro tem. Stanley

Noes: Councilmen: None

Absent: Councilmen: Oliver and Mayor King

ATTEST: H.E. GRAGG
CITY CLERK

RESOLUTION NO.3264-N.S.

A RESOLUTION APPOINTING DELEGATES TO THE CONVENTION OF THE LEAGUE OF CALIFORNIA MUNICIPALITIES

--oOo--

WHEREAS, communication has been received from the League of California Municipalities calling attention to the annual convention of that organization in San Francisco from September 23rd to September 26th, 1935, and asking that delegates of City officials be named to attend the convention, and for the entry of a municipal exhibit thereat;

BE IT THEREFORE, RESOLVED that the City Attorney, A. J. Carlson; the City Clerk, H.E.Gragg; the City Engineer, F.J.Rossi; and the Sanitary Inspector F.E.Holtham; be and they are hereby appointed delegates to the said convention; and

BE IT FURTHER RESOLVED that the expenses of the said delegates in attending said convention be paid out of the General Fund of the City of Modesto; and

BE IT ALSO RESOLVED that Commissioner Pack, F. J. Rossi and H. E. Gragg be and they are hereby named a committee to plan and enter a municipal exhibit at the said convention.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 28th day of August, 1935, 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, and Mayor pro tem. Stanley

Noes: Councilmen: None

Absent: Councilmen: Oliver and Mayor King

ATTEST: H. E. GRAGG
CITY CLERK

RESOLUTION NO.3265N.S.

A RESOLUTION AUTHORIZING WARRANT TO LEAGUE OF MUNICIPALITIES FOR CITY OF MODESTO'S SHARE OF EXPENSE IN CONDUCTING HEARINGS BEFORE STATE BOARD OF EQUALIZATION IN RE: UTILITY VALUATIONS

----oOo----

WHEREAS, communication has been received from the League of California Municipalities summarizing progress made by the League's legal representative's at utility valuation hearings before the State Board of Equalization, and the points gained in favor of cities; and

WHEREAS, the Mayor and City Clerk did heretofore advise the League that the City would cooperate in defraying the expense of conducting these utility hearings as aforesaid;

BE IT THEREFORE, RESOLVED that the City Clerk and Auditor be and he is hereby directed to draw a warrant in the sum of \$ 75.00 in favor of the League of California Municipalities as the City of Modesto's allotment of expense in having the League representation at the said hearings; and

BE IT FURTHER RESOLVED that the City Clerk be and he is hereby directed to write to the League officials a letter of thanks and appreciation of the City of Modesto for their efforts in protecting the interests of municipalities at the said hearings.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 28th day of August, 1935, 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, and Mayor pro tem. Stanley

Noes: Councilmen: None

Absent: Councilmen: Oliver and Mayor King

ATTEST: H. E. GRAGG
CITY CLERK

RESOLUTION NO. 3266-N.S.

A RESOLUTION GRANTING PERMIT TO J. J. MEHEGAN FOR OPERATION OF AMUSEMENT MACHINES
OR DEVICES WITHIN THE CITY OF MODESTO

--- oOo ---

WHEREAS, pursuant to provisions of Ordinance 492-N.S., J. J. Mehegan has filed with the Council an application for permit to operate amusement machines or devices within the City of Modesto; and

WHEREAS, the said application has been duly investigated and approved by the Commissioner of Public Health and Safety;

BE IT THEREFORE, RESOLVED that the said application be and the same is hereby approved, and the City License Collector directed to grant license to the applicant as prayed for, and in conformance with the provisions of the said Ordinance 492-N.S.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 28th day of August, 1935, 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 and Mayor pro tem. Stanley

Noes: Councilmen: None

Absent: Councilmen: Oliver and Mayor King

ATTEST: H. E. GRAGG
CITY CLERK

RESOLUTION NO.3267-N.S.

A RESOLUTION GRANTING PETITION FOR TAXI STAND AT TENTH AND J STREETS WITH CERTAIN STIPULATIONS

--- oOo ---

WHEREAS, there has been filed with this Council petition of Clarence Worden for the use of a portion of the street at the northwest corner of Tenth and J Streets for a taxi stand; and

WHEREAS, after due consideration of the request the Council is of the opinion that same should be granted under certain conditions;

BE IT THEREFORE, RESOLVED that permission be and the same is hereby granted to Clarence Worden for permission to maintain a taxi stand as petitioned, when he shall have filed with the City Clerk a letter from the property owner giving consent thereto.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 28th day of August, 1935, 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 and Mayor pro tem. Stanley

Noes: Councilmen: None

Absent: Councilmen: Oliver and Mayor King

ATTEST: H. E. GRAGG
CITY CLERK

RESOLUTION NO.3268-N.S.

A RESOLUTION AUTHORIZING SEGREGATION OF CERTAIN DELINQUENT TAXES

---oOo---

WHEREAS, there has been filed with this Council by A. Bomberger a petition seeking the segregation of delinquent taxes for the year 1926-27 covering property known as Lots 1, 2, 3 and 4 in Block 9 so as to permit the redemption of taxes on Lots 3 and 4 in Block 9 only;

THEREFORE, BE IT RESOLVED that the City Auditor be and he is hereby authorized and directed to segregate the said delinquent taxes as petitioned and issue certificate of redemption upon payment by the petitioner of the amount of delinquent taxes chargeable against the said Lots 3 and 4 in Block 9.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 28th day of August, 1935, 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, and Mayor pro tem. Stanley

Noes: Councilmen: None

Absent: Councilmen: Oliver and Mayor King

ATTEST. H. E. GRAGG
CITY CLERK

RESOLUTION NO.3269-N.S.

A RESOLUTION DIRECTING THAT BIDS BE CALLED FOR ONE STREET SWEEPER

BE IT RESOLVED That, pursuant to Ordinance No. 493-N.S. appropriating funds for the purchase of a street sweeper, the City Clerk be and he is hereby directed to advertise for bids for the said street sweeper as per the specifications furnished by the City Engineer, the said bids to be received and opened at the regular meeting of September 11, 1935.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 28th day of August, 1935, 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 and Mayor pro tem. Stanley

Noes: Councilmen None

Absent: Councilmen: Oliver and Mayor King

ATTEST: H.E. GRAGG
CITY CLERK

RESOLUTION NO.3270-NS.

A RESOLUTION AUTHORIZING TITLE REPORT TO BE FURNISHED TO THE SOUTHERN PACIFIC COMPANY TO THAT PORTION OF EIGHTH STREET INVOLVED IN PROPERTY EXCHANGE

--- oOo ---

WHEREAS, there has been received from the Southern Pacific Railway Company a request that the matter of closing the property exchange, whereby the City of Modesto deeded a portion of 8th Street to the said railway company for certain rights of way for the widening of Ninth Street, be concluded at this time, and a title report thereto furnished;

THEREFORE, BE IT RESOLVED that the City Attorney be and he is hereby directed to procure a title report and furnish the same to the Southern Pacific Company for that portion of 8th Street which was closed and deeded to said Company pursuant to Resolution of Intention No. 218.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 28th day of August, 1935, 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, and Mayor pro tem. Stanley

Noes: Councilmen: None

Absent: Councilmen: Oliver and Mayor King

ATTEST: H.E. GRAGG
CITY CLERK

RESOLUTION NO.3271-N.S.

A RESOLUTION ACCEPTING BID OF A.A.FIELDS TO CERTAIN PROPERTY SOLD FOR CITY OF MODESTO
TAX CLAIM

--- oOo ---

WHEREAS, pursuant to Resolution No. 3226-N.S. authorizing and directing that property known as Lots 37 and 38 in Block 591 of the City of Modesto be sold at public auction to the highest bidder for cash, which 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 20th day of August, 1935, at this time the City Tax Collector having reported that the highest bid received for said property was that of A. A. Fields in the amount of \$ 50.00 and having asked that the Council formally accept the said Bid if in their opinion is deemed best to do so;

BE IT THEREFORE, RESOLVED that the said bid of A.A.Fields in amount of \$ 50.00 be and the same is hereby accepted for the said property as above mentioned, providing that the sum of \$ 5.00 additional be paid covering the cost of said sale.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 28th day of August, 1935, 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, ~~Oliver~~ Pack, and Mayor pro tem. Stanley

Noes: Councilmen: None

Absent: Councilmen: Oliver and Mayor King

ATTEST: H.E. GRAGG
CITY CLERK

RESOLUTION NO.3272-N.S.

A RESOLUTION EXTENDING TIME FOR PAYMENT OF BUSINESS LICENSES WITHOUT ADDITION OF 25%
PENALTY

---oOo---

WHEREAS, pursuant to provisions of Ordinance No. 487-N.S. providing that a 25% delinquent penalty be added to all business licenses imposed thereby from and after sixty days from date due; and

WHEREAS, the said ordinance having become effective July 1, 1935, and delinquent penalties therefor due and collectible from and after August 31, 1935, the Council is of the opinion that inasmuch as the ordinance has been operative for such a short time an additional period in which to pay the said licenses should be provided;

THEREFORE, BE IT RESOLVED that the City License Collector be and he is hereby authorized to collect all license fees imposed by Ordinance 487-N.S., and amendments thereto, up to and including September 10, 1935, without the addition of delinquent penalty.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 28th day of August, 1935, by Commissioner Pack, who moved its adoption, which motion being duly seconded, it was upon roll call

carried by the following vote:

Ayes: Councilmen: Neece, Pack and Mayor pro tem. Stanley

Noes: Councilmen: None

Absent: Councilmen: Oliver and Mayor King

ATTEST: H.E. GRAGG
CITY CLERK

RESOLUTION NO. 3273-N.S.

A RESOLUTION AUTHORIZING THE HANDLING OF RECORDING OF TAX REDEMPTIONS AS HAS BEEN THE PRACTICE SINCE THE LEVYING OF CHARGE THEREFOR BY THE COUNTY RECORDER OF STANISLAUS COUNTY

---oOo---

WHEREAS, pursuant to Resolution No. 3258-N.S., the City Auditor has filed with this Council the result of his findings in the matter of method of handling of recording of tax redemption certificates in other cities; and

WHEREAS, it appears from the data gathered that the present method used by the City Auditor, namely: that of requiring the party or parties making the tax redemption to assume responsibility for the filing of same with the County Recorder, is the same method used by cities having the same tax set-up as the City of Modesto.

BE IT THEREFORE, RESOLVED that the City Auditor be and he is hereby authorized and directed to continue to handle the matter of recording tax redemptions as has been the practice since the levying of charge therefor by the County Recorder.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 28th day of August, 1935, 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 and Mayor pro tem. Stanley

Noes: Councilmen: None

Absent: Councilmen: Oliver and Mayor King

ATTEST: H. E. GRAGG
CITY CLERK

RESOLUTION NO. 3274-N.S.

A RESOLUTION ACCEPTING REPORT OF COMMITTEE ON UTILITY PROPERTY PROTEST TO STATE BOARD OF EQUALIZATION

---oOo---

WHEREAS, there was filed with the Council report of the City Attorney and the City Clerk on a meeting with members of the State Board of Equalization at Sacramento on August 16, 1935, stating that the Board has made the assurance that the final valuations of public utility properties returned to the City for taxation purposes will be increased by a percentage equal to that by which the County valuations are exceeded by City valuations on the other taxable property within the City;

BE IT THEREFORE, RESOLVED that the report of the said Committee be and the same is hereby accepted; and

BE IT FURTHER RESOLVED that warrant be drawn in the sum of \$ 7.50 in payment of claim of the City Attorney for transportation expenses for the Committee in attending the said meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 28th day of August, 1935, 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 and Mayor pro tem. Stanley
Noes: Councilmen: None
Absent: Councilmen: Oliver and Mayor King

ATTEST: H. E. GRAGG
CITY CLERK

RESOLUTION NO. 3275-N.S.

ADJOURNMENT

--- oOo ---

BE IT RESOLVED that this Council meeting now in session be and the same is hereby adjourned.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 28th day of August, 1935, 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 and Mayor pro tem. Stanley

Noes: Councilmen: None

Absent: Councilmen: Oliver and Mayor King

ATTEST: H. E. GRAGG
CITY CLERK

RESOLUTION NO. 3276-N.S.

