

Council, City of Modesto

January 11th, 1933

The Council of the City of Modesto met in regular session this date, and there were present Councilmen: Boundey, Brown, Falger, Rogers, and Mayor Dennett

Absent: Councilmen: None

IN THE MATTER OF MINUTES:

The minutes of the regular session of December 28th, 1933, having been heretofore read by the Council, were approved as so read.

IN THE MATTER OF UNEMPLOYMENT RELIEF:

Mr. W. C. LeHane appeared before the Council and urged that work and proceedings be started at once for the installation of the proposed storm sewer trunk line in Capitol Heights District and also that other projects be instigated in order to provide relief for the growing number of unemployed in the City.

Dr. J. B. Simms and W. J. Silva of the City Welfare Committee and of the City Unemployment Committee appeared before the Council and asked that the Council give serious consideration to probable methods of providing employment for the unemployed in the City, stating that it appears to be beyond the power of the various welfare committees to provide the necessary relief.

Mr. A. N. Hawkins appeared before the Council and presented a petition signed by a number of property owners in the Capitol Heights District asking that the Council instigate the necessary proceedings for the construction of a storm sewer within said District, stating that he had met with very little opposition to the measure, and that the project would greatly alleviate the sanitary conditions of the district as well as provide employment for those in need.

IN THE MATTER OF CLAIMS:

The various claims against the City of Modesto for the month of December, 1932, having been duly audited and approved by the Council, Commissioner Falger introduced a resolution, being

RESOLUTION NO. 2510-N.S.

ordering that all of the claims so audited and approved be allowed; reference being hereby made to the Auditor's Cash Book for further details regarding the withdrawals from the various funds as follows:

GENERAL FUND	\$ 14,215.14
WATER FUND	2,582.24
Bond RED. INT. FUND.	3,625.00
ST. BOND RED. INT. FUND.	7.88
LIBRARY FUND.	1,728.13
TOTAL	\$ 22,158.39

Which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Boundey, Brown, Falger, Rogers, and Mayor Dennett

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF CLAIM OF UNION SHOE SHOP AND J.C.PENNEY CO.:

The City Welfare Committee filed with the Council claims for supplies furnished to the Bundle Store, as follows:

J.C.PENNEY CO. \$ 2.14
UNION SHOE SHOP. \$20.77

Whereupon Commissioner Rogers introduced a resolution, being

RESOLUTION NO.2511-N.S.

ordering that the above mentioned claims be allowed and instructing the City Clerk and Auditor to draw warrants therefore in the amounts above stated, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Boundey, Brown, Falger, Rogers, and Mayor Dennett

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF AWARD OF BIDS FOR DRILLING WELL:

Pursuant to the advertising for and receiving of bids on December 28th, 1932, for the drilling of a well at Pump Station No. 4 and to the subsequent postponement of action upon the same until this time, it was the unanimous opinion of the Council that the bid of Osterburg Brothers was the lowest and best of all bids submitted; whereupon Commissioner Boundey introduced a resolution, being

RESOLUTION NO. 2512-N.S.

accepting the bid of Osterburg Brothers for the drilling of a well at Pump Station No. 4, rejecting all other bids submitted, and instructing the Mayor and City Clerk to enter into a contract for the work as outlined in the plans and specifications now on file in the office of the City Clerk, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Boundey, Brown, Falger, Rogers, and Mayor Dennett

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF COMMUNICATIONS:

A Communication was received from the Franklin Parent Teachers Association asking the Council to place markers on 9th Street for the protection of school children who are forced to cross said street daily. Same was read to the Council and referred to a committee composed of Chief of Police Lee Smith and City Engineer, F. J. Rossi, to investigate the matter and report to the Council at the next regular meeting what methods could be pursued in regulating traffic on 9th Street to make crossing safe for school children. Commissioners Boundey and Brown were also instructed to take the matter up with the Board of Education and ascertain whether or not it would be possible to arrange the schedule of classes at the various schools so as to keep at a minimum the number of times it is necessary for school children to cross this street.

A Communication was received from the League of California Municipalities relative to a proposed federal tax on public utilities and state agencies. Same was read to the Council and referred to the City Attorney for a report at the next meeting.

10 Communications were filed by Commissioner Falger with the Council from the City of Pittsburg and the City of Stockton reciting the various projects launched by those Cities in caring for their unemployed and indigent residents.

11 **IN THE MATTER OF PROPOSED ORDINANCE REGULATING DANCE HALLS:**

By unanimous consent of the Council action on the above mentioned proposed ordinance was laid over to the next regular meeting.

12 **IN THE MATTER OF PROPOSED ORDINANCE ABANDONING AVIATION FIELD:**

By unanimous consent of the Council action on the above mentioned proposed ordinance was laid over to the next regular meeting.

13 **IN THE MATTER OF ORDINANCE PROVIDING FOR ADMINISTRATION OF THE WATER DEPARTMENT OF THE CITY OF MODESTO;**

Commissioner Boundey introduced an Ordinance, being
ORDINANCE NO.432-N.S.

providing for the administration of the Water Department of the City of Modesto establishing rules and regulations and fixing the rates to be charged for water service, which ordinance was regularly passed to print and publish by the following vote:

Ayes: Councilmen: Boundey, Brown, Falger, Rogers, and Mayor Dennett

Noes: Councilmen: None

Absent: Councilmen: None

14 **IN THE MATTER OF ORDINANCE LIFTING ZONING IN CERTAIN DISTRICT OF THE CITY:**

By unanimous consent of the Council action on the above mentioned ordinance was laid over to the next regular meeting.

15 **IN THE MATTER OF ORDINANCE PROVIDING FOR THE CONSTRUCTION OF A LOW WEIR DAM IN THE TUOLUMNE RIVER:**

Commissioner Falger introduced an ordinance, being
ORDINANCE NO.433-N.S.

appropriating funds for labor and material for the construction of a foundation for a weir dam across the Tuolumne River, which ordinance was regularly passed to print and publish by the following vote:

Ayes: Councilmen: Boundey, Brown, Falger, Rogers, and Mayor Dennett

Noes: Councilmen: None

Absent: Councilmen: None

16 **IN THE MATTER OF FINAL ADOPTION OF ORDINANCE NO.429-N.S.:**

Ordinance No. 429-N.S., amending Ordinance No. 197-N.S. regulating the sale, possession, etc. of intoxicating liquors, having been introduced and ordered printed and published at a regular meeting of the Council of the City of Modesto held on the 14th day of December, 1932, coming on for final adoption this 11th day of January, it was upon roll call adopted by the following vote:

Ayes: Councilmen: Boundey, Falger, and Mayor Dennett

Noes: Councilmen: Brown and Rogers

Absent: Councilmen: None

IN THE MATTER OF FINAL ADOPTION OF ORDINANCE NO. 431-N.S.:

17
ORDINANCE NO.431-N.S., creating and establishing fire zones in the City of Modesto, having been introduced and ordered printed and published at a regular meeting of the Council of the City of Modesto held on the 28th day of December, 1932, and having been printed and published as provided by the City Charter coming on for final adoption this 11th day of January, 1933, it was finally adopted by the following vote:

Ayes: Councilmen: Boundey, Brown, Falger, Rogers, and Mayor Dennett

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF COLLECTION OF CITY TAXES:

18
Pursuant to the discussion from time to time of having the City taxes levied, assessed, and collected by the County Tax Collector as a possible measure of economy in City government, at this time the matter was further discussed by the Council, and a committee composed of Commissioner Falger and City Attorney A. J. Carlson were asked to report their findings at an adjourned meeting of the Council to be held on January 20, 1933.

IN THE MATTER OF PROCEEDINGS FOR TRUNK LINE STORM SEWER IN THE CAPITOL HEIGHTS DISTRICT:

19
Pursuant to various petitions, oral communications, etc. made to the Council for the construction of a storm sewer in the Capitol Heights District, covering a period of several years, at this time the Council definitely discussed the project with a view not only toward correcting the condition which exists in the District because of inadequate sewers and improper drainage during the rainy season of the year, but also as a means of alleviating the unemployment situation in the City of Modesto. It was decided that work could be started immediately if the City would construct the main line trunk sewer without awaiting the formal method of procedure necessary for the construction of the storm sewer system as governed by the various statutes of the State of California with respect to the formation of a public improvement district. Whereupon Commissioner Boundey introduced a resolution, being

RESOLUTION NO.2513-N.S.

authorizing and instructing the City Clerk to advertise for bids for sewer supplies as follows:

60 lin.ft. of 4'dia.reinforced concrete pipe
10,000 Bd. Ft. of O.P.Lmbr.#1 Rough or surfaced 1S1E 2"x4";
2"x6"; 2"x12"; and 4"x6"
834 lin.ft. of 18" inside dia.B&S or T&G sewer pipe
910 lin.Ft. of 21" inside dia.B&S or T&G sewer pipe

the same to be used in the construction of a main line trunk storm sewer in the Capitol Heights District, the bids to be received at an adjourned meeting of the Council to be held at two-thirty o'clock P.M., Friday January 20th, 1933, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Boundey, Brown, Falger, Rogers, and Mayor Dennett

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF INVESTIGATION OF PAYROLL:

20 Mayor Dennett appointed Commissioner Rogers and the City Clerk H. E. Gragg, to investigate the Payroll of the City of Modesto and report any suggestions for a modification of the system now in use.

IN THE MATTER OF BIDS FOR A TREE SPRAYING MACHINE:

21 Pursuant to the final adoption of Ordinance No. 428-N.S. appropriating the sum of \$ 1500.00 or so much thereof as may be necessary for the purchase of a tree spraying machine, the same now being in full force and effect, Commissioner Falger introduced a resolution, being

RESOLUTION NO.2514-N.S.

instructing the City Clerk to advertise a notice to bidders for the purchase of a tree spraying machine, the said bids to be opened at a regular meeting of January 25th, 1933, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Boundey, Brown, Falger, Rogers, and Mayor Dennett

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF REPORTS:

22 The reports of the various monthly departments for the month of December, 1932, were reviewed by the Council and ordered filed.

Commissioner Falger filed a written report of the payments made on the various personal debts of Patrolman G. Keeley,

IN THE MATTER OF ADJOURNMENT:

Commissioner Brown introduced a resolution, being

RESOLUTION NO.2515-N.S.

23 adjourning this Council meeting now in session to meet in adjourned session Friday January 20th, 1933, at 2:30 P.M. in the usual place, which resolution was regularly adopted by the following vote;

Ayes: Councilmen: Boundey, Brown, Falger, Rogers, and Mayor Dennett

Noes: Councilmen: None

Absent: Councilmen: None

Attest: H. E. GRAGG
CITY CLERK

Pursuant to Resolution No. 2515-N.S., the Council met this day in adjourned session at 2:30 P.M., and there were present Councilmen: Boundey, Brown, Falger, Rogers, and Mayor Dennett

Absent: Councilmen: None

IN THE MATTER OF BIDS FOR STORM SEWER MATERIALS:

Pursuant to the advertising for bids for materials for the construction of a trunk line for a storm sewer in the Capitol Heights District of the City, this being the time set out for the receiving and opening of said bids, the Council proceeded to open and declare the bids on file as follows:

FOR 10,000 BOARD FEET OF LUMBER:

Ground Lumber Co. (No certified check).....	\$ 190.00
Modesto Lumber Company	195.00
Ross Lumber Company	230.00
Stanislaus Lumber Company	180.00
United Lumber Company.....	205.00

FOR 60 LINEAL FEET OF 4' CONCRETE PIPE:

United Concrete Pipe Corporation	\$ 330.00
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FOR SEWER PIPE:

		834 lin.ft. 18" diam.	910 lin.ft. 21" diam.
N. Clark & Sons	vitriified clay	700.56	1019.20
Gladding McBean & Co.	" "	700.56	1019.20
J.W.Mumbert Pipe Co.	Cement pipe	408.66	527.80
H.A.Trubeleod	vitriified clay	665.53	942.76
United Concrete Pipe Co.	Cement Pipe	625.50	1001.00

Thereupon, after consideration of the UNIT BID ON LUMBER by the Council, it appearing that the bid of the Stanislaus Lumber Company offered the lowest and best bid, Commissioner Boundey introduced a resolution, being

RESOLUTION NO.2516-N.S.

accepting the bid of the Stanislaus Lumber Co. for 10,000 feet of O.P.Lumber at the price set forth in his bid, rejecting all other bids submitted and instructing the City Clerk to return to the unsuccessful bidders their certified checks accompanying their bids, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Boundey, Brown, Falger, Rogers, and Mayor Dennett

Noes: Councilmen: None

Absent: Councilmen: None

It appearing that the UNIT BID ON 60 LINEAL FEET OF 4' CONCRETE PIPE submitted by the United Concrete Pipe Corp., the only bidder entering a proposal for this item, is satisfactory in all respects, Commissioner Boundey introduced a resolution, being

RESOLUTION NO.2517-N.S.

awarding the bid for 60 lineal feet of 4' concrete pipe to the United Concrete Pipe Corp. at the price named in their proposal; which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Boundey, Brown, Falger, Rogers, and Mayor Dennett

Noes: Councilmen: None

Absent: Councilmen: None

1 The UNIT BIDS FOR SEWER PIPE were by order of the Council laid over to the next regular meeting, and referred to the City Engineer for tabulation and report.

IN THE MATTER OF CLAIM OF THE SALVATION ARMY:

2 There was filed with the Council a claim in the amount of \$32.50 by the Salvation Army for redemption of tickets for meals, rooms, groceries, etc. given to indigents by the Police Department. Whereupon Commissioner Falger introduced a resolution being

RESOLUTION NO.2518-N.S.

allowing the claim of the Salvation Army in the amount above stated and instructing the City Clerk and Auditor to draw a warrant therefor, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Boundey, Brown, Falger, Rogers, and Mayor Dennett

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF STORM SEWER IN THE CAPITOL HEIGHTS DISTRICT:

3 City Engineer F. J. Rossi filed with the Council a map showing the proposed location of a main trunk line storm sewer to be constructed by the City in conjunction with a public improvement project for complete installation of storm sewer facilities in the Capitol Heights District.

In connection with this project on the part of the City to alleviate the unemployment condition in the City, Commissioner Boundey introduced a resolution, being

RESOLUTION NO.2519-N.S.

favoring the speedy consumation of the plans of the City in constructing the City's portion of the trunk line storm sewer in Capitol Heights District, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Boundey, Falger, and Mayor Dennett

Noes: Councilmen: Rogers and Brown

Absent: Councilmen: None

IN THE MATTER OF PROCEEDING WITH STORM SEWER IMPROVEMENT:

4 Commissioner Boundey introduced a resolution, being

RESOLUTION NO.773-S.P.

providing that proceedings be taken under Section 2 of the Special Assessment & Investigation Act of 1931 for the formation of a public improvement district in Capitol Heights Addition for the construction of a storm sewer district, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Boundey, Brown, Falger, and Mayor Dennett

Noes: Councilmen: Rogers

Absent: Councilmen: None

IN THE MATTER OF MAILING OUT NOTICES TO PROPERTY OWNERS IN CAPITOL HEIGHTS DISTRICT:

5 Commissioner Boundey introduced a resolution, being

RESOLUTION NO.774-S.P.

instructing the City Clerk to proceed to mail out postcard notices of the proposed storm sewer improvements as required by Section 13 of the Special Assessment

Investigation, Limitation and Majority Protest Act of 1931, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Boundey, Brown, Falger, and Mayor Dennett

Noes: Councilmen: None

Absent: Councilmen: None

PERMISSION TO LEAVE SESSION GRANTED MAYOR DENNETT:

Mayor Dennett resigned the chair to vice-president of the Council, William Falger, and requested permission to leave session, which permission was unanimously granted.

IN THE MATTER OF WAGE SCALE FOR PUBLIC WORKS PERFORMED UNDER CONTRACT:

Commissioner Boundey introduced a resolution, being

RESOLUTION NO. 2520-N.S.

adopted the following scale of wages for public works performed under contract, as follows:

Asbestos workers.....	\$ 8.00
Asphalt Plant Operators	8.00
Asphalt Feeders	4.00
Asphalt Rakers.....	5.00
Asphalt Scale Men.....	6.00
Bricklayers.....	10.00
Bricklayers Hod Carriers.....	7.00
Bricklayers Manhole Construction.....	5.00
Bricklayers Hodcarriers Manhole construction.....	4.25
Carpenters.....	7.20
Carpenters Apprentices.....	5.00
Carpenters Bridge Form Work.....	6.00
Carpet Linoleum Workers.....	9.00
Cement Finishers.....	8.00
Cement Finishers Paving.....	6.50
Cement Workers.....	5.00
Concrete Mixer Men.....	5.50
Common Laborers.....	4.00
Electrical Workers.....	8.00
Electrical Workers Helpers.....	5.00
Elevator Constructors.....	10.40
Elevator Constructors Helpers.....	7.28
Operators, Hoisting, Portable, Quarries, Tractors (over 50HP)	9.00
Operators, Roller, Mixers.....	10.00
Operators Stone Derricks	10.00
Engineers, Bridge and Structural.....	10.00
Operators, Pile Drivers, Derrick Barges, Cableways.....	10.00
Engine, Fireman, and Apprentices, Structural Works.....	7.00
Firemen, Asphalt Plant.....	5.00
Glass Workers.....	8.00
Grader Men.....	6.00
Granite Setters.....	11.00
Granite Cutters.....	9.50
Hardwood Floormen.....	8.00
Housemovers.....	8.00
Housesmiths, Architectural Iron.....	9.00
Housesmiths Reinforced concrete.....	9.00
Iron Workers, bridge and structural.....	9.60
Laborers, building, cement.....	5.00
Lathers.....	8.00
Marble Workers.....	8.00
Marble Workers helpers.....	6.00
Millmen, planing mill department.....	8.00
Millmen Sash and Door.....	7.00
Millwrights.....	9.00
Model Casters.....	9.00
Model Makers.....	10.00
Model Sculptors.....	14.00
Mosaic & Terrazzo Workers.....	9.00
Mosaic & Terrazzo Workers Helpers.....	6.00
Painters.....	7.00
Pile Drivers, Wharf Buildgrs.....	9.00
Pipe Layers.....	4.25
Plasters.....	10.00
Plasterers Hod Carriers	7.50
Plumbers	8.00
Plumbers Helpers.....	5.00
Reinforced Steel Workers.....	6.00
Roller men, rock, asphalt.....	7.00
Roofers.....	8.00
Sheet metal workers.....	8.00
Shovel Operators.....	10.00
Shovel Operators Underground.....	11.00

Shovel Cranesmen.....	\$ 8.50
Shovel Cranesmen Underground.....	9.50
Shovel Firemen and Watchmen.....	7.50
Shovel Oilers.....	6.00
Sprinklers Fitters.....	11.00
Steam Fitters.....	10.00
Stone Setters.....	11.00
Stone Cutters.....	9.00
Stone Derrickmen.....	9.00
Teamsters.....	5.00
Tile Setters.....	8.00
Tile Setters Helpers.....	5.00
Truck and Tractor Drivers.....	5.00

Legal Holidays, including Sundays and Saturdays where crafts work a five-day work week and other overtime to be paid for at the rate of time and one-half.

Any classification omitted herein, not less than 50¢ per hour.

Which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Boundey, Brown, Falger, Rogers,

Noes: Councilmen: None

Absent: Councilmen: Mayer Dennett

IN THE MATTER OF REQUESTING ADDITIONAL TIME FOR THE EXTENSION OF 19TH STREET:

Pursuant to the acceptance of a deed from the State Building & Loan Association on July 27th, 1932, under Resolution No. 2425-N.S. for right of way for road purposes for the extension of 19th Street through Block 206 to Dry Creek, and to the stipulation in said deed that such improvement should be completed within a period of six months from the date of acceptance of said deed; this period of time having now elapsed and the City not having completed the improvement, Commissioner Boundey introduced a resolution, being

RESOLUTION NO. 2521-N.S.

instructing the City Attorney to address a petition to the State Building & Loan Association on behalf of the City of Modesto asking for an extension of time in which to complete this improvement and extension of 19th Street, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Boundey, Brown, Falger, and Rogers

Noes: Councilmen: None

Absent: Councilmen: Mayer Demett

IN THE MATTER OF ADJOURNMENT:

Commissioner Brown introduced a resolution, being
RESOLUTION NO. 2522-N.S.
adjourning this Council meeting now in session, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Boundey, Brown, Falger, Rogers

Noes: Councilmen: None

Absent: Councilmen: Mayor Demett

Attest: H.E. GRAGG
CITY CLERK

The Council of the City of Modesto met in regular session this date, and there were present Councilmen: Boundey, Brown, Falger, Rogers, and Mayor Dennett
Absent: Councilmen: None

IN THE MATTER OF MINUTES:

The minutes of the regular session of January 11th, 1933, and of the adjourned session of January 20th, 1933, having been heretofore read by each Councilman, were approved as so read.

IN THE MATTER OF BIDS FOR TREE SPRAYER:

Pursuant to the advertising for bids for a tree sprayer and engine mounted on skids, the same to be received and opened at this time, there were on file four bids, which were opened and declared by the Council as follows:

JOHN BEAN MANUFACTURING CO.:

"Bean" Spraying Machine, gas engine driven,
mounted on steel skids; 500-Gallon Tank,
F.O.B. Modesto.....\$ 1355.00
Less 2% 30 days
Deduct \$ 20.00 for a 400-Gallon tank

FITZHENRY GUPTILL COMPANY:

Model V-Special Power Sprayer on plain or
variable skids; Model V Waukesha Engine;
400-Gallon Tank; F.O.B. Modesto.....\$ 1794.00
Add \$25.00 for ea. 100 Gal. Tank Capy.

or:

Model XA Power Sprayer on plain or on
variable skids; Waukesha Model XA Engine;
400-Gallon Tank F.O.B. Modesto.....\$ 1285.00
Add \$ 25.00 for ea. 100-Gallon Tank Capacity

FRIEND MANUFACTURING COMPANY:

"Friend" Skid Type Sprayer complete with 20
H.P. LeRoi Motor Bearing Pump; 600-Gallon
Tank - F.O.B. Modesto.....\$ 1091.00
Less 5% 30 days

STANISLAUS IMPLEMENT & HARDWARE COMPANY:

Hardie Twin Park Special Power Sprayer
on Steel frame or skids, pumps driven
by Model A Ford Motor- 400-Gallon Tank\$ 1558.00 net
For 600-Gallon Tank add \$ 33.25

Thereupon by unanimous consent of the Council action upon the above bids was postponed until the next regular meeting, and the City Engineer instructed to tabulate and report upon the same.

IN THE MATTER OF BIDS FOR SEWER PIPE:

Pursuant to the receiving of bids for sewer materials on January 20, 1933, and to the subsequent postponement of action on the unit bids for 834' of 18" and 910' of 21" sewer pipe, it appearing that of all bids submitted that of J. W. Mumbert Concrete Pipe Company of Lodi, California, was the lowest and best bid, Commissioner Boundey introduced a resolution, being

RESOLUTION NO. 2523-N.S.

awarding the bid for approximately 834' of 18" and approximately 910' of 21" concrete sewer pipe to the J. W. Mumbert Concrete Pipe Co. rejecting all other bids, and instructing the City Clerk to return to the unsuccessful bidders their certified checks

which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Boundey, Brown, Falger, Rogers, and Mayor Dennett

Noes: Councilmen: None

Absent: Councilmen: None

4 IN THE MATTER OF PERMISSION TO COMMISSIONER ROGERS TO LEAVE SESSION:

Commissioner Rogers requested permission to leave session which permission was unanimously granted by the Council.

IN THE MATTER OF CLOSING EIGHTH STREET:

5 Pursuant to the adoption of Resolution of Intention No. 218 on the 14th day of December, 1932, for the closing of 8th Street and to the subsequent posting of notices as provided in Section 3 of the Street Opening and Closing Act of 1889 and the matter coming up for further consideration at this time, action thereon was by unanimous consent of the Council laid over to the next regular meeting.

IN THE MATTER OF CLAIM OF UNION SHOE SHOP:

6 There was filed with the Council by the Secretary of the City Welfare Committee a claim of the Union Shoe Shop in the amount of \$ 17.63 for shoe repair materials furnished to the Bundle Store maintained by the Social and Welfare Committees of Modesto. Whereupon Commissioner Falger introduced a resolution being

RESOLUTION NO. 2524-N.S.

allowing the above mentioned claim and instructing the Clerk and Auditor to draw a warrant therefor in the amount stated, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Boundey, Brown, Falger, Mayor Dennett

Noes: Councilmen: None

Absent: Councilmen: Rogers

IN THE MATTER OF ORDINANCE REGULATING DANCE HALLS:

7 By unanimous consent of the Council action on the above proposed ordinance was laid over to the next regular meeting.

IN THE MATTER OF ORDINANCE ABANDONING AIRPORT:

8 By unanimous consent of the Council action on the above proposed ordinance was laid over to the next regular meeting.

IN THE MATTER OF ORDINANCE LIFTING ZONING IN CERTAIN AREA:

9 By unanimous consent of the Council action on the above proposed ordinance was laid over to the next regular meeting.

IN THE MATTER OF FINAL ADOPTION OF ORDINANCE NO. 432-N.S.:

10 Ordinance No. 432-N.S., an ordinance establishing rules and regulations governing the Water Department, having been introduced and ordered printed and published at a regular meeting of the Council of the City of Modesto held on the 11th day of January, 1933, and having been published as required by the Charter of the City of Modesto, it was upon roll call finally adopted by the following vote:

Ayes: Councilmen: Boundey, Brown, Falger, Mayor Dennett

Noes: Councilmen: None

Absent: Councilmen: Rogers

11
IN THE MATTER OF FINAL ADOPTION OF ORDINANCE NO. 433-N.S.:

Ordinance No. 433-N.S. appropriating funds for a low weir dam in the Tuolumne River having been introduced and ordered printed and published at a regular meeting of the Council of the City of Modesto held on the 11th day of January, 1933, and having been published as required by the Charter of the City of Modesto, it was upon roll call adopted finally by the following vote:

Ayes: Councilmen: Boundey, Brown, Falger, Mayor Dennett

Noes: Councilmen: None

Absent: Councilmen: Rogers

12
IN THE MATTER OF FEDERAL TAX ON MUNICIPAL UTILITIES:

By unanimous consent of the Council, the report of the City Attorney on a communication from the League of California Municipalities relative to the federal taxation of public utilities was laid over to the next regular meeting.

13
IN THE MATTER OF COLLECTION OF CITY TAXES BY THE COUNTY:

Pursuant to the appointment of a committee consisting of Commissioner Falger and the City Attorney, A. J. Carlson, to investigate a proposed method of having the County Tax Collector levy and collect the City taxes similar to the system in operation in the City of Fresno, at this time the Committee filed a written report stating that owing to the difference in the valuations used by the County and those used by the City, it would be impossible to proceed to initiate the Fresno system in this City since the Charter prohibits a raise in the tax rate; and the use of the same valuations as the County at the present tax rate would not provide enough revenue to balance the City's budget. By unanimous consent of the Council, the report of the Committee was accepted, and the Assessor and Tax Collector ordered to proceed with the levy and collection of the City taxes as in the past.

14
IN THE MATTER OF REPORT OF COMMITTEE:

Pursuant to the appointment of a committee by the Mayor consisting of Commissioner Rogers and the City Auditor, H.E. Gragg, to investigate and report on the system now in use by the City for keeping a record of the various employees of the City in regard to time cards, vacations, orders for payment of wages or salaries to other persons, in the absence of Commissioner Rogers the report was laid over to the next regular meeting.

15
IN THE MATTER OF REAPPOINTMENT OF E. R. UTTER AS LIBRARY TRUSTEE:

Pursuant to the expiration of the term of E. R. Utter, Library Trustee, on February 1st, 1933, Mayor Dennett introduced a resolution, being

RESOLUTION NO. 2525-N.S.

reappointing E. R. Utter a member of the Board of Library Trustees to serve until February 1st, 1937, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Boundey, Brown, Falger, Mayor Dennett

Noes: Councilmen: None

Absent: Councilmen: Rogers

16
IN THE MATTER OF REPORT OF FALGER ON KEELEY DEBTS:

Commissioner Falger filed a report of the payments made on the private debts of Geo. Keeley, employee of the City, from the amount withheld from his salary.

IN THE MATTER OF EXTENSION OF NINETEENTH STREET:

17 Pursuant to the request of the City of Modesto for an extension of time to the State Building & Loan Association in which to complete the grading paving, etc. provided for in a deed executed to the City of Modesto for the purpose of extending 19th Street through Block 206 to Dry Creek, which deed was accepted by Resolution No. 2425-N.S. by the City Council on July 27th, 1932, at this time there was filed with the Council an agreement executed by the State Building & Loan Assn. granting to the City an extension of time of six months from and after January 24th, 1933, in which to complete the grading, paving, etc. of the right of way granted by them to the City.

IN THE MATTER OF FIRE PROTECTION OUTSIDE THE CITY LIMITS:

18 Pursuant to agitation from time to time for fire protection in the immediate vicinity of Modesto outside the corporate limits, Fire Chief Geo. E. Wallace was appointed by the Council to make an investigation of the matter and report at the next regular meeting, suggesting if possible some method by which a nominal charge could be levied for such protection.

IN THE MATTER OF BIDS FOR ASPHALT:

Commissioner Boundey introduced a resolution, being

RESOLUTION NO. 2526-N.S.

19 instructing the City Clerk to advertise for bids for 600 to 1000 Tons of asphaltic concrete, the same to be opened at the regular meeting held on February 8th, 1933, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Boundey, Brown, Falger, Mayor Dennett

Noes: Councilmen: None

Absent: Councilmen: Mayor Dennett

IN THE MATTER OF TRANSFERRING FUNDS:

Commissioner Falger introduced a resolution, being

RESOLUTION NO. 2527-N.S.

20 transferring \$ 30,000.00 from the Water Fund to the General Fund, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Boundey, Brown, Falger, Mayor Dennett

Noes: Councilmen: None

Absent: Councilmen: Rogers

IN THE MATTER OF ADJOURNMENT:

21 Commissioner Brown introduced a resolution, being

RESOLUTION NO. 2528-N.S.

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

Ayes: Councilmen: Boundey, Brown, Falger, Mayor Dennett

Noes: Councilmen: None

Absent: Councilmen: Rogers

Attest: H.E. GRAGG
CITY CLERK

The Council of the City of Modesto met in regular session this date, and there were present Councilmen: Boundey, Brown, Falger, Rogers, and Mayor Dennett
Absent: Councilmen: None

1
IN THE MATTER OF MINUTES:

The minutes of the regular session of January 25th, 1933, having been heretofore read by each Councilman, were unanimously approved as so read.

2
IN THE MATTER OF ACTION ON PROPOSED ORDINANCE TO ABOLISH AIRPORT:

W. J. Silva appeared before the Council on behalf of the Chamber of Commerce, asking that action upon the proposed ordinance to abandon the municipal airport be laid over to the next regular meeting, at which time said organization expects to have something of importance to offer to the Council for consideration. Thereupon by unanimous consent of the Council, the above mentioned ordinance was laid over to the next regular meeting for further consideration before adoption.

3
IN THE MATTER OF EMPLOYMENT OF EX-SERVICE MEN ON PUBLIC WORKS:

W. J. Silva, Chairman of the Unemployment Committee addressed the Council upon the matter of the employment of ex-service men on the 9th Street Bridge project, stating that many complaints had been made to the said Committee that preference was not given to ex-service men. He informed the Council that it was his understanding that the federal government insisted that all ex-service men be given such preference.

4
IN THE MATTER OF SPRAYING SHRUBS, ROSES, ETC. IN THE CITY PARKS:

Mr. W. Young appeared before the Council soliciting the work of spraying rose bushes, shrubs, etc. in the City Parks. He was referred by the Council to the City Park Commission.

5
IN THE MATTER OF SALARY OF THE CITY ATTORNEY:

It appearing that the duties of the City Attorney have been greatly increased by various proceedings and undertakings of the City and that his present salary does not justly recompense him for such duties, Commissioner Falger introduced a resolution, being

RESOLUTION NO. 2529-N.S.

fixing the salary of the City Attorney at \$ 175.00 per month, the same to be effective from and after the first day of January, 1933, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Boundey, Brown, Falger, Rogers, and Mayor Dennett

Noes: Councilmen: None

Absent: Councilmen: None

6
IN THE MATTER OF BIDS FOR TREE SPRAYER:

Pursuant to the receiving and opening of bids for a tree sprayer and engine on January 25th, 1933, and to the subsequent postponement of action upon the same until this time, it now being the desire of the Council that a demonstration of the machines bid upon by the John Bean Manfg. Co., the Fitzhenry Gaptill Company, and the Stanislaus Implement & hardware Company be made,

Commissioner Boundey introduced a resolution, being

RESOLUTION NO.2530-N.S.

instructing the City Clerk to return to the Friend Manufacturing Company their certified check accompanying their bid; and providing that the three above named firms arrange for a demonstration of the machines bid upon, with the understanding that the bid of the Hohn Bean Manfg. Company will be accepted if their demonstration is satisfactory inasmuch as it appears to be the lowest and best bid, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Boundey, Brown, Falger, Rogers, and Mayor Dennett

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF BIDS FOR ASPHALTIC CONCRETE:

Pursuant to the advertising for bids for 600 to 1000 Tons of asphaltic concrete, the same to be opened at this time, there was on file one bid, which was opened and declared by the Council as follows:

STANDARD PAVING COMPANY:

Largest Stone:

2"	150 Tons or less containing not over 3% asphalt	.....	\$ 4.25	T
2"	150 Tons or over containing not over 5% asphalt	.....	4.25	T
2"	150 Tons or less containing not over 3% to 5 1/2% asphalt	....	4.40	T
2"	150 Tons or over containing not over 3% to 5 1/2% asphalt	....	4.40	T
1 1/2"	100 Tons or less containing not over 4 1/2% to 5 1/2% asphalt	....	4.70	T
1 1/2"	100 Tons or over containing not over 4 1/2% to 5 1/2% asphalt	....	4.70	T
3/4"	50 Tons or less containing not over 5% to 8% asphalt	....	4.75	T
3/4"	50 Tons or over containing not over 5% to 8% asphalt	4.75	T

Smallest Stone:

1/2"	10 Tons Surface Mix 1/2% to 2% asphalt	5.00	T
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Whereupon Commissioner Boundey introduced a resolution, being

RESOLUTION NO.2531-N.S.

accepting the above mentioned bid of the Standard Paving Co., which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Boundey, Brown, Falger, Rogers, and Mayor Dennett

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF CLAIMS FOR MONTH OF JANUARY, 1933;

The claims against the City of Modesto for the month of January, 1933, having been duly audited by the Council and found to be correct, Commissioner Falger introduced a resolution, being

RESOLUTION NO.2532-N.S.

ordering that the claims so audited and approved be allowed, reference being made to the Auditor's Cash Books for the amount of the withdrawals from the various funds as follows:

General Fund	.....	\$ 15,656.43
Water Fund	.....	3,522.29
Library Fund	.....	1,498.14
Bond Red. Int. Fund	.....	23,134.64
St. Bond Red. Int. Fund	.....	10,080.79
Unapportioned Fund	.....	2.87
TOTAL	.....	\$ 53,895.16

Which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Boundey, Brown, Falger, Rogers, and Mayor Dennett

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF SALARY OF POUNDMAN:

9 The Council being dissatisfied with the present method of recompensing the poundman, O. A. Lebow, for his services by allowing a commission of \$ 1.00 for each dog and cat destroyed, and \$ 1.00 and \$ 2.00 for each male and female dog license respectively, plus an allowance for auto maintenance, at this time Mayor Dennett appointed Commissioners Rogers and Falger to investigate the matter and report their findings at the next regular meeting.

IN THE MATTER OF PROPOSED DANCE ORDINANCE:

10 The Council instructed the City Attorney with the aid of Commissioner Rogers to redraft the proposed ordinance for regulating dance halls in the City and present the same at the next regular meeting.

IN THE MATTER OF PROPOSED ORDINANCE LIFTING ZONING IN CERTAIN AREA:

11 By unanimous consent of the Council, action upon the above proposed ordinance was laid over to the next regular meeting.

IN THE MATTER OF FEDERAL TAX ON PUBLIC UTILITIES:

12 Pursuant to the instructing of the City Attorney to investigate the matter of a proposed federal tax on public utilities, at this time he filed a written report on the matter stating that as the provisions of the National Revenue Act of 1932 now stands the tax does not apply to sale by municipalities of water or gas, and recommended that the resolutions protesting the extension of the provisions to such sales, which were submitted by the League of Municipalities be adopted; whereupon Commissioner Boundey introduced a resolution, being

RESOLUTION NO. 2533-N.S.

adopting the resolution submitted by the League of Municipalities protesting any Federal taxation which might impose a tax upon States, State Agencies, or publicly owned utilities, and recommending that amendments prohibiting such taxation be made to the National Revenue Act of 1932, and instructing the Clerk to mail copies of the said Resolution to Senators Shortridge and Johnson, and Representative H.E. Barbour, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Boundey, Brown, Falger, Rogers, and Mayor Dennett

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF REPORT ON PAYROLL SYSTEM:

13 Commissioner Rogers filed a written report on behalf of the Committee appointed to investigate the system now in use by the City for payroll orders for payment of salaries, deducting vacations, etc. Same was read to the Council, accepted, and ordered filed.

14
IN THE MATTER OF REPORT OF PAYMENTS MADE ON GEO. KEELEY'S DEBTS:

Commissioner Falger filed a written report and receipts showing the various amounts paid from Geo. Keeley's salary on his various personal debts. Same was reviewed by the Council and ordered filed.

15
IN THE MATTER OF MONTHLY REPORTS:

The monthly reports of the various departments were reviewed by the Council and ordered filed.

16
IN THE MATTER OF CLOSING OF EIGHTH STREET:

Pursuant to proceedings heretofore had for the closing of a portion of 8th Street under Resolution of Intention No. 218 and all provisions of the State Statutes having been complied with, this being the time set out for the hearing of any and all protests thereto, and there being no protests either oral or written on file, Commissioner Boundey introduced a resolution, being

RESOLUTION NO. 775-S.P.

closing that portion of 8th Street within the City of Modesto as set out in the above mentioned Resolution of Intention No. 218, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Boundey, Brown, Falger, Rogers, and Mayor Dennett

Noes: Councilmen: None

Absent: Councilmen: None

17
IN THE MATTER OF CONDEMNATION PROCEEDINGS AGAINST THE GRANGE CO.:

Commissioner Boundey introduced a resolution, being

RESOLUTION NO. 2534-N.S.

instructing the City Attorney to proceed with condemnation proceedings against the Grange Company for acquiring certain rights of way along 9th Street in connection with the widening of said street for highway purposes, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Boundey, Brown, Falger, Rogers, and Mayor Dennett

Noes: Councilmen: None

Absent: Councilmen: None

18
IN THE MATTER OF FIRES OUTSIDE THE CITY LIMITS:

Pursuant to the instructing of the Fire Chief to investigate the matter of fire protection to packing houses outside the City limits, and to the subsequent meeting of the various representatives of packing houses located outside the City limits on Crows Landing Road with the Fire Chief for discussion of the matter, at this time he reported that it was his recommendation that such Fire protection be granted in lieu of consideration of \$ 50.00 for each Fire Truck used in combatting fires at any of the packing plants located outside the City limits. Thereupon the City Attorney was instructed to draw up an agreement along the lines recommended, and present the same at the next regular meeting.

19
IN THE MATTER OF ADJOURNMENT:

Commissioner Brown introduced a resolution, being

RESOLUTION NO. 2535-N.S.

adjourning this Council meeting now in session, which resolution was regularly

adopted by the following vote:

Ayes : Councilmen: Boundey, Brown, Falger, Rogers, and Mayor Dennett

Noes: Councilmen: None

Absent: Councilmen: None

Attest: _____

H. E. GRAGG
CITY CLERK

Council, City of Modesto

February 22, 1933

The Council of the City of Modesto met in regular session this date, and it being a legal holiday, no quorum was present; whereupon the City Clerk adjourned the meeting to Thursday, February 23rd, 1933, at the usual time and place.

Council, City of Modesto

February 23rd, 1933

Pursuant to adjournment of February 22nd, 1933, the Council met this day in regular session, and there were present Councilmen: Bounde, Brown, Dalger, Rogers, and Mayor Dennett

IN THE MATTER OF MINUTES:

1 The minutes of the regular session of February 8th, 1933, having been heretofore read by the Council, were approved as so read.

IN THE MATTER OF WHOLESALE VEGETABLE PEDDLING REGULATIONS:

2 Mr. Thos. Boone appeared before the Council and urged that legislation be enacted licensing the wholesale peddling of fruits and vegetables in the City of Modesto stating that inferior products are being brought into the City by outside producers at low prices thereby demoralizing the market for home growers and producers. By order of the Council the City Attorney was instructed to draft an ordinance, with the assistance of Mr. Boone, to be presented for consideration at the next meeting of the Council.

IN THE MATTER OF CHANGING LOCATION OF HORSESHOE COURTS AND LIGHTING IN GRACEADA PARK:

3 Mr. M.L. Packard appeared before the Council and asked that the position of the horseshoe courts in Graceada Park be changed. It appearing that such a change in location would necessitate a re-arrangement of the lights for the court, and the City Engineer having been instructed to file an estimate of the cost for such a re-arrangement for the lighting, and this estimate not yet being presented, the matter was laid over the next regular meeting.

IN THE MATTER OF PERMIT TO REMOVE A TREE:

4 Mr. J. Bertolani, manager of the Deluxe Cleaners, appeared before the Council and asked permission to remove a partially dead locust tree from the curbing in front of his place of business at 1920 Downey Avenue. After consideration of the matter by the Council, permission to remove the tree in question was granted.

