

January 5, 1949

The Council of the City of Modesto met in special session at 4:00 P.M. as provided by section 2 of Ordinance No. 2-N.S.

Present: Councilmen: Benson, Morris, Wilson, Acting Mayor Stanley

Absent: Councilmen: None, Mayor Shannon

IN THE MATTER OF
REQUEST BY MODESTO
TENNIS CLUB

A.E. Schoenfeld, President of the Modesto Tennis Club, appeared before the Council and filed a report requesting that additional facilities for playing tennis be established in Graceada Park to take care of the increased number of junior members in the Tennis Club. The Council appointed City Engineer Rossi, Commissioners Wilson and Morris and A.E. Schoenfeld, as a committee to investigate the needs for additional courts and improvements and to report to the Council in the next few weeks.

2
IN THE MATTER OF
REQUEST FOR ADDITIONAL
PHONE SERVICE ACME
TAXICAB COMPANY

Lou Secreto, operator of the Yellow, Acme and Hart Taxicab Companies appeared before the Council and filed a request for a change in telephone connections for their taxicabs located at 10th and I Streets and 10th and J Streets, whereupon Commissioner Wilson introduced

RESOLUTION NO. 8225-N.S.

which was seconded by Commissioner Benson authorizing the City Engineer to work out satisfactory arrangements with Mr. Secreto on the installation of his phone services at these locations, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Benson, Morris, Wilson, Acting Mayor Stanley

Noes: Councilmen: None

Absent: Councilmen: None, Mayor Shannon

3 IN THE MATTER OF
CLAIMS-ROSSI AND
HALLEY

Commissioner Wilson introduced

RESOLUTION NO. 8226-N.S.

which was seconded by Commissioner Benson, authorizing the payment of claims of City Engineer Frank J. Rossi for \$16.90 and City Attorney F.W. Halley for \$25.50 for expenses on trip to San Francisco for meeting with the State Board of Health, December 17, 1948, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Benson, Morris, Wilson, Acting Mayor Stanley

Noes: Councilmen: None

Absent: Mayor Shannon

4 IN THE MATTER OF
COMMUNICATION FROM
AMOS S. BOMBERGER

A communication was filed by Amos S. Bomberger advising that his term on the Modesto City Planning Commission would expire on January 10, 1949 and that he would not be able to serve any longer as he would be out of the City a considerable part of the time, whereupon Commissioner Morris introduced

RESOLUTION NO. 8227-N.S.

which was seconded by Commissioner Wilson, recommending that the Council express their appreciation for the effort and time that Mr. Bomberger had put in on the Planning Commission during his long term, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Benson, Morris, Wilson, Acting Mayor Stanley

Noes: Councilmen: None

Absent: Councilmen: None, Mayor Shannon

5 IN THE MATTER OF
PROTEST TO SALES TAX

A communication was filed by Comber & Mindach Farm Machinery Co., Stanislaus Implement and Hardware Company, Montgomery Ward Farm

Store and Sears Farm Store, requesting that the Council consider amending the Sales Tax Ordinance to exempt charging farmers and other consumers outside the City Limits, when delivery was made by the dealer or by common carrier, The City Attorney was directed to prepare an ordinance for consideration by the Council along the lines of the Sales Tax Ordinance now in effect in Stockton.

6 IN THE MATTER OF
PETITION OPERATE
USED CAR LOTS

Commissioner Wilson introduced

RESOLUTION NO. 8228-N.S.

which was seconded by Commissioner Benson approving bond and application of Willie Rose and Harry C. Rose, doing business as Harry Rose Motor Sales, to operate a used car lot at 1418 - 10th Street, providing the proper plumbing facilities be maintained at this location, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Benson, Morris, Wilson, Acting Mayor Stanley

Noes: Councilmen: None

Absent: Councilmen: None, Mayor Shannon

Commissioner Benson introduced

RESOLUTION NO. 8229-N.S.

7 which was seconded by commissioner Morris, approving application of Wilson & Hanson Auto Mart to operate an additional used car lot at 1204 Tenth Street, providing they maintain ~~providing they maintain~~ proper plumbing facilities at this location and granting permit to cut the curb under the supervision of the City Engineer, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Benson, Morris, Wilson, Acting Mayor Stanley

Noes: Councilmen: None

Absent: Mayor Shannon

8 IN THE MATTER OF
CURB CUT*LOUIS K.
RYAN

Commissioner Morris introduced

RESOLUTION NO. 8230-N.S.

which was seconded by Commissioner Wilson, granting permission to Wieland Brothers, Contractors,

for a curb cut on the west portion of lots 17 to 23, Block 123, owned by Louise K. Ryan under the supervision of the City Engineer, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Benson, Morris, Wilson, Acting Mayor Stanley

Noes: Councilmen: None

Absent: Mayor Shannon

9
IN THE MATTER OF
AUTHORIZE CLERK
TO CALL FOR BIDS

Commissioner Benson introduced

RESOLUTION NO. 8231-N.S.

which was seconded by Commissioner Morris authorizing the City Clerk to call for bids on furnishing and installing one deep well turbine pump with combination electric motor and engine drive with controls, said bids to be opened on January 26, 1949, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Benson, Morris, Wilson, Acting Mayor Stanley

Noes: Councilmen: None

Absent: Councilmen: None, Mayor Shannon

Commissioner Morris introduced

RESOLUTION NO. 8232-N.S.

10
which was seconded by Commissioner Benson authorizing the City Clerk to call for bids for the purchase of enclosed cabinet control board, materials and equipment; water levels control and power failure relays for sewage recirculation pumps in accordance with the specifications therefor on file in the office of the City Engineer, said bids to be opened on January 26, 1949, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Benson, Morris, Wilson, Acting Mayor Stanley

Noes: Councilmen: None

Absent: Mayor Shannon

11
IN THE MATTER OF
AWARD BIDS

Commissioner Benson introduced

RESOLUTION NO. 8233-N.S.

which was seconded by Commissioner Wilson awarding bid on vitrified clay sewer pipe to Gladding McBean & Company and directing the City Clerk to return bidding checks to unsuccessful bidders, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Benson, Morris, Wilson, Acting Mayor Stanley

Noes: Councilmen: None

Absent: Mayor Shannon

Commissioner Benson introduced

RESOLUTION NO. 8234-N.S.

which was seconded by Commissioner Wilson, awarding bid on furnishing all labor, equipment and materials (excepting materials to be furnished by the City) necessary for the installation of city water mains as set forth in the Notice to Bidders to the Associated Engineers as it was the lowest and best bid and directing the City Clerk to return all bidding checks to unsuccessful bidders, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Benson, Morris, Wilson, Acting Mayor Stanley

Noes: Councilmen: None

Absent: Councilmen: None, Mayor Shannon

12
IN THE MATTER OF
ACCEPT REPORT EXPEND-
ITURES OF IN-LIEU TAX
FUNDS

Commissioner Wilson introduced

RESOLUTION NO. 8235-N.S.

which was seconded by Commissioner Benson, accepting the report of the Public Works

Department of the estimated expenditures of In Lieu Tax Funds for Traffic Control for the year ending June 30, 1949, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Benson, Morris, Wilson, Acting Mayor Stanley

Noes: Councilmen: None

Absent: Councilmen: None, Mayor Shannon

13
IN THE MATTER OF
SET DATE HEARING
ZONING ANNEXED
PROPERTY

Commissioner Wilson introduced
RESOLUTION NO. 8236-N.S.

which was seconded by Commissioner Benson setting the date of January 26, 1949 at 7:30 P.M. at the City Hall as the time and place for the hearing of protests to the establishment of lots 2 and 3 of the Apricot Colony and a portion of lots 3 of the Rice Colony, recently annexed to the City of Modesto, as R-1 Single family residence district, which resolution was regularly adopted by the following vote:

Ayes: Councilman: Benson, Morris, Wilson, Acting Mayor Stanley

Noes: Councilmen: None

Absent: Councilmen: None, Mayor Shannon

14
IN THE MATTER OF
APPOINT JAMES POULTON
ON PERSONNEL BOARD

Commissioner Wilson introduced
RESOLUTION NO. 8237-N.S.

which was seconded by Commissioner Benson, reappointing James Poulton as a member of the Personnel Board of the City of Modesto for a term of six years from January 15, 1949, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Benson, Morris, Wilson, Acting Mayor Stanley

Noes: Councilmen: None

Absent: Councilmen: None, Mayor Shannon

15
IN THE MATTER OF
COMMUNICATION FROM
PLANNING COMMISSION
RE: APPOINTMENT OF
MEMBERS

A communication was filed by the Modesto City Planning Commission advising that the term of Amos S. Bomberger would expire on January 10, 1949 and that he had signified that he would not be

able to serve as a member any longer and they recommended that John Bomberger or Ian Mensinger be considered for appointment. No action was taken by the Council at this time.

Commissioner Benson introduced

RESOLUTION NO. 8238-N.S.

SA
which was seconded by Commissioner Wilson, reappointing Leonard R. Lockhart as a member of the Modesto Planning Commission for a term of four years from January 10, 1949, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Benson, Morris, Wilson, Acting Mayor Stanley

Noes: Councilmen: None

Absent: Mayor Shannon

16
IN THE MATTER OF
PROGRESSIVE PAYMENTS

Commissioner Morris introduced
RESOLUTION NO. 8239-N.S.

which was seconded by Commissioner Wilson authorizing progressive payment of \$30,751.68 to the Stockton Construction Company on the construction of Unit No. 5 of the Industrial and Sanitary Wastes Treatment and Disposal System, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Benson, Morris, Wilson, Acting Mayor Stanley

Noes: Councilmen: None

Absent: Mayor Shannon

Commissioner Morris introduced

RESOLUTION NO. 8240-N.S.

17
which was seconded by Commissioner Wilson authorizing the payment on force account of \$4045.90 to the Stockton Construction Company on the construction of Unit No. 5 of the Industrial and

Sanitary Wastes Treatment and Disposal System, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Benson, Morris, Wilson, Acting Mayor Stanley

Noes: Councilmen: None

Absent: Councilmen: None, Mayor Shannon

Commissioner Benson introduced

RESOLUTION NO. 8241-N.S.

which was seconded by Commissioner Morris, authorizing the progressive payment of \$5,176.18 to the Standard Materials Company on the improvements at the Modesto Municipal Airport, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Benson, Morris, Wilson, Acting Mayor Stanley

Noes: Councilmen: None

Absent: Mayor Shannon

IN THE MATTER OF
PETITION TO AMEND
ORD. REGULATE MUSIC IN
RESTAURANTS

A group of people representing tavern operators, musicians and the Stanislaus County Central Labor Council appeared before the Council and again requested that the Council consider amending Ordinance No. 299-N.S. to permit music in restaurants after midnight whereupon the Council informed them that they had not had sufficient time to consider the matter and could not make a decision at this time.

IN THE MATTER OF
ADJOURNMENT

Commissioner Benson introduced

RESOLUTION NO. 8242-N.S.

which was seconded by Commissioner Morris, adjourning this Council meeting now in session, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Benson, Morris, Wilson, Acting Mayor Stanley

Noes: Councilmen: None

Absent: Councilmen: None, Mayor Shannon

ATTEST:

Rex E. Gailfus
REX E. GAILFUS, CITY CLERK

Council Meeting

January 12, 1949

The Council of the City of Modesto met in regular session this date at 7:30 P.M. as provided by Section 1 of Ordinance No. 2-N.S.

Present: Councilmen: Morris, Stanley, Wilson, Mayor Shannon

Absent: Councilmen: Benson

IN THE MATTER OF
APPROVAL OF MINUTES

The minutes of the regular meeting of December 22, 1948 and special meeting of January 5, 1949 having been heretofore read by each Councilman, were approved as so read.

IN THE MATTER OF
CLAIMS

Claims against the City of Modesto for the month of December, 1948, having been heretofore audited by the Council and found to be correct, Commissioner Wilson introduced

RESOLUTION NO. 8243-N.S.

which was seconded by Commissioner Morris ordering that all of the said claims so audited and approved be and the same are hereby allowed, with reference being made to the Auditor's Cash Record for further details relative to the amounts of withdrawals from the various funds as follows:

GENERAL FUND.....\$85,545.66
WATER FUND..... 18,733.18

| | |
|---------------------------|---------------------|
| LIBRARY FUND..... | 2,441.35 |
| BOND RED. INT. FUND..... | 58,307.59 |
| AIRPORT FUND..... | 5,554.87 |
| MONOTTI BEQUEST FUND..... | 1,113.89 |
| PARKING..... | 301.48 |
| FIRE BOND..... | 392.49 |
| WATER BOND..... | 470.07 |
| SEWER BOND..... | 63,799.15 |
| TOTAL..... | <u>\$236,659.73</u> |

which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Morris, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Benson

2 IN THE MATTER OF BIDS Whereas, pursuant to calling for bids for one Servi-Car for the Police Department, the City Clerk reports one bid on file from Leonard Andres for \$829.09, whereupon Commissioner Stanley introduced

RESOLUTION NO. 8244-N.S.

which was seconded by Commissioner Morris, recommending that the bid of Leonard Andres on servi-car be accepted, as he is a responsible bidder, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Morris, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Benson

3 IN THE MATTER OF STREET SIGNS The City Engineer was directed to write to the Cooperative Contact Company in Sherman, Texas for a full size unit of new aluminum street sign.

IN THE MATTER OF REAPPOINTMENTS ON PLUMBING BOARD Commissioner Stanley introduced

RESOLUTION NO. 8245-N.S.

4 which was seconded by Commissioner Wilson, reappointing William A. Dwyer, and Mark J. Landquist, Health Officer as members of the Modesto City Plumbing Board for a term of 3 years from January 26, 1949, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Morris, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Benson

5 IN THE MATTER OF AUTHORIZE SENDING POLICE OFFICERS TO TRAFFIC TRAINING COURSE Commissioner Stanley introduced

RESOLUTION NO. 8246-N.S.

which was seconded by Commissioner Morris authorizing the attendance, with all expenses paid, of Traffic Officers, Norman A. Sturm and Donald Russell of the Modesto City Police Department to the First Western Institute for Traffic Training to be held at the University of California at Berkeley, California, from January 31 to February 11, 1949, and directing the City Auditor to draw warrant for \$70 00 to the Regents of the University of California for tuition fees, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Morris, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Benson

6 IN THE MATTER OF RENEWAL OF LEASE WITH COUNTY FOR APARTMENT HOUSES Commissioner Morris introduced

RESOLUTION NO. 8247-N.S.

which was seconded by Commissioner Wilson, authorizing the renewal of the lease with the County of Stanislaus on the Campbell apartments, owned by the City in

Block 121, lots 17 to 23 inc. and a portion of lot 24 for a term of one year, beginning Jan. 1, 1949 for a monthly rental of \$120 00 and appointing the Mayor and City Clerk as signatory officials, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Morris, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Benson

7
IN THE MATTER OF
FINAL ADOPTION ORD.
NO. 880-N.S. PARKING
METERS

Ordinance No. 880-N.S. having been heretofore introduced and ordered printed and published at the regular meeting of December 22, 1948 and thereupon printed and published as required by the Charter of the City of Modesto coming on for final adoption at this time, it was upon roll call so finally adopted by the following vote;

Ayes: Councilmen: Morris, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Benson

8
IN THE MATTER OF
ACCEPT IN LIEU EX-
PENDITURE FOR POLICE
DEPARTMENT

Commissioner Stanley introduced
RESOLUTION NO. 8248-N.S.

which was seconded by Commissioner Morris, accepting report of the Police Department for year ending June 30, 1949 on expenditures on In Lieu Tax funds for traffic and Liquor enforcement, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Morris, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Benson

9
IN THE MATTER OF
AUTHORIZE CITY ATTORNEY
TO PREPARE AMENDMENT TO
ORDINANCE NO. 414-N.S.
PLANNING COMMISSION

Commissioner Morris introduced
RESOLUTION NO. 8249-N.S.

which was seconded by Commissioner Stanley directing the City Attorney to prepare an amendment to Ordinance No. 414-N.S. establishing the Planning Commission, as amended by Ord. No. 769-N.S. to eliminate the appointment of a member of the City Council on this Commission, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Morris, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Benson

10
IN THE MATTER OF
DOG POUND

Police Chief Pickering presented a report on the run down condition of the dog pound. By order of the Council, City Engineer Rossi, Police Chief Pickering and Health Officer Landquist were appointed as a committee to investigate the conditions at the Municipal Dog Pound and to report to the Council on suggested changes in the location, management and improvement.

11
IN THE MATTER OF
RESIGNATION C.R.
FREED FROM PLUMBING
BOARD

Whereas, C.R. Freed, Journeyman Plumber on the Modesto City Plumbing Board has tendered his resignation as he is a master plumber now and does not meet the requirements of the Ordinance No. 569-N.S., whereupon Commissioner Wilson introduced

RESOLUTION NO. 8250-N.S.

CORRECTION

12
IN THE MATTER OF
APPOINTMENT OF
CLYDE V. BARNETT
ON PLUMBING BOARD

Commissioner Stanley introduced
RESOLUTION NO. 8250A-N.S.

which was seconded by Commissioner Wilson appointing Clyde V. Barnett as Journeyman Plumber on the Modesto City Plumbing Board to serve the unexpired term of C.R. Freed until January 26, 1951, which resolution was regularly

adopted by the following vote:

Ayes: Councilmen: Morris, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Benson

which was seconded by Commissioner Stanley, accepting the resignation of C.R. Freed from the Modesto City Plumbing Board and recommending that the Council give Mr. Freed a vote of appreciation for his services while on this board, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Morris, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Benson

IN THE MATTER OF
REPORT BY CITY
ATTORNEY ON AMEND-
MEND OF SALES TAX
ORDINANCE

City Attorney reported on his investigations on amending the sales tax ordinance to exempt sales outside of the City and recommended that the amendment to Ordinance No. 862-N.S. provide for "exemption on sale of property to be consumed or used in business outside the City of Modesto". By order of the Council he was directed to prepare an ordinance along these lines for consideration by the Council.

IN THE MATTER OF
REQUEST FOR REDUCTION
IN HANGAR RENTAL

A communication from Hawke Dusters and Flying Service was filed with the Council requesting that their hangar rent at the Modesto Municipal Airport be reduced. By order of the Council this was referred to the Airport Manager, J.B. Douglass and Assistant/Manager Harry Sham for investigation and recommendation.

IN THE MATTER OF
COMMUNICATION RE:
INSTALLATION M. I. D.
ELECTRIC POLES ON
NINTH STREET

A copy of a letter sent to the Modesto Irrigation District from the State of California Department of Public Works, Division of Highways regarding the installation of power lines on Ninth Street

was read and ordered filed.

IN THE MATTER OF
ADJOURNMENT

Commissioner Stanley introduced

RESOLUTION NO. 8251-N.S.

which was seconded by Commissioner Morris, adjourning this Council meeting now in session, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Morris, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Benson

ATTEST:



REX E. GAILFUS, CITY CLERK

Special Council Meeting

January 19, 1949

The Council of the City of Modesto met in special session this date at 4:00 P.M. as provided by Section 2 of Ordinance No. 2-N.S.

Present: Councilmen: Morris, Stanley, Wilson, Mayor Shannon

Absent: Councilmen: Banson

IN THE MATTER OF
APPLICATION ALFRED
MATTHEWS FOR USED
CAR LOT

Commissioner Wilson introduced

RESOLUTION NO. 8252-N.S.

which was seconded by Commissioner Stanley approving application and bond of Alfred Matthews to operate a used car lot at 1107 - 11th Street providing all sanitary requirements are complied with as provided by the building code, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Morris, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Benson

2 IN THE MATTER OF
REQUEST INSTALL
WISHING WELLS

Commissioner Stanley introduced

RESOLUTION NO. 8253-N.S.

which was seconded by Councilman Wilson granting request of the Modesto Junior Chamber of Commerce to install wishing wells for the March of Dimes fund drive until January 31, 1949 on the sidewalks in the business district, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Morris, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Benson

3 IN THE MATTER OF
AUTHORIZE JUDGE ROBERT-
SON ATTEND CONFERENCE

Commissioner Stanley introduced

RESOLUTION NO. 8254-N.S.

which was seconded by Commissioner Morris, authorizing Judge J. Lee Robertson to attend the "Traffic Court Conference for Judges and Prosecutors" at the University of California from February 7 to 11, 1949 with all expenses paid and authorizing the City Auditor to draw warrant for \$25.00 to the Regents of the University of California for registration fee, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Morris, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Benson

4 IN THE MATTER OF
ORD. AMEND PLANNING
COMMISSION ORD.

Commissioner Wilson introduced an ordinance being

ORDINANCE NO. 881-N.S.

entitled: "An Ordinance amending Ordinance No. 414-N.S. entitled 'An Ordinance providing for the creation and organization of a Planning Commission in and for the City of Modesto' as amended, by making provisions for the choice of members of the Planning Commission", and moved its adoption and passage to print and publish, which motion being duly seconded, it was upon roll call carried and the ordinance ordered published as above by the following vote:

Ayes: Councilmen: Morris, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Benson

Commissioner Benson arrived at this time.

5 IN THE MATTER OF
DISCUSSION OF VACATION
FOR POLICE AND FIRE
DEPARTMENT PERSONNEL

A discussion was held by the Council on the changing of the Civil Service Rules and Regulations to permit 21 days vacation to the Fire and Police Department personnel to compensate for holidays they are not entitled to. This matter was laid over for further consideration.

6 IN THE MATTER OF
ADJOURNMENT

Commissioner Wilson introduced

RESOLUTION NO. 8255-N.S.

which was seconded by Commissioner Stanley, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Benson, Morris, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST:



REX E. GAILFUS, CITY CLERK

January 26, 1949

The Council of the City of Modesto met in regular session this date as provided by section 1 of Ordinance No. 2-N.S.

Present: Councilmen: Morris, Stanley, Wilson, Mayor Shannon

Absent: Councilmen: None

IN THE MATTER OF MINUTES

The minutes of the regular meeting of January 12, 1949 and special meeting of January 19, 1949, having been heretofore read by each

Councilman were approved as so read.

IN THE MATTER OF CAMPAIGN BY MODESTO BEE

Charles Mendenhall of the Modesto Bee appeared before the Council and stated that the Bee wanted to start a campaign to educate the

people to the danger of leaving their automobiles unlocked or with the key in the ignition and they requested permission to furnish a decal to be placed on all parking meters with a warning to the public to lock their cars and they would also write editorials on this program in their local paper, whereupon Commissioner Morris introduced

RESOLUTION NO. 8256-N.S.

which was seconded by Commission Stanley approving this program to educate the people to the hazard of leaving their cars unlocked and granting permission to the Modesto Bee to furnish decal to be placed on all parking meters in the City, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Morris, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF ALLOW CLAIMS

Commissioner Wilson introduced

RESOLUTION NO. 8257-N.S.

which was seconded by Commissioner Stanley, allowing claims for the following amounts:

| | |
|---|---------|
| Expenses for city officials attending meeting of the League of California Cities, Central Division, at Stockton, January 20, 1949 | \$29.50 |
| Expenses for city officials and representative of the State Department of Public Health at luncheon meeting at El Kobar, January 25, 1949 | \$16.28 |
| Expenses for meeting of the Junior Traffic Captains at Hotel Covell, January 15, 1949 | \$11.52 |

which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Morris, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF COMMUNICATIONS

A communication from the Modesto and Stanislaus County Humane Society regarding the Municipal pound was read and ordered filed.

IN THE MATTER OF ORD. APPROPRIATE FUNDS FOR IMPROVING THE POUND

Commissioner Wilson introduced an ordinance being

ORDINANCE NO. 885-N.S.

entitled: "AN ORDINANCE APPROPRIATING MONEY FOR THE IMPROVEMENT OF THE MUNICIPAL DOG POUND OF THE CITY OF MODESTO" and moved its adoption and passage to print and publish, which motion being duly seconded, it was upon roll call carried and the ordinance ordered published as above by the following vote:

Ayes: Councilmen: Morris, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF ACCEPT RESIGNATION

FLOYD E. BENSON FROM
COUNCIL

Whereas, pursuant to the filing of letter of resignation
by Commissioner Benson from the Council due to the fact
he has moved from the City of Modesto and whereas section 32 of the Charter of the
City of Modesto provides that an elective office became vacant when a person ceased to
be a resident of the City, Commissioner Morris introduced

RESOLUTION NO. 8258-N.S.

which was seconded by Commissioner Stanley, accepting the resignation of Floyd E.
Benson, Commissioner of Public Supplies and recommending that the Council go on re-
cord as expressing their appreciation of Mr. Benson's untiring effort while serving
on the Council for the betterment of the City, which resolution was regularly adopted
by the following vote:

Ayes: Councilmen: Morris, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

6
IN THE MATTER OF
OPEN BIDS

Whereas, pursuant to advertising for bids for a cabinet
control board for the sewage plant the City Clerk re-
ported five bids had been filed with him and whereupon after opening of the bids by
the Council, all bids were referred to the City Engineer for tabulation and recommenda-
tion.

Whereas, pursuant to advertising for bids for deep well
turbine pump, the City Clerk reported six bids had been filed with him and whereupon
after opening of bids by the Council, all bids were referred to the City Engineer for
tabulation and recommendation.

7
IN THE MATTER OF
HEARING ON ZONING
OF ANNEXED PROPERTY

Whereas, pursuant to advertising for hearing of protests
to the proposed zoning of lots 2 and 3 of Apricot Colony
and a portion of lot 3 of the Rice Colony as Single Family Residence District, and
whereas no protests were filed, Commissioner Morris introduced an ordinance being

ORDINANCE NO. 882-N.S.

entitled: "AN ORDINANCE CLASSIFYING NEWLY ANNEXED TERRITORY AS TO USE DISTRICT AND
AMENDING ZONING ORDINANCE NO. 700-N.S. BY ADDING ADDITIONAL MAP" and moved its adopt-
ion and passage to print and publish, which motion being duly seconded, it was upon
roll call carried and the ordinance ordered published as above by the following vote:

Ayes: Councilmen: Morris, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

8
IN THE MATTER OF
ORD. AMENDING SALES
TAX ORDINANCE

Commissioner Stanley introduced an ordinance being
ORDINANCE NO. 883-N.S.

entitled: "AN ORDINANCE AMENDING SECTION 5 OF ORDINANCE NO. 862-N.S. BY PROVIDING FOR
FURTHER EXEMPTION AND ADDING A NEW SECTION TO BE DESIGNATED AS SECTION 5A PROVIDING
FOR FORMS TO BE SIGNED BY THE PURCHASER AND DELIVERED BY THE SELLER TO THE CITY
AUDITOR TO JUSTIFY CLAIM FOR EXEMPTION AND MAKING IT A MISDEMEANOR FOR THE PURCHASER
TO MAKE A KNOWINGLY FALSE STATEMENT ON SAID FORM" and moved its adoption and passage
to print and publish, which motion being duly seconded, it was upon roll call carried

and the ordinance ordered published as above by the following vote: None
Ayes: Councilmen: Morris, Stanley, Wilson, Mayor Shannon Noes: Councilmen: None Absent: Councilmen:

9
IN THE MATTER OF
FINAL ADOPTION ORD.
NO. 881-N.S. AMEND
PLANNING COMMISSION
ORD.

Ordinance No. 881-N.S. having been heretofore introduced
and ordered printed and published at the special meeting
of January 19, 1949, and thereupon printed and published

as required by the Charter of the City of Modesto coming on for final adoption at this
time, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Morris, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

10
IN THE MATTER OF
APPOINTMENT OF
MEMBERS ON THE
PLANNING COMMISSION

Commissioner Morris introduced

RESOLUTION NO. 8259-N.S.

which was seconded by Commissioner Wilson appointing John W.

Bomberger a member of the Modesto City Planning Commission for a term of four years from
January 10, 1949 and Ian Mensinger a member for a term of four years from February 11, 1949
the effective date of Ordinance No. 881-N.S. which resolution was regularly adopted by the
following vote:

Ayes: Councilmen: Morris, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

11
IN THE MATTER OF
ACCEPT ANNUAL REPORT
OF PUBLIC WORKS
DEPARTMENT

Commissioner Morris introduced

RESOLUTION NO. 8260-N.S.

which was seconded by Commissioner Wilson, accepting the annual

report of the Public Works Department for year ending June 30, 1947, which resolution was
regularly adopted by the following vote:

Ayes: Councilmen: Morris, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

12
IN THE MATTER OF
REAPPOINT E.R. UTTER
ON LIBRARY BOARD

Commissioner Wilson introduced

RESOLUTION NO. 8261-N.S.

which was seconded by Commissioner Morris reappointing E.R. Utter as a member of the Library
Board of Trustees for a term of four years from February 1, 1949, which resolution was re-
gularly adopted by the following vote:

Ayes: Councilmen: Morris, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

13
IN THE MATTER OF
CHANGES IN CHARGES
AT THE MUNICIPAL
AIRPORT

City Engineer Rossi filed a report on his investigation of rates
charged at the Municipal Airport and the City Attorney was direct-
ed to prepare an ordinance for consideration by the Council to
amend Ordinance No. 795-N.S. to include the suggested changes in various fees and rates for
rental service as recommended by the City Engineer.

14
IN THE MATTER OF
RESCIND RESOLUTION
NO. 2084-N.S.

Commissioner Morris introduced

RESOLUTION NO. 8262-N.S.

which was seconded by Commissioner Stanley recommending that

Resolution No. 2084-N.S. entitled "A RESOLUTION EXPRESSING THE OPINION OF THE COUNCIL THAT
EMPLOYEES SHOULD NOT WORK FOR OTHER FIRMS OR INDIVIDUALS WHILE THEIR NAMES APPEAR UPON THE CITY
OF MODESTO'S PAYROLL," which had been adopted February 5, 1931, be and it is hereby rescinded,
which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Morris, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

15
IN THE MATTER OF
ORD. APPROPRIATE
MONEY FOR IMPROVE-
MENT OF THE BALL
PARK

Commissioner Wilson introduced an ordinance being

ORDINANCE NO. 884-N.S.

entitled "AN ORDINANCE APPROPRIATING FUNDS FOR THE IMPROVEMENT

OF THE MUNICIPAL BASEBALL FIELD", and moved its adoption and passage to print and publish,
which motion being duly seconded by Commissioner Stanley, it was upon roll call carried and

and the ordinance ordered published as above by the following vote:

Ayes: Councilmen: Morris, Stanley, Wilson, Mayor Shannon

Noes: Councilmen:None

Absent: Councilmen:None

16
IN THE MATTER OF
AUTHORIZE ATTENDANCE
ELMER WINGER TO
CONFERENCE

Commissioner Stanley introduced

RESOLUTION NO. 8263-N.S.

which was seconded by Commissioner Wilson, authorizing the attendance of Assistant City Attorney Elmer L. Winger to the conference at the University of California for traffic Court Judges and Prosecutors, February 7 to 11, 1949 at Berkeley with all expenses paid and directing the City Auditor to draw warrant for \$25.00 as tuition fee to the Regents of the University of California, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Morris, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent:Councilmen: None

17
IN THE MATTER OF
COMMUNICATIONS

A communication from the 1949 Campaign Cancer Prevention Society requesting permission to solicit funds in the

City of Modesto was read and it was the opinion of the Council that this drive should be allowed in the City and the City Clerk was directed to notify the Society of the approval of the Council.

18
IN THE MATTER OF
ADJOURNMENT

Commissioner Wilson introduced

RESOLUTION NO. 8264-N.S.

which was seconded by Commissioner Stanley adjourning this Council meeting now in session, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Morris, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent:Councilmen: None

ATTEST: 
REX E. GAILFUS, CITY CLERK

Special Council Meeting

February 2, 1949

The Council of the City of Modesto met in special session this date at 4:00 P.M. as provided by section 2 of Ordinance No. 2-N.S.

Present: Councilmen: Stanley, Wilson, Mayor Shannon

Absent: Councilmen: Morris

19
IN THE MATTER OF
AUTHORIZE PAYROLL
DEDUCTION FOR
CREDIT UNION

Whereas the Modesto Municipal Employees Federal Credit Union No. 4022 has filed a request with the Council to adopt a system of payroll savings for the City employees by deducting from the payroll checks certain amounts as requested by them to be deposited with the Credit Union, through their treasurer, whereupon Commissioner Wilson introduced

RESOLUTION NO. 8265-N.S.

which was seconded by Commissioner Stanley, recommending that when and if the city employees sign and leave with the City Auditor an authorization for him to withhold such amount each pay day from his wages, the City Auditor is authorized to withhold from said salary or wages the amount consented to by said City Employee and the said City Auditor is instructed to turn said moneys over to the Treasurer of the Modesto

Municipal Employees Federal Credit Union No. 4022, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Morris

2
IN THE MATTER OF
ORDER PLANS AND
SPECIFICATIONS
LIGHTING ON J STREET

Commissioner Wilson introduced

RESOLUTION NO. 807 S.P.

which was seconded by Commissioner Stanley ordering the City Engineer to prepare plans and specifications for the following work to be done and improvement to be made:

That "J" Street between the easterly property line of Twelfth Street and the westerly property line of Seventeenth Street be improved by constructing along each side of said street, a street light illuminating system including union metal standards, design number 6401-Y76; Westinghouse Electric Type OV-20 Luminaires; Westinghouse Electric Type IL Transformers with wires, cables, poles, lamps and all necessary appurtenances for the purpose of lighting said street., which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Morris

3
IN THE MATTER OF
AWARD OF BIDS

Whereas, pursuant to referring all bids received for the purchase

of an enclosed Cabinet Control Board, materials and equipment water levels, control and power failure Relays for sewage recirculation pumps to the City Engineer for investigation and recommendation, he filed a report at this time recommending that the bid of Zinsco Electrical products be accepted as it was the lowest and best bid, whereupon Commissioner Stanley introduced

RESOLUTION NO. 8266-N.S.

which was seconded by Commissioner Wilson, recommending that the bid of the said Zinsco Electrical Products be accepted as it was the lowest and best bid and the City Clerk is hereby authorized to return the bidders' checks to the unsuccessful bidders, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Morris

4
Whereas, pursuant to referring all bids for the furnishing and installing of one deep well turbine pump with combination electric motor and engine drive with controls to the City Engineer for investigation and recommendation, he reported that he recommended the bid of Byron-Jackson Company be accepted as it was the lowest and best bid, whereupon Commissioner Stanley introduced

RESOLUTION NO. 8267-N.S.

which was seconded by Commissioner Wilson, recommending that the bid of Byron-Jackson Company be accepted as it was the lowest and best bid and the City Clerk was directed to return the bidding checks to the unsuccessful bidders, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Morris

5
IN THE MATTER OF
GRANT LEAVE OF ABSENCE
TO HARVEY RAYNOR

Commissioner Wilson introduced

RESOLUTION NO. 8268-N.S.

which was seconded by Commissioner Stanley granting Harvey Raynor Golf Professional, a temporary

leave of absence from his duties as of February 1, 1949 , for a period of ninety days, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent:Councilmen: Morris

6
IN THE MATTER OF
APPOINT ANDREW J.
SILVA GOLF PROFESSIONAL
DURING THE ABSENCE
OF HARVEY RAYNOR

Commissioner Wilson introduced

RESOLUTION NO. 8269-N.S.

which was seconded by Commissioner Stanley recommending that Andrew J. Silva be appointed Golf Professional during the temporary absence of Harvey Raynor at a salary of \$200 00 per month, beginning February 1, 1949, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent:Councilmen: Morris

7
IN THE MATTER OF
COMMUNICATION FROM
GORDON WHITNALL

A communication from Gordon Whitnall to George Lucas, Chairman of the Modesto Off-Street Parking Committee

regarding off-street parking revenue bonds were read and ordered filed.

8
IN THE MATTER OF
PROGRESSIVE PAYMENT
STOCKTON CONSTRUCTION
COMPANY

Commissioner Wilson introduced

RESOLUTION NO. 8270-N.S.

which was seconded by Commissioner Stanley authorizing progressive payment to the Stockton Construction Company of \$24,800.57 on contract for unit No. 5 of the Industrial and Sanitary Wastes Treatment and Disposal System, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent:Councilmen: Morris

9
IN THE MATTER OF
CURB CUT BLOCK 63
LOTS 24-25, HARRY
C. ROSE

Commissioner Stanley introduced

RESOLUTION NO. 8271-N.S.

which was seconded by Commissioner Wilson, granting curb out to Harry C. Rose at 1418-10th Street, being Block 63, lots 24 and 25, under the supervision of the City Engineer, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent:Councilmen: Morris

10
IN THE MATTER OF
PETITION FOR WATER
SERVICE-JOHN
QUARESMA

City Engineer Rossi stated that John Quaresma had filed a verbal petition with him for the extension of water service to the Chapin #2 tract, adjoining the northern city limits. No action was taken by the Council at this meeting.

11
IN THE MATTER OF
ALLOW CLAIM CYRIL
MCC. HENDERSON

Commissioner Wilson introduced

RESOLUTION NO. 8272-N.S.

which was seconded by Commissioner Stanley allowing claim of \$6.94 of Cyril McC. Henderson, Planning Technician for expenses while attending the First California Insititute on Street & Highway Problems on January 31, 1949 in Berkeley, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent:Councilmen: Morris

12
IN THE MATTER OF
ORDINANCE REGULATE
RESTAURANTS

Commissioner Stanley introduced an ordinance being

ORDINANCE NO. 886-N.S.

entitled: "AN ORDINANCE REGULATING EATING AND DRINKING ESTABLISHMENTS PROVIDING PENALTIES FOR ITS VIOLATION AND REPEALING CONFLICTING ORDINANCES", and moved its adoption and passage to print and publish, which motion being duly seconded by Commissioner Wilson, it was carried by the following vote:

Ayes: Councilmen: Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Morris

IN THE MATTER OF
LETTER FROM MODESTO
PLANNING COMMISSION
RE: RECREATION PROGRAM

A letter from the Modesto City Planning Commission regarding the recreational facilities program for 1949-50 was read. Consideration of their recommendations was laid over to a future meeting.

IN THE MATTER OF
TRANSFER OF FUNDS

Commissioner Wilson introduced

RESOLUTION NO. 8273-N.S.

which was seconded by Commissioner Stanley, authorizing the transfer of \$50,000 from the Water Fund of the City of Modesto to the General Fund and directing the City Auditor to make the necessary entries on his records, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Morris

IN THE MATTER OF
GRANT PERMIT ERECT
BANNER- OMEGA NUS

Commissioner Wilson introduced

RESOLUTION NO. 8274-N.S.

which was seconded by Commissioner Stanley granting permit to the Omega Nu's to erect banner across 10th and J Streets from February 15 to March 2, 1949 to advertise their show "The Follies of 1949" after the usual fee of \$10 00 has been paid, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Morris

IN THE MATTER OF
PETITION FOR ANNEXA-
TION

Whereas Herbert M. Brockett, Madge Brockett, Minden Falk, Mabel Falk, Earl C. Melrose and Bertha G. Melrose have filed a petition

for annexation of a portion of Bodem Colony and a portion of Rice Colony to the City of Modesto
Commissioner Wilson introduced

RESOLUTION NO. 8275-N.S.

which was seconded by Commissioner Stanley recommending that the aforesaid petition for annexation of a portion of the Bodem Colony and a portion of the Rice Colony to the City of Modesto be accepted, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Stanley, Wilson, Mayor Shannon

Noes: Councilman: None

Absent: Councilmen: Morris

Commissioner Wilson introduced

RESOLUTION NO. 8276-N.S.

which was seconded by Commissioner Stanley setting the date of February 23, 1949, at 7:30 P.M. at the City Hall as the time and place for the hearing of protests to the annexation of a portion of the Rice Colony and a portion of the Bodem Colony to the City of Modesto, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Morris

18
IN THE MATTER OF
APPOINTMENT OF EDWARD
R. CURRAN AS COMMISSION-
ER OF PUBLIC SUPPLIES

Commissioner Wilson introduced

RESOLUTION NO. 8277-N.S.

which was seconded by Commissioner Stanley appointing Edward R. Curran as Commissioner of Public Supplies of the City of Modesto to fill the unexpired term of Floyd E. Bansen, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Morris

19
IN THE MATTER OF
ADJOURNMENT

Commissioner Wilson introduced

RESOLUTION NO. 8278-N.S.

which was seconded by Commissioner Stanley, adjourning this Council meeting now in session, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Morris

ATTEST:


REX E. GALFUS, CITY CLERK

Council Meeting

February 9, 1949

The Council of the City of Modesto met in regular session this date at 7:30 P.M. as provided by Section 1 of Ordinance No. 2-N.S.

Present: Councilmen: Stanley, Wilson, Mayor Shannon

Absent: Councilmen: None

IN THE MATTER OF
APPROVAL OF MINUTES

The minutes of the regular meeting of January 26, 1949 and special meeting of February 2, 1949 having been heretofore read by each Councilman were approved as so read.

IN THE MATTER OF
CLAIMS FOR MONTH
OF JANUARY, 1949

Claims against the City of Modesto for the month of January, 1949, having been heretofore audited by the Council and found to be correct, Commissioner Wilson introduced.

RESOLUTION NO. 8279-N.S.

which was seconded by Commissioner Stanley, ordering that all of the said claims so audited and approved be and the same are hereby allowed with reference being made to the Auditor's Cash Record for further details relative to the amounts of withdrawals from the various funds as follows:

| | |
|----------------------|---------------------|
| GENERAL FUND----- | \$83,311.36 |
| GENERAL-AIRPORT----- | 444 47 |
| BOND REDEMPTION----- | 891.25 |
| WATER----- | 10,387.78 |
| LIBRARY----- | 2,740.59 |
| MONOTTI----- | 1,481.78 |
| PARKING METERS----- | 900.49 |
| FIRE BOND----- | 291.82 |
| WATER BOND----- | 4,476.15 |
| SEWER BOND----- | 32,125.17 |
| TOTAL----- | <u>\$137,050.86</u> |

which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

2
IN THE MATTER OF
DISCUSS CITY PROPERTY
BLOCK 121

A discussion was held by the Council on clearing the property owned
by the City of Modesto in Block 121 and the conversion of the

property into a temporary parking lot. A letter from Raymond P. Barry, Inspector, Division
of Housing of the State of California on the Delapidated and unsanitary condition of the
houses leased to the County by the City located in Block 121 was read and the City Health
Officer was directed to contact Miss Ferguson of the Stanislaus County Welfare Department to
determine if the present tenants in the houses could vacate them. The City Clerk was directed
to contact the Off-Street Parking Committee regarding the using of this property for a parking
lot.

3
IN THE MATTER OF
PROTEST TO HIGH VOLTAGE
LINE INSTALLATION BY THE
MODESTO IRRIGATION
DISTRICT

A petition was filed by property owners protesting to the in-
stallation of a high voltage power line along Ninth and F Streets
by the Modesto Irrigation District. This petition was ordered

filed with the City Clerk.

4
IN THE MATTER OF
APPOINT SIGNATORY
OFFICIALS AGREEMENT
WITH HARRY SHAM

Commissioner Wilson introduced

RESOLUTION NO. 8280-N.S.

which was seconded by Commissioner Stanley approving agreement
with Harry Sham for the rental of the hangar and an adjoining strip of land and appointing the
Mayor and City Auditor as signatory officials, which resolution was regularly adopted by the
following vote:

Ayes: Councilmen: Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

5
IN THE MATTER OF
ADOPT PLANS AND
SPECIFICATIONS FOR
LIGHTING OF J STREET

Commissioner Stanley introduced

RESOLUTION NO. 808-S.P.

which was seconded by Commissioner Wilson adopting and approving
plans and specifications and assessment diagram describing the district to be assessed for the
improvement of a street light illuminating system on J Street, between the easterly property
line of 12th Street and the westerly property line of 17th Street, which resolution was re-
gularly adopted by the following vote:

Ayes: Councilmen: Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

6
IN THE MATTER OF
RESOLUTION INTEN-
TION TO IMPROVE J
STREET

Commissioner Wilson introduced

RESOLUTION NO. 809-S.P.

RESOLUTION OF INTENTION NO. 236

which was seconded by Commissioner Stanley resolving that it is the intention of the City
Council of the City of Modesto, to order the following work to be done and improvement to be
made insaid city to-wit:

That "J" Street between the easterly property line of Twelfth Street and the
westerly property line of Seventeenth Street be improved by constructing along each side of
said Street a street light illuminating system including union metal standards, design number
6401-Y76; Westinghouse Electric Type OV-20 Luminaires; Westinghouse Electric Type IL Transformers
with wires, cables, poles lamps and all necessary appurtenances for the purpose of lighting
said street.

All as more fully and in detail appears and as shown by and described and

specified on plans and specifications for the doing of said work and which have heretofore been adopted by the City Council of the City of Modesto and on file in the office of the City Clerk, which are hereby referred to for greater certainty and a more particular description of said contemplated improvement.

And when said work proposed to be done on the respective streets, avenues, and highways aforementioned is described as being between certain lines, it includes the doing of all such work upon the street intersections and terminations between such lines, unless otherwise shown on plans; providing, however, that any duplication in such description shall be ignored.

And whereas said contemplated work and improvement is in the opinion of the said City Council of more than local or ordinary public benefit, said Council hereby makes the costs and expenses of said work and improvement chargeable upon a district, which district said Council hereby declares to be the district benefited by said work and improvement, and to be assessed to pay the costs and expenses thereof; which district is described as follows and consists of the following described lots and blocks; lots 15 to 18 inclusive of Block 92, lots 1,2, 31 and 32 of Block 93, lots 1, 2, 31 and 32 of Block 106, lots 15 to 18 inclusive of Block 107, lots 15 to 18 inclusive of Block 111, lots 1,2, 31 and 32 of Block 112, lots 1, 2, 31, and 32 of Block 122, Lots 15 to 18 inclusive of Block 123, lots 17 and 18 of Block 124, lots 1,2, 31 and 32 of Block 125, and a portion of lot 16 of Block 124, described as follows:

Beginning at the S.W. corner of Lot 16, thence Northeasterly along the Northwesterly line of "J" Street a distance of 108.56 feet; thence at a right angle to "J" Street Northwesterly a distance of 50 feet, thence at a right angle Southwesterly and parallel to "J" Street a distance of 108.56 feet to the westerly property line of Lot 16; thence at a right angle along the Westerly property line of Lot 16, in a Southeasterly direction 50 feet to the point of beginning; as per map of Record in the County Recorder's Office in Volume 15 of Maps, Pages 92,93, 106, 107, 111, 112, 122, 123, 124, 125, Stanislaus County Records recorded December 21, 1942.

Notice is hereby given that serial bonds to represent unpaid assessments, and bear interest at the rate of 5 per cent, per annum, will be issued hereunder in the manner provided by Division 10 of Streets and Highways Code, the Improvement Bond Act of 1915 and the last installment of which bonds shall mature nine years from the second day of July next succeeding ten months from their date.-4-

Notice is hereby given that on the 9th day of March, 1949 at eight o'clock P.M. in the Council Chambers of the City Council of said City any and all persons having any objections to the proposed work or improvement may appear before said board and show cause why said proposed improvements should not be carried out in accordance with this resolution.

The City Clerk shall cause this resolution to be published twice in the "Modesto Bee", a daily newspaper published and circulated in said City and hereby designated for that purpose.

The Street Superintendent shall cause to be conspicuously posted along the line of said contemplated improvement and along all the open streets within said district above described and in front of all property liable to be assessed, notices of the passage of this Resolution of Intention, in the time, form, and manner required by law.

All of the herein proposed work shall be done in pursuance of an act of the legislature of the State of California, designated the "Improvement Act of 1911";

approved April 7, 1911, and amendments thereto.

The City Clerk is directed to send a notice of the proposed improvement to property owners of record, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

7
IN THE MATTER OF
FINAL ADOPTION ORD.
NO. 882-N.S. ZONE
ANNEXED TERRITORY

Ordinance No. 882-N.S. having been heretofore introduced and ordered printed and published at the regular meeting of January 26, 1949, and thereupon printed and published as required by the

Charter of the City of Modesto coming on for final adoption at this time, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

8
IN THE MATTER OF
FINAL ADOPTION ORD.
NO. 883-N.S. AMEND
SALES TAX ORDINANCE

Ordinance No. 883-N.S. having been heretofore introduced and ~~ordered introduced and~~ ordered printed and published at the regular meeting of January 26, 1949 and thereupon printed and published

as required by the Charter of the City of Modesto, coming on for final adoption at this time, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

9
IN THE MATTER OF
FINAL ADOPTION OF
ORD. NO. 884-N.S.
APPROPRIATE FUNDS
IMPROVE BASEBALL
PARK

Ordinance No. 884-N.S. having been heretofore introduced and ordered printed and published at the regular meeting of January 26, 1949 and thereupon printed and published as required by the Charter of the City of Modesto, coming on for final adoption, at

this time, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

10
IN THE MATTER OF
FINAL ADOPTION OF
ORD. NO. 885-N.S.
APPROPRIATE FUNDS
IMPROVE DOG POUND

Ordinance No. 885-N.S. having been heretofore introduced and ordered printed and published at the regular meeting of January 24, 1949 and thereupon printed and published as required by the Charter of

the City of Modesto, coming on for final adoption at this time, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

11
IN THE MATTER OF
FINAL ADOPTION OF
ORD. NO. 886-N.S.
REGULATE RESTAURANTS

Ordinance No. 886-N.S. having been heretofore introduced and ordered printed and published at the special meeting of February 2, 1949 and thereupon printed and published as required by the

Charter of the City of Modesto coming on for final adoption at this time, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

12
IN THE MATTER OF
AUTHORIZE PROGRESSIVE
PAYMENT TO STANDARD
MATERIALS COMPANY
ON AIRPORT IMPROVEMENT

Commissioner Wilson introduced

RESOLUTION NO. 8281-N.S.

which was seconded by Commissioner Stanley authorizing progressive

payment of \$10,312.37 to the Standard Materials Company for the improvements at the Modesto Municipal Airport, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

13
IN THE MATTER OF
REPORT BY THE CITY
ENGINEER ON PROPOSED
INDUSTRIAL WATER RATES

City Engineer Rossi filed an oral report with the Council on proposed industrial water rates and the City Attorney was directed to prepare an ordinance to amend

Ordinance No. 859-N.S. which would include the new rates as proposed by the City Engineer.

14
IN THE MATTER OF
REPORT BY CITY ENGI-
NEER ON BALL PARK
REPAIRS

City Engineer Rossi reported on the necessary repairs of the Municipal Baseball Park and Commissioner Wilson introduced an ordinance, being

ORDINANCE NO. 887-N.S.

entitled: "A RESOLUTION APPROPRIATING FUNDS FOR IMPROVEMENT OF MUNICIPAL BASEBALL FIELD", and moved its adoption and passage to print and publish, which motion being duly seconded, it was upon roll call carried and the ordinance ordered published as above by the following vote:

Ayes: Councilmen: Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

15
IN THE MATTER OF
ORD. APPROPRIATE
FUNDS PURCHASE SOIL
PULVERIZER MACHINE

Commissioner Wilson introduced an ordinance being

ORDINANCE NO. 888-N.S.

entitled: "AN ORDINANCE APPROPRIATING FUNDS FOR THE PURCHASE OF ONE MECHANICAL SOIL PULVERIZER MACHINE", and moved its adoption and passage to print and publish, which motion being duly seconded, it was upon roll call carried and the ordinance ordered published as above by the following vote:

Ayes: Councilmen: Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

16
IN THE MATTER OF
ORD. APPROPRIATE
FUNDS FOR IMPROVEMENT
OF TENNIS COURTS

Commissioner Stanley introduced an ordinance being

ORDINANCE NO. 889-N.S.

entitled: "AN ORDINANCE APPROPRIATING FUNDS FOR THE IMPROVEMENT OF AND REPAIR OF TENNIS COURTS IN THE PARKS OF THE CITY OF MODESTO", and moved its adoption and passage to print and publish, which motion being duly seconded, it was upon roll call carried and the ordinance ordered published as above by the following vote:

Ayes: Councilmen: Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

17
IN THE MATTER OF
DEPARTMENTAL REPORTS
FOR THE MONTH OF
JANUARY

Departmental reports for the month of January, 1949 were read and ordered filed.

