

Council Meeting,

January 12, 1938

The Council of the City of Modesto met in regular session this date, the meeting having been called and convened as set forth in section 2 of the Ordinance No. 2-N.S.

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

Absent: Councilmen: Oliver

IN THE MATTER OF  
MINUTES

The minutes of the regular meeting of December 22, 1937 and of the Special meeting of December 28, 1937 having been heretofore

read by each Councilman were unanimously approved as so read.

2 IN THE MATTER OF TRANSFER OF TAXI PARKING SPACE Whereas, Ed. B. Ostheus has made application to the Council for transfer of parking space on southwest corner of 10th & I Streets used by the Acme Taxi Company, as he had purchased the taxicab business of Mr. Pulley, whereupon Commissioner Stanley introduced

RESOLUTION NO. 4063-N.S.

granting request, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: Oliver

3 IN THE MATTER OF CLAIMS FOR MONTH OF DECEMBER Claims against the City of Modesto for the month of December, 1937 having been heretofore audited by the Council and found to be correct, Commissioner Neece introduced

RESOLUTION NO. 4064-N.S.

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

GENERAL FUND-----	\$23,846.94
WATER FUND-----	8,082.74
LIBRARY FUND-----	2,020.01
Bond Red. Int. Fund-----	3,314.77
SPECIAL ST. BOND RED. INT.FUND	1,034.05
UNAPPORTIONED FUND-----	.13
GASOLINE TAX FUND-----	1,105.60
SEWER SEPTIC-----	1,169.94
TOTAL-----	\$40,574.18

which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: Oliver

4 IN THE MATTER OF CLAIM FOR REFUND OF DEPOSIT Whereas there has been filed with the Council claims for refund of \$50.00 deposit required under section 101 of Ordinance No. 487-N.S. heretofore paid to the City License Collector by each of the following:

- GEORGE A. MEIERL
- EUROPA HOTEL
- FAIRFAX ROOMS

Commissioner Neece introduced

RESOLUTION NO. 4065-N.S.

granting request as prayed for and directing the City Clerk and Auditor to draw warrants in payment of claims, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: Oliver

5 IN THE MATTER OF COMMUNICATION A communication from the Turlock Cooperative Growers acknowledging receipt of letter refusing request for fire protection by the City of Modesto was read and ordered filed.

6 IN THE MATTER OF PERMIT OPERATE SERVICE STATION WHEREAS the Union Oil Company of California has made application to the Council for permission to erect and operate a service station on the northeast corner of Block 141 at 9th & H Streets, whereupon Commissioner Bond introduced

RESOLUTION NO. 4066-N.S.

granting permit as prayed for, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: Oliver

7 IN THE MATTER OF BIDS ON INDUSTRIAL TRACTOR      Whereas specifications having heretofore been filed by the City Engineer with the Council and approved by the Council for the purchase of Industrial Tractor and money for purchase of this equipment having been duly appropriated and being now available and notice to bidders having heretofore been given and published as required by law and bids in accordance with said notice having been received not later than 7:30 P.M. on Wednesday, January 12, 1938 and having been then and there opened by the Council in open meeting, City Clerk reported 6 bids received, same being referred to the City Engineer and Commissioner of Public Works for tabulation and recommendation.

8 IN THE MATTER OF ACCEPTANCE OF ADDITION TO GOLF COURSE      Whereas there has been filed with this Council certification of the City Engineer that addition to clubhouse at Golf Course has been completed by contractor Jarvis Brothers in accordance with the terms of his contract to the entire satisfaction of the City Engineer and that the same complied with the plans and specifications heretofore adopted and approved by the Council, Commissioner Neece introduced

RESOLUTION NO. 4067-N.S.

accepting the addition to the Clubhouse at the Golf Course and directing the City Clerk and Auditor to draw warrant in amount of \$792.75, being 75% of the contract price and according to the contract and to file notice of completion with the County Recorder which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: Oliver

9 IN THE MATTER OF CLERK ADVERTISING FOR BIDS ON MILLING MACHINE & POWER LAWN MOWER      Commissioner Bond introduced

RESOLUTION NO. 4068-N.S.

authorizing the City Clerk to advertise for bids on milling machine and power lawn mower, the said bids to be opened at the regular meeting of the Council to be held on January 26, 1938, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: Oliver

10 IN THE MATTER OF APPROVING EXPENDITURE OF GAS TAX FUND      Commissioner Bond introduced

RESOLUTION NO. 4069-N.S.

approving first supplemental memorandum of agreement for expenditure of ~~46~~ gas tax allocated for State Highways and the Mayor and City Clerk are directed to sign the same on behalf of said City, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: Oliver

11 IN THE MATTER OF  
APPROVAL OF LEASE  
ROOSEVELT FIELD

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

RESOLUTION NO. 4070-N.S.

accepting lease as presented, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: Oliver

12 IN THE MATTER OF  
USING BALANCE OF  
FUNDS OF BASEBALL  
COMMISSION

Whereas there is an unexpanded balance of \$30.70 in the funds of the Baseball Commission and whereas the resignation of the Commission appointed by the Mayor for the Spring Training season of 1937 has been accepted by the Council, Commissioner Stanley introduced

RESOLUTION NO. 4071-N.S.

authorizing the City Auditor to turn over the unexpended funds to Commissioner of Finance and Revenue Neece to be used for baseball purposes, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: Oliver

13 IN THE MATTER OF  
CANVAS VOTE ON  
CAMPUS TRACT ANNEX-  
ATION

Pursuant to Southern Campus Tract election for annexation to the City of Modesto held on December 21, 1937 at this time the Council resolved itself into a canvassing board and proceeded to determine the results of the election, Commissioner Bond introduced

RESOLUTION NO. 4072-N.S.

which resolution was in detail as follows:

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

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

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

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

which resolution was then regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: Oliver

Whereupon in conformance with State Statutes, Commissioner Bond introduced an ordinance, being

ORDINANCE NO. 566-N.S.

14 entitled: "AN ORDINANCE APPROVING THE ANNEXATION OF CERTAIN TERRITORY TO THE CITY OF MODESTO", approving the annexation of the above described territory, known as the "Southern Campus Tract" and providing for the required recording of same with the Secretary of State, which ordinance was duly passed to print and publish by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: Oliver

15 IN THE MATTER OF Ordinance No. 564-N.S. having been heretofore introduced and or-  
FINAL ADOPTION dered printed and published at the regular meeting of December  
ORD. 564-NS APPRO-  
PRIATION FOR MILL- 22nd, 1937 and thereupon printed and published as required by  
ING MACHINE the Charter of the City of Modesto, coming on for final adoption at this time, it  
was upon roll call so finally adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: Oliver

16 IN THE MATTER OF Ordinance No. 565-N.S. having been heretofore introduced and  
FINAL ADOPTION ORD. 565-N.S. AMEND ORD. ordered printed and published at the regular meeting of Decem-  
559-N.S. PENSION ber 22nd, 1937 and thereupon printed and published as required by  
the Charter of the City of Modesto, coming on for final adoption at this time, it was  
upon roll call so finally adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: Oliver

17 IN THE MATTER OF Whereas, Scott Company, Inc. has petitioned the City Council to  
PERMIT SCOTT USE be permitted to lay sewer pipes in the alley between 11th and  
ALLEY BETWEEN 11th AND 12TH 12th and I and J Streets to the United States Post Office Building,  
Commissioner Bond introduced

RESOLUTION NO. 4073-N.S.

granting permit under the following conditions:

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

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

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

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

which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: Oliver

18 IN THE MATTER OF APPROVAL OF AIRPORT PROGRAM Whereas, the League of California Municipalities have requested that the City of Modesto concur with the policy of the American Municipalities Association urging Congress to enact the necessary legislation to provide funds to enable the department of Commerce to effectuate immediately an airport development program, Commissioner Bond introduced

RESOLUTION NO. 4074-N.S.

concurring with this policy and directing the Mayor to write a letter to the league of California Municipalities setting forth the policy of the City of Modesto on this program, which resolution was regularly adopted by the following vote:

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

17 IN THE MATTER OF REPORTS Reports of the various departments for the month of December, 1937 were reviewed by the Council and ordered filed.

20 IN THE MATTER OF ADJOURNMENT Commissioner Neece introduced

RESOLUTION NO. 4075-N.S.

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

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

ATTEST H. E. GRACE, CITY CLERK

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SPECIAL COUNCIL MEETING
January 19, 1938

The Council of the City of Modesto met in Special Session this date, the meeting having been called and convened as set forth in section 2 of the Ordinance No. 2-N.S.

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

IN THE MATTER OF AWARDDING BID ON STREET RESURFACING WHEREAS, the awarding of contract for the paving of H Street between 3rd and 5th Streets and I Street, between 5th and 8th Streets was deferred for Study and whereas the City Engineer has recommended to the City Council that the Contract be awarded to S. M. McGaw at the following unit price:

Table with 2 columns: Item description and Price. Items include Burning pavement, Asphaltic Binder Coat, Bituminous Plant Mix Aggregates, Bituminous Plant Mix Asphaltic Emulsion, and Natural Rock Asphalt.

and as the cost of the work is in excess of the amount allotted in the Project Statement it will be necessary for the City of Modesto to assume the added expense, Whereupon Commissioner Bond introduced

RESOLUTION NO. 4076-N.S.

recommending that the State Highway Department grant the City Council the authority to award the contract to S. M. McGaw, which resolution was regularly adopted by the

following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

2 IN THE MATTER OF Pursuant to advertising for industrial tractor and bids being  
AWARD CONTRACT ON  
INDUSTRIAL TRACTOR referred to the Commissioner of Public Works and City Engineer  
for tabulation and recommendation, Commissioner Oliver introduced

RESOLUTION NO. 4077-N.S.

awarding bid to Valley Tractor & Equipment Company as being the lowest and best bid  
at a net price of \$1063.56 less 2% and City Clerk and Auditor be directed to return  
bidding checks to unsuccessful bidders, which resolution was regularly adopted by  
the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

3 IN THE MATTER OF There being no further business to come before the meeting,  
ADJOURNMENT Commissioner Neece introduced

RESOLUTION NO. 4078-N.S.

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

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. CRAGG CITY CLERK

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COUNCIL MEETING

January 26, 1938

The Council of the City of Modesto met in regular session this  
date, the meeting having been called and convened as set forth in section 2 of the  
Ordinance No. 2-N.S.

Present: Councilman: Bond, Neece, Stanley, Oliver and Mayor King

Absent: Councilmen: None

1 IN THE MATTER OF The minutes of the regular meeting of January 12, 1938 and of the  
MINUTES Special meeting of January 19, 1938 having been heretofore read  
by each Councilman were unanimously approved as so read.

2 IN THE MATTER OF Claims for refund of registration fee of J. S. Criswell for \$5.00,  
CLAIMS S. J. Longo for \$5.00 for truck license for quarter ending Decem-  
ber 31, 1937, refund of deposit of \$50.00 required by Ordinance No. 487-N.S. by the  
Valley Glass Company and Charles K. Pasma having been filed with the City License  
Collector, Commissioner Neece introduced

RESOLUTION NO. 4079-N.S.

granting claims as presented and directing the City Clerk and Auditor to draw war-  
rants in payment of claims, which resolution was regularly adopted by the following  
vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

Request by the Stanislaus County Boys Band for balance of amount budgeted for 1937-38, namely \$400.00 was made to the Council, whereupon Commissioner Neece introduced

RESOLUTION NO. 4080-N.S.

3 allowing request and directing the City Clerk and Auditor to draw warrants in payment, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

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

RESOLUTION NO. 4081-N.S.

4 allowing claim and directing the City Clerk and Auditor to draw warrant in payment, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

5 IN THE MATTER OF  
AWARDING BID ON  
MILLING MACHINE  
& MOWER

Whereas specifications having heretofore been filed by the City Engineer with the Council and approved by them for the purchase of milling machine and mower and money for purchase of this equipment having been duly appropriated and being now available and notice to bidders having heretofore been given and published as required by law and bids in accordance with said notice having been received not later than 7:30 P.M. on Wednesday, January 26, 1938 and having been then and there opened by the Council in open meeting, City Clerk reported 3 bids received, whereupon Commissioner Bond introduced

RESOLUTION NO. 4082-N.S.

awarding bid to Moore Machinery Company on the milling machine as being the lowest and best bid for \$850.00 f.o.b. San Francisco, referring bid of Jenison Machinery Company on mower to committee composed of City Engineer Rossi, Commissioners Neece and Bond, disqualifying bid of Chas. Berg Co, as it was not accompanied by check or bidding bond and authorizing City Clerk and Auditor to draw check in payment of milling machine immediately upon delivery and acceptance by the City Engineer, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

6 IN THE MATTER OF  
BIDS ON GASOLINE  
& OIL

Commissioner Bond introduced

RESOLUTION NO. 4083-N.S.

authorizing City Clerk to advertise for bids on the following:

- 1-Approximately 30,000 gallons of gasoline
- 2-Approximately 10 drums of lubricating oils

- 3-Approximately 6 drums of grease
- 4-Approximately 1000 gallons of kerosene
- 5-Approximately 300 tons of road oil
- 6-Approximately 2000 gallons of Diesel Oil Fuel

Bids to be opened at the City Hall, 717 Tenth Street at 7:30 P. M. on Wednesday, February 9, 1938, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

7 IN THE MATTER OF Commissioner Bond introduced  
PAYMENT ON TRACTOR

RESOLUTION NO. 4084-N.S.

authorizing City Clerk and Auditor to draw warrant in payment immediately upon delivery of Industrial Tractor from Valley Tractor and Equipment Company, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

8 IN THE MATTER OF Commissioner Stanley introduced an ordinance being  
ORD. RE: AMEND ORD 520-N.S.  
BICYCLES

ORDINANCE NO. 567-N.S.

entitled "AN ORDINANCE AMENDING SECTIONS 2 AND 8 OF ORDINANCE NO. 520-N. S. ENTITLED AN ORDINANCE PROVIDING FOR THE REGISTRATION OF BICYCLES IN THE CITY OF MODESTO, AND PROVIDING A PENALTY FOR VIOLATION THEREOF" and moved its adoption and passage to print and publish, which motion being duly seconded, it was upon roll call carried and the ordinance ordered published as above by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

7 IN THE MATTER OF Ordinance No. 566-N.S. having been heretofore introduced and  
FINAL ADOPTION OF ORD. NO. 566-N.S. ordered printed and published at the regular meeting of January  
APPROVING ANNEXATION SOUTHERN CAMPUS. 12, 1938 and thereupon printed and published as required by  
TRACT

the charter of the City of Modesto, coming on for final adoption

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

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

Noes: Councilmen: None

Absent: Councilmen: None

10 IN THE MATTER OF Commissioner Oliver introduced  
CERTIFICATION OF ELECTION

RESOLUTION NO. 4085-N.S.

authorizing City Clerk to send certification of the election for the annexation of Southern Campus Tract, together with copy of Ordinance No. 566-N. S. to the Secretary of State, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

11 IN THE MATTER OF  
RECORDING ANNEXA-  
TION CAMPUS TRACT  
WITH COUNTY RECORD-  
ER

Commissioner Oliver introduced

RESOLUTION NO. 4086-N.S.

authorizing City Clerk to record with the Stanislaus County

Recorder certified copy of Ordinance No. 566-N.S. approving annexation of Southern Campus Tract to the City of Modesto and copy of approval of annexation from Secretary of State, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

12 IN THE MATTER OF  
COMMITTEE FOR  
SWIMMING POOL

Commissioner Oliver introduced

RESOLUTION NO. 4087-N.S.

appointing Commissioners Bond, Neece, Stanley and City Engineer Rossi as a committee to interview the officials of the Modesto Irrigation District regarding widening canal in the City for a swimming pool, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

13 IN THE MATTER OF  
COMMITTEE INVESTI-  
GATE DELINQUENT  
TAXES TO ROLLS

Whereas, there are numerous parcels of land within the City of Modesto upon which large sums of money are owing in the form of taxes and street assessments and whereas, the time has elapsed

when any of said parcels of land may be redeemed by payment of back taxes and assessments and property is now yielding no revenue to the City of Modesto and the restoration of said property to the tax rolls of the City of Modesto will work to the benefit of the citizens of said City, Commissioner Neece introduced

RESOLUTION NO. 4088-N.S.

appointing Carl J. Stanley and B. H. Bond members of the City Council to act as a committee for the purpose of working with the Tax Collector and the City Treasurer and County Treasurer of Stanislaus County in an effort to formulate a plan whereby said property may be returned to the tax rolls of the City of Modesto and thus yield a revenue for the upkeep of said City, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

14 IN THE MATTER OF  
APPROVAL OF BOND  
& APPLICATION OF  
FRED BROWN-PLUMBER

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

RESOLUTION NO. 4089-N.S.

approving application and bond of Fred Brown which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

15 IN THE MATTER OF  
REPORT ON TOY  
LOAN LIBRARY

A report was presented to the City Council on the Toy Loan Library, which was ordered filed.

IN THE MATTER OF Commissioner Neece introduced  
ADJOURNMENT

RESOLUTION NO. 4090-N.S.

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

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST *H. E. Graeg* CITY CLERK

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COUNCIL MEETING,

February 9, 1938

The Council of the City of Modesto met in regular session this date, the meeting having been called and convened as set forth in section 2 of the Ordinance No. 2-N.S.

Present: Commissioner: Neece, Bond, Oliver, Stanley and Mayor King

Absent: Commissioner: None

1 IN THE MATTER OF MINUTES The minutes of the regular meeting of January 26, 1938 having been heretofore read by each Councilman were unanimously approved as so read.

2 IN THE MATTER OF GARDEN CLUB PLANTING SHRUBS ON CANAL BANK Mrs. Hiatt, representing the Modesto Garden Club appeared before the Council and reported they were willing to plant shrubs on both sides of the Modesto Irrigation District Canal #4 from McHenry Avenue to Sycamore Avenue if the City would take care of shrubs after they are planted, whereupon Commissioner Neece introduced

RESOLUTION NO. 4091-N.S.

accepting proposition of the Garden Club and recommending that the Commissioner of Finance and Revenue confer with the committee appointed by the Modesto Garden Club to have charge of the planting of the shrubs as to the variety to be planted, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

3 IN THE MATTER OF CLAIM FOR MONTH OF JANUARY Claims against the City of Modesto for the month of January, 1938 having been heretofore audited by the Council and found to be correct, Commissioner Neece introduced

RESOLUTION NO. 4092-N.S.

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

GENERAL FUND-----	\$ 25,967.71
WATER FUND-----	\$ 3,492.39
LIBRARY FUND-----	\$ 1,697.56
BOND RED. INT. FUND-----	\$ 24,118.75
ST. BOND RED. INT. FUND-----	\$ 5,589.00
SPECIAL GAS TAX FUND-----	\$ 876.46
TOTAL-----	\$ 61,741.87

which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

4 IN THE MATTER OF CLAIMS Whereas B. R. DuVall has made claim for refund of \$10.00 whole-sale license paid to the City of Modesto as all sales had been reported under retail license, A. H. Cushman and Rudolph Bonzi have made claim for refund of deposit \$50.00 each, required under section 101 of Ordinance No. 487-N.S. and the Taylor Milling Company have requested refund of truck license \$5.00 as they have discontinued operating in this vicinity, whereupon Commissioner Neece introduced

RESOLUTION NO. 4093-N.S.

allowing claims as presented and authorizing the City Clerk and Auditor to draw warrants in amounts due, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

5 IN THE MATTER OF VETERAN'S EXEMPTION L. V. MOORE A communication from City Attorney Fowler regarding failure of the City Assessor allowing credit on 1937 taxes for Veterans exemption to Lloyd V. Moore because of the fact he did not sign exemption form with the City as well as with the County was discussed, whereupon Commissioner Bond introduced

RESOLUTION NO. 4094-N.S.

denying request as the regulations governing the granting of credit had not been complied with, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

6 IN THE MATTER OF COMMUNICATIONS A letter from the Shoreline Planning Association regarding drilling for oil on state owned tidelands was read and ordered filed.

7 A communication from the President of the First Church of Christ Scientist, Mrs. L. W. Grandt requesting the Council to establish a loading zone in front of the church at 1328 H Street was read and the City Clerk was authorized to answer the letter and advise her that it was not the policy of the Council to grant such requests.

8 A letter from L. D. Egbert of Oakland, California requesting the Council to advise him of a building which could be used for rescue work among the poor. City Clerk was instructed to answer the letter advising Mr. Egbert that it would be best to contact a real estate agent regarding rental of building.

9 IN THE MATTER OF STANISLAUS COUNTY BOY'S BAND A letter of appreciation for donation was received from the Stanislaus County Boys' Band. Same was read and ordered filed.

10 IN THE MATTER OF  
CANCEL TAXES ON  
VETERAN PROPERTY

Whereas the Veterans' Welfare Board have made application to the Council for cancellation of second installment of taxes on lots 18 and 19 Blk 467, being purchased by Clifford A. Martin, having been acquired through the provisions of the Veterans' Farm and Home Purchase Act, under Chapter 519, Statutes of 1921, as amended, whereupon Commissioner Neece introduced

RESOLUTION NO. 4095-N.S.

granting request and directing the City Auditor and Tax Collector to make such entries on his records, which resolution was adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

11 IN THE MATTER OF  
RES. FROM CITY OF  
LOS ANGELES RE:  
SHARE OF LIQUOR  
LICENSES ETC

A communication was received from the City Council of the City of Los Angeles regarding the placing on the agenda of the special session of the Legislature a provision for apportioning to cities and counties, a larger share of the liquor licenses and liquor excise taxes. Same was read and ordered filed.

13 IN THE MATTER OF  
BIDS ON GASOLINE  
ETC.

Whereas specifications having heretofore been filed by the Public Works Department with the Council and approved by them for the purchase of gasoline and various oil products and bidders having heretofore been given notice as required by law and bids in accordance with said notice having been received not later than 7:30 PM. on Wednesday February 9, 1938 and having been then and there opened by the Council in open meeting, City Clerk reported 13 bids received C.F. Bid File No. 154-N.S. for details of bids, whereupon by order of the Council all bids were referred to the City Engineer for tabulation and recommendation as to the best and lowest bid.

14 IN THE MATTER OF  
AWARD BID TO S.M.  
MCGAW ON RESURFAC-  
ING STREETS

Whereas the awarding of the bid for the resurfacing of H Street between 3rd and 5th Streets and I Street, between 5th and 8th Streets was deferred until such time as the Division of Highway of the State of California grant the City Council the authority and whereas approval has been received from the Division of Highways, providing the city assume the responsibility of paying the amount in excess of sum allocated in the gasoline tax ~~to~~ budget, Commissioner Bond introduced

RESOLUTION NO. 4096-N.S.

awarding contract to S. M. McGaw on item #1 as set forth in bid and in Resolution #4076-N.S. and authorizing the City of Modesto to enter into a contract with S.M. McGaw, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

15 IN THE MATTER OF  
BID ON POWER LAWN  
MOWER

Whereas Resolution No. 4082-N.S. referred bid on power lawn mower to committee composed of City Engineer Rossi, Commissioners Neece and at this time they reported that bid was not satisfactory and did not meet requirements, whereupon Commissioner Bond introduced

RESOLUTION NO. 4097-N.S.

rejecting bid of Janison Machinery Company given on the power lawn <sup>mower</sup> and directing Clerk to return bid bond and notify them of rejection ~~mower~~, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

16 IN THE MATTER OF  
NEW BIDS ON POWER  
LAWN MOWER

Whereas bids on power lawn mower did not meet requirements of bids, Commissioner Neece introduced

RESOLUTION NO. 4098-N.S.

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

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

Noes: Councilmen: None

Absent: Councilmen: None

17 IN THE MATTER OF  
PAYMENT TO P. E.  
VAN PELT ON FIRE  
EQUIPMENT

Whereas delivery has been made of Barton pump and water tank by P. E. Van Pelt for mounting on Reo Chassis in the Fire Department in accordance with bid specification and has been approved by the Fire Chief, Commissioner Stanley introduced

RESOLUTION NO. 4099-N.S.

authorizing the City Clerk and Auditor to draw warrant in amount of \$751.90 in payment of equipment delivered and to return to bidder certified check, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

18 IN THE MATTER OF  
RENEWAL OF LEASE  
ON GUN CLUB

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

RESOLUTION NO. 4100-N.S.

authorizing City Attorney to prepare rider to present lease extending agreement to March 1, 1939 at \$1.00 per year rental and appointing Mayor and City Clerk as signatory officials, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

19 IN THE MATTER OF  
FINAL PAYMENT JARVIS  
BROS. ON ~~SOLE~~ COURSE  
ADDITION TO CLUB-  
HOUSE at Golf Course

Whereas, the City Engineer has filed with the City Clerk a report showing the balance due Jarvis Bros. on their original contract for the construction of addition to the Golf Course Clubhouse in amount of \$264.25 and whereas under the terms of the contract thirty five days will have elapsed on February 16, 1938 since acceptance certification has been filed by the City Engineer, Commissioner Neece introduced

RESOLUTION No. 4102-N.S.

authorizing City Clerk to draw a warrant in amount \$264.25 on February 17, 1938 in full payment of contract providing no liens are filed, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

20

IN THE MATTER OF  
FINAL ADOPTION OF  
ORD. 567-N.S.  
AMEND ORD. 520-N.S.  
BICYCLES

Ordinance No. 567-N.S. having been heretofore introduced and ordered printed and published at the regular meeting of January 26, 1938, and thereupon printed and published as required by the Charter of the City of Modesto coming on for final adoption at this time, it was upon roll call so finally adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

21

IN THE MATTER OF  
PORT OF STOCKTON

Whereas, the shippers of the San Joaquin Valley and particularly those of Stanislaus County in which the City of Modesto has a direct interest are entitled to obtain the very best service possible at Stockton, California through the Port of Stockton and whereas the Port of Stockton is making an effort to bring to it the service of foreign lines for the purpose of shipping merchandise from California to Europe and to the United Kingdom at terminal rates applicable at all other Pacific Coast ports and whereas the San Francisco Harbor Board has petitioned the United States Maritime Commission for permission to intervene and show cause why European steamship service should not be extended to Stockton at such terminal rates, Commissioner Oliver introduced

RESOLUTION NO. 4103-N.S.

resolving that we petition the Governor of the State of California to do all in his power to cause the San Francisco Harbor Board to recall its petition to intervene because a failure to obtain the service desired will be to the disadvantage of all the agricultural interest in interior California and be it further resolved that a copy of this resolution be sent to Governor Frank F. Merriam and to the Port of Stockton, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

22

IN THE MATTER OF  
REPORT OF COMMITTEE  
ON TAX SALES

Pursuant to appointment of committee of C. J. Stanley, B. H. Bond and H. E. Gragg by the Council to work with the County Tax Collector in an effort to formulate a plan whereby certain property may be returned to the tax rolls of the City of Modesto and yield a revenue for the upkeep of said City, at this time a report was given by the committee of their findings, whereupon Commissioner Neece introduced

RESOLUTION NO. 4104-N.S.

accepting report as given and authorizing the City Clerk to file a copy of same with the County Tax Collector, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

22

IN THE MATTER OF  
ANNEXATION OF HIGH  
TRACT ADDITION

A communication from the Secretary of the Annexation Committee of the High Tract, H. Reed Hicken was read in which he requested that the City Council provide assistance to their committee for annexation of this

tract to the City of Modesto, whereupon Commissioner Bond introduced

RESOLUTION NO. 4105-N.S.

appointing City Engineer Rossi and City Attorney Fowler as a committee to confer with the Annexation Committee of the High Tract and to lend any possible assistance, which resolution was regularly adopted by the following vote:

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

23 IN THE MATTER OF Commissioner Stanley introduced  
G. W. KEELEY SUIT  
vs CITY OF MODESTO

RESOLUTION NO. 4106-N.S.

empowering the City Attorney in the event that the decision in the case of G. W. Keeley vs. City of Modesto is against the City of Modesto to immediately file such papers as are necessary to secure a rehearing and if that is denied to appeal the case, which resolution was regularly adopted by the following vote:

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

24 IN THE MATTER OF Mr. Henry Crow of the Hotel Modesto asked the Council to make  
POOL ROOM ORDINANCE a change in Ordinance 457-N.S. governing license on card tables,

so that he would not have to pay a license on his card tables, in as much as he claims he does not charge people to play, whereupon Commissioner Stanley introduced

RESOLUTION NO. 4107-N.S.

refusing to make any change in the ordinance, which resolution was regularly adopted by the following vote:

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

25 IN THE MATTER OF Reports of the various departments for the month of January,  
DEPARTMENTAL REPORTS 1938 were reviewed by the Council and ordered filed.

26 IN THE MATTER OF There being no further business to come before the meeting,  
ADJOURNMENT Commissioner Oliver introduced

RESOLUTION NO. 4108-N.S.

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

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

ATTEST *H. E. Gragg*  
H. E. GRAGG, CITY CLERK

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Special Council Meeting  
February 18, 1938

The Council of the City of Modesto met in Special Session this date, the meeting having been called and convened as set forth in section 2 of the Ordinance No. 2-N.S.

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

Absent: Councilmen: None

IN THE MATTER OF DISCUSSION OF PLUMBING ORDINANCE A Discussion was held by the Council on the plumbing ordinance. Same was laid over to a future meeting

IN THE MATTER OF AWARING BID ON GASOLINE AND OIL PRODUCTS Whereas bids on gasoline and oil products had been referred to the City Engineer for tabulation and recommendation as to the best and lowest bid, whereupon Commissioner Bond introduced

RESOLUTION NO. 4109-N.S.

recommending that the following awards be made as being the lowest and best bid:

TIDEWATER ASSOCIATED OIL COMPANY	GASOLINE
THE TEXAS COMPANY	LUBRICATING OIL
STANDARD OIL COMPANY	GREASE
J. S. WEST & CO.	KEROSENE
RICHFIELD OIL CORPORATION	ROAD OIL
SHELL OIL CO.	DIESEL FUEL OIL

see bid file #BP154 for further particulars and that the City of Modesto enter into a contract for a period of 1 year from March 1, 1938 to February 28, 1939 and that the Mayor and City Clerk be appointed as signatory officials, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF ABATING HOUSE AT 522 JAMES STREET Whereas there is situate in Block 212, portion lot 4, 522 James Street in the City of Modesto County of Stanislaus, State of California certain buildings belonging to Vernon A. Gunderson and whereas said buildings are in an unsanitary condition and in a state of disrepair and delapidation and are a menace to the public health, welfare and safety of the citizens of the City of Modesto, Commissioner Stanley introduced

RESOLUTION NO. 4110-N.S.

finding and declaring that said structure and/or buildings do, constitute a nuisance and this Council does further declare its intention to abate the same or cause the same to be abated and does by the resolution authorize and order the City Attorney of the City of Modesto proceed forthwith to abate the same under and by virtue of the laws of the State of California, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF AUDITORIUM A committee composed of Charles Wherry, W. W. Giddings, Amos Bomberger, J. H. Bradley and Leigh Hume from the Modesto Chamber of Commerce appeared before the Council and reported the progress made in the building of an auditorium in the City of Modesto and asked that the Council take over the project and go ahead with the idea of building a public auditorium in the City of Modesto. The committee was notified that the Council would take the matter under consideration at a future Meeting.

IN THE MATTER OF AGREEMENT FOR FIRE PROTECTION Whereas the Modesto Packing Company, B. Zeff and Company, Arnopole Meat Co. Anker Meat Company, Modesto Tallow Company and Geller Packing Company located south of Modesto just off the Crows Landing Road have expressed their desire for fire protection to be furnished by the City of Modesto and have agreed

to enter into a contract with the City for this protection, Commissioner Stanley introduced

RESOLUTION NO. 4111-N.S.

authorizing the City Attorney to prepare an agreement to be executed by the Mayor and City Clerk and parties named above, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

6 IN THE MATTER OF Commissioner Stanley introduced an ordinance being  
ORDINANCE RE: AMEND ORD. 396-N.S. Taxes ORDINANCE NO. 568-N.S.

entitled "AN ORDINANCE AMENDING ORDINANCE NO. 396-N.S. OF THE CITY OF MODESTO ENTITLED " AN ORDINANCE PROVIDING FOR PROPERTY TAXES IN AND FOR THE CITY OF MODESTO, AND PROVIDING A SYSTEM FOR THE ASSESSMENT, LEVY AND COLLECTION THEREOF, AND FURTHER PROVIDING FOR THE COLLECTION OF PUBLIC IMPROVEMENT ASSESSMENTS AND OTHER PURPOSES IN SAID CITY" and moved its adoption and passage to print and publish, which motion being duly seconded, it was upon roll call carried and the ordinance ordered published as above by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

7 IN THE MATTER OF There being no further business to come before the meeting,  
ADJOURNMENT Commissioner Neece introduced

RESOLUTION NO. 4112-N.S.

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

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST H. E. GRAGG, CITY CLERK

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Council Meeting,  
February 23, 1938

The Council of the City of Modesto met in regular session this date, the meeting having been called and convened as set forth in section 2 of the Ordinance No. 2-N.S.

Present: Commissioner: Neece, Oliver, Stanley and Mayor King

Absent: Commissioner: Bond

1 IN THE MATTER OF The minutes of the regular meeting of February 9, 1938 having  
MINUTES been heretofore read by each Councilman were unanimously approved  
as so read.

2 IN THE MATTER OF Whereas the United Lumber Company have presented claim for  
CLAIMS \$259.56 for 400 sacks of Calaveras Cement and Amerine Bros.  
have presented claim for \$32.50 for hoist and truck service, whereupon Commissioner  
Oliver introduced

RESOLUTION NO. 4113-N.S.

granting claims as presented and authorizing the City Clerk and Auditor to draw warrants in amounts shown above to claimants, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: Bond

3  
IN THE MATTER OF  
REFUND DEPOSITS  
VALLEY PAINT CO.  
& C. M. MCNALLEN

Whereas, the Valley Paint Co. have filed claim with the City Auditor for refund of deposit of \$50.00 required by Ord. 487-N.S. as they have moved to new location at 1215 J St. and have a 5 year lease and whereas C. M. McNallen has made claim for refund of deposit also because his business has been discontinued, whereupon Commissioner Neece introduced

RESOLUTION NO. 4114-N.S.

granting claims as presented and directing the City Clerk and Auditor to draw warrants in payment of claims, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: Bond

4  
IN THE MATTER OF  
PETITION FOR TWO  
HOUR PARKING

Whereas the renters of the Bomberger Building at 1301-1311 Eye Street have petitioned the Council to pass a resolution providing for two hour parking limit on Eye Street between 13th and 14th Streets, it was the opinion of the Council that this matter be referred to Commissioner Stanley and Chief of Police Arington, for consideration.