IN THE MATTER OF GAS FRANCHISE TAX OF THE P.G. & E. COMPANY:

5 Pursuant to consideration and discussion of a gas franchise tax being levied upon the Pacific Gas & Electric Company for use of the City's streets for its gas mains over a considerable period of time, and it now being the unanimous decision of the Council that immediate action should be taken upon the issue, Commissioner Brown introduced a resolution, being

RESOLUTION NO. 3538-N.S.

5
instructing the City Attorney to proceed against the Pacific Gas & Electric Company for the collection of said franchise tax or by proceedings to determine and terminate the right of the Gas Company to use the City streets for its lines and pipes without paying toll therefor as specified in Article IV Section 59 of the City Charter, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Boundey, Brown, Falger, Rogers, and Mayor Dennett

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF RESOLUTION FROM PLANNING COMMISSION:

6
The City Planning Commission presented to the Council a resolution adopted by that body at a recent meeting, urging that every effort be made to induce the Tidewater Southern Railway to adopt some other method of motive power which would eliminate the overhead trolley system, and also the elimination of their tracks from Ninth Street by using the Southern Pacific Right of Way or tracks through the City, since the reconstruction of Ninth Street through the City of Modesto so as to make it a part of the Golden State Highway of the State demands the removal of as many power poles and overhead construction as possible. After consideration of the matter by the Council, Commissioner Brown introduced a resolution, being

RESOLUTION NO. 2537-N.S.

acknowledging receipt of the resolution from the Planning Commission stating that the Council does heartily concur in the matters set forth, and will exert every power to bring about the improvements mentioned, which resolution was regularly adopted by following vote:

Ayes: Councilmen: Boundey, Brown, Falger, Rogers, and Mayor Dennett

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF REAPPOINTING MEMBERS OF THE PLANNING COMMISSION:

7
Pursuant to the expiration of the terms of the following members of the City Planning Commission on January 9th, 1933, namely: Mrs. A.G. Eddy and Amos Bomberger, Commissioner Boundey introduced a resolution, being

RESOLUTION NO. 2538-N.S.

reappointing Mrs. A.G. Eddy and Amos Bomberger members of the City Planning Commission to serve until January 9th, 1937, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Boundey, Brown, Falger, Rogers, and Mayor Dennett

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF COMMUNICATIONS:

8
A Communication was received from the City of Coronado relative to Assembly Bill No. 1563 providing for a gasoline tax to be levied on gasoline sold for marine purposes for the establishment of a fund for the improvement of motor boat and yacht harbors, channels, turning basins, anchorages, etc. Same was read to the Council and ordered filed.

IN THE MATTER OF CLAIMS FOR RELIEF SUPPLIES:

9 There was filed with the Council a claim of the Union Shoe Shop in the amount of \$ 59.78 for shoe repair materials furnished to the Bundle Store, subsidiary of the Modesto Relief & Welfare Society, and a claim of the Salvation Army in the amount of \$ 54.70 for redemption of mean tickets given by the Police Department to transient indigents. Thereupon Commissioner Falger introduced a resolution, being

RESOLUTION NO.2539-N.S.

ordering that the above claims be allowed and warrants drawn in the amounts given which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Boundey, Brown, Falger, Rogers, and Mayor Dennett

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF REPORT OF COMMITTEE ON SALARY OF POUNDMAN:

10 Pursuant to the appointing of Commissioners Falger and Rogers to investigate the present method of reimbursing the poundman for his salary, and to devise a more practicable system therefor, the committee reporting that they had not yet completed their investigation, by unanimous consent of the Council their report was laid over to the next regular meeting.

IN THE MATTER OF FIRE PROTECTION TO PACKING PLANTS OUTSIDE CITY:

11 Pursuant to instructing the City Attorney to draw up an agreement for affording the packing plants located outside the corporate limits of the City of Modesto on the Crows Landing Road fire protection by the City of Modesto Fire Department, at this time a tentative agreement was submitted for the approval of the Council. Pending full and careful consideration of the same, by unanimous consent of the Council final action thereon was laid over to the next regular meeting.

IN THE MATTER OF WATER ACCOUNTS OF COUNTY PENSIONERS:

12 The City Clerk called to the attention of the Council the matter of delinquent water bills of aged pensioners of the County who have deeded their property to the County of Stanislaus in order to obtain such pensions. After considerable discussion of the matter it was the unanimous opinion of the Council that either the tenant or the County would be required to pay the water in such cases as the City of Modesto operating as a public utility cannot give free water under any circumstances.

IN THE MATTER OF PROPOSED ORDINANCE ABANDONING AIRPORT:

13 By unanimous consent of the Council, the above proposed ordinance was laid over to the next regular meeting.

IN THE MATTER OF PROPOSED ORDINANCE LIFTING ZONING IN CERTAIN AREA:

14 By unanimous consent of the Council, the above proposed ordinance was laid over to the next regular meeting.

IN THE MATTER OF ORDINANCE REGULATING DANCE HALLS:

15 Commissioner Rogers introduced an ordinance, being

ORDINANCE NO. 434-N.S.

regulating the opening, conducting, and carrying on of dances in public dance halls in the City of Modesto, which ordinance was passed to print and publish by the following

13 vote:

Ayes: Councilmen: Boundey, Brown, Falger, Rogers, and Mayor Dennett

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF ADJOURNMENT:

Commissioner Brown introduced a resolution, being

16 RESOLUTION NO. 2540-N.S.

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

Ayes: Councilmen: Boundey, Brown, Falger, Rogers, and Mayor Dennett

Noes: Councilmen: None

Absent: Councilmen: None

Attest: _____

H.E. GRAGG
CITY CLERK

Council, City of Modesto

March 8th, 1933

The Council of the City of Modesto convened in regular session this date, and there were present Councilmen: Boundey, Brown, Falger, Rogers, and Mayor Dennett

Absent: Councilmen: None

1
IN THE MATTER OF MINUTES:

The minutes of the regular session of February 23rd, 1933, having been heretofore read by each Councilman, were corrected in certain particulars, and, as so corrected, approved as read.

2
IN THE MATTER OF PETITION TO ERECT A BUSINESS BUILDING:

Mr. Fred Marlow appeared before the Council and presented in accordance with the terms of Ordinance No. 364-N.S., a petition to construct a business building at his property located at 301 Ruberto Street, which is in a residence zone. Upon examination of the same, it was evident that there was not the proper number of signatures appearing thereon; whereupon by unanimous consent of the Council it was referred back to Mr. Marlow, without prejudice to present a corrected petition.

3
IN THE MATTER OF PERMIT FOR A WALKATHON CONTEST:

Mr. F.E. Alford, appeared before the Council, and through his representative, Bill Carman, explained in detail a proposed walkathon contest which he intends to hold at the Merry Garden Ballroom in the near future, and asked that the Council sanction the proposal. The Council advised Mr. Alford that inasmuch as the City of Modesto has no ordinances relating to such a contest, they would neither sanction nor condemn the plan.

4
IN THE MATTER OF OPENING OF 'M' STREET:

Mr. C.R. McLaughlin of 207 Linden Street appeared before the Council and asked that the necessary proceedings be taken for the opening of 'M' Street across the railroad tracks at 9th Street. Inasmuch as a petition for the opening of this street had been previously presented to the Council on May 13th, 1931, and it appearing that it was not expedient at that time to open the said street and the proposal not being favored by the Railroad Commission, the Council advised Mr. Laughlin that the matter would not be reconsidered in the immediate future.

5
IN THE MATTER OF INOCULATING DOGS FOR RABIES:

Dr. E.F. Reamer, City and County Health Officer, appeared before the Council and urged that legislation be enacted requiring that all dogs within the City be immunized from rabies by inoculation, stating that this malady has been very prevalent throughout the past year and is a menace to public health and safety. He further stated that other cities have passed such legislation and found it very satisfactory, citing the special instances of the ordinance in effect in other cities, and more particularly in the City of Fresno. The Council instructed Mr. Reamer to procure a copy of the ordinance and present the same for consideration.

IN THE MATTER OF DEAD TREES IN THE CITY:

6 It appearing that as a result of the unusually severe cold weather in this vicinity during the past month, a great many trees throughout the City have been killed and their removal necessary for public safety, Commissioner Boundey introduced a resolution, being

RESOLUTION NO.2541-N.S.

granting authority to the City Engineer to grant permits for removals of trees in the City, providing that upon investigation, it is evident that the trees to be removed are dead, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Boundey, Brown, Falger, Rogers, and Mayor Dennett

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF SALE OF JUNK:

7 Commissioner Boundey introduced a resolution, being

RESOLUTION NO. 2542-N.S.

authorizing the City Clerk to advertise for bids for the sale of junk owned by the City, and authorizing the City Engineer to sell the same to the highest bidder, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Boundey, Brown, Falger, Rogers, and Mayor Dennett

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF REPORT OF CITY ENGINEER UPON STORM SEWER:

8 Pursuant to Resolution No. 774-S.P. providing that questionnaires be mailed to property owners in the proposed storm sewer improvement district in Capitol Heights District of the City of Modesto, in accordance with Section 13 of the Special Assessment, Investigation, Limitation and Majority Protest Act of 1931, and to the subsequent mailing of such questionnaires, it is apparent from the returns thereof that owners of 27.67 per cent of the area of property demand the full investigation for the storm sewer as required by the said Act, and that such investigation would cause considerable extra work, expense, and time, with the possibility that protests to the work would still be in the majority and the improvement abandoned, by unanimous consent of the Council the matter of constructing a storm sewer in Capitol Heights District was laid over indefinitely.

IN THE MATTER OF DEED FOR STORM SEWER RIGHT OF WAY:

9 Pursuant to the tendering of a deed for right of way or easement over property of T.H.Kewin and Iris S. Kewin in Block 228 of the City of Modesto for the construction, operation, and maintenance of a storm sewer, Commissioner Boundey introduced a resolution, being

RESOLUTION NO.2543-N.S.

accepting the deed presented and ordering the City Clerk to cause the same to be recorded in the office of the Recorder of the County of Stanislaus, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Boundey, Brown, Falger, Rogers, and Mayor Dennett

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF CLAIMS:

10 The claims against the City of Modesto for the month of February, 1933, having been duly audited by the Council and found to be correct, with the exception of the claim of the Capitol Fire Equipment Company in the amount of \$ 23.00 for one set of aluminium hose bridge, Commissioner Falger introduced a resolution being

RESOLUTION NO.2544-N.S.

ordering that the claims so audited and approved be and they are hereby allowed, with the exception of the claim of the Capitol Fire Equipment Company and cancelling Warrant No. 8939 drawn in payment therefor, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Boundey, Brown, Falger, Rogers, and Mayor Dennett

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF CLAIM OF SECURITY TITLE INSURANCE COMPANY:

11 The Security Title Insurance & Guarantee Co. having presented a claim in the amount of \$ 50.00 for a search of TITLE ON PORTIONS OF BLOCK 442, 443, 48 and 49 in connection with the relocation of the State Highway on 9th Street, Commissioner Brown introduced a resolution, being

RESOLUTION NO.2544-A --N.S.

allowing the above mentioned claim and ordering the warrant therefor, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Boundey, Brown, Falger, Rogers, and Mayor Dennett

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF COMMUNICATIONS:

12 There was received from the League of California Municipalities five communications having to do with the Assembly Bill No. 1172 now before the State Legislature reallocating gas tax moneys between the county, state, and municipal treasuries. Whereupon Commissioner Boundey introduced a resolution, being

RESOLUTION NO.2545-N.S.

authorizing and instructing the City Clerk to write to Assembly man E.H. Zion and State Senator David F. Bush urging that they support the passage of Assembly Bill No. 1172, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Boundey, Brown, Falger, Rogers, and Mayor Dennett

Noes: Councilmen: None

Absent: Councilmen: None

13 A Communication was received from the City of Stockton relative to the passage of State Assembly Bill No. 1172, allocating gas tax moneys. Sale was read to the Council and ordered filed.

14 A Communication was received from the City of Beverly Hills relative to Assembly Bill No. 897 amending certain portions of the School Code. The City Clerk was instructed by the Council to write to E.H. Bradley, Superintendent of City Schools, for an expression of his opinion upon the proposed legislation.

15 A Communication was received from the A.M.E. Zion Church asking for permission to remove a dead eucalyptus tree at 1024 4th Street. Same was referred to the City Engineer, F.J. Rossi.

IN THE MATTER OF AGREEMENT FOR FIRE PROTECTION TO PACKING PLANTS:

16 Pursuant to discussion heretofore had, the City Attorney tendered an agreement for extending fire protection to packing plants located outside the City of Modesto, the same being duly executed and accompanied by securities. Whereupon Commissioner Boundey introduced a resolution, being

RESOLUTION NO. *****-N.S.

accepting the agreement and authorizing the Mayor and City Clerk to sign the same on behalf of the City of Modesto, which resolution was regularly DEFEATED BY THE FOLLOWING VOTE:

Ayes: Councilmen: Boundey and Mayor Dennett

Noes: Councilmen: Brown, Falger, and Rogers

Absent: Councilmen: None

Thereupon by unanimous consent of the Council further consideration of this matter was laid over to the next regular meeting.

IN THE MATTER OF RELOCATION OF HORSESHOE COURTS:

17 Pursuant to requests heretofore made to the Council for the relocation of the horseshoe courts in Graceada Park, it being evident that such a change would not be made without involving considerable unnecessary expense, by unanimous consent of the Council, they went on record as being opposed thereto.

IN THE MATTER OF REDUCTION OF ASSESSMENT OF CALIFORNIA PACKING CORPORATION:

18 Pursuant to application of the California Packing Corporation for a reduction of the assessment upon their property in this City, by unanimous consent of the Council the matter was laid over to the next regular meeting.

IN THE MATTER OF PROPOSED ORDINANCE REGULATING WHOLESALE PEDDLING:

19 By unanimous consent of the Council the above ordinance was laid over to the next regular meeting.

IN THE MATTER OF PROPOSED ORDINANCE ABANDONING AIRPORT:

20 By unanimous consent of the Council the above ordinance was laid over to the next regular meeting.

IN THE MATTER OF ORDINANCE LIFTING ZONING IN CERTAIN AREA OF THE CITY:

21 By unanimous consent of the Council the above ordinance was laid over indefinitely.

IN THE MATTER OF FINAL ADOPTION OF DANCE HALL ORDINANCE NO. 434-N.S.:

22 The foregoing ordinance No. 434-N.S. having been introduced and ordered printed and published at a regular meeting of the Council held on the 23rd day of February, 1933, coming on for final adoption this 8th day of March, 1933, it was upon roll call adopted by the following vote:

Ayes: Councilmen: Boundey, Brown, Falger, Rogers, and Mayor Dennett

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF REPORT OF COMMITTEE ON SALARY OF POUNDMAN:

23 By unanimous consent of the Council, the report of the committee on the salary and compensation of the Poundman was laid over to the next regular meeting.

IN THE MATTER OF REPORTS:

24 The report of Commissioner Falger on payments made from Geo. Keeley's salary on his various personal debts was reviewed by the Council and ordered filed.

The monthly reports of the various departments were reviewed by the Council and ordered filed.

IN THE MATTER OF ADJOURNMENT:

Commissioner Brown introduced a resolution, being

RESOLUTION NO. 2545-N.F

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

Ayes: Councilmen: Boundey, Brown, Falger, Rogers, and Mayor Dennett

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: _____

H. E. GRAGG
CITY CLERK

* * * * *

March 22nd, 1933

The Council of the City of Modesto met in regular session this date, and there were present Councilmen: Boundey, Brown, Falger, Rogers, and Mayor Dennett
Absent: Councilmen: None

IN THE MATTER OF MINUTES:

The minutes of the regular session of February 22, 1933, having been heretofore read by each Councilman, were unanimously approved as so read.

IN THE MATTER OF CLAIMS:

A Claim in the amount of \$ 70.30 was filed with the Council by Captain M. Juul of the Salvation Army, the same being for the redemption of grocery, gasoline, and meal tickets given to indigents by the Police Department. Whereupon Commissioner Falger introduced a resolution, being

RESOLUTION NO. 2547-N.S.

allowing the above mentioned claim, and ordered the warrant therefor, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Boundey, Brown, Falger, Rogers, and Mayor Dennett

Noes: Councilmen: None

Absent: Councilmen: None

A Claim in the amount of \$ 75.00 was filed with the Council by the League of California Municipalities, the same being the membership dues in the League. By unanimous consent of the Council, this claim was laid over to the next regular meeting.

IN THE MATTER OF COMMUNICATIONS:

A Communication was received by the Council from W. J. Silva, Chairman of the Unemployment Committee, setting forth the contents of a letter addressed by that organization to the Stanislaus Central Labor Council, giving a detailed report of the work accomplished and proposed to be accomplished by the Committee. Same was reviewed by the Council and ordered filed.

A Communication was received by the Council from the National Committee for trade recovery relative to Assembly Bill No. 980 now pending in the State Legislature. Same was read by the Council and ordered filed.

IN THE MATTER OF PROPOSED ORDINANCES:

A proposed ordinance regulating the wholesale peddling of fruits and vegetables was by unanimous consent of the Council laid over to the next regular meeting.

A proposed ordinance abandoning the municipal airport was by unanimous consent of the Council laid over to the next regular meeting.

An ordinance amending Ordinance No. 353-N.S. so as to prohibit walkathon endurance contests, was submitted to the Council for consideration. Action thereon was laid over to the next regular meeting.

IN THE MATTER OF PETITION FOR THE OPENING OF SUNSET BOULEVARD THROUGH THE AIRPORT:

9
A petition signed by approximately 25 residents and property owners of the City of Modesto was filed with the Council, asking that Sunset Boulevard between Tuolumne Boulevard and South Avenue be opened. Inasmuch as this would in effect mean the extension of Sunset Boulevard through the present site of the Municipal Airport, the Council was of the opinion that they could not legally act in the matter at this time.

IN THE MATTER OF PETITION FOR REDUCTION OF ASSESSMENT:

10
Pursuant to the request of the California Packing Corporation for a reduction of assessment of their property within the City of Modesto, the matter coming up for consideration at this time, by unanimous consent of the Council such a reduction was denied.

IN THE MATTER OF PETITION OF MODESTO TERMINAL COMPANY FOR CANCELLING ASSESSMENT ON CERTAIN BUILDINGS PROPOSED TO BE DISMANTLED:

11
The Modesto Terminal Company petitioned the Council to authorize the City Assessor to cancel the assessment on certain buildings in Block 49 which they propose to dismantle but which existed intact on the first Monday in March, 1933. By unanimous consent of the Council this matter was laid over to the next regular meeting.

IN THE MATTER OF AGREEMENT FOR FIRE PROTECTION OUTSIDE THE CITY:

12
By unanimous consent of the Council the matter of an agreement for giving fire protection to certain packing plants located outside the City was laid over to the next regular meeting.

IN THE MATTER OF CALLING GENERAL MUNICIPAL ELECTION TO BE HELD ON APRIL 11TH, 1933:

13
Commissioner Falger introduced a resolution, being

RESOLUTION NO. 2546-N.S.

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

---oOo---

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

THAT under and pursuant to the Charter of the City of Modesto a general municipal election in and for the City of Modesto be and the same is hereby called to be held on Tuesday, the 11th day of April, 1933, for the purpose of electing the following officers of the City of Modesto, to-wit: two councilmen; and for the purpose of voting upon the questions of the adoption of three certain ordinances submitted in accordance with Section 89 of the Charter of the City of Modesto, entitled as follows:

"AN ORDINANCE TO PROVIDE FOR THE ADMINISTRATION OF THE WATER DEPARTMENT OF THE CITY OF MODESTO, ESTABLISHING RULES AND REGULATIONS AND FIXING THE RATES TO BE CHARGED FOR WATER."

"AN ORDINANCE REPEALING A CERTAIN ORDINANCE ADOPTED BY THE PEOPLE OF THE CITY OF MODESTO AT A SPECIAL ELECTION HELD ON TUESDAY, AUGUST 21ST, 1917, ENTITLED: "AN ORDINANCE FOR POLICE REGULATION, RELATING TO PLACES WHERE ALCOHOLIC LIQUORS ARE SOLD, STORED, DELIVERED, KEPT, SERVED, DISPOSED OF, OR DISTRIBUTED, OR GIVEN AWAY WITHIN THE CORPORATE LIMITS OF THE CITY OF MODESTO, COUNTY OF STANISLAUS, STATE OF CALIFORNIA; MAKING UNLAWFUL THE SALE, STORAGE, DELIVERY, POSSESSION, DISPOSAL, DISTRIBUTION OR GIVING AWAY OF SUCH LIQUOR (WITH CERTAIN EXCEPTIONS) WITHIN SAID CITY, PROVIDING A PENALTY FOR THE VIOLATION OF THE PROVISIONS HEREOF, AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH."

13
"AN ORDINANCE REPEALING ORDINANCE NO.197-N.3.OF THE CITY OF MODESTO ENTITLED: " AN ORDINANCE ENFORCING THE PROVISIONS OF ARTICLE EIGHTEEN OF THE CONSTITUTION OF THE UNITED STATES PROHIBITING THE MANUFACTURE, SALE, STORAGE, SERVICE, GIFT, TRANSPORTATION, IMPORTATION OR EXPORTATION OF INTOXICATING LIQUORS FOR BEVERAGE PURPOSES; REGULATING ALL OTHER TRAFFIC IN SUCH LIQUORS; AND PROVIDING PENALTIES FOR THE VIOLATION HEREOF."

And a general election in and for the Modesto City School District is likewise called to be held on the same day, to-wit: Tuesday, the 11th day of April, 1953, for the purpose of electing certain officers of the Modesto City School District, to-wit: two members of the Board of Education of the Modesto City School District.

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

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

Said consolidated election precincts are established by consolidating the general election precincts within the City of Modesto (except as hereinafter noted), as established by the orders or resolutions of the Board of Supervisors of Stanislaus County, California, in force for general election purposes within the City prior to January 1, 1953, (which said orders or resolutions now on file and of record in the office of the Clerk of the Board of Supervisors of Stanislaus County are hereby referred to and by such reference made a part hereof for greater certainty and a more particular description of the boundaries thereof), in the following manner, (said precincts so established by said Board of Supervisors being herein referred to as General Election Precincts):

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

Said General Election Precincts so designated by the said Board of Supervisors as Modesto Nos. 6, 7, 8, 9, 10 and 11 are hereby consolidated and established into "Consolidated Election Precinct No. 2".

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

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

Said General Election Precincts so designated by the said Board of Supervisors as Modesto Nos. 16, 19, 20 and 21 are hereby consolidated and established into "Consolidated Election Precinct No. 5".

13
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Said General Election Precincts so designated by the said Board of Supervisors as Modesto Nos. 22, 23, and 24 are hereby consolidated and established into "Consolidated Election Precinct No. 6".

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

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

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

The territory included within said Modesto City School District but outside of the corporate limits of the City of Modesto, is for the purpose of said election, hereby divided and established into seven special election precincts, the designation and boundaries of which, and the territory within each of which, are hereby established as follows;

SPECIAL ELECTION PRECINCT NO. 9 which shall comprise all of the territory within the said Modesto City School District heretofore described outside of the corporate limits of the City of Modesto which is embraced within the exterior boundaries of Paradise School District, and of Shiloh School District, and of the Modesto Grammar School or Elementary School District outside of said City lying north of the Tuolumne River and west of the Central Pacific Railroad.

SPECIAL ELECTION PRECINCT NO. 10 which shall comprise all of the territory within the Modesto City School District hereinbefore described and embraced within the exterior boundaries of the following elementary school districts, to-wit: Hart and Ransom.

SPECIAL ELECTION PRECINCT NO. 11 which shall comprise all of the territory within said Modesto City School District hereinbefore described and embraced within the exterior boundaries of the following elementary school districts, to-wit: Jackson & Salida.

SPECIAL ELECTION PRECINCT NO. 12 which shall comprise all of the territory within said Modesto City School District hereinbefore described and embraced within the exterior boundaries of the following elementary school districts, to-wit: Stoddard, Stanislaus, McHenry, Prescott, and Bellpassi, as well as all of the territory within the boundaries of the Modesto Grammar or Elementary School District outside of the corporate limits of the City of Modesto which lies north of Dry Creek and east of the Central Pacific Railroad.

13
SPECIAL ELECTION PRECINCT NO. 13 which shall comprise all of the territory within the said Modesto City School District hereinbefore described and embraced within the exterior boundary lines of the following elementary school districts, to-wit: Cole, Garner and New Hope.

SPECIAL ELECTION PRECINCT NO. 14 which shall comprise all of the territory within the Modesto Grammar School District outside of the corporate limits of the City of Modesto which lied south of Dry Creek and north of the Tuolumne River.

SPECIAL ELECTION PRECINCT NO. 15 which shall comprise all of the territory within said Modesto City School District hereinbefore described embraced within the exterior boundaries of Fairview Elementary School District, and also that portion of the Modesto Elementary Grammar School District lying south of the Tuolumne River.

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

SPECIAL ELECTION PRECINCT NO. 1:

Polling Place: Garage, 133 Poplar Avenue
Inspector: Wm. G. Proper, 115 Park Avenue
Judges: Mrs. Gertrude Hunting, 220 Poplar Avenue; Mrs. Jessie E. Russell, 310 College Avenue.
Clerks: Mrs. Della B. Aldrich, 1643 Elmwood Court; Mrs. Elma Ducker, 1009 Needham Avenue; Rosamond Falger, 301 Magnolia Avenue.

SPECIAL ELECTION PRECINCT NO. 2:

Polling Place: Broughton's Garage, 1715 Downey Avenue
INSPECTOR: Mrs. Josephine Ekstein, 245 High Street
JUDGES: Mrs. Marie H. Weisner, 315 Melrose, Mrs. Hazel Elliott, 234 Semple Street.
CLERKS: Mrs. Mattie S. Wight, 140 Melrose; Mrs. Oma Cree, 310 Melrose; Dewey F. Cole, 115 High Street.

SPECIAL ELECTION PRECINCT NO. 3:

Polling Place: Store Room, 1011 11th Street
Inspector: Sidney W. Elliott, 1217 12th
Judges: Mrs. Nellie Oviatt, 1210 13th Street; Frank M. Thorpe, 1104 15th Street.
Clerks: Mrs. Anna L. Philleo, 1206 13th Street; W. H. Durham, 1324 11th St.; John W. Dunlap, 1109 13th Street.

SPECIAL ELECTION PRECINCT NO. 4:

Polling Place: Fire Station No. 3, Downey Avenue
Inspector: Edwin B. Taylor, 2006 Downey Avenue
Judges: Mrs. Almira J. Ross, 716 Burney Street; F. A. Winter, 127 Howard St.
Clerks: Mrs. Gertrude Meader, 701 18th St.; Mrs. Mildred E. Lumsden, 623 16th.; Mrs. Mary L. Ripley, 815 17th Street.

SPECIAL ELECTION PRECINCT NO. 5:

Polling Place: City Hall, 717 Tenth Street
Inspector: William O. Grunow, 415 14th Street
Judges: Neil Stewart, 320 Burney Street; Mrs. Alma M. Wallace, 516 10th.
Clerks: Mrs. Lottie Savercool, 908 12th Street; Mrs. Edith L. Bohn, 630 13th; Mrs. Mary E. Utterback, 416 13th

SPECIAL ELECTION PRECINCT NO. 6:

Polling Place: Garage, 1126 5th Street
Inspector: Mrs. Ethel L. Crews, 109 Linden Street
Judges: Mrs. Lily D. Tingle, 125 Stanislaus St.; E. E. Miller, 123 Laurel
Clerks: Mrs. L. E. Karker, 126 Maple Street; Mrs. Carrie A. Gentleman, 314 Pine Street; Mrs. Mary A. McLaughlin, 110 Locust St.

13
SPECIAL PRECINCT NO. 7:

Polling Place: Bowman's Plumbing Shop, 722 5th Street
Inspector: Mrs. Minna H. Damrell, 822 6th Street
Judges: Mrs. Veta Schach, 319 6th Street; Mrs. Eva Deatsch, 302 J Street.
Clerks: Mrs. Jessie Shotwell, 117 Pine Street; Charles A. Davis, 810 1st Street; David L. Browder, 715 Third Street.

SPECIAL PRECINCT NO. 8:

Polling Place: Fire Station, Second Street
Inspector: Mrs. Alma H. Cairns, 220 Fresno Street
Judges: Albert S. Johnson, 120 Merced Avenue; Jacob B. Fox, 215 South Av.
Clerks: Francis M. Locke, 326 Alturas Avenue; Mrs. Anna Porter, 1326 Tuolumne; Mrs. Lena Katherine Butts, 133 Roselawn.

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

SPECIAL PRECINCT NO. 9:

Polling Place: Paradise School House
Inspector: O. H. DeForrest, Rte 3 Box 849
Judges: Mrs. Sue H. Robbins, Rte 3 Box 820; W. D. Sharp, Rte 3 Box 851
Clerks: Mrs. Viola Beam, Rte 3 Box 818; Mrs. Adaline Harcksen, Rte 3 Box 859; Mrs. Jessie M. Lampley, Rte 3 Box 831.

SPECIAL PRECINCT NO. 10:

Polling Place: Ranson School House
Inspector: Mrs. Alma Montgomery, Rte 3 Box 277
Judges: Mrs. Minnie Davies, Rte 3 Box 735; Mrs. Beulah Bowman, Rte 3 Box 1226.
Clerks: Mrs. Ella W. Van Buren, Rte 3 Box 758; Mrs. Ethel Woolsey, Rte 3 Box 1233; Mrs. Mabel Beck, Rte 2 Box 1332.

SPECIAL PRECINCT NO. 11

Polling Place: Maple Hall, Salida, California
Inspector: James Lee Curtis, Salida, California
Judges: E. F. Avery, Salida, California; Ida E. Stoll, Salida, California
Clerks: Mary E. Wellington, Salida, California; Marie Cix Brown, Salida, California; Winifred Byrum, Salida, California.

SPECIAL PRECINCT NO. 12

Polling Place: Sylvan Clubhouse, McHenry Road
Inspector: E. N. Gragg, Rte 2 Box 751
Judges: Wilbur Nelson, Rte 1 Box 1330; J. C. Berg, Rte 2 Box 868
Clerks: Mrs. Clara M. Moore, Rte 1 Box 1298; A. J. McFarland, Rte 2 Box 792; Nellie E. Moye, Rte 2 Box 782.

SPECIAL PRECINCT NO. 13:

Polling Place: Empire School Auditorium, Empire, California
Inspector: Henry A. Dodoni, General Delivery, Empire, California
Judges: Arthur Mills, Rte 1 Box 665, Modesto; Harry Secrest, Rte 1 Box 950, Modesto
Clerks: Mrs. Maude Hollingsworth, Rte 1 Box 680, Modesto; D. D. Garvey, General Delivery, Empire; Mrs. Winnie Lindsay, Box 36, Empire.

SPECIAL PRECINCT NO. 14

Polling Place: McNamara Garage, 165 Santa Rita
Inspector: Mrs. Ethel Bovee, Rte 1 Box 90
Judges: Mrs. Hattie O. Wellman, 165 Santa Ana Ave; Mrs. Alice V. Watson, Rte 1 Box 121-B.
Clerks: Mrs. Maryon J. Bell, Rte 1 Box 120; Mrs. Adine Rafter, Rte 1 Box 55; Mrs. Hazel M. Nelson, P.O. Box 602.

SPECIAL PRECINCT NO. 15

Polling Place: Fairview Schoolhouse
Inspector: Mrs. Ila M. Rutherford, Rte 4 Box 140
Judges: Mrs. Matite A. Fellows, Rte 4 Box 295; Mrs. Rilla K. Roatson, Rte 4 Box 177;
Clerks: Mrs. Estella F. Jones, Rte 4 Box 175; Mrs. Nora A. Famer, Rte 4 Box 274; Mrs. Verla O. Stalker, Rte 4 Box 260.

13

The duties of said officers in the conduct of said election shall be the same as the duties prescribed by the Political Code of the State of California for officers of general elections. If the officers appointed hereby do not attend at the opening of the polls on the morning of the election, the electors of the precinct who are present at that time may appoint a Board of Election or supply the place of any absent member thereof.

It is further ordered that such election shall be held in all respects in conformity with the general election laws of the State of California so far as the same may be applicable to and in conformity with the Charter of the City of Modesto. On the day the election is held, the polls shall be opened at 6 o'clock A.M. and must be kept open until 7 o'clock in the afternoon of said day when the polls shall be closed.

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

Which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Boundey, Brown, Falger, Rogers, and Mayor Dennett

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF CLAIMS:

Pursuant to the awarding of a bid to J.W. Humbert Concrete Pipe Company by Resolution No. 2523-N.S. for concrete pipe, and the delivery of said pipe having been made, and invoice in the amount of \$ 918.35 having been filed therefor, Commissioner Boundey introduced a resolution being

RESOLUTION NO. 2549-N.S.

allowing the claim of J.W. Humbert Concrete Pipe Company for \$ 918.35 and ordering the warrant therefor, instructing the City Clerk to return to the said firm the certified check held as a deposit therefor, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Boundey, Brown, Falger, Rogers, and Mayor Dennett

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF FINAL PAYMENT TO OSTERBURG BROTHERS FOR DRILLING OF A WELL:

Pursuant to the entering into a contract with Osterburg Bros. for the drilling of a well at Pump Station No. 4 at this time the City Engineer filed the invoice therefor in the amount of \$ 1078.90 with the Council, certifying that the work had been completed and 75% of the contract price now is due and payable as per the terms of the contract; whereupon Commissioner Boundey introduced a resolution being

RESOLUTION NO. 2550-N.S.

10

15 ordering that warrant be drawn for \$ 809.17, the same being 75% of the above named contract price, which resolution was regularly adopted by the following vote:

Aye: Councilmen: Boundey, Brown, Falger, Rogers, and Mayor Dennett

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF APPLICATION FOR PERMIT FOR CURB PUMP:

16 B. Friederich filed with the Council an application for a permit to install a curb pump at his place of business located at 3 H Street. By unanimous consent of the Council action thereon was laid over to the next regular meeting.

IN THE MATTER OF PROPOSED ORDINANCES TO BE PLACED ON BALLOT AT THE GENERAL MUNICIPAL ELECTION TO BE HELD ON APRIL 11TH, 1933:

17 Pursuant to the enacting of federal legislation permitting the manufacture, sale, transportation, and possession of beer containing not more than 3.2% alcohol, and there being in effect in the City of Modesto certain ordinances prohibiting the manufacture, sale, transportation and possession of any alcoholic beverage whatsoever, which ordinance would ban the sale of beer as legalized by the federal government, Commissioner Brown introduced a resolution being

RESOLUTION NO. 2551-N.S.

authorizing that a proposed Ordinance, namely:

ORDINANCE NO. 435-N.S.

18 repealing Ordinance No. 114-N.S., an initiative ordinance adopted by vote of the People at a special election held on August 21st, 1933, entitled: "An ordinance for police regulation, relating to places where alcoholic liquors are sold, stored, delivered, kept, served, disposed of, or distributed or given away within the corporate limits of the City of Modesto, County of Stanislaus, State of California, making unlawful the sale, storage, delivery, possession, disposal, distribution or giving away of such liquors (with certain exceptions) within said City, providing a penalty for the violation of the provisions hereof, and repealing all ordinances or parts of ordinances in conflict herewith", be placed upon the ballot and submitted to the electors of the City of Modesto at the general Municipal Election to be held on the 11th day of April, 1933.

19 Whereupon Commissioner Falger immediately proposed that an amendment to the above proposed resolution be made, to the effect that there also be placed upon the ballot to be submitted to the electors of the City of Modesto at the General Municipal Election on April 11th, 1933, an ordinance to be known as

ORDINANCE NO. 436-N.S.

repealing Ordinance No. 197-N.S. entitled: "An ordinance enforcing the Provisions of Article 18 of the Constitution of the United States; prohibiting the manufacture, sale, storage, service, gift, transportation, importation, or exportation of intoxicating liquor for beverage purposes; regulating all other traffic in such liquor and providing for the penalties violation hereof", which was adopted by the Council of the City of Modesto on December 15, 1920.

20 Commissioner Rogers thereupon introduced an amendment to the proposed Resolution, as amended by Commissioner Falger, to the effect that Ordinance No. 197-N.S., adopted by the Council, December 15th, 1920, be not placed upon the ballot, but repealed by the City Council at this time.

It being apparent that a diversification of opinion existed in the Council on the issue the Chair ruled that a vote first be taken upon the amendment to the Resolution proposed by Commissioner Rogers; to-wit: that Ordinance No. 197-N.S. be repealed by the Council, which amendment was DEFEATED by the following vote:

Ayes: Councilmen: Brown and Rogers
Noes: Councilmen: Falger, Boundey, and Mayor Dennett
Absent: Councilmen: None

21 Thereupon the vote was called on the amendment to the Resolution proposed by Commissioner Falger, to-wit: that both Ordinance No. 114-N.S. and Ordinance No. 197-N.S. be placed upon the ballot at the General Municipal Election to be held on April 11th, 1933; which amendment was regularly adopted by the following vote:

Ayes: Councilmen: Boundey, Falger, Mayor Dennett
Noes: Councilmen: None
Absent: Councilmen: None

The Chair thereupon called the vote upon the proposed Resolution No. 2551-N.S. AS AMENDED, providing for the submission of both Ordinance No. 114-N.S. and Ordinance No. 197-N.S. to popular vote of the People at the General Municipal Election to be held April 11th, 1933, which ordinance was passed to print and publish and the Clerk instructed to mail copies thereof with each sample ballot and mail the same to each voter of the City of Modesto at least three days prior to the said election, by the following vote:

Ayes: Councilmen: Boundey, Falger, and Mayor Dennett
Noes: Councilmen: Brown and Rogers
Absent: Councilmen: None

22 IN THE MATTER OF PLACING INITIATIVE ORDINANCE UPON THE BALLOT:

Pursuant to a petition in the proper form and requisite number of signature having been filed with the City Clerk asking that an initiative ordinance entitled: AN ORDINANCE TO PROVIDE FOR THE ADMINISTRATION OF THE WATER DEPARTMENT OF THE CITY OF MODESTO, ESTABLISHING RULES AND REGULATIONS AND FIXING THE RATES TO BE CHARGED FOR WATER", and the same having been duly certified by the City Clerk as containing the signatures of 518 electors of the City of Modesto, being more than fifteen per cent of the number of votes cast at the last General Municipal Election, Commissioner Boundey introduced a resolution, being

RESOLUTION NO. 2552-N.S.

providing that the above named ordinance, being

INITIATIVE ORDINANCE NO. 14

ORDINANCE NO. 437-N.S.

be submitted for adoption or rejection by the electors of the City of Modesto at the General Municipal Election to be held on the 11th day of April, 1933, and ordering the publishing of the same as required by the Charter of the City of Modesto, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Boundey, Brown, Falger, Rogers, and Mayor Dennett
Noes: Councilmen: None
Absent: Councilmen: None

23
IN THE MATTER OF RIGHT OF WAY FOR NINTH STREET HIGHWAY:

Pursuant to the adoption of Ordinance No. 427-N.S. appropriating the sum of \$ 21,000 for the acquisition of rights of way along 9th Street in conjunction with making said street a part of the State Highway System, at this time Commissioner Boundey introduced a resolution, being

RESOLUTION NO.2553-N.S.

authorizing the expenditure of \$ 2,000 for the the acquisition of a right of way along Lots 17 to 20 inc. in Block 61, which property stands in the name of T.A. Davis, and ordering the warrant therefor, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Boundey, Brown, Falger, Rogers, and Mayor Dennett

Noes: Councilmen: None

Absent: Councilmen: None

24
IN THE MATTER OF APPLICATION FOR PERMIT TO ERECT A SERVICE STATION:

F.E. Wheeler filed with the Council an application for a permit to erect a gasoline service station and repair shop on property at 17 H Street, being Lots 6 & 7 in Block 343. The application having been checked by the City Engineer and found to comply with the provisions of Ordinance No. 364-N.S. pertaining to the erection of a business building in a residence district, Commissioner Boundey introduced a resolution, being

RESOLUTION NO. 2554-N.S.

granting the application of F.E. Wheeler when the provisions of Ordinance No. 364-N.S. shall have been complied with relative to posting and publishing notice thereof, and no protests are made thereto, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Boundey, Brown, Falger, Rogers, and Mayor Dennett

Noes: Councilmen: None

Absent: Councilmen: None

25
IN THE MATTER OF AWARD OF BID FOR TREE SPRAYER:

Pursuant to Resolution No. 2530-N.S. adopted on February 5th, 1933, providing for a demonstration of a tree sprayer machine of the various bidders and tentatively awarding the bid for said sprayer to the John Bean Manfg. Company if their demonstration was satisfactory, at this time Commissioner Boundey introduced a resolution, being

RESOLUTION NO. 2555-N.S.

ratifying the action of the City Engineer in awarding the bid to the John Bean Manufacturing Company and instructing the City Clerk to return to the unsuccessful bidders their certified checks accompanying their bids, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Boundey, Brown, Falger, Rogers, and Mayor Dennett

Noes: Councilmen: None

Absent: Councilmen: None

26
IN THE MATTER OF SUBSIDY TO BOYS' BAND:

Commissioner Falger introduced a resolution, being

RESOLUTION NO. 2556-N.S.

authorizing the warrant to be drawn in the amount of \$ 250.00 to the Stanislaus

26
Boys' Band, the same being a subsidy of the City of Modesto for band concerts held in the City Parks, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Boundey, Brown, Falger, Rogers, and Mayor Dennett

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF ADJOURNMENT:

Commissioner Brown introduced a resolution, being

27
RESOLUTION NO. 2557-N.S.

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

Ayes: Councilmen: Boundey, Brown, Falger, Rogers, and Mayor Dennett

Noes: Councilmen: None

Absent: Councilmen: None

Attest: _____

H. E. GRAGG
CITY CLERK

April 12th, 1933

The Council of the City of Modesto met in regular session this date, and there were present Councilmen: Boundey, Brown, Falger, Rogers, and Mayor Dennett

Absent: Councilmen: None

IN THE MATTER OF MINUTES:

The minutes of the regular session of March 22nd, 1933, having been heretofore read by each Councilman, were unanimously approved as so read.