18
IN THE MATTER OF
RESCIND RESOLUTION
NO. 8277-N.S. APPOINT
E.R. CURRAN MEMBER
OF COUNCIL

Commissioner Wilson introduced

RESOLUTION NO. 8282-N.S.

which was seconded by Commissioner Stanley rescinding Resolution No. 8277-N.S. entitled: "A RESOLUTION APPOINTING EDWARD R. CURRAN AS COMMISSIONER OF PUBLIC SUPPLIES OF THE CITY OF MODESTO TO FILL THE UNEXPIRED TERM OF FLOYD E. BENSON", as Mr. Curran did not meet the requirements of section 10 of Article

IV of the Charter which requires that a "Councilman be a qualified elector of the State of California and of the City of Modesto for at least three years next preceding his election" which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF
ADJOURNMENT

Commissioner Wilson introduced

RESOLUTION NO. 8283-N.S.

which was seconded by Commissioner Stanley, adjourning this Council meeting now in session, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST:

Rex E. Gailfus
REX E. GAILFUS, CITY CLERK

Special Council Meeting
February 16, 1949

The Council of the City of Modesto met in special session this date at 4:00 P.M. as provided by Section 2 of Ordinance No. 2-N.S.

Present: Councilmen: Burkner, Stanley, Wilson, Mayor Shannon

Absent: Councilmen: None

IN THE MATTER OF
APPOINTMENT OF E.K.
BURKNER ON CITY
COUNCIL

Commissioner Stanley introduced

RESOLUTION NO. 8284-N.S.

which was seconded by Commissioner Wilson appointing E.K. Burkner a member of the Council of the City of Modesto as provided by section 11 of Article V- "Elective Officers" of the City Charter which provides "if a vacancy shall occur in the office of Councilman the Council shall forthwith appoint a person to fill such vacancy", which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF
APPOINT E.K. BURKNER
COMMISSIONER OF PUBLIC
WORKS

Commissioner Stanley introduced

RESOLUTION NO. 8285-N.S.

which was seconded by Commissioner Wilson appoint E.K. Burkner Commissioner of Public Works of the City of Modesto, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF
REQUEST FOR VARIANCE
FROM REQUIREMENTS
OF BUILDING CODE

Mrs. Olga E. Wiegman appeared before the Council and requested that the Council grant her permission to build a store building in Block 10, lots 29 to 32 inc. which would be less than six

feet from a residence as required in the building code. She was informed that the Council could not grant variances from the requirement of the building code.

IN THE MATTER OF
PETITION SERVICE
STATION OPERATORS
PROHIBIT SELF-SERVE
GASOLINE STATIONS
IN THE CITY

A petition was filed by the Stanislaus County Chapter of the Northern California Service Station Operators Association Inc., and a group of operators appeared before the Council and requested the Council consider the adoption of legislation to prohibit the

19

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2

3

4

installation and operation of "self-serve" gasoline stations in the city limits.

This matter was taken under advisement by the Council.

5
IN THE MATTER OF
APPROVE AGREEMENT
WITH O.J. PORTER
COMPANY

Commissioner Wilson introduced

RESOLUTION NO. 8286-N.S.

which was seconded by Commissioner Stanley, approving agreement with O.J. Porter & Company, Consulting Engineers, for the testing and laboratory analysis of foundation conditions for the proposed LaLoma Bridge and for the proposed water tank in the City and appointing the Mayor, City Clerk and Auditor, as signatory officials, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

6
IN THE MATTER OF
GRANT EXTENSION OF
TIME TO STANDARD
MATERIALS COMPANY
COMPLETION CONTRACT
AT AIRPORT

Commissioner Stanley introduced

RESOLUTION NO. 8287-N.S.

which was seconded by Commissioner Burkner granting extension of 60 days from this date for completion of contract for the improvement of the Municipal Airport to the Standard Materials Company, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

7
IN THE MATTER OF
APPROVE AGREEMENT
WITH MODESTO CITY
BOARD OF EDUCATION

Commissioner Burkner introduced

RESOLUTION NO. 8288-N.S.

which was seconded by Commissioner Stanley approving agreement with the Modesto Board of Education for sewer service for school building located on Franklin and South Avenues and appointing the Mayor and Auditor as signatory officials, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

8
IN THE MATTER OF
COMMUNICATION FROM
W.C.T.U. RE: MAGAZINES
SOLD IN CITY

A communication from the Women's Christian Temperance Union regarding the sale of "Sex Books and Comic Books which are indecent and vicious" in the City, was read

and the matter was turned over to the Chief of Police with orders to work with the District Attorney's office for the establishment to some program to control the sale of this type of magazines.

9
IN THE MATTER OF
CLAIMS ALLOWED

Commissioner Wilson introduced

RESOLUTION NO. 8289-N.S.

which was seconded by Commissioner Burkner allowing the following claims:

| | |
|--|----------|
| J. Lee Robertson, expenses while attending conference for traffic Court Judges and Prosecutors in Berkeley | \$65.14 |
| U.H. Pickering expenses in investigation of Henry Hopper wanted for murder | \$11.90 |
| Norman Sturm, expenses while attending Western Institute for Traffic Training in Berkeley | \$115.09 |
| Donald H. Russell while attending Western Institute for traffic training in Berkeley | \$98.41 |

and authorizing the City Auditor to draw warrants in payment, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

10
11
IN THE MATTER OF
REQUEST USE ELK
PARK FOR GARDEN

A petition was filed by Carl Ogden to use a part of Elk Park for a garden for the coming summer season. It was the decision of the Council that the City Clerk notify Mr. Ogden that this request could not be granted as this Park was to be landscaped shortly.

IN THE MATTER OF
TRANSFER FUNDS

Commissioner Wilson introduced

RESOLUTION NO. 8290-N.S.

which was seconded by Commissioner Stanley authorizing the City Auditor to temporarily transfer \$25,000 from the General Fund of the City of Modesto to the Airport fund until the federal funds had been received by the City for the improvement of the Airport, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

12
IN THE MATTER OF
REQUEST OF MARINE
CORPS LEAGUE

A petition was filed by the Marine Corps League to be permitted to hold a Carnival from May 24, through May 30, 1949 in Block 434, without paying the city license fees and amusement tax provided by the City Ordinances. They were notified that it would be impossible to waive these fees, as this would set a precedent which would deprive the City of considerable income as several carnivals operated in the City during each year.

13
IN THE MATTER OF
NOTICE TO BIDDERS

Commissioner Wilson introduced

RESOLUTION NO. 8291-N.S.

which was seconded by Commissioner Burkner authorizing the City Clerk to call for bids on the construction of a fence at the Modesto Municipal Baseball Field, said bids to be opened at the Council meeting of February 23, 1949, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

14
IN THE MATTER OF
NOTICE OF TERMINATION
OF LEASE ON CAMPBELL
APARTMENTS

Commissioner Stanley introduced

RESOLUTION NO. 8292-N.S.

which was seconded by Commissioner Burkner authorizing the City Attorney to serve "Notice of Termination of Lease and Tenancy" on Stanislaus County on the rental of the buildings in Block 121, known as the Campbell Apartments, with orders to vacate within 60 days, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

15
IN THE MATTER OF
COMMUNICATIONS

Letters from Officers Sturm and Russell of the Police Department expressing their appreciation to the Council for being permitted to attend the Traffic Officers Training Course at the University of California were read and ordered filed.

16
IN THE MATTER OF
ADJOURNMENT

Commissioner Wilson introduced

RESOLUTION NO. 8293-N.S.

which was seconded by Commissioner Stanley adjourning this Council meeting now in session, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: *Rex E. Gallfus*
REX E. GALLFUS, CITY CLERK

Council Meeting

February 23, 1949

The Council of the City of Modesto met in regular session this date at 7:30 P.M. as provided by Section 1 of Ordinance No. 2-N.S.

Present: Councilmen: Burkner, Wilson, Acting Mayor Stanley

Absent: Councilmen: None, Mayor Shannon

IN THE MATTER OF APPROVAL OF MINUTES The minutes of the regular meeting of February 9, 1949 and special meeting of February 16, 1949 having been heretofore read by each Councilman were approved as so read.

1 IN THE MATTER OF GRANT PERMIT ERECT BANNER ON STREETS Commissioner Wilson introduced RESOLUTION NO. 8294-N.S.

which was seconded by Commissioner Burkner granting permit to the Modesto Optomist Club to erect a banner on Tenth and J Streets from March 2 to March 19, 1949, to advertise their Ice Review of 1949 after the usual installation fee has been paid to the City Auditor, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Wilson, Acting Mayor Stanley

Noes: Councilmen: None

Absent: Mayor Shannon

2 IN THE MATTER OF RESIGNATION OF J.B. DOUGLASS, AIRPORT MANAGER Commissioner Burkner introduced RESOLUTION NO. 8295-N.S.

which was seconded by Commissioner Wilson recommending that the resignation of J.B. Douglass, Airport Manager be accepted as of March 5, 1949, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Wilson, Acting Mayor Stanley

Noes: Councilmen: None

Absent: Councilmen: NONE, Mayor Shannon

3 IN THE MATTER OF AN APPLICATION An application for the position of Manager of the Municipal Airport from Darrell Olsen was read and ordered filed with the City Clerk

4 IN THE MATTER OF REQUEST BY MELLIS BROS. TWO HOUR PARKING SEVENTH STREET A request was filed by Mellis Bros for the installation of two hour parking on the north side of Seventh Street between I and J Streets, this was referred to the Police Chief for investigation and recommendation.

5 IN THE MATTER OF REQUEST FOR CURB CUT WIELAND BROS. A petition for a curb cut in Block 95, lot 26 was filed by Wieland Bros. They were granted request under the supervision of the City Engineer.

6 IN THE MATTER OF BIDS ON FENCE AT MUNICIPAL BASEBALL FIELD Whereas, pursuant to advertising for bids on the building of a fence at the Modesto Municipal Baseball Field, the City Clerk reported one bid on file. No action was taken on this bid at this time.

7 IN THE MATTER OF HEARING ON ANNEXATION OF TERRITORY Whereas pursuant to advertising the hearing to be held on protests against the annexation of a portion of Bodem Colony and a portion of Rice Colony to the City of Modesto at this time and whereas no pro-

tests were filed, the City Attorney was directed to prepare ordinance for adoption annexing this territory to the City of Modesto.

8
IN THE MATTER OF
RESOLUTION CALLING
ELECTION

Commissioner Wilson introduced

RESOLUTION NO. 8296-N.S.

which was seconded by Commissioner Burkner, calling the General Municipal Election for April 12, 1949 as provided by the Charter of the City of Modesto for the election of one Councilman for a two year term and two Councilmen for a four year term and two members of the Board of Education for a four year term, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Wilson, Acting Mayor Stanley

Noes: Councilmen: None

Absent: Mayor Shannon

9
IN THE MATTER OF
CALL FOR BIDS ON
ADDITIONAL LIGHTING
FACILITIES FOR
BALL PARK

Commissioner Wilson introduced

RESOLUTION NO. 8297-N.S.

which was seconded by Commissioner Burkner authorizing the City Clerk to call for bids for the improving of the present field lighting at the Modesto Municipal Baseball Park, said bids to be opened on March 9, 1949, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Wilson, Acting Mayor Stanley

Noes: Councilmen: None

Absent: Councilmen: None, Mayor Shannon

10
IN THE MATTER OF
CALL FOR BIDS ON
ROAD OIL MIXER

Commissioner Burkner introduced

RESOLUTION NO. 8298-N.S.

which was seconded by Commissioner Wilson authorizing the City Clerk to call for bids for one Industrial Model Seaman Pulvi-Mixer Model MHD 72 or equal, said bids to be opened on March 9, 1949, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Wilson, Acting Mayor Stanley

Noes: Councilmen: None

Absent: Mayor Shannon

11
IN THE MATTER OF
FINAL ADOPTION OF
ORD. NO. 887-N.S.
APPROPRIATE FUNDS
IMPROVE BASEBALL
PARK

Ordinance No. 887-N.S. having been heretofore introduced and ordered printed and published at the regular meeting of February 9, 1949 and thereupon printed and published as required by the Charter of the City of Modesto, coming on for final adoption at this time, it was upon roll

call so finally adopted by the following vote:

Ayes: Councilmen: Burkner, Wilson, Acting Mayor Stanley

Noes: Councilmen: None

Absent: Mayor Shannon

12
IN THE MATTER OF
FINAL ADOPTION OF
ORD. NO. 888-N.S.
APPROPRIATE FUNDS
PULVERIZER MACHINE

Ordinance No. 888-N.S. having been heretofore introduced and ordered printed and published at the regular meeting of February 9, 1949 and thereupon printed and published as required by the Charter of the City

of Modesto, coming on for final adoption at this time, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Burkner, Wilson, Acting Mayor Stanley

Noes: Councilmen: None

Absent: Councilmen: None, Mayor Shannon

13
IN THE MATTER OF
FINAL ADOPTION
ORD. NO. 889-N.S.
IMPROVE TENNIS
COURTS IN PARK

Ordinance No. 889-N.S. having been heretofore introduced and ordered printed and published at the regular meeting of February 9, 1949 and thereupon printed and published as required by the Charter of the City

of Modesto, coming on for final adoption at this time, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Burkner, Wilson, Acting Mayor Stanley

Noes: Councilmen: None

Absent: Mayor Shannon

14
IN THE MATTER OF
ORD. AMEND ORD.
859-N.S. WATER
RATES

Commissioner Burkner introduced an ordinance being
ORDINANCE NO. 890-N.S.

entitled: "AN ORDINANCE AMENDING SECTION 5A OF ORDINANCE NO. 859-N.S. OF THE CITY OF MODESTO AND CHANGING WATER RATES" and moved its adoption and passage to print and publish, which motion being duly seconded, it was upon roll call carried and the ordinance ordered published as above the the following vote:

Ayes: Councilmen: Burkner, Wilson, Acting Mayor Stanley

Noes: Councilmen: None

Absent: Mayor Shannon

15
IN THE MATTER OF
ORD. RULES AND
REGULATIONS AT
MUNICIPAL AIRPORT

Commissioner Burkner introduced an ordinance being
ORDINANCE NO. 891-N.S.

entitled: "AN ORDINANCE PRESCRIBING RULES AND REGULATIONS FOR THE USE AND CONDUCT OF MODESTO MUNICIPAL AIRPORT, DECLARING VIOLATIONS OF SAID RULES AND REGULATIONS TO BE A MISDEMEANOR AND PROVIDING PUNISHMENT THEREFOR AND FIXING LANDING, RENTAL AND OTHER FEES TO BE PAID FOR USING SAID AIRPORT AND PROVIDING FOR THE COLLECTION OF SAID FEES AND REPEALING ORDINANCES NO. 321-N.S. 328-N.S. 519-N.S. 795-N.S. and 800-N.S. OF THE CITY OF MODESTO" and moved its adoption and passage to print and publish which motion being duly seconded it was upon roll call carried and the ordinance ordered published as above by the following vote:

Ayes: Councilmen: Burkner, Wilson, Acting Mayor Stanley

Noes: Councilmen: None

Absent: Mayor Shannon

16
IN THE MATTER OF
ADJOURN MEETING

AT the order of the Council this meeting was adjourned until
11:00 A.M. Thursday, February 24, 1949.



REX E. GAILFUS, CITY CLERK

Ajourned Council Meeting
February 24, 1949

The Council met in adjourned session as provided by Ordinance No. 2-N.S. at
11:00 A.M.

Present: Burkner, Wilson, Acting Mayor Stanley

Absent: Mayor Shannon

1
IN THE MATTER OF
AUTHORIZE CITY
CLERK ADVERTISE FOR
BIDS ON WOODEN FENCE

Commissioner Wilson introduced
RESOLUTION NO. 8298A-N.S.

which was seconded by Commissioner Burkner authorizing the City Clerk to advertise for bids for a wooden fence at the Modesto Municipal Baseball Field, said bids to be opened on March 2, 1949, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Wilson, Acting Mayor Stanley

Noes: Councilmen: None

Absent: Mayor Shannon

2
IN THE MATTER OF
ORD. APPROVE ANNEX-
ATION PORTION BODEM
AND RICE COLONY

Commissioner Burkner introduced an ordinance being
ORDINANCE NO. 892-N.S.

entitled: "AN ORDINANCE ANNEXING UNINHABITED TERRITORY BEING PORTION OF THE BODEM COLONY AND THE RICE COLONY TO THE CITY OF MODESTO", and moved its adoption and passage to print and publish, which motion being duly seconded, it was upon roll call carried and the ordinance ordered published as above by the following vote:

Ayes: Councilmen: Burkner, Wilson, Acting Mayor Stanley

Noes: Councilmen: None

Absent: Councilmen: Mayor Shannon

IN THE MATTER OF Commissioner Burkner introduced
ADJOURNMENT

RESOLUTION NO. 8299-N.S.

which was seconded by Commissioner Wilson, adjourning this Council meeting now in session, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Wilson, Acting Mayor Stanley

Noes: Councilmen: None

Absent: Councilmen: Mayor Shannon

ATTEST: REX E. GAILFUS, CITY CLERK

SPECIAL COUNCIL MEETING

March 2, 1949

The Council of the City of Modesto met in special session this date at 4:00 P.M. as provided by Section 2 of Ordinance No. 2-N.S.

Present: Councilmen: Burkner, Wilson, Stanley, Mayor Shannon

Absent: Councilmen: None

IN THE MATTER OF Commissioner Wilson introduced
GRANT REQUEST FOR FUNDS-BOY'S BAND

RESOLUTION NO. 8300-N.S.

which was seconded by Commissioner Stanley granting request of the Stanislaus County Boys Band for \$600 00 being balance allowed in the 1948-1949 budget, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF Commissioner Wilson introduced
REJECT BID ON METAL FENCE AT THE BASEBALL FIELD

RESOLUTION NO. 8301-N.S.

which was seconded by Commissioner Burkner rejecting all bids on the construction of a metal fence at the Modesto Municipal Airport and authorizing the City Clerk to return bidding checks, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF Whereas, pursuant to calling for bids on the construction of a wooden
OPEN BIDS ON WOODEN fence at the Modesto Municipal Baseball Park, the City Clerk reported
FENCE AT BALL PARK four bids on file:

| | BID | ALTERNATE |
|-------------------------|-----------|-----------|
| A. C. Carroll | \$3751 10 | \$3765 84 |
| Chas. I. Cunningham | 4436 40 | 4737 40 |
| Spears Construction Co. | 4063 00 | 4063 00 |
| Walter Walling | 4687 72 | |

whereupon Commissioner Wilson introduced

RESOLUTION NO. 8302-N.S.

which was seconded by Commissioner Burkner awarding the bid to A.C. Carroll for \$3751 10, as it was the lowest and best bid and appointing the Mayor, City Clerk and Auditor as signatory officials on contract and authorizing the City Clerk to return the bidding checks to the unsuccessful bidders, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

4
IN THE MATTER OF
DISCUSS THE PURCHASE
LAND IN BLOCK 81

A discussion was held on the proposed purchasing of Block 81, lot 24 and S $\frac{1}{2}$ of lot 25 owned by Wm. F. Raemsch and adjoining Fire Station No. 1 and the matter was held over for further consideration at the next Council meeting.

5
IN THE MATTER OF
RESOLUTION OF CON-
DOLENCE FAMILY OF
L.M. MORRIS

Commissioner Stanley introduced

RESOLUTION NO. 8303-N.S.

which was seconded by Commissioner Wilson "WHEREAS, Almighty God in His infinite wisdom has removed from our midst our fellow citizen and fellow Council member, LeRoy M. Morris, and

WHEREAS, during his sojourn in our midst he has set an outstanding and enviable example as a citizen of this community and as a member of the City Council of the City of Modesto by his ability, leadership, courage and integrity; and

WHEREAS, he has devoted many years of his life to the service of the government of the City of Modesto and has served his city unstintingly and with intelligence and devotion and,

WHEREAS, LeRoy M. Morris will be greatly missed both as a citizen and as a member of this Council.

Now therefore be it resolved by the Council of the City of Modesto that this Resolution be adopted as an expression of our esteem for our late departed comrade and friend and as an expression of our sense of personal loss; of our gratitude for our association and acquaintance with him and also as an expression of our sincere sympathy for his family and those who were close to him.

BE IT FURTHER RESOLVED that this Resolution be inscribed upon the minutes of our meeting and that copies of the same be transmitted to the family of LeRoy M. Morris, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Wilson, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

6
IN THE MATTER OF
ALLOW CLAIMS FOR
EXPENSES

Commissioner Wilson introduced

RESOLUTION NO. 8304-N.S.

which was seconded by Commissioner Burkner allowing the following claims for personnel of the Recreation Department for expenses incurred at the State Recreation Conference held in Santa Barbara held February 8-11, 1949:

| | |
|------------------|---------|
| Marian Cronite | \$44.06 |
| Lee M. Brooks | 50.25 |
| Serena E. Arnold | 49.62 |

which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

7
IN THE MATTER OF
AUTHORIZE PAYMENT
ASSOCIATED ENGINEERS

Commissioner Burkner introduced

RESOLUTION NO. 8305-N.S.

which was seconded by Commissioner Stanley authorizing progressive payment of \$4126.87 to the Associated Engineers for the installation of City Water mains, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

8
IN THE MATTER OF
PROGRESSIVE PAYMENT
STOCKTON CONSTRUCTION
COMPANY ACCEPT CONTRACT

Commissioner Burkner introduced

RESOLUTION NO. 8306-N.S.

which was seconded by Commissioner Stanley authorizing progressive payment of \$12,213.40 to the Stockton Construction Company for the construction of Unit No. 5 of the Industrial and Sanitary Wastes Treatment and Disposal System and whereas the City Engineer has filed a report that the contract has been completed, the City Clerk was directed to file "Notice of Completion" with the Recorder of Stanislaus County, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

9
IN THE MATTER OF
AUTHORIZE CYRIL HENDER-
SON ATTEND PLANNING
CONFERENCE

Commissioner Stanley introduced

RESOLUTION NO. 8307-N.S.

which was seconded by Commissioner Wilson authorizing Cyril Henderson, Planning Technician to attend Planning Conference in Oklahoma City, Okla., March 27-29, 1949 and granting him \$250 00 for expenses, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

10
IN THE MATTER OF
AUTHORIZE ATTORNEY
AMEND ORDINANCE TO
PERMIT RIGID TYPE
AWNINGS

After discussion by the Council regarding the installation of certain types of rigid awnings, the City Attorney was directed to prepare an ordinance for consideration to permit the installation of certain types of rigid awnings in the City.

11
IN THE MATTER OF
KALMAN A. WALLACH
RECOMMENDATIONS

Kalman A. Wallach, owner of property at 903 Burney Street, appeared before the Council and made the following recommendations:

- 1-That there be an increase in assessed valuation on vacant lots in the City of Modesto.
- 2-That the proposed program of the Chamber of Commerce for the annexation of the fringe area be approved by the Council
- 3-Extensive repairs be made on the streets in the City of Modesto.
- 4-Council support the consideration of a member of the Council who understood building construction.

12
IN THE MATTER OF
COMMUNICATION STATE
DEPARTMENT OF PUBLIC
HEALTH

A communication from the State Department of Public Health regarding the sewage disposal program for the City was read and ordered filed.

13
IN THE MATTER OF
APPLICATIONS FOR THE
POSITION OF AIRPORT
MANAGER

Applications for the position of Manager of the Modesto Municipal Airport of Donald L. Pack and W.L. Frederickson were read and ordered filed.

14
IN THE MATTER OF
ADJOURNMENT

Commissioner Burkner introduced

RESOLUTION NO. 8308-N.S.

which was seconded by Commissioner Wilson, who moved its adoption, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Burkner, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

Council Meeting

March 9, 1949

The Council of the City of Modesto met in regular session this date at 7:30 P.M. as provided by Section 1 of Ordinance No.2-N.S.

Present: Councilmen: Burkner, Stanley, Wilson, Mayor Shannon

Absent: Councilmen: None

IN MATTER OF APPROVAL OF MINUTES The minutes of the regular meeting of February 23, 1949 and special meeting of March 2, 1949 having been heretofore read by each Councilman, they were approved as so read.

IN THE MATTER OF PETITION BY SERVICE STATION OPERATORS PROHIBIT ESTABLISHMENT OF SELF* SERVICE STATIONS A group of service station operators appeared before the Council and requested that the Council take some legislative action on prohibiting the establishment of self-service stations in the City of Modesto due to the fire hazards, whereupon Commissioner Stanley introduced

RESOLUTION NO. 8309-N.S.

which was seconded by Commissioner Wilson authorizing the City Attorney to prepare ordinance for adoption by the Council prohibiting the establishment of self-service stations in the City of Modesto, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF PETITION USE WATER FROM SEWER PONDS JOSEPH CHIANA Attorney R.B. Fowler appeared before the Council representing Joseph Chiana and requested that Mr. Chiana be granted permission by the Council to use the water from the sewer ponds adjoining his property on South Franklin Street. He was informed that the City of Modesto did not have a permit from the State Department of Public Health to permit them to grant this request.

IN THE MATTER OF CLAIMS FOR THE MONTH OF FEBRUARY Claims against the City of Modesto for the month of February, 1949 having been heretofore audited by the Council and found to be correct, Commissioner Wilson introduced

RESOLUTION NO. 8310-N.S.

ordering that all of the said claims so audited and approved be and the same are hereby allowed, with reference being made to the Auditor's Cash Record for further details relative to the amounts of withdrawals from the various funds as follows:

| | |
|--------------------------|--------------|
| GENERAL FUND----- | \$77,055.21 |
| WATER FUND----- | 12,087.58 |
| LIBRARY FUND----- | 2,526.90 |
| AIRPORT FUND-(1-1C)----- | 10,373.29 |
| MONOTTI FUND (1-9F)----- | 1,254.80 |
| PARKING FUND (1-9J)----- | 752.93 |
| WATER BOND (1-10J)----- | 5,114.97 |
| SEWER BOND (1-10K)----- | 13,383.14 |
| TOTAL | \$122,548.82 |

which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

4
IN THE MATTER OF Whereas, pursuant to request of the Modesto Chamber of Commerce for
REQUEST OF THE the City Council to grant permission to the Modesto Airmen's Association
CHAMBER OF COMMERCE to hold a public dance at the Municipal Hangar on Saturday, May 14,
HOLD DANCE AT AIRPORT 1949, Commissioner Burkner introduced

RESOLUTION NO. 8311-N.S.

which was seconded by Commissioner Wilson granting permit to the Modesto Airmen's Association to hold a public dance at the Municipal Hangar on Saturday, May 14, 1949 providing they file an insurance policy with the City Clerk with limits of \$50,000 public liability and \$5000 property damage, before the dance is held, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Wilson, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

5
IN THE MATTER OF Applications for the position of Manager of the Municipal Airport of
APPLICATIONS FOR Phillip Graves and Bob S. Gililand were read and ordered filed.
POSITION AIRPORT MANAGER

6
IN THE MATTER OF Pursuant to advertising for bids for one Industrial Model Seaman
BIDS Pulvi-Mixer, the City Clerk reported two bids on file, whereupon
after opening said bids they were referred to the City Engineer, for investigation and re-
commendation.

7
Pursuant to advertising for bids for improving the present field lighting at the Modesto Municipal Baseball Field, The City Clerk reported three bids on file, whereupon after opening said bids they were referred to the City Engineer for investigation and recommendation.

8
IN THE MATTER OF The annual report of the Public Works Department for the year ending
ANNUAL REPORT OF June 30, 1948 was filed by the City Engineer.
THE PUBLIC WORKS DEPARTMENT AND
PARKS

9
IN THE MATTER OF Whereas the City Council of the City of Modesto did, on the 9th day
HEARING OF PROTESTS of February, 1949 pass its Resolution of Intention No. 236 to order
ON J STREET LIGHTING certain work to be done and improvement to be made in said City, under and in pursuance of the
Improvement Act of 1911 and amendments thereto, the names of the streets and highways proposed to be improved and the location and character of said proposed work being described in said Resolution of Intention, which is hereby referred to for further particulars, and

Whereas, certain owners of property liable to be assessed for said work made written protests or objections in writing and delivered the same to the Clerk not later than the hour set for hearing such objections, and

Whereas, at the time set for hearing protests or objections said City Council proceeded to hear the same, and all of said protests or objections having been heard and duly considered and said City Council being required to pass upon the same, Commissioner Burkner introduced

RESOLUTION NO. 810 S.P.

which was seconded by Commissioner Wilson resolving that the City Council of the City of Modesto hereby overrules and denies all of the said protests and objections against said proposed work or improvement and it appears and the Council hereby finds that said owners so making protests against said work proposed to be ordered as aforesaid are less than one-half of the owners of the property to be assessed for the proposed work, which resolution was re-

gularly adopted by the following vote:

Ayes: Councilmen: Burkner, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

10
IN THE MATTER OF WHEREAS the Council passed Resolution of Intention No. 236
RESOLUTION ORDERING to order the hereinafter described work to be done and improve-
WORK ON LIGHTING OF ment to be made, which resolution of intention was legally
J STREET BETWEEN published as required by law and "Notice of Improvement" were duly and legally posted
12th & 17th Street along the line of said contemplated work in front of all property liable to be
assessed therefor and affidavit of posting was filed with the City Clerk, and

WHEREAS all protests or objections presented have been heard
and disposed of in the time, form and manner required by law and said City Council
having now acquired jurisdiction to order the proposed improvement, Commissioner
Burkner introduced

RESOLUTION NO. 811-S.P.

which was seconded by Commissioner Wilson resolving that the public interest and convenience require the work herein described and the Council hereby orders the following work to be done and improvement to be made in said City, to-wit:

That "J" Street between the easterly property line of Twelfth Street and the westerly property line of Seventeenth Street be improved by constructing along each side of said street, a street light illuminating system including union metal standards, design number 6401-Y76; Westinghouse Electric Type OV-20 Luminaires; Westinghouse Electric Type IL Transformers with wires, cables, poles, lamps and all necessary appurtenances for the purpose of lighting said street.

Attention is called to the License Agreement of the Taper Tube Pole Co. of San Francisco, California for furnishing certain electrical materials to bidders at a fixed price dated November 4, 1948 and February 9, 1949, and on file in the office of the City Clerk.

Reference is hereby made to the Resolution of Intention No. 236 aforesaid, for the description of the work or improvement and the assessment district.

The City Clerk is hereby instructed to post a notice of said work, together with the plans and specifications therefor, conspicuously for five days on or near the Council Chamber Door of said City inviting sealed proposals or bids for doing the work ordered. Said Clerk is also directed to publish twice, a notice inviting such proposals, and referring to the specifications posted or on file, in the "Modesto Bee" a daily newspaper published and circulated in said City and hereby designated for that purpose. All proposals or bids shall be accompanied by a check payable to the City of Modesto certified by a responsible bank for an amount which shall not be less than ten per cent of the aggregate of the proposal, or by a bond for the said amount and so payable, signed by the bidder and two sureties; who shall justify, before any officer competent to administer an oath, in double the said amount, and over and above all statutory exemptions.

Said sealed proposals or bids shall be delivered to the City Clerk of the City Council on or before 8:00 o'clock P.M. on Wednesday the 23rd day of March, 1949, said time being not less than 10 days from the time of the first posting and publications of the notice of said work and inviting sealed proposals, on which day and hour all proposals or bids will be publicly opened, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent:Councilmen: None

11
IN THE MATTER OF
APPOINTMENT ON OFF-
STREET PARKING
COMMITTEE

Commissioner Burkner introduced

RESOLUTION NO. 8312-N.S.

which was seconded by Commissioner Wilson appointing John Fairweather,
Manager of the Modesto Chamber of Commerce, a member of the "Off-Street Parking Committee"
created by the Council under Resolution No. 7890-N.S. adopted May 19, 1948 to take the
place of Bob Cowden, former Manager of the Modesto Chamber of Commerce, which resolution was
regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent:Councilmen: None

12
IN THE MATTER OF
CANCEL CONTRACT FOR
WATER SERVICE WITH
BUREAU OF RECLAMATION

Commissioner Wilson introduced

RESOLUTION NO. 8313-N.S.

which was seconded by Commissioner Burkner cancelling contract No.
175R-352 covering water service for the United States Bureau of Reclamation Garage, 809-13th
Street, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent:Councilmen: None

13
IN THE MATTER OF
ORD. AMEND SECTION
4506-ORDL NO. 827-N.S.
AWNINGS

Commissioner Stanley introduced an ordinance being

ORDINANCE NO. 893-N.S.

which was seconded by Commissioner Wilson entitled: "AN ORDINANCE
AMENDING SECTION 4506 OF ORDINANCE NO. 827 N.S. OF THE CITY OF MODESTO." and moved its adoption
and passage to print and publish which motion being duly seconded, it was upon roll call carried
and the ordinance ordered published as above by the following vote:

Ayes: Councilmen: Burkner, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent:Councilmen: None

14
IN THE MATTER OF
FINAL ADOPTION ORD.
890-N.S. INDUSTRIAL
WATER RATES

Ordinance No. 890-N.S. having been heretofore introduced and ordered
printed and published at the regular meeting of February 28, 1949 and
thereupon printed and published as required by the Charter of the City

of Modesto coming on for final adoption at this time, it was upon roll call so finally adopted
by the following vote:

Ayes: Councilmen: Burkner, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent:Councilmen: None

15
IN THE MATTER OF
FINAL ADOPTION ORD.
891-N.S. AIRPORT
REGULATIONS

Ordinance No. 891-N.S. having been heretofore introduced and ordered
printed and published at the regular meeting of February 23, 1949 and
thereupon printed and published as required by the Charter of the City

of Modesto coming on for final adoption at this time, it was upon roll call so finally adopted
by the following vote:

Ayes: Councilmen: Burkner, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent:Councilmen: None

16
IN THE MATTER OF
FINAL ADOPTION ORD.
NO. 892-N.S. ANNEX
PORTION BODEM AND
RICE COLONY

Ordinance No. 892-N.S. having been heretofore introduced and ordered
printed and published at the regular meeting of February 23, 1949 and
thereupon printed and published as required by the Charter of the City

of Modesto coming on for final adoption at this time, it was upon roll call so finally adopted
by the following vote:

Ayes: Councilmen: Burkner, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

17
IN THE MATTER OF
ESTABLISH 2 HR.
PARKING ON CERTAIN
STREETS

Whereas, pursuant to referring request of Mellis Bros., for two hour parking on the east side of Seventh Street, between I and J Streets to the Police Chief for investigation and

recommendation whereupon he filed the following recommendations that two hour parking be established at the following locations:

Both sides of Seventh Street, Between H and I Streets

Both sides of I Street, between Sixth and Seventh Streets

East side of Seventh Street from I Street to the rear of Mellis Store Building whereupon Commissioner Stanley introduced

RESOLUTION NO. 8314-N.S.

which was seconded by Commissioner Wilson authorizing the establishment of two hour parking in above listed locations and directing the City Engineer to erect the necessary signs, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

18
IN THE MATTER OF
REQUEST MODESTO
HANGAR ASSOCIATION

Whereas pursuant to the request of the Modesto Hangar Association for an extra year under their rental agreement with the City

of Modesto due to the fact the original lease agreement provided for an expenditure of only \$15,000 and to continue for a total of 11 years and they had expended \$1,395 00 over and above that sum, City Attorney Halley was directed by the Council to prepare an amendment to the original lease agreement providing for an additional year as requested.

19
IN THE MATTER OF
ADJOURNMENT

Commissioner Stanley introduced

RESOLUTION NO. 8315-N.S.


which was seconded by Commissioner Wilson, adjourning this Council meeting now in session, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST:


REX E. GAILFUS, CITY CLERK

Special Council Meeting

March 14, 1949

The Council of the City of Modesto met in special session this date as provided by section 2 of Ordinance No.2-N.S.

Present: Councilmen: Burkner, Stanley, Wilson, Mayor Shannon

Absent: Councilmen: None

20
IN THE MATTER OF
AWARDING BID ON
LIGHTING BASEBALL
FIELD

Pursuant to referring all bids for the improving the lighting facilities at the Modesto Municipal Baseball Field to the City Engineer for investigation and recommendation,

and whereas he has filed a report recommending that bid be awarded to the Industrial Electrical Company, Commissioner Wilson introduced

RESOLUTION NO. 8316-N.S.

which was seconded by Commissioner Burkner recommending that the bid be awarded to the Industrial Electrical Company as recommended by the City Engineer and the City Clerk be directed to return bidding checks to the unsuccessful bidders and the Mayor, City Clerk and Auditor are appointed signatory officials on contract agreement, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

2
IN THE MATTER OF
AWARD BID ON PULVI-
MIXER

Whereas, pursuant to referring bids on one new Industrial Model Seaman Pulvi-Mixer-model MHD72 or equal to the City Engineer for investigation and recommendation, he reported that the bid of Buran Equipment Company was the lowest and best bid, whereupon Commissioner Burkner introduced

RESOLUTION NO. 8317-N.S.

which was seconded by Commissioner Wilson awarding bid to the Buran Equipment Company for \$3474 75 and authorizing the City Clerk to return the bidding checks to the unsuccessful bidders, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

3
IN THE MATTER OF
ADJOURNMENT

Commissioner Wilson introduced

RESOLUTION NO. 8318-N.S.

which was seconded by Commissioner Stanley, adjourning this Council meeting now in session, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: 
REX E. GAILFUS, CITY CLERK

Special Council Meeting

March 16, 1949

The Council of the City of Modesto met in special session this date at 4:00 P.M. as provided by Section 2 of Ordinance No. 2-N.S.

Present: Councilmen: Burkner, Stanley, Wilson, Mayor Shannon

Absent: Councilmen: None

1
IN THE MATTER OF
PETITION TO OPERATE
USED CAR LOTS
LANE & BRANNON

Whereas, pursuant to petition of Lane and Brannon to operate a used car lot at 920 G Street, by order of the Council permission was held over until investigation could be made to determine if the proper plumbing facilities were installed at this location.

2
IN THE MATTER OF
PETITION ANNEXATION
CHAPIN TRACT

A petition filed for the annexation of Chapin Tract to the City of Modesto by John Quaresma, Bernice Quaresma, Grady Monks and Lucille Monks was held over for consideration until it could be determined if the petitioners owned more than one fourth of the territory proposed to be annexed to the City as legally required.

3
IN THE MATTER OF
IMPROVEMENT OF
TENNIS COURT
FACILITIES

After a general discussion by the Council on the improvement of tennis court facilities in the City parks, it was the decision of the Council to build

One new double court in Graceada Park

Install proper lighting facilities on one more additional double court in Graceada Park

Resurface one double court in Maze Wren Park

Resurface one single court in the West Side Park

4

IN THE MATTER OF
PETITION DELAY ACTION
ON PROHIBITING SELF-
SERVICE STATIONS

Attorney George Mellis from Attorney Vernon Gant's office
appeared before the Council with a group of service
station operators and petitioned the Council to reconsider

taking any legal action on prohibiting the establishment of self-service stations in
the City until Mr. Gant could appear before the Council and discuss this matter with
the Council. He was informed that the Council would hold over decision on the in-
troduction of an ordinance until the regular meeting of March 23, 1949.

5

IN THE MATTER OF
LEGISLATION REGULAT-
ING SHORT WAVE RE-
CEIVING SETS

Police Chief Pickering discussed the adoption of an
Ordinance by the Council which would regulate installation
of short wave receiving sets in automobiles in and a-

round the City of Modesto so that the Police and Fire Departments could answer
emergency calls without being hindered by unnecessary traffic travelling to the
scene of the emergency out of curiosity, whereupon Commissioner Stanley introduced

RESOLUTION NO. 8319-N.S.

which was seconded by Commissioner Wilson signifying the intention of the Council to
adopt legislative regulations on the installation of short wave receiving sets in
automobiles and directing the City Attorney and Police Chief to work with the
District Attorney's office in drafting legislation for adoption, which resolution was
regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

6

IN THE MATTER OF
APPLICATIONS FOR THE
POSITION OF MANAGER
OF THE MUNICIPAL
AIRPORT

The applications of Lawrence H. Anderson and A. Earl
Davis for the position of manager of the Modesto Municipal
Airport were read and referred to the City Engineer for
filing.

7

IN THE MATTER OF
ADJOURNMENT

Commissioner Stanley introduced

RESOLUTION NO. 8320-N.S.

which was seconded by Commissioner Wilson, adjourning this Council meeting now in
session, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST:

Rex E. Gailfus
REX E. GAILFUS, CITY CLERK

Council Meeting

March 23, 1949

The Council of the City of Modesto met in regular session this date as
provided by Section 1 of Ordinance No. 2-N.S. at 7:30 P.M.

Present: Councilmen: Burkner, Stanley, Wilson, Mayor Shannon

Absent: Councilmen: None

IN THE MATTER OF
APPROVAL OF MINUTES

The minutes of the regular meeting of the Council of
March 9 and special meetings of March 14 and 16th, having

been heretofore read by each Councilman were approved as so read.

IN THE MATTER OF
DISCUSS ESTABLISH-
MENT SELF-SERVICE
STATIONS IN CITY

Attorney Vernon Gant appeared before the Council represent-
ing several independent service station operators in the

City and petitioned the Council to give the matter further study before adopting legislation prohibiting the establishment of self-service gasoline stations in the City of Modesto. He cited that only one city prohibits the installation while several other have ordinances regulating their operation, which he believed would be welcomed by local operators and that this type of service station was not considered any greater fire risk than other types of stations by insurance companies. He related the method these stations were being operated under in the southern part of the state and he submitted a copy of an ordinance from another city which regulated but did not prohibit self service stations.

James I. Kirby of Oakland representing the Independent Service Station Operators Association, appeared before the Council and stated that these stations were a greater fire hazard than other types of stations and cited several decisions handed down by Supreme Courts in other states prohibiting self service stations.

They were advised that the Council would consider the matter further before adopting legislation prohibiting self service stations in the city.

2
IN THE MATTER OF
COMMUNICATIONS

A communication from the League of California Cities regarding proposed federal legislation was read and ordered filed.

3
IN THE MATTER OF
AWARD BID ON IMPROVE-
MENT OF J STREET

Commissioner Burkner introduced

RESOLUTION NO. 812-S.P.

which was seconded by Commissioner Stanley resolving that whereas the City Council of the City of Modesto did in open session on the 23rd day of March, 1949, publicly open, examine and declare all sealed proposals or bids for doing certain street work in said City under and in pursuance of the "Improvement Act of 1911" and amendments thereto, the names of the streets and highways proposed to be improved and the location and character of said proposed work being described in the Resolution of Intention No. 236 of said City Council adopted February, 1949, which resolution is hereby expressly referred to for further particulars and that the said City Council hereby rejected all of said proposals or bids except the next herein mentioned and hereby award the contract for doing said work and improvement to the lowest responsible bidder, to-wit:

INDUSTRIAL ELECTRICAL COMPANY, at the prices named in their bid. The City Clerk is hereby directed to post notice of this award conspicuously for five days, on or near the Chamber door of this City Council and also publish said notice twice in the Modesto Bee, a daily newspaper published and circulated in said City and hereby designated for that purpose by said Council, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

4
IN THE MATTER OF
PETITION OPERATE
USED CAR LOTS

Whereas, pursuant to withholding permission to Lane and Brannon to operate a used car lot at 920 G Street until it could be determined if they had the proper plumbing facilities at this location, they filed a letter with the Council certifying that they had the required sanitary facilities available as they had entered into an agreement with McDonald Auto Parts, adjacent to their lot, in exchange for payment of monthly water bill, whereupon Commissioner Wilson introduced

RESOLUTION NO. 8321-N.S.

which was seconded by Commissioner Burkner, granting permit to Lane and Brannon to operate a used car lot at 920 G Street, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

WHEREAS, Gordon A. Wight Company have petitioned the Council for permit

to operate a used car lot at 1230- 10th Street and whereas proper plumbing facilities are available at this location, Commissioner Wilson introduced

RESOLUTION NO. 8322-N.S.

5 which was seconded by Commissioner Stanley granting permit to the said Gordon A. Wight Company to operate a used car lot at 1230-10th Street, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

6 WHEREAS Midtown Motors have petitioned the Council for permit to operate a used car lot at 1204 H Street, by order of the Council permit was withheld until investigation could be made of this location to determine if the proper plumbing facilities were available,

7 IN THE MATTER OF
PETITION FOR ANNEXA-
TION

Whereas petition signed by John Quaresma, Bernice Quaresma, Grady Monk and Lucile Monk was filed with the Council requesting annexation of Chapin Tract to the City of Modesto, Commissioner Wilson introduced

RESOLUTION NO. 8323-N.S.

which was seconded by Commissioner Burkner accepting the petition and setting the date of April 20, 1949 at 4:00P.M. at the City Hall as the time and place for hearing any protests to the petition for annexation, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

8 IN THE MATTER OF
CALIFORNIA NATIONAL
GUARD-ARMY DAY
CELEBRATION

A request was filed by the California National Guard to block I Street between Eleventh Street and Twelfth Street, between the hours of 6:00 P.M. and 10:00 P.M., April 6, 1949 to use this area for a troop formation in celebration of Army Day. This request was referred to the Chief of Police.

9 IN THE MATTER OF
ORD. APPROPRIATE
FUNDS PURCHASE
BLOCK 81 LOTS 24
S $\frac{1}{2}$ 25

Commissioner Wilson introduced an ordinance being
ORDINANCE NO. 894-N.S.
entitled: "AN ORDINANCE APPROPRIATING MONEY AND PROVIDING FOR THE PURCHASE OF REAL PROPERTY" and moved its adoption and passage to print, which motion being duly seconded by Commissioner Stanley, it was upon roll call carried and the ordinance ordered published by the following vote:

Ayes: Councilmen: Burkner, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

10 IN THE MATTER OF
ACCEPT CERTIFICATIONS
OF CANDIDATES FOR
ELECTION

Whereas the City Clerk of the City of Modesto has certified to the City Council that the following individuals have properly qualified to be placed on the ballot in the forthcoming April 12th, Municipal Election for the year 1949:

FOR THE OFFICE OF COUNCILMAN FOR

FOUR YEAR TERM

A.M. FRAD

JOSEPH A. VENTURINI

JAMES P. WILSON

FOR THE OFFICE OF COUNCILMAN FOR

UNEXPIRED TERM

E.K. BURKNER
FOR THE OFFICE OF MEMBER OF THE BOARD OF EDUCATION

ESTHER B. BRACK

JOSEPH P. DIEU

IAN W. HARDIE

SAM T. MORAN

KARL M. ROTH

JAMES R. TREDWAY

Commissioner Stanley introduced

RESOLUTION NO. 8324-N.S.

which was seconded by Commissioner Burkner authorizing the placing of the above named candidates on the ballot as candidates at the General Municipal Election to be held in Modesto and in the Modesto City District on April 12, 1949, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF
MAYOR AUTHORIZE
ELECTION PROCLAMATION

Whereas there is to be held a Municipal election on April 12, 1949 in the City of Modesto and a Modesto City School District election on the same date and

Whereas the names of the candidates for the office of Councilmen and Members of the Board of Education have qualified for the ballot at said election, Commissioner Burkner introduced

RESOLUTION NO. 8325-N.S.

which was seconded by Commissioner Wilson authorizing the Mayor to issue a proclamation of election and directed that the City Clerk have same published in the Modesto Bee, the official newspaper of the City of Modesto for a period of ten successive days prior to said election which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF REQUEST CANCELLATION OF TAXES

Commissioner Wilson introduced

RESOLUTION NO. 8326-N.S.

which was seconded by Commissioner Stanley requesting the Modesto Irrigation District and the Board of Supervisors of Stanislaus County to cancel all taxes due and payable on property deeded to the City of Modesto for street and alley purposes by Walter and Dorothea Spoon in lot 2 of the Rice Colony Tract, under date of July 2, 1948, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF
FINAL ADOPTION ORD.
893-N.S. AMEND AWNING
REGULATIONS

Ordinance No. 893-N.S. having been heretofore introduced and ordered printed and published at the regular meeting of March 9, 1949 and thereupon printed and published as required by the Charter of the City

of Modesto, coming on for final adoption at this time, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Burkner, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

14
IN THE MATTER OF
ORD. ESTABLISH TRUCK
ROUTE

Commissioner Wilson introduced an ordinance being

ORDINANCE NO. 895-N.S.

entitled: "AN ORDINANCE REPEALING ORDINANCES NO. 644-N.S. NO. 650-N.S. NO. 733-N.S. AND NO. 873-N.S. OF THE CITY OF MODESTO AND AMENDING ORDINANCE NO. 345-N.S. OF THE CITY OF MODESTO ENTITLED 'AN ORDINANCE REGULATING TRAFFIC UPON THE PUBLIC STREETS OF THE CITY OF MODESTO' AS THEREAFTER AMENDED BY ADDING A NEW SECTION TO BE NUMBERED 36A," who moved its adoption and passage to print, which motion being duly seconded by Commissioner Burkner, it was upon roll call carried and the ordinance ordered published by the following vote:

Ayes: Councilmen: Burkner, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

15
IN THE MATTER OF
ESTABLISH STOP
SIGNS

Commissioner Burkner introduced

RESOLUTION NO. 8327-N.S.

which was seconded by Commissioner Wilson installing stop signs at the following locations:

At the intersection of the south property line of Ross Street extended and the west property line of Burney Street extended, stopping traffic entering Burney Street.

At the north side of Ross Street, stopping traffic entering Burney Street.

which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

16
IN THE MATTER OF
AUTHORIZE AGREEMENT
WITH MODESTO BOARD
OF EDUCATION

Commissioner Stanley introduced

RESOLUTION NO. 8328-N.S.

which was seconded by Commissioner Wilson authorizing the entering into an agreement with the Modesto Board of Education for school nursing service for the balance of the 1948-49 fiscal year and the Mayor, Clerk and Auditor are hereby appointed signatory officials, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

17
IN THE MATTER OF
GRANT PERMIT ERECT
TENT FOR RELIGIOUS
SERVICES

Commissioner Burkner introduced

RESOLUTION NO. 8329-N.S.

which was duly seconded by Commissioner Wilson granting permit to the Christian Business Men's Committee of Modesto to erect a tent at the corner of LaLoma, Burney Street and G Street to hold religious services from April 2 to April 14, 1949, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

18
IN THE MATTER OF
COMMUNICATION FROM
BOARD OF SUPER-
VISORS

A communication from the Stanislaus County Board of Supervisors requesting a survey be made for city water service at the County Hospital by the City Engineer was referred to City

Engineer Rossi.

19
IN THE MATTER OF
PETITION OPERATE
CARNIVAL

A request was filed by the Scouts to hold a Carnival in the City of Modesto for charity and to be exempt city taxes.

This was referred to the Chief of Police for investigation and recommendation.

7

IN THE MATTER OF VISITORS

Mr. Warner, Civic Teacher at the Modesto High School and several students were visitors at the Council Meeting.