A RESOLUTION ALLOWING CLAIMS FOR MONTH OF AUGUST, 1935, AGAINST CITY OF MODESTO

*** ** *

WHEREAS, claims against the City of Modesto for the month of August, 1935, having been heretofore audited and approved by the Council;

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

GENERAL FUND -----	\$ 19,241.47
WATER FUND -----	\$ 5,106.52
LIBRARY FUND -----	\$ 1,797.12
BOND REDEMPTION INTEREST FUND-----	\$ ---
ST. BOND RED. INTEREST FUND -----	\$ 1,593.67
UNAPPORTIONED FUND -----	\$ 77.03
TOTAL -----	\$ 27,815.81

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of September, 1935, 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, Oliver, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG
CITY CLERK

RESOLUTION NO.3277-N. S.

A RESOLUTION REJECTING APPLICATION OF MRS. WATTS FOR REDUCTION OF WATER BILL

---oOo---

WHEREAS, Mrs. Frances Watts has filed with this Council a petition for adjustment of a water bill covering metered service to property at 334 Rosedale on the ground that it was excessive and that the tenants using the water had moved from the premises without paying the same; and

WHEREAS, it appears the statement for the water consumed is in fact correct and was actually used at the premises,

BE IT THEREFORE, RESOLVED that the petition of Mrs. Watts 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 11th day of September, 1935, 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, Oliver, Pack, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG
CITY CLERK

RESOLUTION NO.3278-N. S.

A RESOLUTION DENYING PETITION FOR FIRE PROTECTION TO SUBURBAN FIRE DISTRICT

--- oOo ---

WHEREAS, pursuant to petition heretofore filed with the Council by the Grange Company seeking commitment from the Council as to the granting of fire protection to a proposed fire district outside the City limits in the Coldwell, Olivewood and Mensinger Districts; and

WHEREAS, the Council has given the matter due and careful consideration and is of the opinion that the petition should not be granted;

BE IT THEREFORE, RESOLVED that the petition of the Grange Company for fire protection to district as aforesaid be and the same is hereby denied.

BE IT FURTHER RESOLVED that the City Clerk be and he is hereby directed to advise the petitioners of the action taken setting forth that in explanation of its action the Council wished to stress the fact that the granting of the same would establish a precedent for other areas outside the City to demand the same service, resulting in great expense to taxpayers of the City; that it would create a possible hazard in having the Fire Department with its limited equipment responsible for protecting large areas outside the City and at the same time afford the unimpaired protection to property inside the City; and that it would be unfair to taxpayers who contribute to the support of the City to extend to non-taxpayers outside the City the use of a department and equipment all built up and acquired from tax funds.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of September, 1935, 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, Oliver, Pack, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG
CITY CLERK

RESOLUTION NO. 3279-N.S.

A RESOLUTION REFERRING BIDS FOR STREET SWEEPER FOR DEPARTMENT OF PUBLIC WORKS TO A COMMITTEE FOR INVESTIGATION AND AWARD TO COMPANY SUBMITTING LOWEST AND BEST BID

--- oOo ---

WHEREAS, pursuant to calling for bids for one motor pick-up street sweeper, and this being the time and place set forth in the notice to bidders for the opening of said bids; and

WHEREAS, the City Clerk has reported receipt of two bids, which when opened read as follows:

NAME:	MODEL:	Allowance on Old Sweeper:	Net Price 30 Days:
Associated Equipment Co.	Elgin D	\$ 100.00	\$ 7216.69
Austin-Western Road Machinery Co.	Austin	\$ 100.00	\$ 7204.85

THEREFORE, BE IT RESOLVED that a purchasing committee consisting of Commissioner of Public Works, Roy E. Pack; of Commissioner of Public Supplies, Geo. F. Neece; and of the City Engineer F. J. Rossi, to investigate the said bids, and award the contract, on behalf of the Council of the City of Modesto to the company whose bid is deemed to be lowest and best.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of September, 1935, 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, Pack, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG
CITY CLERK

RESOLUTION NO. 3280-N.S.

A RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH LEO PLAGG FOR CERTAIN CONCESSIONS IN BEARD BROOK PARK IN RETURN FOR SERVICES AS CARETAKER OF LAKE MODESTO DAM

--- oOo ---

WHEREAS, agreement of the City of Modesto with Leo Plagg, for certain concessions in Beard Brook Park in return for services as caretaker of Lake Modesto dam expiring on the 12th day of September, 1935;

BE IT THEREFORE, RESOLVED that agreement with Leo Plagg be and the same is hereby authorized renewed for the period September 12, 1935, to September 12, 1935.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of September, 1935, 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. 3281-N.S.

A RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH J. VENTURINI FOR SERVICES AS CARETAKER AT THE CITY DUMPS

--- oOo ---

WHEREAS, agreement with J. Venturini for services as caretaker and attendance at the City Dumps having expired on the 1st day of May, 1935;

BE IT THEREFORE, RESOLVED that the agreement with J. Venturini for services as caretaker and attendant at the City Dumps as aforesaid be and the same is hereby authorized to be renewed for the period May 1, 1935, to May 1, 1935.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of September, 1935, 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, Oliver, Pack, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H.E. GRAGG
CITY CLERK

RESOLUTION NO. 3282-N.S.

A RESOLUTION RATIFYING AGREEMENT WITH BERT LOWRY FOR RENTAL OF ROOSEVELT FIELD IN THE
SPRING OF 1936

---oOo---

WHEREAS, agreement with Bert Lowry for rental of Roosevelt Field for certain exhibition games at Roosevelt Field in the spring of 1936, having been heretofore authorized by the Council, and now in its final form; and

WHEREAS, the agreement as submitted appears to be entirely satisfactory to the Council;

THEREFORE, BE IT RESOLVED that the agreement with Bert Lowry for use of Roosevelt Field as aforesaid be and the same is hereby ratified by the Council; and

BE IT FURTHER RESOLVED that the Commissioner of Finance and Revenue and the City Clerk be and they are hereby authorized to affix their signatures to the said agreement on behalf 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 September, 1935, 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. 3283-N.S.

A RESOLUTION APPROVING BOND OF C.C. SPENCE FOR PLUMBING CONTRACTING IN THE CITY OF MODESTO

---oOo---

WHEREAS, bond of S. C. Spence 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 276-O.S.; and

WHEREAS, the said bond appears to be in proper form;

BE IT THEREFORE, RESOLVED that the said bond of C. C. Spence be and the same is hereby approved, and the City Clerk authorized to issue to said C.C. Spence 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 11th day of September, 1935, 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, Oliver, Pack, Stanley, and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG
CITY CLERK

RESOLUTION NO. 3284-N.S.

A RESOLUTION APPOINTING COMMITTEE TO DECIDE UPON INTERPRETATION OF SECTION 111 OF ORDINANCE 487-N.S. RELATIVE TO LICENSING OF APARTMENT HOUSES

---oOo---

WHEREAS, the City License Collector has asked the Council to interpret the provisions of Section 111 of Ordinance 487-N.S. imposing a license fee for carrying on the business of an apartment house, court dwellings, etc.; and

WHEREAS, the Council is undecided as to the exact interpretation of the meaning of "apartment house";

BE IT THEREFORE, RESOLVED that the City Clerk, the City Attorney and the City Engineer be and they are hereby appointed a committee to decide upon the definition of "apartment house" insofar as license provisions of Ordinance 487-N.S. apply.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of September, 1935, 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. 3285-N.S.

A RESOLUTION EXEMPTING "HOME OCCUPATIONS" FROM BUSINESS LICENSE FEES; AND FURTHER, EXEMPTING FROM BUSINESS LICENSE DEPOSIT PERSONS WHO ARE OWNERS OF PROPERTY OR WHO HAVE FIVE-YEAR LEASE ON PROPERTY IN WHICH BUSINESS IS TO BE CONDUCTED

---oOo---

WHEREAS, pursuant to provisions of Ordinance 487-N.S. levying a business license charge upon all persons engaged in any business, profession, trade or occupation, and it being apparent that an injustice is effected by the inclusion of home occupations in the license provisions; and

WHEREAS, pursuant to the provisions of the said Ordinance requiring a deposit of \$ 50.00 with the City License Collector for a period of six months for each new business established, with no exceptions being provided in those cases of local residents and property owners;

THEREFORE, BE IT RESOLVED that any business, the gross receipts of which are less than \$100.00 per annum, shall constitute a "home occupation" and shall be exempt from license provisions of the above ordinance; and

BE IT FURTHER RESOLVED that the interpretation of Section 101 of said Ordinance 487-N.S. in regard to deposit for new business establishments, be and the same is hereby declared to exempt persons owning the property in which the business is to be conducted, or persons who are residents of Modesto and who have a five-year lease on the building in which the business is to be conducted.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of September, 1935, by

*Superseded By
3302-N.S.*

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

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

Noes: Councilmen: None

Absent Councilmen: None

ATTEST: H.E. GRAGG
CITY CLERK

RESOLUTION NO. 3286-N.S.

A RESOLUTION REFUNDING ELECTRICAL CONTRACTORS PRO-RATED LICENSE FEES PAID UNDER ORDINANCE 352-N.S. FROM JULY 1, 1935, TO EXPIRATION DATE

--- oOo ---

WHEREAS, pursuant to effective date of Business License Ordinance No. 487-N.S. being July 1st, 1935, licensing electrical contractors in the City of Modesto; and

WHEREAS, it has been called to the attention of the Council that many licenses heretofore issued to the said contractors under provisions of Ordinance 352-N.S., imposing a license fee of \$ 50.00 per annum, are paid and effective to dates after July 1, 1935;

THEREFORE, BE IT RESOLVED that the City Clerk and Auditor be and he is hereby directed to issue City of Modesto warrants refunding ^{to} such electrical contractors the amount of licenses paid under Ordinance No. 352-N.S., pro-rated from July 1, 1935, to the date of expiration of said licenses.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of September, 1935, 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, Oliver, Pack, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H.E. GRAGG
CITY CLERK

RESOLUTION NO. 3287-N.S.

A RESOLUTION SETTING TIME FOR HEARING PROTESTS TO BUILDING; AND EXEMPTING PAUL WORTHEN FROM BUSINESS LICENSE DEPOSIT

--- oOo ---

WHEREAS, there has been filed with this Council petition of Paul Worthen for permit to construct a business building in the residential district at 962 Stoddard Avenue for conducting the business of lunch room and school supply store, and also seeking exemption from business license deposit required by Ordinance 487-N.S. because of the fact that he is the owner of the property upon which the building is to be erected;

THEREFORE, BE IT RESOLVED that the City Clerk be and he is hereby directed to proceed to post and publish notices setting Wednesday, September 25, 1935, at 7:30 P.M. as the time and place when and where the Council will hear any and all protests to the granting of the building permit as prayed for; and

BE IT FURTHER RESOLVED that pursuant to policy adopted by the Council as set forth in Resolution No. 3285-N.S., the petitioner be and he is hereby exempted from provisions of Ordinance 487-N.S. requiring business license

deposit.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of September 1935, 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, Oliver, Pack, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H.E. GRAGG
CITY CLERK

RESOLUTION NO. 3288-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 September, 1935, 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, Stanley, Pack, and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

Attest: H.E. GRAGG
CITY CLERK

RESOLUTION NO. 3289-N.S.

ADJOURNMENT

--- oOo ---

BE IT RESOLVED that this Council meeting now in session be and the same is hereby adjourned.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of September, 1935, 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, Oliver, Pack, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H.E. GRAGG
CITY CLERK

RESOLUTION NO. 3290-N.S.