IN THE MATTER OF HEARING FOR PERMIT TO ERECT A GASOLINE SERVICE STATION:

Pursuant to an application made on March 22nd, 1933, to the City Council for a permit to erect a gasoline service station and repair shop on Lots 6 and 7 in Block 343, being 17 H Street, by F. E. Wheeler, and to the subsequent posting and publishing of a notice of time of hearing of any protests to such erection as provided by Ordinance No. 344-N.S. and No. 364-N.S., this being the time set forth for the hearing of any objections or protests and there being no oral or written protests thereto on file, Commissioner Falger introduced a resolution, being

RESOLUTION NO. 2558-N.S.

confirming action taken under Resolution No. 2554-N.S. granting a permit to F.E. Wheeler to erect, operate and maintain a gasoline service station as outlined in his petition, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Boundey, Brown, Falger, Rogers, and Mayor Dennett

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF CLAIMS:

The Claims against the City of Modesto for the month of March, 1933, having been duly audited and found to be correct by the Council, Commissioner Falger introduced a resolution being

RESOLUTION NO. 2559-N.S.

allowing the above mentioned claims, reference being made to the Auditor's Cash Book for further details regarding the amounts of the withdrawals from the various funds as follows:

General Fund	\$ 19,665.63
Water Fund	5,333.37
Library Fund	1,463.30
Total	\$ 26,462.30

Which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Boundey, Brown, Falger, Rogers, and Mayor Dennett

Noes: Councilmen: None

Absent: Councilmen: None

F. W. McCarton filed with the City Council a claim in the amount of \$ 110.00 for surveying and making a map of the right of way from Grant Street to H Street, and the same having been approved for payment by the Chairman

of the City Planning Commission and the City Engineer, Commissioner Falger introduced a resolution, being

RESOLUTION NO. 2560-N.S.

allowing the above mentioned claim and authorizing the warrant therefor in the amount above stated, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Boundey, Brown, Falger, Rogers, and Mayor Dennett

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF SUBSIDY:

A Claim was filed with the City Council by Captain M. Juul of the Salvation Army in the amount of \$ 26.45, the same being for the redemption of transient meal and lodging tickets issued during the month of March, 1933, by the Police Department; Commissioner Falger introduced a resolution, being

RESOLUTION NO. 2561-N.S.

allowing the above mentioned claim and authorizing that the warrant be drawn therefor in the amount stated, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Boundey, Brown, Falger, Rogers, and Mayor Dennett

Noes: Councilmen: None

Absent: Councilmen: None

A Claim in the amount of \$ 75.00 having been heretofore filed with the Council by the League of California Municipalities for membership dues in the League, at this time by unanimous consent of the Council, action on the said claim was tabled indefinitely.

IN THE MATTER OF PETITION FOR REMOVING ASSESSMENT FROM NON-OPERATIVE TAX ROLL FOR THE TIDEWATER SOUTHERN RAILWAY:

The Tidewater Southern Railway having filed with the City Assessor a petition to remove from the Non-Operative Tax Roll property assessed against them for the C.H. Vogelmann lease on the Northerly portion of Lots 1 to 3 inclusive in Block 50 and to correspondingly correct the assessment on the Operative Tax Roll. By unanimous consent of the Council, the City Assessor was authorized and instructed to make the change in the assessment as petitioned.

IN THE MATTER OF PETITION FOR REMOVAL OF ASSESSMENT ON CERTAIN BUILDINGS TO BE DISMANTLED BY THE MODESTO TERMINAL COMPANY:

Pursuant to petition of the Modesto Terminal Company for removal of the assessment on the General Tax Roll of certain buildings in Block 45, the same being warehouses in a dilapidated condition, which it is their intention to dismantle, at this time the Council by unanimous consent ordered the Assessor to cancel the assessment on the above mentioned buildings providing they are dismantled before April 30th, 1933.

IN THE MATTER OF APPLICATION FOR CURB PUMP PERMIT BY B. FRIEDERICH:

Pursuant to the filing of a petition for a curb pump at No. 3 H Street by B. Friederich on March 22nd, 1933, and to the subsequent postponement of action upon the same until this time, by unanimous consent of the Council, the petition was denied.

10
IN THE MATTER OF CANCELLING WARRANT ISSUED TO BOYS' BAND FOR SUBSIDY AND AUTHORIZING THE ISSUING OF A NEW WARRANT:

Pursuant to Resolution No. 2556-N.S. granting a subsidy of \$ 250.00 to the Stanislaus Boys' Band and to the subsequent issuing of Warrant No. 9134 - Series A, therefor made payable to W.A.Harter, Treasurer of the Boys' Band Association, it appearing that the said warrant has been misent or lost in the mail, Commissioner Falger introduced a resolution, being

RESOLUTION NO.2562-N.S.

cancelling the said Warrant No. 9134, authorizing the City Clerk to instruct the Modesto Trust & Savings Bank to stop payment on the same and to issue a new warrant in the amount of \$ 250 for the subsidy as aforesaid, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Boundey, Brown, Falger, Rogers, and Mayor Dennett

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF AGREEMENT FOR FIRE PROTECTION OUTSIDE THE CITY:

11
Pursuant to the submitting of an agreement fully signed by the owners of meat packing plants located outside the City limits on the Crows Landing Road for the furnishing of fire protection by the City of Modesto Fire Department to said Plants, and action thereon having been laid over to this time, by unanimous consent of the Council, action was again postponed until the next regular meeting.

IN THE MATTER OF COMMUNICATIONS:

12
Communications from the League of California Municipalities relative to the gasoline tax legislation pending in the State Legislature were read to the Council and ordered filed.

13
A Communication from the State Tax Committee of the California Municipal Utilities was read to the Council and ordered filed.

14
A Communication from Bert Fitzpatrick of Longmont, Colo. relative to qualifications of Virgil Soden who is conducting a learn-to-swim campaign in this City was read by the Council and ordered filed.

15
A Communication from Jno. Cuneo relative to the dangerous and hazardous conditions of bridges across the Modesto Irrigation District Canal on Virginia and College Avenues was read to the Council and taken under advisement.

IN THE MATTER OF BOND AND APPLICATION FOR PLUMBERS AND ELECTRICAL CONTRACTOR'S LICENSE BY GEORGE AND ROBERT HANSEN:

16
Pursuant to provisions of Ordinances No. 276 and No. 352-N.S. George and Robert Hansen filed with the Council bonds covering operations as plumbers and electrical contractors in the City of Modesto, together with application for license, and the same appearing to be in the proper form and complying with the above mentioned provisions, Commissioner Boundey introduced a resolution, being

RESOLUTION No. 2563-N.S.

approving the bonds filed, and instructing the City Clerk to issue a license to the applicants when the ordinance has been complied with relative to license fee, which

resolution was regularly adopted by the following vote:

Ayes: Councilmen: Boundey, Brown, Falger, Rogers, and Mayor Dennett

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF PROPOSED ORDINANCES:

17 A proposed ordinance to license and regulate wholesale peddling of vegetables in the City of Modesto was by unanimous consent of the Council laid over to the next regular meeting.

18 A proposed ordinance to abandon the municipal airport was by unanimous consent of the Council laid over to the next regular meeting.

19 A proposed ordinance to require all dogs to be vaccinated for rabies was by unanimous consent of the Council laid over to the next regular meeting.

IN THE MATTER OF ACCEPTING DEED FROM E.J. BOUNDEY FOR PROPERTY ALONG NINTH STREET:

20 Pursuant to the tendering by the City Attorney of a deed from Elwin J. Boundey and Gertrude Boundey for a strip of land for right of way purposes along the 9th Street highway in block 505, preparatory to the widening of the 9th Street right of way to meet the state specifications for a highway, Commissioner Brown introduced a resolution being

RESOLUTION NO. 2564-N.S.

accepting the above mentioned deed, and instructing the City Clerk to cause the same to be recorded in the Office of the County Recorder of the County of Stanislaus, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Boundey, Brown, Falger, Rogers, and Mayor Dennett

Noes: Councilmen: None

Absent: Councilmen: None

21 **IN THE MATTER OF ACCEPTING DEED FOR RIGHT OF WAY ALONG NINTH STREET FROM T.A. DAVIS AND MARGARET DAVIS:**

Pursuant to the tendering of a deed to the City by T.A. & Margaret Davis for a strip of land along the 9th Street highway in Block 505, preparatory to the widening of said street to meet the state specifications for highways, Commissioner Brown introduced a resolution, being

RESOLUTION NO. 2565-N.S.

accepting the above mentioned deed, and authorizing the Clerk to cause the same to be recorded in the Recorder's Office of the County of Stanislaus, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Boundey, Brown, Falger, Rogers, and Mayor Dennett

Noes: Councilmen: None

Absent: Councilmen: None

22 **IN THE MATTER OF ACCEPTING AGREEMENT WITH STANDARD PAVING CO. FOR RELEASE OF CERTAIN PROPERTY ALONG NINTH STREET HIGHWAY AND TO MOVE THE BUILDINGS THEREFROM:**

The City Attorney having presented an agreement for releasing from their lease with the Southern Pacific Railway Company certain property along 9th Street and removing certain buildings therefrom in order to permit the widening of said street to meet state highway specifications, Commissioner Brown introduced a resolution being

RESOLUTION NO. 2566-N.S.

22
accepting said agreement and instructing the City Clerk to cause the same to be placed on file in the office of the County Recorder of the County of Stanislaus, which resolution was regularly adopted by the following vote:
Ayes: Councilmen: Boundey, Brown, Falger, Rogers, and Mayor Dennett
Noes: Councilmen: None
Absent: Councilmen: None

IN THE MATTER OF PERMIT TO CUT THE CURB AT 711 ELEVENTH STREET:

23
E. P. Adams applied to the City Council for a permit to cut the curb in front of his garage at 711 11th Street. By unanimous consent of the Council, permission so to do was granted when the fee as specified by ordinance shall have been paid.

IN THE MATTER OF APPROPRIATION FOR DAM IN THE TUOLUMNE RIVER:

24
Commissioner Boundey introduced an ordinance, being
ORDINANCE NO. 438-N.S.
appropriating the sum of \$ 8,500.00 for the completion of a dam in the Tuolumne River, which ordinance was regularly adopted to print and publish by the following vote:

Ayes: Councilmen: Boundey, Brown, Falger, Rogers, and Mayor Dennett
Noes: Councilmen: None
Absent: Councilmen: None

IN THE MATTER OF PLANS AND SPECIFICATIONS FOR THE CONSTRUCTION OF A DAM IN THE TUOLUMNE RIVER:

25
Commissioner Boundey introduced a resolution, being
RESOLUTION NO. 2567-N.S.
adopting the plans and specifications prepared by the City Engineer for the erection of a low weir dam in the Tuolumne River at Ninth Street Bridge, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Boundey, Brown, Falger, Rogers, and Mayor Dennett
Noes: Councilmen: None
Absent: Councilmen: None

IN THE MATTER OF ADVERTISING FOR MATERIALS FOR LOW WEIR DAM:

26
Commissioner Boundey introduced a resolution, being
RESOLUTION NO. 2568-N.S.
instructing the City Clerk to advertise for unit bids for the construction of a collapsible weir dam across the Tuolumne River at Ninth Street Bridge, the said bids to be received at the regular meeting of the Council to be held April 26th, 1933, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Boundey, Brown, Falger, Rogers, and Mayor Dennett
Noes: Councilmen: None
Absent: Councilmen: None

IN THE MATTER OF ADVERTISING FOR BIDS FOR PUMP AND MOTOR:

27
Commissioner Boundey introduced a resolution, being
RESOLUTION NO. 2569-N.S.

27
instructing the City Clerk to advertise for bids for one pump and motor complete as per the specifications on file in the office of the City Clerk, the said bids to be received at the regular meeting of April 26th, 1933, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Boundey, Brown, Falger, Rogers, and Mayor Dennett

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF FINAL PAYMENT FOR DRILLING WELL AT PUMP STATION NO. 4:

28
Pursuant to the entering into a contract with Osterburg Brothers for the drilling of a well at Pump Station No. 4, and to the subsequent completion in accordance with the terms of said contract the balance being now due and payable in the amount of \$ 259.73, Commissioner Boundey introduced a resolution, being

RESOLUTION NO. 2570-N.S.

authorizing and instructing the City Clerk to draw a warrant in the amount stated, the same being the balance of contract price for drilling a well at Pump Station No. 4, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Boundey, Brown, Falger, Rogers, and Mayor Dennett

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF PAYMENT TO ELECTION OFFICERS FOR SERVICES:

Commissioner Falger introduced a resolution, being

29
RESOLUTION NO. 2571-N.S.

authorizing and instructing the City Clerk and Auditor to pay the election officers who served in the General Municipal Election in and for the City of Modesto on April 11th, 1933, the sum of \$ 5.00 for their services, and to the election officers who served in the School District the sum of \$ 3.00 for their services, and to pay the sum of \$ 5.00 for the use of those polling places which it is necessary to pay for, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Boundey, Brown, Falger, Rogers, and Mayor Dennett

Noes: Councilmen: None

Absent: Councilmen: None

30
IN THE MATTER OF MONTHLY REPORTS:

The monthly reports of the various departments for March, 1933, were reviewed by the Council and ordered filed.

31
IN THE MATTER OF CANVASSING RETURNS OF THE GENERAL MUNICIPAL ELECTION HELD APR. 11, 1933:

The Council of the City of Modesto, having resolved itself into a canvassing board, proceeded to canvass the returns of the General Municipal Election held April 11th, 1933, their findings being set forth in the following resolution, being

RESOLUTION NO. 2572-N.S.

A RESOLUTION DETERMINING THE RESULT OF ELECTION

---oOo---

WHEREAS, a general municipal election was held in and for the City of Modesto and a general school election in and for the Modesto City School District on the 11th day of April, 1933, and

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

NOW THEREFORE, BE IT RESOLVED, CERTIFIED AND DECLARED by the Council of the City of Modesto that the said general municipal election in and for the City of Modesto and the said general School election in and for the Modesto City School District was regularly called, held and conducted as required by law; that the proper and complete returns thereof have been made to 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 finds as follows:

THAT at said General Municipal Election in and for the City of Modesto the total number of votes cast was 4201; that the number of votes received by the respective candidates for Councilman was as follows:

32

James Davenport	395	Votes
Thos. E. Edwards	220	Votes
William Falger	1249	Votes
Louis Marich	106	Votes
Geo. F. Neece	2184	Votes
Roy E. Pack	2731	Votes
W.E. Thomas	677	Votes

THAT of said candidates George F. Neece and Roy E. Pack received the required number of votes for an election to the office of Councilmen of the City of Modesto, and that certificates of election be issued them as such under the hand and seal of the City Clerk.

The City Council, sitting as a canvassing board as aforesaid, further finds and declares that at said general municipal election the following ordinance, to-wit:

"An Ordinance to provide for the administration of the Water Department of the City of Modesto, establishing rules and regulations and fixing the rates to be charged for water,"

33

received 1153 votes in its favor, and that 2873 votes were cast against the adoption of said ordinance; that the number of votes cast in favor of the adoption of said ordinance was less than one-half of the number of votes cast at said election, and that said ordinance was not adopted but was defeated.

The City Council, sitting as such canvassing board as aforesaid, further finds and declares that at said general municipal election the following ordinance, to-wit:

34

"An ordinance repealing a certain ordinance adopted by the People of the City of Modesto at a Special election held on Tuesday, August 21st, 1917, entitled: "An Ordinance for Police regulation, relating to places where alcoholic liquors are sold, stored, delivered, kept, served, disposed of, or distributed, or given away within the corporate limits of the City of Modesto, County of Stanislaus, State of California; making unlawful the sale, storage, delivery, possession, disposal, distribution or giving away of such liquor (with certain exceptions) within said City providing a penalty for the violation of the provisions hereof, and repealing all ordinances, or parts of ordinances, in conflict herewith",

received 2924 votes in favor of its adoption, and that 1077 votes were cast against the adoption of said ordinance; that the said number of votes cast in favor of the adoption of said ordinance was more than one-half of the number of votes cast at said election, and that said ordinance has been adopted by the people.

35 The City Council, sitting as such canvassing board as aforesaid further finds and declares that at said general municipal election the following ordinance, to-wit:

"An ordinance repealing ordinance No. 197-N.S. of the City of Modesto entitled: "An ordinance enforcing the provisions of Article XVIII of the Constitution of the United States prohibiting the manufacture, sale, storage, service, gift, transportation, importation or exportation of intoxicating liquors for beverage purposes; regulating all other traffic in such liquors; and providing penalties for the violation hereof, "

received 2920 votes in favor of the adoption of said ordinance and that 1044 votes were cast against the adoption of said ordinance, and that the number of votes cast in favor of the adoption of said ordinance was more than one-half of the total number of votes cast at such election, and that said ordinance was adopted by the People.

36 The City Council sitting as such canvassing board as aforesaid further finds and declares that said general school election in and for the said Modesto City School District, the number of votes cast was 5232; that the number of votes received by each of the candidates for member of the Board of Education of the Modesto City School District was as follows:

Inez C. Bowron	1782	Votes
J. Frank Ferguson	1611	Votes
W. H. McFarren	353	Votes
W. C. Shackelford	2704	Votes
Mrs. C. E. Whitmore	2683	Votes

That the total number of votes received by W. C. Shackelford and Mrs. C. E. Whitmore, and each of them, is greater than one-half of the total number of ballots cast at said election, and that said W. C. Shackelford and Mrs. C. E. Whitmore, and each of them are elected members of the Board of Education of the Modesto City School District, and that certificates of election be issued to them as such under the hand and seal of the City Clerk.

Which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Boundey, Brown, Falger, Rogers, and Mayor Dennett

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF ADJOURNMENT:

37 Commissioner Brown introduced a resolution, being

RESOLUTION NO. 2573-N.S.

adjourning this Council meeting now in session, which motion being duly seconded it was upon roll call adopted by the following vote:

Ayes: Councilmen: Boundey, Brown, Falger, Rogers, and Mayor Dennett

Noes: Councilmen: None

Absent: Councilmen: None

Attest:

H. E. GRAGG
CITY CLERK

The Council met this day in special session at two o'clock P.M. in the Council Chambers of the City Hall, at the call of Mayor Dennett, written notices thereof having been delivered to each member of the Council as provided in the City Charter, and there were present: Councilmen: Boundey, Brown, Falger, Rogers and Mayor Dennett
Absent: Councilmen: None

1
IN THE MATTER OF EXTENSION OF TIME FOR PAYMENT OF SECOND INSTALLMENT OF CITY TAXES WITHOUT ADDITION OF DELINQUENT PENALTIES:

2 Pursuant to legislation of the State of California extending time for payment of taxes upon real property which become due April 20th, 1933, for a period of sixty days by reason of the economic conditions which make it impossible for property owners to pay such taxes; and the second installment of the City of Modesto taxes becoming delinquent from and after April 24th, 1933, it appearing desirable for the City of Modesto to conform with the action taken by the State Legislature, Commissioner Falger introduced a resolution, being

RESOLUTION NO. 2574-N.S.

providing that the time for the payment of the second installment of taxes of the City of Modesto for the current fiscal year without addition of delinquent penalties be extended to May 22nd, 1933, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Boundey, Brown, Falger, Rogers, and Mayor Dennett

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF PETITION OF UNEMPLOYED ORGANIZATION FOR FREE RENT:

3 Representatives of the organization known as the Unemployed Councils of Modesto appeared before the Council and petitioned subsidy from the City of Modesto in the nature of free rent and water. The Council informed those present that there are neither funds nor authority which would enable the City to grant such subsidy.

IN THE MATTER OF ORDINANCE AMENDING ORDINANCE NO. 377-N.S.:

Mayor Dennett introduced

4 ORDINANCE NO. 439-N.S.

amending Ordinance No. 377-N.S., creating and establishing a Park Commission, which ordinance was passed to print and publish by the following vote:

Ayes: Councilmen: Boundey, Brown, Falger, Rogers, and Mayor Dennett

Noes: Councilmen: None

Absent: Councilmen: None

5 IN THE MATTER OF ORDINANCE REGULATING SALE OF BEVERAGES:

An Ordinance providing for the sale of non-intoxicating beverages specifying the license fees to be paid therefor and the conditions under which such non-intoxicating beverages may be handled was presented to the Council

for consideration and action thereon laid over to the next regular meeting.

IN THE MATTER OF ADJOURNMENT:

Commissioner Brown introduced a resolution, being

RESOLUTION NO.2575-N.S.

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

Ayes: Councilmen: Boundey, Brown, Falger, Rogers, and Mayor Dennett

Noes: Councilmen: None

Absent: Councilmen: None

Attest: H.E. GRAGG
CITY CLERK

April 26th, 1933

The Council of the City of Modesto met in regular session this date, and there were present Councilmen: Boundey, Brown, Falger, Rogers, and Mayor Dennett
Absent: Councilmen: None

IN THE MATTER OF MINUTES:

The minutes of the regular session of April 12th, 1933, and of the Special meeting of April 20th, 1933, having been heretofore read by each Councilman, were unanimously approved as so read.

IN THE MATTER OF PETITION OF UNEMPLOYED COUNCILS FOR SUBSIDY:

Mr. B. Waters, a representative of the Unemployed Councils of America appeared before the Council, together with several members of that organization in Modesto, and petitioned the Council to grant aid to the unemployed in the way of cash subsidy, free rent, water, lights and gas, citing the particular instance of a Mr. Barton who had been evicted for non-payment of rent, and whose family is in desperate need of aid. It appearing that employment had been offered by the Department of Public Works to Mr. Barton, and refused by him; and it being evident that the demands made by the speaker were unreasonable and contrary to the general policy of granting subsidies to the needy through the County Welfare Department, Mayor Dennett, informed the committee that their demands could not be complied with.

IN THE MATTER OF CONSTRUCTION OF LOW WEIR DAM:

Pursuant to notice to bidders for proposals for the construction of a low weir dam in the Tuolumne River at the Ninth Street Bridge, this being the time set out in said notice for the opening of bids, there were on file three bids, which were opened and declared by the Council as follows:

DELTA DREDGING COMPANY:

Item 1.
Dam complete as per specifications \$ 10,349.00

GROUND LUMBER COMPANY:

Bid for Lumber Only:
Redwood 10,000 Bd. Ft. Per M \$ 50.00
Pine 1,000 Bd. Ft. Per M 23.00
Creo. Pine 1,000 Bd. Ft. Per M 37.50

J.F. KNAPP CONSTRUCTION COMPANY

Item 1.
Dam complete as per specifications \$ 7,425.00
Item 5.
File Driver and Mechanical Shovel with Operator. Price each per hour while in Operation \$ 6.00

Thereupon by unanimous consent of the Council, final action on the above bids was laid over to the next regular meeting, pending the tabulation and report thereon by the City Engineer.

IN THE MATTER OF BIDS FOR PUMP AND MOTOR:

Pursuant to notice to bidders for a pump and motor as per plans and specifications on file, this being the time set out in said notice for the opening of said bids, there were on file nine bids, which were opened and declared by the Council as follows:

<u>NAME OF FIRM:</u>	<u>TYPE OF PUMP:</u>	<u>BID:</u>	<u>TRADE-IN:</u>
John Bean Manfg. Co. San Jose, Calif.	Turbine	\$ 1,647.00	\$ 254.00
4 Byron-Jackson Co. Berkeley, Calif.	Centrifugal or Turbine	2,134.00 1,727.00	100.00
DeLaval Steam Turbine Co. San Francisco, California	Centrifugal	2,195.00	100.00
Fairbanks-Morse Co. San Francisco, Calif.	Turbine	1,885.00	463.45
Hild Electric & Manfg. Co. Stockton, Calif.	Centrifugal or Turbine	1,996.00 1,993.00	150.00
Kimball-Krogh Co. San Francisco, Calif.	Turbine	1,423.00	100.00
Pomona Pump Corp. Pomona, Calif.	Turbine	1,873.00	75.00
Sterling Pump Corp. Stockton, Calif.	Turbine	1,800.00	300.00
Wintroath Pumps Ltd. Alhambra, California	Turbine	1,600.00	150.00

By unanimous consent of the Council the City Engineer was instructed to tabulate and report on the same, and final action thereon was laid over to the next regular meeting.

IN THE MATTER OF COMMUNICATION FROM THE MODESTO REALTY BOARD:

A Communication was received from the Modesto Realty Board relative to a reduction in penalties charged for delinquent water bills. Same was read to the Council and ordered filed.

IN THE MATTER OF AGREEMENT FOR FIRE PROTECTION OUTSIDE THE CITY:

Pursuant to the submission of an agreement for fire protection to packing plants located outside the City for approval by the Council, and action thereon having been laid over to this time, by unanimous consent of the Council same was laid over to the next regular meeting, pending further consideration.

IN THE MATTER OF FINAL ADOPTION OF ORDINANCES:

Ordinance No. 438-N.S., an ordinance appropriating funds for a low weir dam in the Tuolumne River, having been introduced and ordered printed and published at a regular meeting of the Council of the City of Modesto held on the 12th day of April, 1933, coming on for final adoption this 26th day of April, 1933, it was upon roll call adopted by the following vote:

Ayes: Councilmen: Boundey, Brown, Falger, Rogers, and Mayor Dennett

Noes: Councilmen: None

Absent: Councilmen: None

Ordinance No. 439-N.S., amending Ordinance No. 377-N.S., creating a Park Commission, having been introduced and ordered printed and published at a special meeting of the Council of the City of Modesto held on the 20th day of April 1933, coming on for final adoption this 26th day of April, 1933, it was upon roll call adopted by the following vote:

Ayes: Councilmen: Boundey, Brown, Falger, Rogers, and Mayor Dennett

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF PROPOSED ORDINANCES:

9 A proposed ordinance to regulate the wholesale peddling of vegetables in the City of Modesto was by unanimous consent of the Council laid over to the next regular meeting.

10 A proposed Ordinance to abandon the municipal airport was by unanimous consent of the Council laid over to the next regular meeting.

11 A proposed Ordinance requiring all dogs to be vaccinated for rabies, was by unanimous consent of the Council laid over to the next regular meeting.

12 A proposed Ordinance regulating the sale of beverages so as to license and regulate the sale of legalized beer was by unanimous consent of the Council laid over to the next regular meeting.

13 An ordinance to control so-called 'hard liquors' in the City of Modesto was submitted by Commissioner Rogers, and taken under advisement by the Council.

IN THE MATTER OF CONDEMNATION OF CERTAIN PROPERTY:

14 Fire Chief Geo. E. Wallace submitted to the Council a recommendation that vacant property located at 1009 6th Street be condemned as a fire hazard and public nuisance. Same was referred to the City Attorney.

IN THE MATTER OF LETTER OF THANKS TO MODESTO GARDEN CLUB:

15 Pursuant to the planting of rose bushes in Elks Park by the Modesto Garden Club, the Council instructed the City Clerk to address a letter of commendation for the civic interest shown by the organization and expressing the appreciation and thanks of the Council on behalf of the City of Modesto.

IN THE MATTER OF APPLICATION FOR BUILDING PERMIT:

16 W.E. Chatterton filed with the Council a petition to construct a fruit and vegetable stand at 225 Bodem Street, the same being accompanied with plans and specifications, and the written consent of adjoining property owners, all as provided in zoning ordinance No. 364-N.S. Whereupon Commissioner Boundey introduced a resolution, being

RESOLUTION NO. 2576-N.S.

instructing the City Clerk to post and publishing notices of the proposed building, setting forth Wednesday, May 10th, 1933, at 7:30 P.M. the time and place for the hearing of any protests thereto, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Boundey, Brown, Falger, Rogers, and Mayor Demmett

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF PERMIT TO HOLD A BENEFIT DANCE:

17 The Loyal Order of Moose No. 1608, having filed with the City Clerk a certification that the said Lodge is conducting benefit dances in the California Ballroom every Wednesday and Saturday night, and claiming exemption from the license and police supervision fees imposed by Ordinance No. 434-N.S., the matter was brought to the attention of the Council and upon a consideration of the premises, the Council instructed the City Clerk to notify the Order of Moose that

they would be expected to comply with all provisions of said Ordinance as no exceptions could be taken to the provisions thereof.

IN THE MATTER OF AGREEMENTS FOR NINTH STREET RIGHT OF WAY:

Pursuant to the widening of Ninth Street to conform to state specifications for highways, and to the execution and delivering to the City of Modesto by the Southern Pacific Railway Company a grant to construct and maintain said highway upon and across certain portions of the railroad right of way, subject to such rights of certain lessees of the said Railway in and to the possession of and improvements on such portions of the railroad right of way, at this time there were presented two agreements of such lessees, namely: THE AMERICAN LUMBER CO, and the STOCKTON BOX CO. Whereupon Commissioner Boundey did introduced a resolution, being

RESOLUTION NO. 2577-N.S.

accepting the agreement as presented by the Stockton Box Co. providing for the release of a right of way along property on 9th Street leased by them from the Southern Pacific Railway, in consideration of the payment of the sum of \$ 260 payable on or before May 24th, 1933, all as more fully set forth in said agreement now on file in the office of the City Clerk, and authorizing the warrant therefor in the amount stated, which resolution was regularly adopted by the following vote:

- Ayes: Councilmen: Boundey, Brown, Falger, Rogers, and Mayor Dennett
- Noes: Councilmen: None
- Absent: Councilmen: None

And also **RESOLUTION NO. 2578-N.S.**

accepting the agreement as presented by the American Lumber Company providing for the release of a right of way along property on 9th Street leased by said firm from the Southern Pacific Railway Company in consideration of the payment of the sum of \$ 1,707.00 payable as follows: 50% on signing of agreement and 50% upon completion of the removal of buildings, etc. to the satisfaction of the City Engineer, all as set forth more fully in the said agreement now on file in the office of the City Clerk, and authorizing the warrant therefor as stated, which resolution was regularly adopted by the following vote:

- Ayes: Councilmen: Boundey, Brown, Falger, Rogers, and Mayor Dennett
- Noes: Councilmen: None
- Absent: Councilmen: None

IN THE MATTER OF EXTENSION OF NINETEENTH STREET TO DRY CREEK:

Pursuant to the proceedings heretofore had in connection with the extension of 19th Street from Downey Avenue to Dry Creek to connect with a bridge under construction by the County of Stanislaus, and certain deeds for rights of way having been obtained, the City Engineer reported at this time that he was ready to proceed with the work, and asked the Council to grant permission for the proceeding across these parcels of ground upon which no right of way has as yet been obtained; whereupon Commissioner Boundey introduced a resolution, being

RESOLUTION NO. 2579-N.S.

instructing the City Engineer to proceed with the extension of 19th Street as proposed by opening, grading, and oiling the roadway from Downey Avenue to Dry Creek Bridge now under construction by the County of Stanislaus, which resolution was regularly

adopted by the following vote:

Ayes: Councilmen: Boundey, Brown, Falger, Rogers, and Mayor Dennett

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF RIGHT OF WAY ALONG BLOCK NO. 48:

Commissioner Boudney introduced a resolution, being

RESOLUTION NO. 2580-N.S.

21
instructing the City Attorney and City Engineer to proceed with negotiations with the Modesto Traction Co. for an agreement with said railway and its lessees, namely: Baker & Company for a right of way for the widening of 9th Street along the east side of Block 48, being a strip of ground 12 feet in width along Lots 31 to 34 inc. in said Block, to conform with highway specification, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Boundey, Brown, Falger, Rogers, and Mayor Dennett

Noes: Councilmen: None

Absent; Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF ADJOURNMENT:

Commissioner Brown introduced a resolution, being

RESOLUTION NO. 2581-N.S.

22
adjourning this Council meeting now in session, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Boundey, Brown, Falger, Rogers, and Mayor Dennett

Noes: Councilmen: None

Absent: Councilmen: None

Attest: H.E. GRAGG
CITY CLERK

Council, City of Modesto

May 10th, 1933

The Council met this day in regular session, and there were present Councilmen: Brown, Neece, Pack, Rogers, and Mayor Dennett

Pursuant to the General Municipal Election held April 11th, 1933, Geo. F. Neece and Roy E. Pack presented their certificates of election to the City Council, together with oaths of office; whereupon in accordance with the City Charter, Sections 33 and 34, Commissioner Brown introduced a resolution, being

RESOLUTION NO. 2582-N.S.

assigning and designating departments to Councilmen as follows: Commissioner of Finance and Revenue - George F. Neece; Commissioner of Public Health & Safety - A. N. Brown; Commissioner of Public Works - Harold L. Rogers; Commissioner of Public Supplies and Vice-Chairman of the Council, Roy E. Pack. Which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Pack, Rogers, and Mayor Dennett

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF MINUTES:

2 The minutes of the regular meeting of the Council held on April 26, 1933, having been heretofore read by each Councilman, were unanimously approved as so read

IN THE MATTER OF PERMIT FOR BANNERS ACROSS STREET:

3 Mr. McKinley Thompson appeared before the Council on behalf of the American Legion and asked permission to stretch two banners across the streets advertising the Prosperity Carnival sponsored by that organization, whereupon, by unanimous consent of the Council, permission so to do was granted, providing such banners be placed under the direction and supervision of the City Engineer.

IN THE MATTER OF COMPLAINT ABOUT RAISING THE WATER IN THE RIVER BY THE CONSTRUCTION OF A LOW WEIR DAM:

4 Mr. W. L. Bowron and Walter (Bowen Boen, property owners along the Tuolumne River near the proposed site of the low weir dam at the Ninth Street bridge, appeared before the Council and entered a protest against the proposed construction of a low weir dam as aforesaid, stating that it would raise the water to such a level as would cause damage to their property. The City Engineer advised the Council and the protestants that a preliminary survey reveals that the water in the river will not be raised to a sufficient height to result in any damage whatsoever to the adjoining property.

IN THE MATTER OF PETITION FOR REMOVAL OF TREES ON HIGH STREET:

5 Frank B. Collier filed with the Council a petition signed by residents on High Street asking that the present trees on said street be removed in order that trees producing more shade might be planted. Same was considered by the Council and no action taken thereon.

IN THE MATTER OF PROTESTS AGAINST DANCE HALL ORDINANCE:

6
Mr. J. Mineni appeared before the Council and protested against the provisions of Ordinance No. 434-N.S. which call for a \$ 4.00 fee for police supervision of all dances, asking that the amount of this fee be reduced inasmuch as it works a great hardship on the proprietors of "jitney dance-halls". The Council informed Mr. Mineni that it was the intention of the Council to strictly enforce this provision of said ordinance.

IN THE MATTER OF ENDORSEMENT OF YOSEMITE CUT-OFF HIGHWAY:

7
The Modesto Chamber of Commerce presented to the Council a resolution favoring the construction of a short-cut toll road from a point beyond LaGrange in Stanislaus County to Briceburg in Mariposa County through funds of the Reconstruction Finance Corporation as proposed by the Yosemite Highway Co. and asked the Council to adopt the same, whereupon Mayor Dennett introduced a resolution, being

RESOLUTION NO.2583-N.S.

adopting the resolution presented, favoring the construction of a self-liquidating project of a cut-off toll road from La Grange to Briceburg, thereby saving a distance of 30 miles in the present route, and providing employment at this time, and instructing the City Clerk to address letters to Congressman Denver S. Church; and to Senators Hiram Johnson and William G. McAdoo, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Pack, Rogers, and Mayor Dennett

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF CLAIMS:

8
The claims against the City of Modesto for the month of April, 1933, having been duly audited and approved, Commissioner Neece introduced a resolution, being

RESOLUTION NO.2584-N.S.

allowing the above mentioned claims, reference being made to the Auditor's Cash Book for further details relative to the withdrawals from the various funds as follows:

General Fund -----	\$ 18,931.33
Water Fund -----	3,849.99
Library Fund -----	1,272.87
Bond Red. Int. Fund -----	.22
Beard Park Fund -----	219.02
Total -----	\$ 24,273.43

Which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Pack, Rogers, and Mayor Dennett

Noes: Councilmen: None

Absent: Councilmen: None

9
A Claim against the City of Modesto in the amount of \$20.02 was filed with the Council by the Union Shoe Shop for shoe repair materials furnished to the City Welfare Committee; whereupon Commissioner Neece introduced a resolution, being

RESOLUTION NO.2585-N.S.

allowing the above mentioned claim and instructing the City Clerk and Auditor to draw the warrant therefor, which resolution was regularly adopted by the

following vote:

Ayes: Councilmen: Brown, Neece, Paok, Rogers, and Mayor Dennett

Noes: Councilmen: None

Absent: Councilmen: None

10 A Claim against the City of Modesto in the amount of \$ 58.96 was filed with the Council by the Salvation Army for the redemption of transient meal tickets issued by the Police Department; whereupon Commissioner Neece introduced a resolution, being

RESOLUTION NO. 2586-N.S.

allowing the above mentioned claim and instructing the City Clerk and Auditor to draw the warrant therefor, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Paok, Rogers, and Mayor Dennett

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF WARRANT TO STOCKTON BOX COMPANY FOR RIGHT OF WAY:

11 Pursuant to the acceptance of agreement with the Stockton Box Company providing for the removal of their buildings so as to permit the widening of Ninth Street to meet state specifications for highways, the City Engineer filed with the Council a certification of the completion of the removal of the buildings as provided, whereupon Commissioner Neece introduced a resolution, being

RESOLUTION NO. 2587-N.S.

authorizing and instructing the City Clerk and Auditor to draw the warrant in the amount of \$ 260.00 as provided in said agreement, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Paok, Rogers, and Mayor Dennett

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF AWARD OF BID FOR LOW WEIR DAM:

12 Pursuant to the advertising for and receiving of bids for the construction of a low weir dam in the Tuolumne River at the Ninth Street Bridge on April 26th, 1933, and to the subsequent postponement of action of the same until this time, Commissioner Rogers introduced a resolution, being

RESOLUTION NO. 2588-N.S.

awarding the contract for the low weir dam to the J.F. Knapp Construction Company at the price outlined in their bid, now on file in the office of the City Clerk, instructing the Mayor and City Clerk to enter into a contract therefor, and authorizing the return of all certified checks submitted with the rejected bids, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Paok, Rogers, Mayor Dennett

Noes: Councilmen: None

Absent: Councilmen: None

13 IN THE MATTER OF AWARD OF BID FOR PUMP AND MOTOR:

Pursuant to the advertising for and receiving on April 26th, 1933, of bids for a pump and motor, and to the subsequent postponement of action on the same until this time, Commissioner Rogers introduced a resolution, being

13
RESOLUTION NO. 2589*N.S.

awarding the bid to the Hild Electric & Manfg. Co. of Stockton at a price of \$ 1289.00 for one centrifugal pump only, less an allowance of \$ 50.00 for trade-in, and authorizing the rejection of all other bids, returning the certified checks submitted therewith, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Pack, Rogers, and Mayor Dennett

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF FIRE PROTECTION AGREEMENT:

14
Pursuant to the tendering of an agreement by meat packing plants on the Crows Landing Road for fire protection and providing the fee to be paid therefor, and to the subsequent postponement of action on the same until this time, it was again laid over to the next regular meeting for acceptance.

IN THE MATTER OF PERMIT TO ERECT VEGETABLE STAND:

15
Pursuant to the filing of an application on April 26th, 1933, by W.E. Chatterdon to construct a fruit and vegetable stand at 225 Bodem Street, and the City Clerk having posted and published notices setting forth this time and date as the time for hearing all protests to such erection, there being on file neither written nor oral protests thereto, Commissioner Rogers introduced a resolution, being

RESOLUTION NO. 2590*N.S.

granting permission for the erection of the fruit and vegetable stand as petitioned which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Pack, Rogers, and Mayor Dennett

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF COLLECTION OF RENT FOR AVIATION HANGAR:

16
It appearing that Cecil Wright, aviator, owes to the City of Modesto two months rent for the use of the aviation hangar at the municipal airport, and that the same has been past due for a considerable length of time, the Council instructed the City Attorney to take such steps as are necessary for the collection of this rent.

IN THE MATTER OF COMMUNICATIONS:

17
A Communication was received from the Industrial Accident Commission relative to California Accident Prevention Week Conference to be held in San Francisco on May 24th, and May 25th, 1933. Same was read to the Council and ordered filed.

18
A Communication was received from the League of California Municipalities relative to the Gasoline Tax Reallocation Bill. Same was read to the Council and ordered filed.

19
A Communication was received from the Salinas Chamber of Commerce relative to a proposed new north and south highway between the Coast and the Valley. Same was read to the Council and ordered filed.

20 A Communication was received from the Northern California Fire Chief Club relative to legislation requiring automatic sprinkling and fire alarm systems in certain buildings. Same was read to the Council and ordered filed.

21 A Communication was received from the American Legion Post No. 74 advising the City that pursuant to their offer to furnish the City with a park site on the Tuolumne River upon the completion of the low weir dam proposed to be constructed, they had completed the transfer of the Benson property, and upon completion of the dam will give clear title of the same to the City. Same was read to the Council, ordered filed, and the City Clerk instructed to write a letter of thanks in acknowledgement thereof.

22 A Communication was received from the Modesto Lions Club presenting a resolution adopted by that organization asking that a member of the said Club be appointed to the Planning Commission when the first vacancy occurs. The Council went on record as concurring in the request of the Lions Club by appointing one of their members to the Planning Commission when a vacancy occurs.