5  
IN THE MATTER OF  
OPENING BIDS ON  
POWER LAWN MOWER

Whereas specifications having heretofore been filed by the Public Works Department with the Council and approved by them for the purchase of a power lawn mower and bidders having heretofore been given notice as required by law and bids in accordance with said notice having been received not later than 7:30 P.M. on Wednesday, February 23, 1938 and having been then and there opened by the Council in open meeting City Clerk reported 3 bids received, C.F. File No. 155 for details of bids, whereupon by order of the Council all bids were referred to the City Engineer for tabulation and recommendation as to the lowest and best bid.

6  
IN THE MATTER OF  
APPROVAL OF FIRE  
AGREEMENTS

City Attorney Fowler presented for approval by the Council agreement to be executed between the Modesto Packing company, B. Zeff & Co., Arnopole Meat Co., Anker Meat Company, Modesto Tallow Company and Geller Packing Co., and the City of Modesto for fire protection to be furnished slaughter houses on the Crows Landing Road, whereupon Commissioner Stanley introduced

RESOLUTION NO. 4115-N.S.

approving agreements as presented and authorizing the execution of same by the Mayor and City Clerk and same to be effective and fire protection granted immediately upon execution of agreement which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: Bond

7  
IN THE MATTER OF  
APPROVAL S.M.McGAW  
CONTRACT

Whereas contract for the resurfacing of portion of H and I Streets with S. M. McGaw has been presented for approval by

the Council, Commissioner Oliver introduced

RESOLUTION NO. 4116-N.S.

approving contract when bonds required by contract are presented by S. M. McGaw, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: Bond

IN THE MATTER OF TRANSFERRING \$50,000 FROM WATER FUND TO GENERAL FUND Whereas, it is deemed advisable at this time to transfer the sum of \$50,000 from the Water Fund to the General Fund, Commissioner Neece introduced

RESOLUTION NO. 4117-N.S.

authorizing the City Auditor and Treasurer to make such entries in his books as may be necessary to effect transfer of the sum of \$50,000 from the Water Fund to the General Fund, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: Bond

IN THE MATTER OF FINAL ADOPTION ORD. #569-N.S. TAXES Ordinance No. 568-N.S. having been heretofore introduced and ordered printed and published at the special meeting of February 18, 1938 and thereupon printed and published as required by the Charter of the City of Modesto coming on for final adoption at this time, it was upon roll call so finally adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: Bond

IN THE MATTER OF REQUEST FOR WATER SERVICE OLSEN Whereas P. E. Olson and Geo. L. Olson have requested water service on their property just outside the city limits on Roselawn and South Avenue, whereupon Commissioner Oliver introduced

RESOLUTION NO. 4118-N.S.

refusing request as it is the policy of the Council, as set forth in Resolution No. 3480-N.S. not to grant water service outside the city limits, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: Bond

IN THE MATTER OF APPROVAL OF APPLICATION AND BOND OF B. M. DUANE Commissioner Oliver introduced

RESOLUTION NO. 4119-N.S.

approving bond and application for plumbing license of Buckley M. Duane, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: Bond

IN THE MATTER OF APPROVAL OF LEASE AND LICENSE ON RADIO RANGE STATION AT AIRPORT Whereas, a lease has been presented to the Council for approval between the United States Department of Commerce, Bureau of Air Commerce and the City of Modesto for the renting of a portion of the Municipal Airport owned by the City of Modesto for the purpose of establishing

and maintaining beacon lights and other lighting equipment, radio and other facilities for communication and signaling purposes and other facilities and equipment for the guidance and operation of aircraft for a term beginning March 1, 1938 and ending June 30, 1938 at a rental of \$1.00 per year with option to renew lease from year to year at the same rental and whereas a license to set six poles on the property covered by the lease and install and maintain lights on said poles was also presented for approval, Commissioner Stanley introduced

RESOLUTION NO. 4120-N.S.

approving lease and license as presented and authorizing the Mayor and City Clerk be appointed as signatory officials, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: Bond

IN THE MATTER OF ADJOURNMENT There being no further business to come before the meeting, Commissioner Oliver introduced

RESOLUTION NO. 4121-N.S.

adjourning this Council new in session, which resolution was adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: Bond

ATTEST *H. E. BRAGG*, CITY CLERK

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Council Meeting  
March 9, 1938

The Council of the City of Modesto met in regular session this date, the meeting having been called and convened as set forth in section 2 of the Ordinance No. 2-N.S.

Present: Commissioner: Neece, Bond, Stanley and Mayor King

Absent: Commissioner : Oliver

IN THE MATTER OF MINUTES The minutes of the Special meeting of February 18, 1938 and of the regular meeting of February 23, 1938 having been heretofore read by each Councilman were unanimously approved as so read.

IN THE MATTER OF CLAIMS FOR MONTH OF FEBRUARY Whereas the claims against the City of Modesto for the month of February, 1938 having been heretofore audited by the Council and found to be correct, Commissioner Neece introduced

RESOLUTION NO. 4122-N.S.

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

GENERAL FUND-----	\$23,573.38
WATER FUND-----	3,174.14
LIBRARY FUND-----	1,701.73
BOND RED. INT. FUND-----	25.00
ST. BOND RED. INT. FUND-----	15.68
UNAPPORTIONED FUND-----	
GASOLINE TAX FUND SPECIAL---	213.70
Total-----	\$28,703.63

which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: Oliver

3 IN THE MATTER OF  
CLAIMS FOR REFUND  
C. MYERS AND S.M.  
MCGAW

Whereas, claims have been filed with the City Auditor by S. M. McGaw for refund for 1" water tap fee of \$15.00 (receipt No. 4667 issued 2-8-38) as old tap was already installed and Chas. Myers for refund on water bill for month of February, 1938 at 922 5th St. as he paid for month of February on January 28th, 1938 then ordered water off on February 9, 1938, Commissioner Neece introduced

RESOLUTION NO. 4123-N.S.

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

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

Noes: Councilmen: None

Absent: Councilmen: Oliver

4 IN THE MATTER OF  
PROTEST AND ACCUMU-  
LATION OF WATER AT  
FRANKLIN & H STS

A communication from Vernon F. Gant regarding accumulation of water and lack of adequate or sufficient drainage in front of the residence of Mrs. Clara Gant at Franklin and H. Streets was discussed. Commissioner Bond was instructed to call Mr. Gant and explain just what will be done to alleviate this condition.

5 IN THE MATTER OF  
LETTER FROM MODESTO  
GOLF CLUB

A communication from the Modesto Golf Club expressing their thanks for the many improvements made on the Municipal Golf Course and for the extension of the Clubhouse. Same was read and ordered filed.

6 IN THE MATTER OF  
HEARING PROTESTS  
SERVICE STATION  
MADONNA & ZECCA

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

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

and it appearing from affidavits on file that a notice setting forth a time for hearing any and all protests to the granting of the petition as prayed for and this being the time set forth and whereas the City Clerk reports that no protests either oral or written have been officially filed, Commissioner Bond introduced

RESOLUTION NO. 4124-N.S.

granting permit with the understanding that all provisions relative to building permit fees be complied with and subject to approval of plans and specifications by the City Engineer, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: Oliver

7 IN THE MATTER OF  
AWARD BID ON POWER  
LAWN MOWER

Pursuant to referring of bids on power lawn mower to City Engineer for tabulation and recommendation as to the lowest and best bid, at this time Commissioner Neece introduced

RESOLUTION NO. 4125-N.S.

recommending that bid be awarded to Chas. Berg Company at a total amount of \$625.00, which includes sales tax and credit for trade in on 24" Stearns power lawn mower as being the lowest and best bid and that the City Clerk and Auditor be authorized to return checks and bid bonds to unsuccessful bidders and also that he be authorized

to draw warrant in payment to Chas. Berg Company upon delivery of mower and approval by the City Engineer, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: Oliver

IN THE MATTER OF  
RESCINDING RES#  
4091-N.S. SHRUBS  
ON M.I.D. LATERAL  
#4

Whereas Resolution No. 4091-N.S. provides that the City of Modesto take care of shrubs after they are planted on the Modesto Irrigation District Canal #4 from McHenry Avenue to Sycamore Avenue by

private property owners and whereas City Attorney Fowler has rendered an opinion that this cannot legally be done as a portion of this property is not within the City limits, Commissioner Neece introduced.

RESOLUTION NO. 4126-N.S.

rescinding Resolution No. 4091-N.S. and directing the City Clerk to write to Mrs. R. Stewart Hiatt and notify her of the decision of the Council, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: Oliver

IN THE MATTER OF  
2 HOUR PARKING LIMIT  
ON I ST. BETWEEN  
13TH & 14TH STS.

Whereas pursuant to request by tenants of buildings on the south side of Eye Street between 13th and 14th Streets for a 2 hour parking zone, Commissioner Stanley introduced

RESOLUTION NO. 4127-N.S.

authorizing the installation of appropriate signs to mark the south side of Eye Street from the southeast corner of 13th and Eye Streets to alley, as a 2 hour parking zone, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: Oliver

IN THE MATTER OF  
GARDEN CLUB PLANT-  
ING TREES AROUND  
GOLF COURSE

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

City Park Commission recommended that the Christmas tree lane consisting of Deodora trees be planted within the boundaries of the Municipal Golf Course and whereas Mayor J. H. King has received a letter from the Modesto Garden Club on February 15, 1938 accepting the recommendation of the Park Commission, Commissioner Neece introduced

RESOLUTION NO. 4128-N.S.

recommending that the Modesto Garden Club be granted permission to plant a Christmas Tree lane totally within the Municipal Golf Course and under the direction of and as designated by Mr. Neece, Commissioner of Finance and Revenue and F. J. Rossi, City Engineer, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: Oliver

IN THE MATTER OF  
COMMUNICATION CIVIC  
AUDITORIUM

Pursuant to communication from the Modesto Chamber of Commerce to Mayor King regarding means of promoting a civic auditorium

in the City of Modesto. Same was discussed by the Council and laid over to a

future meeting.

12 IN THE MATTER OF PLUMBING ORDINANCE The adoption of a new plumbing ordinance was laid over to a future meeting.

13 IN THE MATTER OF REPORT ON SWIMMING POOL Pursuant to appointment of Commissioners Bond, Stanley, Neece and City Engineer Rossi as a committee under resolution No. 4087-N.S. adopted on January 26, 1938 by the Council to confer with the officials of the Modesto Irrigation District regarding widening canal in the city for a swimming pool and whereas a communication from the State of California Department of Public Health to Dr. E. F. Reamer, County Health Officer setting forth various reasons why this would be inadvisable has been brought before the Council for discussion, it was the general opinion of the Council that this means of operating a municipal swimming pool would not be feasible and should be dropped.

14 IN THE MATTER OF DEPARTMENTAL REPORTS FOR FEBRUARY, 1938 Departmental reports for the month of February were read and ordered filed.

15 IN THE MATTER OF ADJOURNMENT There being no further business to come Before the meeting, Commissioner Bond introduced

RESOLUTION NO. 4129-N.S.

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

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

ATTEST H. E. GRAGG, CITY CLERK

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SPECIAL COUNCIL MEETING
March 16, 1938

The Council of the City of Modesto met in regular session this date, the meeting having been called and convened as set forth in section 2 of the Ordinance No. 2-N.S.

Present: Commissioner: Neece, Oliver, Bond, Stanley and Mayor King
Absent: Commissioner: None

1 IN THE MATTER OF PLUMBING ORDINANCE A general discussion was held on the plumbing Ordinance.

2 IN THE MATTER OF COMMUNICATION STANISLAUS LODGE O.D.H.S. A letter from the Secretary of Stanislaus Lodge No. 50 O.D.H.S., M. Schneider, asking that the regulation of Ordinance No. 482-N.S. providing for a \$5.00 license fee for dance hall be waived as they were giving a benefit dance at the Thompson Hall and a license had not been secured by the owner of the Hall, S. B. Thompson, whereupon Commissioner Stanley introduced

RESOLUTION NO. 4130-N.S

refusing request as the provisions of Ordinance No. 482-N.S. did not permit any deviation from the regular procedure, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF BOARD OF FIRE UNDERWRITERS A report of the Board of Fire Underwriters of the Pacific on the fire defense system of the City of Modesto was read and ordered filed.

IN THE MATTER OF ADOPT BUDGET ON HIGHWAYS-SUPPLEMENT Whereas a project statement relative to expenditure by the State Department of Public Works of money obtained from the apportionment of the  $\frac{1}{4}$  gasoline tax has been presented for approval by the Council, Commissioner Bond introduced

RESOLUTION NO. 4131-NS.

approving statement as a supplement to the budget for expenditures upon highways within the City of Modesto for the biennial period ending June 30, 1939 and does herewith appoint Mayor J. H. King and City Engineer F. J. Rossi as signatory officials and that duplicate copies of this resolution be sent R. E. Pierce, Engineer of Division X of Highways of the California State Department of Public Works, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF REQUEST STANISLAUS COUNTY ALLOW INSPECTIONS OF PROPOSED SUBDIVISIONS MAPS Whereas recent legislation passed and adopted by the Legislature of the State of California permits cities to request of the Board of Supervisors of the Counties wherein said cities are located the right to inspect maps of proposed subdivisions of property outside of said city, but within three miles of the city limits and whereas there are now being filed with the County Surveyor of the County of Stanislaus, numerous maps and plats of proposed subdivisions covering property outside of the City of Modesto but within three miles of the limits of the city and whereas it is desired by the City of Modesto and the Planning Commission of said City that said maps be subjected to inspection by the planning Commission., Commissioner Bond introduced

RESOLUTION NO. 4132-N.S.

requesting that the County Clerk and clerk ex-officio of the Board of Supervisors allow inspection by the Planning Commission, all plats and maps of proposed subdivisions filed with the County Surveyor covering premises outside of the city limits of the City of Modesto but within a radius of 3 miles of said city limits, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF BONDS AND INSURANCE FOR PROTECTION OF CITY Commissioner Neece introduced

RESOLUTION NO. 4133-N.S.

providing for bonds furnished by persons dealing with the City of Modesto for the protection of the City, save and except those bonds accompanying bids for City Business, and all insurance taken out by and on behalf of the City of Modesto for its protection and the protection of its citizens be furnished, purchased and/or secured from companies furnishing bonds and insurance which said companies have agents living in the City of Modesto, whenever the same is possible so to do, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

1 IN THE MATTER OF City Attorney Fowler was instructed to prepare an amendment to  
ORDINANCE-AMEND Ordinance No. 563-N.S. allowing for signature of Mayor King or  
563-N.S. SIGNATURE Acting Mayor pro tem Stanley on payroll checks in the absence  
ON PAYROLL CHECKS of City Auditor Gragg.

8 IN THE MATTER OF Whereas the New York Yankees Baseball Team are training at the  
BASEBALL GAMES Roosevelt Baseball Field at the present time and are contem-  
OF YANKEE ROOKIES plating holding a few games at the park where charges will be made for admittance.  
Commissioner Neece asked the Council their opinion as to whether or not the City  
would hold to their regular precedent of charging rent of 5¢ a grandstand seat. It  
was the decision of the Council that no charge would be made for rental of this field  
during games while the New York Yankees were holding their spring training.

9 IN THE MATTER OF There being no further business to come before the meeting,  
ADJOURNMENT Commissioner Oliver introduced

RESOLUTION NO. 4134-N.S.

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

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST:   
H. E. GRAGG, CITY CLERK

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Council Meeting,  
March 23, 1938

The Council of the City of Modesto met in regular session this  
date, the meeting having been called and convened as set forth in section 2 of the  
Ordinance No. 2-N.S.

Present: Commissioner: Neece, Oliver, Bond, Stanley and Mayor King

Absent: Commissioner: None

1 IN THE MATTER OF The minutes of the regular meeting of March 9, 1938 having  
MINUTES been heretofore read by each Councilman were unanimously ap-  
proved as so read. The minutes of the Special Meeting of March 16, 1938 were approved  
with the exception of Resolution No. 4133-N.S. entitled, "A RESOLUTION REQUIRING  
BONDS AND INSURANCE FOR PROTECTION OF CITY OF MODESTO TO BE PURCHASED FROM COMPANIES  
EMPLOYING LOCAL AGENTS", which was eliminated from the minutes.

2 IN THE MATTER OF Whereas George Threlfall has accepted employment elsewhere, he  
RESIGNATION OF presented his resignation, as deputy license collector and  
GEORGE THRELFALL Auditor, at this time, whereupon Commissioner Neece introduced

RESOLUTION NO. 4135-N.S.

accepting resignation as presented, which resolution was regularly adopted by the  
following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

3  
IN THE MATTER OF  
APPOINTMENT OF  
W.B. DEVLIN AS  
DEPUTY LICENSE  
COLLECTOR

Pursuant to vacancy of position of deputy license collector and Auditor, application of W. B. Devlin was presented for consideration, whereupon Commissioner

Oliver introduced

RESOLUTION NO. 4136-N.S.

appointing W. B. Devlin to the position of Deputy License Collector and Auditor at the salary of \$150.00 per month, effective as soon as he could leave his present employer, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

4  
IN THE MATTER OF  
SERVICE STATION  
REESE ESGAR

Whereas, pursuant to Ordinance No. 344-N.S. there was filed with the Council for approval the application of Reese EsGAR, to erect, operate and maintain a service station on property known as southwesterly portions of lots 17, 18, 19 and 20 of Block 93 of the City of Modesto and whereas the plans therefor have been heretofore checked and approved by the City Engineer, Commissioner Bond introduced

RESOLUTION NO. 4137-N.S.

granting permit to Reese EsGAR to erect, operate, and maintain a service station as prayed for when all provisions of city ordinances relative to building permit and the regulations for storage and dispensing of gasoline and zoning have been complied with, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

5  
IN THE MATTER OF  
COMMUNICATION FROM  
MRS. PAUL FISHER

Whereas Mrs. Paul Fisher has petitioned the Council to remove a cottonwood tree by the side of her house at 202 Sunset Blvd. as it is dangerous to the public, Commissioner Neece introduced

RESOLUTION NO. 4138-N.S.

directing City Engineer Rossi to investigate and take action if he thinks best to remove the tree, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

6  
IN THE MATTER OF  
CALLING FOR BIDS  
DRILLING WELL  
SIERRA DRIVE &  
FIFTH STREETS

Commissioner Bond introduced

RESOLUTION NO. 4139-N.S.

authorizing City Clerk to advertise for bids or proposals for drilling a well at Sierra Drive and Fifth Streets and furnishing and installing casing and pumping and developing well as per plans and specifications on file in the office of the City Engineer, said bids to be opened at 7:30 P.M. at the City Hall at 717 10th Street, April 13, 1938, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

7  
IN THE MATTER OF  
APPROVING RENEWAL  
OF LEASE WITH PATH-  
FINDER FLYING SERVICE

Whereas the City of Modesto has entered into a lease agreement with the Pathfinder Flying Service for conducting an aeronautical business, selling airplanes and accessories at the Municipal Airport located east of the City of Modesto, south of Waterford Road and whereas this lease provides for the renewal of this lease to be made yearly and as this lease expires on March 31, 1938, at this time a renewal of lease was presented for approval, whereupon Commissioner Bond introduced

RESOLUTION NO. 4140-N.S.

approving lease as presented, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

8  
IN THE MATTER OF  
APPROVAL OF MAP OF  
CITY OF MODESTO

Whereas pursuant to Section 3658A of the Political Code of the State of California, the City Engineer of the City of Modesto has made and compiled an official map of the City of Modesto, which map has this day been exhibited and presented for final approval to the City Council and whereas, the City Council of the City of Modesto finds and so declares the fact to be that said map so made and compiled by said City Engineer is true and correct in every particular that the laws of the State of California and the ordinances of the City of Modesto have been fully complied with in making and compiling said map, whereupon Commissioner Bond introduced

RESOLUTION NO. 4141-N.S.

adopting the map so made and compiled by said City Engineer as the official map of the City of Modesto, effective as of this day, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

9  
IN THE MATTER OF  
CHANGING NAME OF  
COMMERCIAL STREET

Whereas it is to the best interest of the citizens of the City of Modesto that the name of Commercial Street

be changed to "Campus Way", Commissioner Stanley introduced

RESOLUTION NO. 4142-N.S.

authorizing the change to be made, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

10  
IN THE MATTER OF  
CHANGING NAME OF  
WATER STREET

Whereas it is to the best interest of the citizens of the City of Modesto that the name of Water Street be

changed to "Merton Boulevard", Commissioner Stanley introduced

RESOLUTION NO. 4143-N.S.

authorizing the change of name to be made, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

11 IN THE MATTER OF  
CLOSING 25' STRIP  
OF STATE STREET

The matter of closing 25' strip of State Street was laid over to a future meeting.

12 IN THE MATTER OF  
CLOSING ALLEY IN  
BLOCK 73

ure meeting.

The introduction of final Street Proceeding resolution on the closing of alley in Block 73 was laid over to a future meeting.

13 IN THE MATTER OF  
INSURANCE AND  
BONDS

Whereas the City of Modesto is often required to secure insurance for the protection of the citizens of the said city and whereas the City of Modesto is often required to demand the posting of certain bonds by individuals dealing with the City and whereas it is deemed to be to the advantage and benefit of the citizens of said City that said bonds and insurance be secured by said City of Modesto from companies who employ agents living in the City of Modesto, whenever possible so to do, Commissioner Bond introduced

RESOLUTION NO. 4144-N.S.

requiring that all bonds furnished by persons dealing with the City of Modesto for the protection of the City and its said citizens and all insurance taken out by and on behalf of the City of Modesto for its protection and for the protection of its citizens be furnished, purchased and/or secured from companies furnishing bonds and insurance through agents who maintain and operate offices or places of business in the City of Modesto, whenever the same is possible so to do, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

14 IN THE MATTER OF  
ORDINANCE RE:  
PLUMBING

Commissioner Bond introduced an ordinance being  
ORDINANCE NO. 569-NS.

entitled "AN ORDINANCE PROVIDING FOR THE PROTECTION OF THE PUBLIC HEALTH AND THE EXAMINATION, REGISTRATION AND LICENSING OF PERSONS ENGAGED IN THE BUSINESS OF PLUMBING OR LABORING AT THE TRADE OF PLUMBING, REQUIRING A PERMIT FOR THE INSTALLATION OR ALTERATION OF PLUMBING AND DRAINAGE SYSTEMS: CREATING THE OFFICE OF PLUMBING INSPECTOR AND A BOARD OF PLUMBING EXAMINERS AND PRESCRIBING THEIR DUTIES: DEFINING CERTAIN TERMS, ESTABLISHING MINIMUM REGULATIONS FOR THE INSTALLATION, ALTERATION OR REPAIR OF PLUMBING AND DRAINAGE SYSTEMS AND THE INSPECTION THEREOF, PROVIDING PENALTIES FOR THE VIOLATION THEREOF, AND REPEALING CONFLICTING ORDINANCES" and moved its adoption and passage to print and publish, which motion being duly seconded, it was upon roll call carried, and the ordinance ordered published as above by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

15 IN THE MATTER OF  
ORDINANCE RE:  
SIGNATURE ON PAY-  
ROLLS

Commissioner Bond introduced an ordinance being  
ORDINANCE NO. 570-N.S.

entitled: "AN ORDINANCE AMENDING SECTION 3 OF ORDINANCE NO. 563-N.S. OF THE CITY OF MODESTO ENTITLED "AN ORDINANCE CREATING A FUND TO BE KNOWN AS PAYROLL FUND OF THE CITY OF MODESTO AND AUTHORIZING CITY AUDITOR TO PAY CITY EMPLOYEES OUT OF SAID FUND", and moved its adoption and passage to print and Publish, which motion being duly seconded, it was upon roll call carried and the ordinance ordered published as above by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

16 IN THE MATTER OF  
REPORT ON TOY LOAN  
LIBRARY

A report was submitted by the Toy Loan Library which the city is sponsoring. Same was reviewed and ordered filed.

17 IN THE MATTER OF  
10 MINUTE PARKING  
ZONES

Whereas under and by virtue of the provisions of Ordinance No. 544-N.S. duly and regularly adopted by the City Council, said City Council has the power, when and if the general welfare and safety of the citizens of the City of Modesto so require it, to increase or diminish the time for which vehicles may be parked on the public streets of the business district and whereas, it appears that the general welfare and safety of the citizens require that the time for parking vehicles on the second parallel parking stall situate on the northwesterly corner of 10th & G Streets be set at ten minutes between the hours of 9:00 A.M. and 6:00 P.M., whereupon Commissioner Stanley introduced

RESOLUTION NO. 4145-N.S.

ordering the City Engineer of the City of Modesto to procure proper markings and/or signs conveying to the public notice of the fact that the area herein designated shall be used by the operators of vehicles for the period herein set forth, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

18 IN THE MATTER OF  
PARKING SPACE FOR  
BUS AT BEATY BLDG.

Commissioner Stanley introduced

RESOLUTION NO. 4146-N.S.

creating a loading zone and/or bus stop to be used by busses for taking on and discharging passengers, said busses proceeding easterly on J Street, having occasion to stop at the intersection of said J Street and 11th Streets shall park and/or stop in said loading zone and in no other place at said intersection and no other persons shall be permitted to stop or park in said loading zone, which shall be located 39 feet in length and lying parallel to the southerly side of J Street adjacent to J Street cross walk, which said cross walk is now located on the southwesterly side of said 11th St. at the intersection of 11th and J Streets. Be it further resolved that the loading zone now located on the southerly side of J Streets between Tenth and Eleventh Streets and directly in front of the entrance to the Beaty Building shall be removed, and said space in front of said building shall be remarked for parallel parking, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

19 IN THE MATTER OF  
10 MINUTE PARKING  
SPACE 11TH STREET  
AT J

Councilman Stanley introduced

RESOLUTION NO. 4146-A

creating a 10 minute parking zone between 9 A.M. and 6 P.M. at the space now located and designated for diagonal parking of vehicles, being the first parking space south-easterly from the southerly line of J Street on 11th St. The northerly line of said parking space shall commence at a point on the curb which is located at a distance of 27 feet from the southerly property line of J Street and 10 minute parking space on the northwesterly side of J Street easterly from the

north corner of the intersection formed by 11th and J Streets is hereby rescinded, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF  
ADJOURNMENT

Commissioner Oliver introduced

RESOLUTION NO. 4147-N.S.

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

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST:  H. E. GRAGG, CITY CLERK

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SPECIAL COUNCIL MEETING

March 30, 1938

The Council of the City of Modesto met in special session this date, the meeting having been called and convened as set forth in section 2 of the Ordinance No. 2-N.S.

Present: Commissioner: Neece, Oliver, Bond, Stanley and Mayor King

Absent: Commissioner: None

IN THE MATTER OF  
ORD. RE: ROOSEVELT  
FIELD, GOLF COURSE  
AND PARKS

A general discussion was held on adoption of ordinance, placing the Golf Course, Roosevelt Field and all parks under the direct supervision of the City Engineer. By order of

the Council, City Attorney Fowler was directed to prepare ordinance to be adopted at a later meeting.

IN THE MATTER OF  
OFFER OF FRANK B.  
COLLIER FOR CER-  
TAIN PROPERTY

Pursuant to communication from Frank B. Collier offering to buy certain property that the City of Modesto has taken tax deeds on for one of his clients, Commissioner Bond intro-

duced

RESOLUTION NO. 4148-N.S.

accepting the offer of Frank B. Collier of \$400.00 for lots 19 and 20 in Block 510, same to be free and clear of all city taxes and assessments levied or assessed prior to the first Monday in March, 1938, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

Commissioner Bond introduced

RESOLUTION NO. 4149-N.S.

refusing offer of Frank Collier of \$250.00 on lots 11 and 12, Block 575 and offering to give a tax deed to client of Mr. Collier, James Roach, for \$350.00, the same to be free and clear of all city taxes and assessments levied or assessed prior to the first Monday in March, 1938, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

Commissioner Stanley introduced

RESOLUTION NO. 4150-N.S.

accepting offer of client of Mr. Collier, James Roach for \$100.00 for lot 1, west 50 ft. of East 100 feet, Block 212, City of Modesto, same to be free and clear of all city taxes and assessments levied or assessed prior to the first Monday in March, 1938, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

3

IN THE MATTER OF  
APPRECIATION OF TREES  
PLANTED-GOLF COURSE-  
BY THE GARDEN CLUB

Commissioner Neece introduced

RESOLUTION NO. 4151-N.S.

directing the City Clerk to write a letter of appreciation to the Modesto Garden Club for their action in planting Deodora trees on the Golf Course, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

4

IN THE MATTER OF  
ADJOURNMENT

Commissioner Oliver introduced

RESOLUTION NO. 4152-N.S.

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

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: H. E. GRAGG, CITY CLERK

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SPECIAL COUNCIL MEETING

April 6, 1938

The Council of the City of Modesto met in special session this date, the meeting having been called and convened as set forth in section 2 of the Ordinance No. 2-N.S.

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

Absent: Councilmen: Oliver

1 IN THE MATTER OF  
ACCEPTANCE OF OFFER  
ON PROPERTY FRANK  
B. COLLIER

Whereas, Frank B. Collier has offered to purchase on behalf of James A. Roach, lots 11 and 12 in Block 575 in the City of Modesto for \$350.00, free and clear of all city taxes and assessments levied or assessed prior to the first Monday in March, 1938, Commissioner Bond introduced

RESOLUTION NO. 4153-N.S.

accepting offer for said property of \$350.00, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: Oliver

IN THE MATTER OF  
DEEDS TO BE MADE  
ON PROPERTY SOLD  
TO JAMES A ROACH

Pursuant to acceptance by the Council of the City of Modesto of offers of Frank B. Collier, Attorney for James A. Roach to purchase the following described real property:

Parcel #1--West 50 feet of east 100 feet of lot 1 in Block 212

Parcel #2--Lots 11 and 12 in Block 575

Parcel #3--Lots 19 and 20 in Block 510

Commissioner Bond introduced

RESOLUTION NO. 4154-N.S.

ordering that property above described be sold subject only to unpaid County and Irrigation taxes and the city taxes and special assessments on the first Monday in March, 1938 and subsequent thereto and the Mayor and Tax Collector are authorized to execute deeds conveying property to James A. Roach and the Auditor and Tax Collector shall cancel all back taxes and assessments on all said premises prior to March 7, 1938, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: Oliver

3 IN THE MATTER OF  
ADJOURNMENT

Commissioner Neece introduced

RESOLUTION NO. 4155-N.S.

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

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

Noes: Councilmen: None

Absent: Councilmen: Oliver

ATTEST

*W.C. Pegg*

CITY CLERK

The Council of the City of Modesto met in regular session this date, the meeting having been called and convened as set forth in section 2 of the Ordinance No. 2-N.S.

Present: Commissioner: Neece, Oliver, Bond, Stanley and Mayor King

Absent: Commissioner: None

IN THE MATTER OF MINUTES The minutes of the regular meeting of March 23, 1938 and of the Special meeting of March 30, 1938 having been heretofore read by each Councilman were unanimously approved as so read.

IN THE MATTER OF PETITION FOR REDUCTION OF TAXES LESLIE BAKER Mr. Leslie Baker appeared before the Council and petitioned that the Council reduce the delinquent taxes on lots 26 and 27 in Block 17 of the City of Modesto. The matter was referred to Commissioners Stanley and Bond to make an investigation and report back to the Council.

IN THE MATTER OF OFFER FOR PROPERTY BLOCK 200 LOTS 1 AND 2 -GRACE LUTHERAN CHURCH Whereas the Grace Lutheran Church have offered \$150.00 for Block 200 lots 1 and 2, same to be free and clear of all city taxes and assessments levied or assessed prior to the first Monday in March, 1938, Commissioner Stanley introduced

RESOLUTION NO. 4156-N.S.

accepting offer of \$150.00 for lots 1 and 2 in Block 200 of the City of Modesto, same to be free and clear of all city taxes and assessments levied or assessed prior to the first Monday in March, 1938, and authorized the City Auditor and Tax Collector to cancel all taxes on this property levied prior to March 7, 1938 and to prepare a deed for delivery to the Grace Lutheran Church, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF PROTEST CONDITION DWELLING 1130 13th STREET Pursuant to appearance of Joe H. Korn, 1126 13th Street before the Council protesting to the condition of property at 1130 13th Street, leased by the County of Stanislaus and in which the County have numerous indigent families reside, same was referred to Fire Chief Wallace and City Attorney Fowler for investigation.

IN THE MATTER OF CLAIMS FOR MONTH OF MARCH Whereas the claims against the City of Modesto for the month of March, 1938 having been heretofore audited by the Council and found to be correct, Commissioner Neece introduced

RESOLUTION NO. 4157-N.S.

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

GENERAL FUND-----	\$24,123.98
WATER FUND-----	3,535.17
LIBRARY FUND-----	1,439.45
BOND RED. INT. FUND-----	68.98
ST. BOND RED. INT. FUND-----	
UNAPPORTIONED FUND-----	
GASOLINE TAX FUND SPECIAL-----	
TOTAL-----	\$29,167.58

which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF  
CLAIMS ALLOWED FOR  
REFUND OF TAXES

Whereas, the Firestone Service Store has filed claim for refund of personal property tax for year 1938 because of wrong value being turned in on business statement for stock on hand as of March 7, 1938, same being \$9399.00 which should have been \$4821.00; and Voy S. McMath filing claim for \$11.00 for refund of 1937 taxes because soldier's exemption was not allowed although he had signed exemption and Anna L. Larsen filed claim for refund of taxes because of assessment of full value instead of 55% on Block 518, lots 7 and 8, E 40 feet, and E. 44 ft. of 9 and 10, whereupon Commissioner Neece introduced

RESOLUTION NO. 4158-N.S.

allowing claims as filed by petitioners and authorizing City Clerk and Auditor to draw warrants in payment and to make such entries on his record, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF  
CLAIM FOR INJURY  
RUSTAM EDGAR

Whereas, a claim for damages for personal injury of \$6000 made by Rustam Edgar for loss of eye, while he was employed on a W.P.A. Project at the Golf Course, which was injured by a golf ball driven by F. J. Hood of Marinette Wisconsin, it was by order of the Council referred to City Attorney Fowler.

IN THE MATTER OF  
COMMUNICATIONS

League of California Municipalities fiscal officers' news letter was read regarding new ordinances and laws and ordered filed.

A letter from the Los Bancos Parlor No. 206 Native Sons of the Golden West extending an invitation to the City of Modesto to their May Day Festival, April 29-30, May 1, 1938 was read and the City Clerk was instructed to acknowledge receipt of same and to advise them that we appreciated invitation but could not state at this time the number of people who could attend.

A communication from Hawkins & Hawkins & Cardozo appraising the Council of the fact that they are contemplating causing a petition to be circulated by the citizens within a certain district west of the city limits of Modesto for the purpose of taking it into the City of Modesto. Same was read and ordered filed.

A letter from the Tidewater Southern Railway Company regarding the traffic condition at 9th & H Streets was read and City Engineer Rossi was instructed to answer this letter.