A RESOLUTION AUTHORIZING PAYMENT OF \$250 TO STANISLAUS COUNTY BOYS' BAND AND PROVIDING FOR PAYMENT OF BALANCE OF BUDGETED SUBSIDY AT A LATER DATE

--- oOo ---

WHEREAS, there has been filed with this Council claim of the Stanislaus County Boys' Band for \$ 500.00 for band concerts in the various City parks during the summer months; and

WHEREAS, the said subsidy is included in the Music & Promotion Budget of the City of Modesto for the year 1935-36; and

WHEREAS, it is the opinion of this Council that one-half of the amount of the claim should be paid at this time and the remaining half at some future date;

THEREFORE, BE IT RESOLVED that the City Clerk and Auditor be and he is hereby authorized and directed to draw a warrant in the sum of \$ 250.00 payable to the Stanislaus County Boys' Band; and

BE IT FURTHER RESOLVED that the City Clerk be and he is hereby instructed to write to the said Stanislaus County Boys' Band advising that action on the balance of the claim will be taken at a future date.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 25th day of September, 1935, 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. 3291-N.S.

A RESOLUTION AUTHORIZING PAYMENT OF CLAIM OF PANTHER OIL & GREASE MFG. COMPANY

---oOo---

WHEREAS, there has been filed with this Council claim of the Panther Oil & Grease Company in the sum of \$ 56.10 for lubricating oils and greases purchased by the City of Modesto; and

WHEREAS, the said claim is accompanied by a special discount offer of \$ 2.10 for immediate payment;

BE IT THEREFORE, RESOLVED THAT the City Clerk and Auditor be and he is hereby authorized and instructed to draw a warrant in the sum of \$ 54.00 in payment of the above claim.

The foregoing resolution was regular introduced at a meeting of the Council of the City of Modesto held on the 25th day of September, 1935, 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, Oliver, Pack, Stanley and Mayor King
Noes: Councilmen: None
Absent: Councilmen: None

ATTEST: H.E. GRAGG
CITY CLERK

RESOLUTION NO. 3291a-N.S.

A RESOLUTION ALLOWING CLAIM FOR INSURANCE POLICY PREMIUMS ON CITY BUILDINGS AND

CONTENTS

---oOo---

WHEREAS, there has been filed with this Council claim of the Modesto Insurance Agents Association in the sum of \$ 1368.69 covering premiums on policies written for City buildings and contents;

BE IT THEREFORE, RESOLVED that the above mentioned claim be and the same is hereby allowed, and the City Clerk and Auditor directed to issue warrant in payment thereof.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 25th day of September, 1935, 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. 3292-N.S.

A RESOLUTION GRANTING PERMIT FOR TAXI STAND AT ELEVENTH AND I STREETS

---oOo---

WHEREAS, there has been filed with this Council communication from Chas. J. Foret and A. P. Meily, tenant and owner respectively, of the building at the southwest corner of 11th and I Streets, granting permission for six months to Albert L. Johnson to locate a taxi stand along 11th Street in front of said building; and

WHEREAS, in view of the fact that the City Clerk has asked the Council to formally grant permission to the petitioner for the location of taxi stand as aforesaid;

BE IT THEREFORE, RESOLVED that permission be and the same is hereby granted to Albert L. Johnson to operate taxi cab at the location as above stated, when all ordinance provisions relative to operation of taxicabs and payment of license fees therefor have been complied with.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 25th day of September, 1935, by Commissioner Stanley, who moved its adoption, which motion being duly seconded, it was upon roll call adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG
CITY CLERK

RESOLUTION NO. 3293-N.S.

A RESOLUTION ALLOWING CLAIM OF MODESTO BREWERY INC. FOR REFUND ON WHOLESALE BEER LICENSE

--- oOo ---

WHEREAS, petition of the Modesto Brewery Inc. has been filed with this Council, seeking refund of a portion of \$100.00 wholesale beer license fee paid to the City of Modesto for the year beginning April 11, 1935, under provisions of Ordinance No. 442-N.S.; and

WHEREAS, the said petition sets forth the fact that the said license became null and void upon the passage of new business license ordinance 487-N.S. which became effective July 1, 1935;

BE IT THEREFORE, RESOLVED that the City Clerk be and he is hereby directed to refund to the said petitioner the said wholesale license fee less the pro-rated amount for the months during which said Ordinance 442-N.S. was effective.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 25th day of September, 1935, 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. 3294 - N.S.

---oOo---

WHEREAS, pursuant to request to the City Council for free building permit for the remodeling of house at 900 James Street to the extent of \$ 8,000.00 under the Better Housing Act; and

WHEREAS, the Council having determined that the said house is to be sold for individual profit after such remodeling has been completed; and

WHEREAS, no plausible reason has been advanced for granting of same;

BE IT THEREFORE, RESOLVED that request for free building permit as above stated 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 25th day of September, 1935, 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, Oliver, Pack, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG
CITY CLERK

RESOLUTION NO. 3295-N.S.

(see Next Page)

RESOLUTION NO. 3295-N.S.

A RESOLUTION GRANTING PERMIT TO PAUL WORTHEN TO ERECT BUILDING AT 962 STODDARD AVENUE FOR LUNCH ROOM AND SCHOOL SUPPLY STORE

---oOo---

WHEREAS, pursuant to posting and publishing of notices as required by Ordinance No. 364-N.S. setting a time for hearing of protests to the granting of permit to Paul Worthen to erect a building for a school supply store and lunch room at 962 Stoddard Avenue; and

WHEREAS, this being the time set forth in the said notices for said hearing; and

WHEREAS, there are no protests, either oral or written on file;

BE IT THEREFORE, RESOLVED that permit be and the same is hereby granted to the applicant for the erection of the building and the conducting of the business as prayed for, when all provisions of City ordinances relative to building permit fees and regulations have been complied with.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 25th day of September, 1935, 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, Oliver, Pack, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H.E. GRAGG
CITY CLERK

RESOLUTION NO. 3296- N.S.

A RESOLUTION DELEGATING C.L. BAKER TO ATTEND PACIFIC COAST BUILDING OFFICIALS CONFERENCE IN PASADENA

---oOo---

WHEREAS, pursuant to receipt of communication from the Pacific Coast Building Officials Conference relative to annual convention to be held in Pasadena October 8th to 12th, 1935, and

WHEREAS, the Council is of the opinion that the assistant building inspector of the City of Modesto should be named official delegate to attend the said conference with a portion of his expenses paid;

BE IT THEREFORE, RESOLVED that C.L. Baker be and he is hereby delegated to attend the Pacific Coast Building Officials conference at Pasadena as aforesaid; and

BE IT FURTHER RESOLVED that his expenses incurred in attending said conference be and the same shall be paid out of the general fund of the City of Modesto to the extent of \$25.00.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 25th day of September, 1935, 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, Oliver, Pack, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H.E. GRAGG
CITY CLERK

RESOLUTION NO.3297-N.S.

ADJOURNMENT

---oOo---

BE IT RESOLVED that this Council meeting now in session be and the same is hereby adjourned.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 25th day of September, 1935, 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, Pack, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H.E. GRAGG
CITY CLERK

RESOLUTION NO.3298-N.S.

A RESOLUTION ALLOWING CLAIMS AGAINST CITY OF MODESTO FOR THE MONTH OF SEPTEMBER, 1935

---oOo---

WHEREAS, the claims against the City of Modesto for the month of September, 1935, have been heretofore audited and approved by the Council;

BE IT RESOLVED that the said claims so audited and approved be and they are hereby ordered allowed, 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 -----	\$ 27,884.63
WATER FUND - -----	\$ 4,727.45
LIBRARY FUND -----	\$ 1,909.19
BOND RED. INT. FUND -----	\$ 19.44
ST. BOND RED. INT. FUND -----	\$
UNAPPORTIONED FUND -----	\$
TOTAL -----	\$ 34,540.71

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of October, 1935, 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. 3299-N.S.

A RESOLUTION APPROVING ACTION OF COMMITTEE IN AWARDING CONTRACT FOR SWEEPER AND AUTHORIZING PAYMENT OF PURCHASE PRICE THEREFOR

---oOo---

WHEREAS, pursuant to Resolution No. 3279-N.S. delegating authority to a committee to investigate bids submitted for a street sweeper and to the action of said committee awarding the contract therefor to the Elgin Sweeper Co. through their western representative, the Associated Equipment Co., at this time there has been presented to the Council for approval the claim of the said Elgin Sweeper Co. and/or Associated Equipment Co. in the amount of \$ 7318.15, being the amount of the purchase price set forth in their bid;

BE IT THEREFORE, RESOLVED that the action of the said committee in awarding bid to the Elgin Sweeper Co. and/or the Associated Equipment Co. be and the same is hereby ratified and approved; and

BE IT FURTHER RESOLVED that the claim of the Elgin Sweeper Co. and/or Associated Equipment Co. be and the same is hereby allowed in the sum of \$ 7318.15, and the City Clerk and Auditor directed to issue warrant therefor.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of October, 1935, 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, Oliver, Pack, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG
CITY CLERK

RESOLUTION NO. 3300-N.S.

A RESOLUTION AUTHORIZING REFUND OF BUSINESS LICENSE TO INSURANCE BROKER

---oOo---

WHEREAS, pursuant to decision of the City Attorney that license provisions of Ordinance 487-N.S. are not applicable to insurance agencies dealing exclusively in insurance, application has been filed with the Council by the Haack Insurance Agency for refund of \$ 5.00 license fee paid under provisions of Section 101 of said Ordinance 487-N.S.; and

WHEREAS, the Council is of the opinion that in those cases where agent handle insurance only and do not deal in real estate, bonds, etc. in connection with their insurance business, refunds of license fee should be made;

THEREFORE, BE IT RESOLVED that the City Clerk and Auditor be and he is hereby directed to draw a warrant in the sum of \$ 5.00 in favor of Haack Insurance Agency for refund of license fee as aforesated.

The foregoing resolution was introduced by Commissioner Oliver, at a regular meeting of the Council of the City of the City Modesto held on the 9th day of October, 1935, 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. 3301-N.S.

A RESOLUTION AUTHORIZING REFUND OF BUSINESS LICENSE DEPOSIT TO HERBERT McQUAID

---oOo---

WHEREAS, there has been filed with this Council petition of Herbert McQuaid for a refund of \$ 50.00 business license deposit made by him pursuant to Section 101 of Ordinance 487-N.S. for a restaurant to be opened at 907 Tenth Street, by virtue of the fact that he has a bona fide lease on the said property for five years, which lease accompanied his petition; and

WHEREAS, in view of provisions of Resolution No. 3285-N.S. exempting from such business deposit persons having a five-year lease on property;

BE IT THEREFORE, RESOLVED that the City Collector be and he is hereby directed to cause the above mentioned deposit to be refunded to the petitioner as prayed for.

The foregoing resolution was introduced at a regular meeting of the Council held on the 9th day of October, 1935, 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. 3302-N.S.

BE IT RESOLVED that in the enforcement of Section 101 of Ordinance 487-N.S. and particularly that portion thereof which provides that there shall be a deposit of \$ 50.00 for each new business and that every change of ownership of a business shall be construed as the commencement of a new business and requiring the deposit of \$ 50.00, said deposit of \$ 50.00 shall not be required in the following cases: First, where the person who begins the operation of a new business and applies for license pursuant to said Section 101 is the owner of the property upon which such new business is established or acquires the same from a previous owner; and, second, in those cases where the person who establishes or begins such new business or acquires the same from a previous owner has a bona fide lease upon the premises occupied by said business for not less than one year.

BE IT FURTHER RESOLVED that the word "business" as defined in Section 1 of said Ordinance 487-N.S. and Section 101 of said ordinance shall not be construed to include those certain and particular trades or occupations carried on or operated by any person from his own home or apartment where the gross income received from such trade or calling is less than \$ 25.00 a quarter.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of October, 1935, by Councilman Neece, who moved its adoption, which motion being duly seconded, it was upon roll call carried, and the resolution adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H.E. GRAGG
CITY CLERK

RESOLUTION NO. 3303-N.S.

A RESOLUTION GRANTING PERMIT TO H.H. SMITH TO CONDUCT BUSINESS AT HIS RESIDENCE

---oOo---

WHEREAS, pursuant to posting and publishing of notices setting forth this time for hearing of any and all protests to the use of property at 440 Hackberry for business purposes by H.H. Smith; and

WHEREAS, no protests, either oral or written, have been filed with the Council;

BE IT THEREFORE, RESOLVED that permit be and the same is hereby granted to the said H.H. Smith to conduct an interior decorating business at 440 Hackberry Street as prayed for, when all provisions of City ordinances relative to building permits 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 October, 1935, by Commissioner Pack, who moved its adoption, which motion being duly seconded,

it was upon roll call regularly 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. 3304-N.S.