IN THE MATTER OF PROPOSED ORDINANCES:

23 A proposed ordinance to regulate the wholesale peddling of vegetables, having been heretofore submitted to the Council, at this time the City Attorney was instructed to complete the drafting of the same and present it for adoption at the next meeting.

24 A proposed ordinance requiring all dogs to be immunized from rabies having been heretofore submitted to the Council, at this time action thereon was laid over indefinitely.

25 An ordinance abandoning the municipal airport having been heretofore presented for adoption, at this time the same was laid over indefinitely.

26 A proposed ordinance to regulate the sale of certain beverages in the City of Modesto, including legalized beer, was considered by the Council, and the same not being in its final form for adoption, it was laid over to the next regular meeting.

27 A proposed revision of Ordinance No. 432-N.S. establishing rates and rules for the water department was by unanimous consent of the Council laid over to the next regular meeting.

IN THE MATTER OF ADOPTION OF ORDINANCES:

28 Commissioner Rogers introduced an ordinance, being
ORDINANCE NO. 440-N.S.
defining 'intoxicating liquors' and prohibiting the sale, manufacture, storage, service, gift, transportation, importation, or exportation of intoxicating liquor for beverage purposes, which ordinance was ordered printed and published as above by the following vote:

Ayes: Councilmen: Brown, Neece, Pack, Rogers, and Mayor Dennett

Noes: Councilmen: None

Absent: Councilmen: None

29 Commissioner Rogers also introduced an ordinance, being
ORDINANCE NO. 441-N.S.
amending Section 23 of Ordinance No. 345-N.S. creating certain boulevard stops at various street intersections, which ordinance was passed to print and publish by the following vote:

Ayes: Councilmen: Brown, Neece, Pack, Rogers, and Mayor Dennett

Noes: Councilmen: None

Absent: Councilmen: None.

IN THE MATTER OF DESIGNATION OF EX-OFFICIO MEMBER OF THE PLANNING COMMISSION:

30 Pursuant to the provision that the Commissioner of Public Works act as ex-officio member of the Planning Commission, Commissioner Brown introduced a resolution, being

RESOLUTION NO. 2591-N.S.

designating Commissioner Harold L. Rogers the ex-officio member of the Planning Commission in his official capacity of Commissioner of Public Works, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Pack, Rogers, and Mayor Dennett

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF ACCEPTING AGREEMENT WITH ALEX HIGHLET FOR NINTH STREET RIGHT OF WAY:

31 Pursuant to the acceptance of an agreement with the Southern Pacific Railway Company for the right of way along the railroad reservation for the widening of 9th Street to conform to highway specifications, providing for the release of property by lessees of the Southern Pacific Company, at this time an agreement with Alex Highlet for the release of a right of way along the property occupied by him and for the removal of certain buildings, all as specified in said agreement for the sum of \$ 1282.00, Commissioner Rogers introduced a resolution, being

RESOLUTION NO. 2592-N.S.

accepting the above agreement with Alex Highlet and ordering the same filed in the office of the City Clerk, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Pack, Rogers, and Mayor Dennett

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF EXTENSION OF CITY WATER MAINS TO THE COUNTY HOSPITAL:

32 A Committee from the Board of Supervisors of Stanislaus County consisting of Supervisors Finney and Crowell appeared before the Council asking the Council to extend the water mains of the City to the County Hospital for fire protection. The matter was taken under consideration by the Council.

IN THE MATTER OF AGREEMENT FOR NINTH STREET RIGHT OF WAY:

33 Pursuant to the entering into negotiations to obtain a right of way along 9th Street in Block 50 from the Modesto Gas Company for the purpose of widening 9th Street to conform to highway specifications, at this time an agreement with and deed of conveyance of a strip of property for roadway purposes along said Block was submitted to the Council, duly executed by the said Modesto Gas Company; whereupon Commissioner Rogers introduced a resolution,

being

RESOLUTION NO.2593-N.S.

33 accepting the deed of conveyance and authorizing the warrant for the payment of \$ 385.96 therefor, and likewise accepting the agreement for the removal of fences, shrubbery, etc. on said strip of ground and authorizing payment of the sum of \$ 250 upon the completion of such work, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Pack, Rogers, and Mayor Dennett

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF WAGES PAID FOR LABOR ON WATER ACCOUNTS:

34 In view of the fact that many of the unemployed in the City of Modesto have not been able to pay their water bills and the City having adopted a policy of permitting such unemployed to perform labor in the public works department in return for their water service, Commissioner Brown introduced a resolution, being

RESOLUTION NO.2594-N.S.

fixing and establishing the wage of 25¢ per hour to be paid for labor performed in the public Works Department in return for water service, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Pack, Rogers, and Mayor Dennett

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF APPOINTMENT OF PARK COMMISSION:

35 Pursuant to the final adoption of Ordinance No. 439-N.S. creating and establishing a new Park Commission to supercede that Commission created by Ordinance No. 377-N.S., Commissioner Neece introduced a resolution, being

RESOLUTION NO.2595-N.S.

appointing members of the Park Commission as follows: Lora DeYoe Brown, to serve for three years; Jas. A. Davis to serve for two years; and Frederick Knorr to serve for a term of one year, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Pack, Rogers, and Mayor Dennett

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF REPORTS:

36 A report of the payments made from Geo. Keeley's salary on his various personal debts was filed with the Council by the former Commissioner of Finance and Revenue, William Falger. By order of the Council, Commissioner Brown was authorized and designated to handle this matter in the future until such time as it is cleared up.

37 The reports of the various departments for the month of April, 1933, were reviewed by the Council and ordered filed.

IN THE MATTER OF ADJOURNMENT:

38 Commissioner Brown introduced a resolution, being

RESOLUTION NO.2596-N.S.

adjourning this Council meeting now in session, which motion being duly seconded it was upon roll call adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Pack, Rogers, and Mayor Dennett

Noes: Councilmen: None

Absent: Councilmen: None

Attest: H.E. GRAGG

CITY CLERK

Council, City of Modesto

May 24th, 1933

The Council of the City of Modesto met this day in regular session and there were present Councilmen: Brown, Neece, Pack, Rogers, and Mayor Dennett

Absent: Councilmen: None

IN THE MATTER OF MINUTES:

1 The minutes of the regular session of May 10th, 1933, having been heretofore read by each Councilman, were unanimously approved as so read.

IN THE MATTER OF PETITION FOR FREE PEDDLERS' LICENSE:

2 Mr. W. A. Vedter appeared before the Council, petitioning a free peddler's license for the house-to-house sale of a foot lotion prepared by himself. The Council, after discussion of the matter, informed Mr. Vedter that no exceptions could be made to the license provisions of Ordinance No. 421-N.S., no matter how meritorious the various individual cases may be.

IN THE MATTER OF PROTEST TO PROPOSED LICENSE FEE FOR BEER:

3 A representative of the Cocoa Cola Bottling Works of Turlock appeared before the Council and entered a protest against the proposed wholesale license fee for the sale of beer, lager beer, ale, porter, wine, etc. in the City of Modesto. After discussion of the matter, no action thereon was taken by the Council.

IN THE MATTER OF CONDEMNATION SUIT FOR RIGHT OF WAY ON NINTH STREET:

4 Thos. Boone, attorney for Joseph Arata and G. B. Podesta, appeared before the Council relative to condemnation suit for right of way through Block 529 for the purpose of acquiring a right of way for the approach to the newly constructed bridge over the Tuolumne River, asking that the matter be settled in the immediate future, either by a board of arbitrators as heretofore proposed or by the courts. After discussion of the matter, the Council took the plan of settlement of the suit by a board of arbitrators under advisement.

IN THE MATTER OF DAMAGE TO PROPERTY BY THE PROPOSED DAM:

5 Thos Boone, attorney for Joseph Arata and G. B. Podesta, the owners of certain property fronting along the Tuolumne River near the proposed dam site, advised the Council that it was his desire to call to the Council's attention the fact that the building of the proposed dam would cause great damage to the tract of land known as the Podesta & Arata Gardens along the River. He further asked if the City had made any test holes to ascertain to what extent the raising of the river by the proposed dam would cause damage to adjoining property. The City Engineer advised the Council and Mr. Boone that preparations were being made for such test holes.

IN THE MATTER OF CONDEMNATION SUIT TO ACQUIRE TITLE FOR RIGHT OF WAY THROUGH BLOCKS 442 AND 443 OF THE CITY OF MODESTO:

6 Pursuant to the adoption of Resolution No. 2504-N.S. providing for the acquisition by condemnation proceedings of a right of way for the widening of Ninth Street to conform to highway specifications through Blocks 442 and 443, standing in the name of the Beard Land & Investment Company, at this time the City Attorney

6
informed the Council that a settlement for the purchase of such right of way had been reached for the sum of \$ 2,020.80; whereupon Commissioner Rogers introduced a resolution, being

RESOLUTION NO.2597-N.S.

authorizing the City Clerk and Auditor to draw a warrant in the amount of \$ 2,020.80 in favor of the Beard Land & Investment Co. for the right of way as aforesaid, which resolution was regularly adopted by the following vote:
Ayes: Councilmen: Brown, Neece, Pack, Rogers, and Mayor Dennett
Noes: Councilmen: None
Absent: Councilmen: None

IN THE MATTER OF CLAIM FOR TAX REFUND:

7
Thos. E. Edwards, 202 Sunset Boulevard, filed with the Council a claim in the amount of \$ 2.38 for a refund of erroneous assessment of taxes for the years 1931 and 1932. After consideration of the same by the Council, Commissioner Neece introduced a resolution, being

RESOLUTION NO.2598-N.S.

allowing the above mentioned claim and authorizing the City Clerk and Treasurer to draw the warrant therefor, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Pack, Rogers, and Mayor Dennett
Noes: Councilmen: None
Absent: Councilmen: None

IN THE MATTER OF PARTICIPATION IN MEMORIAL DAY SERVICES:

8
A Communication was received by the Council from the Memorial Day Committee of veteran organizations of the City asking the Council to participate in the Memorial Day ceremonies on May 30th, 1933. By order of the Council the City Clerk was instructed to write to the Committee accepting the invitation on behalf of the Council.

IN THE MATTER OF PROPOSAL TO ESTABLISH MUNICIPAL GOLF COURSE ON THE EXISTING AVIATION FIELD:

9
Ian MacDonald, 1113 14th Street, filed with the Council a written proposition for creating a municipal golf course out of the existing municipal airport. After consideration of the same by the Council, Commissioner Rogers introduced a resolution, being

RESOLUTION NO.2599-N.S.

requesting Mr. McDonald to co-operate with the City Engineer in preparing plans and the estimated cost of installing a golf course as outlined in his communication, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Brown, Rogers, Neece, Pack, Mayor Dennett
Noes: Councilmen: None
Absent: Councilmen: None

IN THE MATTER OF NOTICE OF CANCELLATION OF GASOLINE CONTRACT:

10
A notice of intention to cancel and terminate an existing agreement for gasoline, dated March 12, 1939, by and between the City of Modesto

19 and the Shell Oil Company was filed with the Council by the said Shell Oil Co.
Same was read by the Council and ordered filed.

IN THE MATTER OF COMMUNICATIONS:

11 A Communication was received from Preston C. Byington asking that the
oiling of the alley between Lee and Almond Streets be included in the budget for
street oiling for the ensuing fiscal year. Same was referred to the City Engineer.

12 A Communication was received from the League of California Municipalities
having to do with the progress of the Bill providing for the allocation of State Gas-
oline Tax to incorporated cities. Same was read to the Council and ordered filed.

13 A Communication was received from Denver S. Church, United States repres-
entative, relative to Resolution No. 2583-N.S. of the Council asking for the favorable
consideration of the application of the Yosemite Highway Company for a loan from the
Reconstruction Finance Corporation, acknowledging receipt of same, and enclosing a copy
of a letter written by him to R. S. Kimmel, Secretary of the Modesto Chamber of Commerce,
giving details as to why the application for funds does not come within the provisions
of the present Reconstruction Act. Same was read by the Council and ordered filed.

14 IN THE MATTER OF WATER RATE TO BE CHARGED
ON VACANT BUILDINGS OR DWELLINGS ON METERS:

Pursuant to the adoption of Ordinance
No. 432-N.S. establishing ruled and

regulations and rates of the Municipal Water Department, Commissioner Rogers introduced
a resolution being

RESOLUTION NO. 2600-N.S.

providing that Section 5 of said Ordinance No. 432-N.S. be modified in the following res-
pect: that in those cases where a house or building is vacant, upon which there is a
metered service connection, that one-half of the minimum rate be charged so long as such
dwelling or building remains vacant, which resolution was regularly adopted by the follow-
ing vote:

Ayes: Councilmen: Brown, Neece, Rogers, Pack, and Mayor Dennett

Noes: Councilmen: None

Absent: Councilmen: None

15 IN THE MATTER OF AGREEMENT FOR FIRE PRO-
TECTION TO PACKING PLANTS:

Pursuant to the tendering of an agreement
for the furnishing of fire protection out-
side the City to Packing Plants on the Crows Landing Road for ratification, by unanimous
consent of the Council action thereon was laid over to the next regular meeting.

16 IN THE MATTER OF ORDINANCES:

The proposed Ordinance to regulate the
wholesale peddling of vegetables was laid

over to the next regular meeting.

17 Pursuant to the submission of an ordinance
regulating and licensing the sale of 3.2% beer in the City of Modesto, Commissioner Rogers
introduced said ordinance, being

ORDINANCE NO. 442-N.S.

and moved its adoption, which motion being duly seconded and carried, the ordinance
was ordered printed and published as submitted by the following vote:

Ayes: Councilmen: Brown, Neece, Pack, Rogers, and Mayor Dennett

Noes: Councilmen: None

Absent: Councilmen: None

18
IN THE MATTER OF FINAL ADOPTION
OF ORDINANCE NO. 440-N.S.

Ordinance No. 440-N.S., defining and prohib-
iting the sale of 'hard liquors', having

been introduced and ordered printed and published at a regular meeting of the Coun-
cil of the City of Modesto held on the 10th day of May, 1933, and having been pub-
lished as required by the Charter of the City of Modesto coming on for final ad-
option this 24th day of May, 1933, it was upon roll call finally adopted by the
following vote:

Ayes: Councilmen: Brown, Neece, Rogers, Pack, and Mayor Dennett

Noes: Councilmen: None

Absent: Councilmen: None

19
IN THE MATTER OF FINAL ADOPTION
OF ORDINANCE NO. 441-N.S.:

Ordinance No. 441-N.S., amending No. 345-NS.

by creating certain additional boulevard stops

having been introduced and ordered printed and published at a meeting of the Coun-
cil of the City of Modesto held on the 10th day of May, 1933, and having been print-
ed and published as required by the Charter of the City of Modesto, coming on for
final adoption this 24th day of May, 1933, it was upon roll call finally adopted
by the following vote:

Ayes: Councilmen: Brown, Neece, Pack, Rogers, and Mayor Dennett

Noes: Councilmen: None

Absent: Councilmen: None

20
IN THE MATTER OF ORDINANCE PROVIDING
FOR EXTENSION OF TIME FOR PAYMENT OF
TAXES WITHOUT ADDITION OF DELINQUENT
PENALTY:

Mayor Dennett introduced an ordinance
being

ORDINANCE NO. 443-N.S.

providing for the extension of time

in which taxes may be paid without the addition of delinquent penalties, which
ordinance was regularly approved for adoption and ordered printed and published
by the following vote:

Ayes: Councilmen: Brown, Neece, Pack, Rogers, and Mayor Dennett

Noes: Councilmen: None

Absent: Councilmen: None

21
IN THE MATTER OF RATIFICATION OF
AGREEMENT WITH THE P.G. & E. CO.:

Pursuant to the submission of an
agreement with the Pacific Gas &

Electric Company on the 18th day of November, 1931, for certain rights of way
along 9th Street for the purpose of widening said street to conform to highway
specifications, and to the signing of said agreement on behalf of the City of
Modesto by Mayor L. L. Dennett and H. E. Gragg, City Clerk, at this time the
said agreement was presented for ratification by the Council, whereupon Commis-
sioner Rogers introduced a resolution, being

RESOLUTION NO. 2601-N.S.

ratifying the above mentioned agreement, which resolution was regularly adopted by
the following vote:

Ayes: Councilmen: Brown, Rogers, Neece, Pack, and Mayor Dennett

Noes: Councilmen: None

Absent: Councilmen: None

22
IN THE MATTER OF RATIFICATION OF
CONTRACT FOR CONSTRUCTION OF A LOW
WEIR DAM IN THE TUOLUMNE RIVER:

Pursuant to the award of contract for the
construction of a low weir dam in the
Tuolumne River to J. F. Knapp under

Resolution No. 2566-N.S. and to the subsequent entering into a contract therefor,
at this time the contract, together with the bond of the said J.F.Knapp for the
faithful performance of all the terms of the contract, was submitted to the Council
for ratification and approval. Whereupon Commissioner Rogers introduced a resolution,
being

RESOLUTION NO.2602-N.S.

ratifying the contract as presented for the construction of a low weir dam in the
Tuolumne River as aforesaid, and approving the bond of J. F. Knapp for the faithful
performance of the terms thereof, which resolution was regularly adopted by the follow-
ing vote:

Ayes: Councilmen: Brown, Neece, Pack, Rogers, and Mayor Dennett

Noes: Councilmen: None

Absent: Councilmen: None

23
IN THE MATTER OF BUDGET OF THE
POLICE DEPARTMENT:

The estimated budget of expenditures for the
Police Department for the fiscal year beginning

July 1, 1933, and ending June 30th, 1934, was presented to the Council. Same was ordered
filed, pending the consideration of all departmental budgets.

24
IN THE MATTER OF DAMAGE SUIT
AGAINST THE CITY OF MODESTO:

There was filed with the City Council the
order and court summons in the suit for
injunction against the City of Modesto

filed by Mary and John Folt, in the matter of building of a dam across the Tuolumne River
at 9th Street. The said papers were ordered filed in the records of the City Clerk's
office.

25
IN THE MATTER OF ADJOURNMENT:

Commissioner Brown introduced a resolution
being

RESOLUTION NO.2603-N.S

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

Ayes: Councilmen: Brown, Neece, Pack, Rogers, and Mayor Dennett

Noes: Councilmen: None

Absent: Councilmen: None

Attest: H.E. GRAGG
CITY CLERK

Council, City of Modesto

June 14th, 1933

The Council met this day in regular session and there were present Councilmen: Brown, Neece, Pack, Rogers, and Mayor Dennett

Absent: Councilmen: None

1 IN THE MATTER OF MINUTES:

The minutes of the regular session of May 24th, 1933, having been heretofore read by each Councilman, were

approved as so read.

2 IN THE MATTER OF RIGHT OF WAY ON 9TH STREET IN BLOCK 48:

Pursuant to Resolution No. 2580-N.S. authorizing the City Attorney and Engineer to proceed with negotiations with the Modesto Terminal Company for a right of way along Ninth Street, twelve feet in width along Lots 31 to 34 inclusive in Block 48, for the purpose of widening said street, at this time the City Attorney reported that a tentative settlement had been arrived at with the Modesto Terminal Company, wherein in consideration of the sum of \$ 4,386.44 the said Modesto Terminal Company would execute a deed for such right of way, the same to be paid upon the completion of the condemnation suit pending in court. Mr. George Beard, representative of the Modesto Terminal Company, appeared before the Council and supported the report of the City Attorney. Whereupon Commissioner Neece introduced a resolution, being

RESOLUTION NO. 2604-N.S.

approving of the negotiations thus far taken and authorizing the City Clerk and Auditor to draw a warrant in the amount above stated when the Court shall finally pass upon the settlement outlined, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers, Pack, and Mayor Dennett

Noes: Councilmen: None

Absent: Councilmen: None

3 IN THE MATTER OF WAIVING DELINQUENT PENALTY ON WATER BILL:

Amos Bomberger, realtor, appeared before the Council and vigorously protested against the payment of the customary 10% delinquent penalty on a certain check of the Hillgrove Orange Company sent to his office in payment of water bills on property controlled by that firm in the City of Modesto, which check was mailed from San Francisco on the 9th day of the month, but owing to the delay in delivering mail on Saturday afternoon, was not received by him until the following Monday. After considerable discussion of the matter, and in view of the fact that the 10th of the month fell upon a Saturday, the Council was of the opinion that the delinquent penalty should be waived; whereupon Commissioner Neece introduced a resolution, being

RESOLUTION NO. 2605-N.S.

authorizing and instructing the City Clerk to accept the said check in payment of water accounts of the Hillgrove Orange Company without exacting the additional delinquent penalty of 10%, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Pack, Rogers, and Mayor Dennett

Noes: Councilmen: None

Absent: Councilmen: None

4
IN THE MATTER OF PROTEST
AGAINST DAM IN THE TUOLUMNE
RIVER:

Mr. W. L. Bowen and W. L. Bowron filed with the Council a written protest against the dam in the Tuolumne River, citing the reasons for their protest listing the damage that will ensue as a result of the dam. Whereupon after consideration of the same by the Council, it was ordered filed.

5
IN THE MATTER OF GOLF COURSE
ON MUNICIPAL AVIATION FIELD:

Norman S. West appeared before the Council and presented a resolution adopted by the Modesto Chamber of Commerce expressing that the said organization holds no objection to the proposed establishment of a municipal golf course on the aviation field providing it does not prevent the use of the grounds for county fair purposes and providing it does not controvert the mandate of the People expressed at the election of January, 1930, empowering the sale of existing airport by the City using the funds received for the acquisition of a more suitable site for an airport. The resolution was read by the Council and ordered filed.

6
IN THE MATTER OF ENFORCEMENT
OF BILLBOARD ORDINANCE PRO-
VISIONS:

Mr. Frank Collier appeared before the Council on behalf of his client, the Valley Advertising Company, calling the attention of the Council to the fact that the provisions of City Ordinance No. 302-N.S. are not being enforced with respect to billboards in the City, and stated that his client is refusing to pay the license fee stipulated by said ordinance until all the provisions of said ordinance are enforced. Whereupon the Council instructed the City Engineer to see that the provisions of Ordinance No. 302-N.S. be enforced.

7
IN THE MATTER OF LICENSE FEE
FOR ICE CREAM VENDORS:

Mr. H. S. Bowers, manager of the Modesto Milk Co. appeared before the Council on behalf of the ice cream vendors, Mr. O'Shea and Mr. Koenig, who sell ice cream from wagons on the public streets, and protested the \$10.00 per month license fee charged by the City for such peddling, stating that it is the excessive and unequitable in comparison to the volume of business done. After discussion of the matter, it was the opinion of the Council that the fee is excessive in view of the amount of business done, and instructed the City Attorney to draft an ordinance so as to fix the license fee for such business at \$15.00 per season, the season to commence May 1st, and end October 1st of each year.

8
IN THE MATTER OF DONATION OF
CITY TO FOURTH OF JULY CELEBRATION:

Mr. B.H. Bond, chairman of the Fourth of July Celebration Committee, appeared before the Council and asked that the City of Modesto donate \$200.00 to help defray the expenses of the Celebration Committee, stating the County of Stanislaus had donated a like amount. After consideration of the matter by the Council, Commissioner Neece introduced a resolution being

RESOLUTION NO. 2606-N.S.

donating the sum of \$200.00 to the Fourth of July celebration Committee, and instructing the City Clerk and Auditor to draw the warrant therefor, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Pack, Rogers, and Mayor Dennett

Noes: Councilmen: None

Absent: Councilmen: None

9 IN THE MATTER OF
SUBSIDY TO THE BOYS'
BAND:

Mr. W. H. Murray appeared before the Council support-
ing a petition filed with the Council for a subsidy
of \$ 500.00 to support the Stanislaus County Boys'

Band in giving a series of concerts during the summer at the various City parks.

After due consideration of the petition, and in view of the support heretofore
given by the City to this organization, the Council was of the opinion that the
subsidy should be granted; whereupon Commissioner Neece introduced a resolution
being

RESOLUTION NO.2607-N.S.

donating \$ 500.00 to the Stanislaus Boys' Band, and authorizing and instructing
the City Clerk and Auditor to draw the warrant therefor, which resolution was
regularly adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers, Pack, and Mayor Dennett
Noes: Councilmen: None
Absent: Councilmen: None

10 IN THE MATTER OF
CLAIMS FOR MAY, 1933:

The claims for the month of May, 1933, having been audited
and approved by the Council, Commissioner Neece introduced

a resolution, being

RESOLUTION NO.2608-N.S.

allowing the claims so audited and approved, reference being made to the Auditor's
Cash Book for further details relative to the amounts of the withdrawals from the
various funds as follows:

GENERAL FUND -----	\$ 20,077.57
WATER FUND -----	4,033.94
LIBRARY FUND -----	1,304.21
BOND RED. INT. FUND -----	66.15
ST. BOND RED. INT. FUND -----	75.00
BEARD PARK IMP. FUND -----	143.00
TOTAL -----	\$ 25,699.89

Which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Pack, Rogers, and Mayor Dennett
Noes: Councilmen: None
Absent: Councilmen: None

11 IN THE MATTER OF
COMMUNICATIONS:

A Communication was received from the Secretary of
Governor Rolph acknowledging receipt of a telegram from
the City Council urging the Governor to sign Senate Bill
No. 563- relative to the gasoline tax. Same was read by the Council and ordered
filed.

12 Communications were received from the League of Calif-
ornia Municipalities relative to the apportionment of gasoline tax fund of the
State to the various cities as provided by Senate Bill No. 563. Same was read by
the Council and ordered filed.

13 IN THE MATTER OF
APPOINTMENT OF A
COMMITTEE:

Mayor Dennett officially informed the Council that he
had appointed Commissioners Rogers, Pack, Neece a
committee to meet with a committee from the Board of
Supervisors of Stanislaus County to consider the question of the local unemploy-
ment situation.

IN THE MATTER OF
BIDS:

Commissioner Neece introduced a resolution, being

RESOLUTION NO.2609-N.S.

14
instructing the City Clerk to advertise for bids for the printing and publishing of all legal notices, ordinances, delinquent tax lists, etc. of the City of Modesto for the fiscal year beginning July 1st, 1933, and ending June 30th, 1934, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers, Pack, and Mayor Dennett

Noes: Councilmen: None

Absent: Councilmen: None

Commissioner Neece also introduced a resolution, being

RESOLUTION NO."2610-N.S."

15
instructing the City Clerk to advertise for bids for the furnishing to the City of Modesto for a period of one year beginning July 1, 1933, incandescent lamps for street lighting, the same to be opened at the regular meeting of June 28th, 1933, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Pack, Rogers, and Mayor Dennett

Noes: Councilmen: None

Absent: Councilmen: None

Commissioner Pack introduced a resolution, being

RESOLUTION NO.2611-N.S.

16
instructing the City Clerk to advertise for bids for approximately 30,000 Gallons of Gasoline, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Pack, Rogers, and Mayor Dennett

Noes: Councilmen: None

Absent: Councilmen: None

17
IN THE MATTER OF
PETITIONS:

A petition was filed with the Council by C. Colbert for the installation of a curb pump at 616 7th Street. Upon consideration of the same by the Council, it was unanimously denied.

18
A petition for free water for an aged couple living at 206 Burney Street was filed with the Council by the Modesto Terminal Company. Same was considered by the Council and no action thereon taken.

19
IN THE MATTER OF PUBLICATION
OF WATER NOTICE RE: IRRIGATION:

Commissioner Rogers introduced a resolution, being
RESOLUTION NO.2612-N.S.

authorizing and instructing the City Clerk to publish once a week for three weeks in the Modesto News-Herald a notice to water consumers regarding the restriction of the use of water for irrigation purposes during the period beginning June 1st, and ending October 1st, 1933, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers, Pack, and Mayor Dennett

Noes: Councilmen: None

Absent: Councilmen: None

20
IN THE MATTER OF RATIFICATION
OF AGREEMENT FOR FIRE PROTECTION:

By unanimous consent of the Council, ratification of the agreement heretofore submitted for the furnishing of fire protection to packing plants outside the City was laid over to the next meeting.

21
IN THE MATTER OF REPAIRS
TO HOUSE AT 1628 H STREET:

Commissioner Rogers introduced

RESOLUTION NO.2613-N.S.

authorizing and instructing the City Engineer
to proceed with the repair and renovation of the house at 1628 H Street, which
resolution was regularly adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Pack, Rogers, and Mayor Dennett

Noes: Councilmen: None

Absent: Councilmen: None

22
IN THE MATTER OF ESTIMATED COST
AND PLANS FOR GOLF COURSE ON
AIRPORT:

Pursuant to Resolution No. 2599-N.S, Ian

Macdonald filed with the Council plans and

the estimated cost of converting the municipal
airport into a municipal golf course, which report was reviewed by the Council and
ordered filed pending further action thereon.

23
IN THE MATTER OF FINAL ADOPTION
OF ORDINANCES:

Ordinance No. 442-N.S. ,licensing certain

beverages of a specific alcoholic content

having been introduced and ordered printed

and published at the regular meeting of the Council held on the 24th day of May,
1933, it having been published as provided by the Charter of the City of Modesto,
coming on for final adoption this 14th day of June, 1933, it was finally adopted
by the following vote:

Ayes: Councilmen: Brown, Neece, Pack, Rogers, and Mayor Dennett

Noes: Councilmen: None

Absent: Councilmen: None

Ordinance No. 443-N.S. providing for extension

24
of time in which to pay the second installment of City taxes for 1932-33 without
addition of delinquent penalties, having been introduced and ordered printed and
published at a regular meeting of the Council of the City of Modesto held on the
24th day of June, 1933, and having been published as provided by the Charter of the
City of Modesto, coming on for final adoption this 14th day of June, 1933, it was
finally adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Pack, Rogers, and Mayor Dennett

Noes: Councilmen: None

Absent: Councilmen: None

25
IN THE MATTER OF PROPOSED
ORDINANCES:

A proposed ordinance to regulate and license the
wholesale peddling of vegetables in the City of
Modesto was by unanimous consent of the Council

laid over to the next regular meeting.

26
IN THE MATTER OF ORDINANCE
ABANDONING THE MUNICIPAL
AIRPORT:

Commissioner Neece introduced an ordinance, being

ORDINANCE NO.444-N.S.

abandoning the municipal airport, which ordinance
was duly passed to print and publish by the following vote:

Ayes: Councilmen: Brown, Neece, Pack, Rogers, and Mayor Dennett

Noes: Councilmen: None

Absent: Councilmen: None

27
IN THE MATTER OF
ORDINANCES PERTAINING
TO GAMBLING IN THE CITY:

Commissioner Brown introduced an ordinance, being
ORDINANCE NO. 445-N.S.

amending certain sections of Ordinance No. 196-NS

which ordinance was duly passed to print and publish by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers, Pack, and Mayor Dennett

Noes: Councilmen: None

Absent: Councilmen: None

Commissioner Brown also introduced an ordinance

being

ORDINANCE NO. 446-N.S.

28
repealing Ordinance No. 107-N.S. of the City of Modesto relative to gambling, which ordinance was duly passed to print and publish by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers, Pack, and Mayor Dennett

Noes: Councilmen: None

Absent: Councilmen: None

29
IN THE MATTER OF FIXING HOURS
AND HOLIDAYS FOR THE CITY
CLERK'S OFFICE:

By unanimous consent of the Council, action on this matter was laid over to the next regular meeting.

30
IN THE MATTER OF WARRANT TO
ALEX HIGHLET FOR RIGHT OF WAY:

Pursuant to the entering into an agreement with Alex Highlet for the removal of certain buildings along the Railroad Reservation so as to permit the

widening of 9th Street in consideration of the sum of \$ 1,282.00, at this time the City Engineer filed a written report stating that all buildings and structures had been removed according to the agreement; whereupon Commissioner Rogers introduced a resolution being

RESOLUTION NO. 2614-N.S.

authorizing and instructing the City Clerk and Auditor to draw a warrant in the amount of \$ 1,282.00 in favor of Alex Highlet as stipulated in the agreement now on file in the office of the City Clerk, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Pack, Rogers, and Mayor Dennett

Noes: Councilmen: None

Absent: Councilmen: None

31
IN THE MATTER OF PAYMENT OF
75% OF CONTRACT PRICE FOR DAM:

The City Engineer filed with the Council a report certifying that the construction of the low weir dam in the Tuolumne River at the 9th Street Bridge

has been completed, and in accordance with the terms of the contract therefor, seventy-five per cent of the contract price is now due and payable; whereupon Commissioner Rogers introduced a resolution, being

RESOLUTION NO. 2615-N.S.

authorizing and instructing the City Clerk and Auditor to draw a warrant in the sum of \$ 5,568.75 in favor of J.F. Knapp, the same being 75% of the contract price for the construction of a low weir dam in the Tuolumne River, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers, Pack, and Mayor Dennett

Noes: Councilmen: None

Absent: Councilmen: None

32

IN THE MATTER OF OILING ALLEY:

Pursuant to the petition heretofore made to the Council by P. C. Byington asking that the oiling of the alley between Lee and Almond Streets be included in the budget for street oiling, at this time the City Engineer reported that after investigation of the matter it was his opinion that this particular alley should not receive any more attention than any other in the City.

33

IN THE MATTER OF SETTLEMENT OF DAMAGE SUIT INSTIGATED BY JOHN AND MARY FOIT FOR ALLEGED DAMAGES TO PROPERTY FROM DAM IN RIVER:

Pursuant to the filing of a suit against the City of Modesto by John and Mary Foit for alleged damages to property adjacent to the river, from the dam in Tuolumne Riger, the City Attorney at this time reported that a settlement of the price to be paid for the right of way for the south abutment of the dam has been set at \$ 300.00; whereupon after due consideration of the matter by the Council, Commissioner Neece introduced a resolution being

RESOLUTION NO.2616-N.S.

authorizing and instructing the City Clerk and Auditor to draw a warrant in the amount of \$ 300.00 in favor of John and Mary Foit in full settlement of the damage suit aforementioned and for a deed for right of way for the south abutment of the dam on their property, which resolution was regularly adopted by the following vote:
Ayes: Councilmen: Brown, Neece, Rogers, Pack, and Mayor Dennett
Noes: Councilmen: None
Absent: Councilmen: None

34

IN THE MATTER OF OBTAINING RIGHT OF WAY ALONG RAILROAD RESERVATION OVER PROPERTY OCCUPIED BY THE MODESTO FUEL COMPANY:

Pursuant to negotiations with the Modesto Fuel Company for a right of way over that portion of the Railroad Reservation occupied

by their buildings for the purpose of widening 9th Street to conform to state highway specifications, it appearing that a satisfactory agreement cannot be arrived at, upon motion of Commissioner Rogers and the unanimous consent of the Council, the matter was laid over to be acted upon at some future date.

35

IN THE MATTER OF RESIGNATION OF MR. DENNETT FROM OFFICE OF MAYOR OF MODESTO:

Mayor Dennett proceeded to file with the City Council his written resignation from the position of Mayor of the City of Modesto, to

take effect immediately. Whereupon Commissioner Rogers introduced a resolution, being

RESOLUTION NO.2617-N.S.

accepting the resignation of Mayor Dennett with sincere regret, and expressing on behalf of the City of Modesto appreciation for the conscientious service given to the public by Mr. Dennett during the two years' of his term of office as Mayor of the City, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Pack, and Rogers
Noes: Councilmen: None
Absent: Councilmen: None

36

Thereupon the vice-president of the Council, Roy E. Pack, assumed the office of acting Mayor of the City of Modesto, and the Council proceeded with the transaction of the business at hand.

37
IN THE MATTER OF APPOINTMENT
OF MAYOR:

Pursuant to Section 11 of Article V of the
Charter of the City of Modesto, providing
for the appointment of a person to fill the

vacancy in the office of Mayor, after considerable discussion of those eligible to
serve, Commissioner Rogers introduced a resolution, being

RESOLUTION NO. 2618-N.S.

appointing Sol P. Elias Mayor of the City of Modesto to fill the unexpired term of
ex-mayor L.L. Dennett, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers, and vice-mayor Pack

Noes: Councilmen: None

Absent: Councilmen: None

38
Whereupon Mr. Elias was communicated with
and informed of his appointment. He informed the Council that he desired two weeks'
time in which to consider acceptance of the appointment.

39
IN THE MATTER OF RESPONSE TO
EMERGENCY CALLS BY THE FIRE
DEPARTMENT:

Fire Chief Geo. E. Wallace brought to the atten-
tion of the Council that some definite policy should
be adopted by the City in regard to answering emer-

gency calls by the Fire Department for the use of the inhalator and resuscitation
equipment outside the City limits. After discussion of the matter by the Council,
Commissioner Brown introduced a resolution, being

RESOLUTION NO. 2619-N.S.

authorizing the Fire Department of the City of Modesto to respond to emergency calls
outside the City for the use of the inhalator and resuscitation equipment in cases
such as drowning, etc. which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers, and Vice-mayor Pack

Noes: Councilmen: None

Absent: Councilmen: None

40
IN THE MATTER OF REPORTS:

The reports of the various departments for the
month of May, 1933, were reviewed by the Council

and ordered filed.

41
IN THE MATTER OF ADJOURN-
MENT:

Commissioner Brown introduced a resolution, being
RESOLUTION NO. 2620-N.S.

adjourning this Council meeting now in session
which motion being duly seconded, it was upon roll call adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

Attest: H.E. GRAGG
CITY CLERK

Council, City of Modesto

June 28th, 1933

The Council of the City of Modesto met in regular session this date, the meeting being called to order at the hour of 7:30 P.M. by Commissioner Pack, Mayor pro tempore. There were present: Councilmen: Brown, Neece, Pack, Rogers. Absent: Councilmen: None

1
IN THE MATTER OF MINUTES: The minutes of the regular session of June 14th, 1933, having been heretofore read by each Councilman were unanimously approved as so read.

2
IN THE MATTER OF COMMUNICATIONS: There was received from ex-mayor L.L. Dennett a letter of appreciation for the regret expressed by the Council at his resignation, and for the consideration and co-operation received by him during the two years of office from the entire official force of the City. Same was read by the Council and ordered filed.

3
A Communication was received from Sol P. Elias advising the Council that owing to the condition of his health he was forced to decline the appointment to the office of Mayor of the City of Modesto given to him by the Council of the City of Modesto on June 14th, 1933. Same was read by the Council and ordered filed.

4
A Communication was received from the League of California Municipalities relative to Gasoline tax revenues of the State, which communication was read by the Council and ordered filed.

5
A Communication was received from the League of California Municipalities relative to the National Public Works Bill, together with bulletin giving excerpts of the most important provisions of the bill. Same was read to the Council and ordered filed.

6
A Communication was received from the American City magazine offering a bulletin service on developments relative to the securing of Federal loans or gifts for public works or municipal improvements under the National Industrial Recovery Act. Same was read to the Council and ordered filed.

7
A Communication was received from the California Municipal Utilities Association relative to the menace of private utility and power-company men being appointed state and regional directors in charge of the granting of loans to the utilities through the National Industrial Recovery Act. Same was read by the Council and ordered filed.

8
A Communication was received from the California State Chamber of Commerce relative to the National Recovery Act. Same was read by the Council and referred to the City Engineer.

9
IN THE MATTER OF CLAIMS: A Claim was filed with the City Council by F. W. Roberts asking for the refund of a building permit fee for a building permit taken out three years ago for the construction of an apartment house at 15th and K Street, and which was never built. After due

consideration of the same by the Council, Commissioner Brown introduced a resolution, being

RESOLUTION NO.2621-N.S.

rejecting the claim of F.W.Roberts for a building permit refund, in view of the fact that so much time has passed since the granting of the permit and the filing of the claim, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: "one

Absent: Councilmen: None

A claim was filed with the Council by the California State Automobile Association for damages to a trailer of H.E.Langdon which broke a rear axle when passing over a trench near 9th and I Streets causing subsequent damages to the trailer and loss of time. Same was considered by the Council and referred to the City Attorney.

A letter addressed to the City Council by J. N. Hedburg relative to a claim against police officer Geo. Keeley for a siren which had supposedly been purchased from said firm two years ago. Same was read by the Council, and upon being informed that the siren had been left on approval with Mr. Keeley and not actually purchased, the City Clerk was instructed to advise the claimant that the Council was instructing that the siren be returned at once.

IN THE MATTER OF BIDS: Pursuant to advertising for bids for incandescent lamp globes for a period of one year, this being the time set out in said notice for opening said bids, there were on file three proposals, which when opened read as follows:

MODESTO HARDWARE & IMPLEMENT CO.

Discounts of 27% and 17% on General Electric Co. Lamps, on a total purchase for the year amounting to \$1200.00 or more.

THE UNITED LUMBER YARDS, INC.

Discounts of 27% and 17% on General Electric Co. Lamps on a total purchase for the year amounting to \$1200.00 or more.

H.E.TRUEBLOOD

Year's supply of Champion Incandescent Lamps at a net price of \$ 1,324.77

OR:

Year's supply of Westinghouse Mazda brand at a net price of \$ 1,422.19

After declaring the above bids, by unanimous consent of the Council they were referred to the City Engineer for tabulation and report.

IN THE MATTER OF BIDS FOR GASOLINE:

Pursuant to the advertising for bids for approximately 30,000 gallons of gasoline, and this being the time set out in said notice for the opening of the

bids, the Council proceeded to declare the bids received as follows:

ASSOCIATED OIL CO.

Flying 'A' @ 15 $\frac{1}{2}$ ¢ per Gal.
Green Gold @ 13 $\frac{1}{2}$ ¢ per gal.

RICHFIELD OIL CO.

Hi-Octane @ .165 per Gal.
Green-Flash @ .145 per Gal.