8

IN THE MATTER OF ADJOURNMENT

Commissioner Burkner introduced

RESOLUTION NO. 8330-N.S.

which was seconded by Commissioner Stanley, adjourning this Council meeting now in session, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX B. GAILFUS, CITY CLERK

Special Council Meeting

April 6, 1949

The Council of the City of Modesto met in special session this date at 4:00 P.M. as provided by Section 2 of Ordinance No. 2-N.S.

Present: Councilmen: Burkner, Stanley, Wilson, Mayor Shannon

Absent: Councilmen: None

IN THE MATTER OF REQUEST BY EMPIRE SANITARY DISTRICT A resolution adopted by the Sanitary Board of the Empire Sanitary District, requesting permission for a "temporary connection to the sewerage system of the City of Modesto pending the construction of the overall sewerage system serving Modesto and adjacent areas" was presented to the Council by Attorney Carlos J. Badger. The Council informed Attorney Badger that it would be impossible to grant this request because while the pipe line to the sewer plant had been constructed to take care of an excess capacity, the sewer plant had no excess capacity at the present time and the plant could only take care of the present needs of the City of Modesto industrial plants.

2

IN THE MATTER OF PROPOSED STATE LEGISLATION

Commissioner Stanley introduced

RESOLUTION NO. 8331-N.S.

which was seconded by Commissioner Wilson recommending that the Council of the City of Modesto go on record as opposing certain proposed state legislation, known as AB No. 800; AB No. 1020 and SB 108; AB No. 1544 and AB No. 737 and to go on record as approving AB No. 2358 and SB No. 851 and the City Clerk was directed to send a copy of this resolution to Senator Hugh P. Donnelly, State Assemblyman Ralph M. Brown and the League of California Cities, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

3

IN THE MATTER OF ACCEPT PETITION FOR ANNEXATION

Whereas a petition has been presented to the City of Modesto by William Falger, Paul H. Smith, Mary Louise Falger and Gladys L. Ulrich for the annexation of a certain tract of land to be known as Uninhabited Territory Tract No. 1 and contiguous to the City of Modesto on the north City limits, Commissioner Wilson introduced

RESOLUTION NO. 8332-N.S.

which was seconded by Commissioner Stanley, accepting petition and setting the date of April 27, 1949, at 7:30 o'clock in the Council Chambers of the City Hall as the time and place for considering the petition, at which time and place any person owning real property within such territory and having any objections to the proposed annexation may appear and show cause why such territory should not be so annexed and the City Clerk shall cause copy of this resolution to be published twice in the Modesto Bee, which resolution was regularly adopted by the following

ing vote:

Ayes: Councilmen: Burkner, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

4 IN THE MATTER OF Commissioner Burkner introduced
SET WAGE SCALE
CONTRACT WORK

RESOLUTION NO. 8333-N.S.

which was seconded by Commissioner Wilson determining prevailing rate of per diem wages for certain classifications of public works performed under contract in the City of Modesto and rescinding Resolution No. 8180-N.S. adopted by the Council of the City of Modesto on December 1, 1948, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

5 IN THE MATTER OF Commissioner Stanley introduced
CALL FOR BIDS

RESOLUTION NO. 8334-N.S.

which was seconded by Commissioner Burkner authorizing the City Clerk to Call for bids on a 600,000 gallon elevated steel water tank supporting tower, concrete foundations, all accessories, appurtenances and connections and the furnishing of all labor, materials and equipment necessary for the erection of the structure, said bids to be opened on May 11, 1949, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

Commissioner Burkner introduced

RESOLUTION NO. 8335-N.S.

6 which was seconded by Commissioner Wilson authorizing the City Clerk to call for bids on furnishing and installing one deep well turbine pump with electric motor drive, pressure tank and all accessories, said bids to be opened on April 27, 1949, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

Commissioner Burkner introduced

RESOLUTION NO. 8336-N.S.

7 which was seconded by Commissioner Stanley authorizing the City Clerk to call for bids as follows:

For the Improvement of Fifth Street between F Street and

Sierra Drive and Sierra Drive between 5th Street and 7th St.

For the Improvement of California Street from Franklin Street

to H Street

said bids to be opened on April 27, 1949, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

8 Commissioner Stanley introduced

RESOLUTION NO. 8337-N.S.

which was seconded by Commissioner Wilson authorizing the City Clerk to call for bids

for the improvement of the Tennis Courts in Graceada Park, said bids to be opened on April 27, 1949, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

9
10
IN THE MATTER OF APPLICATION POSITION AIRPORT MANAGER An application was filed by Davis Alan Van Scoy for the position of Airport Manager which was turned over to the City Engineer for his files.

IN THE MATTER OF PROGRESSIVE PAYMENT ASSOCIATED ENGINEERS Commissioner Burkner introduced
RESOLUTION NO. 8338-N.S.

which was seconded by Commissioner Stanley authorizing progressive payment to the Associated Engineers for \$3738.57 for the installation of city water mains due on contract and \$452.75 for extra work done on the installation of city water mains as provided for in Part 1, section 8, paragraph 8.4 of the specifications for "Installation of City Water Mains" which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

11
IN THE MATTER OF CURB CUT-WINIFRED SMITH Whereas pursuant to request of Winifred Smith for a curb cut on her property in Block 86 lots 27, 28 and 29, which will be used for a parking lot, Commissioner Wilson introduced

RESOLUTION NO. 8339-N.S.

which was seconded by Commissioner Burkner, granting permit for the requested curb cut to Winifred Smith under the supervision of the City Engineer and subject to any future charges for curb use which the Council may adopt, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

12
IN THE MATTER OF CITY ATTORNEY STUDY CHARGES MADE FOR CURB USE BY OTHER CITIES By order of the Council, the City Attorney was directed to assemble information from other cities with regard to charges for curb use for study by the Council.

13
IN THE MATTER OF LEASE FOR HAWKE DUSTERS Commissioner Stanley introduced
RESOLUTION NO. 8340-N.S.

which was seconded by Commissioner Wilson, authorizing the City Attorney to prepare a lease for the rental of a portion of the Municipal Airport to J.G. Dunlop, dba Hawke Dusters, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

14
IN THE MATTER OF PAVING OF ALLEY IN BLOCK 71 Commissioner Stanley introduced
RESOLUTION NO. 8341-N.S.

which was seconded by Commissioner Wilson, authorizing the City Engineer to proceed with the necessary steps for the paving of the alley in Block 71, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

15
IN THE MATTER OF COMMUNICATION A letter from W.S. Scott requesting two hour parking on 13th Street between H and G Streets and diagonal parking on 13th Street, between G and F Streets, was referred to the Chief of Police for investigation and recommendation.

16
IN THE MATTER OF
RESIGNATION OF FIRE
CHIEF GEORGE E.
WALLACE

A letter of resignation was filed by George E. Wallace as Fire Chief as of May 1, 1949, due to voluntary retirement age. By order of the Council the letter was placed on file for future action.

17
IN THE MATTER OF
PETITION FOR USED CAR
LOT-MIDTOWN MOTORS

Whereas pursuant to petition of Midtown Motors for permission to operate a used car lot at 1204 H Street being held over for investigation to determine if the proper plumbing facilities were available at this location, the City Clerk reported that this location met the building code requirements, whereupon Commissioner Burkner introduced

RESOLUTION NO. 8342-N.S.

which was seconded by Commissioner Wilson granting permit to the said Midtown motors to operate a used car lot at this location after they had secured the necessary license, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

18
IN THE MATTER OF
PROGRESSIVE PAYMENT
STOCKTON CONSTRUCTION
COMPANY

Commissioner Burkner introduced

RESOLUTION NO. 8343-N.S.

which was seconded by Commissioner Wilson authorizing progressive payment of \$75,000 to the Stockton Construction Company, on the construction of Unit No. 5, Industrial and Sanitary Wastes Treatment and Disposal System, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

19
IN THE MATTER OF
ALLOW CLAIM EXPENSES
FRANCIS W. HALLEY

Commissioner Wilson introduced

RESOLUTION NO. 8344-N.S.

which was seconded by Commissioner Stanley allowing claim of \$21.59 of Francis W. Halley for expenses while attending the meeting of the League of California Cities in Berkeley in January, 1949, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

20
IN THE MATTER OF
ADJOURNMENT

Commissioner Wilson introduced

RESOLUTION NO. 8345-N.S.

which was seconded by Commissioner Stanley, adjourning this Council meeting now in session, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: 
REX E. GAILFUS, CITY CLERK

*****:*****:

Council Meeting

April 13, 1949

The Council of the City of Modesto met in regular session this date at 7:30 P.M. as provided by Section 1 of Ordinance No. 2-N.S.

Present: Councilmen: Wilson, Burkner, Acting Mayor Stanley

Absent; Mayor Shannon

IN THE MATTER OF APPROVAL OF MINUTES The minutes of the regular meeting of March 23, 1949 and special meeting of April 6, 1949 having been heretofore read by each Councilman, they were approved as so read.

1 IN THE MATTER OF ORAL COMMUNICATIONS Two service station operators in the City of Modesto, appeared before the Council and asked when the matter of regulating the establishing of self-service stations in the City of Modesto would be considered. They were informed that the Council had not yet made a decision on it and they should keep in touch with the City Clerk to learn when any action would be taken on this question.

2 IN THE MATTER OF CLAIMS FOR MONTH OF MARCH, 1949 Claims against the City of Modesto for the month of March, 1949 having been heretofore audited by the Council and found to be correct, Commissioner Wilson introduced

RESOLUTION NO. 8347-N.S.

which was seconded by Commissioner Burkner ordering that all of the said claims so audited and approved be and the same are hereby allowed with reference being made to the Auditor's Cash Record for further details relative to the amounts of withdrawals from the various funds as follows:

| | |
|-------------------------|--------------|
| GENERAL FUND----- | \$82,994.35 |
| WATER FUND----- | 7,321.85 |
| LIBRARY FUND----- | 2,249.68 |
| MONOTTI FUND----- | 2,070.53 |
| PARKING METER FUND----- | 417.58 |
| FIRE BOND----- | 222.17 |
| WATER BOND----- | 4,507.54 |
| SEWER BOND----- | 117,533.74 |
| <hr/> | |
| TOTAL----- | \$217,317.44 |

which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Wilson, Acting Mayor Stanley

Noes: Councilmen: None

Absent: Mayor Shannon

3 IN THE MATTER OF COMMUNICATIONS A communication from the Stanislaus County Welfare Department regarding the vacating of the Campbell apartments leased by them from the City of Modesto, as of April 15, 1949 was read and ordered filed.

4 IN THE MATTER OF AGREEMENT ON RECREATION PROGRAM Commissioner Wilson introduced RESOLUTION NO. 8346-N.S.

which was seconded by Commissioner Burkner appointing Mayor Shannon and Rex E. Gailfus, City Clerk and Auditor as signatory officials on agreement for the Modesto City Recreation Commission to operate the elementary city school playground on an after school basis from September 15, 1948 to June 15, 1949, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Wilson, Acting Mayor Stanley

Noes: Councilmen: None

Absent: Councilmen: None, Mayor Shannon

5 IN THE MATTER OF PROTEST REZONING CERTAIN LAND A protest was filed by E.P. Huggins to the rezoning of land near his property at 119 Merced Avenue now zoned as R-1, single family residence district to R-2 two family residence district. This was placed on file until such time as the Council considers this rezoning.

6 IN THE MATTER OF AUTHORIZE PROGRESSIVE PAYMENT TO A.C. CARROLL Commissioner Wilson introduced RESOLUTION NO. 8348-N.S. which was seconded by Commissioner Burkner, authorizing progressive payment to A.C. Carroll, of \$2609.59 on the construction of a fence at the Modesto Municipal Base Ball Park, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Wilson, Acting Mayor Stanley
Noes: Councilmen: None
Absent: Councilmen: None, Mayor Shannon

7 IN THE MATTER OF CONTRACT FIRE PROTECTION-VICTORY PARKING CORPORATION The City Clerk was authorized to communicate with the Victory Packing Corporation and notify them the contract which the City has with them for fire protection on their plant on the Crows Landing Road would be cancelled unless the standby charge of \$100.00 was paid by April 27, 1949.

8 IN THE MATTER OF FINAL ADOPTION ORD. NO. 894-N.S. APPROPRIATE MONEY PURCHASE PROPERTY BLOCK 81 Ordinance No. 894-N.S. having been heretofore introduced and ordered printed and published at the regular meeting of March 23, 1949 and thereupon printed and published as required by the Charter of the City of Modesto, coming on for final adoption at this time, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Burkner, Wilson, Acting Mayor Stanley
Noes: Councilmen: None
Absent: Mayor Shannon

9 IN THE MATTER OF FINAL ADOPTION ORD. NO. 895-N.S. TRUCK ROUTE ORDINANCE Ordinance No. 895-N.S. having been heretofore introduced and ordered printed and published at the regular meeting of March 23, 1949 and thereupon printed and published as required by the Charter of the City of Modesto, coming on for final adoption at this time, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Burkner, Wilson, Acting Mayor Stanley
Noes: Councilmen: None
Absent: Mayor Shannon

10 IN THE MATTER OF FINAL PAYMENT TO STOCKTON CONSTRUCTION COMPANY Commissioner Burkner introduced RESOLUTION NO. 8349-N.S. which was seconded by Commissioner Wilson authorizing final payment to the Stockton Construction Company of \$30,945.59 on their contract for the construction of Unit No. 5 of the Industrial and Sanitary Wastes Treatment and Disposal System and \$5,010.62 in payment of extra work done on this project, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Wilson, Acting Mayor Stanley
Noes: Councilmen: None
Absent: Mayor Shannon

11 IN THE MATTER OF PROGRESSIVE PAYMENT STANDARD MATERIALS CO. AIRPORT IMPROVEMENT Commissioner Burkner introduced RESOLUTION NO. 8350-N.S. which was seconded by Commissioner Wilson authorizing progressive payment of \$8,287.50 to the Standard Materials Company for the improvement of the Modesto Municipal Airport, which resolution was regularly adopted by the

following vote:

Ayes: Councilmen: Burkner, Wilson, Acting Mayor Stanley

Noes: Councilmen: None

Absent: Councilmen: None, Mayor Shannon

12

IN THE MATTER OF
REINSTATE OF J.B.
DOUGLASS AS AIRPORT
MANAGER

Commissioner Burkner introduced

RESOLUTION NO. 8351-N.S.

which was seconded by Commissioner Wilson reinstating J.B. Douglass as manager of the Modesto Municipal Airport as of April 16, 1949, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Wilson, Acting Mayor Stanley

Noes: Councilmen: None

Absent: Mayor Shannon

13

IN THE MATTER OF
NOTICE TO BIDDERS

Commissioner Burkner introduced

RESOLUTION NO. 8352-N.S.

which was seconded by Commissioner Wilson authorizing the City Clerk to call for bids for the improvement of College Avenue between Stoddard Avenue and Coldwell Avenue, said bids to be opened on April 27, 1949, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Wilson, Acting Mayor Stanley

Noes: Councilmen: None

Absent: Councilmen: None, Mayor Shannon

14

IN THE MATTER OF
TWO HOUR PARKING
13th STREET

Whereas, pursuant to referring the request of W.S. Scott for the installation of two hour parking on 13th Street to the Chief of

Police and the City Engineer for investigation and recommendation, they filed a report at this time recommending that two hour parking be established on both the east and west side of 13th Street between G and H Streets for a distance of 110 feet south from intersection of H and 13th Streets, whereupon Commissioner Burkner introduced

RESOLUTION NO. 8353-N.S.

which was seconded by Commissioner Wilson establishing two hour parking on both sides of 13th Street, between G and H Streets for a distance of 110 feet from the intersection of H and 13th Streets and the City Engineer was directed to establish the necessary signs, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Wilson, Acting Mayor Stanley

Noes: Councilmen: None

Absent: Councilmen: None, Mayor Shannon

15

IN THE MATTER OF
DEPARTMENTAL REPORTS
FOR MONTH OF MARCH

Departmental reports for the month of March 1949 were read and ordered filed.

16

IN THE MATTER OF
PETITION CONSTRUCT
SEWAGE PIPE LINE SNOW-
DEN AVENUE

Whereas a petition has been filed by George K. Beard for the Modesto Terminal Company to construct, maintain and operate an industrial sewage pipe line along the south line of Snowden Avenue, adjoining

the Municipal Airport, whereupon Commissioner Burkner introduced

RESOLUTION NO. 8354-N.S.

which was seconded by Commissioner Wilson granting petition as requested and the City Attorney was directed to draw up easement agreement for the sewer pipe line on Snowden Avenue, adjoining the Modesto Municipal Airport for execution by the City of Modesto and the Modesto Terminal Company, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Wilson, Acting Mayor Stanley

Noes: Councilmen: None

Absent: Mayor Shannon

17

IN THE MATTER OF
ADJOURNMENT

Commissioner Burkner introduced

RESOLUTION NO. 8355-N.S.

which was seconded by Commissioner Wilson adjourning this Council meeting now in session, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Wilson, Acting Mayor Stanley

Noes: Councilmen: None

Absent: Councilmen: None, Mayor Shannon

ATTEST:

Rex E. Gailfus
REX E. GAILFUS, CITY CLERK

Special Council Meeting

April 20, 1949

The Council of the City of Modesto met in special session this date at 4:00 P.M. as provided by Section 2 of Ordinance No. 2-N.S.

Present: Councilmen: Burkner, Stanley, Wilson, Mayor Shannon

Absent: Councilmen: None

1 IN THE MATTER OF COMMUNICATION

A letter from the California National Guard expressing their appreciation for the cooperation of the City in making Army Day a success in the City of Modesto was read and ordered filed.

2 A communication from the California Amusement Company requesting permission to close Beech and Madison Streets during the period of April 26th through May 1, 1949 while their show is being held in Modesto was read. This was referred to the Chief of Police.

3 IN THE MATTER OF DETERMINE RESULT OF MUNICIPAL ELECTION

Whereas, a general Municipal Election in the City of Modesto, together with a general school election in and for the Modesto City School District was held on the 12th day of April, 1949, and

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

RESOLUTION NO. 8356-N.S.

which was seconded by Commissioner Stanley, resolving, certifying and declaring that the said general municipal election in and for the City of Modesto and the general election in and for the Modesto City School District were regularly called, held and conducted as required by law.

That the proper and complete returns thereof have been made and received by said Council; that the same have been properly canvassed; that from the returns so canvassed, as aforesaid, it appears, and the said Council so finds that at said general municipal election in and for the City of Modesto the total number of votes cast at the regular polling places designated and the total number of absentee ballots was and is 2972; that the number of votes received by the respective candidates for the office of Councilmen for full terms in the City of Modesto was and is as follows:

A.M. FRAD-----1796
JOSEPH A. VENTURINI-----1603
JAMES P. WILSON-----1951
FRED ROSE----- 1
ESTO BROUGHTON----- 1
JOE DOAKES----- 1
CATHERINE CARSON----- 4

That the total number of votes received by A.M. Frad and James P. Wilson (incumbent) is greater than one-half of the ballots cast at said election, and that the said A.M. Frad and James P. Wilson (incumbent) were elected to the office of member of the City Council of the City of Modesto for the period of four (4) years and that a certificate of election be issued to them.

The City Council of the City of Modesto sitting as such canvassing board as aforesaid further finds and declares that at said general municipal election in and for the City of Modesto, the number of Councilmen for unexpired term in the City of Modesto was and is as follows:

E.K. BURKNER-----2221

That the total number of votes received by E.K. Burkner is greater than one-half of the ballots received at said election and that the said E.K. Burkner was elected to the office of member of the City Council of the City of Modesto for the unexpired term of two (2) years and that a certificate of election be issued to him under the hand and seal of the City Clerk of the City of Modesto.

The City Council of the City of Modesto sitting as such canvassing board as aforesaid, further finds and declares that at said general election in and for the Modesto City School District that total number of votes cast at the regular polling places designated and the total number of absentee ballots was and is 5272; that the number of votes received by each of the candidates for the office of member of the Board of Education of said Modesto City School District at the regular polling places designated and the absentee ballots was and is as follows:

ESTHER B. BRACK-----1998
JOSEPH P. DIEU----- 751
IAN W. HARDIE-----3115
SAM T. MORAN----- 884
KARL M. ROTH-----2707
JAMES R. TREDWAY----- 621
WENDEL KISER----- 2

That the total number of votes received by Ian W. Hardie and Karl M. Roth is greater than one-half of the ballots cast at said election, and that the said Ian W. Hardie and Karl M. Roth were elected to the office of member of the Board of Education of the Modesto City School District for the period of four (4) years, and that a certificate of election be issued to them under the hand and seal of the City Clerk of the City of Modesto, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Stanley, Wilson, Mayor Shannon
Noes: Councilmen: None
Absent: Councilmen: None

4
IN THE MATTER OF
AUTHORIZE PAYMENT
TO ELECTION OFFICIALS
AND RENTAL OF POLLING
PLACES

Commissioner Burkner introduced
RESOLUTION NO. 8357-N.S.

which was seconded by Commissioner Stanley authorizing the City Auditor to pay the election officials who served at the General Municipal Election held in the City of Modesto and the Modesto City School Districts a fee of \$8.00 each and to pay a rental fee for polling locations of \$5.00, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Stanley, Wilson, Mayor Shannon
Noes: Councilmen: None
Absent: Councilmen: None

5
IN THE MATTER OF
HEARING ON ANNEXATION
CHAPIN TRACT

Whereas, pursuant to advertising hearing of protests to the proposed annexation of the Chapin Tract to the City of Modesto for

this meeting of the Council a protest was filed by certain property owners in this tract claiming their property was assessed for over 50% of the valuation of the entire tract and that they did not want their property annexed to the City at this time. The City Clerk was directed by the Council to make an investigation of their claim.

6 IN THE MATTER OF
BIDS ON PETROLEUM
PRODUCTS AND ROCK

Commissioner Burkner introduced

RESOLUTION NO. 8358-N.S.

which was seconded by Commissioner Wilson authorizing the City Clerk to call for bids on petroleum products and rock, said bids to be opened on April 27, 1949, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

7 IN THE MATTER OF
PETITION REPAIR
SIDEWALK-REMOVE TREE

A petition was filed by certain business concerns operating on east side of Twelfth Street, between I and J Streets requesting that "the City Correct the side walk condition on the east side of the street, eliminate the tree near the corner of 12th and I Street and the parked cars on the sidewalk near the same corner". This petition was referred to the City Engineer to contact these business concerns and work out an agreement for the solution of this problem.

8 IN THE MATTER OF
AUTHORIZE CITY
TREASURER SELL
UNITED STATES TREASURY
NOTES

Commissioner Wilson introduced

RESOLUTION NO. 8359-N.S.

which was seconded by Commissioner Stanley, authorizing the City Treasurer to sell \$200,000 00 United States of America Treasury Notes 1-3/8% due April 1, 1950, owned by the City of Modesto, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

9 IN THE MATTER OF
ACCEPT LIGHTING
OF BASEBALL FIELD
FROM CONTRACTORS

Commissioner Wilson introduced

RESOLUTION NO. 8360-N.S.

which was seconded by Commissioner Burkner accepting the work on the improvement of lighting facilities at the Modesto Municipal Baseball Park in accordance with the contract from the Industrial Electrical Company and directing the City Clerk to file a notice of completion with the Recorder of Stanislaus County and progressive payment of \$2126.25 be authorized, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

10 IN THE MATTER OF
ACCEPT WORK ON
INSTALLATION OF CITY
WATER MAINS

Commissioner Burkner introduced

RESOLUTION NO. 8361-N.S.

which was seconded by Commissioner Wilson, accepting the work as completed by the Associated Engineers on the installation of city water mains in accordance with contract and authorizing the City Clerk to file Notice of Completion with the County Recorder, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

11
IN THE MATTER OF
ACCEPT WORK ON IMPROVE-
MENT OF MUNICIPAL AIR-
PORT

Commissioner Burkner introduced

RESOLUTION NO. 8362-N.S.

which was seconded by Commissioner Wilson accepting the work as completed by the Standard Materials Company for the improvements at the Modesto Municipal Airport in accordance with the contract awarded by the Council on October 6, 1948 and directing the City Clerk to record notice of completion with the County Recorder and progressive payment of \$2074.28 was authorized, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

12
IN THE MATTER OF
ALLOW CLAIM OF F.J.
ROSSI

Commissioner Stanley introduced

RESOLUTION NO. 8363-N.S.

which was seconded by Commissioner Wilson allowing the claim of \$16.05 of Frank J. Rossi for expenses on trip to San Francisco to attend a meeting of the Utilities Commission on April 15, 1949, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

13
IN THE MATTER OF
CENTENIAL CELEBRA-
TION

Ed Whitmore and Mr. Coleman, Secretary of the Centennial Celebration

appeared before the Council and requested permission to construct

buildings on the east one-half of 12th Street between H and I Streets for the Centennial Celebration to be held in Modesto on May 16 to May 22, 1949, and requested that this street be closed to traffic for a two weeks period. This was referred to the Chief of Police to work out a solution.

14
IN THE MATTER OF
SELF-SERVICE
STATIONS

Mr. Painter of the Independent Service Station Operators, appear-

ed before the Council requesting that the Council take some

definite action prohibiting the establishment and operation of self-service station in this city. No action was taken at this meeting.

15
IN THE MATTER OF
ADJOURNMENT

Commissioner Wilson introduced

RESOLUTION NO. 8364-N.S.

which was seconded by Commissioner Burkner, adjourning this Council meeting now in session, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST:


REX E. GAILFUS, CITY CLERK

Council Meeting

April 27, 1949

The Council of the City of Modesto met in regular session this date at 7:30 P.M. as provided by section 1 of Ordinance No. 2-N.S.

Present: Councilmen: Stanley, Wilson, Mayor Shannon

Absent: Councilmen: Burkner

IN THE MATTER OF
APPROVAL OF MINUTES

The minutes of the Council meetings of April 13th and
and April 20th, 1949 having been heretofore read by each

Councilman were approved as so read.

1 IN THE MATTER OF
ORAL COMMUNICATIONS

Vido Loconte appeared before the Council and requested
the Council consider furnishing water service to his
property located on Orangeburg Avenue between Magnolia and McHenry Avenues. It was
suggested that he try to interest more people in that area and the Council would re-
consider his request.

2 IN THE MATTER OF
EXPENSES DELEGATES
TO LEAGUE MEETING

Commissioner Wilson introduced

RESOLUTION NO. 8365-N.S.

which was seconded by Commissioner Stanley allowing claim of \$32 85 being expenses of
delegates to the League of California Cities, Central Valley Division meeting held in
Merced, April 21, 1949, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Burkner

3 IN THE MATTER OF
RESIGNATION OF FIRE
CHIEF GEORGE E.
WALLACE

Whereas, George E. Wallace has tendered to the City
Council of the City of Modesto his resignation as Chief
of the Fire Department, and

Whereas said City Council is accepting said resignation
with the deepest regret, and

Whereas, said George E. Wallace has been a loyal and
faithful servant of the City of Modesto for a period of 40 years, first as a fireman
and for 39 years as Chief of the Fire Department during which period the fire depart-
ment of this City has progressed from the hand drawn cart stage to one of the most
efficient in the State of California, and

Whereas, the high efficiency of the Department is re-
flected in the fire insurance rates of the City of Modesto and

Whereas, the growth and development of the department
has been in the greatest measure attributed to the zealous, efficient and faithful
service of George E. Wallace, and

Whereas, George E. Wallace is held in the highest esteem
by his fellow workers and by the Council of the City of Modesto and will be deeply
and sincerely missed as a member of the official family of the City of Modesto, where-
upon Commissioner Stanley introduced

RESOLUTION NO. 8366-N.S.

which was seconded by Commissioner Wilson, resolving as follows:

- 1- That the resignation of George E. Wallace as Chief of the Fire
Department of the City of Modesto be accepted as of May 1, 1949
- 2- That the City Council through this resolution hereby expresses to
George E. Wallace its appreciation on behalf of the citizens of the
City of Modesto for the many years which he has unstintingly devoted
to the betterment of said City and hereby extends sincere best wishes
for the future.
- 3- That this Resolution be spread upon the minutes of the Council of the
City of Modesto and that a copy be delivered to George E. Wallace,
Chief of the Fire Department of the City of Modesto as an expression
of gratitude to him for his faithful service and as evidence that his
resignation is regretfully accepted, which resolution was regularly

adopted by the following vote:

Ayes: Councilmen: Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Burkner

4
IN THE MATTER OF
CHAMBER OF COMMERCE
REQUEST FOR FUNDS

Commissioner Wilson introduced

RESOLUTION NO. 8367-N.S.

which was seconded by Commissioner Stanley allowing claim of \$2000 00 to the Modesto Chamber of Commerce, as allowed in the 1948-49 budget, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Burkner

5
IN THE MATTER OF
PROTEST PROPERTY
OWNERS REZONING

A protest was filed by a group of property owners to the rezoning

of the "property lying east of Rosedale, south of Sierra Drive,

north of Tuolumne Boulevard, including all property facing Tuolumne Blvd., both east and west of Golf Course and Block 308, from the single family residential district (R-1) to the two family district (R-2)". This protest was ordered referred to the Planning Commissioners.

6
IN THE MATTER OF
GRANT PERMIT OPERATE
USED CAR LOT-JESSUP
MOBIL SERVICE

Commissioner Wilson introduced

RESOLUTION NO. 8368-N.S.

which was seconded by Commissioner Stanley granting permit to the Jessup Mobil Service to operate a used car lot at 101 McHenry Avenue, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Burkner

IN THE MATTER OF
BIDS

Commissioner Wilson introduced

RESOLUTION NO: 8369-N.S.

which was seconded by Commissioner Stanley, awarding bid on the following materials to the Standard Materials Company:

300 tons rock 1/4" - 3/8"

200 tons rock 1/4" - 1/8"

and referring all bids on the following equipment to the City Engineer for tabulation and recommendation:

550 Tons of liquid asphalt

240 Tons of Shell Aromatic #54 or its equivalent

75 Tons of Asphalt Emulsion Grade L3X

which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Burkner

8
Whereas pursuant to calling for bids for the improvement of the Tennis Courts in Graceada Park, the City Clerk reported three bids on file, by order of the Council these bids were referred to the City Engineer for tabulation and recommendation.

9
Whereas, pursuant to calling for bids for the furnishing and installing of one deep well turbine pump with electric motor drive, pressure tank and all accessories, the City Clerk reported 3 bids on file. By order of the Council these bids were referred to the City Engineer for tabulation and recommendation.

10
Whereas, pursuant to calling for bids for the "improvement of California Avenue from Franklin Street to H Street" the City Clerk reported two bids on file,

whereupon Commissioner Stanley introduced

RESOLUTION NO. 8370-N.S.

which was seconded by Commissioner Wilson awarding the bid to the Standard Materials Company for \$8025.25 and appointing the Mayor, Clerk and Auditor as signatory officials on contract agreement and authorizing the City Clerk to return the bidding checks to the unsuccessful bidders, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Burkner

Whereas, pursuant to calling for bids for the "improvement of College Avenue between Stoddard and Coldwell Avenues", the City Clerk reported two bids on file, whereupon Commissioner Stanley introduced

RESOLUTION NO. 8371-N.S.

which was seconded by Commissioner Wilson awarding the bid to the Standard Materials Company for \$7,873.50, and appointing the Mayor, Clerk and Auditor as signatory officials on contract agreement and authorizing the City Clerk to return the bidding checks to the unsuccessful bidders, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Burkner

WHEREAS, pursuant to calling for bids for the "improvement of Fifth Street between F Street and Sierra Drive and Sierra Drive between Fifth^{Street} and Seventh Street" the City Clerk reported two bids on file, whereupon Commissioner Stanley introduced

RESOLUTION NO. 8372-N.S.

which was seconded by Commissioner Wilson awarding the bid to the Standard Materials Company for \$10,809.55 and appointing the Mayor, Clerk and Auditor as signatory officials on contract agreement and authorizing the City Clerk to return the bidding Checks to the unsuccessful bidders, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Burkner

IN THE MATTER OF
SIGNATORY OFFICIALS
ON AGREEMENT PURCHASE
PROPERTY, BLOCK 81

Commissioner Wilson introduced

RESOLUTION NO. 8373-N.S.

which was seconded by Commissioner Stanley appointing the Mayor and Auditor of the City of Modesto as signatory officials on the agreement for purchase of lot 24 and the southeasterly half of lot 25 in Block 81 from Mrs. W. Raemsch, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Burkner

IN THE MATTER OF
HEARING OF ANNEXATION
OF UNINHABITED TRACT
NO. 1

Whereas, pursuant to advertising this Council meeting as the time to hearing of protests to the proposed annexation of uninhabited tract No. 1 to the City of

Modesto, and whereas no protests were filed, Commissioner Wilson introduced an ordinance being

ORDINANCE NO. 896-N.S.

entitled: "AN ORDINANCE ANNEXING UNINHABITED TERRITORY KNOWN AS UNINHABITED TERRITORY TRACT NO. 1 TO THE CITY OF MODESTO", and moved its adoption and passage to print, which motion being duly seconded by Commissioner Stanley, it was upon roll call carried and the ordinance ordered published as above by the following vote:

Ayes: Councilmen: Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Burkner

15
IN THE MATTER OF
CANCEL LEASE WITH
EUNICE D. FRANCE

Commissioner Stanley introduced

RESOLUTION NO. 8374-N.S.

which was seconded by Commissioner Wilson, authorizing the City Attorney to execute "Notice of Termination of Lease" to Eunice D. France on property located in lots 29 to 32 inc. Block 131, owned by the City of Modesto, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Burkner

16
IN THE MATTER OF
ACCEPT RESIGNATION
W.S. TANNER, ASS'T
CITY ENGINEER

Commissioner Wilson introduced

RESOLUTION NO. 8375-N.S.

which was seconded by Commissioner Stanley, accepting the resignation of W.S. Tanner, assistant City Engineer, effective April 30, 1949, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Burkner

17
IN THE MATTER OF
APPROPRIATE FUNDS
SEWER LINE

Commissioner Stanley introduced an ordinance being

ORDINANCE No. 897-N.S.

entitled: "AN ORDINANCE APPROPRIATING FUNDS FOR THE CONSTRUCTION OF A SANITARY SEWER LINE IN THE CITY OF MODESTO" and moved its adoption and passage to print, which motion being duly seconded by Commissioner Wilson, it was upon roll call carried and the ordinance ordered published as above by the following vote:

Ayes: Councilmen: Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Burkner

18
IN THE MATTER OF
AUTHORIZE CITY
EMPLOYEES ATTEND
MEETINGS

Commissioner Wilson introduced

RESOLUTION NO. 8376-N.S.

which was seconded by Commissioner Stanley, authorizing M.B. McKinnie to attend the convention in Stockton of the California Sewage Works Association on May 19 to 21st, 1949 with all expenses paid, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Burkner

Commissioner Wilson introduced

RESOLUTION NO. 8377-N.S.

19
which was seconded by Commissioner Stanley, authorizing J.E. Don Carlos to attend a meeting in Sacramento on May 25 to 28 of the California Tree Conference with all expenses paid, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Burkner

20
IN THE MATTER OF
APPROVE MUIR PARK
TRACT MAP

Commissioner Stanley introduced

RESOLUTION NO. 8378-N.S.

which was seconded by Commissioner Wilson approving the Muir Park Tract, as presented and appointing the Mayor, Tax Collector, Clerk and Engineer as signatory officials, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Burkner

21
IN THE MATTER OF
PETITION ERECT
SELF-SERVICE STATION

A petition was filed by Walter E. Barbour, Raymond E. Brown, Jess A. Hall to construct and operate a "Serve Urself" service station on the southeast corner of 9th and D Streets. Consideration of this petition was delayed one week until the City Attorney had contacted the Cities of San Jose and Sacramento and obtained copies of their ordinances covering the operation of this type of service station.

22
IN THE MATTER OF
DISCUSS SEWAGE SERVICE
TO NEW SCHOOLS OUTSIDE
CITY

A discussion was held by the Council on furnishing of sewer service to the new proposed schools adjacent to the city limits and the Engineer was instructed to obtain a more detailed report on the cost of this project and the proportion of the expenses the City might expect from the City School System.

23
IN THE MATTER OF
NOTICE TO BIDDERS
ON ASPHALTIC MIX

Commissioner Wilson introduced

RESOLUTION NO. 8379-N.S.

which was seconded by Commissioner Stanley authorizing the City Clerk to call for bids for the furnishing and delivering of approximately 1000 tons of Asphaltic mixed paving materials, said bids to be opened on May 11, 1949, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Burkner

24
IN THE MATTER OF
DESIGNATE STREETS
AS MAJOR CITY
STREETS

Commissioner Stanley introduced

RESOLUTION NO. 8380-N.S.

which was seconded by Commissioner Wilson designating the following streets in the City of Modesto as Major City Streets and adding them to the existing system of major city streets:

| | |
|-------------------|---|
| Tully Avenue | From State Highway Route 4 to Stoddard Avenue |
| Stoddard Avenue | from Tully Avenue to College Ave. |
| Johnson Street | from Downey Avenue to Maynell Ave. |
| Maynell Avenue | from McHenry Avenue to Johnson Street |
| Burney Street | from Jennie Street to H Street |
| Washington Street | from H Street to Eighth Street |

and the Council does hereby recommend to the Department of Public Works of the State that the above streets be approved and designated by the Director of said Department as Major City Streets and considered a portion of the system of major city Streets as defined in sections 2050 to 2055 inclusive of the Streets and Highways Code, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Burkner

25
IN THE MATTER OF
COMMUNICATION LEAGUE
OF WOMEN VOTERS

A letter from the League of Women's Voters was received and placed on file.

26
IN THE MATTER OF
ADJOURNMENT

Commissioner Stanley introduced

RESOLUTION NO. 8381-N.S.

which was seconded by Commissioner Wilson, adjourning this Council meeting now in session, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Burkner

ATTEST: 
REX E. GALLFUS, CITY CLERK

Special Council Meeting

May 4, 1949

The Council of the City of Modesto met in special session this date as provided by Section 2 of Ordinance No 2-N.S.

Present: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Absent: Councilmen: None

1
IN THE MATTER OF
GAS STATION OPERATORS

A group of service station operators in the City of Modesto appeared before the Council protesting the establishment of self-service stations in the City of Modesto and urged that some action be taken on the prohibiting of these stations in the City. The Council indicated that some form of regulation was planned but action was delayed until the next Council meeting.

2
IN THE MATTER OF
REQUEST PERMIT IN-
STALL CHAIR SELL
POPPIES TENTH AND
I STREETS

Whereas the Veterans of Foreign Wars have requested permission "to place a chair on the corner of Tenth and I Streets in the vicinity of the Anglo California Bank to enable an elderly lady to assist in the sale of poppies for the relief of disabled veterans and their families" on May 21, 1949, Commissioner Frad introduced

RESOLUTION NO. 8382-N.S.

which was seconded by Commissioner Burkner, granting permit as requested by the Veterans of Foreign Wars, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

3
IN THE MATTER OF
ALLOW FUND FOR
JUNIOR TRAFFIC
PATROL

Commissioner Stanley introduced

RESOLUTION NO. 8383-N.S.

which resolution was seconded by Commissioner Wilson, allowing \$90 00 to be used for expenses in the annual excursion of the Junior Traffic Patrol to San Francisco, Saturday May 7, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

4
IN THE MATTER OF
AWARD BID ON DEEP
WELL TURBINE PUMP

Whereas pursuant to referring bids on deep well turbine pump to the City Engineer for investigation and recommendation, he reported at this time that the bid of Stanislaus Implement & Hardware Company was the best and lowest bid and he recommended that this bid be accepted, whereupon Commissioner Burkner introduced

RESOLUTION NO. 8384-N.S.

which was seconded by Commissioner Wilson, awarding the bid to the said Stanislaus Implement & Hardware Company for \$7057.37 and authorizing the City Clerk to return/bidding checks to the unsuccessful bidders and the Mayor, Auditor and City Clerk are hereby appointed signatory

officials on contract agreement, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

5
IN THE MATTER OF
AWARD BID ON IMPROVE-
MENT OF TENNIS COURTS

Whereas, pursuant to referring bids on the improving of Tennis courts in Graceada Park to the City Engineer for tabulation and recommendation, he filed a report at this time recommending that the bid of Malott & Peterson-Grundy, be accepted as it was the lowest and best bid, whereupon Commissioner Wilson introduced

RESOLUTION NO. 8385-N.S.

which was seconded by Commissioner Burkner accepting the bid of Malott & Peterson-Grundy for \$7562 00 for the improvement of the tennis courts in Graceada Park and the City Clerk was authorized to return bidding checks to unsuccessful bidders and the Mayor, Clerk and Auditor are hereby appointed signatory officials on contract agreement, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

6
IN THE MATTER OF
AWARD BIDS ON PETRO-
LEUM PRODUCTS

Whereas, pursuant to referring bids on petroleum products to the City Engineer for tabulation, he filed a report at this time recommending that bids on item #1 for liquid asphalt and on item #3 for Asphalt Emulsion be rejected and this material be purchased on the open market and the bid of the Shell Oil Company on item #2 for Shell Aromatic #54 or its equivalent be accepted, whereupon Commissioner Burkner introduced

RESOLUTION NO. 8386-N.S.

which was seconded by Commissioner Frad, awarding the bid on approximately 240 tons of Shell Aromatic #54 to the Shell Oil Company at \$0.1065 f.o.b. Wilmington, and directing the City Clerk to return the bidding checks to the unsuccessful bidders and the Mayor, Clerk and Auditor are hereby appointed signatory officials on contract agreement, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

Commissioner Frad introduced

RESOLUTION NO. 8387-N.S.

7
which was seconded by Commissioner Burkner, rejecting all bids on the liquid asphalt and asphalt emulsion and authorizing the purchase of the material on the open market, and directing the City Clerk to return all bidding checks to the unsuccessful bidders which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

8
~~IN THE MATTER OF
PETITION FOR ANNEXATION
OF CHAPIN TRACT~~

~~Whereas, pursuant to referring the petition of John and Bernice Quaresma and Grady and Lucille Monks to the City Assessor for determining if the petitioners owned more than one-half of the assessed value of the proposed property to be annexed, he filed a report at this time stating that after checking the County Assessment Roll he had ascertained that the owners who were protesting the annexation owned more than one-half of the assessed value~~

IN THE MATTER OF
PETITION FOR ANNEXA-
TION OF CHAPIN TRACT

WHEREAS, John and Bernice Quaresma and Grady and Lucille Monks have filed a petition with the City Clerk requesting the annexation of the Chapin Tract to the City of Modesto, and

WHEREAS, protest in writing has been made against the proposed annexation by owners of property within the Chapin Tract, and

WHEREAS, the petition for annexation and the protest against annexation have been referred to the City Assessor for the purpose of ascertaining whether protest has been made by the owners of at least one half of the value of the territory proposed to be annexed according to the last equalized assessment roll, and

WHEREAS, the City Assessor has filed his report stating that protest has been made by the owners of at least one half of the value of the territory proposed to be annexed according to the last equalized assessment roll, Commissioner Frad introduced

RESOLUTION NO. 8388-N.S.

which was seconded by Commissioner Burkner recommending that the petition filed by John and Bernice Quaresma and Grady and Lucille Monks for the annexation of the Chapin Tract to the City of Modesto be denied, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

~~of the territory, whereupon Commissioner Frad introduced~~

RESOLUTION NO. 8388-N.S.

which was seconded by Commissioner Burkner, recommending that the petition for annexation be rejected, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

~~Absent: Councilmen: None~~

9
IN THE MATTER OF
REPORT BY CITY
ENGINEER ON COST
WATER SERVICE SCHOOLS
OUTSIDE CITY

Whereas, pursuant to order of the Council, the City Engineer, filed an estimate of cost to the City of Modesto for the installing of water lines to the new proposed school buildings outside the City of Modesto.

IN THE MATTER OF
PERMIT OPERATE USED
CAR LOT - J.H. AIKIN

Commissioner Stanley introduced

RESOLUTION NO. 8389-N.S.

10
which was seconded by Commissioner Wilson, approving bond and application of J.H. Aiken to operate a used car lot at 321-7th Street, providing this location has the necessary plumbing facilities required by the building code, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

11
IN THE MATTER OF
EXTEND DISTRICT
CITY FURNISH WATER
SERVICE

Vido Loconti appeared before the Council and stated that he had been unable to secure the support of any of the property owners adjoining his property located on the south side of Orangeburg Avenue between McHenry Avenue and Magnolia Avenues, to transfer to the City of Modesto water System but that he would be willing to pay for two connection charges at the present time if he could secure city water service, for his property, whereupon Commissioner Burkner introduced

RESOLUTION NO. 8390-N.S.

which was seconded by Commissioner Wilson, recommending that Mr. Loconti be allowed city water service and the present district now being supplied city water be extended to include that territory bounded on the east by McHenry Avenue, north by Orangeburg Avenue, South by Roseburg Avenue and on the west by the east line of Mensinger Tract #2, the present existing water district boundary line, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

12
IN THE MATTER OF
APPOINTMENT FIRE
CHIEF

Commissioner Stanley introduced

RESOLUTION NO. 8391-N.S.

which was seconded by Commissioner Wilson, appointing Jack Wemyss Fire Chief of the City of Modesto at a salary of \$425 00 per month, beginning May 5, 1949, which resolution was regularly adopted by following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

13
IN THE MATTER
OF ADJOURNMENT

Commissioner Stanley introduced

RESOLUTION NO. 8392-N.S.

which was seconded by Commissioner Wilson, adjourning this Council meeting now in session, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: None

ATTEST: REX E. GAILFUS, CITY CLERK

Council Meeting

May 11, 1949

The Council of the City of Modesto met in regular session this date at 7:30 P.M. as provided by Section 1 of Ordinance No. 2-N.S.

Present: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Absent: Councilmen: None

IN THE MATTER OF APPROVAL OF MINUTES

The minutes of the regular meeting of April 27, 1949 and May 4, 1949 having been heretofore read by each

Councilman, were approved as so read.

IN THE MATTER OF ASSIGN COMMISSIONS TO COUNCILMEN

Commissioner Stanley introduced

RESOLUTION NO. 8393-N.S.

which was seconded by Commissioner Wilson recommending that the following assignments to Commissions be made as provided by section 35 of Article VIII of the City Charter, entitled "Executive and Administrative Departments"

| | |
|---|-----------------|
| Commissioner of Public Supplies: | A.M. Frad |
| Commissioner of Health & Safety: | Carl J. Stanley |
| Commissioner of Finance, Revenue & Parks: | James P. Wilson |
| Commissioner of Public Works | E.K. Burkner |

which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

2 IN THE MATTER OF SERVICE STATION OPERATORS

L.C. Painter, service station operator in the City of Modesto and James I. Kirby, official of the Independent

Service Station Operator's Association appeared before the Council meeting to discuss the adoption of legislation prohibiting the establishment of serve-urself-stations in the City limits and they were informed that the Council would not take any action until after the meeting in San Francisco, May 16-19 of the National Fire Protection Association.

3 IN THE MATTER OF LETTER-FIRE CHIEF JACK WEMYSS

A letter from Jack Wemyss, expressing appreciation for his appointment as Fire Chief was read and ordered filed.

4 IN THE MATTER OF PETITON DEVELOP PARK IN JOHN MUIR PARK TRACT

Elmer Baim appeared before the Council representing property owners surrounding Block 640A in the John Muir Park Tract, which had been deeded to the City of Modesto by Harold Herron etux on July 29, 1940 to be used for park purposes, and requested that the Council develop this area and maintain it as a park. He was informed that the Council would consider placing this project in the City 1949-50 budget.

5 IN THE MATTER OF FRANK ANDREWS

Mr. Frank Andrews appeared before the Council and stated the Council should take some precaution against the loss of water pressure due to the failure of electric power as there was a great danger involved. The Council informed him that the City was in the process of putting in Standby pumps and an overhead tank to take care of this situation.

6 IN THE MATTER OF CLAIMS FOR MONTH OF APRIL

Cláims against the City of Modesto for the month of April, 1949 having been heretofore audited by the Council and found to be correct, Commissioner Wilson introduced

RESOLUTION NO. 8394-N.S.

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

| | |
|---------------------------|-------------------------|
| GENERAL FUND----- | \$91,364.45 |
| WATER FUND----- | 9,626.09 |
| LIBRARY FUND----- | 2,489.88 |
| AIRPORT FUND----- | 10,361.78 |
| BOND REDEMPTION FUND----- | 193.75 |
| GASOLINE TAX----- | 904.00 |
| MONOTTI FUND----- | 2,531.94 |
| SEWER FUND----- | 68.00 |
| PARKING METER FUND----- | 680.51 |
| FIRE BOND FUND----- | 56.14 |
| WATER BOND FUND----- | 2,577.41 |
| SEWER BOND FUND----- | 36,599.69 |
| TOTAL----- | <u>\$157,453.64</u> |

which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF
CLAIM FRANK J. ROSSI

Commissioner Wilson introduced

RESOLUTION NO. 8395-N.S.

which was seconded by Commissioner Frad allowing claim of \$4.90 to Frank J. Rossi being expenses incurred while he was attending the League of California Cities meeting in Berekeley on state bills on water and stream pollution, May 6, 1949, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF
PETITION DRILL WELL
STANISLAUS COUNTY

A letter was filed by the Board of Supervisors of Stanislaus County requesting permission to drill a well at the County

Hospital. This matter was held over pending negotiations with the County Hospital. This matter was held over pending negotiations with the County to determine if some arrangement could be made whereby the City of Modesto could furnish water service to the County Hospital.

IN THE MATTER OF
COMMUNICATION FROM
CITY OF RIVERBANK

A communication from the City of Riverbank requesting that the City of Modesto adopt a resolution supporting the request of the

City of Riverbank for the re-opening of the Riverbank Aluminum Plant was read and Commissioner Frad introduced

RESOLUTION NO. 8396-N.S.

which was seconded by Commissioner Burkner recommending that:

"Whereas the Federal Government constructed an aluminum plant at Riverbank, California at a cost of more than \$12,500,000 00;

Whereas, said plant is now idle, and the City of Riverbank has initiated a movement to bring to the attention of the proper authorities the urgency of resuming operation in this plant at an early date:

Whereas, the operation of this plant would appreciably lessen the shortage of aluminum in America and would also stimulate industry in the State of California

BE IT RESOLVED, that the City Council of the City of Modesto endorse the action of the Council of the City of Riverbank in urging the Federal Government to take earliest action

possible in establishing a program which will result in the resumption of production of aluminum at Riverbank, California

BE IT FURTHER RESOLVED that Rex E. Gailfus, City Clerk send a copy of this resolution to Hon. Cecil F. White, member of the House of Representatives from the Ninth Congressional District of California", which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

10
IN THE MATTER OF
BIDS ON ELEVATED
STEEL WATER TANK

Whereas, pursuant to calling for bids for a 600,000 gallon elevated steel water tank, the City Clerk reported two bids on file and by order of the Council these bids were referred to the City Engineer for tabulation and recommendation.