A RESOLUTION GRANTING USE OF MUNICIPAL GOLF COURSE TO MODESTO JUNIOR COLLEGE STUDENTS
FOR CERTAIN PERIOD EACH WEEK

---oOo---

WHEREAS, petition has been filed with this Council by the Modesto Junior College for the use of the municipal golf course on two days per week for two hours each day by a class of students enrolled in a course for instruction in golf and asking that the charge therefor be not more than \$ 3.00 per student for the semester; and

WHEREAS, the Council is of the opinion that some concession should be granted to the petitioner;

BE IT THEREFORE, RESOLVED that the Council of the City of Modesto does hereby grant to the Modesto Junior College the exclusive right to use the municipal golf course from 2:00 P.M. to 4:00 P.M. on Friday of each week during the current semester that no charge shall be made for such use, provided, however, that such use be limited to the students officially enrolled in the said class for instruction in golf and shall be at all times under the supervision of the class instructor; and provided further, that such students when using the course at other times during the week shall pay the regular fee therefor.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of October, 1935, 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. 3305-N.S.

A RESOLUTION DENYING PETITION FOR TAX COMPROMISE OF MODESTO INVESTMENT COMPANY AND/OR

T. H. KEWIN

--- oOo ---

WHEREAS, petition has been filed with this Council by Modesto Investment Company and/or T.H. Kewin for a tax compromise in amount required to redeem property known as Lots 12 to 16 inc., excepting the SWly 50' of the SEly 70' in Block 55, by remitting the delinquent penalties imposed by Ordinance 396-N.S.; and

WHEREAS, the Council is without legal authority to set aside the provisions of the said ordinance;

BE IT THEREFORE RESOLVED that the petition of the Modesto Investment Co. and/or T.H.Kewin as above stated 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 9th day of October, 1835, 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. 3306-N.S.

A RESOLUTION DENYING PETITION OF R. B. MACBRIDE FOR REFUND OF LICENSE FEE AND DIRECTING THAT IT BE TRANSFERRED TO LICENSE FEE FOR USED CAR LOT

---oOo---

WHEREAS, there has been filed with this Council by R. B. MacBride a petition for refund of a \$ 5.00 license fee paid under provisions of Section 101 of Ordinance 487-N.S., the same having been paid twice for his place of business at 722 I Street; and

WHEREAS, the City License Collector has pointed out that the petitioner has not yet paid the license fee for a used car lot maintained at 1132 Tenth Street, contending that it is not a place of business but only used for display purposes;

BE IT THEREFORE, RESOLVED that in the opinion of the Council a used car lot located at a different address than the main office or place of business of the owner is a separate and distinct branch of such business, and subject, therefore, to the license provisions imposed by Ordinance 487-N.S.; and

BE IT FURTHER RESOLVED that the City License Collector be and he is hereby directed to apply the \$ 5.00 license fee in question to a license for the used car lot operated by the petitioner at 1132 Tenth Street.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of October, 1935, 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.3307-N.S.

A RESOLUTION CALLING FOR BIDS FOR FOUR AUTOMATIC, ONE-WAY TRAFFIC SIGNALS

---oOo---

BE IT RESOLVED that the City Clerk be and he is hereby directed to advertise for bids or proposals for furnishing four one-way, automatic traffic signals to the City of Modesto, the said bids or proposals to be opened at the regular meeting of the Council to be held on October 23rd, 1935.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of October, 1935, by Commissioner Stanley who moved its adoption, which motion being duly seconded, it was upon roll call adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H.E. GRAGG
CITY CLERK

RESOLUTION NO.3308-N.S.

BE IT RESOLVED that in the enforcement of Section 111 of Ordinance 487-N.S. an apartment house be construed to mean any building or portion thereof which is designed, built, rented, leased, or for rent or lease as the home or residence of three or more families, in addition to the owner or manager, living independently of each other and doing their own cooking therein; and that a series of court apartments shall consist of not less than three buildings or structures, in addition to that occupied by the owner and/or manager, on the same lot or set of lots designed for separate families living independently, and which are for lease or hire. The definition of an auto camp shall be that set forth in Ordinance No. 387-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 9th day of October, 1935, by Councilman Pack, who moved its adoption, which motion being duly seconded, 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.3309-N.S.

A RESOLUTION AUTHORIZING REFUND TO PERSONS HAVING PAID LICENSE FEES ON LESS THAN THREE APARTMENTS

---oOo---

WHEREAS, pursuant to appointing of Committee to make a survey of the license provisions of Ordinance 487-N.S. as applicable to apartment houses, and to the subsequent adoption of said Committee's recommendations that such licenses be not imposed on persons owning or operating less than three apartments;

BE IT THEREFORE, RESOLVED that the City Clerk and Auditor be and they are hereby directed to refund license fees paid under Section 111 of said Ordinance 487-N.S. to any person or persons having less than three apartments for lease or rent.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of October, 1935, 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, Oliver, Pack, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H.E. GRAGG
CITY CLERK

RESOLUTION NO. 3310-N.S.

ADJOURNMENT

---oOo---

BE IT RESOLVED that this Council meeting now in session be and the same is hereby adjourned.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of October, 1935, 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, Oliver, Pack, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H.E. GRAGG
CITY CLERK

RESOLUTION NO. 3311-M.S.
ADJOURNMENT OF SPECIAL MEETING

---oOo---

BE IT RESOLVED that this Council meeting now in session be and the same is hereby adjourned.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 16th day of October, 1935, 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, Oliver, Pack, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG
CITY CLERK

RESOLUTION NO. 3312-N.S.

A RESOLUTION AUTHORIZING REFUND OF LICENSE FEES PAID BY CERTAIN INSURANCE AGENCIES

---oOo---

WHEREAS, pursuant to the ruling of the City Attorney that the license provisions of Ordinance No. 487-N.S. cannot apply to insurance agents handling insurance exclusively, there has been filed with this Council claims of the following insurance agents for refund of license fees heretofore paid by them;

G. M. BRUT
WALTER E. THOMPSON
J. W. UTTERBACK
RAYMOND PURDY
HOWARD M. PALMER

each claim being in the sum of \$ 5.00: and

WHEREAS, the said claims are accompanied by signed affidavits attesting the only business conducted in each instance is strictly that of the sale of insurance, and the acts incidental thereto;

THEREFORE, BE IT RESOLVED that the City Clerk and Auditor be and he is hereby directed to refund the license fees to the aforementioned claimants as above set forth.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of October, 1935, 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, Pack, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG
CITY CLERK

RESOLUTION NO. 3313-N.S.

A RESOLUTION WAIVING DELINQUENT PENALTIES ON BUSINESS LICENSES IMPOSED BY ORDINANCE 487-N.S., AND AMENDMENTS THERETO, WHEN SUCH LICENSES ARE BEING PAID FOR THE FIRST TIME; AND AUTHORIZING CITY LICENSE COLLECTOR TO REFUND OR CREDIT TO FUTURE PAYMENTS DELINQUENT PENALTIES HERETOFORE COLLECTED IN SUCH CASES

--- oOo ---

WHEREAS, pursuant to Section 8 of Ordinance 487-N.S. imposing delinquent penalty of 25% on all license fees not paid within sixty days from the date due; and

WHEREAS, it has come to the attention of the Council that many persons paying the delinquent penalty under said section of said ordinance were unaware of the existence of the ordinance until after such penalties had accrued; and

WHEREAS, the Council is of the opinion that inasmuch as the ordinance levying such licenses and delinquent penalties has but recently become effective, and that when the licenses are being procured for the first time the delinquent penalties should not be added;

BE IT THEREFORE, RESOLVED that the City License Collector be and he is hereby directed to waive all delinquent penalties provided by Section 8 of said Ordinance No. 487-N.S. when a license is being procured for the first time; and

BE IT FURTHER RESOLVED that the City License Collector be and he is hereby directed to refund to, or credit the accounts of, all persons who have paid such delinquent penalties heretofore.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of October, 1935, 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, Pack, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG
CITY CLERK

RESOLUTION NO. 3314-N.S.

A RESOLUTION AUTHORIZING REFUND TO GRANGE COMPANY FOR TAXES PAID ON WAREHOUSE WHICH HAD BURNED DOWN PRIOR TO THE FIRST MONDAY IN MARCH, 1935

--- oOo ---

WHEREAS, there has been filed with this Council claim of the Grange Co. in the amount of \$ 59.29 for refund of taxes paid to the City Tax Collector, which had been levied for the fiscal year 1935-36 on a warehouse in Block 39; and

WHEREAS, it appears that said warehouse had burned down prior to the first Monday in March, 1935, and was not, therefore, taxable for the said fiscal year;

BE IT THEREFORE, RESOLVED that the City Clerk and Auditor be and he is hereby instructed to issue warrant in the said sum of \$ 29.29 to the Grange Co. for refund of taxes as aforesaid.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of October, 1935, 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, Pack, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG
CITY CLERK

RESOLUTION NO. 3315-N.S.

A RESOLUTION AUTHORIZING REFUND TO THE TEXAS COMPANY FOR TAXES HERETOFORE PAID TO THE CITY FOR LEVY ON TANK CAR WHICH WAS ALSO ASSESSED BY THE STATE BOARD OF EQUALIZATION IN THE CITY OF MODESTO

---oOo---

WHEREAS, the Texas Company has filed with this Council a claim in amount of \$ 7.80 for refund of unsecured personal property taxes paid to the City of Modesto, as of the first Monday in March, 1935, the same having been levied on a tank car; and

WHEREAS, it appears that the assessment roll of the State Board of Equalization in the City of Modesto for the fiscal year 1935-36 also levied assessment on the said tank car;

BE IT THEREFORE, RESOLVED that the City Clerk and Auditor be and he is hereby authorized and instructed to issue warrant to the Texas Company in amount of \$ 7.80 in payment of refund of erroneous taxes as aforesaid.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of October, 1935, 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, Pack, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG
CITY CLERK

RESOLUTION NO. 3316-M.S.

A RESOLUTION DENYING TRANSFER OF BUSINESS LICENSE TO R. G. JOHNSON

--- oOo ---

WHEREAS, there has been filed with this Council petition of R.G. Johnson, representative of the Spudette Co. seeking transfer of business license heretofore issued to H.H. Dieterich to him; and

WHEREAS, in view of provisions of Ordinance No. 47-N.S. the Council is of the opinion that said petition should be denied;

BE IT THEREFORE, RESOLVED that the transfer of license of H.H. Dieterich to R.G. Johnson 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 23rd day of October, 1935, 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, Pack, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H.E. GRAGG
CITY CLERK

RESOLUTION NO. 3317-N.S.

A RESOLUTION CANCELLING ERRONEOUS ASSESSMENT LEVIED ON PROPERTY OF THE SIERRA AND SAN FRANCISCO POWER CO.

--oOo--

WHEREAS, the Pacific Gas & Electric Co. and/or the Sierra & San Francisco Power Co. has filed with this Council a petition for cancelling of Assessment No. 2797 on the General Tax Roll of the City of Modesto for 1935-36, contending that said assessment covers the same property as does Assessment No. 3777 on the Assessment Roll of the State Board of Equalization in the City of Modesto for the said year, namely: Lots 17 and 18 in Block 93; and

WHEREAS, the City Auditor has reported the claim of the said Pacific Gas & Electric Co. and/or the Sierra and San Francisco Power Co. to be correct;

BE IT THEREFORE, RESOLVED that Assessment No. 2797 on the General Tax Roll of the City of Modesto for the year 1935-36 be and the same is hereby ordered cancelled and the City Tax Collector and Auditor directed to make such entries on their records as are necessary to effect such cancellation.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of October, 1935, 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, Pack, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H.E. GRAGG
CITY CLERK

RESOLUTION NO. 3318-N.S.