SHELL OIL CO.	Shell-3 Green-Streak	@	16½¢ Per Gal. 14½¢ Per Gal.
STANDARD OIL CO.	Standard		.165 Per Gal.
TEXACO (TEXAS CO.) (no certified check)	Fire Chief Galpet		.155 Per Gal. .135 Per Gal.
SIGNAL OIL & GAS CO.	Purr-Pull Peerless (½¢ less on tank car lots)		.18½¢ Per Gal. .16¢ Per Gal.
UNION OIL CO. OF CALIF.	Union 76 Unoco		.15½¢ Per Gal. .13½¢ Per Gal.

Whereupon Commissioner Rogers introduced a resolution, being

RESOLUTION NO.2622-N.S.

referring the above listed bids to the City Engineer for tabulation and report, with the exception of the bid of the Texas Oil Co., which bid not being accompanied by a certified check as specified in notice to bidders, was specifically rejected and the City Clerk instructed to return the same to the bidder, which resolution was regularly adopted by the Council by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF BIDS FOR
OFFICIAL PRINTING AND
ADVERTISING:

Pursuant to the advertising for bids for the fiscal year beginning July 1, 1933, and ending June 30th, 1934, there was on file one bid,

namely that of the Modesto News-Herald, specifying:

A charge of 65¢ for each non-pareil square for the first insertion and the sum of 40¢ for each such square for each subsequent insertion of all official printing and advertising not including the delinquent tax lists for the City of Modesto nor the delinquent lists for street work.

And

A charge of 70¢ for each non-pareil square for the first insertion and the sum of 40¢ for each such square for each subsequent insertion of the delinquent tax lists for the City of Modesto and the delinquent lists for street work.

Whereupon Commissioner Neece introduced a resolution, being

RESOLUTION NO.2623-N.S.

accepting the bid of the Modesto News-Herald for the official printing and advertising at the prices set forth in their bid, and authorizing and instructing the Mayor and City Clerk to enter into a contract therefor on behalf of the City of Modesto, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF APPLICATION
FOR PLUMBER'S LICENSE:

Mr. G. P. Worsley, 306 Laurel Street, filed with the Council an application for a plumber's

license together with bond as provided by Ordinance No. 276. Said application was referred to the City Engineer for investigation.

16
IN THE MATTER OF PROTEST TO
DAM IN THE TUOLUMNE RIVER:

G. B. Podesto and Maria Podesto and G. Arata
and Josephine Arata, through their attorneys,
Griffin and Boone, filed with the Council a

written protest under date of June 2nd, 1933, to the raising of water level in Dry
Creek and the Tuolumne River by the construction of a low weir dam at Ninth Street
Bridge stating it will result in considerable damage to all or a large portion of
property owned by them in that vicinity, and notifying the City that any such
resulting damages will not be waived by their failure to take action against the
construction of the dam. Same was read by the Council and referred to the City
Attorney, A. J. Carlson.

17
IN THE MATTER OF AGREEMENT FOR FIRE PROTECTION OUTSIDE
CITY:

By unanimous consent of the
Council, the agreement

heretofore considered for the furnishing of fire protection to packing plants located
outside the City limits was laid over to the next regular meeting.

18
IN THE MATTER OF STATE COMP-
ENSATION INSURANCE:

The State Compensation Insurance Fund filed
with the Council a policy for the coming
fiscal year to replace the one which expires

July 1st, 1933; whereupon after due consideration of the same by the Council, Commis-
sioner Neece introduced a resolution, being

RESOLUTION NO.2624-N.S.

accepting the policy submitted, and instructing the City Clerk and Auditor to draw
a warrant in the amount of \$ 2,398.94 for the initial premium therefor, which res-
olution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

19
IN THE MATTER OF PERMIT
FOR ERECTION OF BUILDING:

Pursuant to the filing with the Council on
June 9th, 1933, a petition for a permit to
erect a building on the Easterly portion of

Lots 12 and 13 in Block 338 at the corner of Morris and Sycamore Avenues, by C.C. Britton,
and to the subsequent posting and publishing of a notice setting forth a time for the
hearing of any protests to such erection, this being the time set out for such hearing
there were no protests either oral or written on file; whereupon Commissioner Rogers
introduced a resolution, being

RESOLUTION NO.2625-N.S.

granting a permit to C.C. Britton to erect a business building at the above mentioned
location as prayed for, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

20
IN THE MATTER OF EXPIRATION OF
TERM OF MURRAY WILLIAMS, LIBRARY
TRUSTEE:

The term of office of Murray Williams, trustee
of the McHenry Public Library, expiring July
1st, 1933, Commissioner Rogers introduced a

resolution being

RESOLUTION NO.2626-N.S.

re-appointing Murray Williams a member of the McHenry Public Library Board to serve a
term from and after July 1, 1933, which resolution was regularly adopted by the following

vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

21

IN THE MATTER OF ORDINANCE: The proposed ordinance to regulate the whole-sale peddling of vegetables and produce was by unanimous consent of the Council laid over to the next regular meeting.

22

IN THE MATTER OF LICENSE FEE FOR ICE CREAM WAGONS: Commissioner Neece introduced an ordinance, being ORDINANCE NO. 447-N.S.

fixing the license fee to be charged for ice cream wagons, which ordinance was duly passed to print and publish by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

23

IN THE MATTER OF FINAL ADOPTION OF ORDINANCE NO. 444-N.S. Ordinance No. 444-N.S., abandoning the municipal airport, having been introduced and ordered

printed and published at a regular meeting of the Council held on June 14th, 1933, and having been published as required by the Charter of the City of Modesto, coming on for final adoption this 23th day of June, 1933, it was finally adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

24

IN THE MATTER OF FINAL ADOPTION OF ORDINANCE NO. 445-N.S.: Ordinance No. 445-N.S., amending No. 196-N.S.

relative to gambling, having been introduced and ordered printed and published at a regular meeting of the Council of the City of Modesto held on the 14th day of June, 1933, coming on for final adoption this 23th day of June, 1933, it was upon roll call adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

25

IN THE MATTER OF FINAL ADOPTION OF ORDINANCE NO. 446-N.S. Ordinance No. 446-N.S., repealing Ordinance No. 107-N.S., regulating gambling in the City

of Modesto, having been introduced and ordered printed and published at a regular meeting of the Council of the City of Modesto held on the 14th day of June, 1933, and having been published as required by the Charter of the City of Modesto, coming on for final adoption this 23th day of June, 1933, it was upon roll call adopted by the following vote:

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

Noes: Councilmen: None

Absent; Councilmen: None

26
IN THE MATTER OF CONDEMNATION SUIT TO ACQUIRE
RIGHT OF WAY FOR NINTH STREET HIGHWAY THROUGH
BLOCK 229:

Pursuant to the extension of
Ninth Street through Block 229
to the State Bridge over the

Tuolumne River and the condemnation of property of Podesto and Arata for a right of
way through said Block, Commissioner Neece introduced a resolution being

RESOLUTION NO.2627-N.S.

providing that the City of Modesto proceed to take this condemnation suit into the
courts for settlement, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

27
IN THE MATTER OF BURNING GRASS ON
VACANT LOTS:

It being customary for the Fire Department
to burn grass on the vacant lots in the City

each year as a fire prevention measure, Fire Chief Geo. E. Wallace appeared before the
Council and asked authorization of the Council to proceed with this work as heretofore
or to have the Council ascertain some other method of doing the work as an unemployment
measure; whereupon after due consideration of the matter by the Council, Commissioner
Rogers introduced a resolution, being

RESOLUTION NO.2628-N.S.

designating the Commissioner of Public Health and Safety to handle the matter of burn-
ing grass on vacant lots in the City this year, which resolution was regularly adopt-
ed by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

28
IN THE MATTER OF BUDGETS FOR
YEAR 1933-34:

The budgets of the various departments for
the year beginning July 1st, 1933, and end-
ing June 30th, 1934, having been submitted

by the heads of departments and after having been duly corrected and approved by the
Council, Commissioner Neece introduced a resolution, being

RESOLUTION NO.2629-N.S.

adopting the budgets for the ensuing fiscal year, which motion being duly seconded,
it was upon roll call adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

29
IN THE MATTER OF MUNICIPAL GOLF
COURSE ON THE AVIATION FIELD:

Pursuant to plans heretofore considered,
Commissioner Neece introduced a resolution,
being

RESOLUTION NO.2630-N.S.

tentatively adopting the plans for a municipal golf course as outlined, and direct-
ing the City Engineer to proceed with the work of getting the aviation field in
readiness for conversion into the golf course; and further providing that the
entire Council be appointed a committee, with Commissioner Neece as chairman thereof,
in charge of the golf course plan, which resolution was regularly adopted by the
following vote;

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

Noes: Councilmen: None

Absent: Councilmen: None

30
IN THE MATTER OF APPROVAL OF APPLICATIONS
FOR LICENSES TO SELL BEVERAGES OF 3.2%
ALCOHOLIC CONTENT:

Pursuant to provisions of Ordinance No. 442-N.S., applications were submitted to the Council for

licenses to sell beverages of 3.2% alcoholic content, and the said applications having been approved by the Commissioner of Public Health and Safety, after due consideration of the same by the Council, Commissioner Brown introduced a resolution, being

RESOLUTION NO. 2631-N.S.

approving applications for licenses to sell beverages of 3.2% alcoholic content as follows:

L. Andre	727 Tenth St.
I. W. Ayres	1330 12th
Bell & Osborne	919 I St.
Gust A. Boonos	905 J St
F. E. Brown	938 10th St.
Cairns & Honett	520 McHenry
John Cereda	813 10th
H. T. Crow	11th & H
Joe Denevi	604 9th
Chas. A. East	704 H St.
Reese R. Esgar	904 12th
Flynn & McDowell	917 J St.
B. Friederich	3 H Street
Gould's Restaurant	921 I St.
L. W. Groff	1009 H St.
John Kestin	1011 10th St.
C. W. Kinney	911 H St.
Geo. Kounias	844 10th
J. A. Kramer	11th & C
Mrs. Gladys Lowe	241 7th
Patricia P. Malone	441 McHenry
J. J. Mehegan	808 9th
Josephine Mendonsa	909 I St.
J. H. Mollenkopf	810 10th
E. F. Oman	927 H St.
R. W. Peck	921 H St.
W. S. Peck	804 9th
Emilio Pedrioli	822 9th
Jas. L. Pozzi	915 H St.
J. Prandini & Prandini	716 9th
Ramsey & Sons	2101 H St.
Jess Reed	911 J St.
Rinhart & Jones	914 10th
S. F. Fruit Market	833 8th
Scott's Drug Store	935 10th
J. R. Turner	1214 H St.
Vaccaro & Cadrett	1018 I St.
E. Varni	619 10th

WHOLESALE LICENSES:

Coca Cola Bottling Co.	Turlock
El Dorado Brewing Co.	Stockton
Pacific Beverage Co.	Modesto
O. W. Peterson	Tracy
W. E. Salomon	Modesto

and instructing the City Clerk to issue licenses to the above named as provided in said ordinance, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

31
IN THE MATTER OF
CLAIM AGAINST
FRED ADAMS:

The City Auditor having heretofore referred to the City Attorney a claim of the City of Modesto against Fred Adams in the amount of \$ 82.10

for damages to an electrolier at 17th and Downey Streets as a result of an automobile collision on April 20th, at this time the

City Attorney reported that Mr. Adams at this time is unable to pay said claim and has offered to work it out some way if the City can give him employment. By unanimous consent of the Council the matter was laid over to the next regular meeting.

32
IN THE MATTER OF CLAIM OF BAKER & COMPANY
FOR ATTORNEY FEES:

Pursuant to the condemnation suit
against the Modesto Terminal Co.
for a right of way over property in

Block 48, a portion of which is leased to Baker & Company, and it having seemed expedient to permit the said lessee to continue to occupy said property until the expiration of the lease rather than pay the sum of money involved for costs and damages in the moving of their warehouse at the present time, the City Attorney reported that said Baker & Company had been dismissed as a defendant in the suit, and that in consequence of this fact that they are entitled to attorney's fees, Whereupon, it appearing that Modesto Terminal Company would pay one-half the entire sum of \$ 50.00 for attorney's fees of their lessee, Commissioner Rogers introduced a resolution, being

RESOLUTION NO.2632-N.S.

authorizing and instructing the City Auditor to draw a warrant in the sum of \$ 25.00 in favor of Baker & Company for one-half of their attorney fees and costs involved in the said condemnation suit, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

33
IN THE MATTER OF "COST PLUS CLAIM"
OF J.F.KNAPP:

J.F.Knapp filed with the Council a cost-plus
claim for construction of a low weir dam in

the Tuolumne River at Ninth Street Bridge in the amount of \$ 1,657.19 for hardware, labor, etc. not included in the contract; whereupon Commissioner Rogers introduced a resolution, being

RESOLUTION NO.2633-N.S.

allowing the above mentioned claim, and instructing the City Clerk and Auditor to draw the warrant therefor, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers, and Mayor Pro Tem Pack

Noes: Councilmen: None

Absent: Councilmen: None

34
IN THE MATTER OF RESCINDING
RESOLUTION PERTAINING TO
HOLIDAYS:

Pursuant to the adoption of Resolution No.2408-NS
on June 22, 1932, fixing the hours for the opening
and closing of the City Offices and prescribing

the holidays to be observed thereby, it being apparent that the provisions therein contained to conflict with the provisions of Sections 10 and 11 of the Political Code of the State of California, Commissioner Neece introduced a resolution, being

RESOLUTION NO.2634-N.S.

rescinding Resolution No. 2408-N.S., which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

35
IN THE MATTER OF ENTERING
INTO CONTRACT FOR CARETAKER
AT DAM:

There being presented to the Council for
approval and ratification an agreement with Leo

Plagg for acting as caretaker and watch-
man at the low weir dam in the Tuolumne River in return for the concession of
rental of boats and the construction of a wharf and cabin on city property near
the dam, Commissioner Neece introduced a resolution, being

RESOLUTION NO.2635-N.S.

accepting and ratifying the said agreement, and instructing the Mayor pro
tempore and the City Clerk to enter into the same on behalf of the City of
Modesto, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

36
IN THE MATTER OF
ADJOURNMENT:

Commissioner Brown introduced a resolu-
tion, being

RESOLUTION NO.2636-N.S.

adjourning this Council meeting now in session, which motion being duly second-
ed, it was upon roll call adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

Attest: H. E. GRAGG
CITY CLERK

Council, City of Modesto

Special Session

July 8th, 1933

The Council of the City of Modesto met this date at 3:30 P.M. in the Council Chambers of the City Hall, at the call of Mayor pro tempore, Pack, written notices of the meeting having been delivered to each member of the Council as required by the City Charter. There were present Commissioners: Brown, Neece, Rogers, and Acting Mayor Pack.

Absent: Councilmen: None

2
IN THE MATTER OF APPLICATION FOR FUNDS FOR NINTH ST. IMPROVEMENT:

Pursuant to the provisions of the National Industrial Revocery Act of the Federal Government becoming effective, making available certain funds for projects located on extensions of the Federal-aid highway system into and through municipalities; and an informal application heretofore having been made to the Director of Public Works of the State of California by Frank Paradis, chairman of the Modesto Chamber of Commerce, for federal funds for the widening and improvement of Ninth Street through the City of Modesto, which street comprises a part of the Golden State Highway system, Commissioner Rogers introduced a resolution, being

RESOLUTION NO. 2637-N.S.

confirming an informal application made by Frank Paradis, Chairman of the local Chamber of Commerce, to the Director of the Department of Public Works of the State of California for federal funds provided under the National Industry Recovery Act in the amount of \$ 70,000.00 for the improvement of Ninth Street from the Northern to the Southern limits of the City of Modesto, and expressing the intention of taking any further action necessary with the requirements of said Act in respect thereto, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

3
IN THE MATTER OF ADJOURNMENT:

Commissioner Brown introduced a resolution, being

RESOLUTION NO. 2638-N.S.

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

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

Noes: Councilmen: None

Absent: Councilmen: None

Attest: H.E. GRAGG
CITY CLERK

July 12th, 1933

The Council of the City of Modesto met in regular session this date, and there were present Councilmen: Brown, Rogers, Neece, and Mayor pro tem. Pack

Absent: Councilmen: None

1 IN THE MATTER OF MINUTES: The minutes of the regular session of June 28th, 1933, and of the special meeting of July 8th, 1933, having been heretofore read by each Councilman were unanimously approved as so read.

2 IN THE MATTER OF PROTEST TO LAUNDRY BUSINESS: L. G. Price appeared before the Council in support of a written protest to the seeming discrimination against him, setting forth the particulars of his arrest by the City of Modesto for soliciting laundry business within the City limits contrary to the terms of Ordinance No. 421-N.S., and asked that the case against him be dropped in view of the fact that he has established a laundry at 1502 10th Street. He further stated that one Jack Shoule is now conducting business in the same manner in which he did before his arrest, and to date has not been apprehended by the City for violation of the Ordinance. Mayor pro tem Pack advised Mr. Price that if he would pay the license fee imposed by Ordinance No. 421-N.S. for the entire period in which he operated contrary to said ordinance, the City would be willing to drop the case. He further advised Mr. Price that if in the opinion of the City Attorney Mr. Shoule is violating the said Ordinance he will likewise be required to comply with the provisions thereof.

3 IN THE MATTER OF FIRE PROTECTION AT THE COUNTY HOSPITAL; County Supervisors W. H. Brink and C.C. Growell appeared before the Council and petitioned the co-operation of the City of Modesto in furnishing adequate fire protection to the County Hospital. Thereupon Mayor pro tempore Pack appointed Commissioners Brown, Neece, and Rogers a committee to discuss the matter of arranging for fire protection to the County Hospital.

4 IN THE MATTER OF CLAIMS FOR JUNE, 1933: The Claims against the City of Modesto for June, 1933, having been heretofore audited and approved by the Council, Commissioner Neece introduced a resolution, being RESOLUTION NO. 2639-N.S. allowing the claims so audited and approved, reference being hereby made to the Auditor's Cash Book for further details regarding the amounts of the withdrawals from the various funds as follows:

GENERAL FUND -----	\$ 23,145.91
WATER FUND -----	4,531.20
LIBRARY FUND -----	866.13
BOND RED. INT. FUND -----	1,063.33
ST. BOND RED. INT. FUND -----	460.27
UNAPPORTIONED FUND -----	7.67
BEARD PARK IMPROVEMENT FUND -----	7,973.75
TOTAL -----	\$ 38,048.26

Which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: "one

5
IN THE MATTER OF CLAIM
OF M.H. CREWS FOR TRAVELLING
EXPENSES:

A Claim in the amount of \$ 6.00 for travelling
expenses to San Francisco on July 7th, and July
8th, 1933, to attend a meeting of the Calif-

ornia Municipal Utilities Association was filed with the Council by M.H. Crews
assistant City Engineer. Whereupon Commissioner Rogers introduced a resolution,
being

RESOLUTION NO. 2640-N.S

ordering that the above mentioned claim be allowed and the City Clerk and Auditor
instructed to draw the warrant therefor, which resolution was regularly adopted by
the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

6
IN THE MATTER OF CLAIM OF
HAT SHOP FOR DAMAGES TO
MERCHANDISE:

The Hat Shop, 1012 I Street, filed with the
Council a claim in the amount of \$ 282.31
for alleged damages to merchandise in the

basement of her store caused by the seepage of water from a faulty water main of
the City of Modesto in the alley directly back of her store. After due consider-
ation of the same, Commissioner Rogers introduced a resolution, being

RESOLUTION NO. 2641-N.S.

rejecting the claim of the Hat Shop for damages to merchandise, which resolution
was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

7
IN THE MATTER OF CLAIM
OF J.F. KANPP COMPANY:

Pursuant to the entering into a contract with
J.F. Knapp for the construction of a low weir
dam in the Tuolumne River and to the subse-
quent completion thereof, and the payment of 75% of the contract price, and under
the terms of said contract, the remaining portion of 25% will become due and pay-
able July 19, 1933, Commissioner Rogers introduced a resolution, being

RESOLUTION NO. 2642-N.S.

authorizing and instructing the City Clerk and Auditor to draw a warrant in favor
of J. F. Knapp in the amount of \$ 1856.25, the same being the remaining portion
of the contract for the construction of a dam in the Tuolumne River, providing that
no claims for labor or material are filed with the City Clerk before that date,
which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

8 IN THE MATTER OF COMMUNICATIONS:

A Communication from the League of California Municipalities relative to the obtaining of federal funds for public works was read by the Council and ordered filed.

9 A Communication was received from the Modesto Chamber of Commerce expressing the appreciation of that organization for the co-operation of the City of Modesto in making the Fourth of July celebration a success. Same was read by the Council and ordered filed.

10 A Communication was received from the California State Chamber of Commerce relative to the federal public works program. Same was read by the Council and ordered filed.

11 A Communication was received from Brotherton-Thomas & Company acknowledging their appointment to audit the City of Modesto's books for the fiscal year ending June 30th, 1933. Same was read by the Council and ordered filed.

12 A Communication was received from the California Municipal Utilities Association relative to the proposed taxation of municipal receipts derived from public utilities. Whereupon Commissioner Rogers introduced a resolution, being

RESOLUTION NO. 2643-N.S.

representing that the City of Modesto is heartily opposed to the taxation of municipal receipts by the State, and that a copy of the resolution be forwarded to the State Senator and Assemblyman, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

13 IN THE MATTER OF CLAIM OF J.N. HEDBURG AGAINST GEO. KEELEY:

Several communications were received by the Council from J. N. Hedburg relative to a claim against Geo. Keeley, member of the Modesto Police Force, for a siren allegedly sold to him two years ago. By order of the Council the matter was referred to Commissioner Brown.

14 IN THE MATTER OF PETITION FOR FREE PEDDLERS' LICENSE:

Mr. F. Voshall made a written application to the Council to continue with his business of soliciting for the refilling of fire extinguishers in the City of Modesto without complying with the terms of Ordinance No. 421-N.S. regulating such business. After discussion of the matter by the Council, the City Clerk was ordered to advise Mr. Voshall that no exceptions could be made to the terms of said Ordinance.

15 IN THE MATTER OF LEAVE OF ABSENCE FOR POLICE COURT JUDGE:

Mr. B.C. Hawkins, Police Judge of the City of Modesto, filed a petition with the Council requesting a leave of absence for a period not exceeding three weeks. Whereupon Commissioner Brown introduced a resolution, being

RESOLUTION NO. 2644-N.S.

granting a leave of absence to Police Judge B. C. Hawkins as prayed for, which

resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

16
IN THE MATTER OF PETITION
TO CONDUCT AND MAINTAIN A
JUNK YARD:

Mr. Phillip Plotkin filed with the Council a
petition to operate and maintain and conduct a
junk yard at 517 Seventh Street. Whereupon

Commissioner Neece introduced a resolution, being

RESOLUTION NO. 2645-N.S.

granting permission to Phillip Plotkin to operate, maintain and conduct a junk yard
as prayed for, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

17
IN THE MATTER OF AWARD
OF BID FOR LAMP CONTRACT:

Pursuant to the advertising for bids for the
furnishing of lamp globes for street lighting
for a period of one year to the City of

Modesto, and to the receiving of said bids on June 28th, 1933, at which time action
was deferred to this meeting, it appearing that the bid of H. A. Trueblood for the
supplying of Champion Lamp Globes at a discount of 32% was the lowest and best bid,
whereupon Commissioner Rogers introduced a resolution, being

RESOLUTION NO. 2646-N.S.

accepting the bid of H.A. Trueblood for furnishing of street lamps to the City of
Modesto during the ensuing discal year, the same to be Champion Globes, with a dis-
count of 32%, and instructing the Mayor and City Clerk to return to the unsuccessful
bidders their certified checks accompanying their bids, which resolution was regular-
ly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

18
IN THE MATTER OF BIDS
FOR GASOLINE:

Pursuant to the advertising for bids for approximately
30,000 Gallons of gasoline, and to the subsequent
receiving of bids at the regular meeting of June 28th,

1933, action thereon having been postponed until this time, Commissioner Rogers intro-
duced a resolution, being

RESOLUTION NO. 2647-N.S.

signifying the intention of the Council to purchase gasoline on the open market; reject-
ing all bids submitted for gasoline, and instructing the City Clerk to return to the
unsuccessful bidders their certified checks accompanying their bids, which resolution
was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

19
IN THE MATTER OF APPLICATION
FOR PLUMBER'S LICENSE:

G.P. Worsley having heretofore made application to
the Council for a permit to carry on the business

of plumbing in the City of Modesto as provided in Ordinance No. 276, and the same having

19
been reported upon favorably by the City Engineer, Commissioner Rogers introduced a resolution, being

RESOLUTION NO.2648-N.S.

approving the application of G. P. Worsley for carrying on the business of plumbing in the City of Modesto, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

20
IN THE MATTER OF APPLICATION FOR PLUMBERS' LICENSE:

Mr. L. E. Moore filed with the Council an application and bond for carrying on the trade of plumbing in the City of Modesto. Same was referred to the City Engineer for report.

21
IN THE MATTER OF FIRE PROTECTION TO PACKING PLANTS OUTSIDE CITY:

Commissioner Brown introduced a resolution, being

RESOLUTION NO.2649-N.S.

ratifying an agreement heretofore submitted to the Council by the owners of packing plants located on the Drows Landing Road, and directing the Mayor and City Clerk to enter into said agreement on behalf of the City of Modesto, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

22
IN THE MATTER OF PETITION FOR FIRE PROTECTION OUTSIDE CITY:

The Palace Motor Inn located three miles north of Modesto on the Golden State High

way made application to the Council for fire protection outside the City limits. Same was duly considered by the Council, and it being the unanimous opinion that same should be denied, Commissioner Brown introduced a resolution, being

RESOLUTION NO.2650-N.S.

rejecting and denying the application of the Palace Motor Inn for fire protection as prayed for, which resolution was regularly adopted by the following vote:

Eyes: Councilmen: Brown, Neece, Rogers, and Mayor pro tempore Pack

Noes: Councilmen: None

Absent: Councilmen: None

23
IN THE MATTER OF APPLICATIONS FOR BEVERAGE LICENSES:

There was filed with the Council several applications for licenses to sell beverages

containing 3.2% alcohol, and the same having been duly investigated and approved by the Commissioner of Public Health and Safety, A. N. Brown, he introduced a resolution, being

RESOLUTION NO.2651-N.S.

approving the applications and instructing the City Clerk to issue licenses to the applicants as follows:

L. A. Anderson	820 9th St.
Angeles Mix Co.	Tracy, Calif.
W. A. Bassi	1022 9th Street
T. A. Davis	1728 9th Street
D. Dinubilo Co.	Stockton
Hedges Buck Co.	Stockton
C. V. Hunter	911 I St.

Wm. Gier 725 7th St.
 Frank Kreighbaum 900 I Street
 D. Metaxas (Travellers) 707 I Street
 Model Pharmacy 901 10th
 J.W. Quesenberry 705 10th
 Rainier Beverage Co. 1518 9th St.
 San Joaquin Valley
 Creamery 906 10th St.
 John Walters 702 7th St.

Which resolution was regularly adopted by the following vote:
 Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack

Noes: Councilmen: None

Absent: Councilmen: None

23
 IN THE MATTER OF APPLICATION
 FOR BEVERAGE LICENSE OF MRS.
 J. MELLIS:

Mrs. J. S. Mellis filed with the Council an
 application for a beverage license to sell bev-
 erages of 3.2% alcohol, together with an agree-

ment showing her to be the legal lessee of counter space for the dispensing of such
 beverages in the Mellis Brothers' Stores located at 701 I Street, 1015 I Street, and
 1007 H Street; whereupon Commissioner Brown introduced a resolution, being

RESOLUTION NO. 2652-N.S.

approving the agreement so submitted and granting the application to store, sell, and
 dispose of beverages of 3.2% alcoholic content, and instructing the City Clerk to
 issue the license therefor to Mrs. Mellis, which resolution was regularly adopted by
 the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

25
 IN THE MATTER OF APPLICATIONS
 FOR BEER LICENSES:

There being submitted to the Council at this
 time an application by J. S. Walters, 702 7th

Street, and A. Varni, 1518 1/2 9th Street, which had not yet been approved and investig-
 ated by the Commissioner of Public Health and Safety; whereupon Commissioner Rogers
 introduced a resolution, being

RESOLUTION NO. 2653-N.S.

approving the above mentioned applications and instructing the City Clerk to issue
 licenses therefor when and if the Commissioner of Public Health & Safety upon in-
 vestigation of the same shall approve them in the manner provided in Ordinance No.
 442-N.S., which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

26
 IN THE MATTER OF PROPOSED
 ORDINANCE RESTRICTING
 PEDDLING:

There having been heretofore proposed an
 ordinance restricting and regulating the
 wholesale peddling of vegetables was by

unanimous consent of the Council laid over to the next regular meeting.

27
 IN THE MATTER OF FINAL
 ADOPTION OF ORD. 447-N.S.

Ordinance No. 447-N.S., amending Ordinance
 No. 54-N.S. relative to license fee for ice
 cream vendors, having been introduced and

ordered printed and published at a regular meeting of the Council of the City of
 Modesto, coming on for final adoption this 12th day of July, 1933, it was finally
 adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

28
IN THE MATTER OF PAYMENT
OF CITY EMPLOYEES:

Commissioner Neece introduced a resolution,
being

RESOLUTION NO. 2654-N.S.

providing for the semi-monthly payment of the
compensation of the salaried employees of the City of Modesto, which resolution
was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

29
IN THE MATTER OF
DUTIES OF COMMISSIONERS:

Commissioner Neece introduced a resolution,
being

RESOLUTION NO. 2655-N.S.

defining and setting forth the various duties
and powers of the Commissioners of the City of Modesto, which resolution was
regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

30
IN THE MATTER OF
REPORTS:

The monthly reports of the various departments
were read by the Council and ordered filed.

31
IN THE MATTER OF
ADJOURNMENT:

Commissioner Brown introduced a resolution,
being

RESOLUTION NO. 2656-N.S.

adjourning this Council meeting now in session, which motion being duly
seconded it was upon roll call adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

Attest: H.E. GRAGG

CITY CLERK

July 28th, 1933

The Council of the City of Modesto met in regular session this date, and there were present Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack
Absent: Councilmen: None

1
IN THE MATTER OF A. J. Carlson, City Attorney, was appointed Clerk pro tem-
CLERK PRO TEMPORE: pore of the Council in the absence of H. E. Gragg, City
Clerk.

2
IN THE MATTER OF The minutes of the regular session of July 12th, 1933, having
MINUTES: been heretofore read by each member of the Council, were
unanimously approved as so read.

3
IN THE MATTER OF LIGHTING E. A. Taggard appeared before the Council in support of a
I STREET FROM 12TH TO 17TH: petition filed with the Council approximately a year ago,
asking for the installation of a lighting system on I Street from 12th to 17th Street.
After discussion of the matter by the Council, it was unanimously agreed that this
matter should be taken under consideration and be hereafter disposed of by the Council.

4
IN THE MATTER OF PETITION Pursuant to the arrest of L. A. Anderson for viol-
FOR TRANSFER OF BEER LICENSE: ation of Ordinance No. 440-N.S. relative to the sale
of 'Hard' Liquor, and it appearing that his business
at 820 9th Street is being conducted by Lewis B. Morse during his absence, at this time
Mr. Morse appeared before the Council with respect to the license for selling beverages
containing 3.2% alcoholic content, previously issued to Mr. Anderson, stating that at
present he is working on a salary basis but is negotiating with Mr. Anderson for the
purchase of his business, the final negotiations to be made before August 15th. Where-
upon he was informed by the Council that it will be necessary for him to procure the
regular application form for the dispensing of beverages of 3.2% alcoholic content,
and submit it in the usual manner.

5
IN THE MATTER OF A Communication was received from Earl Lee Kelly,
COMMUNICATIONS: Director of the State Department of Public Works with
reference to the application heretofore made by the Council for the appropriation from
the Federal Government for the Improvement of 9th Street. Same was read by the Council
and ordered filed.

6
A Communication was received from W. F. Davison with
reference to a position as started or professional instructor at the proposed municipal
golf course. The Council directed that the letter be acknowledged and thereupon
ordered filed.

7
A Communication was received from C. E. Elliott,
secretary of the Modesto Labor Temple, regarding the monthly rental of the unemploy-
ment office in the Labor Temple Building. Same was read by the Council and ordered
filed, with no action taken thereon.

8
Communications were received from the California
League of Municipalities relative to (a) the coming convention of the League at
Santa Cruz (b) the allocation of gasoline tax funds to cities by the State (c) the

exemption of municipalities from the proposed State Sales tax, (d) the National Industrial Recovery Program. These communications were read by the Council and ordered filed.

9 A Communication was received from the Mayor's and Councilmen's Department of the League of California Municipalities relative to the reorganization of the League into regional districts. Same was read by the Council and ordered filed.

10 A Communication was received from the Temporary Reorganization Committee of Southern Municipalities relative to the reorganization of the League of Southern Municipalities. Same was read by the Council and ordered filed.

11 A Communication was received from the National Audit and System Company relative to the proposed state measure to provide for a state audit of the books of municipalities. Same was read by the Council and ordered filed.

12 Communications were received from David F. Bush, State Senator, relative to the taxation of municipalities' receipts and also relative to proposed legislation concerning the Central Valley Water Project. Same was read by the Council and the City Clerk directed to acknowledge same.

13 IN THE MATTER OF CLAIMS AGAINST GEO. KEELEY:

F. A. Weast filed with the Council a claim in the amount of \$ 127.00 against Geo. M. Keeley, member of the Modesto Police Force, for house rent.

Mrs. Cassie Clark likewise filed with the Council a claim in the amount of \$ 658.98 against Geo. Keeley for an overdue promissory note. These claims were received by the Council and upon consideration of the same, ordered that the City Clerk acknowledge receipt of same, thereupon to be filed.

14 IN THE MATTER OF CLAIMS FILED AGAINST THE CITY OF MODESTO:

Pursuant to Resolution No. 2613-N.S. directing the City Engineer to proceed with the remodelling of house located at 17th and H Streets owned by the City of Modesto, at this time Mr. Ernest Green filed a claim with the Council in the amount of \$410.55 for labor and extras in remodelling the said house;

15 Messeres Jepsen and Carlson likewise filed with the Council their claim in the amount of \$ 23.50 for finishing floors and painting portions of the said house;

16 Jas. E. McCormick filed with the Council a claim in the amount of \$ 490.20 for the premium on Policy No. 7739741 (Scottish Union) for insurance of City Buildings and contents;

17 The Modesto Gas Company filed with the Council a claim in the amount of \$ 250.00 for the removal of fence, shrubs, sprinkling system, etc. in Block 50 to provide for the widening of 9th Street Highway, all as more outlined in detail in Resolution No. 2593-N.S. adopted on the 10th day of May, 1933;

18 Marvin H. Crews, Assistant City Engineer, filed with the Council a claim in the amount of \$.95 to cover travelling expenses to Sacramento to attend a meeting of the State Highway Commission;

Whereupon after due consideration of the claims above set forth, Commissioner Neece introduced a resolution, being

RESOLUTION NO. 2657-N.S.

allowing the above named claims, and directing the City Clerk and Auditor to draw the warrants therefor in the amounts stated, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

19
IN THE MATTER OF APPLICATION
FOR PERMISSION TO CARRY ON
TRADE OF PLUMBING BY L.E.
MOORE:

The matter of application of L. E. Moore to carry on the trade of plumbing in the City of Modesto coming on for hearing and it

appearing that the application is in due and proper form, but not accompanied by a bond as required by Ordinance No. 276, Commissioner Rogers introduced a resolution, being

RESOLUTION NO. 2658-N.S.

providing that when L. E. Moore presents a bond, approved by the City Attorney, he shall be permitted to carry on the trade of plumbing in the City of Modesto as outlined in his application, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

20
IN THE MATTER OF
APPROVAL OF ELECTRICAL
BOND:

There was filed with the Council bond and application of the Modesto Hardware Co. for electrical contractor's license;

whereupon by motion of Councilman Rogers, duly seconded and unanimously carried, the same was referred to the City Engineer for his investigation and report to the Council at the next meeting.

21
IN THE MATTER OF
ACCEPTING DEED FROM
ASSOCIATED OIL CO.;

The Associated Oil Company having presented a deed to the City of Modesto conveying a strip of ground in Block 442 to the City for

highway purposes, Commissioner Rogers introduced a resolution, being

RESOLUTION NO. 2659-N.S.

accepting the deed as presented, and directing that the same be placed on file in the office of the Recorder of Stanislaus County, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

22
IN THE MATTER OF PAYMENT
TO ASSOCIATED OIL CO. FOR
REMOVAL OF SERVICE STATION
FACILITIES ON NINTH STREET

City Engineer, F. J. Rossi, reported that the Associated Oil Company is now prepared to remove and relocate the facilities of

its service station on 9th and I Street so as to clear the ground along 9th Street for widening the state highway; whereupon Commissioner Rogers introduced a resolution, being

RESOLUTION NO. 2660-N.S.

accepting the offer of the Associated Oil Co. for the removal of said facilities and

22 agreeing to pay the cost of such removal not exceeding \$ 500.00 out of the first funds received from the State of California's allocation of the gasoline tax funds, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

23 IN THE MATTER OF
PROPOSED ORDINANCE:

City Attorney A. J. Carlson presented a draft of a proposed ordinance providing for the regulation and licensing of the peddling of vegetables wholesale, which ordinance was placed on file to be hereafter considered by the Council.

24 IN THE MATTER OF
PURCHASE OF TWO LOTS
IN AVIATION FIELD:

It appearing that Mr. W.J. White is the owner of two lots, namely: Lots 7 and 8 in Block 314 which block has been renumbered and embraces the

municipal airport; whereupon Commissioner Neece introduced a resolution, being

RESOLUTION NO. 2661-N.S.

accepting the offer of Mr. W.J. White to sell to the City of Modesto the aforementioned lots for the consideration of the sum of \$ 200.00, the City to pay all taxes upon the property and for all title charges, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

25 IN THE MATTER OF
GRANTING LICENSES
TO SELL BEVERAGES:

Commissioner Brown introduced a resolution, being:

RESOLUTION NO. 2662-N.S.

approving the following applications for licenses to sell beverages of 3.2% alcoholic content, and directing the City Clerk to issue the licenses therefor in accordance with the applications:

WHOLESALE:	C. M. Abdallah Company	Stockton, Calif.
RETAIL:	Helen Gibbs	1028 I St.
	Effie Johnson	913 1/2 I St.
	J. Look	1008 10th
	Lane Grocery	101 Grand
	Lane Grocery	1530 G St.
	Victor Mineni	619 7th St.

which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

26 IN THE MATTER OF
DENYING BEER LICENSE
TO SHANGHAI CAFE:

Richard Gong and Gong Dow filed with the Council an application for a license to sell beverages of 3.2% alcoholic content at the Shanghai Tea Garden Cafe, 724 10th Street, and it appearing that one of the applicants is not a citizen of the United States as required by Ordinance No. 442-N.S., Commissioner Brown introduced a resolution, being

RESOLUTION NO. 2663-N.S.

denying the application as submitted, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

27
IN THE MATTER OF
ORDINANCE RELATING
TO THE USE OF LAKE
MODESTO:

Commissioner Neece introduced an ordinance,
being
ORDINANCE NO. 448-N.S.

entitled: "An ordinance creating rules and regulations for
the use of that portion of Lake Modesto lying within the City Limits", and moved its
adoption, which motion being duly seconded, it was upon roll call adopted by the
Council and ordered published by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

28
IN THE MATTER OF
ORDINANCE AMENDING
ORDINANCE NO. 442-N.S.:

Commissioner Brown introduced an ordinance, being
ORDINANCE NO. 449-N.S.

entitled: "An Ordinance amending Ordinance No.
442-N.S. by amending Section 7 thereof and adding a new section to be known as Section
7-A and moved its adoption, which motion being duly seconded, it was upon roll call
adopted and ordered printed and published by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

29
IN THE MATTER OF
REPORT OF COMMITTEE
ON SUBURBAN FIRE SERVICE:

A preliminary report of the committee on suburban
fire service consisting of Commissioner Brown, Fire
Chief Wallace, City Engineer Rossi, and City Attorney

Carlson, was received by the Council, read, and ordered placed on file.

30
IN THE MATTER OF
ANNUAL REPORTS OF
DEPARTMENTS:

The annual reports of McHenry Library, of the Fire
Department, of the Police Department were received
by the Council, reviewed, and ordered placed on

file.

31
IN THE MATTER OF
ADJOURNMENT:

There being no further business before the Council,
Commissioner Brown introduced a resolution, being
RESOLUTION NO. 2664-N.S.

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

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

Noes: Councilmen: None

Absent: Councilmen: None

Attest: _____

H. E. GRAGG
CITY CLERK

Council, City of Modesto

August 9th, 1933

The Council of the City of Modesto met in regular session this date, and there were present

Councilmen: Brown, Neece, Rogers, and Mayor pro tempore Pack

Absent: Councilmen: None

1
IN THE MATTER OF
MINUTES:

approved as so read.

The minutes of the regular session of July 26th, 1933, having been heretofore read by each Councilman were

2
IN THE MATTER OF
PETITION FOR PARK-
ING SPACE:

Mr. Roy Maxey appeared before the Council on behalf of McPheeters Hospital and asked that a parking space near the hospital be set aside on those evening during which dances are conducted at the Winter Garden, and that the City furnish a police officer to enforce the parking provision, or else that the City designate a competent person to be paid by the Hospital for enforcing the parking provision. The matter was taken under advisement by the Council.

3
IN THE MATTER OF
PROTEST TO THE
GRANTING OF BEER
LICENSE:

H. T. Crow, proprietor of the Hotel Modesto, appeared before the Council and protested against the issuing of so many beer licenses in the City, stating that it created so much competition there was no profit in the business. The Council advised the protestant that the matter would be taken under advisement.