A letter from the State Relief Administration regarding the relief situation was read and City Engineer Rossi was instructed to answer same.

A resolution from the California Federation of Women's Club was read regarding the traffic hazards in the business section of the City of Modesto. Same was referred to Stanley for study.

IN THE MATTER OF  
GRADING SPRUCE  
STREET

A petition signed by property owners on Spruce Street was presented for consideration by the Council. They requested

that Spruce Street be graded to eliminate standing water. Same was ordered filed as the new projects approved by the W.P.A. program to grade streets in the City would take care of this matter.

IN THE MATTER OF  
DRILLING WELL

Plans and specifications having heretofore been filed by the City Engineer with the Council and approved by them for the construction and completion of a well at Sierra Drive and 5th Street and the money for said construction having heretofore been duly appropriated and being now available and notice to bidders having heretofore been given and published as required by law and bids in accordance with said notice, having been received not later than 7:30 P.M. on Wednesday, April 13 and having been then and there opened by the Council in open meeting and the Clerk reported 2 bids received, namely Western Well Drilling Co. Ltd. and Tony Garcia. Same were referred to the City Engineer for compilation and recommendation.

IN THE MATTER OF  
APPROVAL OF JOHN  
MUIR SUBDIVISION

Whereas a map of John Muir Subdivision in Block 606 was presented by Bomberger Bros. for acceptance and approval, Commissioner Bond introduced

RESOLUTION NO. 4159-N.S.

accepting and approving map and authorizing the signature of Mayor King and City Clerk to same, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF  
CLOSING ALLEYS AND  
25' STRIP STATE ST.

The matter of completing the closing of alleys in Blocks 73 and 220 and closing 25' strip of State Street was laid over to a later meeting.

IN THE MATTER OF  
ORDINANCE RE:  
ROCSEVELT FIELD  
CHANGE OF NAME

Commissioner Stanley introduced an ordinance being

ORDINANCE NO. 571-N.S.

entitled: "AN ORDINANCE AMENDING SECTION 1 OF

ORDINANCE NO. 459-N.S. OF THE CITY OF MODESTO ENTITLED " AN ORDINANCE DESIGNATING THE BASEBALL FIELD SOUTH OF THE MUNICIPAL GOLF COURSE AS ROCSEVELT FIELD, AND PROVIDING AND AUTHORIZING THE ADOPTION OF RULES AND REGULATIONS FOR ITS USE" and moved its adoption and passage to print and publish, which motion being duly seconded, it was upon roll call carried and the ordinance ordered published as above by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF  
FINAL ADOPTION OF  
ORDINANCE NO. 569-  
N.S.-PLUMBING

Ordinance No. 569-N.S. having been heretofore introduced and ordered printed and published at the regular meeting of March 23, 1938 and thereupon printed and

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

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

Noes: Councilmen: None

Absent: Councilmen: None

10 IN THE MATTER OF  
FINAL ADOPTION OF  
ORDINANCE NO. 570-N.S.  
SIGNATURE ON PAYROLL  
CHECKS

Ordinance No. 570-N.S. having been heretofore introduced and ordered printed and published at the regular meeting of March 23, 1938 and thereupon printed and published as required by the Charter of the City of Modesto, coming on for final adoption at this time it was upon roll call so finally adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

21 IN THE MATTER OF  
APPROVAL OF BOND  
AND APPLICATION  
OF PERCY HUNT-  
PLUMBER

Whereas Percy Hunt has made application and has presented bond to the Council for plumber's license. It was the decision of the Council that this matter be laid over to a later date.

22 IN THE MATTER OF  
FREE WATER LEGION  
BASEBALL PARK

Whereas the American Legion has petitioned the Council to be granted free water service for their baseball field for boys in Block 434, it was the decision of the Council to lay this matter over until the next meeting.

3 IN THE MATTER OF  
DEPARTMENTAL  
REPORTS

Reports of the various departments for the month of March, 1938 were reviewed by the Council and ordered filed.

IN THE MATTER OF  
ADJOURNMENT

There being no further business to come before the meeting, Commissioner Oliver introduced

RESOLUTION NO. 4160-N.S.

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

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST:  CITY CLERK

Special Council Meeting

April 21, 1938

The Council of the City of Modesto met in special session this date, the meeting having been called and convened as set forth in section 2 of the Ordinance No. 2-N.S.

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

Absent: Councilmen: None

1 IN THE MATTER OF  
AWARD BID ON DRILL-  
ING WELL

The matter of awarding bid on drilling well was laid over to the next regular meeting.

2 IN THE MATTER OF  
LaLINDA ANNEXATION  
AND AIRPORT EXTENSION

A discussion was held on the matter of annexation of the LaLinda tract and on the purchase of an extension to the Airport.

3 IN THE MATTER OF  
ACCEPTING OFFER  
OF LESLIE K. BAKER  
ON PROPERTY

Whereas, Leslie F. Baker and Harriet Baker have offered \$34.58 for Block 17, lots 26 and 27 in the City of Modesto, same to be free and clear of all city taxes and assessments levied or assessed prior to the first Monday in March 1938 and

Whereas pursuant to section 35 of Ordinance No. 396-N.S., as amended by Ordinance No. 568-N.S., it appears to the Council of the City of Modesto that it would be for the best interest and welfare of the City that Block 17, lots 26 and 27 acquired by tax deed as provided by Ordinance No. 396-N.S. be sold at private sale, Commissioner Bond introduced

RESOLUTION NO. 4161-N.S.

accepting offer of Leslie F. Baker et ux and the City Tax Collector be authorized to prepare a deed for delivery and property be and the same is hereby ordered sold, subject only to unpaid County and Irrigation taxes and the city taxes and special assessments on the first Monday in March, 1938 and subsequent thereto. The Mayor and Tax Collector are hereby authorized to cancel all taxes levied prior to March 7, 1938 against this property, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

4 IN THE MATTER OF  
APPROVAL OF MAP  
ARATA & PODESTO  
TRACT

Commissioner Neece introduced

RESOLUTION NO. 4162-N.S.

approving map of Arata-Podesto subdivision of Block 308 as presented by the City Engineer and authorizing Mayor and City Clerk as signatory officials, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

5 IN THE MATTER OF  
WATER SERVICE  
HIGH HOMES TRACT

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

18, 1938, Commissioner Bond introduced

RESOLUTION NO. 4163-N.S.

granting an extension of time of two months until June 18, 1938, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF  
ADJOURNMENT

Commissioner Bond introduced

RESOLUTION NO. 4164-N.S.

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

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: W. E. Gray CITY CLERK

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Council Meeting

April 27, 1938

The Council of the City of Modesto met in regular session this date, the meeting having been called and convened as set forth in section 2 of the Ordinance No. 2-N.S.

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

Absent: Councilmen: None

IN THE MATTER OF  
APPROVAL OF MINUTES

The minutes of the regular meeting of April 13, 1938

having been heretofore read by each Councilman were

unanimously approved as so read.

IN THE MATTER OF  
CLAIMS

Whereas W. R. Holdridge has filed claim for \$9.24 for

refund of personal property tax for business at 911

Needham as he had paid statement on April 8, 1938 (receipt #2766-E) before he had filed his soldier's exemption on April 20, 1938, whereupon Commissioner Neece introduced

RESOLUTION NO. 4165-N.S.

allowing claim and authorizing City Auditor to draw warrant in amount \$9.24 in payment of same, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF  
COMMUNICATIONS

A letter from Works Progress Administration regarding

Second Annual Public Recreation Week which will be

held June 19 to 25th was read. Same was ordered filed.

A letter from the State Relief Administration regarding

projects for Class "B" men was read and ordered filed.

IN THE MATTER OF  
ANNEXATION OF  
HAWKINS TRACT

Whereas there has been presented to the Council a petition

requesting that an election be called in the Hawkins Tract

and it appears that said petition is in order, Commissioner Bond introduced

RESOLUTION NO. 4166-N.S.

accepting petition and the City Attorney ordered to prepare the necessary documents and notices for the holding of an election in said territory sought to be annexed for the purpose of determining whether or not the voters living in said territory desire said territory to be annexed to and to become a part of the City limits which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF  
ANNEXATION OF  
"HAWKINS TRACT"

Whereas petition has been presented to the Council in the proper form asking that the City of Modesto annex the Hawkins Tract, Commissioner Bond introduced

RESOLUTION NO. 4167-N.S.

authorizing the holding of and calling an election in the above described territory as provided by law, on the 31st day of May, 1938 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, Bond, Oliver, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF  
AWARD BID ON  
DRILLING WELL

Commissioner Bond introduced

RESOLUTION NO. 4168-N.S.

awarding bid to the Western Well Drilling Co. Ltd., for drilling well at Sierra Drive and 5th Streets, as being the lowest and best bid:

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

and that a contract be entered into by the City of Modesto with said Western Well Drilling Co. Ltd. and that the Mayor and the City Clerk be and they are hereby authorized and directed to enter into said contract, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF  
ADOPTION AMENDED  
PROJECT ~~1/4~~ GAS TAX  
FUND-HIGHWAYS

Whereas the State of California, through its Department of Public Works, Division of Highways, has presented a memorandum of agreements in accordance with a project

statement submitted by the City for expenditure of the ~~1/4~~ gas tax for the 1937-38 biennium allocated for State Highway in the City of Modesto and whereas the Council has heard read said second supplemental agreement in full and is familiar with the contents thereof; Commissioner Bond introduced

RESOLUTION NO. 4169-N.S.

approving agreement for the expenditure of the ~~1/2~~ gas tax allocated for State Highways and the Mayor and City Clerk are hereby directed to sign the same on behalf of said City, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF  
CLOSING ALLEY IN  
BLOCK 73

Pursuant to Resolution of Intention No. 220 providing for the closing of alley in Block 73 and pursuant to notice of time

set for hearing protests to the closing of alley and this being the time set forth for such hearing, it appeared that no protests either oral or written were filed; whereupon Commissioner Bond introduced

RESOLUTION NO. 781-S.P.

closing alley in Block 73 as set forth in Resolution of Intention No. 220, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF  
CLOSING ALLEY IN  
BLOCK 220

Pursuant to Resolution of Intention No. 221, providing for the closing of alley in Block 220 and pursuant to notice of time set

for hearing protests to the closing of alley and this being the time set forth for such hearing, it appeared that no protests either oral or written were filed; whereupon Commissioner Bond introduced

RESOLUTION NO. 782-S.P.

closing alley in Block 220 as set forth in Resolution of Intention No. 221, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF  
FINAL ADOPTION OF  
ORDINANCE NO. 571-NS  
MODESTO MUNICIPAL  
BASEBALL FIELD

Ordinance No. 571-N.S. having been heretofore introduced and ordered printed and published at the regular meeting of April 13, 1938 and thereupon printed and published as re-

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

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

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF  
FURNISHING WATER  
TO LEGION BASEBALL  
FIELD

Pursuant to request by the Legion for water on their baseball field in Block 434, Commissioner Neece introduced

RESOLUTION NO. 4170-N.S.

agreeing to construct the pipe line for water up to property line of Block 434 and it would then be necessary for the Legion to pay for the construction of line to the baseball field and the City could furnish free water to the field, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None



WHEREAS, pursuant to section 35 of Ordinance No. 396-N.S., as amended by Ordinance No. 568-N.S. it appears to the Council of the City of Modesto that it would be for the best interest and welfare of the City that Block 430, lots 19 and 20 acquired by tax deed as provided by Ordinance No. 396-N.S. be sold at private sale, Commissioner Stanley introduced

RESOLUTION NO. 4174-N.S.

accepting offer of J. D. Rogers and the City Tax Collector be authorized to prepare a deed for delivery and property be and the same is hereby ordered sold, subject only to unpaid County and Irrigation taxes and the city taxes and special assessments on the first Monday in March, 1938 and subsequent thereto. The Mayor and Tax Collector are hereby authorized to cancel all taxes levied prior to March 7, 1938 against this property, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

3 IN THE MATTER OF  
ACCEPT OFFER OF  
I. L. RAUBE ON  
PROPERTY

Whereas, Isabel L. Raube has offered \$125.00 for Block 5, lots 1 and 2 in the City of Modesto, same to be free and clear of all city taxes and assessments levied or assessed prior to the first Monday in March, 1938 and

WHEREAS, pursuant to section 35 of Ordinance No. 396-N.S. as amended by Ordinance No. 568-N.S. it appears to the Council of the City of Modesto that it would be for the best interest and welfare of the City that Block 5, lots 1 and 2 acquired by tax deed as provided by Ordinance No. 396-N.S. be sold at private sale, Commissioner Bond introduced

RESOLUTION NO. 4175-N.S.

accepting offer of Isabel L. Raube and the City Tax Collector be authorized to prepare a deed for delivery and property be and the same is hereby ordered sold, subject only to unpaid County and Irrigation taxes and the City taxes and special assessments on the first Monday in March, 1938 and subsequent thereto. The Mayor and Tax Collector are hereby authorized to cancel all taxes levied prior to March 7, 1938 against this property, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

4 IN THE MATTER OF  
APPOINTMENT PLUM-  
BER'S BOARD

Pursuant to provisions of section 11 of Ordinance No. 569-N.S. Commissioner Bond introduced

RESOLUTION NO. 4176-N.S.

appointing L. E. Moore, Master plumber, Fred Hill, journeyman plumber, City Attorney Fowler, Frank Holtham, City Health Inspector and Frank Rossi, plumbing inspector, as plumbing examiner board, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF  
ADJOURNMENT

There being no further business to come before the meeting  
Commissioner Oliver introduced

RESOLUTION NO. 4177-N.S.

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

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST W.E. Gray CITY CLERK

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Council Meeting

May 11, 1938

The Council of the City of Modesto met in regular session this date, the meeting having been called and convened as set forth in section 2 of the Ordinance No. 2-N S.

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

Absent: Councilmen: None

IN THE MATTER OF MINUTES The minutes of the regular meeting of April 27, 1938 and of the Special meeting of May 2, 1938 having been heretofore read by each Councilman were unanimously approved as so read.

IN THE MATTER OF HORSESHOE CLUB Mr. E.R. Williams representing the Horseshoe Club appeared before the Council to thank them for all the work that had been done by the City on the horseshoe grounds. He reported that the parking conditions were hazardous to the traffic as cars were parked along the narrow road near the horseshoe grounds and as the traffic proceeded through the park it caused a traffic hazard. He proposed to the Council that a small strip of ground near the grounds be utilized as a parking space. The matter was referred to Commissioner Stanley and Chief Arlington for investigation.

IN THE MATTER OF CLAIMS FOR MONTH OF APRIL Whereas the claims against the City of Modesto for the month of April, 1938 having been heretofore audited by the Council and found to be correct, Commissioner Neece introduced

RESOLUTION NO. 4178-N.S.

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

GENERAL FUND-----	\$21,211.22
WATER FUND-----	4,982.04
LIBRARY FUND-----	1,735.73
BOND RED. INT. FUND-----	5.01
ST. BOND RED. INT. FUND-----	93.36
UNAPPORTIONED FUND-----	36.96
TOTAL-----	\$28,064.32

which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF ACCEPTING OFFER F. B. COLLIER ON PROPERTY Whereas, Frank B. Collier has offered \$50.00 for Block 358, lots 47 and 48 in the City of Modesto, same to be

free and clear of all city taxes and assessments levied or assessed prior to the first Monday in March 1938 and

WHEREAS, pursuant to section 35 of Ordinance No. 396-N.S., as amended by Ordinance No. 568-N.S. it appears to the Council of the City of Modesto that it would be for the best interest and welfare of the City that Block 358, lots 47 and 48 acquired by tax deed as provided by Ordinance No. 396-N.S. be sold at private sale, Commissioner Stanley introduced

RESOLUTION NO. 4179-N.S.

accepting offer of Frank B. Collier and the City Tax Collector be authorized to prepare a deed for delivery and property be and the same is hereby ordered sold, subject only to unpaid County and Irrigation taxes and the city taxes and special assessments on the first Monday in March, 1938 and subsequent thereto. The Mayor and Tax Collector are hereby authorized to cancel all taxes levied prior to March 7, 1938 against this property which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF  
ACCEPTING OFFER  
J.D. ROGERS ON  
PROPERTY

Whereas, J. D. Rogers has offered \$100.00 for Block 604, lots 45 and 46 in the City of Modesto, same to be free and clear of all city taxes and assessments levied or assessed prior to the first Monday in March, 1938 and

Whereas, pursuant to section 35 of Ordinance No. 396-N.S., as amended by Ordinance No. 568-N.S. it appears to the Council of the City of Modesto that it would be for the best interest and welfare of the City that Block 604, lots 45 and 46 acquired by tax deed as provided by Ordinance No. 396-N.S. be sold at private sale, Commissioner Oliver introduced

RESOLUTION NO. 4180-N.S.

accepting offer of J. D. Rogers and the City Tax Collector be authorized to prepare a deed for delivery and property be and the same is hereby ordered sold, subject only to unpaid County and Irrigation taxes and the city taxes and special assessments on the first Monday in March, 1938 and subsequent thereto. The Mayor and Tax Collector are hereby authorized to cancel all taxes levied prior to March 7, 1938 against this property which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF  
10 MINUTE PARKING  
ZONE ON J STREET

Whereas, pursuant to communication from Walter H. Field requesting that a 10 minute parking zone be established adjacent to the alley between Ninth and Tenth Streets in front of 914 J Street, it was the opinion of the Council that this matter be referred to Commissioner Stanley and Chief Arington for investigation and they would report back to the Council their findings.

IN THE MATTER OF  
ADVERTISING FOR  
BIDS ON PUMPING  
STATION

Commissioner Bond introduced

RESOLUTION NO. 4181-N.S.

authorizing the City Clerk to call for bids for building pumping station at Fifth Street and Sierra Drive, as per plans and specifications on file in the office of the City Engineer, said bids to be opened at a regular

meeting of the Council to be held on May 25, 1938, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF  
REFUSING CLAIM OF  
RUSTAM EDGAR

Whereas claim has been filed with the Council by attorneys for Rustam Edgar for \$6000.00 for injuries sustained upon the Municipal Golf Course during month of January 1938 and whereas the City of Modesto is not legally liable for the alleged damages, Commissioner Neece introduced

RESOLUTION NO. 4182-N.S.

denying claims and authorizing the City Attorney to defend any action at law or in equity that may be brought by the said Rustam Edgar for the collection of the amount herein set forth, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF  
ORD. RE: AMEND NO.  
237-N.S. CONSOLI-  
DATION OF OFFICES

Commissioner Bond introduced an ordinance being

ORDINANCE NO. 572-N.S.

entitled "AN ORDINANCE AMENDING ORDINANCE NO. 237-N.S. OF THE CITY OF MODESTO ENTITLED "AN ORDINANCE CONSOLIDATING CERTAIN OFFICES OF THE CITY WITH THAT OF CITY ENGINEER, PRESCRIBING THE DUTIES TO BE PERFORMED IN CONNECTION THEREWITH, AND FIXING THE SALARY OF THE CITY ENGINEER and moved its adoption and passage to print and publish, which motion being duly seconded, it was upon roll call carried and the ordinance ordered published as above by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF  
ORD. RE: CREATION  
OF PARK COMMISSION-  
ERS BOARD

Commissioner Neece introduced

ORDINANCE NO. 573-N.S.

entitled: "AN ORDINANCE PROVIDING FOR THE CREATION AND ORGANIZATION OF A BOARD OF PARK COMMISSIONERS AND REPEALING ORDINANCES NO. 377-N.S., 439-N.S. AND ORDINANCE NO. 83-N.S. ENTITLED "AN ORDINANCE REGULATING THE PLANTING, REMOVAL AND CARING FOR TREES AND SHRUBS IN THE STREETS OF THE CITY OF MODESTO" and moved its adoption and passage to print and publish, which motion being duly seconded it was upon roll call carried and the ordinance ordered published as above by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF  
ORD. RE: AMEND  
NO. 569-N.S.  
PLUMBING

Commissioner Bond introduced an ordinance being

ORDINANCE NO. 574-N.S.

entitled: "AN ORDINANCE AMENDING ORDINANCE NO. 569-N.S. (PLUMBING ORDINANCE) OF THE CITY OF MODESTO BY ADDING A NEW SECTION THERETO NUMBER 20½" and moved its adoption and passage to print and publish which motion being duly seconded, it was upon roll call carried and the ordinance ordered published

as above by the following vote:

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

Noes; Councilmen: None

Absent: Councilmen: None

12 IN THE MATTER OF REPORTS

Reports of the various departments for the month of April, 1938 were reviewed by the Council and ordered filed.

13 IN THE MATTER OF ADJOURNMENT

There being no further business to come before the meeting, Commissioner Oliver introduced

RESOLUTION NO. 4183-N.S.

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

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST W.E. Gray CITY CLERK

Special Council Meeting

May 23, 1938

The Council of the City of Modesto met in special session this date, the meeting having been called and convened as set forth in section 2 of the Ordinance No. 2-N.S.

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

Absent: Councilmen: None

1 IN THE MATTER OF ACCEPTING EASEMENT FROM TIDEWATER SOUTHERN RAILWAY COMPANY

Whereas an easement from the Tidewater Southern Railway Company to the City of Modesto covering the crossing of Commercial Street over the track and right of way of the

Tidewater Southern Railway Co. has been presented for acceptance by the Council, Commissioner Bond introduced

RESOLUTION NO. 4184-N.S.

accepting the easement as presented and authorizing the City Clerk to have same recorded with the County Recorder of Stanislaus County which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

2 IN THE MATTER OF DISTRIBUTION OF CIRCULARS

The matter of amending ordinance governing the distribution of circulars in the City of Modesto was taken under consideration.

IN THE MATTER OF EMPLOYING GORDON WHITNALL FOR LECTURE ON PLANNING

Commissioner Bond introduced

RESOLUTION NO. 4185-N.S.

authorizing the employing of Gordon Whitnall to give a lecture to the Planning Commission at a fee of \$25.00, Thursday evening May 26, 1938, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF  
ADJOURNMENT

Commissioner Oliver introduced

RESOLUTION NO. 4186-N.S.

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

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST:

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CITY CLERK

Council Meeting

May 25, 1938

The Council of the City of Modesto met in regular session this date, the meeting having been called and convened as set forth in section 2 of the Ordinance No. 2-N.S.

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

Absent: Councilmen: None

IN THE MATTER OF  
MINUTES

The minutes of the regular meeting of May 11, 1938

having been heretofore read by each Councilman were

unanimously approved as so read.

IN THE MATTER OF  
L. E. FLOREY PETITION TAXI STAND

L. E. Florey appeared before the Council and petitioned the Council for his old taxi stand at 10th & I

Streets. He was advised by the Council to make application in the usual form provided by Ordinance No. 205-N.S. and it would be taken under consideration.

IN THE MATTER OF  
CANCEL RICE FURNITURE COMPANY VETERAN'S LICENSE

Commissioner Stanley introduced

RESOLUTION NO. 4187-N.S.

cancelling veteran's license issued to J. L. Rice,

dba Rice Furniture Company, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF  
CLAIM OF MODESTO CHAMBER OF COMMERCE

Whereas, claims have been presented by the Retail

Merchants Bureau for \$100.00 and \$50.00, balance of

amount allowed under Ordinance No. 552-N.S., entitled "AN ORDINANCE APPROPRIATING MONEY FOR PURPOSES OF PROMOTING THE GENERAL WELFARE OF THE CITIZENS OF MODESTO"

Commissioner Neece introduced

RESOLUTION NO. 4188-N.S.

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

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

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF  
THE GRANGE COMPANY  
ELEVATED CARRIER  
ACROSS WEST STREET

Whereas The Grange Company have petitioned the Council  
to be permitted to build an elevated carrier across  
West Street, a Committee of City Engineer Rossi and

Commissioner Bond was appointed to investigate and report back to the Council.

IN THE MATTER OF  
OFFER TO BUY PROP-  
ERTY BY FRANK B.  
COLLIER

Whereas Frank B. Collier has offered to purchase lots  
33 and 34, Block 584 in the City of Modesto for \$125.00  
and lots 41 and 42 Block 582 for \$125.00 and lots 9,10,11

and 12, Block 588 of the City of Modesto for \$125.00, a committee of Commissioners  
Neece, Bond and City Clerk Gragg were appointed to investigate and report back to the  
Council.

IN THE MATTER OF  
APPOINTMENT TO  
CIVIL AERONAUTICS  
COMMISSION-JEAN  
L. VINCENZ

Whereas, Jean L. Vincenz, Commissioner of Public Works  
of the City of Fresno has petitioned the Council to write  
to President Franklin D. Roosevelt, recommending his appoint-

ment to the Civil Aeronautics Authority so that California may be represented on this  
Commission, Commissioner Stanley introduced

RESOLUTION NO. 4189-N.S.

authorizing the City Clerk to write a letter to President Roosevelt and Senator  
William G. McAdoo sponsoring the appointment of Mr. Vincenz to the Civil Aeronautics  
Authority, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF  
HEARING PROTEST TO  
BUILDING OF STANIS-  
LAUS COUNTY FARM  
BUREAU, 13th and  
M. STREETS

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

Block 109 of the City of Modesto and it appearing from affidavits on file that a notice  
setting forth the time for hearing any and all protests to the granting of the petition  
as prayed for and this being the time set forth and whereas, the City Clerk reports that  
no protests either oral or written have been officially filed, Commissioner Bond  
introduced

RESOLUTION NO. 4190-N.S.

granting permission with the understanding that all provisions relative to building  
permit fees be complied with, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF  
BIDS ON PUMPING  
STATION 5th AND  
SIERRA DRIVE

Plans and specifications having heretofore been filed  
by the City Engineer with the Council and approved by  
the Council for the construction and completion of a

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

Harry Brown

\$1127.00

Alternate  
\$1185.00

Jarvis Brothers	\$1327.00	\$1327.00
M.O. Ward	1900.00	1840.00
Stewart M. McGaw	1390.00	1365.00

whereupon Commissioner Bond introduced

RESOLUTION NO. 4191-N.S.

awarding contract to Harry Brown for \$1127.00 for constructing the building complete using concrete block in the walls and authorizing the City Clerk to return cashier's checks and bid bonds to the unsuccessful bidders and that a contract be entered into by the City of Modesto with said Harry Brown and that the Mayor and the City Clerk of the City of Modesto be and they are hereby authorized and directed to enter into said contract, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF  
10 SICK LEAVE-HOLIDAYS  
CITY EMPLOYEES

Whereas, it is deemed expedient and for the good of  
the personnel of the employees of the City of Modesto

that all regular and permanent employees be granted sick leave, vacations and holidays with compensation and it is believed that years of faithful service rendered by city employees should be rewarded with the accumulation of unused sick leave for use by employees in the case of a possible emergency Commissioner Stanley introduced

RESOLUTION NO. 4192-N.S.

granting two weeks vacation with pay to all regularly employed after a period of one year service, also seven days sick leave per year after service of one year and sick leave permitted to build up to 35 days and the following holidays, New Year's Day, Washington's Birthday, Memorial Day, Independence Day, Labor Day, Armistice Day, Thanksgiving Day and Christmas, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF  
11 PARKING AT HORSE-  
SHOE COURT

Chief Arington and Frank Rossi, appointed by the  
Council to make an investigation of the parking condi-

tion at the Horseshoe court reported that it was their opinion that this matter should be turned over to the Park Department to work out some method to handle the traffic and parking. Whereupon by order of the Council the matter was referred to City Engineer Rossi.

IN THE MATTER OF  
12 PARKING 2 HOUR  
EAST SIDE 10th  
STREET

Whereas Ordinance No. 544-N.S. provides that the City  
Council may by resolution establish two hour parking  
limits when and where they see fit to do so,

Commissioner Stanley introduced

RESOLUTION NO. 4193-N.S.

establishing a two hour parking limit on the east side of Tenth Street between D and G Streets and the City Engineer be instructed to procure and erect proper markings and/or signs, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

13 IN THE MATTER OF  
PARKING ON WEST  
SIDE 12TH STREET  
BETWEEN J AND  
SCOTT BUILDING

Commissioner Stanley introduced

RESOLUTION NO. 4194-N.S.

providing for the marking of west side of 12th Street from J to north property line of Scott building as a two hour parking zone as provided by Ordinance No. 544-N.S. by the City Engineer, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

14 IN THE MATTER OF  
FINAL ADOPTION OF  
ORD. NO. 572-N.S.  
CONSOLIDATION OF  
PUBLIC WORKS DEPT.  
OFFICES

Ordinance No. 572-N.S. having been heretofore introduced and ordered printed and published at the regular meeting of May 11, 1938 and thereupon printed and published as required by the Charter of the City of Modesto coming on for final adoption

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

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

Noes: Councilmen: None

Absent: Councilmen: None

15 IN THE MATTER OF  
FINAL ADOPTION OF  
ORD. NO. 573-N.S.  
PARK COMMISSION

Ordinance No. 573-N.S. having been heretofore introduced and ordered printed and published at the regular meeting of May 11, 1938 and thereupon printed and published as required by

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

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

Noes: Councilmen: None

Absent: Councilmen: None

16 IN THE MATTER OF  
FINAL ADOPTION OF  
ORDINANCE NO. 574-N.S.  
AMEND ORD. 569-N.S.  
PLUMBING

Ordinance No. 574-N.S. having been heretofore introduced and ordered printed and published as required by the Charter of the City of Modesto coming on for final adoption at

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

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

Noes: Councilmen: None

Absent: Councilmen: None

17 IN THE MATTER OF  
REPORT ON TAX CON-  
FERENCE BY CITY  
ATTORNEY

At this time City Attorney Fowler presented report on Municipal League Tax conference which he had attended in San Francisco on May 20, 1938, and statement in amount

\$10.40, covering expenses while attending tax conference, whereupon Commissioner Oliver introduced

RESOLUTION NO. 4195-N.S.

authorizing the payment of claim and directing the City Auditor to draw warrant in payment to claimant and accepting the report as given and ordering it filed, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF  
ADJOURNMENT

Commissioner Oliver introduced

RESOLUTION NO. 4196-N.S.

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

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST

*W. E. Gray*  
CITY CLERK

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SPECIAL COUNCIL MEETING

June 1, 1938

The Council of the City of Modesto met in special session this date, the meeting having been called and convened as set forth in section 2 of the Ordinance No. 2-N.S.

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

Absent: Councilmen: None

IN THE MATTER OF  
ZONING

The matter of re-zoning the City of Modesto was discussed and City Engineer Rossi was instructed to write to Gordon Whitnall for information.

IN THE MATTER OF  
BUDGET FOR YEAR  
1938-39

The matter of discussion of the 1938-39 budget for the City of Modesto was laid over to a future date.

IN THE MATTER OF  
RAT EXTERMINATION  
ORDINANCE

The matter of adoption of rat extermination ordinance was laid over to a future meeting.

IN THE MATTER OF  
ORDINANCE RE:  
SOLICITING

Commissioner Neece introduced an ordinance being  
ORDINANCE NO. 575-N.S.

entitled: "AN ORDINANCE AMENDING SECTION 134 OF ORDINANCE NO. 487-N.S.(BUSINESS LICENSE ORDINANCE) OF THE CITY OF MODESTO" and moved its adoption and passage to print and publish, which motion being duly seconded, it was upon roll call carried and the ordinance ordered published as above by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF  
APPLICATION FLOREY  
OPERATE A TAXI

Whereas, L. E. Florey has petitioned the Council for a permit to operate a taxicab business in the City of Modesto and whereas he did operate a taxicab business in the month of September, 1937 and refused to cooperate with the Police Department and whereas during this month of September, 1937 taxicabs operated by the drivers of said L. E. Florey caused death to one person by reason of negligence and serious injury to several other persons and whereas it appears to the Council that there is insufficient public need for the operation of an additional taxicab in the City of Modesto, Commissioner Stanley introduced

RESOLUTION NO. 4198-N.S.

denying request for a permit of L. E. Florey to operate taxicab business by

virtue of the power vested in the Council by section 15 of Ordinance No. 547-N.S. which resolution was regularly adopted by the following vote:

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

IN THE MATTER OF  
EXTENSION ON S. M.  
MCGAW CONTRACT FOR  
RESURFACING STREETS

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

RESOLUTION NO. 4199-N.S.

granting request, which resolution was regularly adopted by the following vote:

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

IN THE MATTER OF  
PERSONNEL OF PARK  
DEPARTMENT OF CITY  
OF MODESTO

Pursuant to Section 2 of Ordinance No. 572-N.S. City Engineer Rossi submitted an outline of the plan and a list of the personnel of the Department of Parks of the City of Modesto, whereupon Commissioner Bond introduced

RESOLUTION NO. 4200-N.S.

accepting outline as presented, which resolution was regularly adopted by the following vote:

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

IN THE MATTER OF  
ADJOURNMENT

Commissioner Oliver introduced

RESOLUTION NO. 4201-N.S.

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

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

ATTEST   
CITY CLERK

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Council Meeting  
June 8, 1938

The Council of the City of Modesto met in regular session this date, the meeting having been called and convened as set forth in section 2 of the Ordinance No. 2-N.S.

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

IN THE MATTER OF  
MINUTES

The minutes of the special meeting of May 23, 1938 and regular meeting of May 25, 1938 and special meeting of June 1, 1938 having been heretofore read by each Councilman were unanimously

approved as so read.

IN THE MATTER OF  
2 BID ON BLOCK 21  
LOTS 11 & 12, F.E.  
WHEELER

Whereas, F. E. Wheeler, representative of Lester W. Wheeler, has offered \$150.00 for Block 21, lots 11 and 12 in the City of Modesto, same to be free and clear of all city taxes and assessments levied or assessed prior to the first Monday in March, 1938, Commissioner Neece introduced .

RESOLUTION NO. 4202-N.S.

accepting offer of F. E. Wheeler of \$150.00 and the City Tax Collector be authorized to prepare a deed for delivery to Lester W. Wheeler and property be and the same is hereby ordered sold, subject only to unpaid County and Irrigation taxes and the city taxes and special assessments on the first Monday in March, 1938 and subsequent thereto. The Tax Collector is hereby authorized to cancel all taxes levied prior to March 7, 1938 against this property, which resolution was regularly adopted by the following vote:

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

IN THE MATTER OF  
3 CLAIMS FOR MONTH  
OF MAY, 1938

Claims against the City of Modesto for the month of May , 1938, having been heretofore audited by the Council and found to be correct, Commissioner Neece introduced

RESOLUTION NO. 4202<sup>A</sup>N.S.

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

GENERAL FUND-----	\$26,267.98
WATER FUND-----	5,360.15
LIBRARY FUND-----	1,533.60
BOND RED. INT. FUND-----	--
ST. BOND RED. INT. FUND-----	--
UNAPPORTIONED FUND-----	--
TOTAL-----	\$33,161.73

which resolution was regularly adopted by the following vote:

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

IN THE MATTER OF  
3 COMMUNICATION

A communication from the League for Local Liquor Control was read and ordered filed.