A RESOLUTION CANCELLING ERRONEOUS ASSESSMENT LEVIED ON PROPERTY OF THE TIDEWATER RAILWAY CO

---oOo---

WHEREAS, the Tidewater Southern Railway Company has filed with this Council a petition for the cancellation of Assessment No. 3089 on the General Tax Roll of the City of Modesto for the year 1935-36, covering property known as lots 29 and 30 in Block 60 and Lots 1 to 4 inclusive in said Block 60 of the City of Modesto, contending that this property is also assessed on the Assessment Roll of the State Board of Equalization in the City of Modesto, and for which they have received Tax Bill No. 3792; and

WHEREAS, the City Auditor has reported that the statements made by the said Tidewater Railway Company are correct;

BE IT THEREFORE, RESOLVED that Assessment No. 3089 of the General Tax Roll of the City of Modesto for the year 1935-36 be and the same is hereby ordered cancelled, and the City Tax Collector and Auditor directed to make such entries on their records as may be necessary to effect such cancellation.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of October, 1935, 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, Pack, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG
CITY CLERK

RESOLUTION NO. 3319-N.S.

A RESOLUTION CALLING FOR BIDS FOR TWO AUTOMOBILES FOR THE POLICE DEPARTMENT AND FOR ONE AUTOMOBILE FOR THE FIRE DEPARTMENT

--- oOo ---

WHEREAS, pursuant to budget provisions for the purchase of automobile equipment for the Police and Fire Departments;

BE IT RESOLVED that the City Clerk be and he is hereby directed to advertise for bids for two automobiles for the Police Department and for one automobile for the Fire Department as per the specifications to be filed by the Police Chief and Fire Chief, the said bids to be opened at the regular meeting of November 13, 1935.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of October, 1935, by Commissioner Stanley who moved its adoption, which motion being duly seconded, it was upon roll call adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG
CITY CLERK

RESOLUTION NO. 3320-N.S.

A RESOLUTION ACCEPTING FLEET AUTOMOBILE INSURANCE POLICY COVERING AUTOMOBILE EQUIPMENT OF THE CITY OF MODESTO

---oOo---

WHEREAS, there has been filed with this Council by the Insurance Committee for acceptance the insurance policy for the City's fleet of automobile equipment; and

WHEREAS, the said policy appears to be in proper form;

BE IT THEREFORE, RESOLVED that the said insurance policy be and the same is hereby accepted and approved; and payment of the premium therefor authorized to be made at the same time and in the same manner as other claims for the month of October, 1935.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of October, 1935, 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. 3321-N.S.

ADJOURNMENT

*** **

BE IT RESOLVED that this Council meeting now in session be and the same is hereby adjourned.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of October, 1935, 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.3322-N.S.

A RESOLUTION REQUESTING THE RESIGNATION OF CITY ATTORNEY, A. J. CARLSON

--- oOo ---

WHEREAS, pursuant to the provisions of budget of the City of Modesto for the year 1935-36 wherein a reduction in salary of the City Attorney, A. J. Carlson, was made from \$250.00 per month to \$150.00 per month, it now appears to the Council that Mr. Carlson is dissatisfied with the reduced salary and has stated that he cannot do legal work for the City in return for such compensation; and

and WHEREAS, it is impossible for a person to perform satisfactory work when dissatisfied with the returns therefrom; and

WHEREAS, the Council feels assured that a competent attorney can be retained for the City at a salary of \$ 150.00 per month;

BE IT THEREFORE, RESOLVED that Mr. A. J. Carlson be and he is hereby requested to tender his resignation from the position of City Attorney of Modesto to the City Council on or before 5:00 P.M. Tuesday, November 15, 1935;

BE IT FURTHER RESOLVED that Mr. A. J. Carlson be and he is hereby requested to tender his resignation from the position of City Attorney of Modesto to the City Council on or before 5:00 P.M., Tuesday, November 5, 1935;

BE IT FURTHER RESOLVED that Mr. Carlson be requested to bring to culmination during the month of November, 1935, all matters of City business now pending and receive in compensation therefor a full month's pay, to-wit: \$150.00; and that he deliver to the City Clerk all papers, memorandum, etc. pertaining to the City affairs which cannot be cleared up in that time, together with such information as can be given in regard to same;

BE IT FURTHER RESOLVED that the Council of the City of Modesto wishes to assure Mr. Carlson that this move is taken strictly as a business proposition, that the Council, one and severally, entertains nothing but the highest personal regard for him; and does herewith express appreciation for the long, capable and loyal service to the City of Modesto throughout the many administrations in which he has held the position of City Attorney.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto, duly called and convened at the hour of 7:30 P.M. on Friday, November 1, 1935, by Commissioner Oliver, who moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H.E. GRAGG
CITY CLERK

RESOLUTION NO. 3323-N.S.

ADJOURNMENT

---oOo---

BE IT RESOLVED that this Council meeting now in session be and the same is hereby declared adjourned.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto, duly called and convened at the hour of 7:30 P.M. on Friday, November 1, 1935, 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, Oliver, Pack, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG
CITY CLERK

RESOLUTION NO. 3324-N.S.

A RESOLUTION ACCEPTING THE RESIGNATION OF CITY ATTORNEY, A. J. CARLSON

---oOo---

WHEREAS, pursuant to Resolution No. 3322-N.S., there has been filed with this Council the written resignation of A. J. Carlson from the office of City Attorney of the City of Modesto;

BE IT THEREFORE, RESOLVED that the resignation of Mr. Carlson from the said office be and the same is hereby accepted, and the office of City Attorney declared vacant.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto, duly called and convened at the hour of 7:30 P.M. on Monday, November 4th, 1935, 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, Pack, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG
CITY CLERK

RESOLUTION NO. 3325-N.S.

A RESOLUTION APPOINTING ROBT. B. FOWLER TO OFFICE OF CITY ATTORNEY OF MODESTO

--- oOo ---

WHEREAS, pursuant to acceptance of resignation of A. J. Carlson from the office of City Attorney, and a vacancy now existing in that office, there has been filed with the City Council the written application of Myron C. Mofle and the oral application of Robt. B. Fowler for appointment to that position; and

WHEREAS, after due consideration of the applications submitted, the Council is unanimously agreed upon the appointment of Robt. B. Fowler to the said office:

BE IT THEREFORE, RESOLVED that Mr. Robt. B. Fowler be and he is hereby appointed to the office of City Attorney of the City of Modesto to serve at the pleasure of the Council, effective November 5, 1935; and

BE IT FURTHER RESOLVED that the compensation of Mr. Fowler be and the same is hereby fixed at \$ 150.00 per month, payable at the same time and in the same manner as other City officials are paid.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto, duly called and convened at the hour of 7:30 P.M. on Monday, November 4th, 1935, 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. 3326-N.S.

ADJOURNMENT

---oOo---

BE IT RESOLVED that this Council meeting now in session be and the same is hereby adjourned.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 4th day of November, 1935, 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, Oliver, Pack, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG
CITY CLERK

RESOLUTION No.3327-N.S.

A RESOLUTION ALLOWING CLAIMS AGAINST THE CITY FOR MONTH OF OCTOBER

---oOo---

WHEREAS, the claims against the City of Modesto for the month of October, 1935, having been heretofore audited and approved by the Council and found to be correct;

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

GENERAL FUND -----	\$ 22,161.80
WATER FUND -----	4,358.10
LIBRARY FUND -----	1,461.16
BOND RED. INT. FUND -----	62.94
ST. BOND RED. INT. FUND -----	2,000.00
UNAPPORTIONED FUND -----	7.80
ST. BOND RED INT. SPECIAL -----	1.62
TOTAL -----	\$ 30,053.42

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of November, 1935, 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.3328-N.S.

A RESOLUTION AUTHORIZING REFUND OF BUSINESS LICENSE FEES TO INSURANCE AGENTS:
C. R. TOOMES, G. H. BERTRAM AND STANLEY PETERSON

---oOo---

WHEREAS, claims of C. R. Toomes, G. H. Bertram and Stanley Peterson in amounts of \$ 5.00 each have been filed with this Council for the refund of license fees heretofore paid by them under terms of Ordinance 487-N.S.; and

WHEREAS, it now appears that the above persons are exempt from such license fees by virtue of state corporation statutes;

BE IT THEREFORE, RESOLVED that refund of license fees to the above claimants be and the same are hereby authorized, and the City Clerk and Auditor directed to issue warrants therefor.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of November, 1935, 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. 3329-N.S.

A RESOLUTION GRANTING PERMIT TO C.W. SHANNON TO ERECT, OPERATE AND MAINTAIN A MORTUARY AT 1605 I STREET IN THE CITY OF MODESTO.

---oOo---

WHEREAS, the City Clerk has posted and published a notice setting forth this time for the hearing of protests to the granting of permit to C. W. Shannon to construct, operate and maintain a mortuary at 1605 I Street, all in accordance with Zoning Ordinance No. 364-N.S.; and

WHEREAS, there have been no protests, either oral or written filed with the Council;

BE IT THEREFORE, RESOLVED that permit be and the same is hereby granted to C. W. Shannon to erect, operate and maintain a mortuary at the above address when all provisions of City ordinances relative to building permit fees and construction have been complied with.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of November, 1935, 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. 3330-N.S.

A RESOLUTION GRANTING PERMIT TO SHELL OIL COMPANY FOR SERVICE STATION ON PROPERTY AT THE NORTHWESTERLY CORNER OF NINTH AND G STREETS

---oOo---

WHEREAS, pursuant to Ordinance No. 344-N.S. there was filed with the Council for approval the application of the Shell Oil Company to erect, operate and maintain a service station on property known as Lots 29 to 32 inc in Block 53, being situate at the Northwesterly corner of Ninth and G Streets; and

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

BE IT THEREFORE, RESOLVED that permit be and the same is hereby granted to the Shell Oil Company to erect, operate and maintain a service station as prayed for, when all provisions of City ordinances relative to building permit and the regulations for storage and dispensing of gasoline have been complied with.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of November, 1935, 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, Oliver, Pack, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H.E. GRAGG
CITY CLERK

RESOLUTION NO.3331-N.S.

A RESOLUTION OFFICIALLY DESIGNATING CERTAIN ALLEY AS "BAKER WAY".

---oOo---

WHEREAS, pursuant to request of O. D. Swan that the alley way running between blocks 558,559,560 and 561, being situate between Maynell, Morris, McHenry and Johnson Streets, be designated by an official name, suggesting that the name "Baker Street" be used; and

WHEREAS, the Council deems it of public benefit to designate the above described alleyway by name;

BE IT THEREFORE, RESOLVED that the above described alley be and the same is hereby officially designated as "BAKER WAY", and

BE IT FURTHER RESOLVED that the City Clerk be and he is hereby instructed to advise the United States Postoffice of the naming of the above described alley.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of November, 1935, 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, Oliver, Pack, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H.E. GRAGG
CITY CLERK

RESOLUTION NO.3332-N.S.

A RESOLUTION REFERRING BIDS FOR AUTOMOBILE EQUIPMENT TO COMMITTEE

--oOo--

WHEREAS, pursuant to advertising for bids for one automobile for the Fire Department and two automobiles for the Police Department; and

WHEREAS, this being the time set forth for opening of said bids, there was on file with the City Clerk seven bids which the Council proceeded to open and declare as follows:

(c.f. Bid File No. 128 for detail of Bids)

NOW THEREFORE, BE IT RESOLVED that the above bids be and the same are hereby referred to a committee composed of Councilmen Stanley and Neece for investigation and recommendation as to the lowest and best bids, the report to be made at 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 13th day of November, 1935, 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, Pack, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H.E. GRAGG
CITY CLERK

RESOLUTION NO.3333-N.S.