4
IN THE MATTER OF
DELINQUENT TAX SALES
SETTLEMENT:

Mrs. Leslie Baker appeared before the Council relative to an accumulation of delinquent taxes against property known as Lots 26 and 27 in Block 17 upon which there has accumulated delinquent tax sales approximately amounting to \$ 525.00 which she claims to be far in excess of the present value of the property, and offered to settle with the City of Modesto for the said taxes for \$ 50.00. The matter was taken under advisement by the Council.

5
IN THE MATTER OF
REPORT OF CITY ATTORNEY
ON STATUS OF CERTAIN
PROPERTY:

City Attorney Carlson filed with the Council a written report of the status of the delinquent tax sales and tax deeds against property known as Lots 26 and 27 in Block 17, standing in the name of Frances Thompson, to which the City of Modesto has taken tax title but never enforced the claim thereto. This report was read by the Council and ordered filed.

6
IN THE MATTER OF
COMMUNICATIONS:

A Communication was received from Rosamond Falger expressing gratitude for the expressions of sympathy from the City Council and City employees during her bereavement for her father, William Falger, former Councilman of the City of Modesto. Same was read by the Council and ordered filed.

7
A Communication was received from C. R. Michael, 117 Spruce Street, making an application for a position as caretaker of the proposed municipal golf links. Same was read by the Council and ordered filed.

8
A Communication was received from the United States Department of Commerce relative to the National Industrial Recovery Act. Same was read by the Council and ordered filed.

9
IN THE MATTER OF CLAIMS:

The claims against the City of Modesto for July, 1933, having been duly audited and approved by the Council, Commissioner Neece introduced a resolution, being

RESOLUTION NO.2665-N.S.

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

GENERAL FUND -----	\$ 21,027.72
WATER FUND -----	5,253.24
LIBRARY FUND -----	1,571.17
BOND RED. INT. -----	8,137.50
ST.BOND RED. INT.-----	49,387.13
BEARD IMP. FUND -----	2,503.28
TOTAL -----	\$ 87,880.04

Which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

10
IN THE MATTER OF LIGHTING I STREET FROM 12TH TO 17TH STREET:

Pursuant to the matter of the lighting of I Street from 12th to 17th Street having been brought before the Council at its regular meeting of July 26th, 1933, and the

postponement of action thereon until this time, Commissioner Brown introduced a resolution being

RESOLUTION NO.2666-N.S.

ruling that a new petition for this improvement would have to be presented to the Council by its proponents, duly signed by the required number of property owners, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

11
IN THE MATTER OF PURCHASE OF TWO LOTS IN THE AVIATION FIELD:

A deed duly executed by W. J. White to the City of Modesto for property known as Lots 17 and 18 of the Sunset Boulevard Addition, Subtract No. 3, which property lies

within the Municipal Aviation Field, was presented to the Council; whereupon Commissioner Neece introduced a resolution, being

RESOLUTION NO. 2667-N.S.

accepting the deed presented and ordering that the same be placed on record in the office of the County Recorder of Stanislaus County, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Brown, Neece, Rogers, and Mayor Pro tempore Pack

Noes: Councilmen: None

Absent: Councilmen: None

12
IN THE MATTER OF
PAYMENT TO W.J.WHITE
FOR LOTS IN AVIATION
FIELD:

Pursuant to the accepting of deed tendered by
W.J.White through the Security Title Insurance
& Guaranty Company for Lots 17 and 18 in Block

314 of the City of Modesto, and to bill rendered therefor for the deed and title
transfer in the amount of \$ 207.50, Commissioner Neece introduced a resolution,
being

Resolution No.2668-N.S.

authorizing and instructing the City Clerk to issue a warrant in the amount of
\$ 207.50 to the Security Title Insurance & Guaranty Company for the above named
deed, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

13
IN THE MATTER OF
PERMIT FOR ERECT-
ION OF TENT FOR
REVIVAL SERVICES:

Mr. J. S. Royal, evangelist, appeared before
the Council and asked permission to erect a tent
for revival services on property in Block 36,

Lots 21 to 24, owned by the City of Modesto. Whereupon Commissioner Rogers intro-
duced a resolution, being

RESOLUTION NO.2669-N.S.

granting permission to Mr. Royal to erect the tent as petitioned, providing that
it be under the direction and supervision of the Commissioner of Public Health
and Safety, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

14
IN THE MATTER OF
APPROVAL OF ELECTRICAL
CONTRACTOR'S BOND:

A bond and application for carrying on the
trade of electrical contractor having been here-
tofore filed with the Council by the Modesto

Hardware Company for approval, coming on for hearing at this time, Commissioner
Rogers introduced

RESOLUTION NO.2670-N.S.

approving the bond and instructing the City Clerk to issue the license therefor
when the fee shall have been paid in accordance with City ordinance, which res-
olution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

15
IN THE MATTER OF
LICENSES FOR
BEVERAGES:

Commissioner Brown introduced a resolution,
being

RESOLUTION NO.2671-N.S.

approving the following licenses and instructing the City Clerk to issue the
same:

Green Valley Lunch	704 H St.
Otto H. McDaniel	9th and Needham
L. B. Spicer	938 10th

and lay~~in~~ over for future consideration, the following applications:

Elks Building
Hotel Hughson
G. Prato

which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

16
IN THE MATTER OF
PROPOSED ORDINANCES:

An ordinance regulating and licensing the trade of plumbing by amending Ordinance No. 276 was submitted to the Council, and by unanimous consent was laid over to the next regular meeting.

A proposed ordinance regulating the peddling of vegetables wholesale, was laid over to the next regular meeting.

17
IN THE MATTER OF
FINAL ADOPTION
ORD. 448-N.S.:

Ordinance No. 448-N.S., an ordinance creating rules and regulations for the use of Lake Modesto, having been introduced and ordered printed and published at a regular meeting of the Council of the City of Modesto held July 26th, 1933, and having been published as required by the Charter of the City of Modesto coming on for final adoption this 9th day of August, 1933, it was finally adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

18
IN THE MATTER OF
FINAL ADOPTION OF
ORDINANCE 449-N.S.:

Ordinance No. 449-N.S., amending Ordinance No. 442-N.S. pertaining to license for 3.2% beverages, having been introduced and ordered printed and published at a regular meeting of the Council of the City of Modesto held July 26th, 1933, and having been published as required by the Charter of the City of Modesto, coming on for final adoption this 9th day of August, 1933, it was finally adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

19
IN THE MATTER OF
TRANSFER OF FUNDS:

Commissioner Neece introduced a resolution, being
RESOLUTION NO. 2672-N.S.

transferring \$50,000.00 from the Water fund to the General Fund of the City of Modesto, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

20
IN THE MATTER OF
REPORTS:

The annual report of the Department of Public Works was filed with the Council.

The regular monthly reports of the various departments were reviewed by the Council and ordered filed.

21
IN THE MATTER OF
ADJOURNMENT:

Commissioner Brown introduced

RESOLUTION NO. 2673-N.S.

adjourning this Council meeting now in session, which resolution was regularly adopted

by the following vote:

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

Noes Councilmen: None

Absent: Councilmen: None

Attest: H. E. GRAGG
CITY CLERK

The Council of the City of Modesto met in special session this 16th day of August, 1933, at 3:00 P.M., at the call of Mayor pro tempore Pack, notices thereof having been duly delivered to each member of the Council as required by the City Charter.

There were present: Councilmen: Brown, Neece, Rogers, and Mayor pro tempore Pack

Absent: Councilmen: None

IN THE MATTER OF
REVOKING LICENSE
TO SELL BEVERAGES
OF L. A. ANDERSON:

Notice having been duly and legally served upon L. A. Anderson, 820 9th Street, to appear at this time before the Council and show cause why his license for the sale of non-intoxicating beverages should not be revoked or suspended, and Mr. Anderson having failed to appear and show such cause; Commissioner Brown introduced

RESOLUTION NO. 2675-N.S.

revoking the license heretofore granted to L. A. Anderson for the sale of non-intoxicating beverages at 820 9th Street, by virtue of violation of the terms of Ordinance No. 421-N.S., which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF
APPROPRIATION FOR
PURCHASE OF PROPERTY
FOR CORPORATION YARD:

Pursuant to discussion of the feasibility and advisability of the purchase of Lots 12 and 13 in Block 40 as an addition to property already owned by the City in said block, Lots 1 to 11 inc., for the purpose of establishing a corporation yard, at this time Commissioner Rogers introduced an ordinance, being

ORDINANCE NO. 450-N.S.

appropriating the sum of \$1,600.00 or so much thereof as may be necessary for the purchase of Lots 12 to 13 in Block 40, which ordinance was duly passed to print and publish by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF
COMMUNICATION FROM
ORDER OF RED MEN:

The Improved Order of Red Men addressed a communication to the Council, stating that a convention of the Order is to be held in Modesto from August 21st to 24th inclusive, and asked that the Council deliver various speeches to the visiting delegates. Thereupon the Council designated Mayor pro tempore Pack, City Attorney Carlson, and City Engineer Rossi to deliver addresses to the convention as outlined in the said communication.

IN THE MATTER OF
APPLICATIONS FOR
BEVERAGE LICENSES:

There being before the Council applications for permits to sell beverages of 3.2% alcoholic content, which had heretofore been investigated and approved

5
by the Commissioner of Public Health and Safety, Commissioner Brown introduced a resolution, being

RESOLUTION NO. 2676-N.S.

approving the applications of:

E. V. Bassi	621 H Street	Retail
S. E. McCray	820 9th	"
Jones & Co.	131 11th	Wholesale
Golden Ribbon Bottling Co.	905 I St.	"

and instructing the City Clerk to issue the licenses thereto, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

6
IN THE MATTER OF
HIRING ASS'T IN
LAYING OUT GOLF
COURSE:

Commissioner Rogers introduced

RESOLUTION NO. 2677-N.S.

authorizing and instructing the City Engineer to employ the services of Ian Macdonald, golf professional, to assist in laying out the municipal golf course on the aviation field for such length of time as he may deem necessary, at the rate of \$ 5.00 per day, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

7
IN THE MATTER OF
ADJOURNMENT:

Commissioner Brown introduced

RESOLUTION NO. 2678-N.S.

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

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

Noes: Councilmen: None

Absent; Councilmen: "one

Attest: H. E. GRAGG

CITY CLERK

Council, City of Modesto
Regular Session of
August 23rd, 1933.

The Council of the City of Modesto met this day in regular session, and there were present Councilmen: Rogers, Brown, Neece, and Mayor pro tempore Pack.

Absent: Councilmen: None

1
IN THE MATTER OF
MINUTES:

The minutes of the regular session of August 9th, 1933; the minutes of the special meeting of August 16th, 1933; and the minutes of the Board of Equalization, having been heretofore read by each Councilman, were unanimously approved as so read.

2
IN THE MATTER OF
LEAVE OF ABSENCE
TO CITY ENGINEER:

Pursuant to receipt of a communication from the City of Santa Cruz relative to a convention of the California Municipal Utilities Association from September 20th to 21st, 1933, Commissioner Rogers introduced a resolution, being

RESOLUTION NO. 2679-N.S.

granting a leave of absence of one day to City Engineer Rossi to attend the sewer division of the convention, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

3
IN THE MATTER OF
LETTER FROM CALIF.
MUNICIPAL UTILITIES
ASSOCIATION:

Communications were received from the California Municipal Utilities Association urging the sending of a delegate to the convention and to the recently enacted Retail Sales Act of 1933. Same was read by the Council and ordered filed.

4
IN THE MATTER OF
LABOR DAY PARADE:

A Communication was received from Modesto Post No. 74 of the American Legion asking the City of Modesto to participate in the National Industrial Recovery Act Parade on Labor Day, September 4th, 1933; whereupon Commissioner Neece introduced

RESOLUTION NO. 2680-N.S.

instructing all the departments of the City of Modesto to participate in the Labor Day Parade as outlined in the Committee Letter from the American Legion, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

5
IN THE MATTER OF
COMMUNICATION FROM
STATE COMPENSATION
INSURANCE FUND:

A Communication was received from the State Compensation Insurance Fund advising of the policy which would be followed by the State Compensation Insurance Fund in handling compensation of injuries to volunteer firemen in the future; and asking that a list of active members only, not social membership list, be forwarded immediately. Whereupon Commissioner Neece introduced a resolution, being

RESOLUTION NO.2651-N.S.

5 referring the above mentioned communication to Commissioner Brown for action thereon, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

6 IN THE MATTER OF
PETITION FOR FREE
WATER:

There was filed with the Council by the County Welfare Department a petition for free water for Mrs. Nora Noland, 206 Burney Street, reciting the circumstances making it necessary for her to seek such subsidy, and asking the City to cancel the water charges now accrued, and to furnish free water in the future.

Whereupon Commissioner Neece introduced a resolution, being

RESOLUTION NO.2652-N.S.

cancelling delinquent charges and granting free water at 206 Burney Street for Mrs. Nora Noland until such time as she is able to take care of the monthly charge for same, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

7 IN THE MATTER OF
CLAIM OF THE SALV-
ATION ARMY:

The Salvation Army filed with the Council a claim in the amount of \$ 25.16 for redemption of tickets issued to indigents for meal, lodging, and groceries, etc. by the Police Dept. Whereupon Commissioner Brown introduced

RESOLUTION NO.2653-N.S.

allowing the claim of the Salvation Army in the amount stated, and instructing the City Clerk and Auditor to draw the warrant therefor, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

8 IN THE MATTER OF
APPLICATIONS FOR
BEVERAGE LICENSES:

There were on file applications for beverage licenses to sell beverages containing 3.2% alcohol as follows:

A.E. Carlson 701 7th
Modesto Lodge
#1282 B.P.O.E. Elks Bldg.
Hotel Hughson 10th at J

and the same having been duly investigated and approved by the Commissioner of Public Health and Safety, A. N. Brown, he introduced a resolution, being

RESOLUTION NO.2654-N.S.

granting licenses to the above named applicants and instructing the City Clerk to issue the same, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

9
IN THE MATTER OF
HIRING CARETAKER
AND PROFESSIONAL
AT THE GOLF COURSE:

An application for caretaker and professional
at the municipal golf links on the aviation
field was filed with the Council by Ian

Macdonald, outlining the salary and concessions expected. Whereupon Commissioner Neece
introduced a resolution, being

RESOLUTION NO. 2685-N.S.

instructing the City Attorney to draw up a contract along the lines mentioned in Mr.
Macdonald's application and submit it to the Council for approval at the next regular
meeting, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

10
IN THE MATTER OF
FINAL ADOPTION OF
ORDINANCE NO. 450-N.S.

Ordinance No. 450-N.S., appropriating funds for
the purchase of lots for a corporation yard, having
been introduced and ordered printed and published

at a regular meeting of the Council of the City of Modesto held on the 9th day of
August, 1933, and having been printed and published as required by the Charter of the
City of Modesto, coming on for final adoption this 23rd day of August, 1933, it was
finally adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

11
IN THE MATTER OF
PROPOSED PEDDLING ORD:

A proposed peddling ordinance heretofore submitted
to the Council for adoption, regulating the peddling

of vegetables, produce, etc. at wholesale, was considered by the Council and laid
over to the next regular meeting.

12
IN THE MATTER OF
PROPOSED AMENDMENT
TO PLUMBING ORD.:

A proposed ordinance amending plumbing ordinance
No. 276 was considered by the Council, and by

unanimous consent, action thereon was laid over to the next regular meeting.

13
IN THE MATTER OF
FIXING TAX RATE
FOR 1933-34;

Commissioner Neece introduced

ORDINANCE NO. 451-N.S.

fixing the rate of taxation for the fiscal
year 1933-34 at the rate of \$ 1.30 per hundred dollars valuation, which ordinance was
duly passed to print and publish by the following vote :

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

Noes: Councilmen: None

Absent: Councilmen: None

14
IN THE MATTER OF
ORDINANCE PROHIBITING
PICKETING:

Commissioner Brown introduced

ORDINANCE NO. 452-N.S.

regulating walking back and forth, loitering
or remaining or exhibiting signs placards, posters or writings on the streets, alleys,
and sidewalks of the City of Modesto, which ordinance was duly passed to print and
publish by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

15
IN THE MATTER OF
CALLING BIDS FOR
AUTOMOBILE INSUR-
ANCE:

Commissioner Neece introduced

Resolution No. 2686-N.S.

calling for bids for fleet automobile insurance
for the period beginning October 13th, 1933, and ending October 13th, 1934, which
resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

16
IN THE MATTER OF
GRANTING PARKING
SPACE TO MCPHEETERS'
HOSPITAL:

Pursuant to petition heretofore made to the
Council by Dr. E. R. McPheters for a parking
space in front of the McPheters Hospital

at Tenth and L Streets, Commissioner Brown introduced a resolution, being

RESOLUTION NO. 2687-N.S.

granting a parking space of 30' in front of the entrance to McPheters Hospital
and instructing the City Engineer to mark off the same, which resolution was regularly
adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

17
IN THE MATTER OF
LEAVE OF ABSENCE
TO CHIEF OF POLICE:

Commissioner Brown introduced

RESOLUTION NO. 2688-N.S.

granting a three days' leave of absence to
Chief of Police Lee E. Smith to attend a convention of police chief's at Lake
Tahoe, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

18
IN THE MATTER OF
ACQUIRING CERTAIN
RIGHTS OF WAY ON
NINTH STREET:

Commissioner Rogers introduced a resolution
being

RESOLUTION NO. 2689-N.S.

authorizing and instructing and empowering the
City Engineer to enter into an agreement with the Stanislaus Lumber Co. in connection
with the widening of Ninth Street Highway for the acquisition of certain right
of way on the Railroad Reservation now occupied by said Stanislaus Lumber Co. the
funds for such right of way to be paid from the first moneys received from the
State as the City's allocation from the gasoline tax as set forth in detail in said
Resolution now on file in the City Clerk's office, which resolution was regularly
adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

Commissioner Rogers also introduced

RESOLUTION NO. 2690-N.S.

19
authorizing and empowering the City Engineer to enter into an agreement with

19
the Modesto Lumber Company for a right of way in connection with the widening of 9th Street for a right of way along ground leased by said Modesto Lumber Company from the Southern Pacific Railroad, the funds for which right of way to be paid out of the first moneys received from the State as the City's allocation from the gasoline tax as set forth in detail in said Resolution now on file in the City Clerk's office, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

Commissioner Rogers introduced a resolution also, being

RESOLUTION NO. 2691-N.S.

20
authorizing and empowering the City Engineer to enter into an agreement with the Modesto Lumber Company in connection with the widening of Ninth Street highway for the acquisition of certain rights of way on the Railroad reservation now occupied by said Modesto Lumber Co., the funds for such right of way to be paid from the first moneys received from the State as the City's allocation as set forth in detail in said Resolution now on file in the City Clerk's office, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

21
**IN THE MATTER OF
ADJOURNMENT AND
ADJOURNED MEETING:**

There being no further business before the meeting at the present time, and it being the desire of the Council to meet in adjourned session

on Friday, September 1st, 1933, at two o'clock P.M., whereupon Commissioner Brown introduced a resolution, being

RESOLUTION NO. 2692-N.S.

providing for the adjourned meeting as above, and adjourning the meeting now in session, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

Attest: H.E. GRAGG
CITY CLERK

RECORD OF PROCEEDING OF THE
BOARD OF EQUALIZATION
OF THE CITY OF MODESTO

AUGUST 7TH, 1933

Pursuant to statute and the City Charter, the Council of the City of Modesto met this day in the Council Chambers of the City Hall at 10:00 A. M., sitting as a Board of Equalization to hear any petitions or protests to assessments for the year 1933-34.

There were present Commissioners: Brown, Neece, Rogers, and Mayor pro tem. Pack

Absent: Councilmen: None.

No business coming before the meeting, the Board upon motion adjourned to meet again at the same time and place on August 8th, 1933.

AUGUST 8TH, 1933

Pursuant to adjournment of August 7th, 1933, the Council met this day, sitting as a Board of Equalization. There were present Commissioner: Brown, Neece, Rogers, and Mayor pro tem. Pack

Absent: Councilmen: None

There being no business brought before the meeting, the Board upon motion adjourned to meet again at the same hour and place, August 9th, 1933.

AUGUST 9TH, 1933

Pursuant to adjournment of August 9th, 1933, the Council met in session this date at 10:00 A. M. sitting as a Board of Equalization. There were present Commissioners: Brown, Neece, Rogers, and Mayor pro tem. Pack.

Absent: Commissioners: None

There being no business brought before the meeting, the Board upon motion adjourned to meet again at the same time and place, August 10th, 1933.

* * *

AUGUST 10TH, 1933

Pursuant to adjournment of August 9th, 1933, the Council met this day in session at 10:00 A. M., sitting as a Board of Equalization. There were present: Commissioners: Brown, Neece, Rogers, and Mayor pro tem. Pack
Absent: Councilmen: None

There being no further business brought before the meeting, the Board upon motion adjourned to meet again at the same time and place, August 11th, 1934.

* * *

AUGUST 11TH, 1934

Pursuant to adjournment of August 10th, the Council met this date, sitting as a Board of Equalization. There were present Commissioners: Brown, Neece, Rogers, and Mayor pro tem. Pack
Absent: Commissioners: None

The Board having met as specified by law, hearing the various petitions presented for tax reductions, and not finding the assessments levied thereon excessive and out of proportion with property in the same neighborhood, Commissioner Brown introduced

RESOLUTION NO. 2674-N.S.

providing that all petitions for tax reductions be denied, and adjourning the Board of Equalization sine die. Which resolution was regularly adopted by the following vote:
Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem Pack
Noes: Councilmen: None
Absent: Councilmen: None

Attest: H.E. GRAGG

CITY CLERK

August 9th, 1934

See Page 16A.

The Council of the City of Modesto met in regular session this date, and there were present Councilmen: Brown, Rogers, Neece, and Mayor Pro tempore Pack
Absent: Councilmen: None

IN THE MATTER OF MINUTES: The minutes of the regular session of July 26th, 1933, having been heretofore read by each Councilman were approved as so read.

IN THE MATTER OF PETITION FOR PARKING SPACE: Mr. Roy Maxey appeared before the Council on behalf of McPheeters Hospital and asked that a parking space near the hospital be set aside on those evenings during which dances are conducted at the Winter Garden, and that the City furnish a police officer to enforce the parking provision, or else that the City designate a competent person to be paid by the Hospital for enforcing the parking provision. The matter was taken under advisement by the Council.

IN THE MATTER OF PROTEST TO THE GRANTING OF BEER LICENSES: Mr. H. T. Crow, proprietor of the Hotel Modesto, appeared before the Council and protested against the issuing of so many beer licenses in the City, stating that it created so much competition there was no profit in the business. The Council advised the protestant that the matter would be taken under advisement.

IN THE MATTER OF DELINQUENT TAXES SETTLEMENT: Mrs. Leslie Baker appeared before the Council relative to an accumulation of delinquent taxes against property known as Lots 26 and 27 in Block 17 upon which there has accumulated delinquent tax sales approximately amounting to \$ 525.00, which she claims to be far in excess of the present value of the property and offered to settle with the City of the said taxes for \$ 50.00. The matter was taken under advisement.

IN THE MATTER OF REPORT OF CITY ATTORNEY ON STATUS OF CERTAIN PROPERTY: City Attorney Carlson filed with the Council a written report of the status of the delinquent tax sales and tax deeds against property known as Lots 26 and 27 in Block 17 standing in the name of Frances Thompson, to which the City of Modesto has taken tax title but never enforced claim thereto. This report was read by the Council and ordered filed.

IN THE MATTER OF COMMUNICATIONS: A Communication was received from Rosemond Falger expressing gratitude for the expressions of sympathy from

Council, City of Modesto
Adjourned Session
September 1st, 1933

Pursuant to Resolution No. 2692-N.S., the Council met this day in adjourned session at 2:00 P.M., the meeting being called to order by Mayor Pro tempore Paack. There were present Councilmen: Brown, Neece, Rogers, and Mayor Pro tempore Paack.

Absent: Councilmen: None

IN THE MATTER OF
HEARING FOR VIOLATION
ORDINANCE 442-N.S.:

Joe Denevi, 604 Ninth Street, having been duly cited to appear before this meeting of the Council to show cause why his license to sell beverages of 3.2% alcoholic content should not be revoked in view of his violation of the terms of Ordinance No. 442-N.S., appeared before the Council, and through his attorney, Hugo McKinley, protested against the revocation of his license. The Council thereupon called upon Patrolman Walter Anderson, who testified under oath that on August 18th, 1933, the said Joe Denevi was arrested twice on the said day, and each time whiskey and wine, as defined by ordinances of the City of Modesto, were found on the premises at the above address. It being the opinion of the Council that the licensee had violated the provisions of said Ordinance No. 442-N.S. in that he did keep, store, buy, receive, sell, give away, or dispense; or did permit to be kept stored, bought, received, sold, given away, or dispensed, intoxicating liquors as defined by other ordinances of the City of Modesto, Commissioner Brown introduced a resolution being

RESOLUTION NO. 2693-N.S.

revoking the license heretofore granted to Joe Denevi at 604 Ninth Street for the sale of beverages containing 3.2% alcoholic content, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

2
IN THE MATTER OF
REQUEST FOR PARKING
SPACE:

Joe Mineni requested permission of the Council to set aside a parking space in front of his property at 510 12th Street. By unanimous consent of the Council, the matter was referred to the Commissioner of Public Health and Safety and the Chief of Police.

3
IN THE MATTER OF
REJECTION OF ORD.
452-N.S.:

Ordinance No. 452-N.S., prohibiting picketing in the City of Modesto, having been introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of August, 1933, and being now considered for final adoption by the Council, there having been a great many objections and protests to the ordinance in its present form, it was unanimously rejected by the Council, the vote as follows:

follows:

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

Thereupon, there was presented to the Council a revised version of the picketing ordinance, which was considered and action thereon laid over to the next regular meeting.

4
IN THE MATTER OF
LABOR STRIKE:

C. L. Richmond and other members of the International Labor Defense appeared before the Council relative to striking and picketing within the City at the dry yards and fruit sheds, explaining that they had no wish for violence and were merely picketing peacefully in an attempt to obtain higher wages. The Council warned the strikers that there must be no violence, or injury to property or menace to public safety, or they would be prosecuted to the fullest extent of the law.

5
IN THE MATTER OF
DISMANTLING AND
MOVING OF HANGAR:

Commissioner Rogers introduced a resolution, being
RESOLUTION NO. 2694-N.S.

authorizing and instructing the City Engineer to proceed with the dismantling of the hangar at the municipal airport now being used as a municipal golf links, and move the same to the corporation yard at 8th and L Streets to be used for a building for City automobiles, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

6
IN THE MATTER OF
CIVIC CENTER:

Pursuant to discussion by the Board of Supervisors of obtaining funds through the federal government for the building of a new courthouse, Commissioner Rogers introduced a resolution, being

RESOLUTION NO. 2695-N.S.

authorizing and instructing the City Engineer to contact the Board of Supervisors and the Directors of the Modesto Irrigation District in a proposal to combine offices and quarters of the County of Stanislaus, the Modesto Irrigation District, and the City of Modesto into a civic center on the courthouse site, through the aid of the federal government in its Reconstruction Finance Act, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

7
IN THE MATTER OF
ADJOURNMENT:

Commissioner Brown introduced a resolution being
RESOLUTION NO. 2696-N.S.

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

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

Noes: Councilmen: None

Absent: Councilmen: None

H. E. GRAGG
CITY CLERK

September 13th, 1934

The Council of the City of Modesto convened this day in regular session at 7:30 P.M.

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

Absent: Councilmen: None

The minutes of the regular session of August 23rd, 1933, and of the adjourned session of September 1st, 1933, having been heretofore read by each Councilman were unanimously approved as heretofore read.

1
2
IN THE MATTER OF
PETITION FOR FIRE
PROTECTION:

There appeared before the Council Mr. W. K. Wallace, manager of the local Barium Products Corporation, and petitioned fire protection at the D. V. O. Plant just outside the City limits on Michigan Avenue. By unanimous consent of the Council, the matter was referred to the City Attorney and the Fire Chief for investigation and report.

3
IN THE MATTER OF
PROTEST TO PARKING
IN ALLEY:

There appeared before the Council Mr. O. S. Carmichael in support of a written petition signed by merchants in Block 69, asking that the congested condition of traffic in the alley in said Block from H to I Street be alleviated by the prohibition of parking save during the time necessary for the delivery of or loading of merchandise. Chief Smith informed the Council that continual vigilance is kept of all City alleys in the business section to keep them clear of parked vehicles at all times. Whereupon after discussion of the matter, the petitioners were informed by the Council that the matter would be further considered at the next regular meeting of the Council.

4
IN THE MATTER OF
PRIZE AWARD TO THE
CITY OF MODESTO:

A certificate of a special prize award to the City of Modesto for co-operation in the N.R.A. Labor Day Parade was on file with the Council, and the City Clerk was ordered to have the same framed and hung in the Council Chambers of the City Hall.

5
IN THE MATTER OF
COMMUNICATION FROM
DIVISION OF HIGHWAYS:

A Communication from R. E. Pierce, District Engineer of the State of California, Division of Highways, relative to a hazard existing on the 9th Street Highway at B Street, caused by the building occupied by Baker & Company at the southeast corner of said Streets not being set back to conform to the highway specifications. This communication was referred to the City Engineer.

6
IN THE MATTER OF
LETTER FROM THE
BOARD OF FIRE
UNDERWRITERS:

A Communication was received from the Board of Fire Underwriters relative to the Annual Convention of the Pacific Coast Association of Fire Chiefs at Portland Ore., from September 26th to 28th, 1933. Same was read by the Council and referred to Commissioner Brown and Fire Chief Wallace.

7
IN THE MATTER OF
COMMUNICATION FROM
LEAGUE OF MUNICIPALITIES:

A Communication was received from the League of California Municipalities relative to annual membership dues in the League. Whereupon

Commissioner Rogers introduced a resolution being

RESOLUTION NO. 2697-N.S.

deferring action upon the matter of membership dues in the League of California Municipalities until Commissioner Brown returns from the convention of said organization and reports benefits derived from such membership, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

8
IN THE MATTER OF
PETITION FOR PARKING SPACE.

A petition was filed with the Council by the Postal Telegraph & Cable Co. asking that a parking space be granted to them in front of their office at 831 10th Street. Same was considered by the Council, and action thereon laid over to the next regular meeting.

9
IN THE MATTER OF
PETITION FOR MAKING
H STREET A THOROUGHFARE:

A petition signed by merchants and residents on the westerly part of H Street asking that said street be made a thoroughfare and main arterial by the removal of stop signs at the intersection of 7th Street. Same was considered by the Council and laid over to the next regular meeting.

10
IN THE MATTER OF
PETITION FOR FREE
WATER:

A petition was filed with the Council by the Stanislaus County Welfare Department asking that free water be granted to Mrs. Edna Thompson, 318 Melrose Street, setting forth facts of her inability to pay for same, and stating that she is now receiving aid from the County for other necessities. The case was referred to the City Engineer for his investigation and report.

11
IN THE MATTER OF
BIDS FOR FLEET
AUTOMOBILE INS.:

Pursuant to the calling for bids for fleet automobile insurance, the City Clerk reported that five sealed bids had been received.

Whereupon the Council proceeded to open and declare the said bids as follows:

<u>AGENT:</u>	<u>INSURANCE CO.</u>	<u>AMT. PREMIUM:</u>
King & Giddings	Central Surety Ins. Co.	\$ 947.62
Jas. E. McCormick	Commercial Casualty Co.	912.34
L. T. Moss Agency	Pacific Indemnity Co.	1023.14
L. Z. Robbins	American Employers Ins. Co.	1028.68
H. R. Windus	Metropolitan Casualty Co.	912.34

Whereupon Commissioner Brown introduced a resolution, being

RESOLUTION NO. 2698-N.S.

deferring action upon the above bids at this time and referring the bids to the City Attorney and Commissioner Neece for consideration and recommendation, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

12
IN THE MATTER OF
MONTHLY CLAIMS:

The Claims against the City of Modesto for the month of August, 1933, having been duly audited and approved,

Commissioner Neece introduced

RESOLUTION NO. 2699-N.S.

approving the above claims and ordering that they be so allowed, reference being hereby made to the Auditor's Cash Book for further details relative to the amounts of withdrawals from the various funds as follows:

GENERAL FUND -----	\$ 19,009.16
WATER FUND -----	4,838.50
LIBRARY FUND -----	1,831.91
BOND RED. INT. FUND -----	12.50
ST. BOND RED. INT. FUND -----	2,963.00
BEARD PARK IMP. FUND -----	1,210.87
TOTAL -----	\$ 29,865.94

Which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

13
IN THE MATTER OF
PROPOSED VEGETABLE
PEDDLING ORDINANCE:

A proposed ordinance to regulate the peddling of vegetables wholesale was again considered by the Council, and by unanimous consent, action thereon

was laid over indefinitely.

14
IN THE MATTER OF
PROPOSED PLUMB-
ING ORDINANCE:

A proposed ordinance amending plumbing ordinance was again considered by the Council and by unanimous consent action thereon was laid over indefinitely.

15
IN THE MATTER OF
PROPOSED PICKETING
ORDINANCE:

A proposed ordinance regulating picketing in the City of Modesto was again considered by the Council, and by unanimous consent, action thereon was laid over

indefinitely.

16
IN THE MATTER OF
FINAL ADOPTION OF
ORDINANCE 451-N.S.:

Ordinance No. 451-N.S., fixing the rate of taxation in and for the City of Modesto, having been introduced and ordered printed and published at a regular meeting of the Council of the City of Modesto held on the 23rd day of August, 1933, and having been printed and published as required by the Charter of the City of Modesto, coming on for final adoption this 13th day of September, 1933, it was finally adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

17
IN THE MATTER OF
DEED TO LEGION PARK:

The American Legion Post No. 74, having presented to the City of Modesto a deed to certain real property known as Legion Park on the Tuolumne River near the 9th Street dam, Commissioner Neece introduced a resolution, being

RESOLUTION NO. 2700-N.S.

accepting the deed so presented by the American Legion and ordering the same placed on record in the Recorder's Office of Stanislaus County, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

18
IN THE MATTER OF
DEED TO CERTAIN LOTS
FOR CORPORATION YARD:

Pursuant to Ordinance No. 450-N.S., appropriating funds for the purchase of two lots at 8th and L Streets, being Lots 12 and 13 in Block 40, for a corporation yard, at this time the deed thereto was filed with the Council, duly executed by the recorded owner, Jas. H. Boren; whereupon Commissioner Neece introduced a resolution, being

RESOLUTION NO. 2701-N.S.

accepting the deed as presented and ordering the City Clerk to cause the same to be recorded in the Office of the County Recorder of Stanislaus County, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

19
IN THE MATTER OF
APPLICATIONS FOR
BEVERAGE LICENSES:

There being on file five applications for licenses to sell beverages containing 3.2% alcohol, and the same having been investigated and approved by Commissioner Brown, he introduced a resolution, being

RESOLUTION NO. 2702-N.S.

authorizing and instructing the City Clerk to issue licenses to the following applicants:

Retail	Safeway Stores Inc.	916 11th
Retail	Safeway Stores Inc.	601 H St.
Retail	Safeway Stores Inc.	1616 J St.
Retail	Doram J. King	406 H St.
Wholesale	Western States Grocery	Stockton

as per their applications on file, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

20
IN THE MATTER OF
REJECTION OF APPLIC-
ATION FOR BEER LICENSE:

There having been heretofore filed with the Council an application for a license to sell beverages of 3.2% alcoholic content, by G. Prato, 622 9th Street, and upon investigation of the application by Commissioner Brown, he reported thereupon unfavorably, and introduced a resolution, being

RESOLUTION NO. 2703-N.S.

rejecting the application submitted, and instructing the City Clerk to return to the applicant the license fee accompanying the application, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

21
IN THE MATTER OF
RETURN OF CHECK TO
HILD ELECTRIC CO.:

Pursuant to Resolution No. 2589-N.S. adopted May 10th, 1933, awarding the bid for one pump and motor to the Hild Electric Company of Stockton, and it now appearing that the pump has been delivered to the City of Modesto and is being tested by the City Engineer, and the said Hild Electric Co. having requested the return of their certified check accompanying their bid, Commissioner Rogers introduced a resolution, being

RESOLUTION NO.2704-N.S.

instructing the City Clerk to return to the Hild Electric Company their certified check as requested, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

22
IN THE MATTER OF AUDITOR'S
REPORT:

There was on file with the Council the report of Messers Brotherton, Thomas & Co. of the annual audit of the City of Modesto's accounts for the fiscal year ending June 30th, 1933; whereupon Commissioner Neece introduced a resolution, being

RESOLUTION NO.2705-N.S.

accepting the said report as submitted, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

23
IN THE MATTER OF
CITATION OF L.W.GROFF
FOR HEARING:

Pursuant to citation of L. W. Groff, 1009 H Street, to appear before this meeting of the Council and show cause why his license to sell beverages containing 3.2% alcohol should not be revoked, and the filing of affidavit of the delivery of such citation to said L. W. Groff by the Chief of Police, Lee E. Smith, the Council proceeded to resolve itself into a court, with Mayor pro tempore Pack presiding. Police Captain E.E. Arington was called upon to testify, and upon being duly sworn he gave testimony that he had found at the defendant's place of business under a counter several empty pint flasks and two empty jugs, which, though they had been rinsed out, still smelled strongly of alcohol, and that further back in the building he had found another jug which was not quite empty, but contained a small amount of intoxicable liquor.

Thereupon the defendant was called upon, and Mr. Thos. Griffin, legal advisor of Mr. Groff, addressed the Council, stating that Mr. Groff was unable by reason of illness to appear before the Council at this time as per his summons, and filed a certificate signed by Dr. H.P. Muller certifying to the illness. Mr. Griffin asked that the hearing be continued until the next regular meeting of the Council. Upon due consideration of the request by the Council, Commissioner Brown introduced a resolution, being

RESOLUTION NO.2706-N.S.

continuing the hearing of L. W. Groff for violation of Ordinance No. 442-N.S. to the next regular meeting of the Council, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

24

IN THE MATTER OF
MONTHLY REPORTS:

The regular monthly reports of the various departments were reviewed and ordered filed.

25

IN THE MATTER OF
ADJOURNMENT:

There being no further business before the Council, Commissioner Brown introduced a resolution, being

RESOLUTION NO. 2707-N.S.

adjourning the meeting now in session, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

Attest: H. E. GRAGG
CITY CLERK

September 28th, 1933

The Council met this date in regular session, and there were present Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack

Absent: Councilmen: None

IN THE MATTER OF
PERMIT TO INSTALL
GAME IN CITY:

Mr. P. S. Weimar of Neptune Beach, California, appeared before the Council and asked permission to start a gambling game known as "Fascination" in the City of Modesto. Upon discussion of the matter by the Council, Commissioner Brown introduced a resolution, being

RESOLUTION NO. 2707A-N.S.

denying permission to Mr. Weimar to start the game of Fascination in the City of Modesto, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF
PETITION TO LIFT
ZONING IN CERTAIN
DISTRICT:

Mr. A. A. Fields appeared before the Council and asked that a petition filed with the Council on May 11th, 1934, and tabled on March 8th, 1933, for the lifting of zoning restrictions in that certain district of the City of Modesto lying between 'I' and 'J' Streets to 17th Street, be reconsidered at this time by the Council. In view of the fact that the petition is now over a year old, by order of the Council the same was referred to the City Engineer for a re-check of the percentage of property owners represented thereon, with orders to report at the next regular meeting.

IN THE MATTER OF
APPROVAL OF STATE
HIGHWAY ROUTES:

There was received and read by the Council a communication from the District Engineer of the Division of Highways of the State of California, Mr. R. E. Pierce, asking that the Council adopt a resolution approving the routing of the highways as outlined in the said communication. Whereupon Commissioner Rogers introduced a resolution, being

RESOLUTION NO. 2708-N.S.

adopting the resolution requested by Mr. Pierce, having to do with the approval by the City of Modesto of the designation and proposed improvement of certain streets within the City as a part of the State highway system, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF DUES TO
LEAGUE OF MUNICIPALITIES:

There having heretofore been filed with the Council a claim in the amount of \$ 75.00 for membership dues in the League of Municipalities, and action thereon having been deferred until Commissioner Brown, City Attorney

4
Carlson, and City Engineer Rossi returned from the annual convention of the League at this time the City Attorney, speaking on behalf of the said delegates, reported that in his estimation the City would receive certain important benefits from such membership; whereupon Commissioner Brown introduced a resolution, being

RESOLUTION NO. 2709-N.S.

allowing the claim of the League of Municipalities for 1933 membership dues in the amount of \$ 75.00 and instructing the City Clerk and Auditor to draw the warrant therefor, the same to be paid with the claims for the month of November, 1933, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

5
IN THE MATTER OF
CLAIM OF THE CITY
ATTORNEY FOR TRAVELLING
EXPENSES:

City Attorney, A. J. Carlson, filed with the Council a claim in the net amount of \$.95 to defray registration expense at the League of

California Municipalities convention. After due and careful consideration of the same by the Council, Commissioner Neece introduced a resolution, being

RESOLUTION NO. 2710-N.S.

allowing the above mentioned claim, and instructing the City Auditor to pay the same in the customary manner, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

6
IN THE MATTER OF
BIDS FOR FLEET
AUTOMOBILE INSURANCE:

Bids for fleet automobile insurance having been heretofore received and referred to Commissioner Neece and the City Attorney

for recommendation, at this time the committee reported that further time is wished in which to give consideration to the bids, whereupon by unanimous consent of the Council, action thereon was postponed until the next regular meeting of the Council to be held on the 11th day of October, 1933.