IN THE MATTER OF  
4 BID ON BLOCK 588  
LOTS 9-10-11-12  
FRANK B. COLLIER

Pursuant to bid of Frank B. Collier of \$125.00 on lots 9-10-11-12 in Block 588 and whereas committee consisting of Bond, Neece and City Clerk Gragg appointed by the Council to make an investigation of this matter reported that this location could be used very advantageously by the City of Modesto in constructing city buildings, Commissioner Bond introduced

RESOLUTION NO. 4203-N.S.

denying request of Frank B. Collier to purchase this property, which resolution was regularly adopted by the following vote:

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

5 IN THE MATTER OF  
BID ON BLOCK 584  
LOTS 33 and 34

Pursuant to appointment of Committee by the Council to investigate the value to be placed on Block 584, lots 33 and 34 on which the City of Modesto holds tax deed, they reported that a value of \$150.00 should be placed on this property and City Clerk reported that there were two bids on file namely, Frank B. Collier in amount \$150.00 and Edmund W. Andrews of \$151.00, whereupon Commissioner Bond introduced

RESOLUTION NO. 4204-N.S.

accepting the offer of Edmund W. Andrews of \$151.00 free and clear of all taxes and assessments of the City of Modesto prior to March 7, 1938 and authorizing the City Clerk and Tax Collector to draw up deed for delivery, and to make such entries on his records as to cancel all back taxes and assessments on this property, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

6 IN THE MATTER OF  
BID ON BLOCK 582  
LOTS 41 and 42  
FRANK B. COLLIER

Pursuant to appointment of Committee by the Council to investigate the value to be placed on Block 582, lots 41 and 42 on which the City of Modesto holds tax deed, they reported that a value of \$150.00 should be placed on this property and City Clerk reported that there was a bid on file for that amount from Frank B. Collier, whereupon Commissioner Bond introduced

RESOLUTION NO. 4205-N.S.

accepting the offer of Frank B. Collier of \$150.00, same to be free and clear of all taxes and assessments of the City of Modesto prior to March 7, 1938 and authorizing the City Clerk and Tax Collector to prepare deed for delivery and to cancel all back taxes and assessments prior to March 7, 1938 on this property, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

7 IN THE MATTER OF  
BID ON ADVERTISING  
AND PRINTING FOR  
FISCAL YEAR ENDING  
JUNE 30, 1939

Commissioner Neece introduced

RESOLUTION NO. 4206-N.S.

calling for bids on printing and advertising for the fiscal year ending June 30, 1939, said bids to be opened at 7:30 Wednesday, June 22, 1938, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

8 IN THE MATTER OF  
PARTIAL PAYMENT  
RESURFACING STREETS  
TO S. M. MCGAW

Whereas S. M. McGaw, contractor has completed the resurfacing work required in his contract and whereas in conformance with provisions of contract there is due at this time 75% of the total amount of contract, namely \$5091.40, Commissioner

Bond introduced

RESOLUTION NO. 4207-N.S.

authorizing payment to S. M. McGaw of \$5091.40 and directing the city clerk and auditor to draw warrant in payment to claimant, which resolution was regularly

adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

7 IN THE MATTER OF  
RENEWAL OF LEASES  
AT AIRPORT

Whereas the Department of Commerce, Bureau of Air  
Commerce have filed intentions to renew leases on

portion of Municipal Airport for a radio range station which expires on June 30, 1938  
and also on Airways remote control quarters at the same location Commissioner Bond  
introduced

RESOLUTION NO. 4208-N.S.

accepting notification and authorizing the renewing of lease for a term of one year  
ending June 30, 1939, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

10 IN THE MATTER OF  
CANVAS VOTE ON  
HAWKINS TRACT  
ANNEXATION

Pursuant to Hawkins Tract election for annexation to  
the City of Modesto held on May 31, 1938 at this time  
the Council resolved itself into a canvassing board

and proceeded to determine the results of the election, Commissioner Bond introduced

RESOLUTION NO. 4209-N.S.

which resolution was in detail as follows:

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

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

and it appearing that said election was held within the territory proposed to be  
annexed on the 31st day of May, 1938, in accordance with the resolution of this  
Council heretofore passed and adopted, and that after the holding of said election  
the election officers thereof delivered to and deposited with the Clerk of this  
Council, the ballots, tally sheets and returns of said election, and it appearing  
and the Council so finding that the proposition submitted at said election was  
whether or not such new territory, in said resolution and hereinabove described,  
shall be annexed to, incorporated in and made a part of the municipal corporation  
of the City of Modesto, and the property therein be not, after such annexation,  
subject to taxation equally with the property within such municipal corporation, to  
pay the bonded indebtedness of such municipal corporation outstanding at the time of  
the filing of the petition asking that such election be called or theretofore  
authorized;

THEREFORE, BE IT RESOLVED that the Council of the City of

of Modesto after having proceeded to canvass the said returns finds that the whole number of votes cast in said territory proposed to be annexed was three, that the number of votes cast therein in favor of annexation was three, and that the number of votes therein cast against annexation was none, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

Whereupon in conformance with State Statutes, Commissioner Bond introduced an ordinance being

ORDINANCE NO. 576-N.S.

entitled "AN ORDINANCE APPROVING THE ANNEXATION OF CERTAIN TERRITORY TO THE CITY OF MODESTO", approving the annexation of the above described territory known as the "Hawkins Tract" and providing for the required recording of same with the Secretary of State, which ordinance was duly passed to print and publish by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

12) IN THE MATTER OF  
FINAL ADOPTION OF  
ORD 575-N.S. SOLICIT-  
ING

Ordinance No. 575-N.S. having been heretofore introduced and ordered printed and published at the special meeting of June 1, 1938 and thereupon printed and published as required by the Charter of the City of Modesto coming on for final adoption at this time, it was upon roll call so finally adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

13) IN THE MATTER OF  
10 MINUTE PARKING  
ZONE ON J STREET  
NEAR FIELD FINANCE  
CORPORATION

The matter of establishing ten minute parking zone in front of building at 914 J Street, Fields Finance Company was laid over to a future date.

IN THE MATTER OF  
INVITATION FROM  
ELKS TO PARADE  
ON JUNE 14, 1938

A communication from the Modesto Lodge No. 1282, Elks of the City of Modesto inviting the Council to participate in a parade to observe Flag Day on Tuesday, June 14, 1938.

The City Clerk was instructed to acknowledge receipt of invitation and to advise them that every effort would be made by the Council to participate.

14) IN THE MATTER OF  
PETITION OF HAWKINS  
HAWKINS & CARDOZA  
EXTEND SEWER LINE  
TO HAWKINS TRACT

Pursuant to petition of Hawkins, Hawkins & Cardoza for the City to construct sewer line to the new Hawkins tract which was recently annexed to the City of Modesto immediately

instead of waiting the usual six months period and whereas they have agreed to reimburse the city for any expense incurred if the annexation should be set aside, Commissioner Bond introduced

RESOLUTION NO. 4210-N.S.

agreeing to establish sewer and water lines to the Hawkins subdivision as soon as convenient providing Hawkins, Hawkins and Cardoza furnish the City of Modesto a \$1000 bond guaranteeing to reimburse the City of Modesto in the event that annexation of this Hawkins Tract should not become final, which resolution was regularly

adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF  
PARKING SPACE FOR  
SANTA FE TRANSPORTATION  
COMPANY

Whereas the agent of the Santa Fe Transportation Company  
have petitioned the City Council for a temporary loading  
zone on the southeast corner of Ninth and Eye Streets,

whereupon Commissioner Stanley introduced

RESOLUTION NO. 4211-N.S.

granting request for a period of 90 days and instructing the City Engineer to mark  
parking space with appropriate signs, which resolution was regularly adopted by the  
following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF  
STATEMENTS OF  
SPEARS-WELLS MACHINERY  
CO. INC.

Whereas statement from the Spears-Wells Machinery Company,  
Inc. for the rental of heater planer is not in proper form

Commissioner Bond introduced

RESOLUTION NO. 4212-N.S.

refusing payment on statements as presented and directing the City Engineer to  
secure new statements and authorizing the City Clerk and Auditor to make payment  
when statement is presented in proper form, which resolution was regularly adopted  
by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF  
PAYMENT TO ELECTION  
OFFICIALS

Commissioner Neece introduced

RESOLUTION NO. 4213-N.S.

authorizing the City Clerk and Auditor to draw warrants in  
amount \$5.00 each to J. R. Hopkins, Della O. Sanders, Thelma B. Sanders in payment  
of services on election board at election held on May 31, 1938 for the annexing  
of Hawkins Tract, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF  
ADJOURNMENT

Commissioner Neece introduced

RESOLUTION NO. 4214-N.S.

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

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST

  
CITY CLERK

SPECIAL COUNCIL MEETING

June 15, 1938

The Council of the City of Modesto met in special session this date, the meeting having been called and convened as set forth in section 2 of the Ordinance No. 2-N.S.

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

Absent: Councilmen: None

IN THE MATTER OF BUDGET 1938-39

A general discussion was held on the 1938-39 budget by the Council.

IN THE MATTER OF APPROVING PROJECT STATEMENT STREETS OF MAJOR IMPORTANCE

Whereas there has been presented for adoption and signature project statement relative to expenditure of 1/2 gasoline tax, Commissioner Bond introduced

RESOLUTION NO. 4215-N.S.

adopting statement as a budget for the expenditure of 1/2 funds upon streets of major importance and does herewith designate Mayor J. H. King and City Engineer F. J. Rossi to affix their signatures in behalf of the City of Modesto, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF ADJOURNMENT

Commissioner Neece introduced

RESOLUTION NO. 4216-N.S.

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

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST

CITY CLERK

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Council Meeting

June 22, 1938

The Council of the City of Modesto met in regular session this date, the meeting having been called and convened as set forth in section 2 of the Ordinance No. 2-N.S.

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

Absent: Councilmen: None

IN THE MATTER OF MINUTES

The minutes of the regular meeting of June 8, 1938 having been heretofore read by each Councilman were

unanimously approved as so read.

IN THE MATTER OF  
BOYS BROTHERHOOD  
OF THE REPUBLIC  
of the Republic

Frank Damrell appeared before the Council to petition the City of Modesto on behalf of the Boys Brotherhood that they be granted a building site for the construction of a meeting hall for the Boy's organization. Same was taken under advisement.

IN THE MATTER OF  
COMMUNICATION

Bulletin from the League of California Municipalities was read and ordered filed.

IN THE MATTER OF  
CLEARING TITLE  
BLOCK 588-LOTS  
9-10-11-12

A communication from the District Attorney's office regarding the manner in which title to Block 588, lots 9-10-11-12 could be cleared to show the City of Modesto as sole owner, so that the property could be used for public purposes was read, whereupon Commissioner Bond introduced

RESOLUTION NO. 4218-N.S.

authorizing the City Attorney to write to the Board of Supervisors and Modesto Irrigation District regarding the cancelling of their taxes on this property and to proceed with the clearing of title to this property for the City of Modesto, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF  
COMPENSATION POLICY

Whereas the State Compensation Insurance Fund have presented for acceptance 1938-39 compensation policy, Commissioner Neece introduced

RESOLUTION NO. 4219-N.S.

accepting policy and requesting the City Clerk to write to State Compensation Insurance Fund requesting them that cover note be extended to August 1, 1938 to take care of lapse of time until check is mailed, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF  
OFFER TO BUY TAX  
DEEDS BY COLLIER

Whereas Frank B. Collier has offered to buy tax deeds which the City of Modesto holds on Block 586, lots 36 and 37 for \$150.00, Block 576, lots 23 and 24 for \$150.00 Block 469, lots 28 and 29 for \$25.00, Commissioner Neece introduced

RESOLUTION NO. 4220-N.S.

rejecting offers and authorizing the City Clerk to notify Mr. Collier that the Council would accept an offer of \$200.00 for Block 586, lots 36 and 37, \$200.00 for Block 576, lots 23 and 24 and \$150.00 for Block 469, lots 28 and 29, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF  
DISTRIBUTION OF  
HANDBILLS

Letter from the Johnston-Wherry Furniture Company regarding distribution of handbills was read and discussed. The matter was laid over to a future date.

IN THE MATTER OF  
SANTA FE TRAIL  
TRANSPORTATION CO.  
COMMUNICATION

A communication from the Santa Fe Transportation Company  
expressing appreciation for parking space allotted them  
was read and ordered filed.

9 IN THE MATTER OF  
AWARDING BID ON  
ADVERTISING &  
PRINTING 1938-39

Pursuant to authorization of advertising for bids on  
advertising and printing for fiscal year ending June  
30, 1939 and whereas this being the time set forth

for opening bids, City Clerk reported one bid from The Modesto Bee, which read as follows:

65¢ for each non-pareil square for 1st insertion  
40¢ for each such square for each subsequent insertion

70¢ for each non-pareil square for first insertion delinquent tax list  
40¢ for each square for each subsequent insertion

Whereupon Commissioner Neece introduced

RESOLUTION NO. 4221-N.S.

accepting bid of Modesto Bee for advertising and printing for fiscal year ending  
June 30, 1939 as being the lowest and best bid and authorizing the entering into  
an agreement by the City of Modesto with the said Modesto Bee and appointing Mayor  
and City Clerk as signatory officials, which resolution was regularly adopted by  
the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

10 IN THE MATTER OF  
PUBLIC LIABILITY  
POLICY

Commissioner Oliver introduced

RESOLUTION NO. 4222-N.S.

authorizing the securing of public liability policy for the City of Modesto on their  
operations and frontage and area for a term of one year at a premium of \$1850.00  
for 25/25 limits of liability, which resolution was regularly adopted by the following  
vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

11 IN THE MATTER OF  
FREE WATER TO  
BOYS BROTHERHOOD  
OF THE REPUBLIC  
409 10th STREET

Pursuant to request of the Boys Brotherhood of the  
Republic for free water service at their meeting hall  
at 409 10th Street, Commissioner Bond introduced

RESOLUTION NO. 4223-N.S.

granting request for a period of 6 months from June 10, 1938, which resolution was  
regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

12 IN THE MATTER OF  
PARTIAL PAYMENT  
WESTERN WELL DRILLING  
CO.

Pursuant to completion of drilling of well at Fifth and  
Sierra Drive by the Western Well Drilling Co. Ltd. and  
whereas City Engineer Rossi has filed with this Council a

certification of amount due of \$916.45, being 75% of contract price as provided by  
agreement, Commissioner Bond introduced

RESOLUTION NO. 4224-N.S.

accepting notice of completion and authorizing the City Clerk to file notice with  
the County Recorder and to draw warrant in amount \$916.45 in payment to claimant,  
which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

13 IN THE MATTER OF  
EXTEND WATER SERVICE  
FOR PERIOD OF 4  
MONTHS TO YOUNG,  
BRUCE & HICKEN

Whereas Resolution No. 4163-N.S. provided for the extension of water service to J. G. Bruce, J. Reed Hicken, A. L. Young in the High Homes Tract outside the City of Modesto until June 18, 1938, Commissioner Stanley introduced

RESOLUTION NO. 4225-N.S.

granting a further extension of four months until October 18, 1938 to give the property owners additional time to petition for annexation to the City of Modesto, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

14 IN THE MATTER OF  
CLOSING ROAD NORTH  
LATERAL NO. 4

Whereas road north of Lateral No. 4, which runs from Sycamore Avenue to McHenry Avenue is located partly in the City limits and is on private property and not a public road and it is so constructed that traffic and other accidents are likely to occur to persons who use the same, Commissioner Stanley introduced

RESOLUTION NO. 4226-N.S.

disclaiming all responsibility for any personal or property damage occurring to any persons in and upon said road and does hereby recommend to the Modesto Irrigation District, which said District has the jurisdiction and control of and over said road, that the same be closed to any and all kinds of traffic and that a copy of this Resolution be forwarded to the Board of Directors of the Modesto Irrigation District, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

15 IN THE MATTER OF  
CERTIFICATION OF  
ELECTION-ANNEXA-  
TION HAWKINS TRACT

Commissioner Bond introduced

RESOLUTION NO. 4227-N.S.

authorizing City Clerk to send certification of the election for the annexation of Hawkins Tract, together with copy of Ordinance No. 576-N.S. to the Secretary of State and after approval has been received from the Secretary of State to record copy of approval, certified copy of Ordinance and resolution with the County Recorder of Stanislaus County, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

16 IN THE MATTER OF  
FINAL ADOPTION OF  
ORDINANCE NO. 576-N.S.  
APPROVING ANNEXATION  
HAWKINS TRACT

Ordinance No. 576-N.S. having been heretofore introduced and ordered printed and published at the regular meeting of June 8, 1938 and thereupon printed and published as required by the Charter of the City of Modesto coming on for final adoption at this time, it was upon roll call so finally adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

17  
IN THE MATTER OF  
TEN MINUTE PARKING  
ZONES

Whereas section 2 of Ordinance No 544-N.S. provides for the establishing of parking zones as the Council sees fit and for the length of time they deem necessary for the control of traffic, Commissioner Stanley introduced

RESOLUTION NO. 4228-N.S.

recommending that three new 10 minute parking zones be established on J Street between 9th and 11th and four new ten minute parking zones be established on I Street between 9th and 11th Streets, locations to be as set forth in resolution and that the City Engineer install proper signs to notify the public of this ruling which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

18  
IN THE MATTER OF  
ADJOURNMENT

Commissioner Oliver introduced

RESOLUTION NO. 4229-N.S.

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

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST

  
CITY CLERK

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COUNCIL MEETING

July 13, 1938

The Council of the City of Modesto met in regular session this date, the meeting having been called and convened as set forth in section 2 of the Ordinance No. 2-N.S.

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

Absent: Councilmen: None

1  
IN THE MATTER OF  
MINUTES

The minutes of the special meeting of June 15, 1938 and regular meeting of June 22, 1938 having been heretofore read by each Councilman were unanimously approved as so read.

2  
IN THE MATTER OF  
PETITION LEAVE  
STATE-JUDGE FLOYD

Pursuant to request from Judge Floyd for permission to leave the State of California during the period of July 15, 1938, to August 15, 1938, Commissioner Stanley introduced

RESOLUTION NO. 4230-N.S.

granting request, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

3  
IN THE MATTER OF  
CLAIMS FOR MONTH  
OF JUNE, 1938

Claims against the City of Modesto for the month of June, 1938 having been heretofore audited by the Council and found to be correct, Commissioner Neece introduced

RESOLUTION NO. 4231-N.S.

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

GENERAL FUND-----	\$28,548.55
WATER FUND-----	7,709.37
LIBRARY FUND-----	1,721.07
BOND RED. INT. FUND-----	750.00
ST. BOND RED. INT. FUND----	---
UNAPPORTIONED FUND-----	---
SPECIAL GAS TAX FUND-----	4,443.87
TOTAL-----	\$43,172.86

which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF COMMUNICATION A communication from the Townsend Club expressing appreciation for the use of Westside Park for their picnic held on the fourth of July was read and ordered filed.

IN THE MATTER OF OFFER OF FRANK B. COLLIER ON TAX DEED PROPERTY Whereas Frank B. Collier has accepted offer of the City Council as set forth in Resolution No. 4220-N.S. of \$200.00 for lots 36 and 37 in Block 586 and \$200.00 for lots 23 and 24 in Block 576 in the City of Modesto, same to be free and clear of all city taxes and assessments levied or assessed prior to the first Monday in March, 1938, Commissioner Neece introduced

RESOLUTION NO. 4232-N.S.

authorizing the City Tax collector to prepare a deed for delivery to Frank B. Collier and property be and the same is hereby ordered sold, subject only to unpaid County and Irrigation taxes and the city taxes and special assessments on the first Monday in March, 1938 and subsequent thereto. The Tax collector is hereby authorized to cancel all taxes levied prior to March 7, 1938 against this property, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF GRANT PERMIT TO MARY MARITZEN OPERATE TAXICAB Whereas Mary Maritzen has made application to the City Council for permission to operate a taxicab business in the City of Modesto and to be assigned the parking space in front of 938 10th Street, Commissioner Stanley introduced

RESOLUTION NO. 4233-N.S.

granting request as prayed for, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF GRANT PERMIT OPERATE UPHOLSTERY SHOP A. GALLIHER Whereas, pursuant to the filing of petition with the Council by A. Galliher for permit to erect and maintain an upholstering business on property known as Block 420, lots 10 and 11, Maze Wren Subdivision, and it appearing from affidavits on file that a notice setting forth a time for hearing any and all protests to the granting of

the petition as prayed for and this being the time set forth and whereas the City Clerk reports that not protests either oral or written have been officially filed, Commissioner Bond introduced

RESOLUTION NO. 4234-N.S.

granting permission with the understanding that all provisions relative to building permit fees will be complied with, to the above named applicant for permit as prayed for in his petition, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

8  
IN THE MATTER OF  
GRANT PERMIT TO  
OPERATE SERVICE  
STATION-SIGNAL OIL  
CO.

Whereas, pursuant to Ordinance No. 344-N.S. there was filed with the council for approval the application of the Signal Oil Company to erect, operate and maintain a service station on property known as northwest corner of 13th and H Streets in the City of Modesto, and whereas the plans therefor having been heretofore checked and approved by the City Engineer, Commissioner Bond introduced

RESOLUTION NO. 4235-N.S.

granting permit to the Signal Oil Company to erect, operate and maintain a service station when all provisions of City Ordinances relative to building permit and the regulations for storage and dispensing of gasoline have been complied with, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF  
FINAL PAYMENT TO  
S. M. MCGAW FOR  
RESURFACING STREETS

Whereas, City Engineer Rossi has filed with this Council a certification of amount due \$1697.13 as final payment for resurfacing streets, Commissioner Bond introduced

RESOLUTION NO. 4236-N.S.

authorizing the issuance of warrant in above amount by the City Auditor as final payment on contract for resurfacing streets, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

10  
IN THE MATTER OF  
N. Y. A. PROJECT

Commissioner Oliver introduced

RESOLUTION NO. 4237-N.S.

authorizing City Engineer Rossi to sign Toy Loan Library Project of the N. Y. A. for the City of Modesto, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

11  
IN THE MATTER OF  
APPROVAL OF EXPEND-  
ITURE OF GAS  
TAX FUND

Whereas the State of California has presented for approval a memorandum of agreement in accordance with a project statement submitted by the City for expenditure of the gas

tax fund for the fiscal year 1939 allocated for streets of major importance other than State Highways in the City of Modesto and whereas the City Council has heard read said agreement in full and is familiar with the contents thereof and desires to approve the same, Commissioner Bond introduced

RESOLUTION NO. 4238-N.S.

approving agreement for expenditure of  $\frac{1}{2}\%$  gas tax allocated for streets of major importance other than State Highways be and the same is hereby approved and the Mayor and City Clerk are directed to sign the same on behalf of said city, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

12 IN THE MATTER OF  
RECORDING CITY MAP  
IN BLOCK BOOK FORM

Whereas the City Engineer reports that the new City map in block book form is now ready to be recorded and filed,

Commissioner Oliver introduced

RESOLUTION NO. 4239-N.S.

declaring that said map be and the same is hereby declared the official map of the City of Modesto in block book form and the City Clerk is authorized to record said block book map in the County Recorder's office, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

13 IN THE MATTER OF  
ORD. NO. 577-N.S.  
PARKING ON ENSLEN  
PARK DRIVEWAYS

Commissioner Stanley introduced an ordinance being

ORDINANCE NO. 577-N.S.

entitled "AN ORDINANCE PROHIBITING THE PARKING OF VEHICLES IN CERTAIN PORTIONS OF ENSLEN PARK IN THE CITY OF MODESTO" and moved its adoption and passage to print and publish, which motion being duly seconded, it was upon roll call carried and the ordinance ordered published as above by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

14 IN THE MATTER OF  
ORDINANCE RE;  
APPROPRIATE MONEY  
FOR PURCHASE AUTO  
LICENSE COLLECTOR

Commissioner Neece introduced an ordinance being

ORDINANCE NO. 578-N.S.

entitled: "AN ORDINANCE APPROPRIATING MONEY AND PROVIDING FOR THE PURCHASE OF AN AUTOMOBILE FOR THE DEPUTY LICENSE COLLECTOR OF THE CITY OF MODESTO" and moved its adoption and passage to print and publish, which motion being duly seconded, it was upon roll call carried and the ordinance ordered published as above by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

15 IN THE MATTER OF  
ORD. RE: AMEND  
ORD. 569-N.S.  
PLUMBERS

Commissioner Neece introduced an ordinance being

ORDINANCE NO. 579-N.S.

entitled "AN ORDINANCE AMENDING SECTIONS 49 and 62 OF

ORDINANCE NO. 569-N.S. (PLUMBING ORDINANCE) OF THE CITY OF MODESTO AND ADDING A NEW SECTION THERETO" and moved its adoption and passage to print and publish, which motion being duly seconded, it was upon roll call carried and the ordinance ordered published as above by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

11 IN THE MATTER OF  
DEPARTMENTAL RE-  
PORT FOR MONTH  
OF JUNE, 1938

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

17 IN THE MATTER OF  
ADJOURNMENT

There being no further business to come before the meeting, Commissioner Oliver introduced

RESOLUTION NO. 4240-N.S.

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

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST:

*A. E. Gray*  
CITY CLERK

\*\*\*\*\*  
SPECIAL COUNCIL MEETING

July 15, 1938

The Council of the City of Modesto met in Special session this date, the meeting having been called and convened as set forth in section 2 of Ordinance No. 2-N.S.

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

Absent: Councilmen: Oliver

1 IN THE MATTER OF  
DISCUSSION OF  
BUDGET

The budget for the fiscal year ending June 30, 1939 was discussed.

2 IN THE MATTER OF  
ORDINANCE RE:  
APPROPRIATE MONEY  
FOR PURCHASE AUTO  
MOTORCYCLES-POLICE  
DEPARTMENT

Commissioner Stanley introduced an ordinance being  
ORDINANCE NO. 580-N.S.  
entitled "AN ORDINANCE APPROPRIATING MONEY AND PROVIDING  
FOR THE PURCHASE OF TWO MOTORCYCLES FOR TRAFFIC WORK

AND ONE THREE WHEEL DISPATCH MOTORCYCLE AND ONE AUTOMOBILE FOR THE POLICE DEPARTMENT" and moved its adoption and passage to print and publish, which motion being duly seconded, it was upon roll call carried and the ordinance ordered published as above by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: Oliver

3 IN THE MATTER OF  
REFUND OF DEPOSIT  
TO WESTERN WELL  
DRILLING CO. LTD.

Whereas the Western Well Drilling Co. Ltd. have petitioned the council for the refund of \$50.00 deposit required by the Ordinance No. 487-N.S. as they have completed the contract for drilling well at Fifth and Sierra Drive for the City of

Modesto, Commissioner Bond introduced

RESOLUTION NO. 4241-N.S.

granting request and authorizing the City Clerk and Auditor to draw warrant in amount \$50.00 payable to claimant, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: Oliver

4 IN THE MATTER OF DISTRIBUTION OF HANDBILLS The matter of amending Ordinance No. 487-N.S. with regard to distribution of handbills was discussed. This matter was laid over to future meeting.

5 IN THE MATTER OF ORD. RE: APPROPRIATE MONEY FOR GENERAL WELFARE OF CITY Commissioner Stanley introduced an ordinance being ORDINANCE NO. 581-N.S. entitled "AN ORDINANCE APPROPRIATING MONEY FOR PURPOSES OF PROMOTING THE GENERAL WELFARE OF THE CITIZENS OF MODESTO" and moved its adoption and passage to print and publish, which motion being duly seconded, it was upon roll call carried and the ordinance ordered published as above by the following vote:

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

Noes: Councilman: None

Absent: Councilmen: Oliver

6 IN THE MATTER OF AUTHORIZE MAYOR TO MAKE APPLICATION TO P. W. A. FOR GRANT TO AID IN FINANCING CONSTRUCTION OF BUILDINGS Commissioner Stanley introduced RESOLUTION NO. 4242-N.S. authorizing J. H. King, Mayor of the City of Modesto to execute and file an application on behalf of the City of Modesto to the United States of America for a grant to aid in financing the construction of a fire house, consisting of two stories and basement and authorizing and directing F. J. Rossi, City Engineer to furnish such information as the United States of America, through the Federal Emergency Administration of Public Works, may reasonably request in connection with the application which is herein authorized to be filed, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: Oliver

7 Commissioner Stanley introduced

RESOLUTION NO. 4243-N.S.

authorizing J. H. King, Mayor of the City of Modesto to execute and file an application on behalf of the city of Modesto the United States of America for a grant to aid in financing the construction of a Civic Auditorium with seating capacity of 2000 and a little theatre as a part of said auditorium with seating capacity of 600, and authorizing and directing F. J. Rossi, city engineer to furnish such information as the United States of America, through the Federal Emergency Administration of Public Works, may reasonably request in connection with the application which is herein authorized to be filed, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None  
Absent: Councilmen: Oliver

Commissioner Stanley introduced

RESOLUTION NO. 4244-N.S.

authorizing J. H. King, Mayor to execute and file an application on behalf of the City of Modesto <sup>to</sup> the the United States of America for a grant to aid in financing the remodeling of and adding to present City Hall and authorizing and directing F. J. Rossi, City Engineer to furnish such information as the United States of America, through the Federal Emergency Administration of Public Works, may reasonably request in connection with the application which is herein authorized to be filed, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: Oliver

9 IN THE MATTER OF  
ADJOURNMENT

Commissioner Neece introduced

RESOLUTION NO. 4245-N.S.

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

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

Noes: Councilmen: None

Absent: Councilmen: Oliver

ATTEST: E. E. GRAGG, CITY CLERK

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SPECIAL COUNCIL MEETING

July 22, 1938

The Council of the City of Modesto met in special session this date, the meeting having been called and convened as set forth in section 2 of Ordinance No. 2-N.S.

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

Absent: Councilmen: Oliver

10 IN THE MATTER OF  
APPOINTMENT OF  
SECRETARY PRO TEM

Commissioner Neece introduced

RESOLUTION NO. 4246-N.S.

appointing City Attorney Robert B. Fowler acting secretary of the city ~~Attorney~~ ~~Robert B. Fowler acting secretary of the city~~ Council for this meeting, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: Oliver

11 IN THE MATTER OF  
AUTHORIZING CITY  
ENGINEER TO PRO-  
CEED WITH PLANS  
FIRE HOUSE-CITY  
HALL

Commissioner Bond introduced

RESOLUTION NO. 4247-N.S.

authorizing the City Engineer to proceed with plans and specifications for the building of a new firehouse and the remodeling of and adding to the City Hall expenditures not to be over \$52,520 on the fire house and not over \$29,130 on the remodeling of and adding to the City Hall, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: Oliver

3 IN THE MATTER OF BUDGET A general discussion was held on the 1938-39 budget.

4 IN THE MATTER OF SPECIAL ELECTION BOND ISSUE ON AUDITORIUM Whereas the City Council is in favor of holding an election on the question of acquiring a bonded indebtedness to build a civic auditorium and whereas the propriety of holding a special election on August 30, 1938, on which date the County and State primaries will be held, has come before the Council for consideration, Commissioner Stanley introduced

RESOLUTION NO. 4248-N.S.

recommending that the City of Modesto hold a special election on the question of acquiring a bonded indebtedness to build a civic auditorium at a date to be set at a future time instead of holding the election on August 30, 1938 because there will be no saving of expenses in holding such an election on this date as the bond issue cannot appear on the regular primary ballot and it also would tend to confuse the voter, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: Oliver

5 IN THE MATTER OF APPOINTMENT OF ASSISTANT CITY ENGINEER Whereas, pursuant to death of M. H. Crews, Assistant City Engineer, Commissioner Bond introduced

RESOLUTION NO. 4249-N.S.

appointing J. L. Mason, Assistant City Engineer at a salary of \$250.00 as of July 22, 1938, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: Oliver

6 IN THE MATTER OF BID ON BLOCK 430 LOTS 7 & 8 A. RAMSEY Pursuant to offer of \$32.50 for tax deed to lots 7 and 8, Block 430 in the City of Modesto by A. Ramsey, Commissioners Bond and Neece were appointed by the council to make an investigation and report back to the Council.

7 IN THE MATTER OF ADJOURNMENT Commissioner Neece introduced

RESOLUTION NO. 4250-N.S.

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

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

Noes: Councilmen: None

Absent: Councilmen: Oliver

ATTEST:

ACTING SECRETARY

COUNCIL MEETING

July 27, 1938

The Council of the City of Modesto met in regular session this date

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

Absent: Councilmen: Oliver

1 IN THE MATTER  
OF MINUTES

The minutes of the regular meeting of July 13, 1938 and the special meeting of July 15, 1938 having been heretofore read by each Councilman were unanimously approved as so read.

2 IN THE MATTER OF  
REQUEST FOR APPRO-  
PRIATION BY SPCA

A committee from the Modesto and Stanislaus County Humane Society appeared before the Council asking for an appropriation to assist them in carrying on the work of the society in this community. They were informed by the Council that it would be impossible for the City to assist them this year as the budget had been drawn up for the year 1938-39 already.

3 IN THE MATTER OF  
SECRETARY OF  
COUNCIL

Commissioner Neece introduced

RESOLUTION NO. 4251-N.S.

appointing Mrs. Collins acting secretary of the Council during the absence of H. E. Gragg, City Clerk, which resolution was regularly carried by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: Oliver

4 IN THE MATTER OF  
CLAIM J.R. WIELAND

Whereas a claim has been presented to the Council by John Wieland for \$262 for drawing plans, estimating materials and labor on Fire House and City Hall, Commissioner Neece introduced

RESOLUTION NO. 4252-N.S.

allowing claim and authorizing the City Clerk to draw warrant in above amount payable to claimant, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: Oliver

5 IN THE MATTER OF  
COMMUNICATIONS

A communication from H. T. Crow regarding noise and disturbance at the Square Deal Restaurant on H Street across from the Hotel Modesto was read and by order of the Council, City Attorney Fowler was requested to answer the communication.

IN THE MATTER OF  
SOUTHERN PACIFIC  
COMPANY SHIFTING  
TRACK ON WEST ST.

Pursuant to communication from the Southern Pacific Company regarding shifting of track on West Street to obtain proper clearance, Commissioner Neece introduced

RESOLUTION NO. 4253-N.S.

granting request and authorizing the City Clerk to send five copies of resolution to the Railroad Commission, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: Oliver

1 IN THE MATTER OF  
COMMUNICATION FROM  
R. G. deLAPPE

Pursuant to communication from R. G. deLappe regarding architectural employment for the proposed municipal Auditorium, Commissioner Stanley introduced

RESOLUTION NO. 4254-N.S.

authorizing the City Clerk to advise Mr. deLappe that the City of Modesto is not

hiring an architect until such time as the bond issue is voted and the grant is received from the P. W. A., and that the work in the matter of the application is being handled by the City Engineer, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: Oliver

8 IN THE MATTER OF  
NOTE OF APPRECIATION  
FROM DOROTHY  
CREWS

A note of appreciation for the expression of sympathy of the City Council for the death of her husband, M. E. Crews, former Assistant City Engineer, was read and ordered filed.