11
IN THE MATTER OF
BIDS ON ASPHALTIC
PAVING MATERIAL

Whereas, pursuant to calling for bids for furnishing and delivering approximately 1000 tons of Asphaltic mixed paving materials, the City Clerk reported one bid on file from the Standard Materials Company, whereupon Commissioner Burkner introduced

RESOLUTION NO. 8397-N.S.

which was seconded by Commissioner Frad awarding the bid to the Standard Materials Company as they are a responsible bidder and appointing the Mayor, Auditor and City Clerk as signatory officials on contract agreement, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

12
IN THE MATTER OF
AUTHORIZE CITY CLERK
CALL FOR BIDS

Commissioner Burkner introduced

RESOLUTION NO. 8398-N.S.

which was seconded by Commissioner Wilson authorizing the City Clerk to call for bids for the furnishing of labor, equipment, and materials (excepting pipe) necessary for the construction of a Sanitary Relief sewer on H Street between California and Ruberto Streets, said bids to be opened on May 25, 1949, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

Commissioner Burkner introduced

RESOLUTION NO. 8399-N.S.

which was seconded by Commissioner Wilson authorizing the City Clerk to call for bids for the furnishing of labor, equipment and materials necessary for the construction of Pump Station #14, said bids to be opened on May 25, 1949, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

13
IN THE MATTER OF
ERECT BAND STAND
FOR CENTENNIAL
CELEBRATION

Commissioner Wilson introduced

RESOLUTION NO. 8400-N.S.

which was seconded by Commissioner Burkner authorizing the City Engineer to erect bandstand on I Street in front of the Courthouse for the Centennial Celebration during the week of May 16-22, 1949, which resolution was re-

gularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

14
IN THE MATTER OF
FINAL ADOPTION ORD.
896-N.S. ANNEX UNINHABITED TERRITORY TRACT #1

Ordinance No. 896-N.S. having been heretofore introduced and ordered printed and published at the regular meeting of April 27, 1949 and thereupon printed and published as required by

the Charter of the City of Modesto coming on for final adoption at this time, it was upon roll call^{so} finally adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

15
IN THE MATTER OF
FINAL ADOPTION ORD.
NO. 897-N.S. SANITARY SEWER LINE

Ordinance No. 897-N.S. having been heretofore introduced and ordered printed and published at the regular meeting of April 27, 1949 and thereupon printed and published as required by the

Charter of the City of Modesto coming on for final adoption at this time, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

16
IN THE MATTER OF
DENY CLAIM ROBERT S. THOMSON

Whereas a claim for \$705 00 has been filed against the City by Robert S. Thomson, 120 Rose Lane, Manteca for damages to his car and loss of use of his car for a two week period due to accident which occurred on May.9, 1949 at the Municipal Sewer Plant, Commissioner Wilson introduced

RESOLUTION NO. 8401-N.S.

which was seconded by Commissioner Stanley, denying claim of Robert S. Thomson, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

17
IN THE MATTER OF
DEPARTMENTAL REPORTS

Departmental reports for the month of April were read and ordered filed.

18
IN THE MATTER OF
REQUEST JUNIOR CHAMBER OF COMMERCE

Dick Williams representing the Junior Chamber of Commerce appeared before the Council and asked permission for the Junior Chamber to have time to dismantle the buildings erected on and around the courthouse grounds by the Centennial Committee. He was instructed that they would be allowed one week in which to do this work.

19
IN THE MATTER OF
REAPPOINTMENT OF
CHIEF OFFICIALS OF
CITY

Commissioner Stanley introduced
RESOLUTION NO. 8402-N.S.

which was seconded by Commissioner Wilson recommending that the following chief officials of the City of Modesto be reappointed as provided by section 36 of Article VIII entitled: "executive and Administrative Departments"

- Rex E. Gailfus, Clerk, Assessor, Auditor, Treasurer, Collector
- Frank J. Kossi, Engineer, Street Superintendent, Building Inspector, Sewer Inspector, Water Superintendent, Park Superintendent
- Francis W. Halley, City Attorney

U.H. Pickering, Chief of Police Department

Jack Wemyss, Chief of the Fire Department

Mark J. Landquist, Health Officer

which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF
ADJOURNMENT

Commissioner Wilson introduced

RESOLUTION NO. 8403-N.S.

Which was seconded by Commissioner Burkner adjourning this Council meeting now in session, which resolution was regularly adopted by the following vote;

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: *Rex E. Gailfus*
REX E. GAILFUS, CITY CLERK

Special Council Meeting

May 18, 1949

The Council of the City of Modesto met in special session this date at 4:00 P.M. as provided by Section 2 of Ordinance No. 2-N.S.

Present: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Absent; Councilmen: None

IN THE MATTER OF
PETITION FOR WATER
SERVICE-RANDOLPH
SANDERS

Randolph Sanders appeared before the Council and petition-

ed that he be granted water service for his store

building which he is planning on building outside the

city limits on the southwest corner of Tully Road and Coldwell Avenue, whereupon

Commissioner Burkner introduced

RESOLUTION NO. 8404-N.S.

which was seconded by Commissioner Frad recommending that the petition of Randolph Sanders be granted and that the following described district be included in the district which will be furnished water service by the City of Modesto:

All that triangle area bounded on the east by Tully Road,
southerly by the 99 Highway and north by Coldwell Avenue.

which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF
PETITION FOR USED
CAR LOT-ROBERT B.
BOYETTE

Commissioner Stanley introduced

RESOLUTION NO. 8405-N.S.

which was seconded by Commissioner Frad approving bond and application of Robert B. Boyette to operate a used car lot at 11th & L Streets, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF
AWARD BID ON WATER
TANK

Whereas, pursuant to referring bids on elevated steel water tank to the City Engineer for investigation and

recommendation, he filed a recommendation that the bid be awarded to the Pittsburg DesMoine Steel Company for \$91,890 00, whereupon Commissioner Burkner introduced

RESOLUTION NO. 8406-N.S.

which was seconded by Commissioner Wilson awarding bid to the said Pittsburg DesMoine Steel Company as their bid was the lowest and best bid and the Mayor, Auditor and

City Clerk are appointed signatory officials on contract agreement, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

4

IN THE MATTER OF
NOTICE TO BIDDERS
PIPES-VALVES-FITTINGS

Commissioner Frad introduced

RESOLUTION NO. 8407-N.S.

which was seconded by Commissioner Burkner, authorizing the City Clerk to call for bids on pipe, valves and fittings, said bids to be opened on June 8, 1949, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

5

IN THE MATTER OF
AUTHORIZE HEALTH
OFFICER PURCHASE
EQUIPMENT

Commissioner Frad introduced

RESOLUTION NO. 8408-N.S.

which was seconded by Commissioner Stanley, authorizing Mark Landquist, Health Officer to purchase needed equipment to be used in his school for restaurant employees from the estimated unexpended balance in the 1948-1949 budget of the Health Department, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

6

IN THE MATTER OF
ADJOURNMENT

Commissioner Wilson introduced

RESOLUTION NO. 8409-N.S.

which was seconded by Commissioner Frad adjourning this Council meeting now in session, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: *Rex E. Gallfus*
REX E. GALLFUS, CITY CLERK

Council Meeting

May 25, 1949

The Council of the City of Modesto met in regular session this date at 7:30 P.M. as provided by Section 1 of Ordinance No. 2-N.S.

Present: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Absent: Councilmen: None

IN THE MATTER OF
ORAL COMMUNICATIONS

L.C. Painter, Service Station Operator and James I. Kirby, official of the Independent Service Station Operator's Association

appeared before the Council and stated that the National Fire Protection Association had gone on record at their meeting in San Francisco, May 16-19, 1949 as opposing the establishment of serve-urself-stations as they were considered a fire hazard and Mr. Painter stated he would obtain a written report of the action of the National Fire Protection Association for the consideration of the Council.

2

IN THE MATTER OF
BIDS

Whereas pursuant to advertising for bids for the construction of a sanitary sewer line on H Street, the City Clerk reported

three bids on file and after opening said bids, the Council referred them to the City Engineer

for tabulation and recommendation.

3
IN THE MATTER OF
ALLOW CLAIM M.B.
MCKINNIE

Commissioner Wilson introduced

RESOLUTION NO. 8410-N.S.

which was seconded by Commissioner Burkner, allowing claim of M.B. McInnie for \$12.55, being expenses incurred while he was attending the convention of the California Sewage Works Association in Stockton on May 19-21st, as authorized by Resolution No. 8376-N.S., which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

4
IN THE MATTER OF
PETITION ERECT
BANNER-TENTH AND J
STREETS

Commissioner Wilson introduced

RESOLUTION NO. 8411-N.S.

which was seconded by Commissioner Frad granting permit to the 29-30 Club to erect a banner at 10th & J Streets, during the period June 11 through June 18, 1949, advertising their Water Follies of 1949, after the usual \$10.00 fee has been paid, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

5
IN THE MATTER OF
NOTICE TO BIDDERS
ON DOG POUND

Notice to bidders on construction of a dog pound was

held over until a committee, composed both both Council

members and city officials, could investigate the location for the pound.

6
IN THE MATTER OF
FINAL PAYMENTS

Commissioner Wilson introduced

RESOLUTION NO. 8412-N.S.

which was seconded by Commissioner Burkner, authorizing final payment to the Industrial Electrical Company on the lighting at the Modesto Municipal Baseball Park of \$708.75, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

Commissioner Burkner introduced

RESOLUTION NO. 8413-N.S.

7
which was seconded by Commissioner Stanley, authorizing final payment to the Associated Engineers on the installation of city water mains of \$2621.81 under their contract and payment of \$150.92 under force account, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

Commissioner Wilson introduced

RESOLUTION NO. 8414-N.S.

8
which was seconded by Commissioner Burkner, authorizing final payment of \$897.24 to A.C. Carroll for the construction of a wooden fence at the Modesto Municipal Baseball Field, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

9
Commissioner Burkner. introduced

RESOLUTION NO. 8415-N.S.

which was seconded by Commissioner Wilson authorizing final payment of \$12,825.49 to the Standard Materials Company on the improvements at the Modesto Municipal Airport, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

10

IN THE MATTER OF
REQUEST FOR CURB
CUT-SALAS BROS.

Whereas a petition has been filed by Salas Brothers, doing business as Moore Funeral Chapel for permission to cut the curb in Block 580, lots 14-19 inc. whereupon Commissioner Burkner introduced

RESOLUTION NO. 8416-N.S.

which was seconded by Commissioner Frad, granting petition to the said Salas Brothers to cut the curb as requested under the supervision of the City Engineer, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

11

IN THE MATTER OF
ADOPTION OF PLUMBING
CODE

The adoption of the 1948 Plumbing Code by the City of Modesto was held over for future study and consideration.

12

IN THE MATTER OF
REQUEST USE MANCINI
MUSIC BOWL

A letter was filed by the Youth for Christ organization requesting permit to use the Mancini Music Bowl in Graceada Park on Saturday night, June 18, 1949 for a musical youth program. No action was taken on this request until the Council has established a policy for the use of this music bowl by organizations.

13

IN THE MATTER OF
PETITION DRILL WELL
STANISLAUS COUNTY

Commissioner Frad introduced

RESOLUTION NO. 8417-N.S.

which was seconded by Commissioner Burkner granting permit to the Board of Supervisors of Stanislaus County to drill a well at the County Hospital, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

14

IN THE MATTER OF
ORD. REGULATE RADIO
RECEIVING SETS

Commissioner Stanley introduced an ordinance being

ORDINANCE NO. 898-N.S.

entitled: "AN ORDINANCE PROHIBITING AND REGULATING THE INSTALLATION AND USE OF RADIO RECEIVING SETS CAPABLE OF INTERCEPTING POLICE OR SHERIFF MESSAGES:" and moved its adoption and passage to print and publish, which motion being duly seconded by Councilman Wilson, it was upon roll call carried and the ordered published as above by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

15

IN THE MATTER OF
BIDS:

Whereas, pursuant to advertising for bids for the construction of Pump Station #14, Block 718 on Virginia Avenue, the City Clerk reported two bids on file and after opening the bids, the Council referred them to the City Engineer for tabulation and recommendation.

16

IN THE MATTER OF
ADJOURNMENT

Commissioner Wilson introduced

RESOLUTION NO. 8418-N.S.

which was seconded by Commissioner Stanley, adjourning this Council meeting now in session, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: 
REX E. GALLIFOS, CITY CLERK

Special Council Meeting

June 1, 1949

The Council of the City of Modesto met in special session this date at 4:00 P.M. as provided by Section 2 of Ordinance No. 2-N.S.

Present: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Absent: Councilmen: None

1 IN THE MATTER OF
PETITION OPERATE
DANCE HALL

Attorney Arthur Friedman and Frank Banks operating the 49 Club at 824 Ninth Street, appeared before the Council and requested that the Council consider his application for a dance hall at the above named location, which had been refused by the City Clerk on recommendation of the Chief of Police, whereupon Commissioner Stanley introduced

RESOLUTION NO. 8419-N.S.

which was seconded by Commissioner Wilson recommending that the petition be denied and going on record as supporting the decision of the Police Chief in not granting permit to Frank Banks to conduct a dance hall at this location, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

Commissioner Stanley introduced

RESOLUTION NO. 8420-N.S.

2 which was seconded by Commissioner Wilson denying request to Frank Banks to operate a dance hall at 824 Ninth Street as this location did not meet the requirements of Section 6 of Ordinance No. 482-N.S. which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

3 IN THE MATTER OF
ANNEXATION POLICY

John Fairweather, Secretary of the Chamber of Commerce appeared before the Council and presented a resolution for adoption by the Council entitled "A RESOLUTION SETTING FORTH THE POLICY OF THE COUNCIL OF THE CITY OF MODESTO WITH REFERENCE TO ANNEXATION", which declared the Council in favor of voluntary annexation to the City of such territories as may desire to become annexed and appointing the Secretary of the Planning Commission to make a survey of the City ordinances and resolutions which would immediately affect newly annexed territory and report to the Council such changes as may be deemed necessary to prevent the imposition upon the newly annexed territories of requirements which would necessitate the immediate expenditure of money by the residents of said territories, whereupon Commissioner Wilson introduced

RESOLUTION NO. 8421-N.S.

which was seconded by Commissioner Burkner adopting the resolution as presented by Mr. Fairweather, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

4 IN THE MATTER OF
REQUEST LIMITED
PARKING ON TWELFTH
STREET BETWEEN G AND
H STREETS

Manford Marshall, operating a leather goods store at 609-12th Street appeared before the Council and requested that limited parking be installed in front of his

store as it was ~~the~~ in a business district and cars were parked all day in this block. This was referred to the Chief of Police for investigation and report at the next council meeting.

5
IN THE MATTER OF
REQUEST CURB CUT

A request was filed by Hoover E. Long for a curb cut at 1035 -11th Street in order to establish a parking lot at this location, whereupon Commissioner Burkner introduced

RESOLUTION NO. 8422-N.S.

which was seconded by Commissioner Frad granting request of Hoover E. Long for a curb cut under the supervision of the City Engineer, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

6
IN THE MATTER OF
REQUEST FOR 12 MINUTE
PARKING ZONES

A signed petition was filed by certain banks and business concerns operating near Tenth and I Streets that several 12 minute parking zones be created at and near this location. This request was turned over to the Chief of Police for investigation and recommendation.

7
IN THE MATTER OF
ERECT BANNERS

Commissioner Wilson introduced

RESOLUTION NO. 8423-N.S.

which was seconded by Commissioner Frad approving the erection of a banner advertising the Tennis Tournament which was held on May 27, 28 and 29, 1949, without the usual fee of \$10 00 and granting permit to the Shrine Club to erect a banner at 10th and J Street during the period of June 1 to 10th inclusive after the usual \$10 00 fee has been paid, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

8
IN THE MATTER OF
AWARD BID ON PUMP
STATION NO. 14

Whereas pursuant to referring the bids on the construction of pump station #14 on Virginia Avenue to the City Engineer for investigation and recommendation, he filed his report at this time recommending that the bid of Sauerwein & Thompson of \$6319 00 be accepted, whereupon Commissioner Burkner introduced

RESOLUTION NO. 8424-N.S.

which was seconded by Commissioner Frad awarding bid to Sauerwein and Thompson as their bid was the lowest and best bid and the Mayor, City Clerk and Auditor are hereby appointed signatory officials on contract agreement, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

COMMISSIONER STANLEY LEFT THE MEETING AT THIS TIME.

9
Whereas pursuant to referring bids on sanitary relief sewer line on H Street, between California and Ruberto Streets to the City Engineer for investigation and recommendation, he filed a report at this time recommending that the bid of P & J Artukovich, Inc. of \$7690 00 be accepted, whereupon Commissioner Burkner introduced

RESOLUTION NO. 8425-N.S.

which was seconded by Commissioner Frad awarding bid to the said P & J Artukovich, Inc. as their bid was the lowest and best bid and the Mayor, City Clerk and auditor are hereby appointed signatory officials on contract agreement, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Stanley

10
IN THE MATTER OF
CLAIMS

Commissioner Wilson introduced

RESOLUTION NO. 8426-N.S.

which was seconded by Commissioner Burkner, allowing the following claims:

Elmer F. Horan for \$49 20 and John Meier for \$49 20, for expenses while attending Peace Officer's Training School at Pleasanton, May 16th through May 27, 1949.

J.E. Don Carlos for \$34 09, expenses while attending National Shade Tree Conference in Sacramento May 25-28

which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Stanley

11
IN THE MATTER OF
COMMUNICATIONS

A letter of appreciation from the Stanislaus Centennials for the cooperation of the City in the recent celebration

was read and ordered filed.

12
IN THE MATTER OF
APPROVE AGREEMENT
WITH BROCKETT &
VALK ON SUBDIVISION

Commissioner Wilson introduced

RESOLUTION NO. 8427-N.S.

which was seconded by Commissioner Frad approving agreement between Herbert M. Brockett, Madge Brockett, Minden W. Valk, Mabel M. Valk and the City of Modesto for the improvement of their tract recently annexed to the City and known as a "portion of Bodem Colony and Rice Colony" and appointing the Mayor and City Auditor as signatory officials, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Stanley

13
IN THE MATTER OF
CALL FOR BIDS ON
DOG POUND

Commissioner Burkner introduced

RESOLUTION NO. 8428-N.S.

which was seconded by Commissioner Frad authorizing the City Clerk to call for bids on the construction of a City Pound at the City Treatment Plant Site on South Franklin Street, said bids to be opened on Wednesday, June 22, 1949, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Stanley

14
IN THE MATTER OF
DESIGNATE PORTION
FIRST STREET
MAJOR CITY STREET

Commissioner Frad introduced

RESOLUTION NO. 8429-N.S.

which was seconded by Commissioner Wilson designating First Street, from Washington Street to H Street, a "Major City Street" and including it in the system of Major City Streets in Modesto as defined in Sections 2050 to 2055, inc. of the Streets and Highways Code, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Stanley

15
IN THE MATTER OF
NOTICE TO BIDDERS

Commissioner Frad introduced

RESOLUTION NO. 8430-N.S.

which was seconded by Commissioner Burkner, authorizing the City Clerk to call for bids on one 1949 model 74 overhead valve 2, wheel motorcycle for the Police Department,

said bid to be opened on June 8, 1949, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Stanley

16

IN THE MATTER OF City Engineer Rossi was authorized to attend a hearing in
AUTHORIZE CITY ENGINEER Sacramento of the Senate Public Health Committee on June 7, 1949,
ATTEND MEETING at which meeting the Water Pollution Bills will be discussed.

17

IN THE MATTER OF Commissioner Wilson introduced
ADJOURNMENT RESOLUTION NO. 8431-N.S.

which was seconded by Commissioner Burkner, adjourning this Council meeting now in session, which resolution was adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Stanley

ATTEST: 
REX E. GALLFUS, CITY CLERK

Council Meeting

June 8, 1949

The Council of the City of Modesto met in regular session this date at 7:30 P.M. as provided by Section 1 of Ordinance No. 2-N.S.

Present: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Absent: Councilmen: None

IN THE MATTER OF Minutes of the regular meetings of May 25, 1949 and special
APPROVAL OF MINUTES meeting of June 1, 1949 having been heretofore read by each
Councilman, were approved as so read.

1

IN THE MATTER OF Leo Hammett and Serena Arnold of the Modesto Recreation Commission
AGREEMENT OPERATE appeared before the Council to discuss the entering of the City
SWIMMING POOL of Modesto and the Modesto High School District of Stanislaus County into an agreement for the
operation of the swimming pool, located at the Modesto High School during the summer vacation
months of 1949 by the Modesto Recreation Commission, whereupon Commissioner Wilson introduced
RESOLUTION NO. 8432-N.S.

which was seconded by Commissioner Burkner recommending that the City of Modesto enter into an agreement with the Modesto High School District for the operation of the swimming pool by the Modesto Recreation Commission during the summer vacation months of 1949 and appointing the Mayor and City Clerk as signatory officials on agreement and be it further resolved that the City of Modesto waive the 3% amusement tax required on all tickets sold as provided by Ordinance No. 862-N.S. which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

2

IN THE MATTER OF Attorney Ronald E. Bates appeared before the Council unofficially
ZONING ANNEXED representing the people in the vicinity of the John Muir Park
TERRITORIES Tract and requested that the zoning ordinance be amended to eliminate the possibility of
business buildings being placed in newly annexed territory, which has not been zoned and which
conflicts with the zoning in the immediate vicinity of this territory. The matter was taken
under consideration by the City Council.

3

IN THE MATTER OF Claims against the City of Modesto for the month of May having
CLAIMS

been heretofore audited by the Council and found to be correct, Commissioner Wilson introduced

RESOLUTION NO. 8433-N.S.

which was seconded by Commissioner Frad, ordering that all of the said claims so audited and approved be and the same are hereby allowed, with reference being made to the Auditor's Cash Record for further details relative to the amounts of withdrawals from the various funds as follows:

| | |
|---------------------------|---------------------|
| GENERAL FUND----- | \$82,339.36 |
| WATER FUND----- | 10,573.53 |
| LIBRARY FUND----- | 2,262.81 |
| AIRPORT FUND----- | 12,825.49 |
| BOND REDEMPTION FUND----- | 223.75 |
| MONOTTI FUND----- | 2,641.79 |
| PARKING METER FUND----- | 245.01 |
| WATER BOND FUND----- | 8,699.12 |
| SEWER BOND FUND----- | 44.59 |
| TOTAL----- | <u>\$119,855.45</u> |

which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

4
IN THE MATTER OF
CLAIM F. J. ROSSI

Commissioner Stanley introduced

RESOLUTION NO. 8434-N.S.

which was seconded by Commissioner Wilson allowing claim of F. J. Rossi for \$15 95 for expenses while attending the hearing in Sacramento on Water Pollution Bills, June 6 and 7, 1949, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

5
IN THE MATTER OF
RESIGNATION OF JAMES
W. POULTON

Communications were received from James W. Poulton tendering his resignation to the Council from the Personnel Board and

Board of Freeholders as he was leaving the City of Modesto, whereupon Commissioner Wilson introduced

RESOLUTION NO. 8435-N.S.

which was seconded by Commissioner Burkner, accepting the resignation with regret and extending the appreciation of the citizens of the City of Modesto for the excellent work Mr. Poulton has done on the Personnel Board and Board of Freeholders, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

6
7
IN THE MATTER OF
CURB CUT IN BLOCK
551, lots 17-19
E. CHESTER ROBINSON

A request was filed by E. Chester Robinson for curb cuts in Block 551, lots 17-19. This was referred to the City Engineer for investigation and recommendation.

IN THE MATTER OF
BIDS

Whereas pursuant to advertising for bids for pipe, valves and fittings in accordance with the specifications on file in the office of the City Engineer, the City Clerk reported 13 bids on file, whereupon

after opening the said bids, the City Engineer was directed to tabulate the bids and file his recommendations with the Council at a later meeting.

WHEREAS, pursuant to advertising for bids for one 1949 model 74 overhead valve, two wheel motorcycle for the Police Department, the City Clerk reported one bid on file from Leonard Andres, whereupon Commissioner Frad introduced

RESOLUTION NO. 8436-N.S.

which was seconded by Commissioner Stanley, awarding bid to Leonard Andres, as he is a responsible bidder, for \$992.11, less trade-in of one 1947 Harley Davidson motorcycle of \$300 00 making a net of \$692.11, which resolution was regularly adopted by the following votes:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

8
IN THE MATTER OF
PAYMENTS

Commissioner Burkner introduced

RESOLUTION NO. 8437-N.S.

which was seconded by Commissioner Frad authorizing progressive payment to the Standard Materials Company on improvement of Fifth Street, between F Street and Sierra Drive and Sierra Drive between Fifth and Seventh Streets of \$4698 11, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

Commissioner Burkner introduced

RESOLUTION NO. 8438-N.S.

9
which was seconded by Commissioner Stanley authorizing progressive payment of \$1,199 25 to the Standard Materials Company on the improvement of College Avenue between Stoddard Avenue and Coldwell Avenue, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

Commissioner Burkner introduced

RESOLUTION NO. 8439-N.S.

10
which was seconded by Commissioner Stanley authorizing progressive payment of \$5,194 60 to the Standard Materials Company on improvement of California Avenue from Franklin Street to H Street, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

11
IN THE MATTER OF
IMPROVE TENNIS COURTS

Whereas the City Engineer has filed a report of completion on the improvement of tennis courts in Graceada Park in accordance

with the contract which was awarded by the City Council on May 4, 1949 to Malott & Peterson-Grundy, Contractors, Commissioner Wilson introduced

RESOLUTION NO. 8440-N.S.

which was seconded by Commissioner Burkner, accepting the work as completed from Malott & Peterson-Grundy, Contractors and authorizing progressive payment of \$2835 75 and directing the City Clerk to record Notice of Completion with the Recorder of Stanislaus County, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

12
IN THE MATTER OF
APPROVE HIGHWAY
MAINTENANCE AGREEMENT

Whereas the State of California, through its Department of Public Works, Division of Highways has presented an agreement for maintenance of the State Highways in the City of Modesto for the period July 1, 1949 to June 30, 1950, Commissioner Burkner introduced

RESOLUTION NO. 8441-N.S.

which was seconded by Commissioner Wilson, approving agreement for maintenance of the State Highway in the City and the Mayor and City Clerk are directed to sign the same on behalf of the City, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

13
IN THE MATTER OF
AUTHORIZE CLERK AD-
VERTISE FOR BIDS ON
PUMPING STATION #15

Commissioner Burkner introduced

RESOLUTION NO. 8442-N.S.

which was seconded by Commissioner Frad authorizing the City Clerk to call for bids for the construction of Pump Station No. 15 at the City Sewage Treatment Plant at South Franklin Street, said bids to be opened on June 22, 1949, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

14
IN THE MATTER OF
ORD. APPROPRIATE
MONEY PURCHASE
CLOROBEN

Commissioner Wilson introduced an ordinance being

ORDINANCE NO. 899-N.S.

entitled: "AN ORDINANCE APPROPRIATING MONEY FOR THE PURPOSE OF PURCHASING CLOROBEN FOR THE PUBLIC WORKS DEPARTMENT DIVISION OF SEWERS", and moved its adoption and passage to print and publish, which motion being duly seconded by Commissioner Burkner, it was upon roll call carried and the ordinance ordered published as above by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

15
IN THE MATTER OF
FINAL ADOPTION ORD.
NO. 898-N.S. RADIO
RECEIVING SETS

Ordinance No. 898-N.S. having been heretofore introduced and ordered printed and published at the regular meeting of May 25, 1949, and thereupon printed and published as required by the Charter of the City of Modesto coming on for final adoption at this time, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

16
IN THE MATTER OF
STOP SIGNS ON NEEDHAM
AVENUE AND SYCAMORE-15th
STREET

Commissioner Wilson introduced

RESOLUTION NO. 8443-N.S.

which was seconded by Commissioner Frad recommending that stop signs be established in the following locations;

Northeast corner of Needham and Sycamore Avenues, stopping traffic entering Sycamore Avenue

Southwest corner of Needham Avenue and 15th Street, stopping traffic entering Fifteenth Street

which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

17
IN THE MATTER OF
LIMITED PARKING ON
12th STREET AT
CERTAIN LOCATIONS

Whereas, pursuant to referring request of Manfor Marshall for the establishment of limited parking to the Chief of Police for investigation and recommendation, he reported at this time that he recommended two parking spaces be limited to two hour parking in front of his store at 609 12th Street, whereupon Commissioner Wilson introduced

RESOLUTION NO. 8444-N.S.

which was seconded by Commissioner Frad, establishing two hour parking in two parallel parking spaces on the southeasterly side of Twelfth Street, beginning 70 feet northwesterly from the property line on F Street and extending northwesterly 44 feet, during the hours of 9 A.M. to 6 P.M. excepting Sundays and holidays, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

14
IN THE MATTER OF
DEPARTMENTAL REPORTS

Departmental reports for the month of May were read and ordered filed.

19
IN THE MATTER OF
COMMUNICATIONS

A letter from the Navy Recruiter, L. B. Tucker, regarding traffic conditions at Eleventh and H Streets was read and ordered filed.

20
IN THE MATTER OF
ADJOURNMENT

Commissioner Wilson introduced

RESOLUTION NO. 8445-N.S.

which was seconded by Commissioner Frad, adjourning this Council meeting, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: 
REX E. GAILFUS, CITY CLERK

Special Council Meeting

June 15, 1949

The Council of the City of Modesto met in special session this date at 4:00 P.M. as provided by Section 2 of Ordinance No. 2-N.S.

Present: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Absent: Councilmen: None

IN THE MATTER OF
REQUEST FOR CURB CUT

A request was filed by E. Chester Robinson for two curb cuts in Block 551, lots 17, 18 and 19, at the corner of McHenry

Avenue and Alice Street, for the establishment of a drive-in restaurant, whereupon Commissioner Burkner introduced

RESOLUTION NO. 8446-N.S.

which was seconded by Commissioner Wilson granting request of E. Chester Robinson to make two curb cuts at this location under the supervision of the City Engineer, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

2 IN THE MATTER OF BIDS
PIPE VALVES & FITTINGS

Commissioner Frad introduced

RESOLUTION NO. 8447-N.S.

which was seconded by Commissioner Stanley awarding bid on the following materials to the following companies:

Pipe (items 1 to 8 inclusive) Award bid to American Cast Iron Pipe Company \$1,270 67

Fittings:

| Item No. | Quantity | Description of Item | Company | Amount |
|----------|----------|--|-------------------------|----------|
| 13 | 1 | 16" x 16" x 16" Flanged Tee (F & D) | American Cast Iron Pipe | \$119 39 |
| 14 | 1 | Flanged Cross (F & D) 16" x 16" x 16" | " | 148 39 |
| 15 | 1 | 16" x 14" Reducer Small End Bell Large End Flanged (F & D) | Grinnell Company | 74 50 |
| 16 | 2 | 14" -45° Bend Bands | American Cast Iron Pipe | 107 84 |
| 17 | 1 | 16" Plug | " " " " | 11 71 |
| 18 | 1 | 24" x 24" x 16" Y Branch All Bell | Grinnell Company | 294 00 |
| 19 | 1 | 24" x 16" Reducer Small End Spigot Large End Bell | American Cast Iron Pipe | 111 87 |
| 20 | 2 | 16" -22½° Bend / B & D | " " " | 118 10 |
| 21 | 2 | 12-45° Bend B & S | Grinnell Company | 55 60 |
| 22 | 2 | 6"-45° Bend B & S | Grinnell Company | 22 30 |

The awarding of the bid on valves was held over until the next Council meeting

which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

3 IN THE MATTER OF
CALL FOR BIDS PRINT-
ING & ADVERTISING

Commissioner Burkner introduced

RESOLUTION NO. 8448-N.S.

which was seconded by Commissioner Frad authorizing the City Clerk to call for bids on official printing and advertising of the City of Modesto for the fiscal year ending June 30, 1950, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

4 IN THE MATTER OF
M.I.D. POWER LINE
ON EIGHTH STREET

Whereas C. C. Plummer, Chief Engineer of the Modesto Irriga-

tion District has requested that a 70,000 volt electric

transmission line be erected between the Enslin sub-station located on Enslin Avenue and Lateral Four, to its Station B located at the corner of Twelfth and E Streets, the general route being along the Modesto Irrigation District Lateral Four to Eighth Street, then south on Eighth Street to G Street, thence East on G To Ninth, along the west side of Ninth to F, thence easterly on the north side of F to Twelfth, thence south to sub-station B, whereupon Commissioner Stanley introduced

RESOLUTION NO. 8449-N.S.

which was seconded by Commissioner Wilson, permitting the construction of the above described electrical transmission line along the route as requested, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: Frad

Absent: Councilmen: None

5
IN THE MATTER OF
STOP SIGN AT FIFTH
AND L STREETS

Commissioner Burkner introduced

RESOLUTION NO. 8450-N.S.

which was seconded by Commissioner Frad recommending that a stop sign be placed on Fifth Street stopping traffic entering L Street, which is now a truck route and a through street, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

6
IN THE MATTER OF
NOTICE TO BIDDERS
ON CHLOROGEN

Commissioner Burkner introduced

RESOLUTION NO. 8451-N.S.

which was seconded by Commissioner Wilson authorizing the City Clerk to call for bids on 100 50-gallon drums of Emulsified Chlorinated Benzene (Cloroben) or equal. Said bids to be opened not later than 7:30 P.M. on July 13, 1949, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

7
IN THE MATTER OF
AGREEMENT WITH THE
COOPERATIVE PERSONNEL
SERVICE

Commissioner Wilson introduced

RESOLUTION NO. 8452-N.S.

which was seconded by Commissioner Stanley appointing the Mayor and the City Clerk as signatory officials on agreement with the Cooperative Personnel Service for the giving of civil service examinations for city employees, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

8
IN THE MATTER OF
CITY WATER SERVICE
OUTSIDE CITY LIMITS

George Gagos, 1214, 13th Street, Modesto, California, owner of a piece of property 300 feet north from the corner of

Tully Road and Coldwell Avenue requested water for two houses to be built at this location, and he was willing to pay the regular fee of \$150 00 per house, or \$300 00 for this service, whereupon Commissioner Burkner introduced

RESOLUTION NO. 8453-N.S.

which was seconded by Commissioner Frad extending the water district outside the City of Modesto to a parcel of land 260.63 feet in width westerly and parallel from the westerly property line of Tully Road between Coldwell Avenue and Leonard Avenue, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

9
IN THE MATTER OF
ADJOURNMENT

Commissioner Wilson introduced

RESOLUTION NO. 8454-N.S.

which was seconded by Commissioner Stanley, adjourning this Council meeting now in session, which resolution was adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: 
REX E. GAILFUS, CITY CLERK

June 22, 1949

The Council of the City of Modesto met in regular session this date at 7:30 P.M. as provided by Section 1 of Ordinance No. 2-N.S.

Present: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Absent: Councilmen: None

IN THE MATTER OF APPROVAL OF MINUTES Minutes of the regular meetings of June 8, 1949, and special meeting of June 15, 1949, having been heretofore read by each Councilman were approved as so read.

1 IN THE MATTER OF PETITION AGAINST M.I.D. POWER LINE Frank Andrews, 1111 F Street, appeared before the Council and presented a petition in protest to the granting of a permit to the Modesto Irrigation District to build a 70,000 volt power line along F Street from 9th to 12th Streets, signed by property owners along this route, and also a petition against the District carrying this transmission line through the streets of Modesto and especially between 9th and 12th Streets on F Street, signed by members of the Painters Local #317. The City Council placed these two petitions on file.

2 IN THE MATTER OF PROPOSED REZONING OF MUIR GARDEN TRACT, AND CERTAIN RECENTLY ANNEXED TERRITORY Whereas, the City Planning Commission have passed a resolution initiating proceedings for the amending of Ordinance No. 700-N.S. for the zoning and rezoning of

"The proposed Muir Garden Tract, the proposed E. C. Melrose Tract and that the northerly 65 feet of the Spoon property (Block 607) on Ramona Avenue be classified into the R-2, Two family Residential Zone, and that the northerly 65 feet of the E 1/2 of Block 608 be rezoned from an R-1 Single Family Residential Zone to the R-2, two family residential zone, and that the southerly 300.75 feet of the Spoon property (Block 607) be classified in the R-1, Single Family Residential Zone."

and the Planning Commission having had two published hearings in accordance with the law, Commissioner Wilson introduced

RESOLUTION NO. 8455-N.S.

which was seconded by Commissioner Frad, setting July 27, at 7:30 P.M. for the hearing of protests to the rezoning of the above described property, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

3 IN THE MATTER OF TRAFFIC PROBLEM AT 19th & DOWNEY STREETS Cyril McC Henderson, Secretary of the Planning Commission and E. J. Boundey, appeared before the Council and presented Resolution No. 82 passed by the City Planning Commissioner recommending certain changes in the traffic regulations and parking in the vicinity of 19th and Downey Streets, which resolution was accepted by the Council and referred to City Engineer Frank Rossi and Chief of Police Pickering for study and recommendation to the Council at a later meeting.

4 IN THE MATTER OF AWARD BIDS ON VALVES Commissioner Frad introduced

RESOLUTION NO. 8456-N.S.

which was seconded by Commissioner Burkner awarding bids on the following materials to the following companies:

| Item | Company | Amount |
|------|---------------|------------|
| 9 | Crane Company | \$2,695 98 |

10

Water Works Supply Co.

\$2,730 00

11 and 12

Anchor Equipment Co.

167 45

which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

5

IN THE MATTER OF
AWARD BID ON WATER
PUMP STATION

Pursuant to having advertised for bids for the construction of a water pump station No. 15, the Clerk reported two bids on file, one of G. A. Stevens in the amount of \$4,477 30, and the bid of Sauerwein and Thompson in the amount of \$3,847.00, whereupon Commissioner Burkner introduced

RESOLUTION NO. 8457-N.S.

which was seconded by Commissioner Frad awarding the bid to Sauerwein and Thompson, a co-partnership, as their bid was the lowest and best bid, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

6

IN THE MATTER OF
BIDS FOR A CITY POUND

Pursuant to advertising for bids for the construction of a City Pound, the City Clerk reported one bid on file by the firm

Sauerwein and Thompson in the amount of \$5,274 00. The awarding of the bid was held over to the meeting of July 6.

7

IN THE MATTER OF
ADVERTISING FOR
BIDS OFFICIAL PRINT-
ING & ADVERTISING

The City Clerk reported no bids were received for official printing and advertising for the fiscal year ending June 30, 1950, whereupon Commissioner Wilson introduced

RESOLUTION NO. 8458-N.S.

which was seconded by Commissioner Frad authorizing the City Clerk to readvertise for bids for the official printing and advertising for the fiscal year ending June 30, 1950, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

8

IN THE MATTER OF
FINAL ADOPTION
ORDINANCE NO. 899-N.S.
PURCHASE CLOROBEN

Ordinance No. 899-N.S., having been heretofore introduced and ordered printed and published at the regular meeting of June 8, 1949, and thereupon having been printed and published as

required by the Charter of the City of Modesto, coming on for final adoption at this time, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

9

IN THE MATTER OF
DAMAGE CLAIM

A claim was filed for damages against the City of Modesto by Jerry V. McDaniel, residing at 202 Rio Grande, Modesto, in the amount of \$2,802 50, for injuries he claims was caused by a deep ditch-like depression on Tuolumne Boulevard, at a point approximately in front of premises known as 1324 Tuolumne Boulevard, which was struck by him while riding his motorcycle, whereupon Commissioner Wilson introduced

RESOLUTION NO. 8459-N.S.

which was seconded by Commissioner Stanley, denying the claim, which resolution was

regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

10
IN THE MATTER OF
REQUEST FOR WATER
MAIN BY WELDON MILLING
COMPANY

S. P. Weldon, owner of the Weldon Milling Company, 724 F Street, requested that an eight inch water main be installed by the City on Eighth Street, from H Street, to the mill property on F Street. The City Clerk was instructed to inform him that if he were willing to pay the cost of the installation of this line that they would comply with the request.

11
IN THE MATTER OF
REVIEWING STAND
JULY 4th CELEBRATION.

A request having been made for the City to install its reviewing stand on the North side of the Courthouse Park facing Eye Street for the official judging of the Fourth of July parade, Commissioner Wilson introduced

RESOLUTION NO. 8460-N.S.

which was seconded by Commissioner Frad authorizing the Engineer to install the reviewing stand as requested., which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

12
IN THE MATTER OF
TERMINATION OF LEASE
MODESTO GARBAGE CO.

It being the intention of the City Council to enter into a new lease with the Modesto Garbage Company, as of July 1, 1949, Commissioner Stanley introduced

RESOLUTION NO. 8461-N.S.

which was seconded by Commissioner Wilson that the present lease beginning May 13, 1936 and ending May 13, 1951, be terminated as of July 1, 1949, and appointing the Mayor and City Clerk as signatory officials, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

13
IN THE MATTER OF NEW
LEASE GARBAGE DUMPING
GROUNDS

Commissioner Stanley introduced

RESOLUTION NO. 8462-N.S.

which was seconded by Commissioner Burkner authorizing the City to enter into a new five year lease beginning on the first day of July, 1949 and ending the first day of July, 1954, and appointing the Mayor and the City Clerk and Auditor as signatory officials, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

14
IN THE MATTER OF NEW
CONTRACT MODESTO
GARBAGE COMPANY

Pursuant to the request of the Modesto Garbage Company for the renewal of contract of the Modesto Garbage Company for the operation of the Municipal Dumping Grounds for an additional five years, Commissioner Frad introduced

RESOLUTION NO. 8463-N.S.

which was seconded by Commissioner Stanley authorizing the entering into of a new

Absent: Councilmen: Frad and Wilson

4
IN THE MATTER OF
ORD. AUTHORIZE
SALE OF BUILDINGS

Commissioner Burkner introduced as ordinance being

ORDINANCE NO. 900-N.S.

ENTITLED: "AN ORDINANCE PROVIDING FOR THE SALE OF USELESS PERSONNAL PROPERTY", and moved its adoption and passage to print and publish, which motion being duly seconded by Commissioner Stanley, it was upon roll call carried and the ordinance ordered published as above by the following vote:

Ayes: Councilmen: Burkner, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Frad and Wilson

5
IN THE MATTER OF
ORD. ADOPT 1948
PLUMBING CODE

Commissioner Burkner introduced an ordinance being

ORDINANCE NO. 901-N.S.

entitled: " AN ORDINANCE PROVIDING FOR THE PROTECTION OF THE PUBLIC HEALTH AND SAFETY AND THE EXAMINATION, REGISTRATION, LICENSING OF PERSONS ENGAGED IN THE BUSINESS OF PLUMBING OR LABORING AT THE TRADE OF PLUMBING REQUIRING A PERMIT FOR THE INSTALLATION OR ALTERATION OF PLUMBING AND DRAINAGE SYSTEMS: CREATING THE OFFICE OF PLUMBING OFFICIAL AND A BOARD OF PLUMBER EXAMINERS AND PRESCRIBING THEIR DUTIES DEFINING CERTAIN TERMS: ESTABLISHING MINIMUM REGULATIONS FOR THE INSTALLATION, ALTERATION, OR REPAIR OF PLUMBING AND DRAINAGE SYSTEMS AND INSPECTION THEREOF: PROVIDING PENALTIES FOR ITS VIOLATION AND REPEALING CONFLICTING ORDINANCES."

and moved its adoption and passage to print and publish, which motion being duly seconded by Commissioner Stanley, it was upon roll call carried and the ordinance ordered published as above by the following vote:

Ayes: Councilmen: Burkner, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent; Councilmen: Frad and Wilson

6
IN THE MATTER OF
REAPPOINTMENT OF
C. S. BROWNE ON
LIBRARY BOARD

Commissioner Stanley introduced

RESOLUTION NO. 8467-N.S.

which was seconded by Commissioner Burkner, reappointing C.S. Browne Library Trustee for a period of four years from July 1, 1949, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Frad and Wilson

7
IN THE MATTER OF
REQUEST SEARS-ROEBUCK
SPECIAL BUILDING
PERMIT

A letter was filed by Sears-Roebuck requesting permission to build a building on C Street between Ninth and Tenth Streets in order to provide more floor space for the operation of their

business, which would extend nine feet eleven inches into the street area. This matter was discussed with the City Attorney and he advised the City Council that the request should be denied.

8
IN THE MATTER OF
APPROVAL AGREEMENT
WITH STATE ON STREETS

Commissioner Burkner introduced

RESOLUTION NO. 8468-N.S.

which was seconded by Commissioner Stanley approving memorandum of agreement for expenditure of gas tax allocation for major city streets for the fiscal year

1950, with the State of California and appointing the Mayor and City Clerk signatory officials, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Frad and Wilson

9
IN THE MATTER OF Commissioner Burkner introduced
AUTHORIZE PAYMENT TO RESOLUTION NO. 8469-N.S.
STANDARD MATERIALS
COMPANY

which was seconded by Commissioner Stanley accepting the improvement of College Avenue between Stoddard Avenue and Coldwell Avenue from the Standard Materials and authorizing progressive payment of \$4631 92 and directing the City Clerk to file Notice of Completion with the Recorder of Stanislaus County, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Frad and Wilson

 Commissioner Burkner introduced
 RESOLUTION NO. 8470-N.S.

10
which was seconded by Commissioner Stanley accepting the improvement of California Avenue from Franklin Street to H Street from the Standard Materials Company and authorizing progressive payment of \$1016 25 and directing the City Clerk to file Notice of Completion with the Recorder of Stanislaus County, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Frad and Wilson

 Commissioner Burkner introduced
 RESOLUTION NO. 8471-N.S.

11
which was seconded by Commissioner Stanley accepting the improvement of Fifth Street, between F Street and Sierra Drive and Sierra Drive between Fifth and Seventh Streets from the contractors, Standard Materials Company and authorizing progressive payment of \$3388 91 and directing the City Clerk to file Notice of Completion with the Recorder of Stanislaus County, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Frad and Wilson

12
IN THE MATTER OF Whereas Wieland Bros. have filed a request for a 18 foot curb cut
REQUEST FOR CURB CUT for a driveway for the Modesto College Dairy building at 7th and
BLOCK 29, LOTS 1-4 inc. E Streets, block 29, lot 1 to 4 inc. on property owned by John Isola et al, Commissioner
Burkner introduced

 RESOLUTION NO. 8472-N.S.

which was seconded by Commissioner Stanley granting request to the said Wieland Bros. to cut the curb at above described location under the supervision of the City Engineer, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Frad and Wilson

13
IN THE MATTER OF Commissioner Burkner introduced
ADJOURNMENT

RESOLUTION NO. 8473-N.S.

which was seconded by Commissioner Stanley adjourning this Council meeting now in session, which resolution was adopted by the following vote:

Ayes: Councilmen: Burkner, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Frad and Wilson

ATTEST: REX E. GAILFUS, CLERK

Council Meeting

July 13, 1949

The Council of the City of Modesto met in regular session this date at 7:30 P. M. as provided by Section 1 of Ordinance No. 2-N.S.

Present: Councilmen: Burkner, Stanley, Wilson, Mayor Shannon

Absent: Councilmen: Frad

IN THE MATTER OF APPROVAL OF MINUTES

The minutes of the regular meeting of June 22, 1949 and special meeting of July 6, 1949 having been heretofore read by each

Councilman, where approved as so read.

IN THE MATTER OF REQUEST SEND POLICE CHIEF TO F.B.I. SCHOOL

Mr. Clarence Dunker, local representative of the Federal Board of Investigation, appeared before the Council and recommended that the City of Modesto authorize the attendance of Police Chief Pickering to the Federal Board of Investigation National Academy held in Washington D. C. for twelve weeks course, which is held three times a year, whereupon Commissioner Stanley introduced

RESOLUTION NO. 8474-N.S.

which was seconded by Commissioner Burkner, authorizing the attendance of Police Chief Pickering to this Academy for the session beginning January 1, 1950 with all expenses paid, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Frad

2 IN THE MATTER OF PETITION REDUCE LICENSE FOR FORTUNE TELLING

Mary White appeared before the Council and requested that the Council reduce the license fee of \$500 00 per month for Palmistry, as provided by Ordinance No. 704-N.S., as they believed this fee was too high. This matter was referred to the Chief of Police.

3 IN THE MATTER OF CLAIMS FOR THE MONTH OF JUNE, 1949

Claims against the City of Modesto for the month of June, 1949, having been heretofore audited by the Council and found to be correct, Commissioner Wilson introduced

RESOLUTION NO. 8475-N.S.

ordering 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 Record for further details relative to the amounts of withdrawals from the various funds as follows:

| | |
|----------------------|--------------|
| GENERAL FUND ----- | \$100,414 47 |
| BOND REDEMPTION----- | 34,802 50 |
| WATER FUND----- | 9,166 72 |
| LIBRARY ----- | 2,532 69 |
| GAS TAX ----- | 26,129 10 |

| | | |
|----------------------|----|---------------------|
| PARKING METERS ----- | \$ | 342 57 |
| FIRE BOND ----- | | 84.64 |
| WATER BOND ----- | | 382 99 |
| SEWER BOND ----- | | 1,161 97 |
| | | <u>\$175,017 65</u> |

which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Frad

4
IN THE MATTER OF Commissioner Wilson introduced
USED CAR LOT M. L.
PETERSON

RESOLUTION NO. 8476-N.S.

which was seconded by Commissioner Stanley approving bond and application of Max L. Peterson to operate a used car lot at 501 I Street, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Frad

5
IN THE MATTER OF Whereas, pursuant to advertising for bids for 100-50 gallon drums of
BIDS ON CLOROBEN Emulsified Chlorinated Benzene, the City Clerk reported one bid on file from Braun-Knecht Heimann Co. for \$11,484 50, and whereas the amount of money appropriated for the purchase of this material was only \$10,000 Commissioner Burkner introduced

RESOLUTION NO. 8477-N.S.

which was seconded by Commissioner Wilson rejecting this bid and authorizing the City Engineer to purchase this material on the open market, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Frad

6
IN THE MATTER OF Whereas pursuant to advertising for bids for the official printing and
AWARD BID FOR PRINT- advertising for the fiscal year ending June 30, 1950 and whereas the
ING AND ADVERTISING Modesto Bee has submitted a bid of \$1.25 per column inch for the first insertion and the sum of \$1.00 per column inch for each subsequent insertion, Commissioner Wilson introduced

RESOLUTION NO. 8478-N.S.

which was seconded by Commissioner Burkner, awarding bid to the said Modesto Bee as they are a responsible bidder and appointing the Mayor and City Clerk as signatory officials on agreement, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Frad

7
IN THE MATTER OF Commissioner Stanley introduced
AGREEMENT SEWER
CALIFORNIA VEGETABLE
CONCENTRATES

RESOLUTION NO. 8479-N.S.

which was seconded by Commissioner Burkner, approving new agreement with the California Vegetable Concentrates, Inc. and the City of Modesto for the disposal of sewage into the sewer system of the City of Modesto, and appointing the Mayor, Clerk and Auditor as signatory officials, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Frad

8
IN THE MATTER OF
EXTENSION OF TIME
COMPLETE CONTRACTS

Whereas Sauerwein & Thompson, Contractors building the Pump Station #14 have requested an extension of 20 days to complete their contract, Commissioner Stanley introduced

RESOLUTION NO. 8480-N.S.

which was seconded by Commissioner Wilson, granting an extension of 20 days to the said Sauerwein & Thompson, Contractors for the completion of the Pump Station #14, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Frad

9
Whereas P & J Artukovich Company, Contractors constructing the sewer line of H Street, have asked for an extension of 15 days to complete their contract, Commissioner Burkner introduced

RESOLUTION NO. 8481-N.S.

which was seconded by Commissioner Wilson granting an extension of 15 days to the said P & J Artukovich Company for the completion of the sewer line on H Street, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Frad

10
IN THE MATTER OF
FINAL PAYMENT IMPROVE-
MENT TENNIS COURTS
IN GRACEADA PARK

Commissioner Wilson introduced

RESOLUTION NO. 8482-N.S.

which was seconded by Commissioner Burkner authorizing final payment of \$945 25 to Malott-Peterson & Grundy contractors, on the improvement of the Tennis Courts in Graceada Park as the 35 day lien period had expired, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Frad

11
IN THE MATTER OF
NOTICE TO BIDDERS
ON IMPROVEMENT OF
MAZE BOULEVARD

Commissioner Stanley introduced

RESOLUTION NO. 8483-N.S.

which was seconded by Commissioner Wilson authorizing the City Clerk to call for bids for the Improvement of Maze Boulevard from the West property line of Franklin Street to the West city limits and the construction of a Storm Sewer, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Frad

12
IN THE MATTER OF
FINAL ADOPTION ORDI-
NANCE SALE OF HOUSES
BLOCK 121

Ordinance No. 900-N.S. having been heretofore introduced and ordered printed and published at the special meeting of July 6, 1949 and thereupon printed and published as required

by the Charter of the City of Modesto, coming on for final adoption at this time, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Burkner, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent; Councilmen: Frad

13
IN THE MATTER OF
FINAL ADOPTION OF
ORDINANCE PLUMBING CODE

Ordinance No. 901-N.S. having been heretofore introduced and ordered printed and published at the special meeting of July 6, 1949, and thereupon printed and published as required by the Charter of the City of Modesto coming on for final adoption at this time, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Burkner, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Frad

14
IN THE MATTER OF
RESIGNATION OF
J. B. DOUGLASS

Commissioner Burkner introduced

RESOLUTION NO. 8484-N.S.

which was seconded by Commissioner Wilson accepting the resignation of J. B. Douglass as Airport manager, effective July 27, 1949, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Frad

15
IN THE MATTER OF
DEPARTMENTAL REPORTS
MONTH OF JUNE

Departmental reports for the month of June, 1949 were read and ordered filed.