7
IN THE MATTER OF
PETITION FOR PARK-
ING SPACE:

A petition of the Postal Telegraph Co. for two parking spaces in front of their place of business at 831 Tenth Street having been

heretofore received by the Council, and action thereon postponed until this time, it was again brought up for consideration. A representative of the Postal Telegraph Co. addressed the Council in support of the petition, and recited the various handicaps which his company now suffers because of lack of parking space. The Council wished to give further attention to the matter, and by unanimous consent the matter was laid over to the next regular meeting.

8
IN THE MATTER OF
PETITION FOR ABATE-
MENT OF CONGESTED
ALLEY TRAFFIC:

A petition having been heretofore filed with the Council asking for abatement of the congested traffic in the alley in Block 69

8
from H to I Street caused by the parking of automobiles therein, at this time the Council was informed by the Commissioner of Public Health and Safety that the condition is exaggerated, and that the alley is free for passage of vehicles at all times, and introduced a resolution, being

RESOLUTION NO. 2711-N.S.

tabling the petition without further consideration thereof, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

9
IN THE MATTER OF
PETITION FOR MAKING
H ST. A THOROUGHFARE:

A petition having been heretofore filed with the Council for making H Street a thoroughfare, the same was ordered filed at this time, in view of the proposed adoption of an ordinance amending Traffic Ord. 345-N.S. creating and abolishing certain boulevard stops which will bring about the desired condition asked for by the petitioners.

10
IN THE MATTER OF PETITION
FOR FREE WATER:

A petition having been heretofore filed with the Council by the Stanislaus County Welfare Dept. for the supplying of free water to Mrs. Edna Thompson who resides at 318 Melrose Street. The City Engineer reported that upon investigation of this case, he does find that Mrs. Thompson has a son who is capable of doing sufficient work for the City to pay the water bill now accrued. Whereupon Commissioner Rogers introduced a resolution, being

RESOLUTION NO. 2712-N.S.

authorizing and instructing the City Engineer to hire the son of Mrs. Thompson to do sufficient work for the City to work out the delinquent water bill accrued against the property at 318 Melrose Street, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

11
IN THE MATTER OF
FIXING HOLIDAYS FOR
DAY LABORERS:

There was at this time presented to the Council for consideration a resolution fixing the holidays to be given day laborers with pay. The same now being in its final form the adoption thereof was laid over to the next regular meeting.

12
IN THE MATTER OF
JOINT POLE AGREEMENT:

An agreement between the City of Modesto and the following: Pacific Gas & Electric Company; Sierra and San Francisco Power Co.; Pacific Telephone & Telegraph Co.; Tidewater Southern Railway Co.; and the Modesto Irrigation District for the joint use of the poles on 9th Street was presented to the Council for ratification. Thereupon Commissioner Rogers introduced a resolution, being

RESOLUTION NO. 2713-N.S.

accepting the agreement on behalf of the City of Modesto when the certain changes

suggested by the City Attorney will have been made, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

13
IN THE MATTER OF
BOULEVARD STOPS:

Commissioner Brown introduced an ordinance,
being

ORDINANCE NO. 453-N.S.

amending Section 23 of Ordinance No. 345-N.S. by the creation and abolition of certain boulevard stops, which ordinance was regularly passed to print and publish by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

14
IN THE MATTER OF
SALARY TO PERCY
HOPPER:

It appearing that Percy Hopper, now secretary of the Unemployment Committee, and unemployment agent, receiving a compensation from the City of

Modesto for his services, has been appointed Federal Unemployment Agent in this District, and the Federal government has requested the co-operation of the County of Stanislaus and the City of Modesto in paying a percentage of his salary to-wit: \$ 20.00 each per month. Commissioner Rogers introduced a resolution being

RESOLUTION NO. 2714-N.S.

authorizing and instructing the City Clerk and Auditor to draw a warrant in the amount of \$ 20.00 each month, commencing from and after October 1st, 1933, in favor of Percy Hopper as the City's portion of his salary, in unemployment relief, the said warrant to be mailed to W. J. Silva, chairman of the Unemployment Relief Committee each month, it being understood that the first check will be drawn November 8th, 1933, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

15
IN THE MATTER OF
APPLICATION FOR BEER
LICENSE:

An application for a license to sell beverages containing 3.2% alcohol was filed with the Council by Samuel G. Wooley, 911 H Street,

and the same having been investigated and approved by Commissioner Brown, he introduced a resolution, being

RESOLUTION NO. 2715-N.S.

ordering that the City Clerk issue a license to Samuel G. Wooley to sell beverages containing 3.2% alcohol as per his application on file, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

16
IN THE MATTER OF
PETITION TO REDUCE
WATER CHARGE:

A petition was filed with the Council by the Modesto Lumber Company asking that a reduction be made in the water rate for the service at their place of business at Ninth and G Streets. Upon consideration of the matter, Commissioner Rogers introduced a resolution, being

RESOLUTION NO. 2716-N.S.

denying the petition of the Modesto Lumber Company for a reduction in their water rate, inasmuch as it appears to be fair and equitable and complied with City Ordinances No. 432-N.S., which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

17
IN THE MATTER OF
BLOCKING TRAFFIC
AT 9TH AND H ST.:

Commissioner Brown reported to the Council that the Salvation Army and another religious organization are holding religious services at the corner of Ninth and H Streets, and drawing such crowds as to cause a traffic hazard at this busy intersection, and he introduced a resolution, being

RESOLUTION NO. 2717-N.S.

instructing the Chief of Police to notify these organizations that they will have to find some other location for conducting their services so as to not interfere with traffic, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

18
IN THE MATTER OF
PLANS FOR CLUBHOUSE
AT GOLF COURSE:

Commissioner Neece presented to the Council for examination plans and specifications for a clubhouse on the municipal golf course grounds. The Council being of the opinion that this would be an inopportune time from a financial standpoint to consider the construction of this building, no action was taken thereon at this time.

19
IN THE MATTER OF
REPORT OF UNEMPLOY-
MENT COMMITTEE:

A report of the financial status and activities of the Unemployment Committee was filed with the Council by Clerk the Chairman, W. J. Silva. The report was reviewed by the Council, and the City/instructed to address a letter of thanks to Mr. Silva for his tireless effort in making the work of the Unemployment Committee such a success from every standpoint, and asking him to continue to act as Chairman of the Committee during the coming year.

20
IN THE MATTER OF
REPORT ON CITY HALL
ON COURTHOUSE LOT:

A written report was filed with the Council by the City Attorney on the methods by which the City of Modesto could construct or lease from the County a City Hall building on the present Courthouse site. The report was reviewed by the Council and ordered filed.

21
IN THE MATTER OF
SUSPENSION OF BEER
LICENSE OF L. W. GROFF:

The hearing of L. W. Groff for violation of City Ordinance No. 442-N.S. having been continued from the regular meeting of September 13th, 1933, to this time, the Council proceeded to resolve itself into a Court for the purpose of hearing all testimony in the matter. Mr. L. W. Groff appeared before the Council, together with

his legal advisor, Mr. Thos. Griffin. A request was immediately made to the Council by Mr. Griffin for a continuation of the hearing until the next regular meeting of the Council, stating that the trial of Mr. Groff for possession of intoxicating liquor in violation of City Ordinance No. 441-N.S. has been set in the Police Court for October 10th, 1933, at which time a jury will determine his innocence or guilt in the matter, and the Council could then be guided accordingly by the verdict.

21
City Attorney Carlson voiced an objection to the continuation of this hearing, stating that the Council is not sitting to determine innocence or guilt of possession of the liquor in violation of the Ordinance, but to determine whether or not the license for dispensing beverages of 3.2% should or should not be revoked upon the violation of Ordinance No. 442-N.S. Further, that the Council could act independently and separately from the Police Court, Judge, or Jury, the two functioning in different capacities. That neither the Council should be influenced by a verdict of the Police Court nor the Police Court by an decision of the Council. Attorney Griffin objected to the stand of the City Attorney, and asked the Council to consider his request for a continuation, as the just and considerate thing to do, or failing that, to temporarily suspend the license of his client to sell 3.2% beverages until the outcome of his trial in the Police Court is known.

Mayor Pack thereupon called upon the members of the Council for their opinion in the matter, and further information being the unanimous desire of the Council, Police Captain Arington was ordered to bring before the Council the evidence found in conducting the raid upon Mr. Groff's place of business at 1009 H Street. Captain Arington placed before the Council for inspection an empty jug in which there still remained a small quantity of intoxicating liquor, and two cases of empty pint flasks, which he testified were found in the defendant's place of business.

The evidence being duly examined by the Council, Attorney Griffin again asked action on his request for a continuance of the hearing. Mayor Pack informed the Council that precedent had been heretofore established in the immediate revocation of the license of L. A. Anderson, 880 9th Street, and Joe Denavi, 604 9th Street, the action having been taken at the time the liquor was found in their possession and not upon conviction in Court of the guilt. That, the Council would now have to consider definitely what policy to follow in such cases in the future.

Attorney Griffin stated that he was willing to abide by any ruling that the Council might make in the matter, but that his client should be considered innocent until proven guilty by the Police Court, claiming that the finding of the jug containing the small portion of liquor in his client's place of business was a "frame-up".

City Attorney Carlson informed Attorney Griffin that the express purpose of conducting the hearing before the Council was for hearing any proof that might be presented to establish the fact of his innocence; that his client should forthwith make such statements as would prove his claim of being the victim of a "frame-up".

Councilman Neece asked Attorney Griffin if he objected to the Council asking his client some questions. Attorney Griffin stated that there were no objections. Whereupon Commissioner Neece proceeded to ask Mr. Groff questions as follows:

Neece: When was the first time you ever saw that jug: (indicating jug on table)

Groff: I don't know. I guess it was when the police came in and showed it to me.

Neece: Then you never saw it before?

Groff: No.

Neece: Did you ever see a jug just like that?

Groff: No.

Neece: If you never saw it before, how do you account for the fact that it was found in your possession?

Groff: I don't know. Sometimes flasks or jugs are found in the toilet room at my store, sometimes containing a small amount of liquor, or even full ones, left there by people coming in.

Brown: Where was this jug found in your store?

Groff: On a shelf near the toilet room.

Neece: How did you know it was there if you never saw it before?

Groff: I saw it sitting there when he (Captain Arington) showed it to me.

(Here City Attorney Carlson started to question Mr. Groff; whereupon Attorney Griffin objected, stating that he had consented only to members of the Council asking questions of his client)

Neece: Do you deny having anything to do with that jug?

Groff: I deny it. It was in the passageway when I first saw it. Sometimes the cooks in the restaurant adjoining my store have liquor.

Neece: The cooks drink, do they? Where do they get their liquor?

Groff: I don't know.

Neece: How many cooks are there?

Groff: Two. They are not going to sell out and move away from there.

Neece: Did you ever ask the cooks if that jug belonged to them?

Groff: Yes. He didn't know if he had it or not.

Neece: Are they in a habit of being so absent-minded?

Groff: I don't know.

Neece: How about those flasks...how did you get them?

Groff: Some time ago I put in malt, corking machines, corks, and sugars to sell and bought one gross of those flasks to sell. They are the same class as those handled by other malt stores.

Neece: That's all I want to ask now.

Whereupon Mayor Pack called upon the members of the Council for their opinion on the request for the continuation of the hearing or on the revocation of the license.

Commissioner Rogers stating that in view of the small amount of evidence he was of the opinion that the whole case should be dropped.

Mayor Pack advised the Council that Mr. Groff had been arrested by the Police Department for a violation of a City ordinance, and the least that the Council could do was to suspend the license until the Court trial was over

Commissioner Neece asked Captain Arington if the jug was in the same condition as when it was found, and if there was any more liquor in it than now. To which Captain Arington replied that it was in the same condition; that there was no more liquor than then now.

Commissioner Brown asked Captain Arington, if there were any further evidence which might be presented. To which Captain Arington replied there was none.

Mayor Pack stated that the Council might adopt the policy, in such cases as that now up for consideration, of suspending the license to sell beverages of 3.2% alcoholic content until such time as the Court finds the defendants guilty or not guilty and then consider the release of the suspension order or the absolute revocation of the license.

Commissioner Brown stated that he was of the opinion that such action should be taken in this case, and introduced a resolution, being

RESOLUTION NO. 2718-N.S.

21
suspending the license of Mr. Groff to sell beverages of 3.2% alcoholic content until the Court decision in the case is rendered, the Council then to further suspend or revoke the license at that time. This resolution was adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

Attorney Griffin asked if his client might have a period of grace in which to sell out the beer which he has on hand in kegs.

Mayor Peck asked how much he had on hand, to which Mr. Groff replied approximately ten gallons, as well as some unbroken cases.

Mayor Peck thereupon ruled that Mr. Groff might have until noon on the 26th day of September, 1933, to dispose of the beer on hand, and no longer than that time. That all beverages containing 3.2% alcoholic content must be removed from the premises at 1009 E Street, before that time.

There being no further business to come before the meeting, Commissioner Brown introduced a resolution, being

22
IN THE MATTER
OF ADJOURN-
MENT:

RESOLUTION NO. 2719-N.S.

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

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

Noes: Councilmen: None

Absent: Councilmen: None

Attest: H. D. GRAGG
CITY CLERK

The Council of the City of Modesto met this day in special session at 4:30 P.M., at the call of Mayor pro tem. Pack, written notices of said meeting having been delivered to each member of the Council as provided in the City Charter. There were present Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack

Absent: Councilmen: None

1
IN THE MATTER OF
RABID DOGS;

The City Health Officer, Dr. E. F. Reamer, having pointed out to the Council the necessity of some provision being made for the placing of dogs suspected of having rabies under observation until it can be determined whether they actually have the disease, and until some disposition can be made of them, Commissioner Rogers introduced a resolution, being

RESOLUTION NO. 2720-N.S.

referring the matter to the Commissioner of Public Health and Safety, with the recommendation that he confer with the Poundmaster and arrange the best possible method of providing cages at the pound for keeping under observation all dogs suspected of having rabies, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

2
IN THE MATTER OF
PEDDLING LICENSE OF
JEWELL TEA COMPANY:

The City Clerk having heretofore taken up the matter of license for peddling with the Jewell Tea Company, at this time he submitted to the Council a letter from the headquarters of said company, which stated that their firm and representatives sell goods strictly under the Interstate Commerce Act and therefore are not subject to local license provisions. The letter was referred to City Attorney Carlson for reply and the City Clerk was instructed to have his deputy license collector, S. F. DeYoe, determine whether or not the Jewell Tea Company representative in Modesto sells merchandise direct from his truck or solely upon orders.

3
IN THE MATTER OF
RENTING A PUMP:

Commissioner Rogers introduced a resolution, being

RESOLUTION NO. 2721-N.S.

authorizing the City Engineer to rent an electric pump during the time it is needed in the emergency work being done at Pump Station No. 5 near the Junior College, the rent not to exceed the sum of \$ 5.00 per diem, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

4
IN THE MATTER OF
APPROPRIATIONS:

Commissioner Neece introduced an ordinance, being

ORDINANCE NO. 454-N.S.

appropriating the sum of \$ 1,600.00 or so much thereof as may be necessary for the purchase of a turbine pump for Pump Station No. 5, and the sum of \$1500.00 or so much thereof as may be necessary for the remodeling of the clubhouse

at the municipal golf course, which ordinance was duly passed to print and publish by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

5
IN THE MATTER OF
SUPPLYING WATER TO
KEWIN TRACT:

Residents in the Kewin Tract, also known as the High Homes Tract, just outside the northeasterly city limits, having petitioned the Council through the

City Engineer to grant water service from the City water mains, on an installment basis of payment therefor, and upon consideration of the matter by the Council it is deemed advisable to grant the petition. Whereupon Commissioner Rogers introduced a resolution, being

RESOLUTION NO. 2722-N.S.

authorizing the City Engineer to enter into a contract with residents of the said Tract, whereby the water service connection may be made upon the payment of \$ 50.00 cash, and ten installments of \$ 10.00 each at interest of 7% per annum, the contracts to become effective upon ratification by the Council, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

6
IN THE MATTER OF
FIXING FEES TO BE
CHARGED AT GOLF
COURSE:

Pursuant to discussion of the price which should be fixed for playing golf at the new municipal golf course Commissioner Rogers introduced a resolution, being

RESOLUTION NO. 2723-N.S.

appointing Mayor Pro Tem. Pack, Commissioner Neece and City Engineer Rossi a committee to arrange a schedule of prices to be charged for playing golf at the municipal course, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

7
IN THE MATTER OF DESIGNATING F. J. ROSSI HIGHWAY OFFICIAL:

Pursuant to the work contemplated by the State Department of Public Works on improvements on certain highways within the City limits as designated in Resolution No. 2708-N.S., Commissioner Rogers introduced a resolution, being

RESOLUTION NO. 2724-N.S.

designating F. J. Rossi, City Engineer, as the official of the City with whom the State Officials may confer in regard to expenditures and improvements on said highways, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

8
IN THE MATTER OF
ADJOURNMENT:

Commissioner Brown introduced a resolution, being
RESOLUTION NO. 2725-N.S.

adjourning this Council meeting now in session.

which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

Attest: H. E. GRAGG

CITY CLERK

Council, City of Modesto

October 11th, 1953

The Council of the City of Modesto met in regular session this 11th day of October, 1953, and there were present Councilmen:

Brown, Neece, Rogers, and Mayor pro tem. Pack

Absent: Councilmen: None

1 IN THE MATTER OF
MINUTES:

The minutes of the regular session of September 27th, 1953, and the special session of October 4th, 1953, having been heretofore read by each member of the Council, by unanimous consent they were ordered approved as so read.

2 IN THE MATTER OF
COMPLYING WITH
ZONING ORDINANCE:

The City Clerk having cited Mr. F. Petri to appear before the Council and show cause why he is not violating the terms of zoning ordinance No. 564-N.S. in maintaining a wood yard contrary to city ordinance, but merely to afford him and his family a livelihood without asking for charity. He further stated that he was now endeavoring to comply with the ordinance by obtaining permission of adjoining and neighboring property owners to use his property for the wood yard, and asked that he be granted two weeks' time in which to obtain such signatures. By unanimous consent of the Council such extension of time was ordered so granted.

3 IN THE MATTER OF
SALVATION ARMY:

Pursuant to Resolution No. 2717-N.S. instructing the Chief of Police to advise the Salvation Army that it would be necessary to hold its meetings at some other location in the City than at the main arterial of the State Highway on 9th Street and H Street because of the traffic hazard involved, at this time Captain Houghton appeared before the Council and vigorously protested the ruling of the Council, stating that it was a nationally accepted fact that the Salvation Army had the privilege of holding meetings anywhere. After consideration of the facts presented, the matter was referred to the Commissioner of Public Health and Safety.

4 IN THE MATTER OF
PROTEST TO TAX
ASSESSMENT:

Miss Odelia Schmidt appeared before the Council and protested against the amount of assessment of improvements on her property at 905 7th Street. The Council advised Miss Schmidt that the proper time and place for such protests was when the Council met as a Board of Equalization and that relief in the matter can not be afforded at this time unless it be an unmistakable case of over-assessment, but that her protest would be given due consideration by the proper officials of the City.

5
IN THE MATTER OF
JUNIOR COLLEGE
PARADE:

Mr. D. W. Baker, Dean of the Junior College, addressed a communication to the Council relative to a proposed football parade of the College to be held on November 2nd, 1933. The matter was ordered referred to the Commissioner of Public Health and Safety with instructions to get in touch with Mr Baker relative to the details of the parade.

6
IN THE MATTER OF
ACKNOWLEDGEMENT OF
RESOLUTION:

Mr. R. E. Pierce, District Engineer of the State Department of Public Works, addressed a communication to the City of Modesto asking acknowledgement of receipt of a certified copy of Resolution No. 2705-N.S. approving certain highway routings in the City limits. Same was read by the Council and ordered filed.

7
IN THE MATTER OF
CLAIM FOR RENT:

A Claim in the amount of \$ 45.00 having been filed with the Council by the Modesto Labor Temple Corporation for rent of an unemployment office in the Labor Temple Building which had been occupied by Percy Hopper, secretary of the unemployment committee of Modesto, from May 15, 1933, to November 1st, 1933, and it being the unanimous opinion of the Council that the said claim should be rejected inasmuch as the secretary of the Labor corporation had been informed by Mayor pro tem. Pack early in the summer that the City would not pay rent for this office, Commissioner Neece introduced a resolution, being

RESOLUTION NO. 2726-N.S.

rejecting the claim of the Labor Temple Corporation and instructing the City Clerk to so advise the secretary of the said corporation, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

8
IN THE MATTER OF
CLAIM OF THE BOYS'
BAND:

The Stanislaus County Boys' Band, through its treasurer, Mr. E. E. Harter, having filed with the Council a claim in the amount of \$ 500.00 for the series of concerts presented to the public in the various City Parks during the summer, upon discussion of the matter by the Council, it was deemed advisable to pay one-half of the claim at this time, and the remaining half at some future date; whereupon Commissioner Neece introduced a resolution, being

RESOLUTION NO. 2727-N.S.

instructing the City Clerk and Auditor to draw a warrant in favor of the Stanislaus Boys' Band for \$ 250.00 as above stated, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

9
IN THE MATTER OF
CLAIM OF THE CITY
ENGINEER FOR EXPENSES:

Mr. F. J. Rossi, City Engineer, having filed with the Council a claim in the amount of \$ 4.00 for travelling expenses to the League of California Municipalities at Santa Cruz, together with vouchers for the same; Commissioner Neece introduced a resolution, being

RESOLUTION NO. 2728-N.S.

9 allowing the above mentioned claim, and instructing the City Clerk and Auditor to make payment for the same in the customary manner for amounts less than \$ 5.00 , which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

10 IN THE MATTER OF CLAIMS FOR SEPTEMBER, 1933:

Claims against the City of Modesto for the month of September, 1933, having been duly audited by the Council and found to be correct, Commissioner Neece introduced a

resolution, being

RESOLUTION NO. 2729- N.S.

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

GENERAL FUND -----	\$ 15,727.73
WATER FUND -----	3,543.21
LIBRARY FUND -----	1,530.54
BOND RED. INT. FUND -----	300.12
BEARD PARK IMP. FUND -----	343.19
TOTAL -----	\$ 24,444.79

Which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

11 IN THE MATTER OF PETITION FOR PARKING SPACE:

Pursuant to petition heretofore filed with the Council for two parking spaces by the Postal Telegraph Company at 831 Tenth Street and the said petition having been duly

considered by the Council and it being deemed advisable to avoid establishing a precedent in this matter, Commissioner Brown introduced a resolution, being

RESOLUTION NO. 2730- N.S.

denying the Postal Telegraph Company permission to mark off two parking spaces as prayed for, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

12 IN THE MATTER OF PETITION TO LIFT ZONING IN CERTAIN AREA:

Pursuant to petition heretofore filed with the Council for the lifting of zoning restrictions imposed by Ordinance

No. 364-N.S., and the City Engineer having re-checked the said petition and reported that it does not contain the names of owners of property facing the North side of J Street and the South side of I Street in the comprised area, Commissioner Rogers introduced a resolution, being

RESOLUTION NO. 2731- N.S.

postponing action in the above mentioned matter, pending the presentation of an amendment to the petition carrying the names of the owners of the property facing the North Side of J Street, and the South side of I Street in the comprised area, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

13
IN THE MATTER OF BIDS FOR
AUTOMOBILE INSURANCE:

Pursuant to postponement of action upon bids
received for fleet automobile insurance until

this time, it being the unanimous opinion of the Council that the bid of Harry R. Windus in the amount of \$ 912.54 was the lowest and best bid, Commissioner Neece introduced a resolution, being

RESOLUTION NO. 2732-N.S.

accepting the bid of H. R. Windus for fleet automobile insurance, and directing that the warrant be drawn therefor; and further providing that the certified checks accompanying the bids of the unsuccessful bidders be returned, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

14
IN THE MATTER OF
AGREEMENT FOR
WATER SERVICE:

Pursuant to Resolution No. 2722-N.S. there was
presented to the Council for ratification an
agreement for supplying water to T. W. Kewin in the

High Homes Tract, Lot 51, outside the City limits, and the agreement appearing to be in proper form, Commissioner Rogers introduced a resolution, being

RESOLUTION NO. 2733-N.S.

ratifying the agreement presented, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

15
IN THE MATTER OF
HOLIDAYS FOR DAY
LABORERS:

By unanimous consent of the Council, the matter
of fixing holidays for day laborers was laid over
to the next regular meeting.

16
IN THE MATTER OF
FINAL ADOPTION OF
ORDINANCE 453-N.S.

Ordinance No. 453-N.S., amending Section 23 of Ordinance No. 345-N.S. by creating and abolishing certain boulevard stops, having been introduced and ordered printed and published at a regular meeting of the Council of the City of Modesto held on the 27th day of September, 1933, and having been published as required by the Charter of the City of Modesto coming on for final adoption this 11th day of October, 1933, it was so finally adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

17
IN THE MATTER OF
FINAL ADOPTION OF
ORD. 454-N.S.:

Ordinance No. 454-N.S. appropriating funds for a
turbine pump and for remodeling of the clubhouse at
the municipal golf course, having been introduced and ordered printed and published at a special meeting of the Council of the City of Modesto held on the 4th day of October, 1933, and having been published as required by the Charter of the City of Modesto, coming on for final adoption this 11th day of October, 1933, it was so finally adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

18 IN THE MATTER OF
ORD. GOVERNING THE
GOLF COURSE:

Commissioner Neece introduced an ordinance, being

ORDINANCE NO.455-N.S.

relating to the use of the Modesto Municipal Golf Course and providing rules and regulations for the use thereof, which ordinance was duly passed to print and publish by the following vote:

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

Noes: Councilmen: none

Absent: Councilmen: None

19 IN THE MATTER OF
RUE DE YOE SEWER
BOOSTER:

The City Engineer made an oral report to the Council of the proposed building of a sump and pumping plant at Beard Park and 19th Street Bridge to promote greater sanitation in the Rue de Yoe residential section of the City, and outlined in detail the proposed project.

Whereupon, Commissioner Rogers introduced a resolution, being

RESOLUTION NO.2734-N.S.

appointing City Attorney Carlson and City Engineer Rossi a committee to make application to the federal government for 30% of the amount necessary for the above mentioned project as provided by the National Industrial Recovery Act, for financing part of the expense of building the sump and pumping plant, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None.

20 IN THE MATTER OF
MUNICIPAL INCINER-
ATOR:

The City Engineer outlined to the Council proposed plans for the construction of a municipal incinerator; whereupon Commissioner Rogers introduced a resolution, being

RESOLUTION NO.2735-N.S.

appointing the City Attorney, A. J. Carlson, and the City Engineer, F. J. Rossi. a committee to make application to the federal government as provided in the National Industrial Recovery Act for 30% of the funds necessary for the constructing of a municipal incinerator, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

21 IN THE MATTER OF
APPLICATIONS FOR BEER
LICENSES:

There was on file with the Council applications for licenses to sell 3.2% alcoholic beverages, as follows:

Geo. F. Knight 608 7th St.
Brothers of Italy Lodge Club

and upon investigation of the same by the Commissioner of Public Health and Safety, it was his recommendation that the application of Geo. F. Knight be approved and the license issued, and that the application of the Brothers of Italy Club be rejected; and he thereupon introduced a resolution, being

RESOLUTION NO.2736-N.S.

so approving application of Geo. F. Knight, 608 7th Street, and instructing the City Clerk to issue the license therefor; and rejecting the application of the Brothers of Italy Club, with instructions that the license fee submitted with the application be refunded, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF
BEER LICENSE OF
L. W. GROFF:

Pursuant to the citation of L. W. Groff for a violation
of Ordinances No. 440-N.S. and 441-N.S., and to the sub-
sequent suspending of his license to sell beverages con-

taining 3.2% alcohol until after his trial in the Police Court on October 10th, 1933, and it
appearing that the said L. W. Groff was adjudged not guilty by a jury in the Police Court on
the stated date, Commissioner Brown introduced a resolution being

RESOLUTION NO. 2737-N.S.

reinstating the license of L. W. Groff to sell 3.2% alcoholic beverages at 1009 H Street, which
resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF REPORTS:

The annual report of the City Planning Commission was
reviewed by the Council and ordered filed.

The monthly reports of the departments for the month of September, 1933, were reviewed by the
Council and ordered filed.

IN THE MATTER OF
ADJOURNMENT:

There being no further business before the meeting,
Commissioner Brown introduced a resolution, being

RESOLUTION NO. 2738-N.S.

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

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

Noes: Councilmen: None

Absent: Councilmen: None

Attest: H. E. GRAGG
CITY CLERK

Council, City of Modesto

October 25th, 1933

The Council of the City of Modesto convened in regular session this date, and there were present Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack

Absent: Councilmen: None

1 IN THE MATTER OF MINUTES:

The minutes of the regular session of October 11th, 1933, having been heretofore read by each Councilman, and corrected in certain particulars, were unanimously approved as so corrected and read.

2 IN THE MATTER OF WOOD YARD AT 221 RUBERTA ST.:

Mr. F. Petri, 221 Ruberta Street, having appeared, pursuant to citation, before the Council at its regular meeting of October 11th, 1933, and at that time asked for two weeks' grace in which to obtain signatures of adjoining property owners for permission to conduct a wood yard at his residence as provided in Ordinance No. 364-N.S., he appeared before the Council at this time and reported that he would need two weeks more in which to obtain the required number of signatures. Upon consideration of the matter by the Council, it was so ordered that the request be granted.

3 IN THE MATTER OF LETTER FROM THE BARIUM PRODUCTS CO.:

The Barium Products Company, Ltd. addressed a letter to the City Council, thanking them for their co-operation in permitting the Modesto Fire Department to respond to their call for aid during a recent fire at their plant just outside the northwesterly city limits, and enclosed a check for the service. Same was read by the Council and ordered filed.

4 IN THE MATTER OF LETTER FROM FEDERAL EMERGENCY ADMINISTRATION:

A Communication was received from the Federal Emergency Administration through the League of California Municipalities, urging all cities to make their applications for federal funds for local improvements in the immediate future. Same was read by the Council and ordered filed.

5 IN THE MATTER OF LETTER FROM THE MODESTO BUILDERS EXCHANGE:

A letter was received from Mr. W.H. Murray, secretary of the Modesto Builders' Exchange, asking the Council to select some member of the City Engineer's office or other officials to join their organization. Same was referred to the City Attorney for a reply.

6 IN THE MATTER OF SIGNATORY OFFICIAL OF THE CITY IN RE: SEWER BOOSTER PROJECT:

A letter was received from the State Engineer of the Federal Emergency Relief Administration, asking the City Council to adopt a resolution, and forward copies thereof, designating Mayor pro tem. Pack representative and signatory official of the City of Modesto in the matter of application for a federal grant for funds with which to construct a proposed sewer booster project in the Rue de Yoe Section of the City; whereupon Commissioner Rogers introduced a resolution, being

RESOLUTION NO. 2739-N.S.

so designating Mayor pro tem. Pack, representative and signatory official of the City of Modesto in the above mentioned matter, and directing that certified copies of the resolution be transmitted to the Federal Emergency Relief as requested, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF
CLUBHOUSE:

Pursuant to Ordinance No. 454-N.S., appropriating funds for the remodelling of the house on the golf course grounds into a clubhouse, Commissioner Rogers introduced a resolution, being

RESOLUTION NO.2740-N.S.

instructing the City Clerk to call for bids for the remodelling of the clubhouse at the golf course as per the specifications on file in the City Engineer's office, the said bids to be received November 8th, 1933, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF
PUMP STATION NO.
8-RENTING PUMP FOR:

Pursuant to Ordinance No. 454-N.S. appropriating funds for the purchase of a pump for Well No. 8, Commissioner Rogers introduced

RESOLUTION NO.2741-N.S.

instructing the City Clerk to call for bids for a pump and motor complete, as per the specifications on file in the City Engineer's office, the said bids to be received at the regular meeting to be held on November 8th, 1933, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF
PETITIONS TO LIFT
ZONING RESTRICTIONS:

Pursuant to postponement of action on a petition heretofore filed with the Council for the lifting of zoning provisions of Ordinance 364-N.S. on J and I Street from 12th to 17th St.

pending the presentation of a supplementary petition, and there being no supplementary petition presented to the Council at this time, by unanimous consent of the Council further action in the matter was laid over to the next regular meeting.

IN THE MATTER OF
SETTLEMENT FOR
DELINQUENT TAXES:

Edgar W. Smith submitted to the Council through the City Auditor a proposition to pay off delinquent tax sales covering a period of five years on Block 595 of the City of Modesto, for the original amount of the sale and not including the subsequent interest and redemption penalties provided for by ordinance. Upon consideration of the matter by the Council, it was deemed expedient to make some reduction in penalties to obtain redemption of the tax sales which were sold for \$ 883.55, and now aggregate \$ 1,337.71 including interest and penalties, Commissioner Neece introduced a resolution, being

RESOLUTION NO.2742-N.S.

authorizing the City Auditor to accept the lump sum of \$ 1,000.00 in settlement for redemption of Delinquent Tax Sales No. 3879, 3369, 3116, 3031, and 2858 covering Block 595 of the City of Modesto, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

11
IN THE MATTER OF
RATES TO BE CHARGED
AT GOLF COURSE:

Commissioner Neece introduced a resolution being

RESOLUTION NO.2743-N.S.

fixing the fees and adopting rules and regulations for
the use of the Modesto Municipal Golf Course, which resolution was regularly adopted by
the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

12
IN THE MATTER OF
AGREEMENT WITH
PROFESSIONAL AT
GOLF COURSE:

An Agreement being presented to the Council for ratification, by and between the City of Modesto and Ian Macdonald, providing for the compensation to be

received by the golf professional in charge of the Municipal links, and outlining his duties in such capacity, Commissioner Neece introduced a resolution being

RESOLUTION NO.2744-N.S.

ratifying the above agreement and instructing the Mayor and City Clerk to duly enter into same on behalf of the City of Modesto, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

13
IN THE MATTER OF
FIXING HOLIDAYS FOR
DAY LABORERS:

By unanimous consent of the Council, the matter of fixing holidays to be observed by day laborers with pay

was laid over to the next regular meeting.

14
IN THE MATTER OF
AMENDMENT TO SLOT
MACHINE ORDINANCE:

The matter of amending the existing slot machine ordinance so as to include ballyhoo machines was referred to the City Attorney with instructions to draft the proposed ordinance and present it at the next regular meeting of the Council.

15
IN THE MATTER OF FINAL ADOPTION OF
ORDINANCE NO. 455-N.S.

Ordinance No. 455-N.S., providing for the use of the Municipal Golf Course, having been introduced and ordered printed and published at a regular meeting

of the Council of the City of Modesto held on the 11th day of October, 1933, and having been printed and published as required by the Charter of the City of Modesto, it was upon roll call finally adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

16
IN THE MATTER OF
ADJOURNMENT:

There being no further business before the Council
Commissioner Brown introduced a resolution, being

RESOLUTION NO.2745-N.S.

adjourning this Council meeting now in session, which

motion being duly seconded, it was upon roll call adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

Attest: H. E. GRAGG
CITY CLERK

November 8th, 1933

The Council of the City of Modesto convened in regular session his date, and there were present Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack

Absent: Councilmen: None

IN THE MATTER OF MINUTES:

The minutes of the regular session of October 25th, 1933, having been heretofore read by each Councilman were unanimously approved

as so read.

IN THE MATTER OF SUBSIDY TO THE SALVATION ARMY:

There appeared before the Council Mr. W. L. Marr, who spoke on behalf of the Salvation Army outlining project of the organization to establish and maintain a soup kitchen for transient indigents and other relief plans of a more extensive nature than they have heretofore attempted.

He asked the Council to grant a monthly subsidy to the Salvation Army for the carrying on of this work. After discussion of the matter between the members of the Council and Mr. Marr, action thereon was laid over to the next regular meeting.

IN THE MATTER OF ADJUSTMENT OF WATER BILL:

Mr. W. H. Murray appeared before the Council and asked that some adjustment be made in his water bill for property at 304 McHenry stating that the amount was greatly increased due to the fact

that there was a leak in a pipe underground beneath the house, and had not been detected until the meter bill became exorbitant, It was the general opinion of the Council that he should be afforded some relief in the matter, but asked Mr. Murray to wait until the bill for the next month is received in order that a fair figure for the previous month may be arrived at.

IN THE MATTER OF PROTEST TO TAXES AND ASSESSMENTS:

Mrs. Corda Stone appeared before the Council and protested vigorously against the amount of her assessment for city taxes on property owned by her in the City of Modesto. By unanimous

consent of the Council the matter was referred to the City Assessor and Tax Collector for investigation and adjustment.

IN THE MATTER OF ARMISTICE DAY PARADE:

A Communication was received from the American Legion, Modesto Post No. 74, asking the Council and the various departments of the City to participate in the Armistice Day Parade to be held

November 11th, 1933, under the sponsorship of their organization; whereupon Commissioner Neece introduced a resolution, being

RESOLUTION NO. 2746-N.S.

accepting the invitation of the American Legion to participate in the Armistice Day Parade, which resolution was regularly adopted by the Council by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF LETTER FROM THE CITY OF BURBANK:

A Communication was received from the City of Burbank relative to delinquent payments on street improvement bonds under the Improvement Bond Act of 1915, citing the decision handed down

by the Supreme Court of this state in the case of the American Company vs. City of Lakeport, in which it was held that cities must pay delinquencies out of the redemption fund or by a special tax raised for that purpose. Same was regd by the Council and ordered filed.

7
IN THE MATTER OF
BANNERS ACROSS
CITY STREET:

Petition having been made to the City Council by the Students Associations of the Modesto High School and the Modesto Junior College for permission to stretch banners across the streets

advertising various student activities, Commissioner Brown introduced a resolution, being

RESOLUTION NO. 2747-N.S.

granting permission to the student organizations of the high school and the junior college to place banners across the City streets, providing that such banners be placed under the direction and supervision of the City Engineer, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

8
IN THE MATTER OF
WOOD YARD IN THE
RESIDENCE DISTRICT:

Mr. F. Petri having heretofore asked the Council for an extension of time in which he might obtain signatures to a petition for complying with the provisions of zoning ordinance No. 364-NS

at this time reported to the Council that he still has been unable to obtain the required signatures, and asked that the matter be laid over for two weeks more. Whereupon Commissioner Rogers introduced a resolution, being

RESOLUTION NO. 2748-N.S.

allowing two more weeks' time to Mr. Petri to comply with the provisions of the said zoning ordinance, and if a petition is not complete at that time, that he forthwith cease operating the woodyard in question at 221 Ruberta, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

9
IN THE MATTER OF
LIFTING ZONING IN
CERTAIN AREA:

Pursuant to the postponement of action on a petition heretofore filed with the Council for the lifting of zoning restrictions in a certain area of the City pending the presentation of an amendment to the said petition, and the said amendment not having been presented

the matter was laid over indefinitely pending the presentation of the amendment.

10
IN THE MATTER OF
BIDS FOR REMODELLING
CLUBHOUSE AT
GOLFCOURSE:

Pursuant to the advertising for bids for the remodeling of the clubhouse at the municipal golf course, there was on file with the Council eleven bids, which when opened read

as follows:

<u>NAME:</u>	<u>ITEM 1</u> Clubhouse excluding fireplace, log interior, and plaster:	<u>ITEM 2</u> Clubhouse including fireplace: Add:	<u>ITEM 3</u> Clubhouse with log rustic interior: Add:	<u>ITEM 4</u> Clubhouse with Plaster: Add:
R. T. BUSH	\$ 1,018.00	\$ 185.00	\$ 148.00	\$ 55.00
ERNEST GREEN	1,080.00	127.50	124.60	50.00
ROBT. G. MARTIN	1,279.00	63.28	165.60	70.00
ROBT. MILLER	1,088.00	92.00	168.00	52.00
H. E. REBMAN	1,206.00	92.00	99.00	70.00
GEO. SMITH	1,428.40	150.00	145.60	35.00
WENDELL THOMPSON	1,072.00	124.00	180.00	50.00
M. F. VAROZZA	1,163.00	140.00	120.00	55.00

(Cont'd)	ITEM 1	ITEM 2	ITEM 3	ITEM 4
M. O. WARD	1,170.00	68.00	97.00	54.00
H. TENNYSON	1,270.00	160.00	177.00	63.00
IRA GOTNER	995.50	150.00	300.00	50.00

Whereupon it appearing that the bid of Ira Gotner was not accompanied by a certified check as specified in the notice to bidders, and the Council wishing to have a tabulated report on the bids before acting thereon, Commissioner Rogers introduced a resolution, being

RESOLUTION NO.2749-N.S.

rejecting the proposal of Ira Gotner owing to its failure to meet the advertised specifications in regard to a certified check, and referring the remaining bids to the City Engineer for tabulation and report to the Council thereon at an adjourned meeting proposed to be held November 15th, 1933, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF
BIDS FOR PUMP AND
MOTOR:

Pursuant to the advertising for bids for a pump and motor for Station No. 8, there was on file with the Council two bids, which when opened read as follows:

NAME:

ITEM:

AMOUNT:

John Bean Manfg. Company	One Unidrive turbine pump installed	\$ 1,784.41	Less 5%
	Alternate:	1,809.41	Less 5%
Pomona Pump Company	One Unidrive Turbine Pump installed	\$ 1,536.18	

It appearing that the bid of the Pomona Pump Company was the lowest and best bid, Commissioner Rogers introduced a resolution, being

RESOLUTION NO.2750-N.S.

accepting the bid of the Pomona Pump Company for one unidrive electric pump, installed and ready to operate, at the price set forth in their bid, and instructing the City Clerk to return to the unsuccessful bidder their certified check accompanying their bid, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF
PROTEST TO ABAND-
ONING BASEBALL FIELD
IN ENSLEN PARK:

The American Legion, Modesto Post No. 74, filed with the Council a resolution protesting the abandoning of the baseball field in Enslen Park to establish a municipal rose garden on the site as proposed by the Modesto Garden Club. By unanimous consent of the Council the matter was laid over to November 22nd, 1933, at which time the representatives of both the proponenets and the opponents to the mundipal rose garden plan will be heard.