9 IN THE MATTER OF  
REQUEST OPERATE  
LUNCH WAGON APPLI-  
CATION BY MRS.  
A. L. MEDLIN

A petition by Mrs. A. L. Medlin to be permitted to operate a lunch wagon at 802 H Street, when Mrs. Peterson (present occupant) gives up her lunch wagon business at this location was read, whereupon Commissioner Neece introduced

RESOLUTION NO. 4255-N.S.

denying request in view of the fact that Mrs. Peterson had been asked by the City to move her restaurant business from the street because of the traffic hazard and it is not the policy of the Council to grant permits to operate lunch wagons, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: Oliver

10 IN THE MATTER OF  
PURCHASE OF GROUND  
FOR AIRPORT

Commissioner Bond introduced

RESOLUTION NO. 4256-N.S.

authorizing Mayor King to offer \$11.50 for lots 17, 18, 19, 20, 31 and 37, 38, 39 of the Sierra Subdivision No. 3 in Section 34 T 3S R 9E to the owner, W. W. Giddings, land to be used for extension of Municipal Airport, purchase of land to be contingent on the adoption of Ordinance by the Stanislaus County Board of Supervisors limiting height of buildings near the Airport, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: Oliver

11 IN THE MATTER OF  
FINAL PAYMENT TO  
WESTERN WELL DRILL-  
ING CO. LTD.

Commissioner Bond introduced

RESOLUTION NO. 4257-N.S.

authorizing final payment to the Western Well Drilling Company in amount \$305.48 for drilling well #10 at Fifth and Sierra Drive as 35 days have elapsed since the acceptance of the well by the City of Modesto as per contract and directing City Clerk to draw warrant in payment to claimant, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: Oliver

12 IN THE MATTER OF  
CITY CLERK ADVERT-  
ISE FOR BIDS ON  
PAVING AT 9TH AND  
B STREETS

Commissioner Bond introduced

RESOLUTION NO. 4258-N.S.

authorizing the City Clerk to advertise for bids on pavement

at 9th and B Streets when the City Engineer furnishes the necessary data, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: Oliver

13) IN THE MATTER OF  
AUTHORIZE CLERK  
ADVERTISE FOR BIDS  
ON AUTOS-MOTORCYCLES

Commissioner Stanley introduced

RESOLUTION NO. 4259-N.S.

authorizing the City Clerk to advertise for the following equipment:

Item 1-One sedan for which the cost, including sales tax, shall not exceed the trade in allowance for one 1935 Pontiac Sedan and \$700.00

Item 2-Two motorcycles for traffic work, for which the cost including sales tax, shall not exceed the trade in allowance for two 1935 Indian 4 motorcycles and \$525.00

Item 3-One three wheel dispatch motorcycle with left hand throttle not to exceed \$600.00 in cost, including sales tax.

Item 4-One Coupe for which the cost including sales tax shall not exceed the trade in allowance for one 1932 Rockne Sedan and \$1000

Bids to be opened at the City Hall not later than 7:30 P. M. on Wednesday, August 10, 1938, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: Oliver

14) IN THE MATTER OF  
REQUEST BOARD OF  
SUPERVISORS AND  
CANCEL TAXES BLOCK  
588, LOTS 9-10-11-12

Whereas the City of Modesto is the owner of lots 9, 10, 11 and 12 in Block 588 and desires to use it for governmental and/or operative purposes for the use and benefit of the

citizens of the City, Commissioner Neece introduced

RESOLUTION NO. 4260-N.S.

petitioning the Board of Supervisors of Stanislaus County to cancel taxes now due and owing on said property and in the future while property belongs to the City of Modesto shall not levy taxes upon said property, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: Oliver

15) IN THE MATTER OF  
REQUEST MODESTO  
IRRIGATION BOARD  
TO CANCEL TAXES  
BLOCK 588, LOTS  
9-10-11-12

Whereas the City of Modesto is the owner of lots 9, 10, 11 and 12 in Block 588 and desires to use it for governmental and/or operative purposes for the use and benefit of the citizens of the City, Commissioner Neece introduced

RESOLUTION NO. 4261-N.S.

petitioning the Board of the Modesto Irrigation District to cancel taxes now due and owing on said property and in the future while property belongs to the City of Modesto shall not levy taxes upon said property, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: Oliver

16) IN THE MATTER OF  
EMPOWERING CITY  
AUDITOR TO PAY  
COUNTY STANISLAUS  
\$601.25 TO SAT-  
ISRY JUDGMENT

Whereas the Superior Court has rendered judgment in favor of the county of Stanislaus in the sum of \$601.25, which amount the court declared to be due and owing to said County,

over and above all set-offs claimed by the City of Modesto and whereas neither the City of Modesto nor the County of Stanislaus intends to appeal from said judgment, Commissioner Neece introduced

RESOLUTION NO. 4262-N.S.

authorizing the City Auditor to draw warrant in amount of \$601.25 and to deliver to said Board of Supervisors, upon receipt by them or their attorney of a full satisfaction of said judgment, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: Oliver

IN THE MATTER OF  
APPOINTING DELEGATES  
TO CONVENTION LEAGUE  
OF CALIF. MUNI.

Commissioner Neece introduced

RESOLUTION NO. 4263-N.S.

appointing Mayor King, Commissioners Bond, Oliver, Stanley, City Attorney Fowler, Inspector Holtham, City Engineer Rossi, City Clerk Gragg, and Chief of Police Arington as delegates to the convention of the League of California Municipalities which is to be held in Santa Barbara September 6-9 inc, 1938 with all expenses paid, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: Oliver

IN THE MATTER OF  
ORD. RE: APPROPRI-  
ATE MONEY FOR BUILD-  
ING FIRE HOUSE AND  
REMODELING CITY HALL

Commissioner Neece introduced an ordinance being

ORDINANCE NO. 582-N.S.

entitled "AN ORDINANCE APPROPRIATING MONEY FOR THE CONSTRUCTION OF A FIRE STATION AND FOR THE RECONSTRUCTION OF THE CITY HALL IN THE CITY OF MODESTO" and moved its adoption and passage to print and publish, which motion being duly seconded, it was upon roll call carried and the ordinance ordered published as above by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: Oliver

IN THE MATTER OF  
ORD. RE: AMEND ORD.  
382-N.S. DISTRIBUTION  
OF CIRCULARS

Commissioner Stanley introduced

ORDINANCE NO. 583-N.S.

entitled "AN ORDINANCE AMENDING ORDINANCE NO. 382-N. S. OF THE CITY OF MODESTO ENTITLED" AN ORDINANCE RELATING TO THE DISTRIBUTION OF ADVERTISING SAMPLES, HAND BILLS, CIRCULARS, BOOKLETS, OR OTHER ADVERTISING MATTER IN THE CITY OF MODESTO" by ADDING THREE NEW SECTIONS THERETO" and moved its adoption and passage to print and publish, which motion being duly seconded, it was upon roll call carried and the ordinance ordered published as above by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: Oliver

IN THE MATTER OF  
FINAL ADOPTION  
ORD. 577-N.S. PRO-  
HIBIT PARKING POR-  
TION ENSLEN PARK

Ordinance No. 577-N.S. having been heretofore introduced and ordered printed and published at the regular meeting of July 13, 1938 and thereupon printed and published as

required by the Charter of the City of Modesto coming on for final adoption at

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

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

Noes: Councilmen: None

Absent: Councilmen: Oliver

21 IN THE MATTER OF  
FINAL ADOPTION OF  
ORD. NO. 578-N.S.  
APPROPRIATE MONEY  
PURCHASE AUTO  
LICENSE COLLECTOR

Ordinance No. 578-N.S. having been heretofore introduced and ordered printed and published at the regular meeting of July 13, 1938 and thereupon printed and published as required by the Charter of the City of Modesto coming on

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

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

Noes: Councilmen: None

Absent: Councilmen: Oliver

22 IN THE MATTER OF  
FINAL ADOPTION  
ORD. 579-N.S. AMEND  
ORD. 569-PLUMBING

Ordinance No. 579-N.S. having been heretofore introduced and ordered printed and published at the regular meeting of July 13, 1938 and thereupon printed and published as

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

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

Noes: Councilmen: None

Absent: Councilmen: Oliver

23 IN THE MATTER OF  
FINAL ADOPTION  
ORD. 580-N.S.  
APPROPRIATE MONEY  
PURCHASE POLICE  
MOTOR EQUIPMENT

Ordinance No. 580-N.S. having been heretofore introduced and ordered printed and published at the special meeting of July 15, 1938 and thereupon printed and published as required by the Charter of the City of Modesto coming on for final adoption

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

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

Noes: Councilmen: None

Absent: Councilmen: Oliver

24 IN THE MATTER OF  
FINAL ADOPTION  
ORD. 581-N.S. APPRO-  
PRIATE MONEY GENERAL  
WELFARE CITIZENS \$2400

Ordinance No. 581-N.S. having been heretofore introduced and ordered printed and published at the special meeting of July 15, 1938 and thereupon printed and published as required by

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

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

Noes: Councilmen: None

Absent: Councilmen: Oliver

25 IN THE MATTER OF  
BID ON BLOCK 430  
LOTS 7 AND 8  
RAMSEY

Whereas A. Ramsey has offered to buy Tax deed of the City of Modesto on lots 7 and 8 in Block 430 and whereas the City Council appointed Commissioner Stanley and Bond to make a

personal investigation to ascertain the approximate value of the lot and to set a price that the city would accept for their tax deed, Commissioner Stanley introduced

RESOLUTION NO. 4264-N.S.

recommending that the city place a value of \$50.00 on their tax deed on these lots and that the City Clerk notify A. Ramsey that they would accept this amount for the lots, which resolution was regularly adopted by the following vote:



IN THE MATTER OF  
ADJOURNMENT

There being no complaints to come before the Board, upon motion duly made by Commissioner Stanley, duly seconded and unanimously carried, the meeting was adjourned to Tuesday, August 2nd, 1938 at 10:00 A. M.

---oOo---

BOARD OF EQUALIZATION

August 2, 1938

Pursuant to adjournment of August 1st, 1938 the Council of the City of Modesto met this 2nd day of August, 1938 at 10:00 A. M. sitting as a Board of Equalization in and for the City of Modesto

Present: Councilmen: Neece, Stanley and Mayor King

Absent: Councilmen: Oliver and Bond

IN THE MATTER OF  
ADJOURNMENT

There being no complaints filed for the consideration of the Board, upon motion duly made by Commissioner Neece duly seconded and unanimously carried, the meeting was adjourned to Wednesday, August 3, 1938 at 10:00 A. M.

---oOo---

BOARD OF EQUALIZATION

August 3, 1938

Pursuant to adjournment of August 2nd, 1938 the Council of the City of Modesto met this date at 10:00 A. M. sitting as a Board of Equalization in and for the City of Modesto.

Present: Councilmen: Bond, Stanley and Mayor King

Absent: Councilmen: Neece and Oliver

IN THE MATTER OF  
ADJOURNMENT

There being no complaints filed for the consideration of the Board, upon motion duly made by Bond, duly seconded and unanimously carried, the meeting was adjourned to Thursday, August 4, 1938 at 10:00 A.M.

---oOo---

BOARD OF EQUALIZATION

August 4, 1938

Pursuant to adjournment of August 3rd, 1938 the Council of the City of Modesto met this date at 10:00 A. M. sitting as a Board of Equalization in and for the City of Modesto.

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

Absent: Councilmen: Oliver

IN THE MATTER OF  
PROTEST OF ASSESS-  
MENT-WALTER FIELD

Whereas Walter H. Field appeared before the Board of Equalization protesting to the assessment on his property at 102 Sycamore, Block 534, lots 14 to 17 inc. S 19 ft. of lots 13, by order of the Board, after due consideration of complaint, an investigation was authorized of the value of the property.

IN THE MATTER OF  
ADJOURNMENT

There being no further complaints filed for the consideration of the board, upon motion by Commissioner Bond, duly seconded and unanimously carried, the meeting was adjourned to Friday, August 5, 1938 at 10:00 A.M.

---oOo---

August 5, 1938

Pursuant to adjournment of August 4, 1938 the Council of the City of Modesto met this 5th day of August, 1938 at 10:00 A. M. sitting as a Board of Equalization in and for the City of Modesto.

Present: Councilmen: Bond, Stanley and Mayor King

Absent: Councilmen: Neece and Oliver

IN THE MATTER OF COMPLAINT-WALTER H. FIELDS

Pursuant to filing of complaint of assessment by Walter H. Field on his property at 102 Sycamore, Block 534, lots

14 to 17 inc. S 19 ft. of lot 13 and order of Board of Equalization for an investigation at their meeting of Aug. 4, 1938 a report was given by the City Assessor of their findings and it was the unanimous decision of the Board that assessment remain the same.

IN THE MATTER OF ADJOURNMENT

There being no further complaints and the Board of Equalization having convened and conducted its meeting as

required by State Statute and the Charter of the City of Modesto and there being no unfinished business pending before the Board, Commissioner Stanley introduced

RESOLUTION NO. 4270A-N.S.

adjourning the Board of Equalization for the year 1938 and moved its adoption, which motion being duly seconded, it was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Bond, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: Neece and Oliver

ATTEST:

*R. C. Gage*  
CITY CLERK

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SPECIAL COUNCIL MEETING

August 4, 1938

The Council of the City of Modesto met in special session this date, the meeting having been called and convened as set forth in section 2 of Ordinance No. 2-N.S.

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

Absent: Councilmen: Oliver

IN THE MATTER OF SPECIAL ELECTION CIVIC AUDITORIUM

Commissioner Bond introduced

RESOLUTION NO. 4267-N.S.

resolving that the public interest and necessity demanded the acquisition, construction and completion of a civic auditorium, assembly and convention hall, with quarters for a municipal theatre including all lands, building, furniture, fixtures and equipment necessary for civic auditorium, assembly and convention hall, and municipal theatre purposes and the said municipal improvement is necessary and convenient to carry out the objects, purposes and powers of said City and that the cost of said municipal improvement is and will be too great to be paid out of the ordinary annual income and revenue of said City, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: Oliver

IN THE MATTER OF  
INTEREST ON JUDG-  
MENT ALLOWED  
STANISLAUS COUNTY

Commissioner Neece introduced

RESOLUTION NO. 4268-N.S.

authorizing payment of \$7.71 to board of Supervisors of Stanislaus County, interest due on judgment of \$601.25 from May 27, 1938, date of judgment, to present date, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: Oliver

IN THE MATTER OF  
ORD. RE. PROHIBIT  
CERTAIN KINDS OF  
ADVERTISING

Commissioner Stanley introduced an ordinance being

ORDINANCE NO. 584-N.S.

entitled "AN ORDINANCE PROHIBITING CERTAIN KINDS OF ADVERTISING UPON THE STREETS AND SIDEWALKS OF THE CITY OF MODESTO, DECLARING A VIOLATION OF THIS ORDINANCE TO BE A MISDEMEANOR, AND PRESCRIBING A PUNISHMENT FOR THE VIOLATION THEREOF, and moved its adoption and passage to print and publish, which motion being duly seconded, it was upon roll call carried and the ordinance ordered published as above by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: Oliver

IN THE MATTER OF  
EXPENSES ON TRIPS  
MADE BY CITY ATTORNEY

Commissioner Neece introduced

RESOLUTION NO. 4269-N.S.

allowing claim of \$12.60 of Robert B. Fowler, City Attorney for use of automobile on trips to Stockton on July 28, 1938 and to San Francisco on August 2, 1938, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: Oliver

IN THE MATTER OF  
ADJOURNMENT

Commissioner Neece introduced

RESOLUTION NO. 4270-N.S.

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

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

Noes: Councilmen: None

Absent: Councilmen: Oliver

ATTEST:

*N. C. King*  
CITY CLERK

COUNCIL MEETING

August 10, 1938

The Council of the City of Modesto met in regular session this date.

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

Absent: Councilmen: None

IN THE MATTER OF  
MINUTES

The minutes of the special meeting of July 22, 1938 and the regular meeting of July 27, 1938 having been heretofore read by each Councilman were unanimously approved as so read.

1 IN THE MATTER OF  
CLAIMS FOR MONTH  
OF JULY-1938

Claims against the City of Modesto for the month of July,  
1938 having been heretofore audited by the Council and

found to be correct, Commissioner Neece introduced

RESOLUTION NO. 4271-N.S.

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

GENERAL FUND-----	\$30,883.41
WATER FUND-----	6,110.02
LIBRARY FUND-----	1,721.07
BOND RED. INT. FUND-----	5,962.50
ST. BOND RED. INT. FUND-----	27,575.87
SPECIAL GAS TAX FUND-----	1,697.13
TOTAL-----	\$73,950.00

which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

2 IN THE MATTER OF  
CLAIM FOR CIVIC  
SPORTS REVOLVING  
FUND-CHAMBER OF  
COMMERCE

Whereas Ordinance No. 581-N.S. provides for the contribution to the Modesto Chamber of Commerce certain sums of money upon presentation of claim, Commissioner Neece

introduced

RESOLUTION NO. 4272-N.S.

allowing claim for \$800.00 to be used by the Chamber of commerce for the civic sports revolving fund to be set up for the underwriting of various civic events including baseball, archery, pistol shoot, trap shoots, boat racing, and golf tournaments, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

3 IN THE MATTER OF  
SALVATION ARMY  
REQUEST FOR FUNDS

Commissioner Stanley introduced

RESOLUTION No. 4273-N.S.

appointing Captain George Engel of the Salvation Army as special police officer for a period of 10 months beginning September 1, 1938 and ending June 30, 1939 at a salary of \$25.00 per month, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

5 IN THE MATTER OF  
ACCEPT OFFER OF  
COUNCIL TO BUY  
BLOCK 430, LOTS  
7-8 BY ARNOLD  
RAMSEY

Whereas Arnold Ramsey has accepted offer of the City Council as set forth in minutes of July 27, 1938 of \$50.00 for lots 7 and 8 in block 430 of the City of Modesto, same to be free and clear of all city taxes and assessments levied or assessed prior to the first Monday in March, 1938, Commissioner Bond

introduced

RESOLUTION NO. 4274-N.S.

authorizing the City Tax Collector to prepare a deed for delivery to Arnold Ramsey

and property be and the same is hereby ordered sold, subject only to unpaid County and Irrigation taxes and the city taxes and special assessments on the first Monday in March, 1938 and subsequent thereto. The Tax Collector is hereby authorized to cancel all taxes levied prior to March 7, 1938 against this property, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF  
COMMUNICATIONS

Pursuant to communication from the Stanislaus County Farm Bureau regarding traffic congestion on Grand Street near the Pacific Grape Products plant, same was read and referred to City Engineer Rossi to answer.

A communication from the 29-30 Club of Modesto regarding their approval of proposed Civic Auditorium was read and ordered filed.

Whereas the Department of Commerce, Bureau of Air Commerce are engaged in the construction of a watchhouse at the Modesto Municipal Airport to serve as control quarters as well as house certain Weather bureau instruments and have requested that the necessary water supply and means of sewage disposal be supplied, whereupon Commissioner Stanley introduced

RESOLUTION NO. 4275-N.S.

granting request and authorizing the installation of sewage disposal unit and water connections under the supervision of the City Engineer and recommending that a charge of \$1.00 per month for water service be made from beginning date of water service, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF  
PETITION PENTE-  
CONSPAL ASSEMBLY

Whereas, pursuant to petition of the Modesto Pentecostal Assembly for the City of Modesto to mark off parking spaces for cars between F and G Streets on Sixth Street, it was by order of the Council referred to Commissioner Stanley, City Engineer Rossi and Chief Arington for investigation and recommendations.

IN THE MATTER OF  
PETITION FOR LIGHT  
IN ALLEY

Pursuant to petition by a group of property owners for the installation of a light in the alley between E and Eye and Fifth and Sixth Streets by order of the Council the matter was referred to Commissioner Stanley, City Engineer Rossi and Chief Arington for investigation and recommendation. Report is to be made by the committee at the next meeting.

IN THE MATTER OF  
BIDS ON AUTOS AND  
MOTORCYCLES

Specifications having heretofore been filed with the Council by the Police Department and the City Clerk's office for the purchase of one Sedan, 2 motorcycles, 1 dispatch motorcycle and one coupe, and money for the purchase of same having heretofore been duly appropriated and being now available, and notice to bidders having heretofore been given and published as required by law and bids, in accordance with said notice having been received not later than 7:30 P. M. on Wednesday, August 10, 1938 and having been then and there opened by the Council in open meeting, by order of the council all bids were referred to the City Engineer for tabulation to determine the lowest and best bid.

1 ✓ IN THE MATTER OF  
ORD. RE-CALLING  
SPECIAL ELECTION  
CIVIC AUDITORIUM

Commissioner Neece introduced an Ordinance being

ORDINANCE NO. 585-NS.

entitled "AN ORDINANCE CALLING A SPECIAL ELECTION IN THE CITY OF MODESTO FOR THE PURPOSE OF SUBMITTING TO THE ELECTORS OF SAID CITY THE PROPOSITION OF INCURRING A BONDED INDEBTEDNESS OF SAID CITY FOR THE ACQUISITION, CONSTRUCTION AND COMPLETION OF THE FOLLOWING MUNICIPAL IMPROVEMENT, TO WIT: A CIVIC AUDITORIUM, ASSEMBLY AND CONVENTION HALL, WITH QUARTERS FOR A MUNICIPAL THEATRE, INCLUDING ALL LANDS, BUILDING, FURNITURE, FIXTURES AND EQUIPMENT NECESSARY FOR CIVIC AUDITORIUM, ASSEMBLY AND CONVENTION HALL, AND MUNICIPAL THEATRE PURPOSES: ~~DECLARING THE ESTIMATED COST OF SAID MUNICIPAL THEATRE PURPOSES: DE-~~ CLARING THE ESTIMATED COST OF SAID MUNICIPAL IMPROVEMENT, THE AMOUNT OF THE PRINCIPAL OF SAID INDEBTEDNESS TO BE INCURRED THEREFOR, AND THE MAXIMUM RATE OF INTEREST TO BE PAID THEREON: FIXING THE DATE OF SAID ELECTION, THE MANNER OF HOLDING THE SAME, ESTABLISHING ELECTION PRECINCTS AND POLLING PLACES FOR SAID ELECTION AND APPOINTING BOARDS OF ELECTION THEREFOR, AND PROVIDING FOR NOTICE THEREOF" and moved its adoption and passage to print and publish, which motion being duly seconded, it was upon roll call carried and the ordinance ordered published as above by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

13 IN THE MATTER OF  
ORD. RE: TAX  
RATE FOR FISCAL  
YEAR 1938-39

Commissioner Neece introduced an ordinance, being

ORDINANCE NO. 586-N.S.

entitled: "AN ORDINANCE FIXING THE RATE OF TAXATION IN AND FOR THE CITY OF MODESTO FOR THE FISCAL YEAR 1938-39", and moved its adoption and passage to print and publish, which motion being duly seconded, it was upon roll call carried and the ordinance ordered published as above by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

14 IN THE MATTER OF  
ORD. RE: APPROP-  
RIATE MONEY FOR  
PUBLIC WORKS, PARKS  
AND FIRE DEPARTMENTS

Commissioner Bond introduced an ordinance being

ORDINANCE NO. 587-N.S.

entitled: "AN ORDINANCE APPROPRIATING MONEY AND PROVIDING FOR THE PURCHASE OF MATERIALS AND EQUIPMENT FOR THE DEPARTMENTS OF PUBLIC WORKS; PARKS AND FIRE OF THE CITY OF MODESTO, AND APPROPRIATING MONEY AND PROVIDING FOR THE CONSTRUCTION OF A WELL, DOORS AND ROOFING FOR THE HANGAR" and moved its adoption and passage to print and publish, which motion being duly seconded, it was upon roll call carried and the ordinance ordered published as above by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

15 IN THE MATTER OF  
FINAL ADOPTION OF  
ORD. #582-N.S.  
APPROPRIATE MONEY  
CONSTRUCTION FIRE  
STATION-REMODEL  
CITY HALL

Ordinance No. 582-N.S. having been heretofore introduced and ordered printed and published at the regular meeting of July 27, 1938 and thereupon printed and published as required by the charter of the city of Modesto coming on

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

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

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF  
FINAL ADOPTION OF  
ORD. NO. 583-N.S.  
DISTRIBUTION OF  
CIRCULARS-AMEND  
382-N.S.

Ordinance No. 583-N.S. having been heretofore introduced and ordered printed and published at the regular meeting of July 27, 1938 and thereupon printed and published as required by the Charter of the City of Modesto coming on

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

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

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF  
FINAL ADOPTION  
ORD. 584-N.S.  
ADVERTISING ON  
STREETS

Ordinance No. 584-N.S. having been heretofore introduced and ordered printed and published at the special meeting of August 4, 1938 and thereupon printed and published as

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

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

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF  
BID ON LOTS 1 & 2  
BLOCK 574-C Catelli  
REPORT BY COMMITTEE

Pursuant to appointment of Commissioners Bond and Stanley by the Council to make investigation of offer of C. Catelli of \$200 to purchase tax deed on lots 1 and 2 in Block 574 of the City of Modesto, Commissioner Bond introduced

RESOLUTION NO. 4276-N.S.

recommending that the price of \$237.00 be placed on these lots and the City Clerk is hereby authorized to notify Mr. Catelli of the decision of the Council, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF  
PAYMENT TO HARRY  
BROWN, PUMP STATION  
#10

Whereas, City Engineer Rossi has filed with this Council a certification of completion of pump station at Well #10, Sierra Drive and 5th Street by contractor Harry Brown and

statement of amount due of \$845.25, being 75% of total contract, Commissioner Bond introduced

RESOLUTION #4277-N. S.

accepting pump station from contractor Harry Brown and authorizing the city Auditor to draw warrant in payment of claim of \$845.25 and authorizing the city Clerk to file notice of completion with the Recorder of Stanislaus county, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None



and acceptance of same by them, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: Neece

IN THE MATTER OF REJECT ALL BIDS ON TWO MOTORCYCLES FOR TRAFFIC WORK  
Commissioner Stanley introduced  
RESOLUTION NO. 4282-N.S.

rejecting all bids on the two motorcycles for traffic work,

which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: Neece

IN THE MATTER OF AWARD BID ON DEPUTY LICENSE COLLECTOR'S AUTO  
Commissioner Oliver introduced  
RESOLUTION NO. 4283-N.S.  
awarding bid on Deputy License Collector's auto to Patchett & Wight, as being the lowest and best bid at a price of \$675.77 for a 1938 Ford Coupe and authorizing the City Clerk and Auditor to draw warrant in payment immediately upon delivery of equipment, which resolution was regularly adopted by the following vote:  
Ayes: Councilmen: Bond, Stanley, Oliver and Mayor King  
Noes: Councilmen: None  
Absent: Councilmen: Neece

IN THE MATTER OF AWARD BID ON AUTO POLICE DEPARTMENT.  
Commissioner Stanley introduced  
RESOLUTION NO. 4284-N.S.  
awarding bid on auto for Police Department to Frank Paradis, as being the lowest and best bid at a price of \$700 for a DeSoto Sedan and authorizing the City Clerk and Auditor to draw warrant in payment immediately upon delivery of equipment, which resolution was regularly adopted by the following vote:  
Ayes: Councilmen: Bond, Stanley, Oliver and Mayor King  
Noes: Councilmen: None  
Absent: Councilmen: Neece

IN THE MATTER OF ADJOURNMENT  
Commissioner Oliver introduced  
RESOLUTION NO. 4285-N.S.


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

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

Noes: Councilmen: None

Absent: Councilmen: Neece

ATTEST:

  
CITY CLERK

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SPECIAL COUNCIL MEETING

August 17, 1938

The Council of the City of Modesto met in Special session this date at 4:00 P. M., the meeting having been called and convened as set forth in section 2 of Ordinance No. 2-N.S.

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

Absent: Councilmen: Oliver

IN THE MATTER OF DISTRIBUTION OF POLITICAL ADVERTISEMENT  
A general discussion of the matter of permitting the distribution of political advertisements was held but no action was taken by the Council to change the ordinance to enable candidates to distribute political cards and advertisements.

IN THE MATTER OF ORD. 588-N.S. APPROPRIATE MONEY FOR AIRPORT  
Commissioner Bond introduced an ordinance being  
ORDINANCE NO. 588-N.S.  
entitled: "AN ORDINANCE APPROPRIATING MONEY AND PROVIDING

FOR THE PURCHASE OF REAL PROPERTY", and moved its adoption and passage to print and publish, which motion being duly seconded, it was upon roll call carried and the ordinance ordered published as above by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: Oliver

3 IN THE MATTER OF Commissioner Stanley introduced  
ADJOURNMENT

RESOLUTION NO. 4286-N.S.

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

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

Noes: Councilmen: None

Absent: Councilmen: Oliver

ATTEST:

  
CITY CLERK

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COUNCIL MEETING

August 24, 1938

The Council of the City of Modesto met in regular session this date.

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

Absent: Councilmen: None

1 IN THE MATTER OF  
MINUTES

The minutes of the regular meeting of August 10, 1938 and the special meetings of August 13th and 17th, 1938

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

2 IN THE MATTER OF  
CLAIM-E. A. CRAIG  
WATER DAMAGE

Whereas, Edwin A. Craig of 1021 Washington Street has presented claim of \$10.10 for damage to personal property stored in garage at 207 California Street, due to broken water main and for removal of mud and debris from area flooded, Commissioner Stanley introduced

RESOLUTION NO. 4286A-N.S.

accepting claim as being valid and just and authorizing the City Clerk and auditor to draw warrant in amount of \$10.10 and to receive a complete release for any and all damages resulting from broken water main, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

3 IN THE MATTER OF  
COMMUNICATION EARL  
WARREN

Communication from Earl Warren, Chairman of Advisory Board of the California Technical Institute for Peace Officers'

Training congratulating the City upon the fact that Officers Edward Russell, Hubert A. Dunn, Morris M. Mott and Jess Ayers had successfully completed the course of training at this school was read and ordered filed.

4 IN THE MATTER OF  
COMMUNICATION  
TOWNSEND CLUB

A Communication from the Modesto Townsend Clubs expressing appreciation for use of benches and seats at the Court House Park on August 14th, 1938 was read and ordered filed.

IN THE MATTER OF  
ACCEPT OFFER J.D.  
ROGERS ON BLOCK  
203, LOTS 29-30

WHEREAS J. D. Rogers has offered \$100.00 for tax deed on lots  
29, 30, Block 203 in the City of Modesto, same to be free  
and clear of all city taxes and assessments levied or assessed  
prior to the first Monday in March, 1938, Commissioner Oliver introduced

RESOLUTION NO. 4287-N.J.

accepting offer of \$100 from J. D. Rogers for tax deed on lots, 29, 30, Block 203  
in the City of Modesto and authorizing the City Tax Collector to prepare a deed for  
delivery to J. D. Rogers and property be and the same is hereby ordered sold, subject  
only to unpaid County and Irrigation taxes and the city taxes and special assessments  
on the first Monday in March, 1938 and subsequent thereto, and the Tax Collector  
is hereby authorized to cancel all taxes levied prior to March 7, 1938 against this  
property, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF  
ACCEPT OFFER OF  
WM. J. CROSBY FOR  
TAX DEED LOTS  
11 AND 12 BLOCK 430

Whereas, Wm. J. Crosby has offered \$100.00 for tax deed  
on lots 11 and 12, Block 430 in the City of Modesto, same  
to be free and clear of all city taxes and assessments  
levied or assessed prior to the first Monday in March, 1938, Commissioner Stanley  
introduced

RESOLUTION NO. 4288-N.S.

accepting offer of \$100.00 from Wm. J. Crosby for tax deed on lots 11 and 12, Block  
430 in the City of Modesto and authorizing the City Tax Collector to prepare a deed  
for delivery to Wm. J. Crosby and property be and the same is hereby ordered sold,  
subject only to unpaid County and Irrigation taxes and the city taxes and special  
assessments on the first Monday in March, 1938 and subsequent thereto, and the Tax  
Collector is hereby authorized to cancel all taxes levied prior to March 7, 1938  
against this property, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF  
CANCELLING TAXES  
LOT 1 BLOCK 234  
GEORGE KEWIN

Whereas the State of California Veterans' Welfare Board having  
acquired through the provisions of the Veterans' Farm and  
Home Purchase Act, under Chapter 519, Statutes of 1921 title  
to property located at 213 Buena Vista Avenue, lot 1 in Block 234 of the LaLoma  
tract in the City of Modesto and have requested cancellation of taxes on this pro-  
perty, Commissioner Oliver introduced

RESOLUTION NO. 4289-N.S.

authorizing the City Tax Collector and Assessor to cancel taxes on this property  
and directing the City Tax Collector to make such entries on his records, which  
resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF  
INSTALLATION OF  
LIGHT IN ALLEY

Whereas, pursuant to petition of property owners for in-  
stallation of light in alley between H and Eye Streets  
and Fifth and Sixth Streets and whereas an investigating committee composed of

Commissioner Stanley, City Engineer Rossi and Chief Arington appointed by the Council, recommended the installation, Commissioner Stanley introduced

RESOLUTION NO. 4290-N.S.

recommending the light be erected by the City of Modesto and the City Engineer is hereby authorized to proceed with the installation of same, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

9 IN THE MATTER OF  
MARKING PARKING  
SPACES IN FRONT  
OF PENTECOSTAL  
CHURCH

Whereas the Modesto Pentecostal Assembly located at 610 6th Street have petitioned the Council to mark off parking spaces on Sixth Street in front of their church and

whereas the City Council appointed an investigating committee composed of Commissioner Stanley, City Engineer Rossi and Chief of Police Arington and they recommend that request be denied, Commissioner Stanley introduced

RESOLUTION NO. 4291-N.S.

denying request for making parking spaces on Sixth Street in front of Pentecostal Church, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

10 IN THE MATTER OF  
BIDS ON PAVING  
STREET 9th & B  
STREETS

Whereas, plans and specifications having heretofore been filed by the City Engineer with the Council and approved by them for the widening of pavement on the easterly side

of 9th Street between Morton Boulevard and B Street and notice to bidders having heretofore been given and published as required by law and bids in accordance with said notice, having been received not later than 7:30 P. M. on Wednesday, August 24, 1938 and having been then and there opened by the Council in open meeting and it appearing that the bid of S. M. McGaw for the construction of the work specified in said plans and specifications was the only bid received, Commissioner Bond introduced

RESOLUTION NO. 4292-N.S.

referring bid to City Engineer and Commissioner of Public Works for checking, which resolution was adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

11 IN THE MATTER OF  
CLOSING CARLSON  
STREET AND ACCEPT  
DEEDS FOR OPENING  
MORTON STREETS

Commissioner Bond introduced

RESOLUTION NO. 4293-N.S.

authorizing City Attorney Fowler to prepare the necessary documents to close Carlson Street and to accept deed for opening Morton Boulevard, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF  
CALLING FOR BIDS  
ON SEWER PIPE &  
MANHOLE CASTINGS

Commissioner Bond introduced

RESOLUTION NO. 4294-N.S.

authorizing the City Clerk to advertise for manhole castings and cement concrete sewer pipe f. o. b. trench side at Modesto, materials to be delivered in quantities as required by City Engineer, bids to be submitted not later than 7:30 P. M. on September 14, 1938 at the City Hall, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF  
WAGE SCALE FOR WORK  
PERFORMED UNDER CON-  
TRACT

Pursuant to the statutes of the State of California, the Council of the City of Modesto has ascertained the scale of wages (as set forth in resolution) to be the prevailing rate of per diem wages, hourly rates and rates for legal holiday and overtime work on Public Work performed by contract in the City of Modesto, whereupon Commissioner Neece introduced

RESOLUTION NO. 4295-N.S.

adopting the scale of wages for such work, as set forth in resolution on file in the City Clerk's office, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF  
ORD. 589-N.S. AMEND  
SEC. 117 OF ORD.  
NO. 487-N.S. DIS-  
TRIBUTE HANDBILLS

Commissioner Stanley introduced an ordinance being Ordinance No. 589-N.S. entitled: "AN ORDINANCE AMENDING SECTION 117 OF ORDINANCE NO. 487-N.S. OF THE CITY OF MODESTO (BUSINESS

LICENSE ORDINANCE) AS THEREAFTER AMENDED", and moved its adoption and passage to print and publish, which motion being duly seconded, it was upon roll call carried and the ordinance ordered published as above by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF  
ORD. 590-N.S.  
AMEND SEC 3 OF  
ORD. 559-N.S.  
PENSION

Commissioner Oliver introduced an ordinance being

ORDINANCE NO. 590-N.S.

entitled "AN ORDINANCE AMENDING SECTION 3 OF ORDINANCE NO.