A RESOLUTION AWARDDING BID FOR TRAFFIC SIGNAL TO EAGLE SIGNAL CORPORATION

---oOo---

WHEREAS, pursuant to the receiving of bids for automatic traffic signal for the intersection of Ninth and H Streets; and

WHEREAS, the said bids have been laid over for final consideration at this time; and

WHEREAS, it appears that the bid of Eagle Signal Corporation is the lowest and best bid;

NOW THEREFORE, RESOLVED IT BE That the "alternate" bid of Eagle Signal Corporation for automatic traffic signal at the price of \$ 385.13 as set forth in detail in their written proposal, be and the same is hereby accepted; and

BE IT FURTHER RESOLVED that the City Clerk be and he is hereby directed to return to the unsuccessful bidders the certified checks accompanying their bids.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of November, 1935, 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, Pack, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG
CITY CLERK

RESOLUTION NO.3334-N.S.

A RESOLUTION SPECIFYING TERMS FOR INSTALLMENT CONTRACTS FOR PAYMENT OF FEE FOR CONNECTIONS WITH CITY WATER MAINS OUTSIDE THE CITY LIMITS

---oOo---

WHEREAS, the attention of the Council has been called to the practice of granting water connections with City water mains outside the City on installment contracts for payment of the connection fee of \$ 150.00 stipulated in Ordinance 432-N.S.; and

WHEREAS, there has been no specific form or terms set forth for such installment payments, save in certain specific cases;

THEREFORE, BE IT RESOLVED that on water service connections made outside the City limits, when connection fee of \$150.00 is to be paid on installment basis, an initial payment of no less than \$ 50.00 shall be made, and agreement signed for payment of the balance in payments of no less than \$ 10.00 per month, with interest on the unpaid balance at the rate of 7%.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of November, 1935, 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, Pack, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG
CITY CLERK

RESOLUTION NO.3335-N.S.

A RESOLUTION APPROVING AND ACCEPTING LEASE FOR PROPERTY IN BLOCK 40 ADJACENT TO CITY CORPORATION YARD MACHINE SHOP; AND PROVIDING FOR PAYMENT OF MONTHLY RENTAL THEREFOR

---oOo---

WHEREAS, pursuant to building of machine shop for the City of Modesto on portion of property known as Lots 1 to 13 inc. in Block 40, and it now being deemed advisable and necessary to acquire possession and use of property adjacent to the said machine shop, namely: Lots 14, 15 and 16 in Block 40; and

WHEREAS, there has been presented to this Council a lease agreement providing for the rental of said property by the Modesto Title Company, in consideration of the monthly rental of \$ 14.00 for the period beginning December 1,1935, and ending July 31,1936;

BE IT THEREFORE, RESOLVED that the said lease be and the same is hereby approved and accepted and the City Clerk and Auditor directed to draw a warrant in favor of Modesto Title Company in sum of \$ 14.00 on the first day of each month, beginning December 1,1935, and up to and including July 1,1936.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of November,1935, 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, Cliver, Pack, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H.E.GRAGG
CITY CLERK

RESOLUTION NO.3336-N.S.

A RESOLUTION AUTHORIZING PAYMENT OF CLAIM OF MODESTO TITLE COMPANY FOR EXPENSE INVOLVED IN PREPARATION AND EXECUTION OF LEASE FOR RENTAL OF PROPERTY ADJACENT TO MACHINE SHOP

---oOo---

WHEREAS, pursuant to acceptance of lease for rental of property known as Lots 14 to 16 inc. in Block 40, there has been filed with the Council claim of the Modesto Title Company in amount of \$ 13.50 for title Expense involved in preparation and execution of the said lease;

BE IT THEREFORE, RESOLVED that the City Clerk and Auditor be and he is hereby authorized and directed to draw a warrant in the sum of \$ 13.50 in favor of the Modesto Title Co. in payment of claim as aforesaid.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of November,1935, 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, Cliver, Pack, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H.E.GRAGG
CITY CLERK

RESOLUTION NO. 3337-N.S.

A RESOLUTION AUTHORIZING THE OFFERING OF SUM OF \$1200.00 TO MRS. FRED EKSTEIN FOR RIGHT OF WAY THROUGH BLOCK 133 FOR THE EXTENSION OF NINETEENTH STREET

---oOo---

WHEREAS, pursuant to consideration of matter of settlement of claim of Mrs. Fred Ekstein for the right of way heretofore taken by the City through Block 133 for the purpose of extending 19th Street;

BE IT RESOLVED that the sum of \$1200.00 be and the same is hereby authorized offered to Mrs. Ekstein for settlement of the above claim for the right of way as aforesaid, including the right and title to the triangular portion of said Block 133 cut off by the roadway extension.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of November, 1935, 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, Oliver, Pack, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H.E. GRAGG
CITY CLERK

RESOLUTION NO. 3338-N.S.

A RESOLUTION ACCEPTING REPORT OF HICKLIN, REDMOND COMPANY FOR AUDIT OF CITY ACCOUNTS FOR PERIOD ENDING JUNE 30, 1935

---oOo---

WHEREAS, the annual audit of the City of Modesto's accounts having been completed by Messers Hicklin, Redmond, Co., the formal report thereof has been filed with this Council;

BE IT THEREFORE, RESOLVED that the report submitted by Messers Hickling, Redmond & Co. be and the same is hereby formally accepted; and payment heretofore made by the City Clerk and Auditor in the sum of \$ 400.00 for the services of the above named auditors be and the same is hereby ratified.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of November, 1935, 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.3339-N.S.

A RESOLUTION ACCEPTING REPORT OF COMMITTEE ON DOGS AND THANKING THE MEMBERS
THEREOF FOR THEIR SERVICES

---oOo---

WHEREAS, pursuant to the appointing of a committee by Mayor King to study the dog situation in Modesto and to make recommendations for the correction of unsatisfactory conditions now existing in the City; and

WHEREAS, there has been filed with this Council a written report of the findings and recommendations of the said committee;

THEREFORE, BE IT RESOLVED that the report of the above committee be and the same is hereby accepted and ordered placed on file for future reference; and that the individual members of the Committee be and they are hereby extended the sincere appreciation of the Council for their services in compiling the said report.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of November, 1935, by Commissioner Stanley who moved its adoption, which motion being duly seconded it was upon roll call adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG
CITY CLERK

RESOLUTION NO.3340-N.S.

ADJOURNMENT

---oOo---

BE IT RESOLVED that this Council meeting now in session be and the same is 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 November, 1935, by Commissioner Stanley, who moved its adoption, which motion being duly seconded, it was upon roll call adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG
CITY CLERK

RESOLUTION NO.3341-N.S.

A RESOLUTION ALLOWING THE CLAIM OF CHAS.D. BLAINE FOR REFUND OF LICENSE FEE

---oOo---

WHEREAS, there has been filed with this Council a claim by Chas. D. Blaine for refund of \$ 5.00 license fee heretofore paid to the City License Collector pursuant to Ordinance No. 487-N.S.; and

WHEREAS, it appears that the said claimant is exempt from the license provisions of the above ordinance by virtue of insurance laws of the State of California;

BE IT THEREFORE, RESOLVED that the claim of Chas. D. Blaine be and the same is hereby allowed, and the City Clerk and Auditor directed to issue warrant therefor as prayed for.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of November, 1935, 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.3342-N.S.

A RESOLUTION AUTHORIZING REFUND OF RETAIL LICENSE FEE TO MR. G. L. HAWLEY

---oOo---

WHEREAS, there has been filed with this Council by G. L. Hawley, claim for refund of \$ 5.00 license fee heretofore paid as per provisions of Ordinance No. 487-N.S. relating to retail business; and

WHEREAS, it appears from testimony of the claimant that he does not conduct retail business in the City of Modesto but only wholesale business, for which license has been procured;

BE IT THEREFORE, RESOLVED that the City Clerk and Auditor be and he is hereby directed to draw warrant for refund to G. L. Hawley as prayed for.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of November, 1935, 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.3343-N.S.

A RESOLUTION REJECTING CLAIMS OF BORDEN'S TRUCK DRIVERS FOR REFUND OF TRUCK
LICENSE FEE

---oOo---

WHEREAS, pursuant to the filing of claims of L. P. Beidlemen, C.C.Mudgett, F. H. Petersen and H. E. Tong for refund of license fees heretofore paid by them pursuant to Section 101 of Ordinance 487-N.S. covering the operation by them of trucks under contract with the Borden Western Company; and

WHEREAS, action on said claims has been postponed from time to time pending investigation of same by the Council; and

WHEREAS, it now appears from result of such investigation that the above named truck operators come within the scope of the license provisions of Ordinance 487-N.S. as applied to trucking;

BE IT THEREFORE, RESOLVED that the above claims of the aforementioned claimants be and the same are hereby rejected.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of November, 1935, 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, Oliver, Pack, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG
CITY CLERK

RESOLUTION NO.3344-N.S.

A RESOLUTION ALLOWING CLAIM OF STATE COMPENSATION INSURANCE FUND FOR ADDITIONAL
PREMIUM ON INSURANCE POLICY FOR 1934

--- oOo ---

WHEREAS, there has been filed with this Council claim of the State Compensation Insurance Fund setting forth the experience rating premium on compensation insurance policy of the City effective during the fiscal year 1934-35, together with the amount of additional premium due thereon in amount of \$ 324.32;

BE IT THEREFORE, RESOLVED that the City Clerk and Auditor be and he is hereby directed to draw warrant in the above sum in payment of additional premium due on compensation insurance policy as aforesaid.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of November, 1935, 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.3345-N.S.

A RESOLUTION GRANTING PERMIT TO COCA COLA COMPANY TO ERECT BUILDING IN RESIDENCE ZONE

--- oOo ---

WHEREAS, pursuant to the City Clerk's having posted and published notices setting forth this time for hearing of protests to the granting of permit to the Coca Cola Bottling Company of Turlock to construct, operate and maintain a building for conducting of its business on property known as Lots 1 to 3 inc. in Block 63 of the City of Modesto, all in accordance with Zoning Ordinance No. 364-N.S.; and

WHEREAS, this being the time set forth in said notices for hearing of protests to granting of such permit, and there having been no protests, either oral or written, filed;

NOW THEREFORE, BE IT RESOLVED that permit be and the same is hereby granted to the Coca Cola Bottling Co. of Turlock to construct, operate and maintain a building for business purposes on said property as prayed for, when all provisions of City ordinances pertaining to building permit and regulations therefor have been complied with.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of November, 1935, 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, Oliver, Pack, Stanley and Mayor King .

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H.E. GRAGG
CITY CLERK

RESOLUTION NO.3346-N.S.

A RESOLUTION AWARING BIDS FOR ONE AUTOMOBILE FOR THE FIRE DEPARTMENT AND FOR TWO AUTOMOBILES FOR THE POLICE DEPT.

---oOo---

WHEREAS, pursuant to receiving of bids for automobile equipment for the Fire Department and the Police Departments as per advertised Notice to Bidders, and the subsequent referring of all bids received to a committee for investigation and recommendation; and

WHEREAS, the said Committee reports its findings and recommends the purchase of automobiles as follows:

ITEM #1. FOR THE FIRE DEPARTMENT.

Bid of W. J. Silva for 1 Studebaker Dictator Sedan - as per specifications set forth in Notice to Bidders - at the net price of \$ 955.73

ITEM #2 FOR THE POLICE DEPARTMENT.

Bid of Frank Paradis Co. for 1 Standard Fordor Ford Sedan - as per specifications set forth in Notice to Bidders - at the net price of \$ 579.26

ITEM #3 FOR THE POLICE DEPARTMENT.

Bid of J. L. Singleton for 1 Pontiac Master 6 Sedan - as per specifications set forth in Notice to Bidders - at the net price of \$ 680.00

NOW THEREFORE, BE IT RESOLVED that the bids above set forth be and the same are hereby accepted by the Council of the City of Modesto; and upon delivery and acceptance of the said equipment, the City Clerk and Auditor be and he is hereby authorized to draw warrants in payment therefor at the prices above set forth, reference being made to the bids now on file in the City Clerk's office for greater detail as to specifications.

BE IT FURTHER RESOLVED that the City Clerk be and he is hereby directed to return to the unsuccessful bidders the certified checks accompanying their bids.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of November, 1935, 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, Pack, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG
CITY CLERK

RESOLUTION NO. 3347-N.S.