IN THE MATTER OF
TRANSFER OF FUNDS

Commissioner Wilson introduced

RESOLUTION NO. 8485-N.S.

which was seconded by Commissioner Stanley authorizing the Auditor to make the following transfer of funds to clear the records for the fiscal year of 1948-49:

| | <u>DEBIT</u> | <u>CREDIT</u> |
|---|--------------|---------------|
| General Fund | \$23,126 00 | |
| City Parking Meter 1-9J | | \$23,126 00 |
| Federal Airport Project 1-9 | 5,000 00 | |
| General Fund 1-1 | | 5,000 00 |
| (temporary transfer to be returned upon receipt of special appropriation) | | |
| General Fund 1-1 | 79,317 83 | |
| In Lieu Tax 1-9B | | 54,638 75 |
| Alcoholic Beverage 1-9C | | 24,679 08 |
| Apportionments for year 1948-49 | | |
| General Fund 1-1 | 2,445 11 | |
| Sewer Fund 1-9G | | 2,445 11 |
| (Ord. 624-N.S. Sewer Work) | | |
| Bond Redemption & Interest Fund 1-2 | 25,328 29 | |
| Industrial Waste Fund 1-1B | | 25,328 29 |
| General Fund 1-1 | 50,000 00 | |
| Water Fund 1-3 | | 50 000 00 |
| General Fund 1-1 | 14,711.72 | |
| Gas Tax Fund 1-9A | | 14.711 72 |
| Project #41 Major Streets & Secondary Sts. | | |
| Transfer to Jan 1949 | \$3,830 66 | |
| Appropriation 48-49 | 18,542 38 | |
| Balance transferred today | 14,711 72 | |
| General Fund 1-1 | 7,561 62 | |
| Gasoline Tax Fund 1-9A | | 7,561 62 |
| Transfer of fund see memorandum | | |

which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Frad

16
IN THE MATTER OF
AUTHORIZE HEALTH
DEPARTMENT PERSONNEL
ATTEND MEETING

Commissioner Stanley introduced

RESOLUTION NO. 8486-N.S.

which was seconded by Commissioner Wilson authorizing Health Officer, Mark J. Landquist and George McCoy, Sanitarian, to attend the Regional Food Handlers' Sanitation Institute being held in Berkeley on July 18 and 19, with all expenses paid, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Frad

17
IN THE MATTER OF
PROTEST ODORS-
SEWER PLANT

A group of citizens owning property south of the Tuolumne river and adjacent to the Sewer plant of the City of Modesto on South Franklin Street appeared before the Council and vigorously protested the odors emanating from the sewer plant and stated that these odors were a public nuisance and something should be done at once. Various opinions were voiced by them as to the time and intensity of these odors. The City Council advised them that everything possible would be done to clear up the situation.

18
IN THE MATTER OF
ADJOURNMENT

Commissioner Wilson introduced

RESOLUTION NO. 8487-N.S.


which was seconded by Commissioner Stanley, adjourning this Council meeting now in session, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Frad

ATTEST:


REX E. GAILFUS, CITY CLERK

Special Council Meeting

July 20, 1949

The Council of the City of Modesto met in special session this date as provided by Section 2 of Ordinance No. 2-N.S.

Present: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Absent: Councilmen: None

1
IN THE MATTER OF
APPOINTMENT OF
MANAGER AND ASSISTANT
MANAGER AT AIRPORT

Whereas, pursuant to resignation of J. B. Douglass as Manager of the Modesto Municipal Airport, Commissioner Burkner introduced

RESOLUTION NO. 8488-N.S.

which was seconded by Commissioner Stanley, appointing Harry Sham as manager of the Modesto Municipal Airport as of September 1, 1949 at a salary of \$125 00 per month and Leo Edwards, Assistant Manager at a salary of \$50 00 per month as of September 1, 1949, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

2
IN THE MATTER OF
NOTICE TO BIDDERS ON
SALE OF BUILDINGS
ON BLOCK 121

Commissioner Wilson introduced

RESOLUTION NO. 8489-N.S.

which was seconded by Commissioner Frad, authorizing the City Clerk to call for bids for the sale of the buildings on Block 121, said bids to be opened on August 10, 1949, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

3
IN THE MATTER OF Applications for the position of Airport Manager from Donald L. Pack and
APPLICATIONS FOR Francis M. McRae were read and ordered filed with the City Engineer.
POSITION OF AIRPORT MANAGER

4
IN THE MATTER OF
PAYMENT TO SAUERWEIN
& THOMPSON PUMP STATION
NO. 14

Commissioner Burkner introduced

RESOLUTION NO. 8490-N.S.

which seconded by Commissioner Stanley authorizing progressive payment of \$4265 32 to Sauerwein & Thompson for the construction of Pump Station No. 14, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

5
IN THE MATTER OF
APPROVAL OF AGREEMENT
WITH CALIFORNIA FROZEN
FOODS INC.

Commissioner Frad introduced

RESOLUTION NO. 8491-N.S.

which was seconded by Commissioner Wilson approving agreement with the California Frozen Foods, Inc. for the disposing of domestic sewage and industrial waste and appointing the Mayor, City Clerk and Auditor as signatory officials, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

6
IN THE MATTER OF
CONFIRMING PROCEEDINGS
AND ORDERING WARRANT
ON J STREET LIGHTING

Commissioner Frad introduced

RESOLUTION NO. 813-S.P.

which was seconded by Commissioner Burkner resolving and determining that the proceedings pursuant to Resolution of Intention No. 236 passed by said Council on the 9th day of February, 1949 and also all the acts and determinations of the Superintendent of Streets and the City Engineer of said City relative to the work described in said resolution of intention, hereby referred to for further particulars be and the same are hereby confirmed and the assessment and diagram for said work are hereby found to be correct and confirmed, and it is hereby ordered that warrant may be attached thereto accordingly, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

7
IN THE MATTER OF
PETITION PROPERTY
OWNERS SYCAMORE
AVENUE

A petition was filed by certain property owners on Sycamore Avenue between Needham Avenue and Stoddard Avenue, protesting to the building of additional tennis courts in Graceada Park and showers for men and for women and concrete bleachers for spectators.

This petition was ordered filed.

8
IN THE MATTER OF
ANNUAL REPORT OF
POLICE DEPARTMENT

The annual report of the Police Department was accepted and ordered filed.

9
IN THE MATTER OF
APPROVE AGREEMENT
WITH CITY TO CONSTRUCT
BUILDING OVER SEWER
EASEMENT

Commissioner Burkner introduced

RESOLUTION NO. 8492-N.S.

which was seconded by Commissioner Wilson approving agreement granting

the Modesto City Board of Education permit to erect a building over the easement^{granted} to the City of Modesto for a sanitary sewer line in Block 334, and appointing the Mayor and Auditor as signatory officials, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

10 IN THE MATTER OF TELEVISION TOWERS

Commissioner Frad suggested that some regulations on the installation of Television aerials be considered as these sets would become more popular and the aerials would be unsightly and dangerous.

11 IN THE MATTER OF ADJOURNMENT

Commissioner Wilson introduced

RESOLUTION NO. 8493-N.S.

which was seconded by Commissioner Stanley, adjourning this Council meeting now in session, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: 
REX E. GAILFUS, CITY CLERK

Council Meeting

July 27, 1949

The Council of the City of Modesto met in regular session this date at 7:30 P. M. as provided by Section 1 of Ordinance No. 2-N.S.

Present: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Absent: Councilmen: None

IN THE MATTER OF APPROVAL OF MINUTES

The minutes of the regular meeting of July 13, 1949 and special meeting of July 20, 1949 having been heretofore read by each Councilman, were approved as so read.

IN THE MATTER OF CLAIMS

A claim of \$28 35 for expenses for delegates to the meeting of the League of California Citities meeting in Tracy on July 21, 1949 was presented by City Auditor, whereupon Commissioner Wilson introduced

RESOLUTION NO. 8494-N.S.

which was seconded by Commissioner Stanley, allowing this claim as presented and directing the City Auditor to draw warrant in payment, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

2 IN THE MATTER OF CLAIM STANISLAUS COUNTY BOY'S BAND

A claim of \$600 00 was presented to the Council for summer concerts for the season of 1949 by the Stanislaus County Boy's Band, whereupon Commissioner Wilson introduced

RESOLUTION NO. 8495-N.S.

which was seconded by Commissioner Frad allowing claim of \$600 00 and directing the City Auditor to draw warrant in payment as soon as the appropriation ordinance for year 1949-50 is effective, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

3
IN THE MATTER OF
REPORT BY CITY
ATTORNEY

Pursuant to authorizing the City Attorney to ascertain whether any standards are set up for landscape gardeners in other cities, he filed a report at this time that he had contacted the City of Fresno and Stockton and they do not have any requirements or qualifications with reference to landscape gardeners and they only charge the regular business license. He was directed to contact additional cities and to make a further report.

4
IN THE MATTER OF
REQUEST FOR STOP
SIGN AT INTERSECTION
I STREET, VINE STREET
AND WASHINGTON STREET

A request was filed with the Council by Thomas Floyd that they consider the establishment of a stop sign to regulate traffic at the intersection of Vine Street, Washington Street and I Street. This matter was referred to the Chief of Police for investigation and recommendation.

IN THE MATTER OF
REQUEST FOR CURB CUT
LOUIS SUSTARICH

A request was filed by Louis A. Sustarich for permission to widen the existing driveways / on property leased by him in Block 16, northeasterly 110 feet of lots 14, 15, 16 at Fifth and H Streets, whereupon Commissioner Burkner introduced

RESOLUTION NO. 8496-N.S.

which was seconded by Commissioner Frad granting the request of Louis A. Sustarich to widen existing driveways at above named location under the supervision of the City Engineer, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

6
IN THE MATTER OF
AWARD BID ON IMPROVING
MAZE BOULEVARD

Whereas pursuant to advertising for bids for the improvement of Maze Boulevard from the West property line of Franklin Street to the West City Limits and the Construction of a Storm Sewer, the City Clerk reported one bid on file from the Standard Materials Company of \$5658 40, whereupon Commissioner Burkner introduced

RESOLUTION NO. 8497-N.S.

which was seconded by Commissioner Wilson, awarding the bid to the said Standard Materials Company pending the approval of the State Highway Department, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

7
IN THE MATTER OF
HEARING ON ZONING
AND REZONING OF
CERTAIN ANNEXED
PROPERTY

Whereas, pursuant to publication of Notice of hearing on the proposed districting of the entire block 631 and the northerly 65 feet of the Walter Spoon property (i.e. that portion of Block 607 which faces onto Ramona Avenue) in the R-2 Two Family Residential District and that the southerly 300.75 feet of the Walter Spoon property be classified in the R-1 Single Family Residential District and the reclassifying of the northerly 65 feet of the east one-half of Block 608 from R-1 Single Family Residential District to the R-2 Two Family Residential District, a group of property owners appeared before the Council and protested to the proposed zoning and a group appeared also in favor of the proposed zoning. After considerable discussion of the subject, the matter was held over for one week before any final action was taken by the Council.

8

IN THE MATTER OF
PETITION FOR TWO
HOUR PARKING
423 14TH STREET

A petition was filed by D. C. Skaggs, for the establishment of two hour parking for a distance of three or four parking spaces in front of his real estate office at 423 14th Street.

This request was referred to the Chief of Police for investigation and recommendation.

9

IN THE MATTER OF
ANNUAL REPORT OF
MCHEENRY PUBLIC
LIBRARY

The annual report of the McHenry Public Library for the year ending June 30, 1949 was read and ordered filed.

10

IN THE MATTER OF
AUTHORIZE T. J.
HERMEIDA TO ATTEND
BUILDING OFFICIALS
CONFERENCE

Commissioner Burkner introduced

RESOLUTION NO. 8498-N.S.

which was seconded by Commissioner Frad authorizing the attendance of T. J. Hermeida to the Pacific Coast Building Official's Conference at Seattle, Washington on September 19-23, 1949, with all expenses paid, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

11

IN THE MATTER OF
PROTESTS TO ODORS
FROM THE SEWER FARM

A group of people owning property south of Tuolumne River, near the Sewer Plant of the City, appeared before the Council to protest to the odor from the sewer plant. City Engineer Rossi reported that all the odors in this vicinity were not due entirely to the sewer plant of the City and Mayor Shannon informed them that everything was being done as fast as possible to eliminate the odors from the sewer plant.

12

IN THE MATTER OF
REQUEST FOR WATER AND
SANITARY SEWER
FACILITIES

A request was filed, signed by Charles Grosso and he also appeared with Arthur Caputi before the Council and requested that the City of Modesto extend the water and sanitary sewer facilities to take in the south half of the Spencer Colony, located west of Franklin on Vine Street, as they are building a number of houses at this location. They were informed the best way to arrange for these facilities was to annex their property to the City of Modesto. The petitioners indicated they wished to have this property annexed to the City and they would proceed along these lines.

13

IN THE MATTER OF
ADJOURNMENT

Commissioner Burkner introduced

RESOLUTION NO. 8499-N.S.

which was seconded by Commissioner Frad, adjourning this Council meeting now in session, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: 
REX E. GAILFUS, CITY CLERK

BOARD OF EQUALIZATION

August 1, 1949

The Council of the City of Modesto met this 1st day of August, 1949 at 10:00 A. M. in the Council Chambers of the City Hall to sit as a Board of Equalization for the purpose of hearing complaints and to correct, modify, strike out or raise any assessment on the Assessment Roll of the City Assessor,

pursuant to Section 49, Article IX of the City Charter.

Present: Councilmen: Stanley, Burkner, Frad

Absent: Councilmen: Wilson and Mayor Shannon

There being no complaints filed for the consideration of the Board, upon motion duly made, seconded and unanimously carried, the meeting was adjourned to Tuesday, August 2, 1949, at the appointed time and place

August 2, 1949

Pursuant to adjournment of August 1, 1949, the Board of Equalization of the City of Modesto convened in regular session this date and there were

Present: Councilmen: Stanley, Burkner, Frad

Absent: Councilmen: Wilson and Mayor Shannon

There being no complaints filed for the consideration of the Board, upon motion duly made, seconded and unanimously carried, the meeting was adjourned to Wednesday, August 3, 1949 at the appointed time and place

August 3, 1949

Pursuant to adjournment of August 2, 1949, the Board of Equalization of the City of Modesto convened in regular session this date and there were

Present: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Absent: Councilmen: None

There being no complaints filed for the consideration of the Board, upon motion duly made, seconded and unanimously carried, the meeting was adjourned to Thursday, August 4, 1949 at the appointed time and place.

August 4, 1949

Pursuant to adjournment of August 3, 1949, the Board of Equalization of the City of Modesto convened in regular session this date and there were

Present: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Absent: Councilmen: None

There being no complaints filed for the consideration of the Board, upon motion duly made, seconded and unanimously carried the meeting was adjourned to Friday, August 5, 1949 at the appointed time and place.

August 5, 1949

Pursuant to adjournment of August 4, 1949, the Board of Equalization of the City of Modesto convened in regular session this date and there were

Present: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Absent: Councilmen: None

There being no further business to come before the Board, and it having met and conducted its meetings as required by State Statutes and the City Charter, upon motion, which was duly seconded, the meeting was adjourned sine die.

APPROVED: _____
CARL W. SHANNON, MAYOR

ATTEST: 
REX E. GALLFUS, CLERK

Special Council Meeting
August 3, 1949

The Council of the City of Modesto met in Special session this date at 4:00 P. M. as provided by Section 2 of Ordinance No. 2-N.S.

Present: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Absent: Councilmen: None

1
IN THE MATTER OF Whereas, pursuant to provisions of Section 48 of the Charter,
ADOPT BUDGET budget of estimated expenditures of the various departments of the
YEAR 1949-50 City of Modesto for the fiscal year beginning July 1, 1949 and ending June 30, 1950,
having been submitted to the Council for approval and adoption, and

Whereas the Council has heretofore audited the said proposed budget and
made such corrections and revisions as were deemed advisable, Commissioner Wilson
introduced

RESOLUTION NO. 8500-N.S.

which was seconded by Commissioner Stanley, adopting the budget of the various departments
as so corrected and revised, said revision to be effective as of July 16, 1949,
providing however the adoption of the budget of the Recreation Commission is to be
contingent and shall be adjusted upon receipt of the sum of \$10,000 or any other sum
received from the County of Stanislaus, which resolution was regularly adopted by the
following vote:

Ayes: Councilman: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

2
IN THE MATTER OF Commissioner Wilson introduced
SET WAGE SCALE

RESOLUTION NO. 8501-N.S.

which was seconded by Commissioner Frad, adopting the wage scale of \$1.25 per hour for
playground Supervisors, \$1.12 per hour for playground leaders and part time playground
directors and \$1.15 per hour for common and/or unclassified labor, effective July 16,
1949 and be it further resolved that upon the adoption of the 1949-50 budget no wage increase
shall be made unless authorized by the Council, which resolution was regularly adopted
by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

3
IN THE MATTER OF Commissioner Wilson introduced
ESTABLISH WAGE SCALE
FOR LABOR FOR NIGHT
WORK

RESOLUTION NO. 8502-N.S.

which was seconded by Commissioner Burkner adopting the wage
scale of \$1.25 per hour for common and/or unclassified labor working between the
hours of 5:00 P.M. and 7:00 A.M., effective July 16, 1949 and be it further resolved
that upon the adoption of the 1949-50 budget no wage increase shall be made unless
authorized by the Council, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

4
IN THE MATTER OF Commissioner Wilson introduced
ORD. SET SALARIES
DEPARTMENT HEADS

ORDINANCE NO. 902-N.S.

entitled: "AN ORDINANCE FIXING THE COMPENSATION OF THE CITY OFFICIALS OF THE CITY OF
MODESTO", and moved its adoption and passage to print and publish, which motion being
duly seconded by Commissioner Burkner, it was upon roll call carried and the ordinance
ordered published as above by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

5
IN THE MATTER OF
SALE BLOCK 588
LOT 9-12-INC.

Walter Field appeared before the Council with regard to purchasing Block 588, lots 9 to 12 inc. owned by the City of Modesto and after discussion by the City Council it was determined that the City would have to sell this property at public auction and some arrangements would have to be made with Stanislaus County and the Modesto Irrigation District to secure a clear title to the property as they cancelled all taxes on this property by resolution and gave title to this property with the provisions that it is to be used by the City of Modesto for governmental purposes only. Mr. Field was informed that he would be notified when and if such action was taken by the City.

6
IN THE MATTER OF
RENTAL OF BUILDING
FOR PUBLIC MEETINGS

A discussion was held on the possibility of securing a small meeting room to be used for meetings of public interest and governmental units, as the facilities at the City Hall were so limited and the City Attorney and City Clerk were authorized to contact the County officials to see if some arrangements could be worked out whereby a meeting place could be obtained jointly by both governmental units.

7
IN THE MATTER OF
HEARING ON ZONING
PROPERTY

Whereas, pursuant to delaying action on the recommendation of the Planning Commission that the entire Block 631 and the northerly 65 feet of the Walter Spoon property (i.e. that portion of Block 607 which faces onto Ramona Avenue) be zoned R-2 Two Family Residential District and that the southerly 300.75 feet of the Walter Spoon property be classified in the R-1 Single Family Residential District and the reclassifying of the northerly 65 feet of the east one-half of Block 608 from R-1 Single Family Residential District to the R-2 Two Family Residential District, until this meeting, a general discussion was held by the Council, Members of the Planning Commission and various property owners and Commissioner Wilson introduced

RESOLUTION NO. 8503-N.S.

which was seconded by Commissioner Burkner recommending that the recommendation of the Modesto City Planning Commission be carried out and the City Attorney was directed to prepare an ordinance for adoption by the Council, amending Ordinance No. 700-N.S. Zoning Ordinance, to provide for the zoning as recommended, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Wilson, Shannon, Mayor

Noes: Councilmen: Stanley and Frad

Absent: Councilmen: None

COMMISSIONER STANLEY LEFT THE COUNCIL MEETING AT THIS TIME

8
IN THE MATTER OF
EXTENTION OF TIME
COMPLETE CONTRACT
P & J ARTUKOVICH

Commissioner Burkner introduced

RESOLUTION NO. 8504-N.S.

which was seconded by Commissioner Wilson granting an extension of time until August 10, 1949 to P & J Artukovich Inc. for the completion of their contract for a sewer line on H Street, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Stanley

9
10
IN THE MATTER OF
COMMUNICATION FROM
MODESTO HIGH SCHOOL

A communication from the Modesto High School regarding the parking regulations around the Modesto High School was read and referred to the Chief of Police for investigation and recommendation.

IN THE MATTER OF
ACCEPT PETITION
FOR ANNEXATION
LOT 3 OF RICE
COLONY

Whereas a petition has been filed with the City Council by Virgil E. Howell, Maybell Howell, Thomas B. Line and Marie Line for annexation of the following property:

All of the Northwest $\frac{1}{4}$ of Lot 3 of the Rice Colony and the Northerly 1.28 feet of the Southwest $\frac{1}{4}$ of Lot 3 of said Rice Colony, as filed for record on

Whereas it appears to the City Council that said petition is in order and the real property described therein is contiguous to the City of Modesto and less than twelve qualified electors reside therein and such real property is uninhabited territory Commissioner Burkner introduced

RESOLUTION NO. 8505A-N.S.

which was seconded by Commissioner Frad, accepting petition and directing the City Attorney to prepare the necessary documents, resolutions and notices for the purpose of determining whether or not the owners of property within the territory proposed to be annexed desire said territory to be annexed to and to become a part of the City of Modesto, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Stanley

IN THE MATTER OF A petition for annexation of Lot 3 of Rice Colony to the City
PETITION FOR ANNEXATION of Modesto signed by Virgil E. Howell, Maybell Howell, Thomas B. Line, and Marie Line was received, whereupon Commissioner Burkner introduced

RESOLUTION NO. 8505-N.S.

which was seconded by Commissioner Frad recommending that the aforesaid petition for annexation of lot 3 of Rice Colony to the City of Modesto be accepted and the date of August 24, 1949 at 7:30 P.M. at the City Hall be set as the time and place for the hearing of protests to the annexation, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Stanley

IN THE MATTER OF A communication from the Yosemite Area Boy Scouts of America
REQUEST BY BOY REQUESTING THAT THEY BE EXEMPTED FROM PAYMENT OF AMUSEMENT TAX ON SHOW
SCOUTS WAIVE AMUSEMENT TAX ON SHOW on tickets sold for their 1949 Centennial Exposition being staged at the Modesto Junior College Stadium, Saturday, October 8, 1949 was received by the Council, whereupon Commissioner Wilson introduced

RESOLUTION NO. 8506-N.S.

which was seconded by Commissioner Frad, waiving the amusement tax of 3¢ a ticket for the Yosemite Area Boy Scouts for their show as the funds raised are to be used in the operation of their organization, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Stanley

IN THE MATTER OF Petitions were filed by the Modesto City Schools for the annex-
PETITION FOR ANNEX- ation of the following school sites to the City of Modesto:
ATION SCHOOL PROPERTY

55 acre site of the Downey High School

10 acre site of the James Marshal Elementary School

10 acre site of the New John Muir School

By order of the Council, these petitions were referred to the City Attorney to prepare the necessary documents for presentation to the Stanislaus County Board of Supervisors.

IN THE MATTER OF Commissioner Burkner introduced
ADJOURNMENT

RESOLUTION NO. 8507-N.S.

which was seconded by Commissioner Frad, adjourning this Council meeting now in session, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Stanley

ATTEST: Rex E. Gailfus
REX E. GAILFUS, CITY CLERK

*:*****

Council Meeting

August 10, 1949

The Council of the City of Modesto met in regular session this date at 7:30 P. M. as provided by Section 1 of Ordinance No. 2-N.S.

Present: Councilmen: Frad, Wilson, Mayor Shannon

Absent: Councilmen: Burkner, Stanley

IN THE MATTER OF APPROVAL OF MINUTES The minutes of the regular meeting of July 27th and special meeting of August 3, 1949, having been heretofore read by each Councilman, where approved as so read.

1 IN THE MATTER OF REQUEST LOADING ZONE BY MILK PRODUCERS ASSOCIATION A communication from the Milk Producers Association requesting that a loading zone be established near their plant was read and referred to the Chief of Police for investigation and he was directed to obtain a detailed diagram of the location they desired for this loading zone and present to the Council for consideration.

2 IN THE MATTER OF COMMUNICATION MODESTO JR. CHAMBER OF COMMERCE A communication from the Modesto Junior Chamber of Commerce commending the City on the installation of the new street signs and the installation of the modern type street lights on J Street was read and ordered filed.

A communication from the Modesto Junior Chamber of Commerce, Safety Committee, with recommendations for the installation of stop signs and traffic signals at various locations and the repainting of pedestrian cross lines on I and J Streets from 13th Street to 17th Street was read and the City Clerk was directed to acknowledge receipt of this communication and to notify them that these recommendations were appreciated and would be considered by the Council in the future solution of the traffic problems at these locations.

3 IN THE MATTER OF CLAIMS FOR THE CITY OF MODESTO Claims against the City of Modesto for the month of July, 1949 having been heretofore audited by the Council and found to be correct, Commissioner Wilson introduced

RESOLUTION NO. 8508-N.S.

which was seconded by Commissioner Frad, ordering that all of the said claims so audited and approved be and the same are hereby allowed, with reference being made to the Auditor's Cash Record for further details relative to the amounts of withdrawals from the various funds as follows:

| | |
|----------------------------|--------------|
| GENERAL FUND----- | \$ 96,806 20 |
| WATER FUND ----- | 13,394 09 |
| LIBRARY FUND ----- | 2,528 74 |
| BOND REDEMPTION FUND ----- | 1,923 75 |
| PARKING METER FUND ----- | 287 16 |
| WATER BOND ----- | 928 29 |
| SEWER BOND ----- | 158 02 |
| Total | \$116,026 25 |

which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Frad, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Burkner, Stanley

4
IN THE MATTER OF A communication from the Chamber of Commerce requesting the \$500 00
REQUEST FOR \$500 /budgeted in the
FOURTH OF JULY /City of Modesto, 1949-1950 budget for the Fourth of July celebration
CELEBRATION
for year 1949 was read and Commissioner Wilson introduced

RESOLUTION NO. 8509-N.S.

which was seconded by Commissioner Frad, allowing claim and directing the City Auditor to draw warrant in payment as soon as the ordinance of appropriation for the 1949-50 budget is effective.

which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Frad, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Burkner, Stanley

5
IN THE MATTER OF A communication was filed by G. N. Hilburn, Architect, on behalf
REQUEST FOR CURB
CUT J. BRYAN MILLER of J. Bryan Miller requesting permit be granted to cut the curb
AND G. N. HILBURN, in Block 34, portion of lot 11 all of lots 12--16 inc. for the
ARCHITECT garage building they were constructing at this location, being on the northwest corner
of Seventh and I Streets, whereupon Commissioner Frad introduced

RESOLUTION NO. 8510-N.S.

which was seconded by Commissioner Wilson, granting permit for two curb cuts, one on the I Street side of the building of 30 feet and one on the Seventh Street side of the building of 30 feet, under the supervision of the City Engineer, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Frad, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Burkner, Stanley

6
IN THE MATTER OF BIDS WHEREAS, pursuant to advertising for bids for the sale of the
ON SALE OF BUILD-
INGS IN BLOCK 121, buildings on Block 121, lots 17 to 32 inc. on property owned
LOTS 17-32 Inc. by the City of Modesto, the City Clerk reported three bids on
file. By order of the Council these bids were held over until the next Council meeting.

7
IN THE MATTER OF Commissioner Wilson introduced
SIGNATORY OFFICIALS
ON POSTAGE METER
RENTAL CONTRACT

RESOLUTION NO. 8511-N.S.

which was seconded by Commissioner Frad, appointing, Rex E. Gailfus, City Clerk, as signatory official on postage meter rental contract between the City of Modesto and Pitney Bowes, Inc., which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Frad, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Burkner, Stanley

8
IN THE MATTER OF Whereas, pursuant to referring request of Thomas Floyd to establish
ESTABLISH STOP SIGN
ON WASHINGTON STREET a stop sign at the intersection of Washington Street, Vine Street
and I Street to the Chief of Police for investigation and recommendation, he filed a
report at this time recommending that one stop sign be installed on the northwest
corner of Washington Street, stopping traffic entering the intersection of Vine and I
Street, whereupon Commissioner Frad introduced

RESOLUTION NO. 8512-N.S.

which was seconded by Commissioner Wilson establishing stop sign on the northwest corner of Washington Street, stopping traffic entering the intersection of Vine and I Street and directing the City Engineer to install the necessary sign, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Frad, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Burkner, Stanley

9 IN THE MATTER OF
FINAL PAYMENT TO
STANDARD MATERIALS
COMPANY

Commissioner Wilson introduced

RESOLUTION NO. 8513-N.S.

which was seconded by Commissioner Frad, authorizing final payment of \$1943 73 to the Standard Materials Compsny for the improvement of College Avenue between Stoddard Avenue and Coldwell Avenue, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Frad, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Burkner, Stanley

Commissioner Wilson introduced

RESOLUTION NO. 8514-N.S.

10 which was seconded by Commissioner Frad, authorizing final payment of \$2070 30 to the Standard Materials Company for the improvement of California Avenue from Franklin Street to H Street, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Frad, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Burkner, Stanley

Commissioner Wilson introduced

RESOLUTION NO. 8515-N.S.

11 which was seconded by Commissioner Frad, authorizing final payment of \$2697 67 to the Standard Materials Company for the improvement of Fifth Street, between F Street and Sierra Drive and Sierra Drive between Fifth Street and Seventh Street, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Frad, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Burkner, Stanley

12 IN THE MATTER OF
ORD. SET TAX RATE
FOR YEAR 1949-50

Commissioner Wilson introduced an ordinance being

ORDINANCE NO. 904-N.S.

entitled: "AN ORDINANCE FIXING THE RATE OF TAXATION IN AND FOR THE CITY OF MODESTO FOR THE FISCAL YEAR 1949-50" and moved its adoption and passage to print and publish, which motion being duly seconded by Commissioner Frad, it was upon roll call carried and the ordinance ordered published as above by the following vote:

Ayes: Councilmen: Frad, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Burkner, Stanley

13 IN THE MATTER OF
FINAL ADOPTION ORD.
NO. 902-N.S. SALARY
SCHEDULE FOR OFFICIALS

Ordinance No. 902-N.S. having been heretofore introduced and ordered

printed and published at the special meeting of August 3, 1949 and

thereupon printed and published as required by the Charter of the City of Modesto, coming on for final adoption at this time, it was upon roll call so finally adopted by the following

vote:

Ayes: Councilmen: Frad, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Burkner, Stanley

IN THE MATTER OF Commissioner Frad introduced
ESTABLISH NEW CLASSI-
FICATIONS UNDER
CIVIL SERVICE

RESOLUTION NO. 8516-N.S.

which was seconded by Commissioner Wilson creating the following
new classifications under Civil Service

SEWAGE DISPOSAL PLANT MAINTENANCE MAN

SEWAGE TREATMENT PLANT SUPERINTENDENT

and recommending that the Civil Service Ordinance No. 602-N.S. be amended to include
these classifications, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Frad, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Burkner, Stanley

IN THE MATTER OF Commissioner Frad introduced an ordinance being
ORDINANCE AMENDING
ORDINANCE NO. 602-N.S.
CIVIL SERVICE

ORDINANCE NO. 905-N.S.

entitled: "AN ORDINANCE AMENDING ORDINANCE NO. 602-N.S. OF THE CITY OF MODESTO (CIVIL
SERVICE ORDINANCE)" and moved its adoption and passage to print and publish, which motion
being duly seconded by Commissioner Wilson, it was upon roll call carried and the
ordinance ordered published as above by the following vote:

Ayes: Councilmen: Frad, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Burkner, Stanley,

IN THE MATTER OF
REPORT ON CONDITIONS
ON CITY PROPERTY
ADJOINING BASEBALL
PARK

Chief of Police Pickering and Health Officer Lanquist reported
on the conditions existing on City property adjoining Tuolumne
River and the Municipal Baseball Park and recommended that a chain

gate be installed to keep cars out of the river bottom land. They stated that all
the temporary living structures erected by vagrants were burned and the property has
been cleaned up.

IN THE MATTER OF Commissioner Wilson introduced
ADJOURNMENT

RESOLUTION NO. 8517-N.S.

which was seconded by Commissioner Frad, adjourning this Council meeting now in session,
which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Frad, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Burkner, Stanley

ATTEST:


REX E. GAILFUS, CITY CLERK

Special Council Meeting

August 17, 1949

The Council of the City of Modesto met in special session this
date at 4:00 P. M. as provided by Section 2 of Ordinance No. 2-N.S.

Present: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Absent: Councilmen: None

1
IN THE MATTER OF
PETITION DECONTROL
RENT IN MODESTO

A large group of rental property owners appeared before the Council and requested that the City Council take the necessary legal action to discontinue rent control in the City of Modesto. After considerable discussion by the members of the group, the Council advised them that they would take the matter under consideration for decision at a later date, and the City Attorney was instructed to investigate and to advise the Council at a later meeting of any legal steps the Council could take on this matter.

2
IN THE MATTER OF
PETITION MODESTO
JUNIOR CHAMBER OF
COMMERCE ON FAIR

Dave Wilson Appeared before the Council on behalf of the Modesto Community Fair, being sponsored by the Modesto Junior Chamber of Commerce on September 14 to 17 inc., 1949 and requested that the Council support this fair and waive the carnival concession license fee as the proceeds of this fair are to go toward purchasing sweaters for the Junior Traffic Patrol, whereupon Commissioner Stanley introduced

RESOLUTION NO. 8518-N.S.

which was seconded by Commissioner Burkner, waiving the ~~the~~ license fee on this fair being held by the Modesto Junior Chamber of Commerce, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

3
IN THE MATTER OF
PETITION FOR ANNEX-
ATION OF EVERGREEN
TRACT

Whereas a petition for annexation of the following described territory known as the Evergreen Tract to the City of Modesto has been filed by Paul Gervais, Helen M. Gervais, Walter W. Woods, Irene Woods, Raymond Van Dam, Muriel L. Van Dam, Olan J. Beckout, Maude M. Beckout, Geo. Gagos, Akeby Gagos: Lots 12, 13, 14, 15, 16, 17 & 18 of the Evergreen Acres Tract as filed for record on September 21, 1912 in Vol. VII of Maps, page 9, Stanislaus County Records; less the northerly 20 feet of said lots 12, 13 and 14 and the southerly 20 feet of lots 16, 17, 18 and including a portion of Tully Road.

whereupon Commissioner Frad introduced

RESOLUTION NO. 8519-N.S.

which was seconded by Commissioner Burkner, accepting petition for annexation of the Evergreen Tract to the City of Modesto, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Stanley, Frad, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

4
IN THE MATTER OF
SET DATE HEARING
PETITION FOR ANNEX-
ATION EVERGREEN
TRACT

Commissioner Frad introduced

RESOLUTION NO. 8520-N.S.

which was seconded by Commissioner Burkner setting the date of September 14th at 7:30 P.M. at the City Hall as the time and place for the hearing of protests to the annexation of the Evergreen Tract to the City of Modesto, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

5
IN THE MATTER OF
ORD. ZONE PROPERTY

Commissioner Wilson introduced an ordinance being

ORDINANCE NO. 903-N.S.

entitled: " ORDINANCE CLASSIFYING NEWLY ANNEXED TERRITORY AS TO USE DISTRICT, REZONING CERTAIN AREAS AND AMENDING ZONING ORDINANCE NO. 700-N.S. BY ADDING ADDITIONAL MAP", and moved its

adoption and passage to print and publish, which motion being duly seconded, it was upon roll call carried and the ordinance ordered published as above by the following vote:

Ayes: Councilmen: Burkner, Wilson, Mayor Shannon

Noes: Councilmen: Frad and Stanley

Absent: Councilmen: None

6
IN THE MATTER OF
ORD. APPROPRIATE
FUNDS FOR YEAR
1949-1950

Commissioner Frad introduced an ordinance being
ORDINANCE NO. 905-N.S.

entitled: "AN ORDINANCE APPROPRIATING MONEY FOR THE PURCHASE OF MATERIALS AND EQUIPMENT AND FOR THE CONSTRUCTION AND MAINTENANCE OF MUNICIPAL FACILITIES FOR THE CITY OF MODESTO AND FOR THE CONSTRUCTION AND MAINTENANCE OF MUNICIPAL FACILITIES FOR THE CITY OF MODESTO AND APPROPRIATING MONEY FOR PURPOSES OF PROMOTING THE GENERAL WELFARE OF THE CITIZENS OF MODESTO" and moved its adoption and passage to print and publish, which motion being duly seconded, it was upon roll call carried and the ordinance ordered published as above by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

7
IN THE MATTER OF
AWARD BID ON HOUSES
IN BLOCK 121

The awarding of the bid for the sale of the buildings on Block 121, owned by the City of Modesto was laid over for one week.

8
IN THE MATTER OF
COMMUNICATION FROM
MODESTO PLANNING
COMMISSION ON ANNEX-
ATION

A communication was filed by the Modesto Planning Commission recommending that the City of Modesto proceed with the annexation of the Sewer Farm and the Municipal Airport to the City of Modesto. By order of the Council the City Engineer was directed to investigate and furnish a legal description of this property to the City Attorney, so that the necessary legal action could be taken for the annexation of this property.

9
IN THE MATTER OF
APPOINT SIGNATORY
OFFICIALS ON MAP OF
E. C. MELROSE TRACT

Commissioner Burkner introduced
RESOLUTION NO. 8521-N.S.

which was seconded by Commissioner Stanley appointing the mayor and Clerk as signatory officials on the final map of the E. C. Melrose Tract subdivision, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

10
IN THE MATTER OF
GRANT EXTENSION OF
TIME SAUERWEIN &
THOMPSON

Commissioner Burkner introduced
RESOLUTION NO. 8522-N.S.

which was seconded by Commissioner Wilson granting a 30 day extension for the completion of the contract for building the dog pound to contractors, Sauerwein and Thompson, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

11
IN THE MATTER OF
ADJOURNMENT

Commissioner Burkner introduced
RESOLUTION NO. 8523-N.S.

which was seconded by Commissioner Wilson adjourning this Council meeting now in session,

which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: *REX E. GAILFUS*
REX E. GAILFUS, CITY CLERK

Council Meeting
August 24, 1949

The Council of the City of Modesto met in regular session this date at 7:30 P. M. as provided by Section 1 of Ordinance No. 2-N.S.

Present: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Absent: Councilmen: None

IN THE MATTER OF APPROVAL OF MUNUTES The minutes of the regular meeting of August 10 and Sepcial meeting of August 17, 1949 having been heretofore read by each Councilman, were approved as so read.

1 IN THE MATTER OF PETITION BY MASONIC CEMETERY ASSOCIATION A request was filed by the Masonic Cemetery Association to drill a well at their cemetery as provided by Ordinance No. 869-N.S., whereupon Commissioner Wilson introduced

RESOLUTION NO. 8524-N.S.

which was seconded by Commissioner Frad, granting permit to the Masonic Cemetery Association to drill a new well at their cemetery which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Stanley

COMMISSIONER STANLEY ARRIVED AT THIS TIME.

2 IN THE MATTER OF COMMUNICATION FROM CHAMBER OF COMMERCE A request was filed by the Modesto Chamber of Commerce for the balance of \$2000 00 which had been budgeted in the 1948-49 budget for specific advertising purposes. By order of the Council, Commissioner Wilson was directed to contact the Chamber of Commerce and explain that unexpended balances in the prior year's budget were no longer available unless they had been rebudgeted in this year's budget.

3 IN THE MATTER OF PETITION USE BASEBALL FIELD-SHRINE CLUB Commissioner Wilson introduced
RESOLUTION NO. 8525-N.S.

which was seconded by Commissioner Frad granting permit to the Modesto Shrine Club to use the Modesto Municipal Baseball Field on September 10, 1949 for the purpose of holding the radio show "Queen for a Day" and to waive license fee on this show, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

4 IN THE MATTER OF ALLOW CLAIM EXPENSES CYRIL HENDERSON Commissioner Wilson introduced
RESOLUTION NO. 8526-N.S.

which was seconded by Commissioner Burkner allowing claim of \$23 54 for Cyril McC Henderson, Planning Technician on trip to San Francisco and bay area, to attend the American Institute of Planners Chapter Meeting, August 21-23, 1949, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

5 IN THE MATTER OF
GRANT REQUEST OF
MILK PRODUCERS FOR
LOADING ZONE

Commissioner Stanley introduced

RESOLUTION NO. 8527-N.S.

which was seconded by Commissioner Wilson granting request of the Milk Producer's Association for the establishment of a loading zone 83 feet in length on the west side of Tenth Street, between E and F Streets, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

6 IN THE MATTER OF
ACCEPT PETITION ANNEX-
ATION M & G OLIVEWOOD
TRACTS

Commissioner Wilson introduced

RESOLUTION NO. 8528-N.S.

which was seconded by Commissioner Frad accepting petition for the annexation of the following described property:

Lots 1-5 inclusive of the Mission Grove Tract, as filed for record on June 13, 1917, in Volume 8 of Maps, Page 50, Stanislaus County Records and Lots 13-17 inclusive of the M and G Olivewood Tract, as filed for record on October 15, 1928 in Volume 11 of Maps, Page 8 of Stanislaus County Records and the entire Falk Tract, as filed for record on July 5, 1939, in Volume 11, Page 62 of Stanislaus County Records, which property is more precisely described as follows:

Beginning on the existing city limits at the Northeast corner of Lot 3 of Block 706 of the City of Modesto; thence Northerly 30 feet to a point on the center line of Griswold Avenue; thence Easterly 5 feet to a point 25 feet West of the Southeast corner of Lot 2 of the aforementioned Mission Grove Tract; thence North 1° 15' West 630.30 feet more or less to the Northeast corner of Lot 1 of the aforementioned Falk Tract; thence along the South boundary of Fairmont Avenue 626.80 feet more or less to a point on the West boundary of said Falk Tract (which point is also the Southwest corner of the Hobron Van Wye Tract); thence along said West boundary 299.50 feet more or less to a point 8.57 feet East of the Northeast corner of Lot 13 of Block 726 of the aforementioned M and G Olivewood Tract; thence along the North boundary of said Lot 136.20 feet more or less to the East Boundary of Magnolia Avenue; thence along said East boundary 355.40 feet more or less to the Northwest corner of Lot 34, Block 708 of the City of Modesto thence along the existing corporate limits the following courses and distances; South 89° 06' East 140.14 feet more or less; thence South 0° 57' East 5 feet thence South 88° 32' East 630.25 feet to the point of beginning.

which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

7 IN THE MATTER OF
SET DATE PROPOSED
ANNEXATION M & G
OLIVEWOOD TRACTS
AND FALK TRACT-
MISSION GROVE

Commissioner Wilson introduced

RESOLUTION NO. 8529-N.S.

which was seconded by Commissioner Frad setting the date of September 14th, 1949 at the hour of 7:30 P. M. in the Council Chambers of the City Hall as the time and place to hear protests to the annexation of the portion of Mission Grove, and M & G Olivewood Tracts and all of the Falk Tract

to the City of Modesto as described in resolution No. 8528-N.S., which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

8
IN THE MATTER OF
COMMUNICATION G. E.
GAULT & SON
of Modesto.

G. E. Gault & Son filed a petition with the Council to withdraw their bid on the sale of the buildings in Block 121, belonging to the City

9
IN THE MATTER OF
BIDS ON SALE OF
CITY HOUSES BLOCK
121

Whereas pursuant to referring all bids to the City Engineer on the sale of the buildings on Block 121 for investigation and recommendation, he reported at this time that he recommended accepting the bid of E. K. Heatson on item F "One story corrugated iron garage, 20' x 30'" for \$38 50 and rejecting all other bids on items A to E inc. and item G, whereupon Commissioner Stanley introduced

RESOLUTION NO. 8530-N.S.

which was seconded by Commissioner Wilson awarding bid on item F to E. K. Hoatson and rejecting all other bids and authorizing the City Engineer to advertise these buildings for sale, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

10
IN THE MATTER OF
ORD. ANNEX RICE
COLONY, LOT 3

Whereas no protest were filed to the proposed annexation of Rice Colony, lot 3 to the City of Modesto, Commissioner Burkner introduced an ordinance being

ORDINANCE NO. 907-N.S.

entitled: "AN ORDINANCE ANNEXING UNINHABITED TERRITORY (A PORTION OF LOT 3 OF THE RICE COLONY) TO THE CITY OF MODESTO", and moved its adoption and passage to print and publish, which motion being duly seconded by Commissioner Frad, it was upon roll call carried and the ordinance ordered published as above by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

11
IN THE MATTER OF
FINAL ADOPTION ORD.
NO. 903-N.S. CLASSIFY
ANNEXED TERRITORY

Ordinance No. 903-N.S. having been heretofore introduced and ordered printed and published at the regular meeting of August 10, 1949 and thereupon printed and published as required by the Charter of the City of Modesto, coming on for final adoption at this time, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Burkner, Wilson, Mayor Shannon

Noes: Councilmen: Stanley and Frad

Absent: Councilmen: None

12
IN THE MATTER OF
FINAL ADOPTION ORD.
NO. 904-N.S. FIX RATE
OF TAXATION FOR YEAR
1949-1950

Ordinance No. 904-N.S. having been heretofore introduced and ordered printed and published at the regular meeting of August 10, 1949 and thereupon printed and published as required by the Charter of the City of Modesto, coming on for final adoption at this time, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

13
IN THE MATTER OF Ordinance No. 905-N.S. having been heretofore introduced and
FINAL ADOPTION ORD. NO. 905-N.S. AMEND ordered printed and published at the regular meeting of August
CIVIL SERVICE 10, 1949 and thereupon printed and published as required by the
ORDINANCE Charter of the City of Modesto, coming on for final adoption at this time, it was
upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

14
IN THE MATTER OF Ordinance No. 906-N.S. having been heretofore introduced and ordered
FINAL ADOPTION ORD. printed and published at the special meeting of August 17, 1949
NO. 906-N.S. APPRO- and thereupon printed and published as required by the Charter
PRIATIONS FOR YEAR of the City of Modesto, coming on for final adoption at this time, it was upon roll
1949-1950 call so finally adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

15
IN THE MATTER OF Whereas, pursuant to referring request of the Modesto High
REQUEST BY THE MODESTO School for the establishment of a "No Parking Area" near the Boy's
HIGH SCHOOL FOR "NO PARKING AREA" NEAR Gymnasium and the woodshop to the City Engineer and Police Chief
THE HIGH SCHOOL for investigation and recommendation, they filed a report at this time that curbs and
gutters should be built by the High School before the establishment of these "No Parking"
areas and the City Engineer was directed to contact the school authorities.

16
IN THE MATTER OF Pursuant to referring the request of the Skaggs Realty Company,
REQUEST TWO HOUR PARK- ING SKAGGS REALTY CO. 423 14th Street, to establish two or three 2 hour parking spaces
in front of their place of business to the City Engineer for investigation and recommendation,
he reported at this time that he recommended this request be denied as the traffic conditions
at this location did not warrant the establishment of two hour parking, whereupon
Commissioner Burkner introduced

RESOLUTION NO. 8531-N.S.

which was seconded by Commissioner Frad, rejecting the request of the Skaggs Realty
Company for the establishment of two or three two hour parking spaces in front of
their place of business, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

17
IN THE MATTER OF Commissioner Burkner introduced
AUTHORIZE HARRY MOORE RESOLUTION NO. 8532-N.S.
ATTENDING MEETING

which was seconded by Commissioner Frad authorizing Harry Moore,
Assistant Superintendent of Electricity to attend the annual meeting of the Southwestern
section of the International Association of Electrical Inspectors at San Diego, October
10, 11, 12, 1949, with all expenses paid, which resolution was regularly adopted by the
following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

18
IN THE MATTER OF Commissioner Burkner introduced
ADJOURNMENT RESOLUTION NO. 8533-N.S.

which was seconded by Commissioner Wilson, adjourning this Council meeting now in session,
which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: 
REX E. GAILFUS, CITY CLERK

Special Council Meeting

August 30, 1949

The Council of the City of Modesto met in special session this date at
5:00 P.M. as provided by Section 2 of Ordinance No. 2-N.S.

Present: Councilmen: Frad, Stanley, Wilson, Mayor Shannon

Absent: Councilmen: Burkner

IN THE MATTER OF ACCEPT CHARTER FROM BOARD OF FREEHOLDERS AND CALL SPECIAL ELECTION
Whereas, Robert B. Fowler, Chairman of the Board of Freeholders, elected at a special election, November 2, 1948, appeared before the Council and presented the Charter which had been prepared by the Board of Freeholders, whereupon Commissioner Stanley introduced

RESOLUTION NO. 8534-N.S.

which was seconded by Commissioner Frad, accepting the Charter as prepared and proposed by the board of Freeholders and recommending that the special election for the ratification or rejection of the Charter, be held on November 8, 1949 in consolidation with the State Special Election, and authorizing the Board of Supervisors of the County of Stanislaus to canvass the returns of the election and the City Clerk to publish an election proclamation, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Burkner

IN THE MATTER OF AUTHORIZE CITY CLERK PUBLISH CHARTER
Commissioner Frad introduced

RESOLUTION NO. 8535-N.S.

which was seconded by Commissioner Stanley, authorizing the City Clerk to publish the Charter prepared and proposed by the Board of Freeholders one time in the Modesto Bee, the official newspaper of the City of Modesto, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Burkner

IN THE MATTER OF ADJOURNMENT
Commissioner Frad introduced

RESOLUTION NO. 8536-N.S.

which was seconded by Commissioner Stanley adjourning this Council meeting now in session,
which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Burkner

ATTEST: 
REX E. GAILFUS, CITY CLERK

September 7, 1949

The Council of the City of Modesto met in special session this date at 4:00 P.M. as provided by Section 2 of Ordinance No. 2-N.S.