559-N. S. OF THE CITY OF MODESTO ENTITLED" AN ORDINANCE CREATING A PENSION BOARD AND ENUMERATING ITS POWERS AND DUTIES, PROVIDING FOR PENSION AND RELIEF BENEFITS FOR DISABLED OR RETIRED MEMBERS OF THE POLICE AND FIRE DEPARTMENTS OF THE CITY OF MODESTO, AND FOR BENEFICIARIES THEREOF: PROVIDING A PENSION AND RELIEF FUND AND FOR ITS ADMINISTRATION BY THE PENSION BOARD" AS THEREAFTER AMENDED", and moved its adoption and passage to print and publish, which motion being duly seconded, it was upon roll call carried and the ordinance ordered published as above by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF  
ORD. 591-N.S. AMEND  
SEC 6 OF ORD 196  
REGULATE BUSINESS  
OF POOL HALLS

Commissioner Stanley introduced an ordinance being

ORDINANCE NO. 591-N.S.

entitled "AN ORDINANCE AMENDING SECTION 6 OF ORDINANCE

NO. 196-N.S. OF THE CITY OF MODESTO ENTITLED "AN ORDINANCE REGULATING THE BUSINESS OF CONDUCTING A POOL OR BILLIARD PARLOR OR CARD ROOM IN THE CITY OF MODESTO" AND THEREAFTER AMENDED" and moved its adoption and passage to print and publish, which motion being duly seconded, it was upon roll call carried and the ordinance ordered published as above by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF  
FINAL ADOPTION OF  
ORD NO. 585-N.S.  
CALLING ELECTION

Ordinance No. 585-N.S. having been heretofore introduced and ordered printed and published at the regular meeting of August 10, 1938 and thereupon printed and published

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

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

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF  
FINAL ADOPTION OF  
ORD. NO. 586-N.S.  
FIXING TAX RATE  
1938-39

Ordinance No. 586-N.S. having been heretofore introduced and ordered printed and published at the regular meeting of August 10, 1938 and thereupon printed and published as

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

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

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF  
FINAL ADOPTION OF  
ORD. NO. 587-N.S.  
APPROPRIATING MONEY  
PURCHASES OF MATERIALS

Ordinance No. 587-N.S. having been heretofore introduced and ordered printed and published at the regular meeting of August 10, 1938 and thereupon printed and published as required by the Charter of the City of Modesto coming

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

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

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF  
FINAL ADOPTION OF  
ORD. NO. 588-N.S.  
APPROPRIATE MONEY  
PURCHASE REAL PROPERTY  
(AIRPORT)

Ordinance No. 588-N.S. having been heretofore introduced and ordered printed and published at the special meeting of August 17, 1938 and thereupon printed and published as required by the Charter of the City of Modesto coming

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

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

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF  
ORD. NO. 592-N.S.  
AMEND ORD. 467-NS  
WHOLESALE PRODUCE

Commissioner Oliver introduced and ordinance being  
ORDINANCE NO. 592-N.S.

entitled "AN ORDINANCE AMENDING ORDINANCE NO. 467-N.S.

ENTITLED "AN ORDINANCE AMENDING CERTAIN SECTIONS OF ORDINANCE NO. 464-N.S. RELATING TO LICENSES FOR THE WHOLESALE PRODUCE BUSINESS" and moved its adoption and passage to print and publish, which motion being duly seconded, it was upon roll call carried and the ordinance ordered published as above by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF  
CONDEMNING RESI-  
DENCE 1130 13TH  
STREET

Whereas, there is at present a dwelling house situate at 1130 13th Street, which has fallen into a state of disrepair and the Council finds from oral reports of the Health Department that dwelling house contains ancient and defective plumbing and constitutes a menace to the health of persons living in said premises and is dangerous to the health and safety of persons living in the neighborhood of said premises, Commissioner Stanley introduced

RESOLUTION NO. 4296-N.S.

determining that said premises constitute a nuisance and are dangerous to the health and safety of the citizens of the City of Modesto residing in the vicinity of said premises and the Council further finds that said premises ~~and the Council further finds that said premises~~ are dangerous to the health and safety of persons living in and upon said premises, said City Council does further declare said premises to be a nuisance and the City Attorney is hereby instructed and empowered to abate said nuisance by whatever legal means may be proper so to do, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF  
C. CATELLI ACCEPT  
OFFER COUNCIL  
\$237 LOTS 1 AND 2  
BLOCK 574

Whereas C. Catelli has accepted offer of the City Council as set forth in minutes of August 10, 1938, resolution No. 4276-N.S. of \$237.00 for lots 1 and 2 Block 574 of the City of Modesto, same to be free and clear of all city taxes and assessments levied or assessed prior to the first Monday in March, 1938, Commissioner Bond introduced

RESOLUTION NO. 4297-N.S.

authorizing the City Tax Collector to prepare a deed for delivery to C. Catelli and property be and the same is hereby ordered sold subject only to unpaid County and Irrigation taxes and the City taxes and special assessments on the first Monday in March, 1938 and subsequent thereto. The Tax Collector is hereby authorized to cancel all taxes levied prior to March 7, 1938, against this property, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

2 IN THE MATTER OF  
SIGNATURE ON  
REQUISITIONS FOR  
LABOR & MATERIALS

Commissioner Neece introduced

RESOLUTION NO. 4298-N.S.

authorizing the City Clerk, City Engineer, Fire Chief, Chief of Police, Inspector of Health Department and the first assistant next in authority to the department head, to sign requisitions of the City of Modesto for materials and/or labor, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

2 IN THE MATTER OF  
ADJOURNMENT

Commissioner Oliver introduced

RESOLUTION NO. 4299-N.S.

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

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST:

  
CITY CLERK

SPECIAL COUNCIL MEETING

September 2, 1938

The Council of the City of Modesto met in special session this date at 4:30 P. M., the meeting having been called and convened as set forth in section 2 of Ordinance No. 2-N.S.

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

Absent: Councilmen: Bond

1 IN THE MATTER OF  
ANNEXATION OF  
HIGH HOMES TRACT

Whereas there has been presented to the Council of the City of Modesto petition requesting that an election be

called in the Leslie Hugh Tract and whereas Act 5159 (Annexation Act of 1913) Deering's General Laws 1937 at page 2210 provides that a time and place be set for hearing written protests to holding election for the annexation of said Tract, Commissioner Oliver introduced

RESOLUTION NO. 4390-N.S.

accepting petition for annexation of said LeslieHugh Tract and declaring that it is the intention of the council to hold an election in said tract for the purpose of submitting to the voters the question whether or not the voters residing in said tract desire to have said described territory annexed to and made a part of the corporate limits of the City of Modesto to be held in said tract on the 9th day of November, 1938. The time for hearing protests by persons owning property in the within described LeslieHugh Tract is hereby set for the 19th day of September, 1938 in the council room in the rear of the City Clerk's office at 717 Tenth Street at 4:30 P. M., which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: Bond

2

IN THE MATTER OF  
AWARD BID ON PAVING  
TO S. M. MCGAW

Pursuant to provisions of Resolution No. 4292-N.S., bid  
of S. M. McGaw on widening of pavement on the easterly side  
of Ninth Street between Morton Boulevard and B Street, being referred to the City  
Engineer and Commissioner of Public Works for checking at this time, Commissioner  
Stanley introduced

RESOLUTION NO. 4301-N.S.

recommending the awarding of bid to S. M. McGaw as his was the only bid on the work  
specified received by the Council and that he is a responsible bidder and the Mayor  
and City Clerk be authorized to enter into an agreement with the bidder for the  
construction of the work when proper bonds have been presented, which resolution  
was regularly adopted by the following vote:

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

3

IN THE MATTER OF  
FIRE PROTECTION  
LYNG'S

Ed. J. Lyng appeared before the Council to request fire  
protection for his warehouse which is being constructed  
in the north industrial district. Fire Chief Wallace was instructed to prepare  
fire protection agreement for Mr. Lyng and present it to the Council for approval.

4

IN THE MATTER OF  
BIDS ON ROOFING  
AND HANGAR DOORS  
AT AIRPORT

Commissioner Neece introduced

RESOLUTION NO. 4302-N.S.

authorizing the city clerk to advertise for bids on  
26 Ga. Galv. sheet metal roofing, Dri-Lap Type (10350 sq. ft.) and 8 Hangar doors,  
to be used on Municipal Airport Hangar, bids to be opened at 7:30 P. M. on  
September 14, 1938 at the Council Hall, which resolution was regularly adopted by  
the following vote:

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

5

IN THE MATTER OF  
ELIMINATE PARKING  
SPACE IN FRONT  
OF STANISLAUS  
AUTO PARTS

Whereas, section 17 of Resolution No. 3820-N.S. adopted  
by the Council on April 28, 1937 provides for ten minute  
parking zone at the second oblique parking stall on the  
southwesterly side of Tenth Street southerly from the south corner of the inter-  
section formed by Tenth and H Streets and whereas it is the intention of the  
Council to discontinue the above named 10 minute parking zone as of this date and  
instead provide for the first oblique parking zone at the above named location to  
be marked for ten minute parking Commissioner Stanley introduced

RESOLUTION NO. 4303-N.S.

authorizing the City Engineer to properly mark the first oblique parking space  
on the southwesterly side of Tenth Street, southerly from the south corner of  
the intersection formed by Tenth and H Streets for ten minute parking and to  
remove signs from the second oblique parking zone at the same corner, which  
resolution was regularly adopted by the following vote:

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

6

IN THE MATTER OF  
ADJOURNMENT

Commissioner Stanley introduced

RESOLUTION NO. 4304-N.S.



4  
IN THE MATTER OF  
BIDS ON AIRPORT  
HANGAR

Whereas specifications for the roofing of the Airport Hangar and 8 hangar doors having heretofore been filed by the City Engineer with the Council and approved by them and notice to bidders having heretofore been given and published as required by law and bids, in accordance with said notice, having been received not later than 7:30 P. M. on Wednesday, September 14, 1938 and having been then and there opened by the Council in open meeting, Commissioner Bond introduced

RESOLUTION NO. 4307-N.S.

recommending that all bids be referred to the City Engineer and Commissioner of Public Works for tabulation and recommendation as to the lowest and best bid, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

5  
IN THE MATTER OF  
BIDS ON MANHOLE  
FRAMES AND COVERS  
AND CONCRETE PIPE

Whereas, bids having been called for by the City clerk for concrete pipe and manhole frames and covers and notice to bidders having heretofore been given and published as required by law and bids, in accordance with said notice having been received not later than 7:30 P.M. on Wednesday, September 14, 1938, Commissioner Bond introduced

RESOLUTION NO. 4508-N.S.

awarding bid on concrete pipe as follows:

- 1- 1000 lin. ft. of 8" T & G cement concrete pipe to the Stanislaus Concrete Products Co., price 17¢ per foot, total \$170.00
- 2- 400 lin. ft. of 10" T & G Cement concrete Pipe to the United concrete Pipe Corp, price 20¢ per foot, total \$80.00
- 3- 1000 lin. ft. of 12" T & G Cement Concrete Pipe to the Stanislaus Concrete Products Co. price 25¢ per foot-total \$250.00
- 4- 500 Lin ft. of 14" T & G Cement concrete Pipe to the United Concrete Pipe Corp., price 32¢ per foot, total \$160.00
- 5- 4500 Lin. ft. of 16" T & G Cement Concrete Pipe to the Stanislaus Concrete Products Co., price 38¢ per foot, total \$1710.00
- 6- 1350 Lin, ft. of 20" T & G Cement concrete pipe to the Stanislaus Concrete Products Co., price 62¢ per foot, total \$837.00

and authorizing agreements to be drawn with the successful bidders and the Mayor and city clerk be appointed as signatory officials and recommending that all bids on the manhold frames and covers be referred to the City Engineer and Commissioner of Public Works for recommendations as to the best and lowest bid, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

6  
IN THE MATTER OF  
CANCEL CITY TAXES  
ON LOTS 9-10-11-12  
Block 588

Whereas, The City of Modesto has taken tax deed on lots 9, 10, 11, 12 in Block 588 and whereas the property will be used for the public welfare of the citizens of the

City of Modesto, Commissioner Bond introduced

RESOLUTION NO. 4309-N.S.

cancelling all city taxes and assessments on this property and authorizing the City Auditor to make such entries on his records, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

9 IN THE MATTER OF  
PAYMENT TO H. BROWN  
ON PUMP STATION #10

Whereas, final payment on the pump station at well #10,  
Sierra Drive and Fifth Street is now due to contractor  
Harry Brown, in amount \$281.75 and whereas no claims have been filed against said  
Harry Brown, Commissioner Bond introduced

RESOLUTION NO. 4310-N.S.

allowing claim and authorizing the City Auditor to draw warrant in amount \$281.75  
as final payment to claimant, which resolution was regularly adopted by the follow-  
ing vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

8 IN THE MATTER OF  
AUTHORIZE CITY CLERK  
DRAW WARRANT \$100  
FIRE CHIEF EXPENSES  
CONVENTION

Commissioner Stanley introduced

RESOLUTION NO. 4311-N.S.

authorizing the City Clerk and Auditor to draw warrant in  
amount \$100.00 to George E. Wallace, Fire Chief for expenses to Fire Chief's  
Convention at Salt Lake, Utah, which resolution was regularly adopted by the  
following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

9 IN THE MATTER OF  
ORDINANCE RE:  
INSURANCE ON  
AMBULANCES

Commissioner Stanley introduced an ordinance, being  
ORDINANCE NO. 593-N.S.

entitled "AN ORDINANCE REQUIRING OPERATORS OF AMBUL-  
ANCES TO CARRY PUBLIC LIABILITY INSURANCE THEREON", and moved its adoption and  
passage to print and publish, which motion being duly seconded, it was upon roll  
call carried and the ordinance ordered published as above by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

10 IN THE MATTER OF  
FINAL ADOPTION  
ORD. NO. 589-NS  
DISTRIBUTION OF  
CIRCULARS

Ordinance No. 589-N.S. having been heretofore introduced  
and ordered printed and published at the regular meeting  
of August 24, 1938 and thereupon printed and published

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

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

Noes: Councilmen: None

Absent: Councilmen: None

11 IN THE MATTER OF  
FINAL ADOPTION OF  
ORD. NO. 590-N.S.  
AMEND PENSION ORD.

Ordinance No. 590-N.S. having been heretofore introduced  
and ordered printed and published at the regular meeting  
of August 24, 1938 and thereupon printed and published

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

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

Noes: Councilmen: None

Absent: Councilmen: None

12

IN THE MATTER OF  
FINAL ADOPTION OF  
ORD. NO. 591-NS  
REGULATE BUSINESS  
CARD TABLE

Ordinance No. 591-N.S. having been heretofore introduced  
and ordered printed and published at the regular meeting  
of August 24, 1938 and thereupon printed and published  
as required by the charter of the City of Modesto coming on for final adoption at  
this time, it was upon roll call so finally adopted by the following vote:

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

13

IN THE MATTER OF  
FINAL ADOPTION OF  
ORD. NO. 592-N.S.  
AMEND WHOLESALE  
PRODUCE ORD. 464

Ordinance No. 592-N.S. having been heretofore introduced  
and ordered printed and published at the regular meeting  
of August 24, 1938 and thereupon printed and published  
as required by the charter of the City of Modesto coming on for final adoption at  
this time, it was upon roll call so finally adopted by the following vote:

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

14

IN THE MATTER OF  
BANNER ACROSS  
STREETS FOR RODEO

Whereas Mr. Munson and Mr. Thompson of the M & T Adver-  
tising Company appeared before the Council to petition  
for permit to place string of flags across streets in the business district  
advertising a Rodeo to be held at the Shiloh District Clubhouse under the super-  
vision of Mr. Hammond, whereupon Commissioner Stanley introduced

RESOLUTION NO. 4312-N.S.

granting permit to erect banners across the streets in the business district  
providing that the M & T Advertising Company take out a business license to operate  
in the city of Modesto, secure public liability insurance in the limits of  
\$10/50,000 property damage insurance of \$1000, pay inspection fee of \$1.00 per  
banner and/or string of flags, banners are to be erected under supervision of  
city Engineer and written permission from the owners of the buildings where the  
banners are attached, are to be placed on file, which resolution was regularly  
adopted by the following vote:

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

15

IN THE MATTER OF  
TAX SALE ON BLOCK  
17, lots 26-27

Commissioner Bond introduced

RESOLUTION NO. 4313-N. S.

recommending that the City of Modesto purchase from the County of Stanislaus,  
pursuant to the provisions of Section 3897d of the Political Code of the State of  
California, lots 26 and 27 in Block 17 of the City of Modesto and enter into an  
agreement with the County of Stanislaus, for this purchase and the Mayor and City  
Clerk be appointed signatory officials, purchase price to be \$25.00, which resolu-  
tion was regularly adopted by the following vote:

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

16 IN THE MATTER OF  
APPROVING AGREEMENTS  
FOR DEPOSITS OF  
ACTIVE AND INACTIVE  
FUNDS OF THE CITY OF  
MODESTO

Pursuant to presentation of agreements for inactive and active deposit of funds by the American Trust Company, Bank of America and Anglo California National Bank for approval by the City Council and whereas agreements for deposits of inactive and active funds of the City of Modesto are in proper form, Commissioner Neece introduced

RESOLUTION NO. 4314-N.S.

accepting agreements as presented and also the specified term for Notice of Withdrawal, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

17 IN THE MATTER OF  
PAYMENT TO MODESTO  
TITLE COMPANY ON  
ADDITION TO AIRPORT

Whereas, a preliminary report issued by the Modesto Title Company on lots 17, 18, 19, 20 and 21 in Block 2150 and lots 37, 38 and 39 in Block 2140 of Sierra Subdivision No. 3 which are being purchased by the City of Modesto as an addition to the Municipal Airport was presented, Commissioner Oliver introduced

RESOLUTION NO. 4315-N.S.

authorizing the City Clerk to draw warrant in amount \$1150 to the Modesto Title Company and to request them to make payment to the Anglo California National Bank, owner of the property upon delivery to them of deed, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: none

Absent: Councilmen: None

18 IN THE MATTER OF  
PAYMENT ELECTION  
OFFICIALS AND  
POLLING PLACES-  
SPECIAL BOND ELECTION

Commissioner Neece introduced

RESOLUTION NO. 4316-N.S.

authorizing the City Clerk and Auditor to pay election officials serving at the Special Bond Election for the Civic Auditorium \$5.00 each, which was held on September 13, 1938 and to pay \$5.00 rental for polling places, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

19 IN THE MATTER OF  
PETITION OF E.F.C.  
ROGERS-PERMISSION  
TO HAVE DOG PARADE

Whereas E. F. C. Rogers, local chairman of the National Dog Week has petitioned the Council to be permitted to hold parade in the City of Modesto on September 16, 1938 in observance of National Dog Week, Commissioner Bond introduced

RESOLUTION NO. 4317-N.S.

refusing permit to hold a parade as they felt some danger might arise because of the recent outbreak of rabies here, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

20

IN THE MATTER OF  
DEPARTMENT REPORTS  
FOR THE MONTH OF  
AUGUST, 1938

Departmental reports for the month of August, 1938 were  
read and ordered filed.

21

IN THE MATTER OF  
ADJOURNMENT

Commissioner Oliver introduced  
RESOLUTION NO. 4318-N.S.

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

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: *H. E. Gragg*  
H. E. GRAGG, CITY CLERK

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SPECIAL COUNCIL MEETING

September 16, 1938

The Council of the City of Modesto met in special session  
this date at 7:30 P.M., the meeting having been called and convened as set forth  
in section 2 of Ordinance No. 2-N.S.

Present: Councilmen: Neece, Stanley and Mayor King

Absent: Councilmen: Oliver, Bond

IN THE MATTER OF  
CANVAS VOTE ON  
BOND ELECTION-  
AUDITORIUM

WHEREAS, the City Council of the City of Modesto by  
Ordinance No. 585-N.S., duly called and ordered held in  
said City of Modesto an election on the 13th day of

September, 1938, for the purpose of submitting to the qualified voters and elec-  
tors thereof the following proposition, to wit:

PROPOSITION:

Shall the City of Modesto incur a bonded indebtedness in  
the principal amount of \$176,000 for the object and pur-  
pose of acquiring, constructing and completing the  
following municipal improvement, to wit: A Civic Aud-  
itorium, assembly and convention hall, with quarters for  
a municipal theatre, including all lands, building,  
furniture, fixtures and equipment necessary for civic  
auditorium, assembly and convention hall, and municipal  
theatre purposes?

AND WHEREAS, said ordinance calling and ordering said elec-  
tion was duly published as required by law and by said ordinance, as appears from  
the affidavit of L. Townsend, printer and publisher of the "Modesto Bee," on file  
in the office of the city clerk of said City of Modesto; and

WHEREAS, it appears that said special election was duly  
held in accordance with law and with said call, on the <sup>said</sup> 13th day of September, 1938  
as aforesaid, and that the polls for said election were kept open during the time  
required by law, and that said election was held and conducted, and the returns  
thereof ascertained, determined and declared, all as provided by the laws of the  
State of California, and by said ordinance; and

WHEREAS, on this day, to wit, Friday, the 16th day of  
September, 1938, at the hour of 7:30 o'clock P. M., the City Council of the City  
of Modesto met at its usual place of meeting and has canvassed the returns of said  
special election as required by law, and the result of said canvass is found to be  
as hereinafter stated and set forth; Commissioner Stanley introduced the following  
resolution:

IT IS HEREBY RESOLVED, DETERMINED AND DECLARED by the  
City Council of the City of Modesto, as follows:

1- That the proposition voted upon at said special election was as follows:

PROPOSITION: Shall the City of Modesto incur a bonded indebtedness in the principal amount of \$176,000 for the object and purpose of acquiring, constructing and completing the following municipal improvement, to wit: A Civic Auditorium, assembly and convention hall, with quarters for a municipal theatre, including all lands, building, furniture, fixtures and equipment necessary for civic auditorium, assembly and convention hall, and municipal theatre purposes?

2- That by said ordinance calling said special election it was provided that for the purposes of said election said City of Modesto should be divided into ten special election precincts, and that the number of votes cast at said special election in favor of and against said proposition was as follows; to wit:

Number of votes cast in favor of said proposition	Number of votes cast against said proposition
<u>1636</u>	<u>1590</u>

3- That the total number of votes cast at said special election was 3228 votes; that the number of votes cast in each precinct for and against said proposition was as follows:

CONSOLIDATED ELECTION PRECINCT NO. 1

Votes for said proposition	<u>159</u>
votes against said proposition	<u>126</u>

CONSOLIDATED ELECTION PRECINCT NO. 2

Votes for said proposition	<u>272</u>
votes against said proposition	<u>162</u>

CONSOLIDATED ELECTION PRECINCT NO. 3

Votes for said proposition	<u>155</u>
Votes against said proposition	<u>129</u>

CONSOLIDATED ELECTION PRECINCT NO. 4

Votes for said proposition	<u>147</u>
Votes against said proposition	<u>115</u>

CONSOLIDATED ELECTION PRECINCT NO. 5

Votes for said proposition	<u>149</u>
Votes against said proposition	<u>119</u>

CONSOLIDATED ELECTION PRECINCT NO. 6

Votes for said proposition	<u>160</u>
Votes against said proposition	<u>149</u>

CONSOLIDATED ELECTION PRECINCT NO. 7

Votes for said proposition	<u>192</u>
Votes against said proposition	<u>149</u>

CONSOLIDATED ELECTION PRECINCT NO. 8

Votes for said proposition	<u>121</u>
Votes against said proposition	<u>176</u>

CONSOLIDATED ELECTION PRECINCT NO. 9

Votes for said proposition	<u>108</u>
Votes against said proposition	<u>202</u>

CONSOLIDATED ELECTION PRECINCT NO. 10

Votes for said proposition	<u>173</u>
Votes against said proposition	<u>263</u>

that two ballots were spoiled and not counted. That less than two-thirds of all of the votes cast at said special election were in favor of said proposition and that said proposition failed to carry. That the City Clerk of the City of Modesto be, and is hereby, instructed to enter this resolution on the minutes of this City Council as a statement of the result of said election, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Neece, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: Oliver and Bond

2 2  
IN THE MATTER OF  
STATEMENT OF RESULT  
OF SPECIAL MUNICIPAL  
BOND ELECTION

I, H. E. GRAGG, City Clerk of the city of Modesto,  
California do hereby certify that a special municipal

election was duly and regularly held in said City of Modesto on September 13, 1938, and that the returns of said election have been duly and regularly canvassed and declared by the City Council of the City of Modesto on September 16, 1938, at the hour of 7:30 o'clock P. M. at the usual meeting place of said City Council in the City of Modesto, State of California, and that the following statement is a statement of the result of said election.

1.- The whole number of votes cast in said City of Modesto at said special election was 3228.

2.- The proposition voted upon at said special election was as follows:

PROPOSITION: Shall the City of Modesto incur a bonded indebtedness in the principal amount of \$176,000 for the object and purpose of acquiring, constructing and completing the following municipal improvement, to wit: A Civic Auditorium, assembly and convention hall, with quarters for a municipal theatre, including all lands, building, furniture, fixtures and equipment necessary for civic auditorium, assembly and convention hall, and municipal theatre purposes?

3.- That the number of votes given at each precinct for and against said proposition was as follows:

CONSOLIDATED ELECTION PRECINCT NO. 1

Votes for said proposition	<u>159</u>
Votes against said proposition	<u>126</u>

CONSOLIDATED ELECTION PRECINCT NO. 2

Votes for said proposition	<u>272</u>
Votes against said proposition	<u>162</u>

CONSOLIDATED ELECTION PRECINCT NO. 3

Votes for said proposition	<u>155</u>
Votes against said proposition	<u>129</u>

CONSOLIDATED ELECTION PRECINCT NO. 4

Votes for said proposition	<u>147</u>
Votes against said proposition	<u>115</u>

CONSOLIDATED ELECTION PRECINCT NO. 5

Votes for said proposition	<u>149</u>
Votes against said proposition	<u>119</u>

CONSOLIDATED ELECTION PRECINCT NO. 6

Votes for said proposition	<u>160</u>
Votes against said proposition	<u>149</u>

CONSOLIDATED ELECTION PRECINCT NO. 7

Votes for said proposition	<u>192</u>
Votes against said proposition	<u>149</u>

CONSOLIDATED ELECTION PRECINCT NO. 8

votes for. said proposition	<u>121</u>
Votes against said proposition	<u>176</u>

CONSOLIDATED ELECTION PRECINCT NO. 9

Votes for said proposition	<u>108</u>
Votes against said proposition	<u>202</u>

CONSOLIDATED ELECTION PRECINCT NO.10

Votes for said proposition	<u>173</u>
Votes against said proposition	<u>263</u>

4- The total number of votes given at such election for and against said proposition voted upon was as follows:

Total votes for said proposition	1636
Total votes against said proposition	1590

5- The votes of less than two-thirds of all of the voters voting on said proposition at said election were cast in favor of said proposition and said proposition failed to carry. As soon as the result of said election was declared by said city council, I caused to be entered upon the records of said city Council the foregoing statement of said result.

HE. GRAGG, CITY CLERK

3 IN THE MATTER OF CANVASS OF ABSENTEE VOTES OF SPECIAL BOND ELECTION-AUDITORIUM WHEREAS, The City council of the City of Modesto has heretofore, to wit, on the 16th day of September, 1938, met to canvass vote on special election and by its Resolution No. 4319-N.S., duly passed and adopted on said date, has determined and declared the result of said special election; and Commissioner Stanley introduced

RESOLUTION NO. 4319-N.S.

IT IS HEREBY RESOLVED, DETERMINED AND DECLARED by the City Council of the City of Modesto as follows:

That all absentee voter ballots have been fully received and canvassed in the time, form and manner required by law, and the result of the absentee vote for and against the proposition submitted at said election as follows:

ABSENTEE VOTE

Absentee application filed	2
Ballots returned (total vote cast)	2
Votes rejected (ineligible)	0
Spoiled ballots	0
Ballots counted (regular)	2
Absentee Vote "Yes"	2
Absentee vote "No"	0
Total Absentee Vote	2

That the total number of votes cast at such election for and against said proposition submitted thereat, including the foregoing absentee votes, was as follows:

Total vote for:	2
Total Vote against:	0

That less than two-thirds of all the votes cast at said special election were in favor of said proposition, and that said proposition failed to carry.

That the City Clerk of the City of Modesto be, and is hereby, instructed to enter this resolution on the minutes of this City Council as a statement of the consolidated return of said election, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Neece, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: Oliver and Bond

4 IN THE MATTER OF  
REJECT BIDS ON  
MANHOLE FRAMES  
AND AIRPORT HANGAR  
ROOFING & DOORS

Whereas Resolution No. 4307-N. S. referred all bids on airport hangar roofing and 8 hangar doors and Resolution No. 4308-N.S. referred all bids on manhole covers and

frames to the Commissioner of Public Works and the City Engineer for investigation and recommendation and whereas at this time the City Engineer reports that all bids received are unsatisfactory, Commissioner Stanley introduced

RESOLUTION NO. 4320-N.S.

rejecting all bids on hangar doors, roofing material for airport hangar and manhole covers and frames and authorizing the City Clerk and Auditor to return certified check to unsuccessful bidders and authorize the merchandise and/or supplies to be purchased by the department of Public Supplies as provided in Article LX section 59 of the charter of the City of Modesto, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Neece, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: Oliver, Bond

5 IN THE MATTER OF  
ORD. PROVIDE FOR  
IMPOUNDING DISEASED  
ANIMALS

Commissioner Stanley introduced an ordinance being  
ORDINANCE NO. 594-N.S.

entitled: "AN EMERGENCY ORDINANCE PROVIDING FOR IMPOUNDING DISEASED ANIMALS AND PROVIDING A PENALTY FOR THE VIOLATION THEREOF." and moved its adoption and passage to print and publish, which motion being duly seconded, it was upon roll call carried and the ordinance ordered published as above by the following vote:

Ayes: Councilmen: Neece, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: Oliver, Bond

6 IN THE MATTER OF  
ADJOURNMENT

Commissioner Stanley introduced  
RESOLUTION NO. 4321-N.S.

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

Ayes: Councilmen: Stanley, Neece and Mayor King

Noes: Councilmen: None

Absent: Councilmen: Oliver, Bond

ATTEST: H. E. GRAGG, CITY CLERK

\*\*\*\*\*

September 19, 1938

The Council of the City of Modesto met in special session this date at 4:30 P. M. the meeting having been called and convened as set forth in section 2 of Ordinance No. 2-N.S.

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

Absent: Councilmen: Bond

IN THE MATTER OF HEARING PROTEST TO ANNEXATION OF LESLIE-HUGH TRACT

Whereas, Resolution No. 4300-N.S. adopted at special meeting of the Council of the city of Modesto on September 2, 1938 provides for the holding of an

election for annexation of "Leslie-Hugh" Tract to the City of Modesto and provides that all protests against annexation be heard at the City Council room at 4:30 P. M. on September 19, 1938, whereupon Commissioner Stanley introduced

RESOLUTION NO. 4322-N.S.

declaring that no protests, either verbal or written, have been filed against the annexation of said, Tract, which resolution was regularly adopted by the following vote:

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

Absent: Councilmen: Bond

IN THE MATTER OF CITY ENGINEER WRITE CONGRESSMAN GEARHART RE: GRANT P. W. A.

Commissioner Oliver introduced

RESOLUTION NO. 4323-N.S.

recommending that the City Engineer write to Congressman Gearhart regarding the delay in granting to the City of Modesto, P. W. A. funds for the building of firehouse and remodeling City Hall, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: Bond

IN THE MATTER OF ADJOURNMENT

Commissioner Neece introduced

RESOLUTION NO. 4324-N.S.

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

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

Noes: Councilmen: None

Absent: Councilmen: Bond

ATTEST: H. C. Gray  
CITY CLERK

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COUNCIL MEETING

September 28, 1938

The Council of the City of Modesto met in regular session this date.

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

Absent: Councilmen: None

1 IN THE MATTER OF  
APPROVAL OF MIN-  
UTES

The minutes of the regular meeting of September 14th,  
1938 having been heretofore read by each Councilman

were unanimously approved as so read.

2 IN THE MATTER OF  
CLAIMS

Whereas the 1938-1939 budget for the City of Modesto  
provides for the appropriation of \$2400 to the Mer-

chants of the City of Modesto for civic promotion fund and whereas Ordinance  
No. 581-N.S. has been adopted providing for the appropriation and whereas at  
this time there has been a claim for \$100 and a claim for \$400 presented for  
payment by the Retail Merchants Bureau and the Modesto Chamber of Commerce,  
Commissioner Neece introduced

RESOLUTION NO. 4325-N. S.