A RESOLUTION AUTHORIZING THE PURCHASE OF FILING CABINET FOR THE
CITY ATTORNEY

--- oOo ---

WHEREAS, Mr. Robt. Fowler, City Attorney, has called to the attention of the Council the fact that a filing cabinet for all papers, memorandum, etc. pertaining to City legal matters is needed in order that it might be transferred to newly appointed City Attorney when named by the Council;

THEREFORE, BE IT RESOLVED that a filing cabinet, as per the specifications to be furnished by Mr. Fowler be and the same is hereby authorized purchased.

BE IT FURTHER RESOLVED that right and title to such filing cabinet shall remain vested in the City of Modesto at all times.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of December, 1935, 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. 3348-N.S.

A RESOLUTION ADOPTING THE BUDGET AS SET FORTH IN THE PROJECT STATEMENT OF NOVEMBER 18, 1935 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 fiscal year ending June 30, 1935, and does herewith designate Mayor J. H. King, and City Engineer F. J. Rossi to affix their signatures thereto on 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, 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 27th day of November, 1935, 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, Oliver, Pack, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG
CITY CLERK

RESOLUTION NO. 3349-N.S.

A RESOLUTION APPROVING AN AGREEMENT WITH THE STATE DEPARTMENT OF PUBLIC WORKS FOR THE ACQUISITION, CONSTRUCTION AND MAINTENANCE OF ROUTES OF STATE HIGHWAYS WITHIN THE CITY OF MODESTO, AND DESIGNATING MAYOR J. H. KING, SIGNATORY OFFICIAL IN THE MATTER OF SIGNING THIS AGREEMENT

--oOo--

WHEREAS, there has been presented to this Council for ratification and signature an Agreement relative to expenditure of moneys by the State Department of Public Works obtained from the apportionment of the one-fourth cent gasoline tax on improvement of state highway routes within the City of Modesto, which Agreement sets forth in detail the obligations of the State in the acquisition, construction and maintenance of those certain highway routes within the City limits known as Route No. 4, Route No. 109 and Route No. 110; and does also set 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 ratify and approve the said Agreement and does herewith designate J. H. King, Mayor of the City of Modesto, as the official to affix his signature thereto on behalf of the City of Modesto.

BE IT FURTHER RESOLVED that the said Agreement and a certified copy in duplicate of this Resolution be and the same is hereby ordered forwarded to Mr. R. E. Pierce, District Engineer of the Division of Highways of the State Department of Public Works.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of November 1935, 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, Oliver, Pack, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H.E. GRAGG
CITY CLERK

RESOLUTION NO. 3350-N.S.

A RESOLUTION TRANSFERRING \$2,000.00 FROM THE GENERAL FUND TO THE GASOLINE TAX FUND CREATED BY ORDINANCE NO. 502-N.S.

---oOo---

WHEREAS, pursuant to the creating of Gasoline Tax Fund of the City of Modesto by Ordinance No. 502-N.S. for the purpose of paying into said fund moneys obtained from the State of California as the City's apportionment of State gasoline taxes collected; and

WHEREAS, it is deemed advisable at this time to transfer the sum of \$ 2,000.00 from the General Fund to the aforementioned Gasoline Tax Fund, such transfer to be reciprocated when the State of California pays to the City of Modesto its apportionment of Gasoline Taxes;

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 \$ 2,000.00 from the General Fund to the Gasoline Tax Fund as aforesaid, such transfer to be reciprocated at such time as the State of California pays to the City of Modesto its apportionment of Gasoline Taxes.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of November, 1935, 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, Oliver, Pack, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H.E. GRAGG
CITY CLERK

RESOLUTION NO.3351-N.S.

A RESOLUTION AUTHORIZING THE INSTALLATION OF LIGHTING FACILITIES FOR APPROACH TO THE GIRL SCOUT'S CLUBHOUSE IN BEARD BROOK PARK

---oOo---

WHEREAS, the matter of lighting the approach to the Girl Scout's Clubhouse in Beard Brook Park has been brought to the attention of the Council for consideration; and

WHEREAS, it appears that such lighting can be installed by the Department of Public Works with materials on hand and at a nominal cost for such additional materials as may be required;

THEREFORE, BE IT RESOLVED that the Department of Public Works is hereby authorized to proceed with the installation of lighting facilities for the approach to the Girl Scout's Clubhouse in Beard Brook Park as aforesaid.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of November, 1935, 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, Oliver, Pack, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H.E. GRAGG
CITY CLERK

RESOLUTION NO.3352-N.S.

ADJOURNMENT

---oOo---

BE IT RESOLVED that this Council meeting now in session be and the same is hereby adjourned.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of November, 1935, 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, Oliver, Pack, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H.E. GRAGG
CITY CLERK

RESOLUTION NO. 3353-N.S.

A RESOLUTION ALLOWING CLAIMS AGAINST THE CITY FOR NOVEMBER, 1935

---oOo---

WHEREAS, the claims against the City of Modesto for the month of November, 1935, having been heretofore audited and approved by the Council and found to be correct; now

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

GENERAL FUND-----	\$	19,090.06
WATER FUND-----	\$	3,097.24
LIBRARY FUND-----	\$	1,798.00
BOND RED. INT. FUND-----	\$	2.49
ST. BOND RED. INT. FUND-----	\$	
UNAPPORTIONED FUND-----	\$	
ST BOND RED INT SPECIAL		.32
TOTAL-----	\$	23,988.11

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of December, 1935 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. 3355-N.S.

A RESOLUTION AUTHORIZING REFUND OF BUSINESS LICENSE FEE TO INSURANCE AGENTS: COOPER & DAMIN

--oO o--

WHEREAS, claims of Cooper & Damin in amount \$5.00 having been filed with this Council for the refund of license fee heretofore paid by them under terms of Ordinance 487-N.S. and

WHEREAS, it now appears that the above persons are exempt from such license fees by virtue of state Corporation statutes:

BE IT THEREFORE RESOLVED that refund of license fees to the above claimants be and the same are hereby authorized, and the City Clerk and Auditor directed to issue warrant therefor.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of December 1935 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

*Res 3354
next page*

RESOLUTION 3354-N.S.

A RESOLUTION AUTHORIZING PAYMENT OF SUBSIDY TO BOYS' BAND

---oOo---

WHEREAS, pursuant to budget appropriation of \$500.00 for subsidy to the Stanislaus County Boys' Band, and to payment of \$250.00 of such subsidy pursuant to action authorized by Resolution No. 3290-N.S.; and

WHEREAS, there is at this time a claim of \$250.00 on file with the Council from the treasurer of the Boys' Band for payment of balance of subsidy at this time; now therefore

BE IT RESOLVED that the City Clerk and Auditor be and he is hereby instructed to issue warrant in the sum of \$250.00 to the Stanislaus County Boys' Band for balance of budget appropriation for subsidy as aforesaid.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of December 1935, 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: Neede, Oliver, Pack, Stanley and Mayor King

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST H. E. GRAGG,
City Clerk

RESOLUTION NO. 3356-N.S.

A RESOLUTION PROHIBITING ANGLE PARKING ON G STREET BETWEEN NINTH AND ELEVENTH STREETS

---oOo---

The City Council having heretofore by resolution determined that angle parking be permitted upon certain streets within the City of Modesto pursuant to Section 34 of Ordinance 345-N.S., and it appearing now that it is no longer feasible or practical to permit angle parking on G Street between Ninth and Eleventh Streets within said City.

THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that angle parking as heretofore practiced and permitted on G Street, between Ninth and Eleventh Streets in said City, be forbidden and prohibited after the adoption of this resolution, and that all vehicles parking within the limits designated shall stop, stand or park the same parallel with the curb and with the two right hand wheels of the vehicle within a foot of the regularly established curb line of said portions of said street.

Be it further resolved that the Public Works Department of said City proceed at once to efface the lines now upon the portions of said street indicating that angle parking may be permitted, and to indicate in lieu thereof, by the painting of a white line at the proper distance from and parallel to the curb line of said street, that curb parking only will be permitted.

The foregoing resolution was introduced at a regular meeting

of the Council of the City of Modesto held on the 11th day of December, 1935 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. 3357-N.S.

A RESOLUTION RATIFYING AND APPROVING A CERTAIN LEASE AND AGREEMENT WITH THE SHELL OIL COMPANY AT MUNICIPAL AIRPORT

---oOo---

WHEREAS, the City of Modesto has entered into a lease agreement with the Shell Oil Company for a gasoline concession at municipal airport located east of the City of Modesto, south of the Waterford Road

WHEREAS, said lease is in accordance with the agreement of the City of Modesto with relation to the matters therein described

THEREFORE, BE IT RESOLVED THAT the said lease be and the same is hereby ratified, approved and accepted by the Council of the City of Modesto and that the City Clerk and Mayor be authorized to affix their signatures thereto on behalf 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 December, 1935 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. 3358-N.S.

A RESOLUTION INCREASING COMPENSATION OF B. DEARMOND EMPLOYEE AT GOLF COURSE

---oOo---

WHEREAS, pursuant to the increasing of compensation of B. DeArmond, golf course employee on the semi-monthly payroll to \$50.00 per month, effective December 1, 1935

THEREFORE BE IT RESOLVED that the City Clerk be authorized and directed to pay B. DeArmond above named sum as aforesaid.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of December, 1935 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. 3359-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 a regular meeting of the Council of the City of Modesto held on the 11th day of December, 1935 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. 3360-N.S.

A RESOLUTION APPROVING AGREEMENTS FOR INACTIVE DEPOSITS OF CITY FUNDS

---oOo---

WHEREAS, the matter of approval of agreements for inactive deposits of city funds has been brought to the attention of the Council for consideration; and

WHEREAS, it appears that the agreements for inactive deposits of city funds with the American Trust Company and the Bank of America are in proper form

THEREFORE BE IT RESOLVED that the Council of the City of Modesto hereby accept the deposit agreements presented and also accept the specified term for Notice of Withdrawal as aforesaid.

The foregoing resolution was introduced at a regular meeting of the

Council of the City of Modesto held on the 11th day of December, 1935 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. 3361-N. S.

A RESOLUTION CANCELLING TAXES LEVIED AGAINST PROPERTY IN BLOCK 595 OWNED BY COUNTY OF STANISLAUS

---oOo---

WHEREAS, it having been called to the attention of the Council that certain taxes have been levied against property known as Block 595 and

WHEREAS, it appears that the County of Stanislaus has acquired this property

THEREFORE, BE IT RESOLVED that the assessment against the property known as block 595 be cancelled and the City Assessor, Tax Collector and Auditor be and they are hereby instructed to make proper entries on the Tax records to that effect

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of December, 1935 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, Stanley, Pack, Oliver and Mayor King
Noes: Councilmen: None
Absent: Councilmen: None

ATTEST H. E. GRAGG
CITY CLERK

RESOLUTION NO. 3362-N.S.

A RESOLUTION APPOINTING ROBERT FOWLER CITY ATTORNEY EX-OFFICIO MEMBER OF PLANNING COMMISSION

---oOo---

WHEREAS, Pursuant to appointment of Robert Fowler as City Attorney of the City of Modesto and pursuant to provisions of Ordinance 414-N.S.

WHEREAS, it is the Regular custom of the City Planning Commission that the City attorney act as ex-officio member of aforesaid commission

BE IT THEREFORE, RESOLVED that Robert Fowler, City Attorney be and he is hereby appointed ex-officio member of the City Planning Com-

mission during the tenure of office

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of December 1935 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, Stanley, Pack, Oliver and Mayor King
Noes: Councilmen: None
Absent; Councilmen: None

ATTEST H.E. GRAGG
CITY CLERK

RESOLUTION NO. 3363-N.S.

A RESOLUTION ALLOWING RETURN OF BUSINESS LICENSE DEPOSIT OF R. BRAYTON, CONTRACTOR UPON COMPLETION OF CONTRACT WORK

---oOo---

WHEREAS petition was made to the City of Modesto by R. Brayton, Contractor through the City License Collector for the return of business license deposit before the expiration of the six month's period specified by Ordinance 487-N.S.