IN THE MATTER OF
PAYMENT TO DAY
LABORERS FOR CER-
TAIN HOLIDAYS:

Commissioner Rogers introduced a resolution, being

RESOLUTION NO.2751-N.S.

providing that day laborers employed by the City of Modesto be paid their daily wage on certain holidays which may be enumerated by the Council, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

14
IN THE MATTER OF
HOLIDAYS TO BE
OBSERVED BY DAY LAB-
ORERS:

Commissioner Rogers introduced a resolution, being

RESOLUTION NO.2752-N.S.

designating certain holidays that may be observed by those mechanics and laborers who are classified as "permanent employees" of the City of Modesto and whose compensation is referred to and adjusted by Resolution No. 2751-N.S., shall be the following:

January First of each year	(New Year's Day)
May Thirtieth " " "	(Memorial Day)
July Fourth " " "	(Independence Day)
1st Monday in Sept." "	(Labor Day)
November Eleventh " "	(Armistice Day)
Last Thurs, in Nov. " "	(Thanksgiving Day)
December 25th of " "	(Christmas Day)

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

Which resolution was regularly adopted by the following vote:

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

Noes Councilmen: None

Absent: Councilmen: None

15
IN THE MATTER OF
CANCELLING CERTAIN
DELINQUENT TAX SALES:

It appearing that there are upon the delinquent tax records of the City of Modesto several tax sales against property to which the City has clear title, and it being

advisable to cancel said sales, Commissioner Neece introduced a resolution, being

RESOLUTION NO.2753-N.S.

cancelling the following tax sales which appear upon the records against Lot 32 in Block "2": No.3351, 3104, 2920, 2752, 2592; and against Lots 21 to 24 inc. in Block 36: No.1676, 1856, 2070, 2280, 2470, 2660, 2827, 2923, 3549, and instructing the City Auditor and Tax Collector to make the proper entries upon their records showing the said sales to be cancelled as of this date, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

16
IN THE MATTER OF
PROPOSED ORDINANCES:

An ordinance to amend the existing slot machine ordinance in the City of Modesto was presented to the Council for consideration, and by unanimous consent of the Council the same was laid over to the next regular meeting.

An ordinance to license painting contractors having been proposed to the Council, by unanimous consent action thereon was laid over until such time as it might be presented in a more definite form by its sponsors.

17
IN THE MATTER OF
APPROPRIATION:

Commissioner Rogers introduced an ordinance, being

ORDINANCE NO.456-N.S.

appropriating the sum of \$ 1500.00 or so much thereof as may be necessary for the purchase of two automobiles by the City of Modesto, which ordinance was duly passed to print and publish by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF AGREEMENT
WITH THE BARIUM PRODUCTS CO.
(D.V.O.) FOR FIRE PROTECTION:

The matter of an agreement with the Barium
Products Company, Ltd. for fire protection
to their plant just outside the City limits

was laid over to the next regular meeting.

IN THE MATTER OF
JOINT POLE AGREEMENT:

The joint pole agreement ratified by the
Council September 27, 1933, by Resolution

No. 2713-N.S. was again filed with the Council after having been completely signed and executed
by the various companies participating. Same was ordered filed in the office of the City Clerk.

IN THE MATTER OF
BEER LICENSES:

There was on file with the Council three applic-
actions for license to sell beverages contain-

ing 3.2% alcohol in the City of Modesto, and the Commissioner of Public Health and Safety having
reported that he had investigated each application and found the statements made to be correct,
he introduced a resolution, being

RESOLUTION NO. 2754-N.S.

approving the applications of:

F. CORPENING	-	622 NINTH ST. (RETAIL)
MRS. J. NANDI	-	604 NINTH ST. (RETAIL)
E. VARNI	-	1302 I STREET (WHOLESALE)

and instructing the City Clerk to issue licenses thereto for the sale of beverages containing
3.2% alcohol, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF
DEED TO RIGHT OF
WAY FOR 19TH ST.
EXTENSION:

There was presented to the Council for
acceptance a deed duly executed by Mrs. A. M.
Robinson for a right of way through Block 206

for the extension of 19th Street to Dry Creek; whereupon Commissioner Rogers introduced a res-
olution

RESOLUTION NO. 2755-N.S.

accepting the deed, and ordering the same placed upon record in the office of the County
Recorder of the County of Stanislaus, which resolution was regularly adopted by the following vote

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

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF
REPORTS:

The reports of the various departments for the
month of October, 1933, were reviewed by the

Council and ordered filed.

IN THE MATTER OF
ADJOURNMENT & AD-
JOURNED MEETING:

There being no further business to come before the Council,
Commissioner Brown introduced a resolution, being

RESOLUTION NO. 2756-N.S.

adjourning this Council meeting now in session, to meet again at the usual time and place on
Wednesday, November 15th, 1933, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

Attest: H. E. GRAGG
CITY CLERK

Pursuant to Resolution No. 2756-N.S., the Council of the City of Modesto met in adjourned session this date, and there were present

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

Absent: Councilmen: None

1
IN THE MATTER OF
AWARD OF CONTRACT
FOR CLUBHOUSE:

Pursuant to receiving of bids for the remodelling of the house at the municipal golf course into a clubhouse and to the postponement of action on the same until this time, it appearing that the bid of

R. T. Bush is the lowest and best bid, Commissioner Rogers introduced a resolution, being

RESOLUTION NO. 2757-N.S.

accepting the bid of R. T. Bush for the remodelling of the house at the golf course into a Clubhouse as per the specifications therefor, excluding the rustic interior and fireplace, at the price set forth in his bid, which bid is now on file in the office of the City Clerk and instructing the Mayor and City Clerk to enter into a contract with Mr. Bush as per his bid; which bid is now on file in the office of the City Clerk, and instructing the Mayor and City Clerk to enter into a contract with Mr. Bush as per his bid; and further instructing the City Clerk to return to the unsuccessful bidders their certified check accompanying their bid; which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

2
IN THE MATTER OF
SUBSIDY TO THE
SALVATION ARMY:

Pursuant to discussion of the matter of subsidy to the Salvation Army for relief work in the City of Modesto at the regular meeting of the Council held November 8th, 1933, the Council again consid-

ered the request of the Salvation Army for subsidy. Commissioner Brown reported that Mr. Marr, speaking on behalf of the Salvation Army had suggested that the City grant \$25.00 per month as subsidy and in addition, redeem any tickets issued by the Police Department for meals and lodging. By unanimous order of the Council, the matter was again laid over to the next regular meeting for further consideration.

3
IN THE MATTER OF
PROTEST OF E. E. ALFORD
TO ARMISTICE DAY
PARADE TREATMENT:

T. M. Alford, appeared before the Council, registering a protest to treatment received by him on Armistice Day, reciting that he had upon invitation from the American Legion, entered in the parade a

decorated truck advertising a dance to be given at his place of business; that he had taken his place in line of march when several members of the Legion ordered him to remove the sign advertising his dance from the truck or to obliterate the word "Armistice"; that he had refused to comply with their order feeling that he was entirely within his own rights; that they had used abusive language and threatened him with violence; that the Chief of Police upon order of Mayor Pack had thereupon ordered him to leave the parade. He further pointed out that as a taxpayer of the City and a property owner, he considered it his privilege to participate in the parade, and thought he was entitled to redress in the matter. Mr. E. A. Couture, Commander of the American Legion, defended the attitude and actions of the Legion members. The Council upon hearing both sides of the matter, took no action thereon.

4
IN THE MATTER OF
PROPOSAL OF GARBAGE
COLLECTORS FOR DUMP
GROUND:

Mr. Thos. F. Griffin appeared before the Council representing the garbage collectors of Modesto, and outlining a proposal

of his clients to furnish a dump ground of 30 Acres near the City in return for certain concessions from the City, the plan being forwarded as a substitute for the proposal of the City to build an incinerator and garbage disposal plant. Commissioner Rogers introduced a resolution being

RESOLUTION NO.2758-N.S.

appointing the City Attorney and the City Engineer a committee to act in advisory capacity with the garbage men and draw up a clearly defined and detailed plan of the proposal, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF
ADJOURNMENT

Commissioner Brown introduced a resolution, being

RESOLUTION NO.2759-N.S.

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

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

Noes: Councilmen: None

Absent: Councilmen: None

Attest: H.E. GRAGG
CITY CLERK

November 22nd, 1933

The Council of the City of Modesto met in regular session this date and there were present Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack

Absent: Councilmen: None

1 IN THE MATTER OF MINUTES:

The minutes of the regular session of November 8th, 1933, having been heretofore read by each Councilman, also the minutes of the adjourned session of November 15, 1933, having been heretofore read by each Councilmen were unanimously approved as so read.

2 IN THE MATTER OF HOLIDAY DECORATIONS ON THE CITY STREETS:

Mr. Clyde Sutton, representing the Modesto Merchants Association appeared before the Council and asked permission to decorate the City streets during the holiday season; for the help of the Fire Department in placing such decorations; for electrical energy for decorative street lighting; and for extra traffic officers on the evenings of December 1st, when a preview is to be held in the various stores, and on December 9th, when a kiddies' parade is to be featured. Upon discussion of the matter by the Council, Commissioner Brown introduced a resolution, being

RESOLUTION NO. 2760-N.S.

granting the requests made by the spokesman for the Merchants' Association with the exception of that for electrical energy, recommending that the organization petition the Modesto Irrigation District for this concession, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

3 IN THE MATTER OF WOOD YARD AT 221 RUBERTA STREET:

Mr. F. Petri appeared before the Council and reported that he had not been able to obtain the necessary signatures for the continuance of the wood yard at his residence; whereupon Mayor Pack admonished Mr. Petri to discontinue the use of the wood yard as instructed by Resolution No. 2748-N.S. heretofore adopted by the Council.

4 IN THE MATTER OF PETITION TO DISTRIBUTE TOBACCO LICENSE:

A petition signed by approximately forty small store owners was filed with the Council by A. J. Honett asking that Ordinance No. 372-NS be repealed inasmuch as it works a definite hardship on dealers doing a small volume of business, and inasmuch as the original purport of the ordinance was not for raising revenue for the City but to prohibit the sale of tobacco to minors. By unanimous consent of the Council, action thereon was laid over to the next regular meeting.

5 IN THE MATTER OF MUNICIPAL ROSE GARDEN IN ENSLEN PARK:

Pursuant to a proposal of the Modesto Garden Club to establish a municipal rose garden and the site suggested as the most favorable being Enslen Park, which site was endorsed by the City Park Commission, there on file with the Council several communications from civic and fraternal organizations protesting the establishment of such a rose garden insofar as it would interfere with the baseball diamond now in use in said park. Protests filed were as follows: Modesto Post No. 74 of the American Legion; Knights of Columbus, Council No. 1986; Parent Teachers Association; A. P. Fatten, Principal of the Roosevelt School; R. L. Ustick; and a general protest petition signed by many residents of Modesto. The Modesto Garden Club filed

with the Council a general synopsis of the project from its instigation to the present time, stating that it was the impression of their organization that ultimately some other location for the baseball park was to be provided and Enslin Park landscaped, and stating further that in view of the present opposition in the future, the Club will sponsor the rose garden when a suitable location for it is provided by the City. By unanimous consent of the Council the matter and all communications pertaining thereto was referred to the Park Commission with the recommendation that the baseball diamond be retained in Enslin Park.

IN THE MATTER OF
SUBSIDY TO THE SAL-
VATION ARMY:

Chief of Police Lee E. Smith, reported to the Council that he had investigated the matter of subsidy to the Salvation Army and had contacted the officers in charge of the organization, who had outlined their plans for furnishing meals and lodging to indigent transients. He stated that if the organization was equipped with sufficient beds and bedding, this type of relief would be much more economical than the present system of issuing tickets for rooms in the various lodging houses and hotels, and suggested that a donation of \$ 25.00 per month by the City would greatly help in obtaining such equipment. By unanimous consent of the Council, definite action in the matter was laid over to the next regular meeting.

IN THE MATTER OF
FORMATION OF A
GOLF CLUB:

There was filed with the Council by R. C. Cairns a petition signed by several golf enthusiasts of Modesto asking the sanction of the Council in the formation of a club to be known as the Modesto Golf Course Club, the purpose of which organization would be for the increasing of interest in golf, and for the arrangement of matches, tournaments, etc. Commissioner Neece introduced a resolution, being

RESOLUTION NO.2761-N.S.

instructing the petitioners to submit to the Council for approval a copy of their proposed by-laws, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF
COMMUNICATIONS:

A Communication was received from the California Municipal Utilities Association relative to federal taxation of municipal utilities and relative to federal taxation of municipal utilities, and relative to the State Water Plan to be submitted to the voters of the state at an election to be held December 19, 1933. Same was read by the Council and ordered filed.

A Communication was received from the Improvement Bond Act committee of Los Angeles relative to recent litigation involving the payment of delinquent street assessments under said bond act by the cities. Same was read by the Council and ordered filed.

IN THE MATTER OF
PETITION TO RE-
VISE WATER BILL:

W. H. Murray having heretofore petitioned the Council to make some adjustment in a meter bill for water consumed at 304 McHenry Avenue which bill was greatly increased due to the fact that a broken pipe had been undetected for over a month, by unanimous consent of the Council, final ~~action~~ action in the matter was laid over to the next regular meeting.

11 IN THE MATTER OF
PROPOSED ORDINANCE:

A proposed ordinance to amend the slot machine ordinance now in effect, and to amend the ordinance regulating pool rooms in the City of Modesto was by unanimous order of the Council laid over to the next regular meeting.

12 IN THE MATTER OF
FINAL ADOPTION OF
ORDINANCE 456-N.S.:

Ordinance No. 456-N.S., appropriating funds for the purchase of two automobiles, having been introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of November, 1933, and having been printed and published as required by the Charter of the City of Modesto, coming on for final adoption this 22nd day of November, 1933, it was upon roll call so adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

13 IN THE MATTER OF
ADVERTISING FOR
BIDS:

Pursuant to the provisions of Ordinance No. 456-N.S., Commissioner Rogers introduced a resolution, being

RESOLUTION NO. 2762-N.S.

authorizing and instructing the City Clerk to advertise for bids for two automobiles to conform to specifications to be furnished the Commissioner of Finance by the Commissioner of Public Health and Safety, the said bids to be opened at the regular meeting of the Council to be held December 13th, 1933, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

14 IN THE MATTER OF
AGREEMENT FOR FIRE
PROTECTION:

The matter of an agreement with the Barium Products Company for fire protection to their plant just outside the City limits was by unanimous order of the Council laid over until such time as the agreement may be presented for the ratification in its final form.

15 IN THE MATTER OF
ADJOURNMENT:

There being no further business to come before the meeting, Commissioner Brown introduced a resolution, being

RESOLUTION NO. 2763-N.S.

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

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

Noes: Councilmen: None

Absent: Councilmen: None

Attest: H. E. GRAGG
CITY CLERK

Council, City of Modesto

December 13th, 1933

The Council of the City of Modesto met in regular session this 13th day of December, 1933, and there were present Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack

Absent: Councilmen: None

IN THE MATTER OF MINUTES:

The minutes of the regular session of November 22nd, 1933, having been heretofore read by each Councilman and corrected in certain particulars, were unanimously approved as so corrected and read.

IN THE MATTER OF MONTHLY CLAIMS:

The Claims against the City of Modesto for the month of November, 1933, having been heretofore audited and approved by the Council, Commissioner Neece introduced a resolution, being

RESOLUTION NO. 2764-N.S.

Ordering that the claims so audited and approved be allowed, reference being made to the Auditor's Cash Book for further details regarding the various withdrawals from the funds as follows:

GENERAL FUND -----	\$ 17,323.55
WATER FUND -----	4,098.18
LIBRARY FUND -----	1,810.89
ST. BOND RED. INT. FUND -----	2,348.74
UNAPPORTIONED FUND -----	8.35
TOTAL -----	\$ 25,589.71

Which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF PAYMENT FOR PUMP:

Pursuant to Resolution No. 2750-N.S. accepting the bid of the Pomona Pump Company for one electric uni-drive for Pump Station No. 8, there was on file with the Council the claim of said Pomona Pump Co. in the amount of \$1,574.58, and the same being in conformity with the price set forth in the aforementioned bid, Commissioner Rogers introduced a resolution, being

RESOLUTION NO. 2765-N.S.

allowing the above mentioned claim and instructing the City Clerk and Auditor to draw the warrant therefor, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF CLAIM OF HOTEL HUGHSON:

There was on file with the Council a claim in the amount of \$ 4.10 of the Hotel Hughson for a refill for a fire extinguisher which had been used to extinguish a fire in an adjoining store before the Fire Department responded to the call. Commissioner Brown introduced a resolution, being

RESOLUTION NO. 2766-N.S.

allowing the above mentioned claim and instructing the City Clerk and Auditor to pay the same in the customary manner for paying such claims in amount less than \$ 5.00 from the Revolving Fund, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF
CLAIMS FOR CERTAIN
IMPROVEMENTS:

There was on file with the Council certain claims as follows:

D.L.Bowman - \$ 131.00 for installation of plumbing at the
Golf Course Clubhouse

W. H. Johnson- \$ 87.00 for moving of hedge, fence and cer-
tain portions of buildings from the 9th Street
Right of way of the City along the Railroad
Reservation occupied by the Modesto Fuel Co.

Whereupon Commissioner Neece introduced a resolution, being

RESOLUTION NO.2766-A - N.S.

allowing the above listed claims and instructing the City Clerk and Auditor to draw the
warrant therefor, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF
CLAIM OF LABOR TEMPLE
CORPORATION FOR RENT:

There appeared before the Council Messers H.T.Pitner and
C.L.Elliott in support of a claim filed with the Council
by the Modesto Labor Temple Corporation in the amount of

\$ 45.00 for rental of an unemployment office in the Labor Temple, which claim was hereto-
fore rejected by the Council by action taken under Resolution No.2726-N.S. Upon consider-
ation of the matter by the Council, it was the unanimous opinion of the Council that the
claim should be laid over for further consideration to the next regular meeting.

IN THE MATTER OF
SUBSIDY TO THE
BOYS' BAND:

Commissioner Neece introduced a resolution, being

RESOLUTION NO.2767-N.S.

authorizing and instructing the City Clerk and Auditor to
draw a warrant in the amount of \$ 250 in favor of W.A.Harter, Treasurer of the Stanislaus
County Boys' Band for the balance of the \$ 500.00 appropriated for band concerts held in
the various City Parks during the summer months, which resolution was regularly adopted
by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF
COMMUNICATIONS:

Communications were received from the City of Tulare and the
City of Redding relative to the proposed state water program

to be submitted to voters December 19th, 1933. Same were read by the Council and ordered
filed.

IN THE MATTER OF
RENEWAL OF FORGERY IN-
SURANCE:

Pursuant to the expiration of the forgery insurance policy
on December 18, 1933, there was on file with the Council a

communication from the National Surety Company relative to the renewal of said policy
through its local agent, Mr. H. R. Windus. Upon consideration of the matter by the Council
Commissioner Neece introduced a resolution, being

RESOLUTION NO.2768-N.S.

authorizing the renewal of the forgery insurance policy in question with the reductions
given for the use of a check writer and the use of safety paper for warrants, and instruct-
ing the City Clerk and Auditor to draw the warrant therefor when the claim for premium
is presented by Mr. Windus, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF
BIDS FOR TWO AUTO-
MOBILES:

Pursuant to the advertising for bids for two automobiles, and this being the time set forth in the notice for bidders for the receiving of and declaring the bids, there were on file three bids, which when opened read as follows:

Name of Bidder:	ITEM NO. 1 6-cylinder Sedan			ITEM NO. 2 Lightweight Automobile	
	Type:	Price:	Trade-In:	Type:	Price:
R. B. MACBRIDE & LEVIGNE & HARPER & R. H. GIBSON	PLYMOUTH 4-Door Sed. 2-Door Sed. DeLuxe Sed.	\$ 713.00 668.00 815.00	\$ 100.00 100.00 165.00	PLYMOUTH -6 cyl Standard Coupe DeLuxe Coupe	\$ 573.00 650.00
R. B. MACBRIDE	DODGE Sedan	918.00	168.00	---	---
FRANK PARADIS CO.	FORD 1934 V-8 Sed. 1933 V-8 Sed.	740.44 640.00	63.75 63.75	FORD 1934 V-8 Sedan 1933 V-8 Sedan 1934 V-8 Coupe 1933 V-8 Coupe	740.44 640.44 719.95 619.95
SMITH-EVENS CO.	CHEVROLET 1933 Sedan	719.25	85.00	CHEVROLET 1933 Coupe 1933 Sedan (Used) 1933 2-Door " 1932 Coupe "	647.40 675.00 565.00 450.00

Whereupon, by order of the Council, the said bids were referred to the City Engineer for tabulation, and to Commissioner Brown and Rogers to act as a committee in ascertaining which bid is the lowest and best bid, with authority to accept the bid so selected.

IN THE MATTER OF
PETITION FOR RE-
DUCTION OF DELIN-
QUENT TAXES:

Mr. R. E. Smith of Hanford filed with the Council a petition asking for the waiving of delinquent penalties on two delinquent tax sales against his property in this City, namely: Lots 31 and 32 in Block 118, proposing to redeem the sales without the usual penalties. Upon consideration of the matter by the Council, the City Clerk was instructed to advise Mr. Smith that his petition was denied by the Council inasmuch as no provisions have been made by the City officially to make any reduction in redemption penalties of delinquent taxes.

IN THE MATTER OF
PETITION TO REPEAL
TOBACCO LICENSE:

Pursuant to the filing of a petition with the Council on November 22nd, 1933, signed by several owners of small stores in the City of Modesto, asking that the ordinance imposing a license tax upon the sale of tobacco by the retail dealers be repealed and action on said petition having been postponed until this time, Commissioner Neece introduced a resolution, being

RESOLUTION NO. 2769-N.S.

denying the petition to repeal said ordinance, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

13 IN THE MATTER OF PETITION TO REFUND WATER BILL: Pursuant to petition filed with the Council by W.H.Murray for a refund on the water bill at 304 McHenry Avenue, the matter was again considered by the Council and laid over to the next regular meeting.

14 IN THE MATTER OF TAXI STAND AT TENTH AND J STREETS: There having been granted a temporary stand for a taxicab at the corner of 10th and J Streets to Benjamin Handy, at this time he petitioned the Council for a permanent stand at said location. The matter was referred to the Commissioner of Public Health and Safety.

15 IN THE MATTER OF PETITION TO CONDUCT WOOD YARD AT SECOND AND H STREETS: There was filed with the Council a petition duly signed as provided in Ordinance No. 364-N.S. by A. H. Terrell to conduct a wood yard at 804 Second Street. The City Engineer having reported that the same bears the requisite number of signatures, Commissioner Rogers introduced a resolution, being

RESOLUTION NO.2770-N.S.

granting permission to A. H. Terrell to conduct the business as petition, providing no protests thereto shall be made to the Council pursuant to the publishing and posting of notices as required by said Ordinance 364-N.S., which resolution was regularly introduced by the following vote:

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

16 IN THE MATTER OF SIGN BOARD USED BY THE PRINCESS THEATRE: The City Engineer filed a notice with the Council showing that an investigation of a sign board located on the building at the corner of Tenth and J Streets, known as the Enemark Building, which sign is used by the Princess Theatre, reveals that the construction of the signboard does not meet with the requirements set forth in Ordinance No. 302-N.S., and certifying that due notice of the matter has been given to the owner of the building.

17 IN THE MATTER OF PETITION TO CHANGE THE NAME OF STANISLAUS ST.: A petition signed by approximately forty residents on Stanislaus Street asking that the name of said Street be changed to "Maze Boulevard" was filed with the Council. Said petition was referred to the City Clerk for a check of the number of property owners along the street in question and what percentage thereof are represented on the petition, the report to be made at the next regular meeting.

18 IN THE MATTER OF SUBSIDY TO THE SALVATION ARMY: By unanimous consent of the Council final action on the matter of granting a monthly subsidy to the Salvation Army was laid over to the next regular meeting.

19 IN THE MATTER OF SUBSIDY FOR SHOE REPAIR MATERIALS: The matter of supplying materials for the repair of shoes of the unemployed and indigent residents of Modesto was brought to the attention of the Council by the Citizens Relief Committee; whereupon after consideration of the matter by the Council, it was the unanimous opinion that the City should pay for such materials as in the preceding year. Commissioner Neece introduced

RESOLUTION NO.2771-N.S.

- 19 providing for the payment of materials used by the Bundle Store, welfare shop sponsored by the Citizens Relief Committee, used for the repair of shoes of the indigent and unemployed residents of Modesto, which resolution was regularly adopted by the following vote:
Ayes: Councilmen: Brown, Neece, Rogers, and Mayor Pro tem. Pack
Noes: Councilmen: None
Absent: Councilmen: None
- 20 IN THE MATTER OF RESIGNATION OF MURRAY WILLIAMS FROM THE LIBRARY BOARD: There was filed with the Council the written resignation of Murray Williams from the Board of Library Trustees, whereupon Commissioner Brown introduced a resolution, being
RESOLUTION NO. 2772-N.S.
accepting the resignation of Mr. Williams from the Board of Library Trustees and expressing the appreciation of the Council for the service he has rendered in that capacity, which resolution was regularly adopted by the following vote:
Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack
Noes: Councilmen: None
Absent: Councilmen: None
- 21 IN THE MATTER OF APPOINTMENT OF L.L. DENNETT TO LIBRARY BOARD: Pursuant to the resignation of Murray Williams from the Board of Library Trustees, Commissioner Rogers introduced a resolution, being
RESOLUTION NO. 2773-N.S.
appointing L.L. Dennett a member of the Board of Library Trustees to fill the unexpired term of Murray Williams, which resolution was regularly adopted by the following vote:
Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack
Noes: Councilmen: None
Absent: Councilmen: None
- 22 IN THE MATTER OF GRANTING LICENSE TO SELL BEER: There being on file with the Council the application of M.C. & Jack Lee to sell beverages containing 3.2% alcohol at 909 H Street, and the same having been investigated and approved by the Commissioner of Public Health and Safety, he introduced a resolution, being
RESOLUTION NO. 2774-N.S.
approving the application of M.C. and Jack Lee and instructing the City Clerk to issue the license therefor, which resolution was regularly adopted by the following vote:
Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack
Noes: Councilmen: None
Absent: Councilmen: None
- 23 IN THE MATTER OF MODESTO GOLF CLUB: Commissioner Neece introduced a resolution being
RESOLUTION NO. 2775-N.S.
approving the by-laws and constitution of the Modesto Golf Club which were submitted to the Council, and providing that such approval of the same by the City Council does not give to said organization any special

- 23 favors or the right to set aside or infringe upon any rules and regulations adopted by the City pertaining to the Golf Course, which resolution was regularly adopted by the following vote:
 Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack
 Noes: Councilmen: None
 Absent: Councilmen: None
- 24 IN THE MATTER OF RIGHT OF WAY FOR NINTH STREET BRIDGE: The matter of a settlement of the condemnation suit for the acquisition of the right of way for the 9th Street highway across certain lands owned by Podesto & Arata was informally discussed by the Council with no definite action taken thereon.
- 25 IN THE MATTER OF PROPOSED AMENDMENT TO SLOT MACHINE ORD.: A proposed ordinance to amend ordinances pertaining to the licensing of slot machines in Modesto was by unanimous consent of the Council tabled indefinitely.
- 26 IN THE MATTER OF AMENDMENT TO POOL ROOM ORDINANCE: Commissioner Neece introduced an ordinance, being ORDINANCE NO. 457-N.S. amending Ordinance 196-N.S. regulating the business of conducting pool or billiard parlors or card room in the City of Modesto, which ordinance was passed to print and published by the following vote:
 Ayes: Councilmen: Neece, ~~Johnson~~ Brown, Rogers, and Mayor pro tem. Pack
 Noes: Councilmen: None
 Absent: Councilmen: None
- 27 IN THE MATTER OF PROPOSED ORDINANCE GOVERNING BASEBALL FIELD: There was presented to the Council for consideration an ordinance designating the baseball field south of the Municipal Golf Course as Roosevelt Field, and providing for the regulation of its use. The said ordinance was laid over to the next regular meeting.
- 28 IN THE MATTER OF INSURANCE ON NEW CITY BUILDING: Pursuant to the building of rest rooms in Legion Park, a grandstand on the baseball field, and a clubhouse at the municipal golf course, the matter of insurance for these buildings was discussed by the Council. Commissioner Neece introduced a resolution being RESOLUTION NO. 2776-N.S. providing for additional insurance on the above mentioned buildings to be provided for, which resolution was regularly adopted by the following vote:
 Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack
 Noes: Councilmen: None
 Absent: Councilmen: None
- 29 IN THE MATTER OF ANNEXATION OF TERRITORY: There was filed with the Council a written report and recommendation of the findings of the Planning Commission in regard to the annexation of territory by the City of Modesto. Same was read by the Council and ordered filed.

- 30 IN THE MATTER OF
REPORT OF AIRPORT
MEETING: Mayor pro tem. Pack and City Engineer Rossi made an oral report to the Council of a meeting attended in Stockton relative to municipal airports.
- 31 IN THE MATTER OF
REPORT OF CITY
ATTORNEY ON GAS CO.
FRANCHISE: City Attorney, A.J. Carlson, filed a written report of his findings in the matter of franchise for the Modesto Gas Company (Pacific Gas & Electric Co.) and outlined steps taken thus far to enforce collection of a franchise tax from said firm. The report was reviewed by the Council and ordered filed.
- 32 IN THE MATTER OF
ADJOURNMENT: Commissioner Brown introduced
RESOLUTION NO. 2777-N.S.
adjourning this Council meeting now in session, which resolution was regularly adopted by the following vote:
Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack
Noes: Councilmen: None
Absent: Councilmen: "one

APPROVED: ROY. E. PACK
MAYOR PRO TEM.

ATTEST: H. E. GRAGG
CITY CLERK

Pursuant to the calling of a special meeting of the Council of the City of Modesto by Mayor pro tem. Pack, the Council convened at 2:00 o'clock P.M. this 20th day of December, 1933, and there were present: Commissioners Brown, Neece, Rogers and Mayor pro tem. Pack

Absent: Councilmen: None

1 IN THE MATTER OF
RESOLUTION OF SWM-
PATHY:

Commissioner Rogers introduced a resolution, being
RESOLUTION NO. 2778-N.S.

reading as follows:

"WHEREAS, Frank E. Holtham, long a faithful employee of the City of Modesto, has, together with his family, suffered an irreparable loss in the untimely and unfortunate death of his mother, Mrs. Maude Holtham; and

WHEREAS, Mrs. Holtham was for many years a loyal and outstanding citizen of the City, always interested in its welfare and contributing in many ways to its support and well-being;

THEREFORE, BE IT RESOLVED that this Council take this means of extending to Frank Holtham its expressions of sincerest sympathy in this hour of his sorrow.

BE IT FURTHER RESOLVED that this Resolution be spread at large upon the records of this Council, and that a copy thereof, attested under the seal of the City, be delivered to Mr. Holtham."

Which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: none

2 IN THE MATTER OF
CONFIRMING AWARD
FOR BID FOR AUTOS:

Pursuant to order of the Council on December 13, 1933, referring the matter of award of bid for two automobiles to a committee consisting of Commissioners Rogers and Brown,

at this time Commissioner Brown introduced a resolution, being

RESOLUTION NO. 2779-N.S.

confirming the action taken by the Committee in awarding the bids to Smith Evens Chevrolet Co. for automobiles as follows:

1 - Chevrolet Sedan	.....	\$ 719.25	-Sales Tax	17.98
1 - Chevrolet Sedan	.....	650.00	" "	Absorbed.

Which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

3 IN THE MATTER OF
LETTER FROM LEAGUE
MUNICIPALITIES:

A Communication from the League of California Municipalities relative to works to be done under the federal C.W.A. was read by the Council and referred to the City Engineer.

4 IN THE MATTER OF
AGREEMENT FOR PUR-
CHASE OF POLE FROM
POSTAL TELEGRAPH CO.:

There was submitted to the Council for ratification an agreement by and between the City of Modesto and the Postal Telegraph & Cable Co. for the sale of a wooden

pole located on the westerly side of Ninth Street between P and Needham Streets, and

4 and the same having been approved as to form by the City Attorney, Commissioner Rogers introduced a resolution, being

RESOLUTION NO. 2780-N.S.

ratifying the agreement submitted and instructing that the same be filed for record in the office of the City Clerk, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

5 IN THE MATTER OF AGREEMENT FOR RIGHT OF WAY FOR NINTH ST.:

There was submitted to the Council for ratification an agreement with Floden Bros. & Christoffersen Co., Ltd., for the release of certain property along Ninth

Street railroad reservation for the purpose widening said street in consideration of the payment of the sum of \$2200.00 for the vacating and removing of improvements therefrom not later than February 2, 1935, whereupon Commissioner Rogers introduced a resolution, being

RESOLUTION NO. 2781-N.S.

ratifying the said agreement and instructing the Mayor and City Clerk to addix the signatures thereto on behalf of the City of Modesto, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

6 IN THE MATTER OF ALLOWING CLAIMS FOR RELIEF SUPPLIES:

Pursuant to Resolution No. 2771-N.S., there was filed with the Council a claim of David H. Schwartz of Stockton in the amount of \$ 39.38 for shoe repair

materials to be used by the Modesto Bundle Store, a relief organization of the Citizens Welfare Committee; whereupon Commissioner Brown introduced a resolution being

RESOLUTION NO. 2782-N.S.

allowing the above claim and instructing the City Clerk and Auditor to draw the warrant therefor, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

7 IN THE MATTER OF ADJOURNMENT:

There being no further business to be transacted by the Council, Commissioner Brown introduced a res-

olution, being

RESOLUTION NO. 2783-N.S.

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

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG
CITY CLERK

December 27th, 1933.

The Council of the City of Modesto met in regular session this date, and there were present Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack
Absent: Councilmen: None

1 IN THE MATTER OF MINUTES: The minutes of the regular session of December 13, 1933, and of the special meeting of December 20, 1933. having been heretofore read by each Councilman were unanimously approved as so read.

2 IN THE MATTER OF PETITION TO ANNEX CERTAIN TERRITORY: Mr. H. Ramont presented to the Council a petition in the proper form asking that the City of Modesto annex certain territory described as follows:

All that portion of the Northwest Quarter of the Southeast Quarter of Section 28, Twp 3 South Range Nine East, M.D.B. & M. lying south and east of Beard Brook.

to be known as "LA LOMA" addition to the City of Modesto. Whereupon Commissioner Rogers introduced a resolution, being

RESOLUTION NO. 2784-N.S.

authorizing the holding of and calling an election in the above described territory as provided by law, on the 13th day of February, 1934, submitting the question of such annexation to the qualified electors residing within the above described territory, which resolution was regularly adopted by the following vote:

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

#3 IN THE MATTER OF REAPPOINTMENT OF MEMBERS OF THE PLANNING COMMISSION: The terms of Mrs. Josephine Ekstein and Natha McVey, members of the Planning Commission, expiring January 9th, 1934, Commissioner Rogers introduced

RESOLUTION NO. 2785-N.S.

reappointing Mrs. Ekstein and Nathan McVey members of the City Planning Commission to serve to January 9, 1938, which resolution was regularly adopted by the following vote:

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

4 IN THE MATTER OF COMMUNICATIONS: A Communication was received from the League of California Municipalities acknowledging receipt of annual dues of the City of Modesto for the year 1933. Same was read by the Council and ordered filed.

5 A Communication was received from J. L. Murphy of Los Angeles who owns a tract of land bordering on the Tuolumne River in Stanislaus County, protesting against the emptying of sewage in the said river by the City of Modesto, stating that it is a typhoid menace to those residing on his property. The Communication was read by the Council and ordered referred to the City Engineer for investigation and reply.

6 IN THE MATTER OF CLAIM FOR REFUND OF WATER ACCOUNT: Pursuant to petition heretofore made to the Council by W.H. Murray for the refund of water bill at 304 McHenry

6

Avenue paid by him in an alleged excessive amount due to fact that there was a leak in a pipe underground which had not been detected for a period of four months. The Council was of the unanimous opinion that some relief should be afforded in the matter; whereupon Commissioner Rogers introduced a resolution, being

RESOLUTION NO.2786-N.S.

allowing a refund of \$ 20.19 to Mr. Murray, the same to be applied as a credit to the water account, with the understanding that in the future the City will not consider any further claims arising out of neglect of plumbing at the above named premises, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

7

IN THE MATTER OF CLAIM OF MODESTO LABOR TEMPLE FOR RENT:

Pursuant to the claim of the Modesto Labor Temple Corporation in the amount of \$ 45.00 being presented again for payment after its rejection by the Council

by action taken under Resolution No. 2726-N.S., the same was again considered by the Council at this time. Commissioner Rogers introduced a resolution, being

RESOLUTION NO.2787-N.S.

rejecting the said claim and instructing the City Clerk to so notify the Modesto Labor Temple Corporation, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

8

IN THE MATTER OF HEARING OF PROTESTS TO WOOD YARD:

Pursuant to Resolution No. 2770-N.S. the City Clerk filed with the Council affidavits of the posting and publishing of notices as required by Ordinance 364-N.S. setting forth this time

for hearing of protests to the operating and maintaining of a wood yard at Second and H Street by A. H. Terrell on Lots 17 & 18 in Block 5, and there being no protests either oral or written made to the Council, Commissioner Rogers introduced a resolution, being

RESOLUTION NO.2788-N.S.

confirming action taken by Resolution No. 2770-N.S., granting a permit to A. H. Terrell to operate and maintain a wood yard at 804 Second Street as provided by Ordinance No. 364-N.S. which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent; Councilmen: None

(9

IN THE MATTER OF PETITION TO CHANGE NAME OF STANISLAUS ST:

Pursuant to the filing of a petition with the Council on December 13th, 1933, asking that the name of Stanislaus Street be changed to

"MEZE BOULEVARD", the City Clerk filed a written report with the Council showing that 40% of the property owners are represented thereon and favor the changing of the name of said street. Whereupon Commissioner Rogers introduced an ordinance, being

ORDINANCE NO.458-N.S.

changing the name of Stanislaus Street to "Maze Boulevard", which ordinance was duly passed to print and publish by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

10

IN THE MATTER OF
SUBSIDY TO SALVATION
ARMY:

Pursuant to discussions heretofore had in the matter of
subsidy to the Salvation Army for welfare and relief

work carried on in the City of Modesto, Commissioner Brown introduced a resolution, being

RESOLUTION NO. 2789-N.S.

authorizing and allowing a subsidy of \$ 37.50 per month to the Salvation Army for the months of January, February and March, 1934, the warrants therefor to be drawn on the first day of each month named, and the amounts to be charged against the special police account in the annual budget of the Police Department, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

11

IN THE MATTER OF
TAXI STAND AT
TENTH AND J STS:

Pursuant to application of Benjamin Handy for a taxi stand at Tenth and J Streets, and the matter having been referred to Commissioner Brown for investigation, he introduced a resolution, being

RESOLUTION NO. 2790-N.S.

granting permission to Benjamin Handy for a taxi stand at Tenth and J Streets, and instructing the City Engineer to have the same marked off as a restricted parking area, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

12

IN THE MATTER OF
GARBAGE COLLECTORS
PROPOSAL FOR DUMP
GROUNDS:

By unanimous consent of the Council, the matter of the proposal of garbage collectors in the City of Modesto to provide a dumping ground near the City limits in return for certain concessions was laid over to the next regular meeting.

13

IN THE MATTER OF
PODESTO ARATA RIGHT
OF WAY ON 9TH ST. L

By unanimous consent of the Council further consideration of the Podesto Arata condemnation suit for 9th Street right of way was laid over to the next regular meeting.

14

IN THE MATTER OF
INSURANCE FOR
SECURITIES:

Commissioner Neece brought to the attention of the Council the need for additional insurance covering securities held by the City Treasurer. By unanimous consent of the Council the matter was laid over to the next regular meeting.

15

IN THE MATTER OF
FINAL ADOPTION OF
ORD. 457-N.S.:

Ordinance No. 457-N.S. amending Ordinance No. 196-N.S., relating to the license fee for card tables, having been introduced and ordered printed and published at the regular meeting of December 13th, 1933, it was upon roll call finally adopted by the following vote:

vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

- 16 IN THE MATTER OF ORDINANCE GOVERNING BASEBALL FIELD: By unanimous consent of the Council further action on a proposed ordinance naming and providing rules for the use of the baseball field south of the new municipal golf course was laid over to the next regular meeting.
- 17 IN THE MATTER OF PLANS FOR CORPORATION YARD: Commissioner Rogers introduced a resolution, being RESOLUTION NO. 2791-N.S. instructing the City Engineer to prepare plans and specifications for a corporation yard on property owned by the City at 8th and L Streets, which resolution was regularly adopted by the following vote:
Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack
Noes: Councilmen: None
Absent: Councilmen: None
- 18 IN THE MATTER OF REPORTS: The regular monthly report of the Department of Public Works for the month of November, 1933, was reviewed by the Council and ordered filed.
- 19 IN THE MATTER OF ADJOURNMENT: Commissioner Brown introduced RESOLUTION NO. 2792-N.S. adjourning this Council meeting now in session, which resolution was regularly adopted by the following vote:
Ayes: Councilmen: Brown, Neece, Rogers, and Mayor pro tem. Pack
Noes: Councilmen: None
Absent: Councilmen: None

ATTEST: H. E. GRAGG
CITY CLERK