Present: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Absent: Councilmen: None

1
IN THE MATTER OF
PROTEST TO AUCTION
SALE BY LOCAL
JEWELER

A group of local merchants operating jewelry shops represented by John Fairweather appeared before the Council protesting to the type of auction recently held by a local jeweler and suggested that some new ordinance patterned along the line of the Bakersfield Ordinance, a copy of which they filed with the Council, be adopted by the Council. The Council members indicated that they would like to study this ordinance and if they find that it is necessary they will adopt some new regulations at another meeting. Commissioner Stanley suggested that the use of search lights in the city limits be prohibited. The City Attorney was instructed to prepare an ordinance for consideration by the Council in regard to this matter.

2
IN THE MATTER OF
PETITION FOR SEWER
AND WATER SERVICE

A petition was filed by Clara J. and Daniel F. Burkner for sewer and water service to property east of Sunrise Avenue, north of Helen Avenue, outside the city limits. They were informed that the City would not be able to serve them at the present time and suggested that they annex this territory to the City of Modesto.

3
IN THE MATTER OF
ACCEPT PETITION FOR
ANNEXATION OF PORTION
1000 OAKS TRACT

Whereas a petition has been filed for the annexation of a portion of 1000 Oaks Tract to the City of Modesto by Allan D. Harris, Idamae Harris, D. J. Scott, Luella V. Scott, Lew Muth, Esther N. Muth, Clarence R. Johnson, Birdella E. Johnson, Homer H. Fair and Margaret J. Fair, Commissioner Wilson introduced

RESOLUTION NO. 8537-N.S.

which was seconded by Commissioner Burkner, accepting the said petition for annexation from said applicants, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

4
IN THE MATTER OF
SET DATE FOR HEARING
ANNEXATION PORTION
1000 OAKS TRACT

Commissioner Wilson introduced

RESOLUTION NO. 8538-N.S.

which was seconded by Commissioner Stanley setting the date of September 28, 1949 at the hour of 7:30 o'clock P.M. of said day in the Council Chambers of the City Hall as the time and place for considering said petition for annexation of a portion of 1000 Oaks Park to the City and directing the City Clerk to cause a copy of this resolution to be published in the Modesto Bee the official newspaper of the City of Modesto at least once a week for two successive weeks prior to the time set for hearing, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

5
IN THE MATTER OF
COMMUNICATIONS

A communication from Nathan Long on the holding of auction sales by local jewelers was read and ordered filed.

6
IN THE MATTER OF
NO PARKING AREA
NEAR HIGH SCHOOL

Whereas pursuant to referring the request of the Modesto High School for a "No Parking" area by the Boys' Gymnasium and the woodshop to the City Engineer for investigation and recommendation, he reported he had contacted the High School with a request that they build curb and gutters at the location where they wished the "No Parking" area and the High School has filed a new request stating that they had authorized the placing of a curb in front of the Boy's Gym and requested that the "No Parking" area be established at this location but they did not wish to put in curb past their bus loading area until the shop was razed and requested that permission be granted to establish a "No Parking" area at the entrance to the bus loading zone on a temporary basis until such time as they can comply with our request and put in a curb, whereupon Commissioner Burkner introduced

RESOLUTION NO. 8539-N.S.

which was seconded by Commissioner Frad authorizing the City Engineer to go ahead on the establishment of the "No Parking" area as requested by the Modesto High School, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

7
IN THE MATTER OF
PROTEST TO DRIVE-IN
MC HENRY & ALICE
AVENUES

A protest was filed by Marie C. Wilson to the cars parking in the alley near the drive-in built on McHenry Avenue and Alice Avenue during the late hours of the night and the noise caused by cars going up and down the alley near the drive-in. The City Clerk was authorized to communicate with Mrs. Wilson and notify her that everything would be done to see that these conditions were improved as the City Council realized that the situation was annoying to the people in the neighborhood.

8
IN THE MATTER OF
COMMUNICATION RE:
DOGS

A communication from Mrs. Eugene Leluch protesting to the regulations of dogs in the City of Modesto was read and ordered filed.

9
IN THE MATTER OF
REQUEST FOR CURB
CUT AND TRANSFER
USED CAR LOT DON
MANTARRO

A petition was filed by Don Mantarro to transfer his used car lot from 1111 Tenth to 1415 Tenth Street, block 61, lots 9-10 and for a curb cut for a driveway at this new location, whereupon Commissioner Burkner introduced

RESOLUTION NO. 8540-N.S.

which was seconded by Commissioner Stanley, granting permit for a curb cut at above location under the supervision of the City Engineer and permit for transfer providing Mr. Mantarro supplied the City Clerk a statement that the sanitary facilities had been installed or provided he filed a statement that the sanitary facilities on the adjoining premises were available and payment of \$5.00 transfer fee had been paid, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

10
IN THE MATTER OF
REQUEST LIMITED
PARKING ADRIAN R.
GOODGER

A request was filed by Miss Adrian R. Goodger for one hour parking limit on 11th Street between F and G Streets, as she was planning on putting in a business at 620 11th Street. This request was referred to the Chief of Police for investigation and recommendation.

11
IN THE MATTER OF
REQUEST FOR DONATION
CHAMBER OF COMMERCE

Commissioner Wilson introduced

RESOLUTION NO. 8541-N.S.

which was seconded by Commissioner Frad authorizing donation of \$2000 00

to the Modesto Chamber of Commerce as provided in the 1949-1950 budget and directing the City Clerk to draw warrant as soon as the ordinance of appropriation for 1949-1950 was effective, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

12
IN THE MATTER OF
REQUEST BY MODESTO
CITY SCHOLS ERECT
BANNER

A communication from James H. Corson, Superintendent of Schools requesting that the Council grant permit to the Boy Scouts of America to erect a banner at Tenth and J Streets to advertise their Centennial Exposition to be held at the Modesto Junior College Stadium, October 8, whereupon Commissioner Wilson introduced

RESOLUTION NO. 8542-N.S.

which was seconded by Commissioner Burkner, granting permit to erect banner to the Boy Scouts of America at Tenth and J Streets without paying the usual fee of \$10 00 due to the fact that this was such a worthy program, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

13
IN THE MATTER OF
ANNUAL REPORT OF
THE POLICE COURT

The annual report of the Police Court was accepted and ordered filed.

14
IN THE MATTER OF
OFF-STREET PARKING
COMMITTEE

A report was submitted by George Lucas, Chairman of the Off-Street Parking Committee setting forth what had been done by the Committee and recommending that the City take action on the appointment of an official Parking Authority. This report was accepted by the Council and placed on file. The City Clerk was instructed to notify George Lucas that the matter would be studied for one week and considered at the regular meeting on September 14, 1949.

15
IN THE MATTER OF
COMMUNICATION MC HENRY
PUBLIC LIBRARY

A communication from the Mc Henry Public Library requesting that a transfer be made of \$3500 00 of the unexpended balance of the Library budget for the year 1948-1949 to the Mc Henry Public Library Capital Outlay Building Fund, whereupon Commissioner Wilson introduced .

RESOLUTION NO. 8543-N.S.

which was seconded by Commissioner Frad authorizing the transfer of \$3500.00 from the Library Fund to the Special Mc Henry Public Library Capital Outlay Building Fund and directing the Auditor to make the proper entries in his records, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

16
IN THE MATTER OF
AUTHORIZE CLERK CALL
FOR BIDS ON CHLORAMINE-T

Commissioner Frad introduced

RESOLUTION NO. 8544-N.S.

which was seconded by Commissioner Wilson authorizing the City Clerk to call for bids on 100-350 pound drums of Chloramine-T Compound conforming to the specifications as set forth in Notice to Bidders, said bids to be opened on September 14, 1949, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

17
IN THE MATTER OF Commissioner Burkner, introduced
PROGRESSIVE PAYMENT
ON DOG POUND RESOLUTION NO. 8545-N.S.

which was seconded by Commissioner Stanley authorizing progressive payment of \$2700 00 to Sauerwein and Thompson, Contractors on the construction of the Municipal Dog Pound, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

18
IN THE MATTER OF Commissioner Burkner introduced
PROGRESSIVE PAYMENT
ON PUMP STATION NO. RESOLUTION NO. 8546-N.S.
15

which was seconded by Commissioner Stanley authorizing progressive payment of \$2019 67 to Saurewein and Thompson Contractors for the Construction of Water Pumping Station No. 15, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

19
IN THE MATTER OF Whereas the City Engineer has filed report of completion on the
PAYMENT ON IMPROVE- improvement of Maze Boulevard from the West property line of Franklin
MENT MAZE BOULEVARD Street to the West City Limits and the construction of storm sewer by the Standard Materials
Company and whereas a payment of \$3775 76 is now due and payable to said company, Commissioner
Burkner introduced

RESOLUTION NO. 8547-N.S.

which was seconded by Commissioner Wilson accepting the work as completed for the above improvement from the said Standard Materials Company and directing the City Clerk to file Notice of Completion with the Recorder of Stanislaus County and authorizing progressive payment of \$3775 76, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

20
IN THE MATTER OF Whereas the City Engineer has filed a report on the completion of the
PAYMENT P & J construction of a Sanitary Sewer Relief Line on H Street between Cali-
ARTUKOVICH fornia Avenue and Ruberto Street by P & J Artukovich, Inc. and whereas a payment of \$5567 10
is now due and payable on their contract and \$127.96 on extra work done, Commissioner Burkner
introduced

RESOLUTION NO. 8548-N.S.

which was seconded by Commissioner Wilson accepting the work as completed by P & J Artukovich, Inc. and directing the City Clerk to file Notice of Completion with the Recorder of Stanislaus County and to draw warrants in payment on both the contract and extra work done, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Stanley, Wilson, Frad, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

21
IN THE MATTER OF Commissioner Burkner introduced
GRANT EXTENSION OF
TIME COMPLETE RESOLUTION NO. 8549-N.S.
CONTRACTS

which was seconded by Commissioner Wilson granting an extension until September 10th to Sauerwein and Thompson for the completion of pump station No. 15, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Stanley, Wilson, Frad, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

Commissioner Burkner introduced

RESOLUTION NO. 8550-N.S.

22 which was seconded by Commissioner Frad granting an extension of 20 days to Sauerwein and Thompson for the completion of Pump Station No. 14, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

23
IN THE MATTER OF
GRANT REQUEST OF
MODESTO EXCHANGE
CLUB USE BASEBALL
PARK

Commissioner Wilson introduced

RESOLUTION NO. 8551-N.S.

which was seconded by Commissioner Burkner granting permit to the Modesto Exchange Club to use the Municipal Baseball Park on October 9th for a model aircraft meet, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

24
IN THE MATTER OF
APPOINT SIGNATORY
OFFICIALS

Commissioner Frad introduced

RESOLUTION NO. 8552-N.S.

which was seconded by Commissioner Wilson appointing the Mayor as signatory official on a report on inspection and inventory of 0.34 of an acre of unimproved land at the Modesto Municipal Airport, rented to the Twelfth Naval District for Volunteer Electronic Warfare Program, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

25
IN THE MATTER OF
AGREEMENT WITH MODESTO
CITY BOARD OF EDUCATION
NURSING SERVICE

Commissioner Stanley introduced

RESOLUTION NO. 8553-N.S.

which was seconded by Commissioner Wilson approving agreement with the Modesto City Board of Education for nursing service for the school term ending June 15, 1950 and appointing the Mayor and Auditor as signatory officials, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

26
IN THE MATTER OF
PETITION STOP SIGNS
TENTH, NEEDHAM AND
COLLEGE AVENUES

A petition was filed by a group of citizens requesting that stop signs be placed on Needham Avenue at the intersection of Tenth Street and College Avenues. This matter was referred to the Chief of Police and City Engineer for investigation and recommendation.

27
IN THE MATTER OF
COMMUNICATION FROM
FRANK ANDREWS

A communication from Frank Andrews regarding the condition of poles installed in the City by the Modesto Irrigation District and the

Pacific Telephone and Telegraph Company, was read and ordered filed.

COMMISSIONER WILSON LEFT THE COUNCIL MEETING AT THIS TIME

28

IN THE MATTER OF
LETTER TO STATE
DIVISION OF PUBLIC
HEALTH

Commissioner Stanley introduced

RESOLUTION NO. 8554-N.S.

which was seconded by Commissioner Burkner authorizing the City Engineer to make a request to the Department of Public Health of the State of California for a change in operation of the Industrial Sewage Plant of the City of Modesto to provide for

- a. That the five million gallons of double screen chemically treated liquid waste be released to our present settling ponds, then aerated and released to oxidation ponds and final percolating ponds
- b. That all liquid cannery waste in excess of five million gallons per day be released to the Tuolumne River after double screening followed by chemical treatment

and that a copy of said request be sent to the Division of Fish and Game of the State of California, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Wilson

IN THE MATTER OF
ADJOURNMENT

Commissioner Stanley introduced

RESOLUTION NO. 8555-N.S.

which was seconded by Commissioner Burkner adjourning this Council meeting now in session, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Wilson

ATTEST: 
REX E. GAILFUS, CITY CLERK

Council Meeting
September 14, 1949

The Council of the City of Modesto met in regular session this date at 7:30 P.M. as provided by Section 1 of Ordinance No. 2-N.S.

Present: Councilmen: Burkner, Frad, Wilson, Acting Mayor Stanley

Absent: Councilmen: Mayor Shannon

IN THE MATTER OF
APPROVAL OF MINUTES

The minutes of the regular meeting of August 24, 1949, special meetings of August 30 and September 7, 1949 having been heretofore read by each

Councilman were approved as so read.

IN THE MATTER OF
ORAL COMMUNICATIONS

Whereas, pursuant to delaying action on appointment of an official Parking Authority as recommended in the report filed by the "Off-Street Parking Committee" at the special Council meeting held on September 7, 1949, George Lucas, Chairman of the "Off-Street Parking Committee", appeared before the Council and stated that this committee has accomplished all they could and recommended that the Council appoint a Parking Authority and he explained the new parking law of 1949 (Section 4 entitled "Creation of Parking Authorities"), as adopted by the State and the powers of this Authority, whereupon

Commissioner Wilson introduced

RESOLUTION NO. 8556-N.S.

which was seconded by Commissioner Frad, recommending that the Off-Street Parking Committee be given a vote of appreciation for their work on this committee and also recommended that the Council consider the matter of the appointment of a Parking Authority further before taking any action, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Wilson, Acting Mayor Stanley

Noes: Councilmen: None

Absent: Councilmen: Mayor Shannon

2 IN THE MATTER OF Mr. Porter appeared before the City Council requesting water
WATER SERVICE REQUEST- service for six new homes which he is building on Florida Avenue,
BY MR. PORTER north of the city limits outside the present water service area and requested that the
Council consider giving water service to these houses. He was informed that at the
present time the City would be unable to extend the water line into this district.

3 IN THE MATTER OF Claims against the City of Modesto for the month of August, 1949
CLAIMS FOR MONTH OF AUGUST, 1949 having been heretofore audited by the Council and found to be correct,
Commissioner Wilson introduced

RESOLUTION NO. 8557-N.S.

which was seconded by Commissioner Frad, ordering that all of the said claims so audited and approved be and the same are hereby allowed with reference being made to the Auditor's Cash Record for further details relative to the amounts of withdrawals from the various funds as follows:

| | |
|-----------------------|---------------------|
| General ----- | \$126,708 83 |
| Water ----- | 11,797 88 |
| Library ----- | 2,841 20 |
| Bond Redemption ----- | 10 00 |
| Gas Tax Fund ----- | 6,709 70 |
| Parking Meter ----- | 255 84 |
| Fire Bond ----- | 102 46 |
| Water Bond ----- | 4,341 94 |
| Sewer Bond ----- | 402 29 |
| Total | <u>\$153,170 14</u> |

which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Wilson, Acting Mayor Stanley

Noes: Councilmen: None

Absent: Councilmen: Mayor Shannon

4 IN THE MATTER OF A request was filed by the Modesto Community Chest for permission
REQUEST ERECT BANNERS to erect banners to advertise the Modesto Community Chest Campaign
MODESTO COMMUNITY CHEST which will start on October 17, 1949 in the business area,
whereupon Commissioner Wilson introduced

RESOLUTION NO. 8558-N.S.

which was seconded by Commissioner Burkner, granting permit for the erection of these banners by the Modesto Community Chest and directing the Fire Department to erect the banners and waiving the usual banner fee of \$10.00 on each banner, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Wilson, Acting Mayor Stanley

Noes: Councilmen: None

Absent: Councilmen: Mayor Shannon

5
IN THE MATTER OF
REQUEST TRANSFER
AMERICAN AUTO SALES
USED CAR LOT

A petition was filed by the American Auto Sales for transfer of their used car lot from 1325 Tenth Street, to 1405 Tenth Street, lots 13 and 14 in Block 61, whereupon Commissioner Burkner introduced

RESOLUTION NO. 8559-N.S.

which was seconded by Commissioner Frad, granting transfer of used car lot of the American Auto Sales providing the usual \$5.00 transfer fee is paid and sanitary facilities are available at the new location as required by the Building Code, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Wilson, Acting Mayor Stanley

Noes: Councilmen: None

Absent: Councilmen: Mayor Shannon

6
IN THE MATTER OF
AWARD BID ON
CHLORAMINE-T

Whereas, pursuant to advertising for bids on Chloramine-T, the City Clerk reported one bid on file from the Wyandotte Chemicals Corporation for \$6251 07, whereupon Commissioner Frad introduced

RESOLUTION NO. 8560-N.S.

which was seconded by Commissioner Burkner, awarding the bid to the said Wyandotte Chemical Corporation as they are a responsible bidder, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Wilson, Acting Mayor Stanley

Noes: Councilmen: None

Absent: Councilmen: Mayor Shannon

7
IN THE MATTER OF
HEARING ON ANNEXATIONS

Whereas, pursuant to advertising the hearing to be held as of this date on protests to the proposed annexation of a portion of the Mission Grove, M & G Olivewood Tracts and all of the Falk Tract to the City of Modesto and whereas no protests were filed, Commissioner Burkner introduced an ordinance, being

ORDINANCE NO. 908-N.S.

entitled: "AN ORDINANCE ANNEXING UNINHABITED TERRITORY, BEING A PORTION OF THE MISSION GROVE AND M & G OLIVEWOOD TRACTS AND ALL OF THE FALK TRACT TO THE CITY OF MODESTO", and moved its adoption, and passage to print and publish, which motion being duly seconded, by Commissioner Frad, it was upon roll call carried and the ordinance ordered published as above by the following vote:

Ayes: Councilmen: Burkner, Frad, Wilson, Acting Mayor Stanley

Noes: Councilmen: None

Absent: Councilmen: Mayor Shannon

8
Whereas, pursuant to advertising hearing of protests to the proposed annexation of the Evergreen Acres Tract to the City of Modesto, and whereas no protests were filed, Commissioner Burkner introduced an ordinance, being

ORDINANCE NO. 909-N.S.

entitled: "AN ORDINANCE ANNEXING UNINHABITED TERRITORY, BEING A PORTION OF THE EVERGREEN ACRES TRACT TO THE CITY OF MODESTO", and moved its adoption and passage to print and publish, which motion being duly seconded by Commissioner Frad, it was upon roll call carried and the ordinance ordered published as above by the following vote:

Ayes: Councilmen: Burkner, Frad, Wilson, Acting Mayor Stanley

Noes: Councilmen: None

Absent: Councilmen: Mayor Shannon

9
IN THE MATTER OF
SET WAGE SCALE FOR
PUBLIC WORKS

Commissioner Burkner introduced

RESOLUTION NO. 8561-N.S.

which was seconded by Commissioner Wilson establishing prevailing rate of per hour wages for certain classifications of public works performed under contract in the City of Modesto and rescinding Resolution No. 8180-N.S. adopted by the Council of the City of Modesto on December 1, 1948, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Wilson, Acting Mayor Stanley

Noes: Councilmen: None

Absent: Councilmen: Mayor Shannon

IN THE MATTER OF Commissioner Burkner introduced
CALL FOR BIDS

RESOLUTION NO. 8562-N.S.

10 which was seconded by Commissioner Frad authorizing the City Clerk to advertise for bids for the improvement of Johnson Street, between Jones Street and Morris Avenue, said bids to be opened on September 28, 1949, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Wilson, Acting Mayor Stanley

Noes: Councilmen: None

Absent: Councilmen: Mayor Shannon

Commissioner Burkner introduced

RESOLUTION NO. 8563-N.S.

11 which was seconded by Commissioner Frad authorizing the City Clerk to advertise for bids for the improvement of Washington Street from Maze Boulevard to I Street and First Street from Washington Street to H Street, in accordance with the plans and specifications on file in the office of the City Engineer, said bids to be opened on September 28, 1949, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Wilson, Acting Mayor Stanley

Noes: Councilmen: None

Absent: Councilmen: Mayor Shannon

12 IN THE MATTER OF
FINAL ADOPTION OF
ORD. NO. 907-N.S.
ANNEX PORTION LOT
3 OF RICE COLONY

Ordinance No. 907-N.S. having been heretofore introduced and ordered printed and published at the regular meeting of August 24, 1949 and thereupon printed and published as required by the

Charter of the City of Modesto, coming on for final adoption at this time, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Wilson, Acting Mayor Stanley

Noes: Councilmen: None

Absent: Councilmen: Mayor Shannon

13 IN THE MATTER OF
CALL FOR BIDS ON
AUTO FOR HEALTH
DEPARTMENT

Commissioner Frad introduced

RESOLUTION NO. 8564-N.S.

which was seconded by Commissioner Wilson, calling for bids on one new 1949-1950 model 6 or 8 cylinder Coupe, cost not to exceed \$1700 00 to be used in the Health Department, said bids to be opened on September 28, 1949, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Wilson, Acting Mayor Stanley

Noes: Councilmen: None

Absent: Councilmen: Mayor Shannon

14 IN THE MATTER OF
AUTHORIZE R. C. RHIEN
ATTEND PLUMBING
INSPECTOR'S CONFERENCE

Commissioner Burkner introduced

RESOLUTION NO. 8565-N.S.

which was seconded by Commissioner Wilson authorizing R. C. Rhiem, plumbing inspector of the City of Modesto to attend Plumbing Inspector's Conference in

Santa Barbara, October 13-15, 1949, with all expenses paid, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Wilson, Acting Mayor Stanley

Noes: Councilmen: None

Absent: Councilmen: Mayor Shannon

15
ON THE MATTER OF
AUTHORIZE CLERK
ATTEND STATE INSTI-
TUTE DEPARTMENT OF
PUBLIC HEALTH

Commissioner Wilson introduced

RESOLUTION NO. 8566-N.S.

which was seconded by Commissioner Burkner, authorizing
Elsie Nordfelt, Clerk in the City Health Department to attend the Institute for^{Local} Public
Health Statistical Personnel in Los Angeles from October 17 to October 21, inclusive
with expenses paid by the State Department of Public Health, which resolution was regular-
ly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Wilson, Acting Mayor Stanley

Noes: Councilmen: None

Absent: Mayor Shannon

16
IN THE MATTER OF
REPORTS

The annual report of the Fire Department was accepted and
ordered filed.

Departmental reports for the month of August, 1949 were accepted and ordered filed.

A report was filed by Cyril McC Henderson, Planning
Technician and Secretary of the Planning Commission entitled "Survey of the Ordinances
of the City of Modesto in respect to their Effect on Annexation and a Complementary
report on the Resolutions of the City of Modesto", as requested by the Council in
Resolution No. 8421-N.S. adopted June 1, 1949, whereupon after discussion of this
report by the Council, Commissioner Wilson introduced

RESOLUTION NO. 8567-N.S.

which was seconded by Commissioner Burkner, accepting the report as filed by Mr.
Henderson and expressing the appreciation of the Council for the report, no action
being taken by the council until further study could be made of the report, which
resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Wilson, Acting Mayor Stanley

Noes: Councilmen: None

Absent: Mayor Shannon

17
IN THE MATTER OF
REPORT BY CITY ENGI-
NEER ON SALE OF CITY
BUILDINGS

Whereas, pursuant to referring the sale of the buildings
on the city property in Block 121 to the City Engineer, he
reported that all the buildings had been sold to the following

persons:

| Name | Location of buildings | Sold for |
|--|---|------------|
| J. D. Greenhaw, 924 Crows Landing Road | 1505 H Street | \$200.00 |
| H. Sullivan, 1504 Woodworth St. | 1503 H Street | 300.00 |
| J. C. Casey, 904 Bonita | 812 15th St. | 200.00 |
| Jim Johnson, 427 Hatch Road | 1500 I Street | 200.00 |
| Ben Mooney, 436 Empire | 808 15th Street | 150.00 |
| A. Sullivan | 4-1 story frame accessory buildings | 10.00 |
| Total | | \$1,060.00 |

18
IN THE MATTER OF
ORD. REGULATE SEARCH
LIGHTS

Commissioner Frad introduced an ordinance being
ORDINANCE NO. 910-N.S.

entitled: "An Ordinance Prohibiting the Use of Search Lights in the City of Modesto", and moved its adoption and passage to print and publish, which motion being duly seconded, it was upon roll call carried and the ordinance ordered published as above by the following vote:

Ayes: Councilmen: Burkner, Frad, Wilson, Acting Mayor Stanley

Noes: Councilmen: None

Absent: Mayor Shannon

19
IN THE MATTER OF
ADJOURNMENT

Commissioner Frad introduced
RESOLUTION NO. 8568-N.S.

which was seconded by Commissioner Burkner, adjourning the Council meeting now in session, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Wilson, Acting Mayor Stanley

Noes: Councilmen: None

Absent: Mayor Shannon

ATTEST: REX E. GAILFUS, CITY CLERK

Rex E. Gailfus

Special Council Meeting

September 21, 1949

The Council of the City of Modesto met in special session this date at 4:00 P.M. as provided by Section 2 of Ordinance No. 2-N.S.

Present: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Absent: Councilmen: None

IN THE MATTER OF
PETITION MOVE USED
CAR LOT - GRISWOLD
AND WIGHT

Commissioner Wilson introduced
RESOLUTION NO. 8569-N.S.

which was seconded by Commissioner Burkner granting permit to Griswold and Wight to move their used car lot from 1230 10th Street to 1325 Tenth Street providing the removal fee of \$5.00 is paid and sanitary accommodations are available at the new location as required by the Building Code, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

2
IN THE MATTER OF
AMEND ORD. NO. 862-N.S.
SALES TAX

Commissioner Stanley introduced as ordinance being
ORDINANCE NO. 911-N.S.

entitled: "AN ORDINANCE AMENDING SECTION 3 of ORDINANCE NO. 862-N.S. OF THE CITY OF MODESTO BY INCORPORATING AND DELETING NEW AMENDMENTS OF THE CALIFORNIA STATE SALES AND USE TAX LAW" and moved its adoption, and passage to print and publish, which motion being duly seconded by Commissioner Wilson, it was upon roll call carried and the ordinance ordered published as above by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

3
IN THE MATTER OF
HEARING ON UNPAID
ASSESSMENTS ON
LIGHTING OF J STREET

This being the time fixed pursuant to the published notice when interested persons might appear before the Council and show cause why bonds should not be issued upon the

security of unpaid assessments shown on the said list as filed by the Street Superintendent for work done under Resolution of Intention No. 236, and no written objections being made to the Council, thereupon under Resolution No. 814-S.P. the Council determined the assessments which are unpaid and the aggregate amount of the same and the denomination of the bonds. The following is the Resolution of the Council in the matter, duly adopted and ordered entered upon its minutes:

RESOLUTION NO. 814-S.P.

A RESOLUTION PROVIDING FOR THE ISSUANCE OF STREET IMPROVEMENTS BONDS PRESCRIBING THE DENOMINATION OF SUCH BONDS AND OF THE INTEREST COUPONS ATTACHED THERETO.

WHEREAS, the City Council of the City of Modesto did on the 9th day of February, 1949, pass its Resolution of Intention No. 236 for the improvement of "J" Street from the easterly property line of Twelfth Street to the Westerly property line of Seventeenth Street by constructing along each side of said street a street light, illuminating system, in said city, under and pursuant to the provisions of the "Improvement Act of 1911", and the amendments thereto and to the resolutions, notices and other proceedings of said Council duly adopted and taken, reference to said Resolution of Intention being hereby expressly made for further particulars; and

WHEREAS, the contract for said work and improvement was duly awarded and thereafter duly completed to the satisfaction of the City Engineer of said City and this council, whereupon an assessment, diagram and warrant were made, recorded and delivered to the contractor in time, form and manner as required by said act, and the contractor having made due return thereon and the same having been duly recorded; and

8 WHEREAS, on September 7, 1949, the Street Superintendent of said city made and filed with the clerk of this city a complete list of all assessments unpaid thereunder upon the respective assessment or diagram numbers thereon, whereupon said clerk gave notice of the filing of said list, and fixed in said notice, Wednesday, the 21st day of September, 1949 at the hour of 4:00 o'clock P.M., as the time when interested persons might appear before the City Council and show cause why bonds should not be issued upon the security of the unpaid assessments shown on said list, said time being that of this special meeting of said Council; and having heard all objections and having passed upon the same, it is hereby determined that the assessments unpaid thereunder and ^{the} aggregate amounts of same are as follows:

| Diagram and assessment No. | Lot | Block | Subdivision | Amount of Unpaid Assessment |
|-------------------------------|----------|-------|-------------|--------------------------------|
| 5 | 15 | 92 | City | \$265.40 |
| 6 | 16 | 92 | City | 265.40 |
| 17 | 18 S 70' | 123 | City | 132.71 |
| 18 | 17 S 70' | 123 | City | 132.71 |
| 19 | 15 S 40' | 123 | City | 75.82 |
| 20 | 16 S 40' | 123 | City | 75.82 |

| Diagram and Assessment No. | Lot | Block | Subdivision | Amount of Unpaid Assessment |
|----------------------------|-----------|-------|-------------|-----------------------------|
| 21 | 15 N 100' | 123 | City | 189.57 |
| 22 | 16 N 100' | 123 | City | 189.57 |
| 23 | 18 | 124 | City | 265.40 |
| 24 | 17 | 124 | City | 265.40 |
| 26 | 1 N 100' | 125 | City | 189.57 |
| 27 | 2 N 100' | 125 | City | 189.57 |
| 32 | 1 SW 70' | 122 | City | 132.71 |
| 33 | 2 SW 70' | 122 | City | 132.71 |
| 40 | 32 | 112 | City | 265.40 |
| 41 | 31 | 112 | City | 265.40 |
| 44 | 32 | 106 | City | 265.40 |
| 45 | 31 | 106 | City | 265.40 |
| 46 | 1 | 93 | City | 265.40 |
| 47 | 2 | 93 | City | 265.40 |
| 48 | 32 | 93 | City | 265.40 |
| 49 | 31 | 93 | City | 265.40 |

the total or aggregate amount of said assessment unpaid is the sum of \$4625.56.

NOW THEREFORE, in consideration of the premises, the City Council of the City of Modesto do resolve and it is ordered as follows:

Section 1. That bonds shall be issued upon the security of the unpaid assessments to said amount of \$4625.56 in accordance with the provisions of said improvement act and the "Improvement Bond Act of 1915" and under and pursuant to the resolutions, notices and proceedings of said council duly adopted and taken; said bonds shall be called "Improvement Bonds," shall be 10 in number, shall be dated September 21, 1949 and bear interest at the rate of five per cent per annum from September 7, 1949; and the denominations of said bonds and the interest coupons required to be attached thereto with their respective numbers and dates of maturity are as follows:

| Series No. | No. of Bond | Denomination | Date Payable |
|------------|-------------|--------------|--------------|
| 155 | 1 | \$462.61 | July 2, 1951 |
| 155 | 2 | 462.55 | July 2, 1952 |
| 155 | 3 | 462.55 | July 2, 1953 |
| 155 | 4 | 462.55 | July 2, 1954 |
| 155 | 5 | 462.55 | July 2, 1955 |
| 155 | 6 | 462.55 | July 2, 1956 |
| 155 | 7 | 462.55 | July 2, 1957 |
| 155 | 8 | 462.55 | July 2, 1958 |
| 155 | 9 | 462.55 | July 2, 1959 |
| 155 | 10 | 462.55 | July 2, 1960 |

Section 2. Said bonds shall be issued in series, and the unpaid assessments as shown on said list filed by the Superintendent of Streets and determined by the City Council together with interest thereon, shall remain and constitute a trust fund for the redemption and payment of said bonds and of the interest which may be due thereon, which unpaid assessments shall be payable in annual series corresponding in number to the number of series of bonds

issued and an even annual proportion of each assessment shall be payable in each year preceding the date of the maturity for each of the several series of bonds issued, and such proportion of each assessment coming due in any year together with the annual interest thereon, shall in turn be payable in installments as the general municipal taxes of said city on real property are payable, and shall become delinquent at the same times and in the same proportionate amounts and bear the same proportionate penalties for delinquency.

Said bonds shall be signed by the Treasurer of said city and countersigned by the clerk, who shall affix thereto the official seal of said city; the interest coupons affixed thereto shall be signed by the Treasurer or bear his engraved, printed or lithographed signature and such signing and sealing of said bonds by said officers and signing of said coupons by said Treasurer shall constitute and be a sufficient and binding execution of each and every one of said bonds and all of the coupons thereof respectively. Said bonds shall be substantially in the form set forth in said Improvement Bond Act.

The interest coupons attached to each of said bonds and evidencing the interest to accrue thereon shall be numbered consecutively and be substantially in the following form, to-wit:

Coupon No. _____ § _____

The _____ of _____ will pay to the bearer thereof on the _____ day of _____ 19__ § _____, at the office of the Treasurer, said sum being the semi-annual interest due on Improvement Bond No. _____, of Series No. _____.

Dates: _____

Treasurer

Section 3. Said bonds shall be forthwith delivered to the contractor in satisfaction of the balance due him upon his assessment and warrant.

I, hereby certify that the foregoing resolution was duly and regularly adopted by the City Council of the City of Modesto, at a special meeting of said Council, held September 21, 1949 by the following vote, to-wit:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

4
IN THE MATTER OF
INITIATIVE ORD.
RETIREMENT SYSTEM.

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

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

to be subject to and in conformity with said "State Employees' Retirement Act;" and,

WHEREAS, the Modesto City Police Department and the City Fire Department are now participating under a contract between the City of Modesto and the Board of Administration, California State Employees' Retirement System providing for the participation of said Police and Fire Departments of said City in the California State Employees' Retirement System and that nothing contained in said proposed Initiative Ordinance shall be construed to change, affect or in any way modify said existing contract; and

WHEREAS, Article 13 of the Charter of the City of Modesto provides for the placing of certain initiative measures of the ballot to be submitted to qualified electors of the City and to be passed by a majority vote of said electors, Commissioner Burkner introduced

RESOLUTION NO. 8570-N.S.

which was seconded by Commissioner Stanley, ordering the City Clerk of the City of Modesto to place upon the ballot at the forthcoming municipal election for November 8, 1949, the following initiative ordinance:

"INITIATIVE ORDINANCE NO. 912-N.S.

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

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

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

Section 2. The Mayor and City Auditor are hereby authorized and directed for and on behalf of the City of Modesto and as its corporate act and deed, and under its corporate name and seal, to make, execute and deliver an agreement, in writing, to said Board of Administration, California State Employees' Retirement System, which agreement shall be subject to, and in conformity with the provisions of said "State Employees' Retirement Act."

Section 3. Nothing contained herein shall be construed to change, affect or in any way modify the existing contract between the City of Modesto and the Board of Administration, California State Employees' Retirement System providing for the participation of the Modesto Police and Fire Departments in the California State Employees' Retirement System.

Section 4. This ordinance shall take effect when it has been approved by a majority vote of the qualified electors who vote thereon. which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

5
IN THE MATTER OF
CALL FOR BIDS ON
AUTO FOR FIRE
DEPARTMENT

Commissioner Stanley introduced

RESOLUTION NO. 8571-N.S.

which was seconded by Commissioner Wilson

authorizing the City Clerk to call for bids for four door sedan 1949-50 model 6 Or 8 cylinders, paint job of fire red, cost of automobile delivered f.o.b. Modesto including sales tax not to exceed \$1500 00 and the trade-in allowance on 1939 Studebaker 6 Cruising Sedan, said bid to be opened on Thursday, October 13, 1949, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

6
IN THE MATTER OF
APPOINT SIGNATORY
OFFICIALS ON BILLS
OF SALE

Commissioner Wilson introduced

RESOLUTION NO. 8572-N.S.

which was seconded by Commissioner Stanley

appointing the Mayor and City Clerk as signatory officials on Bills of Sale for buildings sold by the City in Block 121, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

7
IN THE MATTER OF
CURB CUT J. WIELAND
ON HAWKINS BUILDING

Whereas J. Wieland, contractor has petitioned the Council at J Street for permission to cut the curb 14 feet on 13th Street/

Block 107, S #0 ft. lots 17-22 for the Hawkins Building, Commissioner Burkner introduced

RESOLUTION NO. 8573-N.S.

which was seconded by Commissioner Wilson, granting request to J. Wieland to cut the curb as requested under the supervision of the City Engineer, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

8
IN THE MATTER OF
CALL FOR BIDS ON
AUTOS FOR THE
POLICE DEPARTMENT

Commissioner Stanley introduced

RESOLUTION NO. 8574-N.S.

which was seconded by Commissioner Frad, authorizing the

City Clerk to call for bids on three new automobiles for the Police Department, the cost of the automobiles not to exceed the trade-in allowance of the city's three 1948 Chevrolet 6 four door sedans and \$4000 00, said bids to be opened on October 13, 1949, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

9
IN THE MATTER OF
"STOP FOR PEDESTRIAN"
SIGNS NEAR SCHOOLS

Police Chief Pickering reported the Police Department were unable to properly police

all crossings near the various schools in the city during the school day and suggested that a number of "Stop for Pedestrians" signs be installed, whereupon Commissioner

Burkner introduced

RESOLUTION NO. 8575-N.S.

which was seconded by Commissioner Frad, authorizing the purchase of the necessary "Stop for Pedestrians" signs to be installed at the following crossing:

- Intersection of 17th and H Streets
- Intersection of I Street and Downey Avenue
- Intersection of First and H Streets
- Intersection of I and Washington Streets
- Intersection of Stoddard and Sycamore Avenues
- Intersection of Locust and Franklin Streets
- Intersection of Maze and Franklin Streets

said signs to be placed and removed daily by the Police Department personnel, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

10
IN THE MATTER OF
ESTABLISH 24 MINUTE
ZONES

Commissioner Burkner introduced

RESOLUTION NO. 8576-N.S.

which was seconded by Commissioner Frad, recommending that 24 minute parking zones be established at the following locations

- ELEVENTH AND J STREETS
- TWELFTH AND J STREETS
- TENTH AND J STREETS
- TENTH AND I STREETS
- TENTH AND H STREETS
- TENTH AND K STREETS
- ELEVENTH AND I STREETS

I Street at the alley between Tenth and Eleventh Streets

J Street at the alley between Tenth and Eleventh Streets

and the City Engineer is hereby instructed to install the proper signs as provided by section 2 of Ordinance No. 778-N.S. which resolution was regularly adopted by the following vote:

Ayes: Councilman: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilman: None

Absent: Councilman: None

11
IN THE MATTER
STOP SIGNS LA LOMA
BURNNEY 19th AND
DOWNEY

Commissioner Burkner introduced

RESOLUTION NO. 8577-N.S.

which was seconded by Commissioner Frad authorizing the City Engineer to erect stop signs at the following locations:

Southwest side of 19th Street and Downey Avenue
stopping traffic crossing 19th Street

Southerly side of LaLoma Street at Burney Street
stopping traffic entering La Loma Street,

which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: NoneA

Absent: Councilmen: None

12
IN THE MATTER OF
ADJOURMENT

Commissioner Wilson introduced

RESOLUTION NO. 8578-N.S.

which was seconded by Commissioner Frad, adjourning this Council meeting, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

REX E. CALDFUS
ATTEST: REX E. CALDFUS, CITY CLERK

Council Meeting

September 28, 1949

The Council of the City of Modesto met in regular session this date at 7:30 P.M. as provided by Section 1 of Ordinance No. 2-N.S.

Present: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Absent: Councilmen: None

IN THE MATTER OF APPROVAL OF MINUTES The minutes of the regular meeting of September 14 and special meeting of September 21, 1949 having been heretofore read by each Councilman, were approved as so read.

1
IN THE MATTER OF REQUEST RESERVED PARKING SPACES FOR CENTENNIAL HISTORICAL CARAVAN Walter T. Caldwell, Director of Guidance and Child Welfare, of the Stanislaus County Schools appeared before the Council and filed a request for the City to reserve the parking spaces on the West side of 12th Street, between H and I Streets, between the hours of 9 A.M. and 4 P.M., October 5, 6, 7, and 8, 1949 to enable the school buses to unload school children to visit the Centennial Commissions' Historical Caravan being held in the Courthouse Park. This request was turned over to the Chief of Police for solution.

2
IN THE MATTER OF TERMINATE AGREEMENT GORDON WHITNALL Commissioner Frad introduced RESOLUTION NO. 8579-N.S.

which was seconded by Commissioner Stanley, recommending that the agreement with Gordon Whitnall be terminated as of November 1, and he be given a vote of appreciation for his achievements in assisting in solving some of the problems confronting the City and the City Clerk was instructed to notify Mr. Whitnall of the termination of the agreement and to send a copy of this resolution to him, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

3
IN THE MATTER OF REQUEST FOR FIRE PROTECTION SERVICE MODESTO SCHOOL A request was filed by the Modesto City Schools for fire protection service by the City of Modesto for the following schools outside the city limits

JOHN FREMONT SCHOOL ----- Orangeburg and Tully

JAMES MARSHALL SCHOOL ----- South Franklin Street

MARK TWAIN SCHOOL ----- California and Emerald Streets

This request was turned over to Fire Chief Wemyss to contact the Board of Fire Underwriters to determine if this fire protection service could be furnished by the City without weakening the protection to the property in the city limits.

4
IN THE MATTER OF AWARD BID ON AUTO FOR HEALTH DEPT. Whereas, pursuant to advertising for bids for one automobile to be used by the Health Department, the City Clerk reported five bids on file and after comparison of these bids by the Council, Commissioner Frad introduced

RESOLUTION NO. 8580-N.S.

which was seconded by Commissioner Stanley, accepting the bid of \$1420.63 of Griswold and Wight for a 1949 Ford 6 cylinder Business Coupe, as it was the lowest and best bid and directing the City Clerk to return the bidding checks to the unsuccessful bidders, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

5
IN THE MATTER OF
AWARD BID ON IMPROVE-
MENT OF JOHNSON
STREET

Whereas, pursuant to advertising for bids for the improvement of Johnson Street, between Jones Street and Morris Avenue, and whereas the City Clerk reported three bids on file,

whereupon after comparison of the bids filed, Commissioner Burkner introduced

RESOLUTION NO. 8581-N.S.

which was seconded by Commissioner Wilson awarding bid to Munn and Perkins for \$10,379.35, pending state approval, as their bid was the lowest and best bid and appointing the Mayor and City Clerk as signatory officials on contract agreement for completion of the work, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

6
IN THE MATTER OF
AWARD BID ON IMPROVE-
MENT OF WASHINGTON-
FIRST STREET

Whereas, pursuant to advertising for bids for the improvement of Washington Street from Maze Boulevard to I Street and First Street from Washington Street to H Street and whereas the City

Clerk reported three bids on file and after comparison of the bids by the Council, Commissioner Burkner introduced

RESOLUTION NO. 8582-N.S.

which was seconded by Commissioner Stanley, recommending that the bid of Standard Materials Company for \$13,361.50 be accepted pending approval by the State, as their bid was the lowest and best bid and appointing the Mayor and City Clerk as signatory officials on contract for completion of the work, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

7
IN THE MATTER OF
HEARING ON ANNEX-
ATION OF RESUBDIVI-
SION OF THOUSAND
OAKS TRACT

Whereas, pursuant to filing of petition for annexation of a portion of the resubdivision of Thousand Oaks Tract and this being the date set for the hearing of protest to the proposed

annexation and whereas the City Clerk reported a petition had been filed by property owners signing this petition requesting the withdrawals of their annexation petition as originally filed with the Council whereupon Commissioner Stanley introduced

RESOLUTION NO. 8583-N.S.

which was seconded by Commissioner Wilson, accepting petition for the withdrawal of original petition as requested by property owners in the Resubdivision of the Thousand Oaks Tract and discontinuing annexation proceedings on this property, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

4
IN THE MATTER OF
PETITION FOR ANNEX-
ATION RESUBDIVISIONS
OF THOUSAND OAKS TRACT

Whereas a new petition has been filed by property owners on a Tract portion of the resubdivision of Thousand Oaks for annexation of the following described property to the City of

Modesto:

All that certain lot, piece or parcel of land situated in the County of Stanislaus, State of California and bounded and particularly described as follows:

Beginning at a point on the existing City Limits and on the East quarter quarter section line of Section 28, Township 3 South, Range 9 East, M.D.B & M. said point being the Northwest corner of the Las Palmas Tract as filed for record on February 20, 1930, Volume 11 of Maps, at page 16, Stanislaus County records and also the Northeast corner of the La Loma Tract as filed for record on August 8, 1934, Volume 11, Page 25 of Maps, Stanislaus County Records and on the West line of Lot 1, of Block 2173 of the Resubdivision of Thousand Oaks Tract, as filed for record on June 12, 1946 in Volume 14 of Maps at Page 63, Records of Stanislaus County; thence North $0^{\circ} 31' 30''$ West 30 feet to the true point of beginning; thence along the North line of Lots 1, 2, 3, 4, and 5 of the aforesaid Block 2173 the following courses and distances; North $64^{\circ} 26'$ East 224.99 feet to the Westerly corner of Lot 3; thence North $47^{\circ} 33' 30''$ East 100 feet; thence North $65^{\circ} 04' 30''$ East 176.99 feet; thence North $58^{\circ} 31' 30''$ East 83.01 feet to the Northerly corner of Lot 5 of the aforesaid Block 2173; thence along the Northeast boundary of said Lot 5; South $43^{\circ} 17.7'$ East 228.13 feet to the East corner of said Lot 5, thence along the Northwest boundary of Edgebrook Drive 686.00 ft. following a series of curves, as indicated on the aforesaid map of the Resubdivision of the Thousand Oaks Tract; to the South corner of the aforesaid Lot 1; thence continuing along the North line of Encina Avenue to the East boundary of the aforesaid La Loma Tract, being on the East line of the existing City limits; thence following the East boundary of said La Loma Tract, which line is also the existing City Limit line, North $0^{\circ} 11' 40''$ East 364.63 feet to the Northeast corner of said La Loma Tract; thence continuing along the existing City Limit Line and along the North boundary of the La Loma Tract North $89^{\circ} 20'$ West 491.13 feet to the center line of Beard Brook; thence Northeasterly along said center line of Beard Brook, which line is also the existing City Limit line to a point on the East quarter quarter section line of said Section 28; thence Southerly along said East quarter quarter section line to the true point of beginning section line

and whereas the petition is in order and the real property is contiguous to the City of Modesto and less than 12 qualified electors reside therein, Commissioner Burkner introduced

RESOLUTION NO. 8584-N.S.

which was seconded by Commissioner Wilson accepting the petition as filed for the annexation of the above described property to the City of Modesto, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

9
IN THE MATTER OF
SET DATE FOR HEARING
ON ANNEXATION OF
1000 OAKS TRACT

Commissioner Burkner introduced

RESOLUTION NO. 8585-N.S.

which was seconded by Commissioner Wilson setting the date of October 19, 1949 at the hour of 4:00 o'clock P.M. in the Council Chambers of the City Hall at 717 10th Street as the time and place for considering the petition

of the property owners for the annexation of a portion of the resubdivision of the Thousand Oaks Park to the City of Modesto and directing the City Clerk to publish a copy of this resolution at least once a week for two successive weeks prior to the time set for said hearing in the Modesto Bee, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

10
IN THE MATTER OF Commissioner Burkner introduced
CALL FOR BIDS
SKIP LOADER

RESOLUTION NO. 8586-N.S.

which was seconded by Commissioner Frad authorizing the City Clerk to call for bids for furnishing one Skip Loader in accordance with specifications on file in the office of the City Engineer, said bids to be opened on Thursday, October 13, 1949, at 7:30 P.M., which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

11
IN THE MATTER OF Commissioner Burkner introduced
CALL FOR BIDS
STREET SWEEPER

RESOLUTION NO. 8587-N.S.

which was seconded by Commissioner Stanley authorizing the City Clerk to call for bids for furnishing one Street Sweeper in accordance with the specifications on file in the office of the City Engineer, said bids to be opened on Thursday, October 13, 1949 at 7:30 P.M., which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

12
IN THE MATTER OF Commissioner Burkner introduced
CALL FOR BIDS
SPRAY RIG

RESOLUTION NO. 8588-N.S.

which was seconded by Commissioner Frad authorizing the City Clerk to call for bids for furnishing one Spray Rig consisting of tank pump and engine assembled on welded steel base for mounting on truck chassis, said bids to^{be} opened on Thursday, October 13, 1949 which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

13
IN THE MATTER OF Ordinance No. 908-N.S. having been heretofore introduced and
FINAL ADOPTION ORD.
NO. 908-N.S. ANNEX ordered printed and published at the regular meeting of
MISSION GROVE etc. September 14, 1949 and thereupon printed and published as re-
quired by the Charter of the City of Modesto, coming on for final adoption at this
time, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

14
IN THE MATTER OF Ordinance No. 909-N.S. having been heretofore introduced and
FINAL ADOPTION ORD.
NO. 909-N.S. ANNEX ordered printed and published at the regular meeting of September
EVERGREEN TRACT

14, 1949 and thereupon printed and published as required by the Charter of the City of Modesto, coming on for final adoption at this time, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

15
IN THE MATTER OF
FINAL ADOPTION
ORD. NO. 910-N.S.
PROHIBIT USE SEARCH
LIGHTS IN CITY

Ordinance No. 910-N.S. having been heretofore introduced and ordered printed and published at the regular meeting of September 14, 1949 and thereupon printed and published as required by the Charter of the City of Modesto, coming on for final adoption at this time, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

16
IN THE MATTER OF
FINAL ADOPTION
ORD. NO. 911-N.S.
AMEND ORD. NO. 862-N.S.
SALES TAX

Ordinance No. 911-N.S. having been heretofore introduced and ordered printed and published at the regular meeting of September 21, 1949 and thereupon printed and published as required by the Charter of the City of Modesto, coming on for final adoption at this time, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

17
IN THE MATTER OF
INCREASE GENERAL
PARKS BUDGET
1949-1950

Commissioner Wilson introduced
RESOLUTION NO. 8589-N.S.
which was seconded by Commissioner Stanley authorizing the increasing of the 1949-1950 budget of General Parks in the amount of \$375 00 in order to employ a part-time groundskeeper for the Municipal Baseball Park for a period of 5 months beginning October 1, 1949 at a salary of \$75 00 per month, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

18
IN THE MATTER OF
ANNUAL REPORT
PUBLIC WORKS
DEPARTMENT

The annual report of the Public Works Department was accepted by the Council and ordered filed.