WHEREAS after due consideration of the matter by the Council of the City of Modesto the City License Collector was authorized to refund the said deposit when such contract work shall have been completed and all provisions of Ordinance 487-N.S. relative to payment of tax on contract price shall have been paid.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of December, 1935 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, Stanley, Pack, Oliver and Mayor King
Noes: Councilmen: None
Absent: Councilmen: None

ATTEST H. E. GRAGG
CITY CLERK

RESOLUTION no. 3364-N.S.

ADJOURNMENT

--oOo--

BE IT RESOLVED that this Council meeting now in session be and the same it hereby adjourned. In view of the fact that the date of the next meeting falls on a holiday, Thursday, December 26th was set as the date for the next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of December, 1935, 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, Pack, Oliver and Mayor King
Noes: Councilmen: None
Absent: Councilmen: None

RESOLUTION NO. 3365-N.S.

A RESOLUTION REQUIRING MODESTO TRIBUNE TO PAY BUSINESS LICENSE FEE FOR
DISTRIBUTING CIRCULARS

---oOo---

WHEREAS, pursuant to claim of the Modesto Tribune for exemption of license fee under Section 117 of Ordinance 487-N.S. and

WHEREAS, it appears that the said claimant distributes circulars and handbills in the City of Modesto

BE IT THEREFORE, RESOLVED that the claimant be required to take out a license in accordance with section 117 of Ordinance 487-N.S. pertaining to the distribution of handbills and circulars

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 16th day of December, 1935 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

RESOLUTION NO. 3366-N.S.

A RESOLUTION SPECIFYING MERCHANTS SELLING, FEED, SACKS, SHOOK, TWINE AND MERCHANDISE SOLD BY PACIFIC GAS & ELECTRIC COMPANY AND MODESTO IRRIGATION DISTRICT PAY LICENSE FEES AS PROVIDED BY ORDINANCE 487-N.S.

---oOo---

WHEREAS, there has come before the Council of the City of Modesto for discussion the matter of application of Ordinance 487-N.S. to merchants selling feed, sacks, shook, twine and merchandise sold by the Pacific Gas & Electric Company and Modesto Irrigation District and fees collected by storage companies

WHEREAS, it appears that above named merchants are not exempt from the license provisions of the above Ordinance

BE IT THEREFORE, RESOLVED that all merchants selling above commodities within the corporate limits of the City of Modesto be subject to the tax set forth in Ordinance 487-N.S.

The foregoing resolution was introduced at a Special meeting of the Council of the City of Modesto held on the 16th day of December, 1935, 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. 3367-N.S.

A RESOLUTION CONFIRMING AND RATIFYING THE PURCHASE OF CERTAIN REAL PROPERTY SITUATE IN MODESTO, FROM ALBION H. LEDERLE AND JESSIE LEDERLE, HIS WIFE, EMIL J. LEDERLE AND MINNIE L. LEDERLE, HIS WIFE, ARTHUR F. LEDERLE AND MARGARET M. LEDERLE, HIS WIFE, AND ARCHIE L. LEDERLE AND ELIZABETH LEDERLE, HIS WIFE.

---oOo---

WHEREAS, it has been determined by the City Council of the City of Modesto, State of California, that it is to the best interests of the citizens of said city that certain real property be purchased from Albion H. Lederle and Jessie Lederle, his wife, Emil J. Lederle and Minnie L. Lederle, his wife, Arthur F. Lederle and Margaret M. Lederle, his wife, and Archie L. Lederle and Elizabeth Lederle, his wife, hereinafter called the grantors, for the purpose of creating and establishing certain streets in said City; and

WHEREAS, certain real property has been deeded to the said City of Modesto by the above named grantors, which said deed has been duly acknowledged by said grantors and is now in escrow with the Security Title Insurance and Guarantee Company at its office in the City of Modesto, Stanislaus County, California, which said real property is set forth and described as follows, to-wit:

Commencing at the southwest corner of James and Ash Streets, the same being the northeast corner of Block 204; thence running southerly along the westerly property line of James Street, a distance of 150.00' to a point of beginning, the same being the common corner of lots 1 and 2, Block 204; thence running westerly along the common boundary line of lots 1 and 2, a distance of 121.98' to a point on a curve, said curve being the southwesterly property line of the proposed 19th street extension; thence running northwesterly along an arc of said curve to the right, a distance of 262.95', said arc having a chord of 262.32', a radius of 1092.00' and a central angle of $130^{\circ} 47' 48''$, to a point on the southerly property line of Ash street, said point being at a distance of 63.12' easterly from the southeast corner of Burney and Ash Streets, the same being the northwest corner of Block 204; thence running easterly along the southerly property line of Ash street, a distance of 93.62' to a point on 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 282.28', said arc having a chord of 281.39' a radius of 1032.00' and a central angle of $150^{\circ} 40' 18''$, to a point on the westerly property line of James Street, said point being at a distance of 9.06' Northerly from the point of beginning; thence running southerly along the westerly property line of James Street a distance of 9.06' to the point of beginning.

The above property as described, is contained within Block 204, as shown in the Block Maps of ~~the~~ City of Modesto, Stanislaus County, California, and Recorded in Maps, Volume 12, Page 204, 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, to be used for street and highway purposes.

AND WHEREAS, the consideration for said real property is in the sum of TWO THOUSAND AND NO/100 DOLLARS (\$2000.00) and

WHEREAS, the City Council of Modesto believe that said consideration for said real property is fair and just, and that the purchase of said real property will be of benefit to the citizens of said city;

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the purchase of the hereinabove described real property and the consideration paid therefor is hereby confirmed and ratified and made an official act of said City Council.

Council.

The foregoing resolution was introduced at a Special meeting of the Council of the City of Modesto held on the 16th day of December 1935 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:
A yes: Councilmen: Neece, Stanley, Pack, Oliver and Mayor King
Noes: Councilmen: None
Absent: Councilmen: None

ATTEST H. E. GRAGG
CITY CLERK

RESOLUTION NO. 3368-N.S.

ADJOURNMENT

---oOo---

BE IT RESOLVED that this Council meeting now in session be and the same is hereby adjourned

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 16th day of December, 1935, 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, Pack, Stanley and Mayor King
Noes: Councilmen: None
Absent: Councilmen: None

ATTEST H. E. GRAGG
CITY CLERK

RESOLUTION NO. 3369-N.S.

A RESOLUTION GRANTING PERMIT TO BEN COHN AND A SHAPIRO TO MAINTAIN LUNCH STAND IN RESIDENCE ZONE

---oOo---

WHEREAS, pursuant to the City Clerk's having posted and published notices setting forth this time for hearing of protests to the granting of permit to Ben Cohn and A. Shapiro to construct, operate and maintain a building for conducting of its business on property known as Lots 14, 15 and 16 in Block 88 of the City of Modesto, 1301 Twelfth Street all in accordance with Z oning Ordinance No. 364-N.S; and

WHEREAS, this being the time set forth in said notices for hearing of protests to granting of such permit, and there have been no protests, either oral or written, filed:

NOW THEREFORE, BE IT RESOLVED that permit be and the same is hereby granted to BEN COHN and A. SHAPIRO to construct operate and maintain a building for business purposes on said property as prayed for, when all provisions of City ordinances pertaining to building permit and

and regulations therefor have been complied with. It is understood and agreed that this permit is subject to be revoked at any time the Council 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 26th day of December, 1935, 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, Oliver, Pack, Stanley and Mayor King
Noes: Councilmen: None
Absent: Councilmen: None

ATTEST H. E. GRAGG
CITY CLERK

RESOLUTION NO. 3370-N.S.

A RESOLUTION GRANTING PERMITS TO CERTAIN APPLICANTS FOR BUSINESS BUILDINGS IN A RESIDENCE ZONE

---oOo---

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

LESLIE H. WALLACE--to conduct electric repair shop at 1206 13th St. being in rear of lots 19-20, Block 109

PEARL LATIMER-----to conduct laundry at 318 California St. being lots 23 and 24, Block 402

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 petitions 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 to the above named applicants for permits as prayed for in their petitions.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of December, 1935, 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, Oliver, Pack, Stanley and Mayor King
Noes: Councilmen: None
Absent: Councilmen: None

ATTEST H. E. GRAGG
CITY CLERK

RESOLUTION NO 3371-N.S.

A RESOLUTION FINDING AND DECLARING THAT CERTAIN PREMISES CONSTITUTE A NUISANCE AND PROVIDING FOR THE SUMMARY ABATEMENT OF SUCH NUISANCE

---oOo---

WHEREAS, there is situate in Block 88, on the easterly fraction of lots 30, 31 and 32, 1114 N Street, of the City of Modesto, an old structure, reputed to be owned by George F. Covell, which has been abandoned by its owner or reputed owner for many years, over which no one known to this Council seems to have any control or authority, and which has been occupied and is being occupied intermittently by vagrants and irresponsible persons only, and which has not become delapidated to such an extent as to become unsafe and in danger of collapsing, thereby endangering public health, and a fire hazard and rookery, thereby endangering public peace, 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 summary abatement,

THEREFORE, this Council does hereby find and declare that said structure does in fact constitute a nuisance and this Council does further declare its intention to summarily abate the same or cause the same to be summarily abated.

This Council therefore orders and directs that all persons having any interest in said structure be notified to appear before this Council at its next meeting, to-wit; on the 8th day of January, 1936 at 7:30 o'clock P.M. to show cause, if any they have, why said structure should not be conclusively found to constitute a nuisance and why the same should not be summarily abated by the destruction thereof.

The Council further orders and directs that notice to such person be given by the City Clerk in the following manner: By delivering a copy of said notice personally to George F. Covell: and by posting a copy of this resolution in a conspicuous place on said premises, or causing the same to be so posted, such personal service and posting to be done not later than seven days prior to the time set for hearing said matter

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of December 1935 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, Stanley, Pack, Oliver and Mayor King
Noes: Councilmen: None
Absent: Councilmen: None

ATTEST H. E. GRAGG
CITY CLERK

I, H.E. Gragg, City Clerk of the City of Modesto do hereby certify that I posted Resolution 3371-N.S. on Block 88 of the City of Modesto and that on the 28th day of December, 1935, I personally presented a copy of the above mentioned resolution to Mr. George F. Covell, Hotel Covell, Modesto, California in whose name the property now stands.

ATTEST H. E. GRAGG
CITY CLERK

RESOLUTION 3373-N.S.

A RESOLUTION ADJUSTING POSITION IN FIRE DEPARTMENT

---oOo---

BE IT HEREBY RESOLVED that E.H. Stockwell be appointed to the position of First Assistant Fire Chief as of January 1, 1936 at a salary of \$160.00 per month and that Burton Fairfield be appointed operator as of January 1, 1936 at a salary of \$145 and that Mr. C.Y. Green be appointed driver as of January 1, 1936, at a salary of \$140

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of December, 1935 by Commissioner Stanley who moved its adoption, which motion being duly seconded, it was upon roll call adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG
CITY CLERK

RESOLUTION NO. 3374-N. S.

ADJOURNMENT

---oOo---

BE IT RESOLVED that this Council meeting now in session be and the same is hereby adjourned.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of December, 1935, 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, Pack, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG
CITY CLERK

RESOLUTION NO 3372-N.S.

A RESOLUTION ORDERING SIGNS TO BE POSTED AT ENTRANCES TO CITY OF MODESTO
WARNING TRUCK DRIVERS OF BUSINESS LICENSE FEE-ORDINANCE 487-N.S.

---oOo---

WHEREAS Commissioner Neece and City Engineer Rossi reported on signs, giving price and character of same to be posted at the entrances to the City notifying truck drivers of the Ordinance 487-N.S.

BE IT THEREFORE RESOLVED that the signs be accepted as recommended by the committee and the engineering department be authorized to place the signs at the entrance to the city on all main highways leading into the City of Modesto.

The foregoing resolution was introduced at a regular meeting of the

*Res 3372
H. E. Gragg
Clerk*

Council of the City of Modesto held on the 26th day of December, 1935 by
Commissioner Stanley who moved its adoption, which motion being duly seconded
it was upon roll call adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None