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

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

Noes: Councilmen: None

Absent: Councilmen: None

3 IN THE MATTER OF  
CLAIM ORRICK, DAHL-  
QUIST NEFF & HERRING-  
TON

Commissioner Neece introduced

RESOLUTION NO. 4326-N. S.

allowing claim of \$176.40 to Orrick, Dahlquist, Neff  
& Herrington for services in connection with the calling and holding of an elec-  
tion in the City of Modesto on September 13, 1938, for the purpose of authorizing  
the issuance of \$176,000 principal amount of Civic Auditorium Bonds for the  
City of Modesto, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

4 IN THE MATTER OF  
REPORT BY CITY  
ATTORNEY ON DWELL-  
ING CONDEMNED ON  
13TH & L STREETS

City Attorney Fowler reported on house condemned at  
corner of 13th and L Streets by the Council under  
resolution No. 4296-N.S. He reported that the owner

N. G. Golemis has promised that the house would be razed during the later  
part of September or early in the month of October.

5 IN THE MATTER OF  
RESOLUTION SHILOH  
GRANGE CITY LIMIT  
SIGN-PARADISE &  
H STREETS

A resolution from the Shiloh Grange No. 515 recommen-  
ding the installation of a city limit sign at the  
junction of Paradise Road and H Street was read and

the City Clerk was instructed to notify the secretary of the Shiloh Grange No.  
515 that the city appreciated their interest and the matter would be investi-  
gated at once.

6 IN THE MATTER OF  
AUTHORIZE BID  
AUTO-FIRE CHIEF

Commissioner Stanley introduced

RESOLUTION NO. 4327-N.S.

authorizing the City Clerk to advertise for bids on a 1939 model sedan for the  
Fire Department, bids to be opened at the City Hall, 717 Tenth Street, October  
12, 1938 at 7:30 P. M., which resolution was regularly adopted by the following  
vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

7 IN THE MATTER OF  
TRANSFER \$50,000  
WATER FUND TO  
GENERAL FUND

Commissioner Neece introduced

RESOLUTION NO. 4328-N.S.

transferring \$50,000 from the Water Fund to the  
General Fund of the City of Modesto and authorizing the City Auditor and  
Treasurer to make such entries on their records, which resolution was regularly  
adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

8 IN THE MATTER OF  
APPROVAL OF AGREE-  
MENT EXPENDITURE  
GAS TAX

Whereas, the State of California, through its Depart-  
ment of Public Works, Division of Highways has presented  
a third supplemental memorandum of agreement in

accordance with a project statement submitted by the City for expenditure of the  
gas tax for the 1937-1939 biennium allocated for State Highway in the City of  
Modesto and whereas, the city Council has heard read said agreement in full and  
is familiar with the contents thereof; Commissioner Bond introduced

RESOLUTION NO. 4329-N.S.

approving the said agreement for expenditure of the gas tax allocated for  
State Highways and the Mayor and City Clerk are directed to sign the same on  
behalf of the City of Modesto, which resolution was regularly adopted by the  
following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

9 IN THE MATTER OF  
GRANTING FIRE PRO-  
TECTION-E. J. LYNG

Whereas E. J. Lyng has petitioned the Council to be  
furnished fire protection on his building just outside

the city limits for carrying on a warehouse business and the subsequent refer-  
ring of the same to Fire Chief for investigation of the request and whereas at  
this time an agreement with E. J. Lyng and the City of Modesto was presented for  
approval for fire protection for one year term by the Council, Commissioner  
Stanley introduced

RESOLUTION NO. 4330-N. S.

approving agreement as presented and appointing Mayor King and City Clerk signa-  
tory officials, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

10 IN THE MATTER OF  
ORDINANCE- ELIMINATE  
RATS

Commissioner Bond introduced an ordinance being

ORDINANCE NO. 595-N.S.

entitled; "AN ORDINANCE PROVIDING FOR THE ELIMINATION OF RATS AND RAT HARBOR-  
AGES AND PROVIDING FOR THE RAT PROOFING OF CERTAIN BUILDINGS IN THE CITY OF  
MODESTO", and moved its adoption and passage to print and publish, which motion  
being duly seconded, it was upon roll call carried and the ordinance ordered  
published as above by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

11 IN THE MATTER OF  
FINAL ADOPTION OF  
ORD. NO. 593-N.S.  
INSURANCE ON AMBU-  
LANCES

Ordinance No. 593-N.S. having been heretofore intro-  
duced and ordered printed and published at the regular  
meeting of September 14, 1938 and thereupon printed

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

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

Noes: Councilmen: None

Absent: Councilmen: None

12 IN THE MATTER OF  
FINAL ADOPTION OF  
ORD. NO. 594-NS  
IMPOUNING DISEASED  
ANIMALS

Ordinance No. 594-N.S. having been heretofore intro-  
duced and ordered printed and published at the special  
meeting of September 16, 1938 and thereupon printed

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

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

Noes: Councilmen: None

Absent: Councilmen: None

13 IN THE MATTER OF  
APPROVAL OF DEED  
ANGLO CALIFORNIA  
NATIONAL BANK

Whereas a deed from the Anglo California National Bank  
on lots 17, 18, 19, 20 and 21, block 2150 and lots 37,  
38, 39, block 2140 of Sierra Subdivision Number 3 has

been presented for approval Commissioner Bond introduced

RESOLUTION NO. 4352-N.S.

approving deed when the title search report has been furnished the City from the  
Modesto Title Company, which resolution was regularly adopted by the following  
vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

14 IN THE MATTER OF  
APPOINTMENT OF  
ELMER BLUM TO  
POSITION DEPUTY  
CITY CLERK

Whereas, Lillian Loving is now the deputy clerk in the  
office of the City Clerk and whereas one Elmer Blum is  
also employed in the office of said city clerk and

whereas, City Council of the City of Modesto deems it to the best interests of  
the citizens of said City that the said Elmer Blum be named as, and that he  
occupy the position of deputy city clerk, Commissioner Stanley introduced

RESOLUTION NO. 4333-N.S.

recommendint that Lillian Loving be relieved of her duties as said Deputy city  
clerk and the said Elmer Blum be elevated to the position of Deputy City Clerk  
in the office of the City Clerk, which resolution was regularly adopted by the  
following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

15 IN THE MATTER OF  
ADJOURNMENT

Commissioner Oliver introduced

RESOLUTION NO. 4334-N.S.

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

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST:

*N. E. Gage*  
CITY CLERK

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SPECIAL COUNCIL MEETING

4:30 P.M. October 5, 1938

The Council of the City of Modesto met in Special session this date at 4:30 P. M., the meeting having been called and convened as set forth in section 2 of Ordinance No. 2-N.S.

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

Absent: Councilmen: Oliver

IN THE MATTER OF  
GRANT PERMIT  
AIRSHOW AT AIRPORT  
CHAMBER OF COMMERCE

Whereas, a letter dated October 1, 1938 signed by R. L. Kimmel, Secretary of the Modesto Chamber of Commerce, which letter is on file in the office of the City Clerk of the City of Modesto and is herein referred to for further particulars, requesting permission of the City Council of the City of Modesto to allow said Chamber of Commerce to hold an air show at the Modesto Municipal Airport; and

WHEREAS, said letter contains the statement that adequate insurance will be taken out by said Chamber of Commerce or persons interested in said show for the purpose of protecting all persons attending said air show or elsewhere against damage by reason of any accident arising incident to said air show; and

WHEREAS, said letter contains the further statement that no expense of said air show shall be borne by the said City of Modesto, Commissioner Stanley introduced

RESOLUTION NO. 4335-NS.

granting permission for the holding of said air show on October 15 and 16, 1938 at and upon said airport under the following conditions:

- 1- That there be presented to said City Council a resolution of the Board of Directors of said Chamber of Commerce showing that said Chamber of Commerce is the sponsor of said air show and that the said Secretary is authorized and empowered to make the representations contained in his letter of October 1, 1938.
2. That before said air show is held there shall be presented to the City Attorney of the city of Modesto for his examination satisfactory evidence that insurance in the sum of Fifty Thousand Dollars (\$50,000.00) property damage, and One Hundred Thousand Dollars (\$100,000.00) public liability, has been secured.
3. That evidence be given to said City Council or the City Attorney of said City of Modesto that permission has been secured from the Civil Aeronautics Authority, granting permission for the holding of said air show.
- 4- That the City of Modesto shall incur no expense either in money or labor in connection with said air show, save and except to provide two policemen to police the air port and crowd at said air show.
5. That permission be secured by said Chamber of Commerce from Arthur Jenks,

Manager of said airport, and employee of Pathfinder Flying Service, the present lessee of said airport, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: Oliver

2 2 IN THE MATTER OF  
ADJOURNMENT

Commissioner Neece introduced

RESOLUTION NO. 4336-N.S.

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

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

Noes: Councilmen: None

Absent: Councilmen: Oliver

ATTEST

*H. E. Gray*  
CITY CLERK

COUNCIL MEETING  
October 12, 1938

The Council of the City of Modesto met in regular session this date.

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

Absent: Councilmen: None

1 IN THE MATTER OF  
APPROVAL OF MIN-  
UTES

The minutes of the special meeting of September 16, 1938, special meeting of September 19, 1938, regular

meeting of September 28, 1938 and special meeting of October 5, 1938 having been heretofore read by each Councilman were unanimously approved as so read.

2 2 IN THE MATTER OF  
CLAIMS FOR MONTH OF  
SEPTEMBER

Claims against the City of Modesto for the month of September, 1938 having been heretofore audited by the

Council and found to be correct, Commissioner Neece introduced

RESOLUTION NO. 4337-N.S.

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

GENERAL FUND-----	\$29,897.90
WATER FUND-----	5,789.48
LIBRARY FUND-----	1,798.53
ST. BOND. RED. INT. FUND----	1,273.80
UNAPPORTIONED FUND-----	----
TOTAL-----	\$38,579.71

which resolution was regularly adopted by the following vote:

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

Noes: councilmen: None

Absent: Councilmen: None

3 IN THE MATTER OF  
CLAIM-J.E. GRAY

Whereas, a claim of \$6.60 for refund of license paid on apartment house for period January 1, 1937 to June 30, 1938 inc. was filed with the Council by James E. Gray and whereas Ordinance

No. 509-N.S. provides that apartment houses are not required to pay a license,  
Commissioner Neece introduced

RESOLUTION NO. 4338-N.S.

allowing claim as presented and authorizing the City Clerk and Auditor to draw  
warrant in the amount of \$6.60 in payment, which resolution was regularly  
adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

4 IN THE MATTER OF  
CLAIM-REFUND ON  
WATER TAP-MARK  
ROSS & CO.

Whereas Mark Ross & Co. have made application for  
refund of \$20.00 paid on 1 $\frac{1}{2}$  inch water tap #4753,  
Block 94, Commissioner Neece introduced

RESOLUTION NO. 4339-N.S.

Granting claim and authorizing the City Clerk and Auditor to draw warrant in  
the amount of \$20.00 in payment, which resolution was regularly adopted by the  
following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

5 IN THE MATTER OF  
COMMUNICATION  
MRS. R.M. TURNER

A communication from Mrs. R. M. Turner, 244 Castle  
Street regarding the removal of two poplar trees was  
read and by order of the Council the City Engineer was ordered to investigate.

6 IN THE MATTER OF  
GRANT PERMIT DR.  
A. C. MAZE OERATE  
BUSINESS RESIDENCE  
ZONE

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

Dr. Albert C. Maze to conduct office in remo-  
deled garage at 1102 13th St.

and it appearing from affidavits on file that a notice setting forth the time  
for hearing any and all protests to the granting of the petition as prayed for  
and this being the time set forth and whereas, the City Clerk reports that no  
protests either oral or written have been officially filed, Commissioner Oliver  
introduced

RESOLUTION NO. 4340-N.S.

granting permission with the understanding that all provisions relative to build-  
ing permit fees be complied with, which resolution was regularly adopted by the  
following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

7 IN THE MATTER OF  
OPEN BIDS ON FIRE  
CHIEF'S AUTO

Whereas, notice to bidders having heretofore been  
given and published as required by law for one 1939  
model Sedan for the Fire Chief of the City of Modesto and bids in accordance  
with said notice having been received not later than 7:30 P. M. on Wednesday,  
October 12, 1938 and having been then and there opened by the Council in open  
meeting, Commissioner Oliver introduced

RESOLUTION NO. 4341-N.S.

directing the City Engineer to tabulate the bids and Commissioners Stanley and  
Bond were appointed to make recommendations as to the lowest and best bid, which

resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

8  
9  
IN THE MATTER OF  
PAYMENT S.M.MCGAW  
PAVEMENT 9TH AND  
B STREETS

Whereas, City Engineer Rossi has filed notice of completion with the Council on the widening of pavement on Ninth Street between Morton Boulevard and B Street by contractor S. M. McGaw and whereas the contract provides that 75% of the contract of \$2764.80 be paid on completion, Commissioner Bond introduced

RESOLUTION NO. 4342-N. S.

authorizing payment of \$2086.42 to contractor and the City Clerk and Auditor are hereby authorized to draw a warrant in this amount to S. M. McGaw and the City Clerk is authorized to record notice of completion with the County Recorder, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

9  
9  
IN THE MATTER OF  
PARKING ON J STREET  
BETWEEN 13TH AND  
ALLEY-1 HR. PERIOD

Whereas, under and by virtue of the provisions of Ordinance No. 345-N.S. of the City of Modesto the Council has the power to increase or diminish the time for which vehicles may be parked on the streets of the business district, Commissioner Bond introduced

RESOLUTION NO. 4343-N.S.

establishing one hour parking on south side J Street between 13th Street and alley and directing the City Engineer to properly mark this area, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

10  
10  
IN THE MATTER OF  
BIDS ON AUTOS  
PUBLIC WORKS DEPT.

Commissioner Bond introduced

RESOLUTION NO. 4344-N.S.

authorizing the City Clerk to advertise for bids on the following:

1-One pickup truck not less than one half ton capacity with closed cab, cost not to exceed \$700.00 including sales tax and license

2-One Station Wagon type Surveyor's car with four side doors with glass windows and end door; doors to be fitted for locking; cost not to exceed \$1290.00 including sales tax and license.

3-One dump truck not less than 1½ ton capacity with metal body, floor plates of not less than 3/16 inch thick high carbon steel and side plates of not less than 3/16 inch thick high carbon steel and side plates of not less than 10 gauge high carbon steel; head board and end gate not less than 22 inches high, sides not less than 12 inches high and fitted with stake pockets and with slots to receive 2 inch thick side boards; sides and end gate to be hinged so that they may be lowered to a horizontal position to form a flat body; body to be 10 feet by 5 feet six inches with sides and end gate raised; hydraulic hoist of not less than four ton capacity with not less than 6 inch cylinder and with manifold type pump; truck wheel base not less than 157 inches; dual rear wheels; tires not smaller than 32x6, 8 ply; cost not to exceed \$1450.00; including sales tax and license.

Bids to be received at the Council Chambers not later than 7:30 on Wednesday, October 26, 1938, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

11 IN THE MATTER OF  
AUTHORIZE PAYMENT  
AUTOMOBILE POLICY

Commissioner Stanley introduced

RESOLUTION NO. 4345-N.S.

accepting automobile policy for year ending October 13, 1938 furnished by the Insurance Committee for the auto fleet of the City of Modesto and authorizing the City Clerk and Auditor to make payment on same, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

12 IN THE MATTER OF  
ORD. PROVIDE FOR  
SALE OF USED EQUIP-  
MENT AND JUNK

Commissioner Bond introduced an ordinance being

ORDINANCE NO. 596-N.S.

entitled: "AN ORDINANCE PROVIDING FOR THE SALE OF USELESS PERSONAL PROPERTY", and moved its adoption and passage to print and publish, which motion being duly seconded, it was upon roll call carried and the ordinance ordered published as above by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

13 IN THE MATTER OF  
FINAL ADOPTION OF  
ORD. NO. 595-N.S.  
ELIMINATION OF RATS

Ordinance No. 595-N.S. having been heretofore introduced and ordered printed and published at the regular meeting of September 28, 1938 and thereupon printed

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

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

Noes: Councilmen: None

Absent: Councilmen: None

14 IN THE MATTER OF  
APPROVAL OF POLICIES  
FOR AMBULANCES

Whereas, Ordinance No. 593-N.S. provides for the filing of insurance policies with the City of Modesto by

individuals operating ambulances within the City and whereas the Hart Ambulance Company and the Modesto Ambulance Company have filed policies for approval by the Council, Commissioner Stanley introduced

RESOLUTION NO. 4346-N.S.

accepting the Hart Ambulance Company policy as it met all requirements of Ordinance No. 593-N.S. and rejecting the Modesto Ambulance Company policy because of the financial standing of the insurance company writing the policy and because it did not meet requirements set forth in the ordinance, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

15 IN THE MATTER OF  
ANNUAL REPORTS

Departmental reports for the year ending June 30, 1938 were reviewed and ordered filed.

16 IN THE MATTER OF  
REPORTS FOR MONTH  
OF SEPTEMBER

Departmental reports for the month of September, 1938 were reviewed and ordered filed.

17 IN THE MATTER OF  
ADJOURNMENT

Commissioner Oliver introduced

RESOLUTION NO. 4347-N.S.

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

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST:

*H. E. Gragg*  
CITY CLERK

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SPECIAL COUNCIL MEETING,

OCTOBER 21, 1938--4:30 P.M.

The Council of the City of Modesto met in special session this date at 4:30 P.M., the meeting having been called and convened as set forth in section 2 of Ordinance No. 2-N.S.

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

Absent: Councilmen: None

1 IN THE MATTER OF  
AWARD BID ON  
FIRE CHIEF'S AUTO  
TO W. J. SILVA

Whereas bids on a 1939 model Sedan for the Fire Department of the City of Modesto have been referred to committee of Commissioners Bond and Stanley for investigation and recommendation and whereas at this time they report that they recommend the purchase of 1939 Studebaker 6 Sedan at a price of \$816.00 as being the lowest and best bid, Commissioner Stanley introduced

RESOLUTION NO. 4348-N.S.

awarding bid to W. J. Silva at a price of \$816.00, delivery to be made within thirty days, as being the lowest and best bid, and authorizing the City Auditor to make payment to W. J. Silva upon delivery of auto and to return all checks, monies and/or bonds to unsuccessful bidders, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None Absent: Councilmen: None

2 IN THE MATTER OF  
CLAIM-BARNETT &  
REDMOND

Whereas, L. R. Barnett and James J. Redmond have presented claim of \$450.00 for examination and audit of accounts for the fiscal year ending June 30, 1938, Commissioner Bond introduced

RESOLUTION NO. 4349-N.S.

accepting audit from L. R. Barnett and James J. Redmond for the fiscal year ending June 30, 1938 and authorizing payment of \$450 to claimants by the City Clerk and Auditor, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

3 IN THE MATTER OF  
ADJOURNMENT

Commissioner Neece introduced

RESOLUTION NO. 4350-N.S.

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

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST:

*H. E. Gragg*  
CITY CLERK

Council Meeting,  
October 26, 1938

The Council of the City of Modesto met in regular session  
this date.

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

Absent: Councilmen: None

1- IN THE MATTER OF APPROVAL OF MINUTES The minutes of the regular meeting of October 12, 1938 and of the Special meeting of October 21, 1938 having been heretofore read by each Councilman were unanimously approved as so read.

2- IN THE MATTER OF PETITION-TAXI LICENSE-B.H.HANDY Whereas B. H. Handy has petitioned the Council of the City of Modesto to be granted permission to operate a taxicab in the City of Modesto and whereas Section 15 of Ordinance No. 547-NS entitled "AN ORDINANCE AMENDING ORDINANCE NO. 146-NS, ENTITLED "AN ORDINANCE RELATING TO AUTOMOBILE BUSES, JITNEYS AND TAXICABS IN THE CITY OF MODESTO, FIXING A LICENSE FEE FOR THE OPERATION THEREOF, AND REGULATING THE OPERATION OF THE SAME" AS THEREAFTER AMENDED BY ADDING NEW SECTIONS THERETO., provides that the Council may deny the granting of any permit to operate a taxicab business in the City of Modesto if it appears to its satisfaction that the applicant is not a responsible person and/or that there is insufficient public need or demand for the operation of the vehicle for which a permit has been applied. By order of the Council permit was refused B. H. Handy to operate a taxicab in the City of Modesto.

3- IN THE MATTER OF ALLOWING CLAIMS MCNEIL AND UNITED CONCRETE PIPE CORP. Whereas, claim for copy of transcript on appeal case of George Keeley, discharged police officer was filed with the City Auditor by A. M. McNeil in amount \$55.20 and claim for \$247.53 has been filed by the United Concrete Pipe Corporation for pipe delivered on contract, Commissioner Neece introduced

RESOLUTION NO. 4351-NS

allowing claims as presented and authorizing the City Clerk and Auditor to draw warrant in payment of claims, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

4- IN THE MATTER OF COMMUNICATIONS A communication from Thomas C. Maxwell of the St. Paul's Episcopal Church regarding the Annual Convocation of the District of San Joaquin of the Episcopal Church, to be held in the City of Modesto, January 25, 1939 was read and the City Clerk was directed to acknowledge receipt of the letter and to extend a cordial invitation to the Episcopal Convocation on behalf of the Council of the City of Modesto.

A communication from the American Legion regarding participation of the City in a parade to be held on November 11, 1938, Armistice Day. The City Clerk was instructed to notify the Legion that the Fire Department and Police Department would participate.

5 IN THE MATTER OF  
ANNEXING ENSLEN  
SCHOOL TO THE  
CITY OF MODESTO

A communication from the Modesto City School Board of Education advising the Council of the City of Modesto that a Resolution had been adopted by the Modesto City School Board to petition the proper authorities so that the Enslen School District could be annexed to the City of Modesto. This communication was turned over to the City Attorney for his attention.

6 IN THE MATTER OF  
BIDS ON TRUCKS FOR  
PUBLIC WORKS AND  
PARKS DEPARTMENT

Whereas notice to bidders having heretofore been given and published as required by law for the following:

- 1-One pickup truck, cost not to exceed \$700.00
- 2-One Station Wagon type Surveyor's car, cost not to exceed \$1290
- 3-One Dump truck not less than one and one half tons, cost not to exceed \$1450

and bids in accordance with said notice having been received not later than 7:30 P.M. on Wednesday, October 26, 1938 and having been then and there opened by the Council in open meeting, Commissioner Bond introduced

RESOLUTION NO. 4352-NS

directing the City Engineer to prepare compilation of bids and appointing a committee composed of Commissioners Stanley and Oliver to make investigations and recommendations as to lowest and best bid, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

7 IN THE MATTER OF  
AUTHORIZE CLERK TO  
ADVERTISE FOR BIDS  
PIPE AND TRANSFORMER

Commissioner Bond introduced

RESOLUTION NO. 4353-NS

authorizing the City Clerk to advertise for bids on the following

1-4100 feet of 4 inch, 2450 feet of 6 inch, 2750 feet of 8 inch and 500 feet of 12 inch Class 150 Bell and Spigot Cast Iron Water Pipe or equal.

2-7500 feet of 6 inch and 250 feet of 8 inch vitrified clay sewer pipe.

3-One G.E. Type R.F. 15 KW, 2400 volt, 6.6 ampere secondary automatic station type Novalux constant current transformer, General Electric Company, catalog No. 3201492 or equal

said bids to be received by the City Council at the office of the City Clerk at 717 Tenth Street, not later than 7:30 o'clock on Wednesday, November 9, 1938, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

8 IN THE MATTER OF  
AGREEMENT FOR  
ANCHORAGE FOR  
SAND HOIST

Whereas contract with IO T. McKibben and Mary McKibben for the placing of anchorage for sand hoist of the City of Modesto for a term of one year at an annual rental of \$25.00 on their

property located on the south bank of the Tuolumne River was brought before the Council for approval, Commissioner Bond introduced

RESOLUTION NO. 4354-NS

approving contract as presented and appointing the Mayor and City Auditor signatory officials and authorizing the City Clerk and Auditor to draw the warrant in payment of rental upon the signing of contract, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

(#9 of 10 items)  
70.385  
10- IN THE MATTER OF  
OPENING MORTON  
BOULEVARD TO  
JENNIE STREET

Whereas the public interest and convenience require  
the opening of Morton Boulevard from Waterford Road to  
Jennie Street, Commissioner Bond introduced

RESOLUTION NO. 784-SP  
RESOLUTION OF INTENTION NO. 224

providing for the opening of Morton Boulevard to Jennie Street, which resolution  
was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

11- IN THE MATTER OF  
OPENING STREET  
IN BLOCK 501  
(CAMPUS WAY)

Whereas the public interest and convenience require the  
the opening of street in Block 501, Commissioner Bond  
introduced

RESOLUTION NO. 785-SP  
RESOLUTION OF INTENTION NO. 225

providing for the opening of street in Block 501 in the City of Modesto, which  
resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

12- IN THE MATTER OF  
CLOSING ALLEY IN  
BLOCK 218

Whereas the public interest and convenience require the  
closing of alley in Block 218, connecting Carlson Street  
to the northerly boundary line of Grand Street, Commissioner Bond introduced

RESOLUTION NO. 786-SP  
RESOLUTION OF INTENTION NO. 226

providing for the closing of alley in Block 218, which resolution was regularly  
adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

13- IN THE MATTER OF  
FINAL ADOPTION OF  
ORDINANCE NO. 596-NS  
SALE OF JUNK

Ordinance No. 596-NS having been heretofore introduced  
and ordered printed and published at the regular meeting  
of October 12, 1938 and thereupon printed and published  
as required by the Charter of the City of Modesto coming on for final adoption at  
this time, it was upon roll call so finally adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

14- IN THE MATTER OF  
ADJOURNMENT

Commissioner Oliver introduced

RESOLUTION NO. 4355-NS


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

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST

  
H. E. GRAGG, CITY CLERK

SPECIAL COUNCIL MEETING

November 8, 1938

The Council of the City of Modesto met in Special session this date at 4:30 P.M., the meeting having been called and convened as set forth in section 2 of Ordinance No. 2-N S.

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

Absent: Councilmen: None

1- IN THE MATTER OF  
AWARD BID ON AUTO-  
MOBILES FOR PUBLIC  
WORKS & PARKS  
DEPARTMENTS

Whereas bids on automobiles for the Parks and Public Works Departments of the City of Modesto were referred to Commissioners Oliver and Bond for investigation and recommendation as to the

lowest and best bid and whereas at this time they recommend the purchase of the following equipment:

Item 1-1938 Dodge Express, purchase price \$695.00

Item 2-1939 Chevrolet Master "85" Station Wagon, purchase price \$977.98

Item 3-Reo Model 1C4, purchase price \$1448.98

whereupon Commissioner Bond introduced

RESOLUTION NO. 4356-NS

awarding bids to R. B. MacBride on item 1, Helm Chevrolet Company on Item 2 and John W. Croker on item 3, at prices shown above and authorizing the City Clerk and Auditor to return checks to unsuccessful bidders and to draw warrants in payment of claims upon delivery of equipment, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

2- IN THE MATTER OF  
ADJOURNMENT

Commissioner Oliver introduced

RESOLUTION NO. 4357-NS

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

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST

*H. E. Grace*  
H. E. GRACE, CITY CLERK

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9- IN THE MATTER OF  
CLOSING CARLSON  
STREET IN BLOCK  
218 AND 219

Whereas the public interest and convenience require the closing of Carlson Street in Blocks 218 and 219 in the City of Modesto, Commissioner Bond introduced

RESOLUTION NO. 783-S.P.  
RESOLUTION OF INTENTION NO. 223

providing for the closing and abandoning of Carlson Street, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

*(see top of page 384)  
should be before 10*

The Council of the City of Modesto met in regular session this date.

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

Absent: Councilmen: None

1- IN THE MATTER OF APPROVAL OF MINUTES The minutes of the regular meeting of October 26, 1938 having been heretofore read by each Councilman were unanimously approved as so read.

2- IN THE MATTER OF CLAIMS FOR MONTH OF OCTOBER Claims against the City of Modesto for the month of October, 1938 having been heretofore audited by the Council and found to be correct, Commissioner Neece introduced

RESOLUTION NO. 4358-NS

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

GENERAL FUND-----	\$29,398.56
WATER FUND-----	4,481.75
LIBRARY FUND-----	2,121.97
ST. BOND RED. INT. FUND-----	--
UNAPPORTIONED FUND-----	--
BOND RED. INT.	.10
TOTAL-----	\$36,002.38

which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

3- IN THE MATTER OF REFUND DEPOSIT REQUIRED BY ORD. 487-NS-AMERICAN UTILITIES COMPANY Whereas the American Utilities Company have requested the refund of \$50.00 deposit required by Ordinance No. 487-NS and whereas they have not complied with the provisions of the ordinance providing that the applicant still be operating in the City of Modesto at the end of six month's period, by order of the Council, request was denied and the City Clerk was instructed to notify them of the action taken.

4- IN THE MATTER OF REQUEST BY LEAGUE OF CALIFORNIA MUNICIPALITIES FOR ADDITIONAL FUNDS Whereas the League of California Municipalities have requested additional funds, Commissioner Stanley introduced

RESOLUTION NO. 4359-NS

instructing the City Clerk to write to the League to determine the need for additional funds, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

5- IN THE MATTER OF FINAL PAYMENT PAVING 9th STREET S.M. MCGAW Whereas City Engineer Rossi has filed with this Council a certification of amount due on November 16, 1938 of \$691.20 as final payment for work completed by S.M.

McGaw on paving of 9th Street near B Street, whereupon Commissioner Bond introduced

RESOLUTION NO. 4360-NS

allowing claim and authorizing the City Clerk and Auditor to draw warrant in payment on November 16, 1938, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

6- IN THE MATTER OF  
PETITION OF ENSLEN  
SCHOOL TO BE ANNEX-  
ED TO CITY OF  
MODESTO

Commissioner Oliver introduced

RESOLUTION NO. 4361-NS

recommending that the Council give due consideration to the petition presented by the Modesto City School for annexation of the Enslen School District to the City of Modesto, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

7- IN THE MATTER OF  
AUTHORIZE CLERK  
ADVERTISE FOR BIDS  
ON JUNK

Commissioner Bond introduced

RESOLUTION NO. 4362-NS

authorizing the City Clerk to advertise the sale at public auction to highest bidders for cash, the following described personal property;

4 Recording water pressure gauges;

2 hay derrick carriages with track;

5 Junk Gas radiators;

1 Junk Hot water storage tank;

About 2000 pounds of miscellaneous lengths and sizes of screw pipe and fittings;

About 7000 pounds of Scrap Cast Iron;

About 3000 pounds of scraps teel and iron;

About 400 pounds of Scrap brass, copper and aluminum;

2 Fire Hydrant Heads;

1 Boy's Bicycle

1 Girls Bicycle,

1 Medium size Tricycle

1 26 inch rear Bicycle wheel with tire and Fender

Bids are to be received at the office of the City Engineer on Friday, November 18, 1938 at 9 o'clock A.M. Bidders to be present in person and make oral bids, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

8- IN THE MATTER OF  
OPEN BIDS ON SEWER  
PIPE AND TRANS-  
FORMER

Whereas specifications for the purchase of spigot cast iron water pipe, vitrified clay sewer pipe and transformer having heretofore been filed by the City Engineer with the Council

and approved by the Council and the money for said purchase having heretofore been duly appropriated and being now available, and notice to bidders having heretofore been given and published as required by law and bids, in accordance with said notice having been received not later than 7:30 P.M. on Wednesday, November 9, 1938 and having been then and there opened by the Council in open meeting, Commissioner Oliver introduced

RESOLUTION NO. 4363-NS

referring all bids to the City Engineer for tabulation and recommendation as to the lowest and best bid, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF  
APPROVAL MEMO OF  
AGREEMENT FOR EX-  
PENDITURE OF  $\frac{1}{4}$   
GAS TAX ON HIGHWAYS

Whereas the State of California through its Department of Public Works, Division of Highways, has presented a fourth supplemental memorandum of agreement in accordance with a project statement submitted by the City for expenditure of the  $\frac{1}{4}$  gas tax for the 1937-1938 biennium allocated for State Highways in the City of Modesto and whereas the City Council has heard read said agreement in full and is familiar with the contents thereof; Commissioner Bond introduced

RESOLUTION NO. 4364-NS

approving agreement for expenditure of the  $\frac{1}{4}$  gas tax allocated for State Highways and the Mayor and City Clerk are directed to sign the same on behalf of said City, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF  
AGREEMENT WITH  
COUNTY OF STANISLAUS  
FOR PURCHASE  
PORTION BLOCK 206

Whereas the southerly 25 feet of Block 206 of the City of Modesto has been deeded to the State of California for delinquent taxes and also has been deeded to the City of Modesto for delinquent taxes and assessments and whereas the public interest of the City of Modesto require that the City of Modesto acquire and take title to this strip of land, whereupon Commissioner Bond introduced

RESOLUTION NO. 4365-NS

resolving that the City of Modesto enter into an agreement with the Board of Supervisors of the County of Stanislaus, subject to the approval of the State Controller, as provided by Section 3897D of the Political Code of the State of California, by the terms of which the said City of Modesto will agree to purchase and the Supervisors of the County of Stanislaus will agree to sell to the City of Modesto the above described real property at a purchase price of \$10.00 to be paid upon the execution and delivery to the City of Modesto of a deed and the City of Modesto further agrees to pay the costs of publishing, posting and/or mailing the notices provided for in said section 3897D of the Political Code and that said property when acquired, shall be used for public road, highway or street purposes and the Mayor and City Clerk be empowered to enter into an agreement with the Board of Supervisors, which resolution was regularly adopted by the following vote

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

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF  
CANCELLING RESOLU-  
TION NO. 780-S.P.  
AND NO. 222 R.I.  
STATE STREET

Whereas two resolutions numbered 780-S.P. and 222 Resolution of Intention have heretofore been passed by the City Council of the City of Modesto, which resolutions pertain to an agreement with the Board of Supervisors of Stanislaus County, California for procuring from said Board certain property described in said resolutions and

for the further purpose of utilizing said property for street purposes and  
whereas certain records and instruments relating thereto have been mislaid or  
lost in transit between said Board of Supervisors and the office of the City  
Clerk of the City of Modesto, Commissioner Bond introduced

RESOLUTION NO. 4366-NS

resolving that said resolution of the City of Modesto and each of them be and  
the same are hereby rescinded and declared null and void and of no effect, which  
resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

12 IN THE MATTER OF  
CANCEL CONTRACT  
WITH IO T. MCKIBBEN

Whereas Resolution No. 4364-NS adopted on October 26, 1938  
approved agreement for anchorage for sand hoist belonging

to the City of Modesto to be placed on the property of Io T. McKibben and Mary McKibben,  
his wife, as prepared by the City Attorney and whereas the City Engineer reports that  
Io. T. McKibben and Mary McKibben have refused to sign agreement and other arrangements  
have been made for anchoring the said hoist, Commissioner Neece introduced

RESOLUTION NO. 4367-NS

cancelling check No. 99 in amount \$25.00 for rental for one year for anchorage of sand  
hoist and declaring agreement null and void, which resolution was regularly adopted by  
the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

13 IN THE MATTER OF  
DEPARTMENTAL REPORTS  
FOR MONTH OF OCTOBER

Departmental reports for the month of October, 1938 were  
reviewed and ordered filed.