19
IN THE MATTER OF
TWO HOUR PARKING
LIMIT ON ELEVENTH
STREET BETWEEN
F AND G STREETS

Commissioner Stanley introduced
RESOLUTION NO. 8590-N.S.
which was seconded by Commissioner Frad establishing two hour parking on both sides of Eleventh Street, between F and G streets between the hours of 9:00 A.M. and 6:00 P.M. except Sundays and holidays and directing the City Engineer to install the proper signs, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF ADJOURNMENT

Commissioner Stanley introduced

RESOLUTION NO. 8591-N.S.

which was seconded by Commissioner Frad, adjourning this Council Meeting now in session, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: *Rex E. Gailfus*
REX E. GAILFUS, CITY CLERK

BOARD OF EQUALIZATION

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August 1, 1949

The Council of the City of Modesto met this 1st day of August, 1949 at 10:00 A.M. in the Council Chambers of the City Hall to sit as a Board of Equalization for the purpose of hearing complaints and to correct, modify, strike out or raise any assessment on the Assessment Roll of the City Assessor, pursuant to Section 49, Article IX of the City Charter

Present: Councilmen: Stanley, Burkner, Frad

Absent: Councilmen: Wilson and Mayor Shannon

There being no complaints filed for the consideration of the Board, upon motion duly made, seconded and unanimously carried, the meeting was adjourned to Tuesday August 2, 1949, at the appointed time and place

August 2, 1949

Pursuant to adjournment of August 1, 1949, the Board of Equalization of the City of Modesto convened in regular session this date and there were

Present: Councilmen: Stanley, Burkner, Frad

Absent: Councilmen: Wilson and Mayor Shannon

There being no complaints filed for the consideration of the Board upon motion duly made, seconded and unanimously carried, the meeting was adjourned to Wednesday, August 3, 1949 at the appointed time and place

August 3, 1949

Pursuant to adjournment of August 2, 1949, the Board of Equalization of the City of Modesto convened in regular session this date and there were

Present: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Absent: Councilmen: None

There being no complaints filed for the consideration of the Board, upon the motion duly made, seconded and unanimously carried, the meeting was adjourned to Thursday, August 4, 1949 at the appointed time and place.

August 4, 1949

Pursuant to adjournment of August 3, 1949, the Board of Equalization of the City of Modesto convened in regular session this date and there were

Present: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Absent: Councilmen: None

There being no complaints filed for the consideration of the Board, upon motion duly made, seconded and unanimously carried the meeting was adjourned to Friday, August 5, 1949 at the appointed time and place.

August 5, 1949

Pursuant to adjournment of August 4, 1949, the Board of Equalization of the City of Modesto convened in regular session this date and there were

~~Present: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon~~

Absent; Councilmen: None

There being no further business to come before the Board, and it having met and conducted its meetings as required by State Statutes and the City Charter, upon motion, which was duly seconded, the meeting was adjourned sine die.

APPROVED: CARL W. SHANNON, MAYOR

ATTEST: *Heck E. Gailpus*
HECK E. GAILPUS, CITY CLERK

Special Council Meeting

October 5, 1949

The Council of the City of Modesto met in special session this date at 4:00 P.M. as provided by Section 2 of Ordinance No. 2-N.S.

Present: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Absent: Councilmen: None

IN THE MATTER OF
PETITION TO OPERATE
USED CAR LOT CROW
AND BROTHERTON

Commissioner Wilson introduced

RESOLUTION NO. 8592-N.S.

which was seconded by Commissioner Frad, granting permit

to Crow and Brotherton to operate a used car lot at 1230 10th Street, providing the usual license is secured and sanitary facilities at this location meet the requirements of the building code, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF
PETITIONS FOR ANNEXA-
TION

Petitions were filed with the Council for the annexation of Bodem and Tatum Tract and Rice and Tatum Tract to the City of Modesto and by order of the Council these were referred to the Planning Commission for investigation and recommendation.

IN THE MATTER OF
NOTICE OF COMPLETION
PUMP STATION #15

Whereas the City Engineer has filed a report with the Council on the completion of pump station #15 by contractors Sauerwein & Thompson and report of \$865 58 due said contractors as progressive payment, whereupon Commissioner Burkner introduced

RESOLUTION NO. 8593-N.S.

which was seconded by Commissioner Frad, recommending that the construction of the pump station No. 15 be accepted from the contractors, Sauerwein & Thompson, progressive payment of \$865 58 be authorized and the City Clerk be directed to file Notice of Completion with the Recorder of Stanislaus County, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF
STOP SIGNS

Commissioner Stanley introduced

RESOLUTION NO. 8594-N.S.

which was seconded by Commissioner Burkner establishing stop signs as follows:

Southeast corner of Tully Road and Coldwell Avenue, stopping traffic entering Coldwell Avenue

Northwest corner of Tully Road and Coldwell Avenue, stopping traffic entering Coldwell Avenue

and authorizing the City Engineer to establish the necessary signs as soon as the Evergreen Tract annexation proceedings are completed, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

Commissioner Stanley introduced

RESOLUTION NO. 8595-N.S.

which was seconded by Commissioner Burkner establishing stop signs as follows:

On Needham Avenue, northeast corner, at the intersection of Needham Avenue, Tenth Street and College Avenue, stopping traffic entering Tenth Street and College Avenue

Needham Avenue, southwest corner, at the intersection of Needham Avenue, Tenth Street and College Avenue, stopping traffic entering Tenth Street and College Avenue

and authorizing the City Engineer to establish the necessary signs which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF DESIGNATE L STREET FROM 9th TO NEEDHAM AS MAJOR CITY STREET

Commissioner Burkner introduced

RESOLUTION NO. 8596-N.S.

which was seconded by Commissioner Wilson designating L Street from Ninth Street to Needham Avenue as a Major City Street and requesting that the State Department of Public Works approve and designate this portion of L Street as a "Major City Street", which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF COMMUNICATIONS

A communication from Russell Guern DeLappe regarding architectural work was read and ordered filed.

IN THE MATTER OF REQUEST RESERVED PARKING SPACE DOROTHY HALBAKKAN

Mrs. Dorothy Halbakkan appeared before the Council requesting That a parking permit be granted to her husband who is a disabled veteran and who is employed in the business district.

She was informed by the Chief of Police that requests of this nature were not granted due to the congested parking conditions and he suggested that they obtain a parking space in a service station near the building Mr. Halbakkan worked in.

IN THE MATTER OF ADJOURNMENT

Commissioner Stanley introduced

RESOLUTION NO. 8597-N.S.

which was seconded by Commissioner Burkner adjourning this Council meeting now in session, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILLARD, CITY CLERK

The Council of the City of Modesto met in regular session this date at 7:30 P.M. as provided by Section 1 of Ordinance No. 2-N.S.

Present: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Absent: Councilmen: None

1
IN THE MATTER OF APPROVAL OF MINUTES and special meeting of October 5, having been heretofore read by each Councilman, were approved

2
IN THE MATTER OF CLAIMS
Claims against the City of Modesto for the month of September, 1949 having been heretofore audited by the Council and found to be correct, Commissioner Wilson introduced

RESOLUTION NO. 8598-N.S.

which was seconded by Commissioner Frad, ordering that all of the said claims so audited and approved be and the same are hereby allowed, with reference being made to the Auditor's Cash Record for further details relative to the amounts of withdrawals from the various funds as follows:

| | |
|---------------------------|-----------------|
| General Fund ----- | \$104,470.18 |
| Bond Redemption Fund----- | 58.75 |
| Water Fund ----- | 11,654.79 |
| Library Fund ----- | 2,876.13 |
| Parking Meter Fund ----- | 240.57 |
| Fire Bond Fund ----- | .80 |
| Water Bond Fund ----- | 1,672.29 |
| Sewer Bond Fund ----- | <u>7,899.91</u> |
| Total | \$128,873.42 |

which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent:Councilmen: None

3
IN THE MATTER OF CLAIMS - MOHAMED ALI
Commissioner Burkner introduced

RESOLUTION NO. 8599-N.S.

which was seconded by Commissioner Frad, allowing claim of Mehamed Ali of \$27.09 for expenses on trips to San Francisco and Sacramento in connection with the study he is undertaking on "Economic Report of the Modesto Region", which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent:Councilmen: None

4
IN THE MATTER OF DENY CLAIM OF ED DAHLBERG
Commissioner Frad introduced

RESOLUTION NO. 8600-N.S.

which was seconded by Commissioner Wilson denying claim of Ed Dahlberg for \$172.50 for repairs to his denture which was damaged when he fell in his cell in the Stanislaus County Jail when he was arrested as a city prisoner, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent:Councilmen: None

5

IN THE MATTER OF
PETITION FOR USED
CAR LOT - LEONARD
EAST

Commissioner Burkner introduced
RESOLUTION NO. 8601-N.S.

which was seconded by Commissioner Frad approving
bond and application of Leonard East to operate a used car lot at 723
Seventh Street, providing the usual license fee is paid and sanitary
facilities meeting the requirements of the building code, which resolution
was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

6

IN THE MATTER OF
REQUEST FOR BANNER
MUNICIPAL EMPLOYEE'S
CAMPAIGN COMMITTEE

An application to erect a banner in the business
district by the Modesto Municipal Employees'
Campaign Committee to advertise their campaign
for the retirement system was laid over for further consideration.

7

IN THE MATTER OF
AWARD BID ON AUTO
FOR FIRE DEPARTMENT

Whereas, pursuant to advertising for bids for
the purchase of one automobile for the Fire

Department, and whereas the City Clerk reports receiving five bids, which
were opened by the Council and after consideration, Commissioner Frad
introduced

RESOLUTION NO. 8602-N.S.

which was seconded by Commissioner Stanley recommending that the bid of
\$1310.00 of Frank Paradis for one new 1949 Plymouth Deluxe 4 door sedan,
less trade-in allowance on 1939 Studebaker of \$532.67 be accepted by the
Council as it was the lowest and best bid and the City Clerk be authorized
to return bidding checks to unsuccessful bidders, which resolution was
regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

8

IN THE MATTER OF
AWARD BID ON AUTOS
FOR POLICE DEPART-
MENT

Whereas, pursuant to advertising for bids for the
purchase of three automobiles for the Police De-
partment and whereas the City Clerk reports five

bids on file and after consideration by the Council, Commissioner Frad introduced

RESOLUTION NO. 8603-N.S.

which was seconded by Commissioner Stanley recommending that the bid of Helm
Chevrolet Company of \$1302.39 for three 1949 Chevrolet Sedans, including
trade-in of three 1948 Chevrolet sedans now operated by the Police Department
be accepted as it was the lowest and best bid, and the City Clerk was directed
to return bidding checks to unsuccessful bidders, which resolution was regularly
adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

9

IN THE MATTER OF
OPEN BIDS ON SPRAY
RIG

Whereas, pursuant to advertising for bids for
spray rig for the Public Works Department, and

whereas the City Clerk reported five bids on file, Commissioner Burkner
introduced

RESOLUTION NO. 8604-N.S.

which was seconded by Commissioner Frad, recommending that these bids be

referred to the City Engineer for investigation and recommendation, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

10
IN THE MATTER OF
OPEN BIDS ON
SKIP LOADER

Whereas, pursuant to advertising for bids for a Skip Loader for the Public Works Department and whereas the City Clerk reported two bids on file, Commissioner Burkner introduced

RESOLUTION NO. 8605-N.S.

which was seconded by Commissioner Frad, recommending that these bids be referred to the City Engineer for investigation and recommendation, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

11
IN THE MATTER OF
OPEN BIDS ON STREET
SWEEPER

Whereas, pursuant to advertising for bids for a Street Sweeper for the Public Works Department and whereas the City Clerk reported three bids on file, Commissioner

Burkner introduced

RESOLUTION NO. 8606-N.S.

which was seconded by Commissioner Frad, recommending that these bids be referred to the City Engineer for investigation and recommendation, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

12
IN THE MATTER OF
ANNUAL REPORT BY
PLANNING COMMISSION

The annual report of the Planning Commission for ~~one~~ year ending June 30, 1949 was accepted and ordered filed.

13
IN THE MATTER OF
RENEWAL ON AGREEMENT
WITH SOUTHERN PACIFIC
COMPANY

Commissioner Wilson introduced

RESOLUTION NO. 8607-N.S.

which was seconded by Commissioner Stanley recommending that the agreement between the City of Modesto and the Southern Pacific Company covering private roadway under railroad trestle #113.75 to permit a roadway to the city sewer plant be renewed, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

14
IN THE MATTER OF
CALL FOR BIDS ON
INCANDESCENT LAMPS

Commissioner Frad introduced

RESOLUTION NO. 8608-N.S.

which was seconded by Commissioner Wilson authorizing the City Clerk to call for bids for incandescent, fluorescent and mercury vapor lamps for municipal lighting for a period of one year beginning July 1, 1949, said bids to be opened October 26, 1949, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

15
IN THE MATTER OF
CALL FOR BIDS ON
TRAFFIC PAINT

Commissioner Frad introduced

RESOLUTION NO. 8609-N.S.

which was seconded by Commissioner Burkner, authorizing the City Clerk to call for bids for 1000 gallons of white traffic lacquer said bids to be opened on November 9, 1949, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

16
IN THE MATTER OF
CALL FOR BIDS ON
AERIAL LADDER

Commissioner Frad introduced

RESOLUTION NO. 8610-N.S.

which was seconded by Commissioner Stanley authorizing the City Clerk to advertise for bids for one revolving aerial ladder to be mounted on a City owned Dodge 3/4 ton pick-up, said bids to be opened on October 26, 1949, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

17
IN THE MATTER OF
ORD. REGULATING JEWEL-
RY AUCTIONS

Commissioner Frad introduced an ordinance being

ORDINANCE NO. 913-N.S.

entitled: "AN ORDINANCE REGULATING SALES OF JEWELRY AT PUBLIC AUCTION IN THE CITY OF MODESTO, CALIFORNIA", and moved its adoption and passage to print and publish, which motion being duly seconded, it was upon roll call carried and the ordinance ordered published as above by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

18
IN THE MATTER OF
ORD. APPROPRIATE
FUND PURCHASE
SEWER PIPE

Commissioner Burkner introduced an ordinance being

ORDINANCE NO. 914-N.S.

entitled: "AN ORDINANCE APPROPRIATING FUNDS FOR THE PURCHASE OF SEWER PIPE" and moved its adoption and passage to print and publish, which motion being duly seconded, it was upon roll call carried and the ordinance ordered published as above by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

19
IN THE MATTER OF
FINAL PAYMENT ON
IMPROVEMENT ON
MAZE BOULEVARD

Commissioner Burkner introduced

RESOLUTION NO. 8611-N.S.

which was seconded by Commissioner Wilson authorizing final payment of \$1258.59 to the Standard Materials Company on the improving of Maze Boulevard from the West property line of Franklin Street to the West city limits and the construction of a storm sewer, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

20
IN THE MATTER OF
FINAL PAYMENT ON
H STREET SEWER
P & J ARTUKOVICH

Whereas a Materialman's claim of lien of \$1,104.82 was filed by Hicken-Brown Lumber Company against P & J Artukovitch, contractors on the H Street sewer, final payment to P & J Artukovitch for the work was delayed.

21
IN THE MATTER OF
ACCEPT PUMP STATION
NO. 14-SAUERWEIN
AND THOMPSON

A report was filed by the City Engineer on the completion of Pump Station No. 14 by contractors, Sauerwein & Thompson, whereas Commissioner Burkner introduced
RESOLUTION NO. 8612-N.S.

which was seconded by Commissioner Frad, accepting the contract as completed by Sauerwein & Thompson, authorizing the City Clerk to file Notice of Completion with the County Recorder and progressive payment of \$473.93 is hereby authorized, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

22
IN THE MATTER OF
REQUEST ERECT
CHRISTMAS DISPLAY
BARGAIN BAZAAR

Mr. D. Michaels, Manager of the Bargain Bazaar located at 813 10th Street, appeared before the Council and requested permission to erect a Christmas display over the marquee in front of their store. He was advised that this would be considered after an investigation.

23
IN THE MATTER OF
REQUEST ERECT TENT
AND BANNER UNITED
CRUSADE FOR CHRIST

Representatives from the United Crusade for Christ appeared before the Council and requested permission to erect a tent to hold services and to erect a banner in the business district. They were requested to write a letter to the Council and give the time and place they wished the tent erected and banner placed across the Tenth and J intersection, and their request would be considered.

24
IN THE MATTER OF
REQUEST ERECT BANNER
CHAMBER OF COMMERCE

A request was filed by the Chamber of Commerce for permission to erect a banner to advertise the showing of "Life in Modesto" at a local theatre, whereupon Commissioner Wilson introduced

RESOLUTION NO. 8613-N.S.

which was seconded by Commissioner Frad, granting permission to erect this banner for the period October 14th to 18th with the payment of the usual \$10.00 fee, which resolution was regularly adopted by the following vote: /

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

25
IN THE MATTER OF
DEPARTMENTAL REPORTS

Departmental reports for the month of September were read and ordered filed.

26
IN THE MATTER OF
COMMUNICATIONS

A communication from Gordon Whitnall was read and ordered filed.

IN THE MATTER OF ADJOURNMENT

Commissioner Frad introduced

RESOLUTION NO. 8614-N.S.

27

which was seconded by Commissioner Wilson, adjourning this Council meeting, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: *Rex E. Gailfus*
REX E. GAILFUS, CITY CLERK

Special Council Meeting

October 19, 1949

The Council met in special session this date at 4:00 P.M. as provided by Section 2 of Ordinance No. 2-N.S.

Present: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Absent: Councilmen: None

1
IN THE MATTER OF
REPORT BY FIRE CHIEF
ON REQUEST MODESTO
CITY SCHOOLS

Pursuant to referring the request of the Modesto City Schools for fire protection for schools outside the city limits to Fire Chief Jack Wemyss to confer

with the Board of Fire Underwriters and determine whether the city could furnish this protection without weakening city fire protection, he reported at this time that it would be in order to furnish this protection and the Board suggested that the city enter into an agreement for fire protection with the Modesto City Schools. By order of the Council, City Attorney Halley and Fire Chief Wemyss were directed to contact the Modesto City Schools and discuss the proposition of entering into a contract for fire protection for schools adjoining the city limits.

2
IN THE MATTER OF
FIRE PROTECTION ON
BROWNLITE PROPERTY

A communication was received from the Brownlite Brick Company, protesting to the statement sent them for a fire call on September 15, 1949 for \$100.00 for two fire trucks called on September 14, 1949 to extinguish rubbish and grass fire. The City Attorney was directed to notify Mr. Brown that this charge of \$100.00 for two hours fire should be paid as called for under the agreement, as it was the opinion of the fire chief that the calling of the city fire trucks was necessary to protect several buildings which were covered by the contract agreement for fire protection.

3
IN THE MATTER OF
DISPLAY ON MARQUEE
BARGAIN BAZAAR

Mr. Michaels of the Bargain Bazaar appeared before the Council again and requested permission to place a Christmas display on the marquee in front of their building at 813 10th Street, and the City Engineer stated that during the next week he would investigate the matter and report as to the construction of this marquee and determine if this type of display could be safely shown.

4
IN THE MATTER OF
REQUEST FOR BANNER
EMPLOYEES' COMMITTEE

Commissioner Wilson introduced

RESOLUTION NO. 8615-N.S.

which was seconded by Commissioner Stanley granting permit to the Modesto Municipal Employees' Campaign Committee to erect a banner on the corner of Tenth and J Streets during the period of October 24, 1949 to November 7, and the usual fee of \$10.00 be waived, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

5
IN THE MATTER OF
FINAL PAYMENT TO
P & J ARTUKOVICH

Whereas release has been filed by Hicken-Brown Lumber

Company on their Materialman's Claim of Lien on the P & J

Artukovich Company on the construction of the sanitary sewer line on H Street,

Commissioner Burkner introduced

RESOLUTION NO. 8616-N.S.

which was seconded by Commissioner Wilson authorizing final payment of \$1855.70 and \$42.66 as extra work on the construction of a sanitary sewer relief line on H Street to P & J Artukovich Company, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

6
IN THE MATTER OF
CALL FOR BIDS ON
INSTALLATION CITY
WATER MAINS

Commissioner Burkner introduced

RESOLUTION NO. 8617-N.S.

which was seconded by Commissioner Wilson calling for bids on the installation of city water mains with fittings and connections as set forth in bid, said bids to be opened on November 9, 1949, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

7
IN THE MATTER OF
AWARD BID ON SPRAY
RIG

Whereas, pursuant to referring bids on one spray rig

consisting of tank, pump and engine assembled on welded

steel base for mounting on truck chassis to the City Engineer for investigation and recommendation, he reported at this time that he recommended the bid of Emmett Smith for \$1756.15 be accepted, whereupon Commissioner Burkner introduced

RESOLUTION NO. 8618-N.S.

which was seconded by Commissioner Stanley awarding bid to the said Emmett Smith for \$1756.15 as it was the lowest and best bid and the City Clerk was directed to return the bidding checks to the unsuccessful bidders, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

4
IN THE MATTER OF
AWARD BID ON SKIP
LOADER

Whereas, pursuant to referring bids on skip loader
to the City Engineer for investigation and recom-
mendation, he filed a report at this time that he recommended the bid of Rhodes
and Jamieson, Ltd. for \$4727.70 be accepted, whereupon Commissioner Burkner
introduced

RESOLUTION NO. 8619-A, N.S.

which was seconded by Commissioner Frad awarding bid to Rhodes and Jamieson,
Ltd. for \$4727.70 as it was the lowest and best bid and the City Clerk is
hereby authorized to return bidding checks to the unsuccessful bidders, which
resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

9
IN THE MATTER OF
HEARING ON ANNEXA-
TION PORTION OF
RESUBDIVISION
1000 OAKS

This being the date set for the hearing of protests
to the proposed annexation of a portion of the
resubdivision of Thousand Oaks Tract to the City
of Modesto, and whereas no protests were filed, Commissioner Frad introduced

ORDINANCE NO. 915-N.S.

entitled: "AN ORDINANCE ANNEXING UNINHABITED TERRITORY BEING A PORTION OF
THE RESUBDIVISION OF THOUSAND OAKS TRACT TO THE CITY OF MODESTO" and moved
its adoption and passage to print and publish, which motion being duly seconded
by Commissioner Burkner, it was upon roll call carried and the ordinance
ordered published as above by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

10
IN THE MATTER OF
SIGNATORY OFFICIALS
ON MEMO AGREEMENT
FOR HIGHWAYS

Commissioner Burkner introduced

RESOLUTION NO. 8619-N.S.

which was seconded by Commissioner Frad approving
second supplemental memorandum of agreement for expenditure of 1/4 cent gas
tax allocated for state highways and appointing the Mayor and City Clerk as
signatory officials which resolution was regularly adopted by the following
vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

11
IN THE MATTER OF
REQUEST FOR SEWER
SERVICE

Jack Sinclear, Executive Director of the Stanislaus
County Housing Authority appeared before the Council
and stated that application might be made to the United States Government for
150 units of low housing for the Modesto area. He stated that the units
probably would be located outside the city limits, and he requested the Council
give consideration to furnishing sewer service to these units. He was in-
formed by the Council that the city sewage plant was now taxed to capacity to
furnish sewage service for the city, but if the housing units were located
close to the city limits and close to sewer lines that could handle the load,
the City of Modesto would consider furnishing sewage service to these districts.

12

IN THE MATTER OF
GRANT PERMISSION
ATTEND MEETING
GEORGE McCOY

Commissioner Wilson introduced
RESOLUTION NO. 8620-N.S.

which was seconded by Commissioner Frad, authorizing George McCoy, Sanitarian to attend the California Association of Dairy and Milk Sanitarians in San Francisco, October 24-26, 1949 with all expenses paid, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

13

IN THE MATTER
OF ADJOURNMENT

Commissioner Wilson introduced
RESOLUTION NO. 8621-N.S.

which was seconded by Commissioner Frad, adjourning this Council meeting now in session, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None


ATTEST: REX E. GAILFUS, CITY CLERK

Council Meeting
October 26, 1949

The Council of the City of Modesto met in regular session this date at 7:30 P.M. as provided by Section 1 of Ordinance No. 2-N.S.

Present: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Absent: Councilmen: None

IN THE MATTER OF
APPROVAL OF MINUTES

The minutes of the regular meeting of October 13, 1949 and special meeting of October 19, 1949 having been heretofore

read by the Council members were approved as so read.

IN THE MATTER
OF CLAIMS

Commissioner Wilson introduced
RESOLUTION NO. 8622-N.S.

which was seconded by Commissioner Stanley allowing claim of \$23.00 for expenses of delegates to the meeting of the Central Valley Division of the League of California Cities held in Oakdale on October 20, 1949, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

2

IN THE MATTER OF
COMMUNICATIONS

A communication from J. H. Corson, Superintendent of Schools expressing appreciation for the granting of permit by the Council for the erection of banner on the streets, advertising Boy Scouts Centennial Celebration was read and ordered filed.

3

IN THE MATTER OF
APPROVAL AGREEMENT
MODESTO CITY SCHOOLS

Whereas the City Schools have presented agreement for after-school recreation program for approval by the Council,

Commissioner Wilson introduced

RESOLUTION NO. 8623-N.S.

which was seconded by Commissioner Burkner approving agreement for the continuation of

the program of after-school recreation in the elementary school playgrounds for the period September 15, 1949 to June 15, 1950, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

4
IN THE MATTER OF
BIDS - SPRINKLER
SYSTEM FIRE STATION
NO. 4

Commissioner Burkner introduced

RESOLUTION NO. 8624-N.S.

which was seconded by Commissioner Stanley authorizing the City Clerk to call for bids on installing a lawn sprinkling system at Fire Station No. 4, said bids to be opened on November 9, 1949, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

5
IN THE MATTER OF
BIDS-SUBURBAN
AND TRUCK

Commissioner Burkner introduced

RESOLUTION NO. 8625-N.S.

which was seconded by Commissioner Frad authorizing the City Clerk to call for bids on one new 1949-1950 Suburban and one new 1949 or 1950 truck, said bids to be opened on November 9, 1949, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

6
IN THE MATTER OF
AWARD BID ON
AERIAL LADDER

Whereas pursuant to advertising for bids on revolving aerial ladder to be mounted on a city owned Dodge

3/4 ton pick-up and whereas the City Clerk reported two bids on file, Commissioner Burkner introduced

RESOLUTION NO. 8626-N.S.

which was seconded by Commissioner Frad awarding bid to the Petersen Engineering Co. for \$895.00 as it was the lowest and best bid, and authorizing the City Clerk to return bidding checks to the unsuccessful bidder, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

7
IN THE MATTER OF
AWARD BIDS FOR
MUNICIPAL LIGHTING

Whereas, pursuant to advertising for bids for Incandescent, fluorescent and Mercury vapor lamps

for municipal lighting for a period of one year beginning July 1, 1949 and whereas the City Clerk reported five bids on file, Commissioner Frad introduced

RESOLUTION NO. 8627-N.S.

which was seconded by Commissioner Stanley, awarding bid to the Modesto Electric Company, as their bid was the lowest and best bid, and authorizing the City Clerk to return bidding checks to the unsuccessful bidders, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

8
IN THE MATTER OF
PROGRESSIVE PAYMENT
DOG POUND

Whereas the City Engineer has filed notice of completion
on the construction of a dog pound by contractors Sauerwein

and Thompson and has recommended progressive payment of \$675.00, Commissioner Burkner
introduced

RESOLUTION NO. 8628-N.S.

which was seconded by Commissioner Wilson accepting the contract as completed by
Sauerwein and Thompson, and authorizing progressive payment of \$675.00, and directing
the City Clerk to file notice of completion with the Recorder of Stanislaus County,
which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

9
IN THE MATTER OF
PROGRESSIVE PAYMENT
WASHINGTON STREET
IMPROVEMENT

Commissioner Burkner introduced

RESOLUTION NO. 8629-N.S.

which was seconded by Commissioner Frad authorizing pro-
gressive payment of \$7964.02 to the Standard Materials Company on the improvement of
Washington Street from Maze Boulevard to I Street, and First Street from Washington
Street to H Street, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

10
IN THE MATTER OF
REQUEST FOR CURB
CUT WIELAND BROS.

A request for a curb cut in Block 93, lots 4 and 5 by
Wieland Bros., was referred to the City Engineer.

11
IN THE MATTER OF
FINAL ADOPTION OF
ORDINANCE NO. 913-N.S.
REGULATE SALES OF
JEWELRY

Ordinance No. 913-N.S. having been heretofore introduced
and ordered printed and published at the regular meeting
of October 13, 1949 and thereupon printed and published

as required by the Charter of the City of Modesto coming on for final adoption at
this time, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

12
IN THE MATTER OF
FINAL ADOPTION OF
ORD. NO. 914-N.S.
APPROPRIATE FUNDS
PURCHASE SEWER PIPE

Ordinance No. 914-N.S. having been heretofore introduced
and ordered printed and published at the regular meeting
of October 13, 1949, and thereupon printed and published

as required by the Charter of the City of Modesto coming on for final adoption at this
time, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, ^{Wilson} Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

13
IN THE MATTER OF
FINAL ADOPTION ORD.
NO. 915-N.S. ANNEX
PORTION 1000 OAKS

Ordinance No. 915-N.S. having been heretofore introduced
and ordered printed and published at the special meeting
of October 19, 1949 and thereupon printed and published as

required by the Charter of the City of Modesto coming on for final adoption at this time, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

14
IN THE MATTER OF REQUEST
EXHIBIT ON MARQUEE AT
BARGAIN BAZAAR

No action was taken on the request of the Bargain Bazaar to install a Christmas exhibit on the marquee at their store located at 823 Tenth Street.

12
IN THE MATTER
OF ADJOURNMENT

Commissioner Burkner introduced

RESOLUTION NO. 8630-N.S.

which was seconded by Commissioner Wilson adjourning this Council meeting now in session, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None



ATTEST: A.A. OLSEN, CHIEF DEPUTY CLERK

November 2, 1949

Special Council Meeting

The Council of the City of Modesto met in special session this date at 4:00 P.M. as provided by section 2 of Ordinance No. 2-N.S.

Present: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Absent: Councilmen: None

1
IN THE MATTER OF
PROTEST TO USE
PERMIT GRANTED
MODESTO AMBULANCE
COMPANY

Whereas petition was filed by property owners protesting to the use permit granted to the Modesto Ambulance Company by the Modesto City Planning

Commission on August 2, 1949, to operate a "home occupation" at 317 LaLoma Street, and whereas the City Planning Commission have filed a request that the Council rescind the use permit granted to the said Modesto Ambulance Company by them as the conditions under which this permit was granted have not been carried out by the said Modesto Ambulance Company, whereupon Commissioner Stanley introduced

RESOLUTION NO. 8631-N.S.

which was seconded by Commissioner Frad, setting the date for the hearing of protests, as provided by Zoning Ordinance No. 700-N.S., as November 23, 1949 at 7:30 P.M. in the Council Chambers, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

2
IN THE MATTER OF
CALL FOR BIDS ON
FIRE TRUCK

Commissioner Stanley introduced

RESOLUTION NO. 8632-N.S.

which was seconded by Commissioner Frad, authorizing the City Clerk to call for bids on one triple combination fire truck, said bids to be opened on November 23, 1949, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

3
IN THE MATTER OF
CURB CUT-WEEKS
BUILDING

Commissioner Burkner introduced

RESOLUTION NO. 8633-N.S.

which was seconded by Commissioner Stanley granting permit to Wieland Brothers, contractors to cut the curb in Block 93, lots 4 and 5 for the Weeks building under the supervision of the City Engineer, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

4
IN THE MATTER OF
CANCEL RESOLUTION
OF AWARD-PETERSON
ENGINEERS

Commissioner Burkner introduced

RESOLUTION NO. 8634-N.S.

which was seconded by Commissioner Frad, rescinding Resolution No. 8626-N.S. adopted at Council meeting of October 26, 1949, awarding bid on revolving aerial ladder to the Peterson Engineers, as equipment bid was on used equipment, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

5
IN THE MATTER OF
AWARD BID ON
REVOLVING AERIAL
LADDER

Commissioner Burkner introduced

RESOLUTION NO. 8635-N.S.

which was seconded by Commissioner Frad awarding bid to the American Body and Coach Company on the Revolving Aerial Ladder for \$907.71 and directing the City Clerk to return bidding check to the unsuccessful bidder, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

6
IN THE MATTER OF
AMEND ZONING ORDINANCE

Resolutions adopted by the Modesto City Planning Commission recommending various amendments to the Zoning Ordinance No.

700-N.S. to permit the establishment of a residence agricultural district and provide for the immediate zoning of newly annexed territory and recommendation on rescinding and amending of certain ordinances were filed with the Council by Cyril Henderson, Planning Technician, and by order of the Council, Mr. Henderson was directed to file a report with each Councilman on the recommended changes for their study.

7
IN THE MATTER OF
CALL FOR BIDS ON
BOOKMOBILE

A discussion was held on the calling of bids for the purchase of a Bookmobile for the McHenry Public Library, Commissioner

Wilson recommended that the Clerk call for bids and Commissioner Stanley seconded this recommendation, and under the discussion of the subject it was decided to have the City

Clerk contact the City Librarian Miss Silverthorn, and the Board of Trustees and request them to come before the Council to discuss this matter, whereupon Commissioner Wilson withdrew his resolution, and Commissioner Stanley his second, and Commissioner Wilson introduced

RESOLUTION NO. 8636-N.S.

which was seconded by Commissioner Stanley, recommending that the City Clerk contact Miss Silverthorn, and request that she appear, along with some member of the Board of Trustees of the Library, to discuss the purchase of a Book-mobile, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

8
IN THE MATTER OF
REQUEST FOR SPEAKERS'
STAND FOR ARMISTICE
DAY CELEBRATION

Whereas request was filed by the Modesto Post No. 74 of the American Legion for the blocking off of I Street, between 11th and Twelfth Street,

during the period of their Armistice Day program at the Courthouse Park on November 11, 1949, and that the City install a speaker's platform in front of the steps to the County Courthouse, whereupon Commissioner Burkner introduced

RESOLUTION NO. 8637-N.S.

which was seconded by Commissioner Wilson referring the request for the closing of I Street to the Chief of Police, and granting the request for the erection of a speaker's platform if they could not obtain a truck to use for a speaker's platform, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

9
10
IN THE MATTER OF
COMMUNICATION FROM
FRANK ANDREWS

A letter from Frank Andrews regarding underground electric poles was read and ordered filed.

IN THE MATTER
OF ADJOURNMENT

Commissioner Burkner introduced

RESOLUTION NO. 8638-N.S.

which was seconded by Commissioner Frad, adjourning this Council meeting now in session, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None


ATTEST: REX E. GAILFUS, CITY CLERK

Council Meeting

November 9, 1949

The Council of the City of Modesto met in regular session this date at 7:30 P.M. as provided by Section 1 of Ordinance No. 2-N.S.

Present: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Absent: Councilmen: None

IN THE MATTER OF APPROVAL OF MINUTES

The minutes of the regular meeting of October 26, 1949 having been heretofore read by each Councilmen were approved as so read.

IN THE MATTER OF CLAIMS FOR THE MONTH OF OCTOBER, 1949

Claims against the City of Modesto for the month of October, 1949 having been heretofore audited by the Council and found to be correct, Commissioner Wilson introduced

RESOLUTION NO. 8639-N.S.

which was seconded by Commissioner Burkner ordering that all of the said claims so audited and approved be and the same are hereby allowed, with reference being made to the Auditor's Cash Record for further details relative to the amounts of withdrawals from the various funds as follows:

| | |
|---------------------------|---------------------|
| GENERAL FUND----- | \$ 107,171.96 |
| BOND REDEMPTION FUND----- | 76.42 |
| WATER FUND----- | 9,060.24 |
| LIBRARY FUND----- | 2,697.93 |
| PARKING METERS----- | 300.07 |
| FIRE BOND----- | 4.15 |
| WATER BOND----- | 11,082.67 |
| SEWER BOND----- | 7.50 |
| | <u>\$130,400.94</u> |

which resolution was regularly adopted by the following vote:
Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF CLAIMS DELEGATES TO LEAGUE CONFERENCE

Commissioner Frad introduced

RESOLUTION NO. 8640-N.S.

which was seconded by Commissioner Wilson allowing the following claims of delegates to the League of California Cities conference in San Francisco on October 24 to 28, 1949:

| | |
|------------------------|---------|
| FRANCIS W. HALLEY----- | \$50.00 |
| REX E. GAILFUS----- | 90.01 |
| JACK WEMYSS----- | 81.00 |
| SERENA ARNOLD----- | 52.20 |
| FRANK J. ROSSI----- | 80.85 |

which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF REQUEST TO ERECT BANNER ACROSS STREET

A request was filed by the Women's Auxiliary of the Stanislaus County Medical Society to erect a banner at 10th and J

Streets to advertise a show "Straw Hat Review" to be held on December 6th to raise funds to purchase an iron lung to be presented to the Stanislaus County Hospital, whereupon Commissioner Frad introduced

RESOLUTION NO. 8641-N.S.

which was seconded by Commissioner Wilson granting permit to the Women's Auxiliary of the Stanislaus County Medical Society to erect a banner and waiving the usual fee of \$10.00, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

4
IN THE MATTER OF
COMMUNICATION

A communication from the Modesto Post No. 74 of the American Legion, extending an invitation to the Armistice Breakfast to be held by the Post on Friday, November 11, 1949, at the American Legion canteen in Legion Park was read and ordered filed.

5
IN THE MATTER OF
PROTEST RUBBISH
IN YARDS

A signed petition was presented to the Council by Mrs. Frank H. Russell, Mrs. E. R. Carlson, and Mrs. McAnaney, residents of First Street between G and H Streets, protesting to the rubbish left on their lawns by the students of the Modesto High School. City Clerk Gailfus was directed to communicate with the Superintendent of Schools, James Corson in regard to this matter.

6
IN THE MATTER OF
BIDS AUTOMOTIVE
EQUIPMENT

Commissioner Burkner introduced

RESOLUTION NO. 8642-N.S.

which was seconded by Commissioner Frad authorizing the City Clerk to call for bids on automotive equipment for the Public Works Department one new 1949 or 1950 one-half ton pickup, and one new 1949 or 1950 three-fourths ton pickup, said bids to be opened on November 23, 1949, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

7
IN THE MATTER OF
BIDS ON SUBURBAN
AND TRUCKS

Pursuant to advertising for bids for one new 1949 or 1950 Suburban and one new 1949 or 1950 truck, and whereas the City Clerk reported seven bids on file, it was the decision of the Council, after opening and comparing the bids to delay award until further inspection of bids could be made.

8
IN THE MATTER OF
BIDS ON LAWN SPRINK-
LING SYSTEM-FIRE
STATION #4

Whereas, pursuant to advertising for bids on furnishing all labor, materials, tools and equipment and doing all of the work involved in installing a lawn sprinkling system at Fire Station No. 4, and whereas the City Clerk reported receiving five bids, Commissioner Frad introduced

RESOLUTION NO. 8643-N.S.

which was seconded by Commissioner Burkner recommending that the bid be awarded to Fred L. Hill for \$924.00, as this was the lowest and best bid, and the City Clerk was directed to return bidding checks to the unsuccessful bidders, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

9
IN THE MATTER OF
BIDS ON WATER MAINS

WHEREAS, pursuant to advertising for bids for the installation of city water mains with fittings and connections as set forth in notice to bidders and whereas the City clerk

reported ten bids on file, after discussion of the bids received by order of the Council these were referred to the City Engineer for investigation and recommendation.

10
IN THE MATTER OF
BIDS ON TRAFFIC
LACQUER

Whereas, pursuant to advertising for bids for 1000 gallons of traffic lacquer, and whereas the City Clerk reported five bids on file, Commissioner Frad introduced

RESOLUTION NO. 8644-N.S.

which was seconded by Commissioner Stanley, recommending that the bid of the National Lead Company for \$1802.50 be accepted as it was the lowest and best bid, and the City Clerk is hereby directed to return bidding checks to the unsuccessful bidders, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

11
IN THE MATTER
OF PURCHASE OF
BOOKMOBILE

W. H. Murray, member of the Board of Trustees of the McHenry Library, and Miss Bessie Silverthorn, Librarian

appeared before the Council and discussed the matter of purchasing a Bookmobile to be used in connection with the library, and the fringe area of the City. No action was taken by the Council until further investigation could be made to determine if the County would share in the expense of purchasing this equipment.

12
IN THE MATTER OF
ESTABLISH DIAGONAL
PARKING

Commissioner Stanley introduced

RESOLUTION NO. 8645-N.S.

which was seconded by Commissioner Burkner, authorizing diagonal parking on both sides of 13th Street between K and L Streets, and the City Engineer was directed to mark the streets accordingly, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

Commissioner Stanley introduced

RESOLUTION NO. 8646-N.S.

13
which was seconded by Commissioner Burkner establishing diagonal parking on both sides of K Street from the alley between 12th and 13th Streets in block 92 and 91 to Fourteenth Street, and the City Engineer was directed to mark the streets accordingly, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

14
IN THE MATTER OF
FINAL PAYMENT TO
SAUERWEIN & THOMPSON

Commissioner Burkner introduced

RESOLUTION NO. 8647-N.S.

which was seconded by Commissioner Frad authorizing final payment to Sauerwein & Thompson of \$961.75 on the construction of water pumping station No. 15, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

15
IN THE MATTER OF
AUTHORIZE ROSSI
ATTEND MEETING

Commissioner Burkner introduced

RESOLUTION NO. 8648-N.S.

which was seconded by Commissioner Wilson authorizing City Engineer Rossi to attend conference of the Municipal Utilities Association in Santa Cruz on November 16-18, 1949 with all expenses paid, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

16
IN THE MATTER OF
INCREASE SALARY
CERTAIN EMPLOYEES

Commissioner Wilson introduced

RESOLUTION NO. 8649-N.S.

which was seconded by Commissioner Stanley adjusting the salary of Serena Arnold from \$340.00 per month to \$351.00, and of Marian Cronkite from \$245.00 to \$252.00, as of November 1, 1949, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

17
IN THE MATTER
OF ADJOURNMENT

Commissioner Wilson introduced

RESOLUTION NO. 8650-N.S.

which was seconded by Commissioner Frad, adjourning this Council meeting now in session, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST:  REX E. GAILFUS, CITY CLERK

Special Council Meeting

November 16, 1949

The Council of the City of Modesto met in special session this date at 4:00 P.M. as provided by Section 2 of Ordinance No. 2-N.S.

Present: Councilmen: Burkner, Frad, Wilson, Mayor Shannon

Absent: Councilmen: Stanley

1
IN THE MATTER OF
NOTICE TO BIDDERS
ON STEAM CLEANER

Commissioner Burkner introduced

RESOLUTION NO. 8651-N.S.

which was seconded by Commissioner Frad, authorizing the City Clerk to call for bids for furnishing one steam cleaner for the Public Works Department as per specifications set forth in Notice to Bidders, said bids to be opened at the regular Council meeting of December 14, 1949, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Stanley

2
IN THE MATTER OF
NOTICE TO BIDDERS
ON AUTOMOTIVE
EQUIPMENT

Commissioner Burkner introduced

RESOLUTION NO. 8652-N.S.

which was seconded by Commissioner Frad authorizing the City Clerk to call for bids for automotive equipment for the Public Works Department, three new 1949 or 1950 Standard Business Coupes, said bids to be opened on December 14, 1949, which resolution was regularly adopted by the following vote:

Ayes: Councilmen; Burkner, Frad, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Stanley

3
IN THE MATTER OF
AWARD OF BID ON
SUBURBAN WAGON

Commissioner Burkner introduced

RESOLUTION NO. 8653-N.S.

which was seconded by Commissioner Wilson, recommending that the bid of Halm Chevrolet Company for \$2029.86 for Suburban car with standard equipment be accepted as their bid was the lowest and best bid, and authorizing the City Clerk to return bidding checks to the unsuccessful bidders, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Stanley

4
IN THE MATTER OF
AWARD BID ON TRUCK

Commissioner Burkner introduced

RESOLUTION NO. 8654-N.S.

which was seconded by Commissioner Wilson, recommending that the bid of William J. Silva of \$2026.63 be accepted on a 1949 Studebaker Truck (cab and chassis only), as this bid was the lowest and best bid, and the City Clerk is authorized to return bidding checks to the unsuccessful bidders, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Stanley

5
IN THE MATTER OF
AWARD BID ON WATER
MAINS

Commissioner Frad introduced

RESOLUTION NO. 8655-N.S.

which was seconded by Commissioner Burkner recommending that the bid of E. T. Haas Company of \$21,612.03 for the installation of city water mains on Virginia Avenue from Morris Avenue to Needham Avenue, on 12th Street to E Street, on E Street to Tenth Street, and on Tenth Street to City property in Block 50, be accepted as it was the lowest and best bid, and the Mayor and City Clerk are hereby appointed signatory officials on contract agreement, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Stanley

6
IN THE MATTER OF
STOP SIGN ON FIFTH
STREET

Commissioner Burkner introduced

RESOLUTION NO. 8656-N.S.

which was seconded by Commissioner Wilson recommending that a traffic island be established at the intersection of Washington Street, Fifth Street, Maze Boulevard

and L Street, and a stop sign be established at the intersection of Fifth Street and Washington Street, stopping traffic crossing Washington Street and entering Maze Boulevard, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Stanley

7
IN THE MATTER OF
FINAL PAYMENT ON
PUMP STATION #14
SAUERWEIN & THOMPSON

Commissioner Burkner introduced

RESOLUTION NO. 8657-N.S.

which was seconded by Commissioner Wilson authorizing final payment to Sauerwein & Thompson of \$1579.75 on the construction of a water pumping station No. 14, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Stanley

8
IN THE MATTER OF
GRANT PERMIT EXHIBIT
"MIRACLE OF LIFE"
BY AMVETS

Whereas, the Modesto Amvets Post No. 101 have requested permission to exhibit "Miracle of Life" display and have requested two parking spaces be

reserved for this display in the business district, Commissioner Frad introduced

RESOLUTION NO. 8658-N.S.

which was seconded by Commissioner Burkner, granting permit to the Amvets to ~~exhibit "Miracle of Life" display, and have requested two parking spaces~~ exhibit this show for the period November 17-18, 1949, license free, providing no one under the age of 17 be allowed to visit this exhibit, and the location on the east side of I Streets at Eleventh Street be reserved for this exhibit, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Stanley

9
IN THE MATTER
OF ADJOURNMENT

Commissioner Frad introduced

RESOLUTION NO. 8659-N.S.

which was seconded by Commissioner Burkner adjourning this Council meeting now in session, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Stanley

ATTEST:  REX E. GAILFUS CITY CLERK

The Council of the City of Modesto met in regular session this date at 7:30 P.M. as provided by Section 1 of Ordinance No. 2-N.S.

Present: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Absent: Councilmen: None

IN THE MATTER OF
APPROVAL OF MINUTES

The minutes of the special meeting of November 2 and 16, and regular meeting of November 9, 1949, having been heretofore read by each Councilman, were approved as so read.

IN THE MATTER OF
PETITION FOR WATER
SERVICE

H. E. Goode, residing at 1731 Fairmont Avenue appeared before the Council and requested water service for his dwelling which is located outside the City limits, whereupon City Engineer Rossi recommended that the district to which the City is now furnishing water be extended to include this location, whereupon Commissioner Burkner introduced

RESOLUTION NO. 8660-N.S.

which was seconded by Commissioner Stanley recommending that the water district be extended to include the following described property:

That territory bounded on the south by Fairmont Avenue north by Corson Avenue, West by McHenry Avenue and east by Modesto Irrigation District Lateral No. 4

which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF
COMMUNICATION J.
KEITHLEY-RE TELE-
VISION

A communication was read from City Manager J. Keithley, regarding the installation of a television sending station on the east side of the Coast Range, and urging joint action by valley cities to convince the proper state officials that a Mount Diablo site should be made available to a television sending station, whereupon Commissioner Wilson introduced

RESOLUTION NO. 8661-N.S.

which was seconded by Commissioner Burkner recommending that authorization be given J. Keithley, City Manager of Stockton to act on behalf of the City of Modesto to contact the proper state officials to convince them that a Mount Diablo site should be made available to a television sending station as this is a joint problem for all valley cities, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF
COMMUNICATION ARTHUR
L. SHULL

A communication from Arthur L. Shull regarding installation of traffic signals at Morris Avenue and McHenry Avenue was read and ordered filed.

IN THE MATTER OF
REQUEST FOR SEWER
SERVICE

A request for sewage service for his new dwelling being constructed at 901 Edgebrook Drive was filed by Dr. Allan D. Harris. The City Engineer informed the Council that the plans had already been started

on sewer lines into this tract and that sewage service would be available in a very short time. The City Clerk was instructed to acknowledge receipt of this letter, and to inform Dr. Harris of the report of the City Engineer.

5
IN THE MATTER OF
HEARING ON RESCINDING
PERMIT OPERATE MODESTO
AMBULANCE COMPANY IN
RESIDENTIAL

Whereas, pursuant to setting this date for the hearing of protests to the operation of the Modesto Ambulance Company at 317 LaLoma Street

under use permit granted by the Modesto City Planning Commission, the following persons appeared before the Council protesting to the operation of this business in a residential district.

Mr. and Mrs. Paul Smith, 320 LaLoma Street

Mr. Clark Bradford, 311 La Loma

Mr. L. E. Thiel, 334 La Loma

Mr. A. E. Anderson, 328 LaLoma

and the following persons appeared opposing the rescinding of the use permit granted by the Planning Commission

Mr. C. J. King, 325 La Loma

Mrs. Alma Jaynes, 712 18th Street

Mr. J. A. Kelley, 317 LaLoma

Mr. and Mrs. D. G. Bailey, 228 Rue De Yoe

Mr. Ed Simidian, signer of the petition for the rescinding of the use permit, also appeared before the Council and stated that he did not seriously object to the operation of the Ambulance Company at this location. A letter on file with the City Clerk from Mrs. James J. Cavalieri, owner of property in Block 203, lot 33, opposing this operation was read.

Councilman Frad suggested that the hearing be continued to the next regular meeting of December 14, 1949, and that the City Attorney be instructed to inform the Council at this meeting on the legality of the operation of this type of business in a residential district.

6
IN THE MATTER OF
OPEN BIDS ON TRIPLE
COMBINATION FIRE
TRUCK

Whereas, pursuant to advertising for bids on a triple combination fire truck, the City Clerk reported six bids on file, and after opening of bids the Council ordered all bids referred to the Fire Chief for investigation and recommendation.

7
IN THE MATTER OF
OPEN BIDS ON ONE-
HALF TON PICKUP

Whereas, pursuant to advertising for bids on one new 1949 one-half ton pickup, the City Clerk reported four bids on file, which were opened by the Council and referred to the City Engineer for investigation and recommendation.

8
IN THE MATTER OF
OPEN BIDS ON THREE
QUARTER TON PICKUP

Whereas, pursuant to advertising for bids on one new 1949 three quarter ton pickup, the City Clerk reported five bids on file, which were opened by the Council and referred to the City Engineer for investigation and recommendation.