14 IN THE MATTER OF  
ADJOURNMENT

Commissioner Oliver introduced

RESOLUTION NO. 4368-NS

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

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST

*H. E. Grace*  
H. E. GRACE - CITY CLERK

SPECIAL COUNCIL MEETING

November 18, 1938

The Council of the City of Modesto met in special session this date at 4:30 P.M. the meeting having been called and convened as set forth in Section 2 of Ordinance No. 2-NS

Present: Councilmen: Stanley, Neece and Mayor King

Absent: Councilmen: Bond and Oliver

IN THE MATTER OF  
AWARD BID ON WATER  
AND SEWER PIPE

Commissioner Neece introduced

RESOLUTION NO. 4369-NS

awarding bid to Gladding, McBean and Company on the following:

7500 Lineal Feet 6" Sewer Pipe	\$ .2451 per ft	\$1838.25
250 " " 8" " "	.3502 " "	87.55
		<u>\$1925.80</u>

Truck delivery F.O.B. job Modesto

as being the lowest and best bid and awarding bid to the United States Pipe and Foundry Company on the following:

4100 feet 4" pipe	\$ .475 a foot	\$1947.50
2450 " 6" "	.724 " "	1773.80
2750 " 8" "	1.09 " "	2997.50
500 " 12" "	1.87 " "	935.00
		<u>\$7653.80</u>
Sales Tax		177.47
		<u>\$7831.27</u>

F.O.B. Modesto to yard or trench side

as being the lowest and best bid and authorizing the City Clerk to notify the successful bidders and to return bidding bonds and checks to unsuccessful bidders and to make payment on equipment when statements are presented and goods delivered, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Neece, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: Bond and Oliver

IN THE MATTER OF  
AWARD BID ON  
TRANSFORMER

Commissioner Neece introduced

RESOLUTION NO. 4370-NS

awarding bid to General Electric Company on transformer as follows:

1 Cat. 3201492 type RF-15 KW, 2400 volts, 6.6 amps. 60 cycle, Novalux constant current station type automatic transformer-full automatic operation from full load to short circuit, price net, freight prepaid to cars, Modesto, plus sales tax-\$635.92

as being the lowest and best bid and authorizing the City Clerk to return certified check and bidding bonds to unsuccessful bidders and authorizing payment immediately upon delivery of equipment, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Neece, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: Oliver and Bond

IN THE MATTER OF  
ADJOURNMENT

Commissioner Neece introduced

RESOLUTION NO. 4371-NS

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

Ayes: Councilmen: Neece, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: Bond and Oliver

ATTEST

*H. E. Gragg*  
H. E. GRAGG-CITY CLERK

COUNCIL MEETING

November 23, 1938

The Council of the City of Modesto met in regular session this date.

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

Absent: Councilmen: Bond

1  
IN THE MATTER OF  
HONORING MEMORY  
OF COMMISSIONER  
BOND

At the suggestion of Mayor King, the Council observed a silence of several minutes in respect to Commissioner Bond who died on November 23, 1938.

2  
IN THE MATTER OF  
BLAKER REQUEST  
BUSINESS BUILDING  
RESIDENCE ZONE

Whereas, Edward L. Blaker desires to erect residence and garage for business purposes on lots 31 and 32 in Block 25 of the City of Modesto and whereas property is situated within residential district and by local ordinance it is necessary that the said Edward L. Blaker procure the signatures of certain persons living within the said vicinity and whereas persons have heretofore and do now refuse to sign said petition until said persons are assured of the fact that Edward L. Blaker will erect a residence on said premises and whereas the said Edward L. Blaker has appeared before the City Council on November 23, 1938 and has promised that if he can procure said signatures of said persons to said petition he will erect on said premises a residence before building on said premises any business building, Commissioner Stanley introduced

RESOLUTION NO. 4372-NS

recommending that in the event that the proper petition is presented to the City Council and no protests are filed, permission will be granted said Edward L. Blaker by said City Council to erect said business building on said premises, upon the promise of the said Edward L. Blaker that he will erect a residence on said premises prior to erecting thereon any business building and in the event said Edward L. Blaker does procure signatures to said petition and does not erect a residence on said premises the City Council of the City of Modesto reserves the right to raze any business building that said Edward L. Blaker places on said premises, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: Bond

3  
IN THE MATTER OF  
REFUND OF DEPOSIT  
J. D. THILL

Whereas J. D. Thill deposited with the City of Modesto  
\$50.00 as required by Business License Ordinance No.

487-NS on August 4, 1938 and whereas J. D. Thill has requested the refund of  
deposit as he has sold out his interest in the business, the request was by  
order of the Council refused as the ordinance provides that deposits should not  
be refunded until a six month's period had elapsed.

4  
IN THE MATTER OF  
REFUND OF TAXES

Whereas Reuben A. Sylva has made a claim for \$8.25 for  
refund of 1938 taxes on property in Campus Tract. As

property annexed to the City by election in Campus Tract on December 31, 1937  
was to be charged \$ .90 rate instead of regular rate of \$1.10, Commissioner Neece  
introduced

RESOLUTION NO. 4373-NS

allowing claim and authorizing the City Clerk and Auditor to draw warrant in  
amount \$8.25 in payment of claim to petitioner, which resolution was regularly  
adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: Bond

5  
IN THE MATTER OF  
CLAIM-FRANK E.  
DONALD

Whereas Frank E. Donald has made claim for refund of  
1938 taxes paid on improvements on Block 575, lots

21 and 22 as the improvements were assessed at full value and they were only  
50% complete as of March 7, 1938, whereupon Commissioner Neece introduced

RESOLUTION NO. 4374-NS

allowing claim and authorizing the City Clerk and Auditor to draw warrant in  
amount \$9.62 to claimant, which resolution was regularly adopted by the follow-  
ing vote:

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

Noes: Councilmen: None

Absent: Councilmen: Bond

6  
IN THE MATTER OF  
GRANT PERMIT CRIS-  
WELL USE CORNER TO  
SELL CHRISTMAS TREES

Whereas J. S. Criswell has petitioned the City Council  
to be granted permission to use triangle lot owned by  
the City at LaLoma, Nineteenth and H Streets to sell

Christmas trees, Commissioner Oliver introduced

RESOLUTION NO. 4375-NS

granting permit to use lot providing the lot be left free of debris and in a good  
condition, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: Bond

7  
IN THE MATTER OF  
PETITION TO PLACE  
TOWNSEND CLUB SIGNS

Whereas a request has been received from James Ryan Jr,  
Chairman for Townsend Clubs Nos. 1 and 2 to place suit-

able signs at the north and south entrances to the City of Modesto setting forth  
the time and place of meetings of the respective clubs, by order of the Council the  
matter was laid over for consideration until the Engineer could make investigation.

8  
IN THE MATTER OF  
LOADING ZONE RE-  
QUEST STAR MEAT  
MARKET

Whereas request has been made by the Star Meat Market for  
loading zone to be marked off in front of their store at  
916 H Street, Commissioner Stanley introduced

RESOLUTION NO. 4376-NS

denying request due to the congested traffic condition in the business section, which  
resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: Bond

9  
IN THE MATTER OF  
LEAGUE OF CALIFOR-  
NIA MUNICIPALITIES

Whereas the League of California Municipalities have made a  
request for contribution of \$100.00 in addition to regular  
dues of \$175.00, due to numerous changes in their expenditure program and whereas it is  
deemed for the best interest of the city that this request be granted, Commissioner  
Neece introduced

RESOLUTION NO. 4377-NS

granting request and authorizing the City Clerk and Auditor to draw warrant in the  
month of January for \$100.00 payable to the League of California Municipalities,  
which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: Bond

10  
IN THE MATTER OF  
CONTRIBUTION TO  
STANISLAUS COUNTY  
BOYS BAND

Commissioner Neece introduced

RESOLUTION NO. 4378-NS

authorizing the City Clerk and Auditor to draw warrant in  
amount \$400.00, balance due Stanislaus County Boys' Band as allowed in 1938-1939  
budget, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: Bond

11  
IN THE MATTER OF  
MODESTO MUNICIPAL  
BASEBALL FIELD

Whereas the Yankee Recruit Team have made a request to be  
permitted to use the Modesto Municipal Baseball Field for  
their training season under the same arrangements as last year, Commissioner Neece  
introduced

RESOLUTION NO. 4379-NS

granting request as prayed for, which resolution was regularly adopted by the  
following vote:

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

Noes: Councilmen: None

Absent: Councilmen: Bond

12  
IN THE MATTER OF  
PETITION MOVE GARAGE  
TO PROPERTY LINE-  
JOSEPH HARRIS

Whereas, pursuant to the filing of petition with the Council  
by Joseph Harris for permit to erect private garage on property  
line at Third and H Streets, being west 70 feet of lots 29,30,31,32  
Block 10 and it appearing from affidavits on file that a notice setting forth a time for  
hearing any and all protests to the granting of the petition as prayed for and this being  
the time set forth and whereas the City Clerk reports that protests have been filed by  
the residents in neighborhood, whereupon Commissioner Oliver introduced

RESOLUTION NO. 4380-NS

denying request as prayed for, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: Bond

13 IN THE MATTER OF  
CANVASS VOTE ON  
ANNEXATION LESLIE-  
HUGH TRACT

Pursuant to Lesliehugh Tract election for annexation to the City of Modesto held on November 9, 1938, at this time the Council resolved itself into a canvassing board and proceeded to determine the results of the election, Commissioner Oliver introduced

RESOLUTION NO. 4381-NS

which resolution was in detail as follows:

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

Beginning at a point, which is the intersection of the North corporate limits of the City of Modesto, with the Easterly property line of McHenry Avenue; thence Northerly along the said Easterly property line of McHenry Avenue, to a point which is 110 feet Northerly from the Northeasterly property corner of the said McHenry Avenue and Helen Avenue; thence Easterly along a line which is 110 feet northerly from and parallel to the Northerly property line of said Helen Avenue, to a point on the Westerly Boundary line of the Lesliehugh Tract; thence Northerly 15 feet along the said Westerly Boundary Line of the Lesliehugh Tract, to a point which is 125 feet Northerly from the said Northerly Property line of Helen Avenue; thence Easterly along a line which is 125 feet Northerly from and parallel to the said Northerly Property line of Helen Avenue, to a point on the Center Line of Ila Way; thence Northerly along the said Center Line of Ila Way, to a point at its intersection with the Center Line of Hintze Avenue; thence Easterly along the said Center Line of Hintze Avenue, to a point on the Center Line of Patricia Lane; thence Northeasterly along the said Center Line of Patricia Lane, to a point on the Northerly Boundary Line of the said Lesliehugh Tract; thence Easterly along the said Northerly Bound<sup>a</sup>ary Line of the Lesliehugh Tract, to a point at the Northeasterly Boundary Corner of the said Lesliehugh Tract, the said point being on the Northwesterly Property Line of the Modesto Irrigation District Lateral No. 4-Right of Way; thence Southwesterly along the Southeasterly Boundary Line of the said Lesliehugh Tract and the said Northwesterly Property line of the Modesto Irrigation District Lateral No. 4, Right of Way and the same extended and produced, to a point on the said North Corporate Limits of the City of Modesto; thence Westerly along the said North Corporate Limits of the City of Modesto, to the said

point of beginning.

The property as above described is located in the County of Stanislaus, State of California, in the S.W.  $\frac{1}{4}$  of Section 21, T. 3S, R. 9E., M.D.B & M., and includes a portion of the High Homes Tract, according to the Map of the High Homes Tract, as recorded in Maps, Volume 9, Page 24; a portion of the Lesliehugh Tract, according to the Amended Map of Lesliehugh Tract, as recorded in Maps, Volume 11, Page 20, of the Stanislaus County Records; and property as shown in the Records of the Stanislaus County Assessor, Stanislaus County, California.

and it appearing that said election was held within the territory proposed to be annexed on the 9th day of November, 1938, in accordance with the resolution of this Council heretofore passed and adopted, and that after the holding of said election the election officers thereof delivered to and deposited with the Clerk of this Council, the ballots, tally sheets and returns of said election, and it appearing and the Council so finding that the proposition submitted at said election was whether or not such new territory, in said resolution and hereinabove described, shall be annexed to, incorporated in and made a part of the municipal corporation of the City of Modesto, and the property therein be not, after such annexation, subject to taxation equally with the property within such municipal corporation, to pay the bonded indebtedness of such municipal corporation outstanding at the time of the filing of the petition asking that such election be called or theretofore authorized;

THEREFORE, BE IT RESOLVED that the Council of the City of Modesto after having proceeded to canvass the said returns, finds that the whole number of votes cast in said territory proposed to be annexed was 63, that the number of votes cast therein in favor of annexation was 43, and that the number of votes cast therein against annexation was 20.

BE IT FURTHER RESOLVED that the Council of the City of Modesto after having proceeded to canvass the absentee ballots cast at said election, finds that the whole number of absentee ballots or votes cast at said election was 2; that the number of absentee ballots or votes cast therein in favor of annexation was 2; and that the number of absentee ballots or votes cast therein against annexation was 0. That the total number of votes, both absentee and those cast by the voters at the polls in said territory proposed to be annexed was 65; that the total number of votes cast in favor of annexation was 45; and that the total number of votes cast therein against annexation was 20, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: Bond

Whereupon in conformance with State Statutes, Commissioner

14 Oliver introduced

ORDINANCE NO. 597-NS

entitled "AN ORDINANCE APPROVING THE ANNEXATION OF CERTAIN TERRITORY TO THE CITY OF MODESTO" approving the annexation of the above described territory, known as the Lesliehugh Tract and providing for the required recording of same with the Secretary of State, which ordinance was duly passed to print and publish by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: Bond

15 IN THE MATTER OF  
ORDINANCE RE: "NO  
PARKING" SIGNS  
MCHENRY & MORRIS  
AVENUES.

Commissioner Oliver introduced an ordinance being  
ORDINANCE NO. 598-NS

entitled: "AN ORDINANCE PROHIBITING PARKING AT THE  
SOUTHWEST CORNER OF MORRIS AND MCHENRY AVENUE," and moved its adoption and  
passage to print and publish, which motion being duly seconded it was upon roll  
call carried and the ordinance ordered published as above by the following vote:  
Ayes: Councilmen: Neece, Oliver, Stanley and Mayor King  
Noes: Councilmen: None  
Absent: Councilmen: Bond

16 IN THE MATTER OF  
DEATH OF B.H. BOND

Whereas, God in his infinite wisdom, has seen fit to  
call from our midst our beloved fellow member of the  
City Council of the City of Modesto, to-wit, B. H. Bond, on the 23rd day of November  
1938; and

Whereas, the said B. H. Bond has rendered invaluable  
service to the City of Modesto, both as a citizen and as a member of said City  
Council, displaying at all times a willingness to aid in the advancement of the  
interests of the citizens of said City and a co-operative spirit with the other  
members of said City Council and

Whereas, the said City Council feels and knows that the  
death of the said B. H. Bond constitutes an irreparable loss to said City Council  
and the citizens of the City of Modesto; Commissioner Stanley introduced

RESOLUTION NO. 4382-NS

resolving that the said City Council does by these presents take cognizance of  
the loss to said Council and the citizens of the City of Modesto suffered through  
the death of the late B. H. Bond, and does further extend unto the family of the  
late B. H. Bond, the sympathy of said City Council and the citizens of the City of  
Modesto, whom it represents. Be it further Resolved that a copy of this resolution  
be spread upon the minutes of the City Council of the City of Modesto, and that a  
copy likewise be sent to the family of our late member, which resolution was regu-  
larly adopted by the following vote:

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

17 IN THE MATTER OF  
OFFER \$100 BY V.  
CAMARENA FOR TAX  
DEED

Whereas V. Camarena has offered \$100.00 for lot 19,  
Blk 37 on which the City of Modesto now holds tax deed,  
the matter was laid over by order of the Council for  
consideration.

18 IN THE MATTER OF  
ADJOURNMENT

Commissioner Oliver introduced  
RESOLUTION NO. 4383-NS

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

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

ATTEST   
H. F. GRASS, CITY CLERK

SPECIAL COUNCIL MEETING

4:45 P.M. December 6, 1938

The Council of the City of Modesto met in Special session this date at 4:45 P.M. the meeting having been called and convened as set forth in Section 2 of Ordinance No. 2-NS

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

Absent: Councilmen: Bond

1- IN THE MATTER OF APPOINTMENT OF COUNCILMAN

Pursuant to death of B. H. Bond, Commissioner of Public Works on November 23rd, 1938 and whereas the Charter of the City of Modesto provides that the remaining members of the City Council appoint a qualified resident of the City of Modesto to fill said vacancy and whereas applications of Francis Worshen, Lawrence Fay and Y. G. Barnell for the unexpired term of Commissioner B. H. Bond have been placed on file with the City Council, Commissioner Neece introduced

RESOLUTION NO. 4384-NS

appointing Y. G. Barnell to fill the vacancy on said City Council occasioned by the death of the said B. H. Bond and said Y. G. Barnell is by this resolution appointed a member of the said City Council of said City of Modesto to fill said vacancy and to be and remain a member of said City Council until the next general municipal election to be held in the City of Modesto in the month of April, 1939, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: Bond

2- IN THE MATTER OF REFUND LICENSE FEE TO MARY WHITE PHRENOLOGIST

Whereas, pursuant to the issuance of license to Mary White on November 28, 1938 for a period of one month to do phrenology readings and whereas the said Mary White has not complied with provisions of Ordinance No. 54, Commissioner Stanley introduced

RESOLUTION NO. 4385-NS

recommending that the license be rescinded and the said Mary White be refunded \$100.00 license fee paid and the City Clerk and Auditor is hereby directed to draw warrant in said amount to said Mary White, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: Bond

3- IN THE MATTER OF APPOINTMENTS TO COMMISSIONERSHIPS

Commissioner Neece introduced

RESOLUTION NO. 4386-NS

rescinding Resolution No. 3832-NS entitled "A RESOLUTION DESIGNATING THE ASSIGNMENT OF THE MEMBERS OF THE CITY COUNCIL OF THE CITY OF MODESTO TO VARIOUS COMMISSIONERSHIPS" and designating Councilman George F. Neece as Commissioner of Finance and Revenue, Councilman G. D. Oliver Jr. as Commissioner of Public Works, Councilman C. J. Stanley as Commissioner of Public Health and Safety, Y. G. Barnell as Commissioner of Public Supplies, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: Bond

4- IN THE MATTER OF  
ADJOURNMENT

Commissioner Oliver introduced

RESOLUTION NO. 4387-NS

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

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

Noes: Councilmen: None

Absent: Councilmen: Bond

ATTEST

*H. E. GREGG*  
H. E. GREGG, CITY CLERK

COUNCIL MEETING

December 14, 1938

The Council of the City of Modesto met in regular session this date

Present: Councilmen: Barnell, Neece, Oliver, Stanley and Mayor King

Absent: Councilmen: None

1 IN THE MATTER OF  
APPROVAL OF  
MINUTES

The minutes of the regular meeting of November 23, 1938 and special meetings of December 6, 1938 and November

18th, 1938 having been heretofore read by each Councilman were unanimously approved as so read.

2 IN THE MATTER OF  
TRAFFIC MARKERS

Ed Russell appeared before the Council representing the Junior Chamber of Commerce requesting that they be permitted to install markers on the streets in the City where deaths had occurred due to traffic accidents. The matter was referred to the Traffic Committee appointed by the Council.

3 IN THE MATTER OF  
CLAIMS FOR MONTH  
OF NOVEMBER

Claims against the City of Modesto for the month of November, 1938 having been heretofore audited by the Council and found to be correct, Commissioner Neece introduced

RESOLUTION NO. 4388-NS

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

GENERAL FUND-----	\$31,659.80
WATER FUND-----	5,801.09
LIBRARY FUND-----	1,610.66
ST. BOND RED. INT. FUND-----	10.00
UNAPPORTIONED FUND-----	320.78
ST. BOND FUND-----	320.78
TOTAL	<u>\$39,402.33</u>

which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

4 IN THE MATTER OF  
CLAIM MODESTO  
CHAMBER OF COMMERCE

Commissioner Neece introduced

RESOLUTION NO. 4389-NS

allowing claim of the Modesto Chamber of Commerce for \$800.00 for Christmas Program to be allocated from Civic Promotion Fund as provided for by Ordinance

No. 581-NS, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

5- IN THE MATTER OF COMMUNICATION A communication from H. A. Gray, Assistant Administrator of the Federal Emergency Administration of Public Works, refusing to grant funds for the building of Fire station and remodeling the City Hall was read and ordered filed.

6- A communication from Rev. Thomas C. Maxwell requesting that alley in block 131 be named, whereupon Commissioner Stanley introduced  
RESOLUTION NO. 4390-NS  
naming alley in Block 131 "Church Way", which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

7- A communication from L. K. Maddux requesting installation of light in alley between G and H Streets, 11th and 12th Streets was read. Same was referred to City Engineer Rossi and Commissioner Oliver.

8- IN THE MATTER OF CANCELLING TAXES L. R. SPENKER Whereas the State of California Veteran's Welfare Board have requested the City of Modesto to cancel taxes on lot 24 in Block 554 now owned by them and L. R. Spenker, Commissioner Oliver introduced  
RESOLUTION NC. 4391-NS  
granting request and instructing the City Auditor and Assessor to make entries in his books cancelling taxes, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

9- IN THE MATTER OF LIGHT IN ALLEY A petition was presented by residents requesting that a light be installed in alley between F and G Streets and 15th and 16th Streets. Same was referred to City Engineer Rossi and Commissioner Oliver.

10- IN THE MATTER OF APPLICATION OPERATE USED CAR LOT-HARRY A DELUGG Whereas, Harry A DeLugg has petitioned the Council to be permitted to operate a Used car lot at 1113 10th Street and whereas bond and application furnished by applicant is satisfactory, to the Council and meets requirements of Ordinance No. 514-NS, Commissioner Stanley introduced

RESOLUTION NO. 4392-NS

granting request as prayed for, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

11- IN THE MATTER OF GRANT PERMIT MRS. G.W. HALLMARK OPEFATE BUSINESS RESIDENCE ZONE Whereas, pursuant to the filing of petition with the Council by Mrs. G. W. Hallmark to operate beauty parlor on property

known as 310 Rose Street, being lots 23 and 24, Block 344 of the City of Modesto and it appearing from affidavits on file that a notice setting forth the time for hearing any and all protests to the granting of the petition as prayed for and this being the time set forth and whereas the City Clerk reports that no protests either oral or written have been officially filed, Commissioner Stanley introduced

RESOLUTION NO. 4393-NS

granting permission with the understanding that all provisions relative to building permit fees be complied with, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

12- IN THE MATTER OF  
DENY REQUEST OPERATE  
BUSINESS RESIDENCE  
DISTRICT-W.L. ARMSTRONG

Whereas, pursuant to the filing of petition with the Council by W. L. Armstrong to operate garage on property known as 312 Oak Street, being lots 20 and 21 in Block

415 of the City of Modesto and it appearing from affidavits on file that a notice setting forth the time for hearing any and all protests to the granting of the petition as prayed for and this being the time set forth and whereas it is not the custom of the Council to grant permit to operate garages in residence zone, Commissioner Stanley introduced

RESOLUTION NO. 4394-NS

denying request, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

13- IN THE MATTER OF  
ACCEPT REPORTS ON  
EXPENDITURES OF  
"IN LIEU FUND"

Commissioner Neece introduced

RESOLUTION NO. 4395-NS

accepting reports from the Police and Public Works Departments on expenditures for fiscal year of "IN LIEU TAX" funds for traffic control, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

14- IN THE MATTER OF  
ACCEPT REPORTS ON  
EXPENDITURE OF  
ALCOHOLIC BEVER-  
AGES FUND

Commissioner Neece introduced

RESOLUTION NO. 4396-NS

accepting reports from the Police and Public Works Departments on expenditures for fiscal year of "Alcoholic Beverage Fund", which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

15- IN THE MATTER OF  
ADVERTISE FOR BIDS  
ON STODDARD AVENUE  
BRIDGE

Commissioner Oliver introduced

RESOLUTION NO. 4397-NS

authorizing the City Clerk to advertise for bids for wrecking of existing wooden Bridge and construction of a reinforced concrete bridge within the City of Modesto on Stoddard Avenue across the Modesto Irrigation District Lateral No. 4, bids to be opened at 7:30 P.M. on Wednesday, December 28, 1938

at the City Hall, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

16 IN THE MATTER OF  
APPOINT COMMISSIONER  
OLIVER TO PLANNING  
COMMISSION

Commissioner Stanley introduced

RESOLUTION NO. 4398-NS

appointing Commissioner Oliver to fill the vacancy on the Planning Commission due to the death of Commissioner Bond, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

17 IN THE MATTER OF  
APPROVAL OF RE-  
CREATION PROJECT  
OF W. P. A.

Whereas recreation project has been presented by the W.P.A.

for the coming summer season, Commissioner Oliver introduced

RESOLUTION NO. 4399-NS

approving project as presented and authorizing City Engineer F. J. Rossi to sign as agent for co-sponsor, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

18 IN THE MATTER OF  
ONE HOUR PARKING  
SOUTH SIDE H STREET  
BETWEEN 12th and  
13th STREETS

Commissioner Stanley introduced

RESOLUTION NO. 4400-NS

establishing one hour parking on south side of H Street between 12th and 13th Streets between the hours of 9 A.M. and 6 P.M. which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

19 IN THE MATTER OF  
FINAL ADOPTION ORD-  
INANCE NO. 597-NS  
ANNEXATION HIGH  
& LESLIEHUGH TRACT

Ordinance No. 597-NS having been heretofore introduced and ordered printed and published at the regular meeting of November 23, 1938 and thereupon printed and published as

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

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

Noes: Councilmen: None

Absent: Councilmen: None

20 IN THE MATTER OF  
FINAL ADOPTION  
ORDINANCE NO. 598-NS  
PARKING MORRIS &  
MCHENRY AVENUES

Ordinance No. 598-N.S. having been heretofore introduced and ordered printed and published at the regular meeting of November 23, 1938 and thereupon printed and published as

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

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

Noes: Councilmen: None

Absent: Councilmen: None

21 IN THE MATTER OF  
REQUEST BOARD OF  
SUPERVISORS CANCEL  
TAXES

Whereas the City of Modesto is the owner of the southerly  
25 feet of Block 206 of the City of Modesto and they  
desire to use same for governmental and/or operative  
purposes for the use and benefit of the citizens of said City, Commissioner  
Oliver introduced

RESOLUTION NO. 4401-NS

requesting the Board of Supervisors of Stanislaus County to cancel, annul and set  
aside its claim to certain taxes now due and owing on said property to the County  
of Stanislaus, which resolution was regularly adopted by the following vote:

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

22 IN THE MATTER OF  
RESCIND RES. 4365-NS  
AUTHORIZE AGREEMENT  
WITH COUNTY FOR  
PURCHASE PROPERTY

Whereas Resolution No. 4365-NS was passed by the City  
Council of the City of Modesto authorizing the City  
Attorney to prepare contract with the Board of Super-  
visors of Stanislaus County for the purpose of purchasing from said supervisors  
the southerly 25 feet of Block 206 and whereas a simpler and more speedy  
method of gaining the use and control of said property has been devised, Commission-  
er Oliver introduced

RESOLUTION NO. 4402-NS

rescinding said Resolution No. 4365-NS entitled "A RESOLUTION AUTHORIZING AN  
AGREEMENT WITH THE COUNTY OF STANISLAUS FOR THE PURCHASE OF A PARCEL OF PROPERTY  
IN BLOCK 206 OF THE CITY OF MODESTO", which resolution was regularly adopted by  
the following vote:

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

23 IN THE MATTER OF  
PAYMENT OF ELECTION  
OFFICIALS AND RENTAL  
OF GARAGE

Commissioner Neece introduced

RESOLUTION NO. 4403-NS

authorizing the City Auditor to make payment to  
officials on board of election held on November 9, 1938 for the annexation of  
Lesliehugh Tract in the amount of \$5.00 each and to draw warrant in amount  
\$6.00 for rental of garage used for election, which resolution was regularly  
adopted by the following vote:

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

24 IN THE MATTER OF  
DEPARTMENTAL  
REPORTS

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

25 IN THE MATTER OF  
ADJOURNMENT

Commissioner Oliver introduced

RESOLUTION NO. 4404-NS

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

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

ATTEST   
H. E. GRAGG, CITY CLERK

SPECIAL COUNCIL MEETING

December 19, 1938

The Council of the City of Modesto met in special session this date at 7:30 P.M., the meeting having been called and convened as set forth in Section 2 of Ordinance No. 2-NS

Present: Councilmen: Barnell, Neece, Oliver, Stanley and Mayor King

Absent: Councilmen: None

1- IN THE MATTER OF  
CIVIL SERVICE  
ORDINANCE

A general discussion was held by the Council on the adoption of a Civil Service ordinance.

2- IN THE MATTER OF  
ADJOURNMENT

Commissioner Oliver introduced

RESOLUTION NO. 4405-NS

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

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST

*H. E. Gragg*  
H. E. GRAGG, CITY CLERK

Council Meeting

December 28, 1938

The Council of the City of Modesto met in regular session this date:

Present: Councilmen: Barnell, Neece, Oliver, Stanley and Mayor King

Absent: Councilmen: None

1- IN THE MATTER OF  
APPROVAL OF  
MINUTES

The minutes of the regular meeting of December 14, 1938 having been heretofore read by each Councilman were un-animously approved as so read.

2- IN THE MATTER OF  
CLAIMS-STANDARD  
MATERIALS CO.

Whereas claim has been filed with the City Auditor by the Standard Materials Company for cement and screenings

furnished the City of Modesto in the amount of \$312.34, Commissioner Oliver introduced

RESOLUTION NO. 4406-NS

allowing claim and authorizing the City Auditor to draw warrant in amount of \$312.34 to claimant, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

3- IN THE MATTER OF  
PERMIT OPERATE  
BUSINESS RESIDENCE  
ZONE-M.L.ALCORN

Whereas, pursuant to the filing of petition with the Council by M. L. Alcorn to erect and operate a retail grocery store on property known as E $\frac{1}{2}$  of Lot 1, Block 605, Lucern and El Vecino Avenues in the City of Modesto and it appearing from affidavits on file that a notice setting forth the time for hearing any and all protests to the granting of the petition as prayed for, and this being the time set forth and whereas the City Clerk reports that no protests either oral or written have been officially filed, Commissioner Stanley introduced

RESOLUTION NO. 4407-NS

granting permit to applicant with the understanding that all provisions relative to building permit fees will be complied with, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

4- IN THE MATTER OF  
BIDS ON STODDARD  
AVENUE BRIDGE

Whereas, plans and specifications having been heretofore approved by the Council for the wrecking of existing wooden bridge and construction of a reinforced concrete bridge within the City of Modesto on Stoddard Avenue across the Modesto Irrigation District Lateral No. 4 and notice to bidders having heretofore been given and published as required by law and bids, in accordance with said notice having been received not later than 7:30 P.M. on Wednesday, December 28, 1938 and whereas the City Clerk reported six bids received, namely Harry Brown for \$5384.00, Jarvis Bros for \$7370.00, F. Kaus for \$5730.00, S. M. McGaw for \$5400.00, Nelson & Wallace for \$5790.00 and A. A. Tieslau for \$6861.00 (C.F. Bid File #BP165 for further particulars), whereupon Commissioner Oliver introduced

RESOLUTION NO. 4408-NS

awarding bid to Harry Brown as being the lowest and best bid and authorizing the entering into contract with the successful bidder, appointing Mayor and City Clerk as signatory officials, and directing the City Clerk to return checks to unsuccessful bidders, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

5- IN THE MATTER OF  
REFUND BUILDING  
PERMIT FEE-H. SMITH

Whereas Harcourt Smith has made claim for refund of \$2.00 building permit fee paid and whereas the repairs have not been made on which the building permit was taken, Commissioner Neece introduced

RESOLUTION NO. 4409-NS

granting request and authorizing the City Auditor to draw warrant in amount \$2.00 to claimant, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

6- IN THE MATTER OF  
INSTALL LIGHTS ALLEY

Whereas, application has been made to the Council

for installation of light in alley between F and G Streets and 15th and 16th Streets and in alley between G and H Streets and 11th and 12th Streets and where- as the Council appointed City Engineer Rossi and Commissioner Oliver to make investigation, Commissioner Oliver introduced

RESOLUTION NO. 4410-NS

recommending the installation of light in alley between G and H Streets and 11th and 12th Streets, and refusing request for light in alley between F and G Streets and 15th and 16th Streets, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

7 IN THE MATTER OF  
RECORDING DOCUMENTS

Commissioner Barnell introduced

RESOLUTION NO. 4411-NS

authorizing the City Clerk to record with the County Recorder of Stanislaus County certified copy of Ordinance No. 597-NS, entitled "AN ORDINANCE APPROVING THE ANNEXATION OF CERTAIN TERRITORY TO THE CITY OF MODESTO" and copy of certification from the Secretary of State, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

8 IN THE MATTER OF  
APPROVAL OF STATEMENT  
EXPENDITURE GAS TAX  
STREETS MAJOR IMPOR-  
TANCE

Whereas a first supplemental memorandum agreement has been presented to be entered into with the State of California in accordance with a project statement for

expenditure of the  $\frac{1}{4}$  gas tax for the fiscal year 1939, allocated for Streets of Major Importance, Commissioner Oliver introduced

RESOLUTION NO. 4412-NS

recommending that project statement be adopted as the budget of proposed expenditures of the  $\frac{1}{4}$  gas tax allocated for streets of Major Importance and the Mayor and City Clerk are directed to sign same on behalf of said City, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

9 IN THE MATTER OF  
MARKING STREETS  
WHERE DEATHS HAVE  
OCCURRED

The matter of granting permit to the Modesto Junior Chamber of Commerce to paint markers on the streets of the City of Modesto where deaths had occurred

due to traffic accidents was laid over.

10 IN THE MATTER OF  
ADJOURNMENT

Commissioner Oliver introduced

RESOLUTION NO. 4413-NS

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

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

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST

*NG Gray*

CITY CLERK