9

IN THE MATTER OF
DETERMINE RESULT OF
SPECIAL ELECTION
NOVEMBER 8, 1949

Whereas, a special municipal election in the City of Modesto was consolidated and held at the same time as the State Special Election on the 8th day of November,

1949, and whereas pursuant to the laws of the State of California, the Board of Supervisors of the County of Stanislaus has been authorized to and has canvassed the returns of said special municipal election, and the Board of Supervisors has received all of the returns of said election including absentee ballots, and finds that the same are now in proper form and has ascertained the results of said election as hereinafter stated: Commissioner Wilson introduced

RESOLUTION NO. 8662-N.S.

which was seconded by Commissioner Burkner resolving, certifying and declaring that the said special municipal election in and for the City of Modesto was regularly called, held and conducted as required by law. That the votes have been properly canvassed and the statement of the vote has been made by the Board of Supervisors and received by said City Council; that from the returns so canvassed as aforesaid it appears, and the said Council so finds that at said special municipal election in and for the City of Modesto, the total number of votes cast at the regular polling places designated was and is 6367; that the total number of absentee votes was and is 242;

That at said special municipal election the number of votes cast at the regular polling places upon the question "Shall the Charter for the City of Modesto as prepared and proposed by the Board of Freeholders be ratified?" was and is as follows:

YES----- 3321
NO-----2654

That the total number of absentee ballots cast for said proposition was and is as follows:

YES----- 51
NO----- 11

That the total number of votes received by said proposition including votes cast at the regular polling places designated and absentee ballots was and is as follows:

YES-----3372
NO-----2665

That the question "Shall the Charter for the City of Modesto as prepared and proposed by the Board of Freeholders be ratified?" received a majority of votes in favor thereof of the qualified voters voting thereon at such election, and carried.

The City Council of the City of Modesto further finds and declares that at said special municipal election in and for the City of Modesto that the number of votes cast at the regular polling places on the proposition of approving or rejecting initiative Ordinance No. 912-N.S. entitled: "An Ordinance Authorizing a contract between the City of Modesto and the Board of Administration, California State Employee's Retirement System, Providing for the Participation of said City of Modesto in said State Employee's Retirement System making the Employees of said City of Modesto Members of said System" was and is as follows:

YES ----- 3816

NO ----- 1724

That the total number of absentee ballots cast for said proposition was and is as follows:

YES ----- 48

NO ----- 10

That the total number of votes received by said proposition including votes cast at the regular polling places designated and absentee ballots was and is as follows:

YES ----- 3864

NO ----- 1734

That the Initiative Ordinance No. 912-N.S. received a majority of votes in favor thereof of the qualified voters voting thereon at such election, and carried.

It is Further Resolved that the statement of the vote issued by the Board of Supervisors of the County of Stanislaus as certified by the County Clerk of the County of Stanislaus be and the same is hereby approved and adopted and is hereby entered on the minutes of this Council as a statement of the result of said election, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

10
IN THE MATTER OF
ADVERTISE FOR BIDS ON
TRACTOR AND DUMP CART

Commissioner Burkner introduced

RESOLUTION NO. 8663-N.S.

which was seconded by Commissioner Frad authorizing the City Clerk to call for bids on one four wheel tractor with pneumatic tires and one dump cart trailer, said bids to be opened on December 14, 1949, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

11
IN THE MATTER OF
ADVERTISE FOR BIDS
MARCHANT AUTOMATIC
CALCULATING MACHINE

Commissioner Frad introduced

RESOLUTION NO. 8664-N.S.

which was seconded by Commissioner Wilson authorizing the City Clerk to call for bids on one new Marchant Automatic Calculating Machine - 10 columns, said bids to be opened on December 14, 1949, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

12
IN THE MATTER OF
APPOINT SIGNATORY
OFFICIALS - AGREEMENT
EDWARDS & PROVINCE

Commissioner Wilson introduced

RESOLUTION NO. 8665-N.S.

which was seconded by Commissioner Burkner appointing

the Mayor and Auditor as signatory officials on agreement between the Pacific Aircraft Service, and the City of Modesto for the rental of the airplane hangar at the Municipal Airport, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen; None

Absent:Councilmen: None

13
IN THE MATTER OF
APPROVE MAP OF
EL CAMINO COURT

Commissioner Frad introduced
RESOLUTION NO. 8666-N.S.

which was seconded by Commissioner Burkner recommending that the map of El Camino Court be approved and the City Clerk be appointed signatory official, which resolution was regularly adopted by the following vote:

Ayes: Councilmen; Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent:Councilmen: None

14
IN THE MATTER OF
AUTHORIZE CITY
ATTORNEY COMMUNICATE
STATE RETIREMENT
SYSTEM

Commissioner Frad introduced
RESOLUTION NO. 8667-N.S.

which was seconded by Commissioner Burkner authorizing the City Attorney to commence proceedings for participation of the employees of the City of Modesto who are not already members in the California State Retirement System, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent:Councilmen: None

15
IN THE MATTER OF
RECREATION BUILDING
WEST SIDE PARK

Whereas, it is the intention of the City of Modesto to erect a recreation building in the West Side Park, and

since the building blocks for this building have been donated to the City for that purpose, and are now upon the premises, Commissioner Wilson introduced

RESOLUTION NO. 8668-N.S.

which was seconded by Commissioner Burkner, directing the Department of Public Works to begin preliminary work for the construction of said building, and to clear the area for the same not later than December 5, 1949, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent:Councilmen: None

16
IN THE MATTER OF
ORD. SALE USELESS
PERSONAL PROPERTY

Commissioner Wilson introduced an ordinance being
ORDINANCE NO. 916-N.S.

entitled: "AN ORDINANCE PROVIDING FOR THE SALE OF USELESS PERSONAL PROPERTY", and moved its adoption and passage to print and publish, which motion being duly seconded by Commissioner Frad, it was upon roll call carried, and the ordinance ordered published as above by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent:Councilmen: None

17
IN THE MATTER OF
ORD. AMEND ORD.
NO. 901-N.S.
GARBAGE GRINDERS

Commissioner Wilson introduced an ordinance being

ORDINANCE NO. 917-N.S.

entitled: "AN ORDINANCE AMENDING ORDINANCE NO.

901-N.S. OF THE CITY OF MODESTO AND PERMITTING THE INSTALLATION OF GARBAGE DISPOSAL UNITS AND/or GARBAGE GRINDERS", and moved its adoption and passage to print and publish, which motion being duly seconded by Commissioner Burkner, it was upon roll call carried and the ordinance ordered published as above by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

18
IN THE MATTER OF
DISCUSS POLICY ON
ERECTING BANNERS

A discussion was held by the Council on their

policy in granting permits to install street

banners advertising activities in the city during the period the Christmas decorations were installed, and it was the decision that no permits be granted during this period.

19
IN THE MATTER OF
AUTHORIZE CANCELLA-
TION OUTSTANDING
WARRANTS

Commissioner Wilson introduced

RESOLUTION NO. 8669-N.S.

which was seconded by Commissioner Stanley authoriz-

ing the City Auditor to cancel the following outstanding warrants of the City of Modesto:

| <u>Warrant #</u> | <u>Issued to</u> | <u>Amount</u> | <u>Date Issued</u> |
|------------------|--------------------------------|---------------|--------------------|
| 1272 | Treas. of the U.S. | \$153.29 | Sept. 7, 1945 |
| 1950 | State of Calif. Document Div. | 2.05 | Feb. 13, 1945 |
| 2352 | Public Management | 4.00 | May 8, 1945 |
| 2933 | Penney's | 47.63 | August 14, 1945 |
| 1951 | U.S. Dept. of Commerce | 1.25 | Feb. 13, 1946 |
| 2238 | Schwabacher-Frey Co. | 21.83 | Apr. 10, 1946 |
| 2363 | Southern Pacific Co. | 4.14 | May 8, 1946 |
| 2370 | Valley Builders Supply Co. | 177.86 | May 8, 1946 |
| 4935 | Remington Rand Co. | 70.89 | June 11, 1947 |
| 4899 | Michaels Art Bronze Co. | 478.66 | June 11, 1947 |
| 4144 | William P. Watson | 12.60 | Feb. 13, 1947 |
| 1172 | Addressograph Sales Co. | 15.66 | Dec. 10, 1947 |
| 932 | G. B. Podesto | 740.00 | Oct. 23, 1947 |
| 3831 | Rose Lithograph | 36.70 | Nov. 10, 1948 |
| 3588 | Pacific Freight Lines Express | 1.43 | Oct. 13, 1948 |
| 3291 | District Court of Appeal | 4.20 | Sept. 8, 1948 |
| 3188 | Valley Express Co. | 48.27 | Aug. 11, 1948 |
| 1310 | Underwood Corporation | 10.50 | Dec. 10, 1947 |
| 1953 | Modesto Steam Laundry | 2.21 | Mar. 10, 1948 |
| 5862 | Harold Fauss | 50.00 | July 13, 1949 |
| 4938 | Addressograph-Multigraph Corp. | 47.12 | Apr. 13, 1949 |
| 4594 | United Lumber Yards | 5.56 | Feb. 9, 1949 |

| | | | |
|------|--------------------------|--------|---------------|
| 4794 | Valley Express Co. | 58.90 | Mar. 9, 1949 |
| 4209 | Geo. F. Coke Co. | 4.61 | Jan. 12, 1949 |
| 4584 | State of Calif. Printing | 1.00 | Feb. 9, 1949 |
| 6067 | Snowden Chemical Co. | 2.58 | Aug. 10, 1949 |
| 2004 | Harvey Barley | 32.75 | Mar. 13, 1946 |
| 2380 | Wilder Printing Co. | 87.13 | May 8, 1946 |
| 4917 | Modesto Tribune | 105.05 | June 11, 1947 |

which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF
 AUTHORIZE AUDITOR
 CANCEL ASSESSMENTS

Commissioner Frad introduced

RESOLUTION NO. 8670-N.S.

which was seconded by Commissioner Burkner ordering the Assessor of the City of Modesto to cancel the following assessments on the 1949-1950 tax roll:

Tax bill #40, John Alcamo et ux. Improvements \$900.00 removed prior to 1st Monday in March, Total Tax \$12.60.

Tax Bill #188, Margaret J. Bacon, personal property \$250.00 removed prior to 1st Monday in March, Total Tax \$3.50.

Tax Bill #190 William E. Bacon, Personal property \$250.00 removed prior to 1st Monday in March, total tax \$3.50.

Tax Bill #954, Georgia Cox et al, Improvements \$930.00 removed prior to 1st Monday in March, total tax \$13.02

Tax Bill, #1407, D. Franzi, et ux, Improvements \$2690.00, double Assessed, Total Tax \$37.66.

Tax Bill #2015 Ivan A. Hull, et ux, Improvements \$450.00 removed prior to March 1, 1949. Total tax \$6.30.

Tax Bill #2974 Sam J. McKendree et ux, Improvements \$1460.00, assessed in error, no improvements on this property, total tax \$20.44.

Tax Bill #3645 Joseph A. Saletta Et ux, Improvements \$460.00 removed prior to 1st Monday in March, total tax \$6.44

Tax Bill #3823 Walter P. Shoemake, Personal Property \$9180.00 double assessed, paid prior to preparation of City Tax Roll, total tax \$128.52.

Tax Bill #4634 Edwin E. Wood, improvements \$1095.00 removed prior to preparation of Tax Roll, Total tax \$15.33.

Tax Bill #5297, Margaret L. Sanders, Improvements shown on property in error, \$5025.00, total tax \$67.34.

Tax Bill #4205, Irene J. Thur, Soldier's exemption \$1000.00, not allowed in error, Tax \$14.00.

Tax Bill #2805, Modesto Terminal Co., improvements \$15,945.00, double assessed 1949-50 total tax \$223.23.

which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

21
IN THE MATTER OF
AUTHORIZE PAYMENT
STANDARD MATERIALS
COMPANY

Commissioner Burkner introduced

RESOLUTION NO. 8671-N.S.

which was seconded by Commissioner Frad
accepting the work as completed by contractors, Standard Materials Company
on the improvement of Washington Street from Maze Boulevard to I Street,
and First Street from Washington Street to H Street, and directing the
City Clerk to record notice of completion with the Recorder of Stanislaus
County and progressive payment of \$2121.37 be authorized to the said Standard
Materials Company, which resolution was regularly adopted by the following vote:
Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon
Noes: Councilmen: None
Absent: Councilmen: None

22
IN THE MATTER OF
APPLICATION CITY
MANAGER, ED ARPS

Application of Edward Arps for City Manager

was received by the Council, whereupon

Commissioner Frad introduced

RESOLUTION NO. 8672-N.S.

which was seconded by Commissioner Stanley, accepting application and ordering
it placed on file, which resolution was regularly adopted by the following vote:
Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon
Noes: Councilmen: None
Absent: Councilmen: None

23
IN THE MATTER OF
PREPARE AGREEMENTS
FIRE PROTECTION-
MODESTO CITY SCHOOLS

City Attorney Halley and Fire Chief Wemyss
were authorized to prepare contracts for
execution by the City of Modesto and the

Modesto City Schools for fire protection on the John Freemont School located
at the corner of Tully Road and Granger Avenue, outside the city limits.

24
IN THE MATTER OF
RECOMMENDATION OF
PLANNING COMMISSION

Commissioner Wilson introduced

RESOLUTION NO. 8673-N.S.

which was seconded by Commissioner Frad recommending that the recommendations
of the City Planning Commission for amending and rescinding of certain ordi-
nances to protect newly annexed territory and to establish a residence agri-
cultural district be considered by the Council at their regular meeting of
January 11, 1950, which resolution was regularly adopted by the following vote:
Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon
Noes: Councilmen: None
Absent: Councilmen: None

25
IN THE MATTER OF
AUTHORIZE CITY EN-
GINEER CONFER WITH
HARRY N. JENKS

Commissioner Wilson introduced

RESOLUTION NO. 8674-N.S.

which was seconded by Commissioner Stanley
authorizing the City Engineer to confer with Harry N. Jenks, Consulting En-
gineer in Palo Alto on the final recommendations for the improvement and
enlargement of the sewage disposal treatment plant, with all expenses paid,
which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER
OF ADJOURNMENT

Commissioner Wilson introduced

RESOLUTION NO. 8675-N.S.

which was seconded by Commissioner Stanley, adjourning this Council meeting now in session, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST:  REX E. GAILFUS, CITY CLERK

Special Council Meeting

December 7, 1949

The Council of the City of Modesto met in special session this date at 4:00 P.M. as provided by Section 2 of Ordinance No. 2-N.S.

Present: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Absent: Councilmen: None

IN THE MATTER OF
AWARD BID ON FIRE TRUCK
ELIÖH fire truck to the First Chief for tabulation and recommendation, he filed a

Whereas pursuant to referring bids on triple combin- report at this time recommending that the bid of William J. Silva be accepted, where-

upon Commissioner Frad introduced

RESOLUTION NO. 8676-N.S.

which was seconded by Commissioner Stanley, awarding bid to the said William J. Silva for \$12,110.74, as it was the lowest and best bid, and directing the City Clerk to return bidding checks to the unsuccessful bidders, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF
AWARD BID ON ONE-
HALF TON TRUCK

Whereas, pursuant to referring all bids on one-half ton pickup to the City Engineer for tabulation and recom-

mendation, he reported at this time that he recommended the bid of R. B. MacBride be accepted, whereupon Commissioner Frad introduced

RESOLUTION NO. 8677-N.S.

which was seconded by Commissioner Wilson, awarding the bid to R. B. MacBride for \$1330.00, as it was the lowest and best bid, and directed the City Clerk to return bidding checks to the unsuccessful bidders, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

3
IN THE MATTER OF
AWARD BID ON THREE-
QUARTER TON TRUCK

Whereas, pursuant to referring all bids on three-
quarter ton truck to the City Engineer for tabu-
lation and recommendation, he reported at this time that he recommended the bid
of the Dahl Chevrolet Company be accepted, whereupon Commissioner Frad introduced
RESOLUTION NO. 8678-N.S.

which was seconded by Commissioner Stanley, awarding the bid to the said Dahl
Chevrolet Company for \$1445.53, as it was the lowest and best bid, and directed
the City Clerk to return bidding checks to the unsuccessful bidders, which reso-
lution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

4
IN THE MATTER OF
ANNEXATION OF RICE
AND TATUM TRACTS

Petition was filed by Clara J. Burke, James
Gonzalez, Estelle Gonzalez, Jack L. Andrews,
Daniel F. Burke, and Elizabeth S. Zimmerman for the annexation of a portion
of the Rice and Tatum Tract to the City of Modesto. Action was delayed on this
petition until the next Council meeting.

5
IN THE MATTER OF
RESOLUTION ON NEW
CHARTER

Commissioner Wilson introduced
RESOLUTION NO. 8679-N.S.

which was seconded by Commissioner Frad, appointing the Mayor and City Clerk as
signatory officials on certificate of adoption of the new city charter, and
authorizing the City Clerk to deliver the charter and certificate of adoption
to Assemblyman Ralph M. Brown, which resolution was regularly adopted by the
following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

6
IN THE MATTER OF
ANNEXATION SEWER
FARM TO CITY

Commissipner Stanley introduced
RESOLUTION NO. 8680-N.S.

which was seconded by Commissioner Wilson appointing the Mayor and City Clerk
as signatory officials on petition to the Board of Supervisors of Stanislaus
County for the annexation of the sewer farm to the City of Modesto, and directing
the City Clerk to file petition with the County Board of Supervisors, which
resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

7
IN THE MATTER OF
AUTHORIZE PAYMENT TO
MODESTO CITY SCHOOLS

Commissioner Stanley introduced
RESOLUTION NO. 8681-N.S.

which was seconded by Commissioner Wilson authorizing payment of claim of the
Modesto City Schools for \$312.86 for expenses incurred by them for electricity,
chemical, gas and breakage, while the City Recreation Department was operating
the swimming pool at the Modesto High School during the months of July, August
and September, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

8
IN THE MATTER OF
AUTHORIZE PAYMENT
SAUERWEIN & THOMPSON

Commissioner Burkner introduced

RESOLUTION NO. 8682-N.S.

which was seconded by Commissioner Wilson authorizing final payment of \$1,125.00 to Sauerwein & Thompson on the construction of a City dog pound, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

9
IN THE MATTER OF
COMMUNICATION FROM
LONG'S STORES

A Communication from Longs Stores operating at 925

Tenth Street protesting to the "parking of motorcycles

in front of their store and the accumulation of riders and their associates in front of their store between the hours of 6 P.M. and 9 P.M." was read and after a discussion by the Council and C. J. Cannon, Manager of the Longs Store, the matter was referred to the Chief of Police and the City Attorney to work out some solution of the problem and to report to the Council.

10
IN THE MATTER OF
ACCEPT IMPROVEMENT
JOHNSON STREET FROM
CONTRACTORS

Commissioner Burkner introduced

RESOLUTION NO. 8683-N.S.

which was seconded by Commissioner Wilson accepting the improvement of Johnson Street between Jones Street and Morris Avenue from contractors Munn and Perkins, directing the City Clerk to file Notice of Completion with the Recorder of Stanislaus County and authorizing payment of \$7488.01 on the contract and \$77.98 for extra work done, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

11
IN THE MATTER OF
LEAVE OF ABSENCE
CYRIL HENDERSON

Commissioner Wilson introduced

RESOLUTION NO. 8684-N.S.

which was seconded by Commissioner Stanley, granting leave of absence to Cyril McC Henderson for a period of one month beginning January 1, 1950, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

12
IN THE MATTER OF
SALARY ADJUSTMENTS

Whereas the Modesto City Planning Commission have

recommended that a salary adjustment be made for Ralph

Tyree, Planning Draftsman from \$230.00 to \$240.00, and whereas City Engineer has filed a report recommending that certain salary adjustments be made for various employees

in the Public Works Department also, Commissioner Burkner introduced

RESOLUTION NO. 8685-N.S.

which was seconded by Commissioner Stanley recommending that the salary of Ralph Tyree be adjusted from \$230.00 to \$240.00, and Fred Johnson, Assistant City Engineer from \$475.00 to \$500.00, beginning December 1, 1949, and also recommending that the other salary adjustments recommended by the City Engineer be denied, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

13
IN THE MATTER OF
SET DATE HEARING
OF ZONING OF
ANNEXED TERRITORY

Whereas, the Modesto City Planning Commission has initiated by Resolution No. 86, proceedings for amending Ordinance No. 700-N.S. to district recently annexed northwest one-quarter of lots 3 of the Rice Colony, and the Northerly 1.28 feet of the Southwest 1/4 of Lot 3 of said Rice Colony, known as the El Camino Tract, as R-2 two family residential district, and they have had the required public hearings, Commissioner Wilson introduced

RESOLUTION NO. 8686-N.S.

which was seconded by Commissioner Frad recommending that the Council set the date of December 28, 1949 at the City Hall at 7:30 P.M. as the time and place for the hearing of protests to the establishing of above described territory as R-2 Two family residential District, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

14
IN THE MATTER OF
COMMUNICATION PLANNING
COMMISSION

A communication from the Modesto City Planning Commission recommending that the Council adopt an ordinance to enforce the official house numbering system adopted by the Council was read and this matter was turned over to the City Attorney to study and make recommendations to the Council.

15
IN THE MATTER OF
PETITION ANNEXATION
CITY SCHOOL PROPERTY
TO THE CITY

A petition was filed by the Modesto City Schools for the annexation of the following School property to the City of Modesto: Downey High School, John Marshall Elementary School, and John Muir Elementary School, located outside the city limits.

16
IN THE MATTER OF
REPORT BY CITY
ATTORNEY ON FIRE
PROTECTION ON
SCHOOLS OUTSIDE CITY

City Attorney Halley reported that pursuant to instructions from the City Council, he had contacted the school authorities regarding agreements for fire protection for city school buildings located outside the city limits, and they are opposed to paying an annual standby charge of \$200.00 for each school, and he was instructed to contact the school authorities again and propose that a standby fee of \$150.00 for each school be considered.

17
IN THE MATTER OF
GRANT PERMIT CURB
CUT H AND FIRST
STREET ROBERT G.
MARTIN

Commissioner Wilson introduced

RESOLUTION NO. 8687-N.S.

which was seconded by Commissioner Burkner granting permit to Contractor Robert G. Martin to cut an additional 17 feet of curbing in Block 17, lot 1 at the corner of H and First Street for H. L. Abel, owner of proposed drive-in restaurant, under the supervision of the City Engineer, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

18
IN THE MATTER OF
PETITION CONSTRUCT
SERVICE STATION
NINTH AND D STREETS

Whereas the General Petroleum Corporation have filed a petition to build a service station at the South-east corner of Ninth and D Streets, Block 50 and whereas the plans and specifications have been approved by the Building Inspector, Commissioner Burkner introduced

RESOLUTION NO. 8688-N.S.

which was seconded by Commissioner Frad approving plans for service station and curb cuts and granting permit to the said General Petroleum Corporation to erect service station at Ninth and D Streets, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

19
IN THE MATTER OF
REJECT BIDS ON
SWEEPER

Whereas, pursuant to referring all bids on street sweeper to the City Engineer for investigation and recommendation, and whereas he has reported that he recommended the rejection of all bids, Commissioner Frad introduced

RESOLUTION NO. 8689-N.S.

which was seconded by Commissioner Stanley, rejecting all bids received on the street sweeper and authorizing the City Engineer to purchase equipment on the open market, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

20
IN THE MATTER OF
PETITION OPERATE
USED CAR LOT

Max L. Peterson, operating a service station and used car lot at 501 I Street, petitioned the Council for permit to move his used car lot across the street from his service station. As the new location of the used car lot did not meet the building code requirements for sanitary facilities the matter was referred to the City Attorney for study and recommendation.

21
IN THE MATTER OF
ADJOURNMENT

Commissioner Frad introduced

RESOLUTION NO. 8690-N.S.

which was seconded by Commissioner Stanley, adjourning this Council meeting now in session, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: 
REX E. GAILFUS, CITY CLERK

Council Meeting

December 14, 1949

The Council of the City of Modesto met in regular session this date at 7:30 P.M. as provided by Section 1 of Ordinance No. 2-N.S.

Present: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Absent: Councilmen: None

IN THE MATTER OF APPROVAL OF MINUTES

The minutes of the regular meeting of November 23, 1949, and the special meeting of December 7, 1949 having been heretofore read by each Councilman were approved as so read.

IN THE MATTER OF HEARING ON AMBULANCE OPERATING IN RESIDENCE ZONE

Whereas, pursuant to delaying action on the rescinding of permit to the Modesto Ambulance Company to operate at 317 LaLoma Street as recommended by the Modesto City Planning Commission, Attorney A. A. Cardozo appeared before the Council representing the operators of the Modesto Ambulance Company, and stated they had expended a large amount of money on this dwelling in order to operate their ambulance at this location. Leland Thiel owner of property near the Ambulance Company appeared before the Council protesting to this operation. After discussion by the Council, Commissioner Frad introduced

RESOLUTION NO. 8691-N.S.

which was seconded by Commissioner Burkner, recommending that the permit of the Modesto Ambulance Company be continued for a period of six months from this date, with the understanding that the permit be revoked at that time, and also that the hearing might be reopened at any time during the intervening period should some objections as to their operations in this district be filed with the Council, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Stanley, Wilson, Frad, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF CLAIMS FOR MONTH OF NOVEMBER

Claims against the City of Modesto for the month of November, 1949 having been heretofore audited by the Council and found to be correct, Commissioner Wilson introduced

RESOLUTION NO. 8692-N.S.

which was seconded by Commissioner Burkner, ordering that all of the said claims so audited and approved be and the same are hereby allowed, with reference being made to the Auditors Cash Record for further details relative to the amounts of withdrawals from the various funds as follows:

| | |
|----------------------------|--------------|
| General Fund ----- | \$107,184.85 |
| Bond Redemption Fund ----- | 2,895.22 |
| Water Fund ----- | 7,429.80 |
| Library Fund ----- | 2,914.16 |
| Parking Meter Fund ----- | 95.10 |
| Fire Bond Fund ----- | 929.66 |
| Water Bond Fund ----- | 22,957.92 |
| Sewer Bond Fund ----- | 12.97 |
| | <hr/> |
| | 144,419.68 |

which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

3
IN THE MATTER OF
TRAFFIC SIGNALS
TENTH AND K STREETS

A communication was filed by Sears Roebuck & Company requesting that a traffic signal be installed at the intersection of Tenth and K Streets. The Council indicated their approval of the installation of a traffic signal at this intersection and referred the matter to the Chief of Police and City Engineer for investigation and recommendation at the next Council meeting.

4
IN THE MATTER OF
PETITION FOR RENEWAL
BUS FRANCHISE MODESTO
TRANSIT COMPANY

A petition was filed by Frank Cadmus Damrell, Attorney for E. B. Osthues and Mary Maritzen, doing business as the Modesto Transit Company for the renewal of their bus franchise for the operation of the South Modesto Acres bus and the Airport District bus, for a period of ten years from December 14, 1949, whereupon Commissioner Stanley introduced

RESOLUTION NO. 8693-N.S.

which was seconded by Commissioner Wilson, renewing the bus franchise of E. B. Osthues and Mary Maritzen doing business as the Modesto Transit Company for a period of ten years from December 14, 1949, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

5
IN THE MATTER OF
PETITION ONE HOUR
PARKING ON H STREET
BETWEEN FIFTH AND
SIXTH STREETS

Whereas a petition was filed by merchants operating on H Street, between Fifth and Sixth Street, requesting one hour parking regulation be established on H Street between Fifth and Sixth Streets, whereupon Commissioner Frad introduced

RESOLUTION NO. 8694-N.S.

which was seconded by Commissioner Stanley authorizing the establishment of one hour parking on both sides of H Street, between Fifth and Sixth Streets and directing the City Engineer to install the necessary parking signs, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

6
IN THE MATTER OF
BIDS ON CALCULATING
MACHINE

Whereas, pursuant to advertising for bids for one new Marchant Automatic Calculating Machine - 10 columns and whereas the City Clerk reported receiving one bid from the L. M. Morris Company for \$773.02 on a model 10FA Marchant Calculating Machine, and one bid from Friden Automatic Calculators Company on a Friden Ultramatic Calculator, Commissioner Frad introduced

RESOLUTION NO. 8695-N.S.

which was seconded by Commissioner Stanley accepting the bid of the L. M. Morris Company and directing the City Clerk to return the bidding check to the said Friden Automatic Calculators Company, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

7
IN THE MATTER OF
BIDS ON BUSINESS
COUPES

Whereas, pursuant to advertising for bids for three standard 1949-1950 Business Coupes, the City Clerk reported receiving three bids and the Council, after opening of bids, referred them to the City Engineer for investigation and recommendation at the next Council meeting.

8
IN THE MATTER OF
BIDS ON STEAM CLEANER

Whereas, pursuant to advertising for bids for furnishing one steam cleaner for the Public Works Department, and whereas four bids have been filed, by order of the Council all bids were referred to the City Engineer for tabulation and recommendation.

9
IN THE MATTER OF
BIDS ON TRACTOR AND
DUMP CAR TRAILER

Whereas, pursuant to advertising for bids for furnishing one four wheel tractor with pneumatic tires and one dump car trailer, and whereas three bids have been filed by order of the Council, all bids were referred to the City Engineer for tabulation and recommendation.

10
IN THE MATTER OF
NOTICE BIDDERS
PIPE-VALVES-FITTINGS

Commissioner Burkner introduced
RESOLUTION NO. 8696-N.S.

which was seconded by Commissioner Frad authorizing the City Clerk to call for bids for the purchase of pipe, valves and fittings in accordance with the specifications on file in the office of the City Engineer, said bids to be opened on December 28, 1949, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

11
IN THE MATTER OF
NOTICE BIDDERS
SALE OF USELESS
PERSONAL PROPERTY

Commissioner Wilson introduced
RESOLUTION NO. 8697-N.S.

which was seconded by Commissioner Frad, authorizing the City Clerk to advertise for bids for the sale of useless personal property of the City of Modesto at public auction to be held on December 30, 1949 at the Corporation Yard, 1107 Eighth Street, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

12
IN THE MATTER OF
FINAL ADOPTION ORD.
NO. 916-N.S. SALE
OF USELESS PERSONAL
PROPERTY

Ordinance No. 916-N.S. having been heretofore introduced and ordered printed and published at the regular meeting of November 23, 1949, and thereupon printed and published as required by the Charter of the City of Modesto coming on for final adoption at this time, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

13
IN THE MATTER OF
FINAL ADOPTION ORD.
NO. 917-N.S. AMEND
ORD. NO. 901-GARBAGE
GRINDERS

Ordinance No. 917-N.S. having been heretofore
introduced and ordered printed and published at the
regular meeting of November 23, 1949, and thereupon

printed and published as required by the Charter of the City of Modesto coming on
for final adoption at this time, it was upon roll call so finally adopted by the
following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

14
IN THE MATTER OF
ORD. AMEND MILK
ORDINANCE NO. 658-N.S.

Commissioner Stanley introduced an ordinance being
ORDINANCE NO. 918-N.S.

entitled: "AN ORDINANCE REPEALING SECTION 2 AND SECTION 3 OF ORDINANCE NO. 765-N.S.
AND SECTION 4 OF ORDINANCE NO. 658-N.S. AND AMENDING SECTION 5 AND SECTION 6 OF
ORDINANCE NO. 658-N.S. OF THE CITY OF MODESTO", and moved its adoption and passage
to print and publish, which motion being duly seconded by Commissioner Frad, it was
upon roll call carried and the ordinance ordered published above by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

15
IN THE MATTER OF
REPORTS MONTH OF
NOVEMBER, 1949

Departmental reports for the month of November, 1949
were read and ordered filed.

16
IN THE MATTER OF
REPORT BY ENGINEER ON
PETITION ANNEXATION
SCHOOL PROPERTY

Whereas, pursuant to delaying action on the petition
of the Modesto City Schools for the annexation of
certain city school property located outside the city
limits until the description of the property as given in the petition could be verified,
the City Engineer filed a report recommending that the petition be returned to the
Modesto City Schools for corrections in the description so as to conform with state
laws. The City Engineer was ordered to return the petition to the Modesto City Schools
for the necessary corrections.

17
IN THE MATTER OF
AUTHORIZE CITY
ENGINEER PROCEED
GRADING IMPROVING
PROPERTY BLOCK 121

Commissioner Frad introduced
RESOLUTION NO. 8698-N.S.

which was seconded by Commissioner Wilson authorizing
the City Engineer to proceed with the clearing, grading and oiling of the half block
site in Block 121, purchased by the City of Modesto for a City Hall Site, and to be
used temporarily for a parking lot, the cost of the improving of this property to be
charged to the parking meter fund, which resolution was regularly adopted by the follow-
ing vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

18
IN THE MATTER OF
AUTHORIZE WARRANT
TO U. H. PICKERING

Commissioner Wilson introduced

RESOLUTION NO. 8699-N.S.

which was seconded by Commissioner Stanley granting the Police Chief leave of absence for a period of twelve weeks to attend the Federal Board of Investigation National Academy in Washington, D.C., beginning Jan. 5, 1950, and authorizing the City Auditor to draw warrant in amount \$1000.00 to U. H. Pickering, Police Chief and directing the Police Chief to file itemized report of his expenses on his return to Modesto, and if additional expenses have been incurred, he will be reimbursed to the amount of \$200.00, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

19
IN THE MATTER
OF ADJOURNMENT

Commissioner Wilson introduced

RESOLUTION NO. 8700-N.S.

which was seconded by Commissioner Stanley adjourning this Council meeting now in session, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None


ATTEST: REX E. GAILPUS, CITY CLERK

Special Council Meeting

December 15, 1949

The Council of the City of Modesto met in special session this date at 4:00 P.M. as provided by Section 2 of Ordinance No. 2-N.S.

Present: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Absent: Councilmen: None

IN THE MATTER OF
AMEND CERTIFICATION
ON CHARTER

City Attorney Francis W. Halley explained

that the Legislative Council for the California State Legislature had suggested that the certification accompanying the Charter adopted by the City at the special municipal election held on November 8, 1949 be amended to read in part as follows: --- "That the President of the Board of Freeholders at the time of the filing of said Charter orally requested the City Council to hold an election on the 8th day of November, 1949, and to submit the Charter to the electors of said City of Modesto on that date: --- except that the date of the election upon the adoption of said Charter was determined in the manner hereinabove set forth". Attorney Frank Collier and Attorney Robert B. Fowler, Chairman of the Freeholders Committee appeared before the Council and discussed the proposed

amendment to the certification, whereupon Commissioner Stanley introduced

RESOLUTION NO. 8701-N.S.

which was seconded by Commissioner Wilson authorizing the amendment to the certificate of adoption of the Charter for the City of Modesto to read as hereinabove stated and appointing the Mayor and City Clerk as signatory officials and said amended certificate of adoption be filed, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

2
IN THE MATTER
OF ADJOURNMENT

Commissioner Stanley introduced

RESOLUTION NO. 8702-N.S.

which was seconded by Commissioner Wilson, adjourning this Council meeting now in session, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST:  REX E. GAILFUS, CITY CLERK

Special Council Meeting

December 21, 1949

The Council of the City of Modesto met in special session this date at 4:00 P.M. as provided by Section 2 of Ordinance No. 2-N.S.

Present: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Absent: Councilmen: None

1
IN THE MATTER OF
BANNER-MODESTO
JUNIOR COLLEGE

A request was filed by the Tournament Committee of the 12th Annual Junior College Basketball Tournament

of the Modesto Junior College, for permission to erect a banner advertising the tournament to be held January 4 to 7 inc. By order of the Council the Fire Chief was directed to erect banner after December 25 in the most convenient place in the business district.

2
IN THE MATTER OF
AGREEMENT PACIFIC
AIRCRAFT COMPANY

Commissioner Stanley introduced

RESOLUTION NO. 8703-N.S.

which was seconded by Commissioner Burkner, cancelling Resolution No. 8665-N.S. entitled: "A RESOLUTION APPOINTING SIGNATORY OFFICIALS ON AGREEMENT WITH THEO O. EDWARDS AND NATHAN J. PROVINCE DOING BUSINESS AS THE PACIFIC AIRCRAFT SERVICE FOR RENTAL OF AIRPORT HANGAR AT THE MUNICIPAL AIRPORT", which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

3
IN THE MATTER OF
AGREEMENT PACIFIC
AIRCRAFT COMPANY

Commissioner Stanley introduced

RESOLUTION NO. 8704-N.S.

which was seconded by Commissioner Burkner approving agreement between Nathan J. Province doing business as the Pacific Aircraft Service and appointing the Mayor and Auditor as signatory officials which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

4
IN THE MATTER OF
REPORT CITY ENGINEER
TRAFFIC SIGNALS

Whereas pursuant to referring the request of

the Sears Roebuck Company for the installation

of traffic signals at the intersection of Tenth and K Streets to the City Engineer for his investigation and recommendation, he reported at this time on the cost of the installation of overhead traffic signals as compared to the four way signals now installed in the city, and he recommended that the amount budgeted in the 1949-50 budget for traffic signals, be expended for two four way traffic signals to conform with the signals already installed in the City, and that these signals be installed at the intersection of Seventh and B Streets and Tenth and K Streets, whereupon Commissioner Frad introduced

RESOLUTION NO. 8705-N.S.

which was seconded by Commissioner Stanley, authorizing the City Engineer to proceed with the necessary steps to install four way traffic signals at the intersections of Seventh and B Street, and Tenth and K Streets, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

5
IN THE MATTER
OF AWARD BIDS

Whereas, pursuant to referring bids on three

business coupes to the City Engineer for in-

vestigation and recommendation, and whereas he has filed a report recommending that one bid be awarded to Frank Paradis Company for \$1541 for one 1949 Plymouth Coupe, one to R. B. MacBride for one 1949 Plymouth Coupe for \$1491.20, and one to Griswold & Wight for 1949 Ford Coupe for \$1530.84 which includes trade-in of equipment of the City as set forth in the notice to bidders, Commissioner Frad introduced

RESOLUTION NO. 8706-N.S.

which was seconded by Commissioner Stanley, awarding bid to Frank Paradis for \$1641.20 for 1949 Plymouth Standard Business Coupe, less allowance for \$1934 Chevrolet Panel Truck, net cost to city being \$1541.20, and directing the City Clerk to return bidding checks to the unsuccessful bidder, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

Commissioner Frad introduced

RESOLUTION NO. 8707-N.S.

6
which was seconded by Commissioner Burkner, recommending that the bid of R. B. MacBride for 1949 Plymouth, 3 passanger coupe of \$1641.20, less tradi-in allowance for 1936 Chevrolet Coupe of \$150.00, net cost to city being \$1491.20, be accepted as it was the lowest and best bid, and the City Clerk be directed to return bidding checks to the unsuccessful bidders, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

Commissioner Frad introduced

RESOLUTION NO. 8708-N.S.

7
which was seconded by Commissioner Burkner, recommending that the bid of Griswold & Wight of \$1530 84 for 1950 Ford 6 cylinder Business Coupe and trade in of 1930 Ford Pickup, be accepted, as it was the lowest and best bid and the City Clerk be directed to return bidding checks to the unsuccessful bidders, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

8
IN THE MATTER OF AWARD
BID ON STEAM CLEANER

Whereas pursuant to referring the bids on steam cleaner to the City Engineer for tabulation and recommendation

and whereas he has reported that the bid of \$649 50 of the Kelite Products, Inc. is the lowest and best bid, whereupon Commissioner Frad introduced

RESOLUTION NO. 8709-N.S.

which was seconded by Commissioner Wilson, awarding bid to the Kelite Products, Inc. and authorizing the City Clerk to return bidding checks to the unsuccessful bidders, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

9
IN THE MATTER OF
AWARD BID ON
TRACTOR

Whereas pursuant to referring bids on Tractor and dump cart trailer to the City Engineer for investigation

and recommendation, and whereas he has filed a report that the bid of the California Toro Company of \$1645 on Tractor, item 1 of "Notice to Bidders" is the lowest and best bid and bids on item 2, dump cart trailer, do not meet the requirements of the equipment called for in the notice to bidders, Commissioner Frad introduced

RESOLUTION NO. 8710-N.S.

which was seconded by Commissioner Wilson, accepting the bid of the California Toro Company on the tractor and rejecting all bids on item 2 of the Notice to Bidders, one

dump cart trailer and authorizing the City Clerk to return bidding checks to the unsuccessful bidders, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

10
IN THE MATTER OF
REAPPOINT J. C.
MUNDAY ON PLUMBING
BOARDS

Commissioner Burkner introduced

RESOLUTION NO. 8711-N.S.

which was seconded by Commissioner Wilson reappointing

J. C. Munday, Master Plumber on the Plumbing Board for a term of three years from January 26, 1950, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

11
IN THE MATTER OF L. J. MADDUX MEMORIAL
COMMITTEE

A communication was received from the L. J. Maddux

Memorial Committee and from the Modesto Recreation Commission recommending that the new Recreation Building being constructed in Westside Park be named in honor of the late L. J. Maddux, whereupon Commissioner Wilson introduced

RESOLUTION NO. 8712-N.S.

which was seconded by Commissioner Burkner, recommending that the Recreation Building being constructed in the Westside Park be known as the L. J. Maddux Youth Recreation Center, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

12
IN THE MATTER OF
REAPPOINT MRS. BENKENDORF
ON RECREATION COMMISSION

Commissioner Wilson introduced

RESOLUTION NO. 8713-N.S.

which was seconded by Commissioner Burkner reappointing Mrs. Elizabeth Benkendorf a member of the Modesto Recreation Commission for a term of five years from September 1, 1949, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

13
IN THE MATTER APPLICATION
CITY MANAGER POSITION

An application was read from T. E. Fennessy for the position of City Manager and ordered placed on file.

14
IN THE MATTER OF
CHAMBER OF COMMERCE

Dave Wilson, Assistant Manager of the Modesto Chamber appeared before the Council and stated that it was

going to be the policy of the Chamber of Commerce to have a representative present at the Council meetings and offered the assistance of the Chamber of Commerce on any problem the City might have and stated that their records would be available for use by the Council whenever needed.

15
IN THE MATTER OF
ADJOURNMENT

Commissioner Wilson introduced

RESOLUTION NO. 8714-N.S.

which was seconded by Commissioner Frad, adjourning this Council meeting now in Session, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None


ATTEST: REX E. GAILFUS, CITY CLERK

December 28, 1949

The Council of the City of Modesto met in regular session this date at 7:30 P.M. as provided by Section 1 of Ordinance No. 2-N.S.

Present: Councilmen: Burkner, Frad, Wilson, Acting Mayor Stanley

Absent: Councilmen: Mayor Shannon

IN THE MATTER OF
RESCIND RESOLUTION
NO. 8693-N.S.

Commissioner Frad introduced

RESOLUTION NO. 8715-N.S.

which was seconded by Commissioner Wilson, rescinding Resolution No. 8693-N.S. entitled: "A RESOLUTION GRANTING PETITION FOR RENEWAL OF BUS FRANCHISE TO THE MODESTO TRANSIT COMPANY FOR A PERIOD OF TEN YEARS" adopted at a regular meeting of the Council held on December 14, 1949, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Wilson, Acting Mayor Stanley

Noes: Councilmen: None

Absent: Councilmen: Mayor Shannon

IN THE MATTER OF
RENEW PERMIT FOR
BUS-MODESTO TRANSIT
COMPANY

Whereas a petition was filed by Attorney Frank C. Damrell for E. B. Osthues and Mary Maritzen doing business as the Modesto Transit Company for the renewal of their bus permit for the operation of the South

Modesto Acres bus and the Airport District bus, whereupon Commissioner Frad introduced

RESOLUTION NO. 8716-N.S.

which was seconded by Commissioner Burkner, granting renewal of permit to the said Modesto Transit Company to operate bus routes as requested above for a period of ten years from December 14, 1949, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Wilson, Acting Mayor Stanley

Noes: Councilmen: None

Absent: Mayor Shannon

IN THE MATTER OF
ALLOW CLAIM MODESTO
RETAIL MERCHANTS
BUREAU

Commissioner Wilson introduced

RESOLUTION NO. 8717-N.S.

which was seconded by Commissioner Frad allowing claim of \$1320 00 to the Modesto Retail Merchants Bureau allowed in the 1949-50 budget, and directing the Auditor to draw warrant in payment, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Wilson, Acting Mayor Stanley

Noes: Councilmen: None

Absent: Mayor Shannon

IN THE MATTER OF
OPERATE TAXICAB
LEON NICKELL

Whereas Leon Nickell has petitioned the Council for permit to purchase the taxicab business of Dean Dale Erwin, operating Veteran's Taxicab

as provided by Ordinance No. 753-N.S. whereupon Commissioner Frad introduced

RESOLUTION NO. 8718-N.S.

which was seconded by Commissioner Wilson granting permit to Leon Nickell to purchase the taxicab business of Dean Dale Erwin, providing he meets all regulations of Taxicab Ordinance No. 753-N.S. which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Wilson, Acting Mayor Stanley

Noes: Councilmen: None

Absent: Mayor Shannon

IN THE MATTER OF
OPEN BIDS ON PIPE-
VALVES-FITTINGS

Whereas, pursuant to advertising for bids for pipe, valves and fittings, the City Clerk reported thirteen bids had been received,

whereupon after opening and considering the bids, by order of the Council these were referred to the City Engineer for tabulation and recommendation at the next Council meeting.

6 IN THE MATTER OF
SIGNATORY OFFICIALS
CONTRACT WITH COATES
HERFURTH-ENGLAND

Commissioner Wilson introduced
RESOLUTION NO. 8719-N.S.

which was seconded by Commissioner Burkner appointing the Acting Mayor and City Clerk as signatory officials on contract with Coates-Herfurth & England on retirement survey, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Wilson, Acting Mayor Stanley

Noes: Councilmen: None

Absent: Councilmen: Mayor Shannon

7 IN THE MATTER OF
FINAL PAYMENT STAND-
ARD MATERIALS CO.

Commissioner Burkner introduced
RESOLUTION NO. 8720-N.S.

which was seconded by Commissioner Frad authorizing final payment of \$3361 80 to the Standard Materials Company on improvement of Washington Street from Maze Boulevard to I Street and First Street from Washington Street to H Street, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Wilson, Acting Mayor Stanley

Noes: Councilmen: None

Absent: Mayor Shannon

8 IN THE MATTER OF
HEARING ON ZONING
ANNEXED TERRITORY

Whereas, pursuant to advertising hearing to be held at the City Hall on this date for the protests to the proposed

zoning of recently annexed northwest one fourth of lots 3 of the Rice Colony and the northerly 1.28 feet of the southwest one fourth of lot 3 of said Rice Colony, known as the El Camino Tract, as R-2 Two Family Residential District and whereas no protests were filed, Commissioner Frad introduced

ORDINANCE NO. 919-N.S.

entitled: "AN ORDINANCE CLASSIFYING NEWLY ANNEXED TERRITORY AS TO USE DISTRICT AND AMENDING ZONING ORDINANCE NO. 700-N.S. BY ADDING ADDITIONAL MAP" and moved its adoption and passage to print and publish which motion being duly seconded by Commissioner Wilson it was upon roll call carried and the ordinance ordered published as above by the following vote:

Ayes: Councilmen: Burkner, Frad, Wilson, Acting Mayor Stanley

Noes: Councilmen: None

Absent: Mayor Shannon

9 IN THE MATTER OF
FINAL ADOPTION ORD.
NO. 918-N.S. AMEND
MILK ORDINANCE

Ordinance No. 918-N.S. having been heretofore introduced and ordered printed and published at the regular meeting of December 14, 1949 and thereupon printed and published as

required by the Charter of the City of Modesto coming on for final adoption at this time, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Wilson, Acting Mayor Stanley

Noes: Councilmen: None

Absent: Mayor Shannon

10 IN THE MATTER OF
AUTHORIZE CITY
CLERK FILE CHARTER

Commissioner Frad introduced
RESOLUTION NO. 8721-N.S.

which was seconded by Commissioner Burkner, authorizing the City Clerk to file certified copy of the Charter adopted at the special municipal election held on November 8, 1949 with the Recorder of Stanislaus County and also authorizing the City Clerk to file a copy in the archives of the City of Modesto, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Wilson, Acting Mayor Stanley

Noes: Councilmen: None

Absent: Mayor Shannon

11
IN THE MATTER OF
CALL FOR BIDS ON
SEWER PIPE

Commissioner Burkner introduced
RESOLUTION NO. 8722-N.S.

which was seconded by Commissioner Frad, authorizing the City Clerk to advertise for bids for sewer pipe, said bids to be opened January 11, 1950 at the regular council meeting, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Wilson, Acting Mayor Stanley

Noes: Councilmen: None

Absent: Mayor Shannon

12
IN THE MATTER OF
PETITION FOR ANNEXA-
TION -BODEM AND TATUM
TRACTS

Whereas a petition was presented for annexation of a portion of the Bodem and Tatum Tracts at the special meeting of October 5, 1949, signed by Jack L. Andrews, Clara J. Burke and Daniel F. Burke and

whereas the property is contiguous to the City of Modesto and less than 12 qualified electors reside therein, Commissioner Wilson introduced

RESOLUTION NO. 8723-N.S.

which was seconded by Commissioner Burkner, accepting the petition as presented, which resolution was adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Wilson, Acting Mayor Stanley

Noes: Councilmen: None

Absent: Mayor Shannon

13
IN THE MATTER OF
FIX TIME-PLACE FOR
HEARING ON ANNEXA-
TION BODEM & TATUM
TRACTS

Commissioner Wilson introduced
RESOLUTION NO. 8724-N.S.

which was seconded by Commissioner Burkner setting the date of January 25th at 7:30 P.M. in the Council Chambers as the time and place for the hearing of protests to the annexation of a portion of the Bodem and Tatum Tracts, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Wilson, Acting Mayor Stanley

Noes: Councilmen: None

Absent: Mayor Shannon

14
IN THE MATTER OF
PETITION ANNEXATION
PORTION RICE AND
TATUM TRACTS

Whereas a petition for annexation of a portion of Rice and Tatum Tracts has been filed with the Council at their special meeting of December 7, 1949 signed by Clara J. Burke, James Gonzalez, Estelle Gonzalez, Jack L. Andrews, Daniel F. Burke and Elizabeth S. Zimmerman and whereas the property is contiguous to the City of Modesto and less than 12 qualified electors reside therein, Commissioner Wilson introduced

RESOLUTION NO. 8725-N.S.

which was seconded by Commissioner Burkner, accepting the petition as presented, which resolution was adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Wilson, Acting Mayor Stanley

Noes: Councilmen: None

Absent: Mayor Shannon

15
IN THE MATTER OF
FIX TIME-PLACE FOR
HEARING ON ANNEXA-
TION PORTION RICE AND
TATUM TRACTS

Commissioner Wilson introduced
RESOLUTION NO. 8726-N.S.

which was seconded by Commissioner Burkner setting the date of January 25th at 7:30 P.M. in the Council Chambers as the time and place for the hearing of protests to the annexation of a portion of Rice and Tatum Tracts, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Wilson, Acting Mayor Stanley

Noes: Councilmen: None

Absent: Mayor Shannon

14
IN THE MATTER OF
MOTORCYCLES PARKING
IN BUSINESS DISTRICT

By order of the Council City Attorney Halley was directed to prepare an ordinance regulating the parking of motorcycles in the business district for study by the Council.

17
IN THE MATTER OF
ADJOURNMENT

Commissioner Wilson introduced
RESOLUTION NO. 8727-N.S.

which was seconded by Commissioner Frad, adjourning this Council meeting now in session, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Wilson, Acting Mayor Stanley

Noes: Councilmen: None

Absent: Councilmen: Mayor Shannon

ATTEST: REX E. GAILFUS, CITY CLERK
Rex E. Gailfus
